

Anwar Nashashibi

Year of call: 1995

"A robust advocate but combines that with sensitive cross-examination skills."



Overview

Anwar Nashashibi is an accomplished advocate with several complementary areas of expertise reflecting his experience and interest in the law. Within the criminal law, these areas are serious crime, complex fraud, bribery and corruption, money laundering. In civil, he practices in commercial fraud and defendant child abuse cases. His civil practice, incorporating facts with implications for criminal and civil liability, leave him well placed to deal with cases where experience of both jurisdictions is needed. He has experience in dealing with extradition matters.

Anwar has a national and international practice. He is instructed at an early stage of the most complex and extensive cases to provide strategic advice and direction to both public and private clients. He is able to do so because of his years of experience as a first instance and appellate advocate in the most challenging cases.

Anwar is praised for his judgement, strategic insight, and advice as well as his advocacy. His clients say that he is "extremely bright. He very quickly gets to grips with the facts of his cases, and is both thorough and innovative. His advice is clear, pragmatic and client focused...a pleasure to work with."

Appointments:

- CPS Grade 4
- SFO A List

Memberships:

- CBA
- FLA

Areas of expertise

- Financial Crime
- Crime
- Offshore & International
- Personal Injury

Financial Crime

Anwar has specialised in fraud, money laundering and corruption for 15 years, receiving instructions in high profile and high value cases in the UK and abroad. He acts in cases of civil fraud as well as criminal fraud. He is in demand both as an advocate and for advisory work and has dealt with extensive, complex and high value cases. He is a member of the A panel of SFO approved counsel, and defends in SFO prosecutions.

Anwar has considerable experience of cases where international issues arise and which feature off-shore jurisdictions. He has dealt with cases involving corruption, hawalla banking, manipulation of off-shore trust and corporate structures, share price and financial instrument manipulation and tax evasion. He has experience of prosecutions of corporations as well as individuals.

Anwar has frequently been instructed at the outset of complex investigations, both for public and private clients. He has conducted compulsory interviews and advised clients subject to such interviews.

Anwar has lectured on relevant topics in the UK, Isle of Man and Jersey, including on the use of off-shore trust and corporate structure to launder the proceeds of corruption and tax evasion, and the risk of criminal and civil liability attaching to persons and entities holding money for clients that may be the proceeds of crime.

Bribery & Corruption

Anwar has extensive experience of high value, extensive and complex corruption cases relating to a variety of contracts and involving both public bodies and private entities. In the course of such cases he has dealt with extradition, conducted compulsory interviews, and advised private clients subject to such interviews. High profile cases include proceedings against senior ministers and chief executives in foreign governments and public corporations. He has advised on issues of state immunity, jurisdiction and international co-operation.

Extradition & Mutual Legal Assistance

Anwar is frequently instructed in cases where cross-jurisdictional issues arise. In particular he has been repeatedly instructed in cases in Jersey, nearly all of which involved evidence gathering from several countries, and often require extradition.

Anwar has liaised with legal authorities in scores of countries in four continents. He has advised upon and drafted letters of request, and flown to many jurisdictions to establish relations with relevant foreign agencies at the highest level. He has advised as to when evidence obtained by compulsory process can be shared with other jurisdictions

Financial Crime Cases

- *X v X*, High Court, 2016, instructed by Fieldfisher to represent a multi national corporation which suspected its client of investment fraud. Issues arising included investment fraud, collective investment schemes, restraining orders and liaising with the authorities, money laundering regulations and payment services regulations, liability for dishonest assistance in breach of trust and for unjust enrichment. The case, which is confidential, was resolved successfully for the client which recovered its legal costs.
- *R v Gooding & Ors* (2012 – 2014): Southwark CC – Instructed by Pannones to defend a conspiracy to defraud and money laundering prosecution by the SFO – Boiler room fraud.
- *AG of Jersey v Gichuru & Okemo* (On-going): Extradition and prosecution of a former Kenyan Finance Minister and former head of the Kenyan electricity utility for corruption related offences.
- *AG of Jersey v Michel & Gallichan*: Investigation and prosecution of a Jersey financial service provider for laundering the proceeds of tax evasion in Jersey's most extensive and complex case of its type.
- Instructed by Mishcon de Reya to advise a Middle Eastern Aluminium Producer that was conducting an international investigation into corruption and money laundering.
- Instructed by Hickman & Rose to advise a defendant to the current prosecution in the TCI for corruption offences in relation to property purchases and development by overseas developers and alleged abuse of the special rules applicable to "belongers" of the TCI.

Crime

Anwar is a skillful and experienced advocate and lawyer. He defends and prosecutes in the most serious and complex cases, including murder, manslaughter, death by dangerous driving and serious sexual offences, both recent and historic. He is a specialist in complex fraud, corruption and money laundering.

His experience and record of successful results has enabled him to develop a national and international practice. His advocacy and grasp of the detail in extensive cases has been praised by clients and the senior judiciary.

His experience with respect to complex fraud and off-shore work is set out in dedicated profiles for those fields.

Anwar has dealt with expert evidence in many areas including: complex brain injuries, and other medical evidence, blood spattering, cell site, bio-mechanics, hawalla banking, company formation/share issues/manipulation and DNA.

Crime Cases

- *R v Martin & Ors, Chelmsford CC, 2017* – Led the prosecution of 6 defendants who were accused of participating in a group attack outside a nightclub. The victim was repeatedly kicked to the head while unconscious. 5 of the defendants were convicted of offences ranging from section 18 to violent disorder after a three week trial. The case was reported in the national press.
- *R v Bagry & Others, Birmingham Crown Court, 2017* – led the prosecution of 9 defendants in multi-million pound drug conspiracy. All the defendants were convicted.
- *R v Watkins & Henson, Wolverhampton Crown Court, 2016* – junior counsel in prosecution for pre-meditated murder.
- *X v X, High Court, 2016*, instructed by Fieldfisher to represent a multi national corporation which suspected its client of investment fraud. Issues arising included investment fraud, collective investment schemes, restraining orders and liaising with the authorities, money laundering regulations and payment services regulations, liability for dishonest assistance in breach of trust and for unjust enrichment. The case, which is confidential, was resolved successfully for the client which recovered its legal costs.
- *R v Deen & Deen (2014): CCC* – Defending allegations of multiple rape and robbery at gun point at the complainants' home.
- *R v Krukowski & Maryszak (2014): Northampton CC* – Prosecuting manslaughter.
- *R v George (2014): Guildford CC* Instructed to defend death by careless driving: the defence was automatism.
- *R v O'Toole: Luton CC* – Prosecuting manslaughter – Shaken baby case.
- *R v Murton & Ors: Nottingham CC* – Defending a major conspiracy to supply class A drugs.

Offshore & International

Anwar has substantial experience of offshore and international work, having been instructed by private and public clients in Jersey, Guernsey, Bahrain and the TCI.

He is familiar with the law and practice of international co-operation and extradition, and of the use of off-shore trust and corporate structures for legitimate and criminal purposes.

In the course of these cases Anwar has liaised with various jurisdictions including the UK, the Channel Islands, Scotland, Kenya, Switzerland, the BVI, the Bahamas, Kenya, Malaysia, Germany, Finland, the US, Spain, France, Luxembourg, Holland, Gibraltar and South Africa.

Anwar has acted for Defendants in prosecutions in off-shore jurisdictions as well as prosecutorial and investigative bodies. These have included cases of money laundering and corruption of great complexity. Details of some of these cases appear below.

Criminal

Anwar has worked for 15 years in various off-shore jurisdictions, as well as in UK cases with evidential links with such jurisdictions. His instructions have come in cases of money laundering, tax evasion, fraud and corruption.

Offshore & International Cases

- *AG of Jersey v Gichuru & Okemo* (On-going): Extradition and prosecution of a former Kenyan Finance Minister and former head of the Kenyan electricity utility for corruption related offences.
- *AG of Jersey v Michel & Gallichan*: Investigation and prosecution of a Jersey financial service provider for laundering the proceeds of tax evasion in Jersey's most extensive and complex case of its type.
- Instructed by Mishcon de Reya to advise a Middle Eastern Aluminium Producer that was conducting an international investigation into corruption and money laundering.
- Instructed by Hickman & Rose to advise a defendant in the current prosecution in the TCI for corruption offences in relation to property purchases and development by overseas developers and alleged abuse of the special rules applicable to "belongers" of the TCI.

Personal Injury

Anwar appears in all types of personal injury claims, specialising in the tort and Human Rights Act liability of local authorities and other public and quasi-public institutions such as the police and charities, issues of consent in cases of sexual abuse, institutional liability for harmful but consensual sexual relations and liability for deliberate assaults by third parties. He has been instructed in cases in opposition to leading counsel in high value cases and in multi claimant litigation. As a result of his criminal experience, he is in demand as an exceptionally able first instance and appellate advocate, as well as for advisory work in complex and novel areas of law.

Defendant Abuse

Anwar has represented Defendant's in child abuse cases over a 15 year period, since his first instruction as junior counsel in the North Wales Children's Homes litigation in 2000. He regularly acts for local authorities/volunteer groups/employers and insurers as well as individual alleged abusers.

Anwar's breadth of experience makes him adept at dealing with relevant legal issues (duty of care, no fault liability, limitation), managing multi-party litigation, social work practice and psychiatric evidence. He has accepted instructions in some of the most unique cases in this area; recent examples include whether vicarious liability could be extended beyond the governors of a school to its charity sponsor, and liability for consensual sexual relations between a support worker and a vulnerable adult who nevertheless had capacity to consent to such relations.

Personal Injury Cases

- Representing South Yorkshire Police in multi-claimant litigation relating to child exploitation in Rotherham.
- Representing Nottingham City Council at the Independent Inquiry into Child Sexual Abuse.
- *Beechwood Children's Homes Litigation*: Nottingham County Court, current. Multi-party action involving multiple Children's Homes as well as failure to remove and alleged abuse by foster parents. Instructed as junior counsel.
- *S v S*, 2015: Successfully defended an action against a charity said to be liable with respect to a consensual sexual relationship between an employee and client. The Defendant's submission that there was no relevant duty of care was upheld.

For more information please contact:

Email:

Civil matters: civilclerks@7br.co.uk

Criminal matters: crimeclerks@7br.co.uk

Family matters: familyclerks@7br.co.uk

Address: 7 Bedford Row; London; UK; WC1R 4BS.

DX: LDE 347 London

