

COLLINGWOOD THOMPSON KC

Year of call 1975 Silk 1998



Collingwood Thompson KC has specialised in both civil and criminal fraud, since taking silk in 1998. Collingwood has acted in some of the most high profile fraud cases, both on behalf of the Crown and the defence.

Both prosecution agencies and defence solicitors regularly instruct him. Concerning the prosecution, he works closely with SFO, CPS and NCA. Regarding defence matters he represents individuals and corporate clients in large fraud investigations.

While being in silk and through his fraud practice he has developed an expertise in legal professional privilege, particularly in connection with search warrants and production orders.

Also, his practice over the past 20 years has become increasingly international, where he has appeared in the courts and advised in a number of jurisdictions including; Caribbean, Hong Kong, Isle of Man, Thailand and Jersey.

Some of the matters he has worked on recently are as follows:

- Advising the Attorney General of Jersey on fraud-related investigations;
- Representing CITIC Group concerning an LPP issue;
- Representing a large well established institution on the Isle of Man, which has been accused of Money Laundering and regulatory issues.

His work also includes advising offshore clients, in particular trust structures in relation to breach of sanctions regulations.

Collingwood is ranked in both Chambers & Partners 2021 and Legal 500 2021 as one of the leaders at the London Bar for Financial Crime/Fraud: Crime.

In addition to representing parties in Court, since taking Silk, Collingwood has regularly delivered in-house

training for Members, as well as being engaged by external solicitors for training, particularly in relation to new legal developments in the fraud and regulatory sphere.

LEGAL EXPERTISE

Financial Crime

Collingwood is a leader at the Bar for Financial Crime and specialises in high value claims involving both private and public bodies.

His practice areas include:

- asset recovery;
- bribery and corruption;
- criminal fraud litigation;
- extradition & mutual legal assistance
- money laundering; and
- sanctions.

Selected Cases

AG for Jersey v Bhojwani & Ors

Instructed by the Attorney General between 2004 and 2010 to assist in recovery of funds looted from Nigeria by the late General Abacha and associates. Through mutual legal assistance and other channels of international co-operation, able to return in excess of \$200 million to Nigeria.

AG for Turks & Caicos Islands v Oceanpoint Developments

Represented the defendant company in the Supreme Court of Turks and Caicos Islands who was facing \$25 million claim in civil proceedings for alleged bribery and corruption. Instructed by Charles Russell and Pannone; successfully reached a comprehensive settlement agreement which precluded confiscation proceedings in a parallel criminal case.

Operation Tetley

Instructed by the Attorney General of Jersey to investigate two Jersey trust funds held by the then Foreign Minister of Qatar in which it was alleged the proceeds of corruption had been placed.

Attorney General for Jersey v Durant International Corporation & Ors

Headed an investigation into allegations of corruption against the former mayor of Sao Paulo, Paulo Maluf. As

a result of extensive international co-operation able to freeze some \$25 million in accounts in Jersey and to provide evidence to the Brazilian authorities, surviving two judicial review challenges in the process.

R v Hayley & Ors

Privately instructed for one of the principal Defendants in the largest ever prosecution brought by HMRC arising out of claims for tax relief in relation to film production; trial due to start in March 2015.

In the matter of Ao Man Long (2013-14)

Instructed by the CPS in proceedings brought to enforce a confiscation order made in Macau by the Court of Final Appeal against the former secretary of public works in Macau arising from multiple convictions for corruption. £25 million recovered as a result of the proceedings.

AG for the Turks & Caicos Islands v Missick & Ors (2011-14)

Successfully represented an English property developer facing major corruption charges in relation to planning permission for tourist developments; following negotiated plea agreement client received a suspended prison sentence.

R v Ussama El Kurd & Ors (2012-13)

Successful prosecution in a £180 million money laundering case arising out of operation of a bureau de change.

Hksar v Vivien Fan & Ors (2008-11)

Represented the senior partner of the largest firm of Chinese solicitors in Hong Kong both at trial and on appeal on allegations of conspiracy to defraud investors and the Hong Kong stock exchange. All convictions quashed by the Court of Final Appeal.

Offshore & International Disputes

Collingwood's is regularly instructed in both advisory work and litigation in offshore jurisdictions, especially in Hong Kong and the Caribbean. His range of work covers:

- bribery and corruption,
- commercial fraud,
- regulatory work; and
- international criminal law.

He has twice appeared in the Court of Final Appeal in Hong Kong acting for the successful appellants in criminal cases. He has also appeared in one of the leading cases on legal professional privilege in Hong Kong: *Citic Pacific v Secretary of State for Justice & another*, in the Court of Appeal. The case concerned the doctrine of limited waiver of privilege in Hong Kong law.

Selected Cases

Hksar v Tsang Wai Lun Wayland & Ors [2014]

Appeared in Court of Final Appeal in Hong Kong to represent two of the Appellants convicted at trial of money laundering offences. Case involved the definition of “the proceeds of an indictable offence”; convictions quashed; case involved a point of law of public general importance.

Attorney General of Turks and Caicos Islands v Missick & Ors (2011-14)

Admitted to the Bar of the Supreme Court of the Turks and Caicos Islands to represent an English property developer in both civil and criminal proceedings arising from allegedly corrupt dealings with the then Government. Successfully negotiated plea and represented client in the Supreme Court, where he received a suspended sentence of imprisonment.

TWCF v LKKS, STL & OIL

Advising the Respondent to ancillary relief proceedings in Hong Kong in relation to allegations of fraud and perjury; currently awaiting ad hoc admission to the Hong Kong Bar to argue part of the case in the Court of Final Appeal on a point of public general importance involving legal professional privilege.

Citic Pacific v Secretary of State for Justice & Another, Hong Kong Court of Appeal[2012]

Successfully appealed a judgment at first instance requiring the company to hand over documents pursuant to a search warrant; judgment reversed on the grounds that the documents were privileged; now a leading case on LPP.

Hksar v Vivien Fan & Ors (2008-11)

Successfully Represented the senior partner of the then largest law firm of Chinese solicitors in Hong Kong on charges of conspiracy to defraud the Stock Exchange and investors; convicted at first instance but all convictions quashed on appeal to the Court of Final Appeal.

Regulatory & Professional Discipline

A significant part of Collingwood’s practice involves financial regulatory work in both the UK and offshore jurisdictions.

He has acted for both regulators and financial institutions, especially in the context of systems and controls operated by financial institutions. He has been instructed by the Jersey Financial Services Commission to report on the money laundering controls of offshore banks, the failure of split capital investment trusts based in Jersey and the operation of European Property Investment Funds by regulated entities in Jersey.

He has also represented trust companies and financial institutions under investigation and successfully acted for the promoters of investment funds that the Jersey Financial Services Commission was seeking to wind up.

In the UK he has represented clients at the RDC facing disciplinary action from the FSA (now the FCA) and has acted for a listed company facing allegations of breaching the UK Listing Rules in related party transactions, instructed by a leading City law firm.

Appointments

- Recorder (1997)

Memberships

- Fraud Lawyers Association (Committee member)
- International Bar Association