

# Rishi Nathwani

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## PROFILE

Admitted Barrister from London who was called to the Bar of England & Wales in 2006. I have been ranked as a leading Criminal Junior in London in "*Chambers & Partners: the UK Bar*" since 2014-current, as well as in the "*Legal 500*" (since the 2016 edition-current). My practice involved Serious Criminal Offending, Regulatory Offences & Proceeds of Crime/Confiscation.

In the UK, I was routinely instructed in the most serious cases, including homicide, terrorism, other serious violence (GBH, armed robberies, aggravated burglaries), serious sexual offences (historic rape, rape against child) and frauds/money laundering. I have acted as Junior led by Queen's Counsel, as Leading Junior and as Junior Alone.

I have acquired a reputation for strong client care skills and meticulous attention to detail in case preparation. I am often instructed in cases involving vulnerable Defendants and complex evidential matters such as DNA identification. I have been instructed by numerous different solicitors' firms, all who have continued to provide instructions. I am a trial barrister, who particularly enjoys the tactics involved in the trial process.

I am accredited by the Bar Standards Board to teach others (including Queen's Counsel) how to cross-examine vulnerable witnesses within new UK national guidelines being rolled out by the end of 2018.

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## PROFESSIONAL QUALIFICATIONS

Mar 2018	Signed Victorian Bar Roll
Feb 2018	Admitted Legal Practitioner in Victoria
2005 - 2006	Bar Vocational Course (Barrister School, various subjects) – "Very Competent" (Equivalent of Distinction) - BPP Professional Law School
2001 - 2005	Bachelor's Degree in Law, LLB(Hons) - 2:1 (Equivalent of a Distinction)
2003	Police Station Accreditation (Pass) – Cardiff Law School. This allowed me to represent and advise persons arrested by the police and detained for interview.

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## EXAMPLES OF PREVIOUS INSTRUCTIONS:

### • TERRORISM

*My previous work profile led to a recommendation to one of the main solicitors who undertake terrorism work. I was duly instructed and now regularly receive instructions in serious terror cases:*

**R v Aziz & Ors, "The Three Musketeers" Terrorism Case, Central Criminal Court – The Old Bailey) (March – August 2017). Prosecuted by Queen's Counsel leading Senior Treasury Counsel (Bill Emlyn-Jones)**

Led by Queen's Counsel representing one of the four Defendants on trial in a high-profile terrorism trial before a High Court Judge. There was significant press interest in the case, that was only the third trial in the history of the UK that was held (in part) in secret (in camera) due to issues of national security. The prosecution case amounted to 25,000 pages of served evidence with significantly more unused material and sensitive material. Whilst the trial was ongoing, there were 4 terror attacks in the UK and this itself caused a number of issues, relating to prejudice and admissibility of certain evidence. The trial process threw up a number of complex and significant legal issues, which included: Secret/in camera evidence (and the associated clearance, confidentiality and undertakings), Anonymous Witnesses, British Secret Service (MI5) Evidence that was not contained to NCND, Public Interest Immunity/disclosure issues relating to MI5 techniques, intelligence and covert surveillance (which resulted in the service of the personal phones of several undercover operatives who it was alleged had planted a pipe bomb to frame the Defendants, some of whom were known to the police/MI5), jury irregularities including a juror making it plain that she fancied the officer in the case (who the Defence suggested was corrupt) and another juror making enquiries as to his relationship status, bad character, extreme Islamic ideology and low copy DNA evidence (STR Mix) amongst other issues.

**R v MD & Ors, Central Criminal Court (Old Bailey) Prosecuted by Senior & Junior Treasury Counsel (Duncan Atkinson, QC leading Alison Morgan) (2017-2018)**

(Led Junior) Representing one of four Defendants charged with conspiracy to murder relating to the first all-female terror cell in the UK which has resulted international press attention. It is alleged the Defendants were to use the niqaab as a disguise after committing mass murder. The Defendant's daughter was shot by the police when arrested. Complex legal issues include British Security Service evidence, undercover probes and other covert recordings. There are disclosure issues related to secret service involvement spanning many years as well as Role Play/Agent Provocateur evidence obtained by the MI5.

• **MURDER/HOMICIDE**

*I have been instructed in numerous homicide cases. I was first instructed in a murder in 2012, at 6 years' call. Instructions have included:*

**R v Gale, Lewes Crown Court (January to February 2017). Prosecuted by Senior Treasury Counsel (Duncan Atkinson, QC)** Represented Defendant (as led junior) charged with murder of Bomb Disposal Expert. The Crown relied on a confession by Gale to his wife as well as a 14-year-old boy testifying that he heard Mr. Gale and another discuss killing Mr. Manning. Gale acquitted of murder.

**R v Jack Harvey & Ors, Central Criminal Court, Old Bailey (2016-17)** Instructed for over a year representing a youth (as led junior) charged with the "Halloween" murder. Due to an over running commitment, I had to return this case.

**R v Dixon, Central Criminal Court, Old Bailey (2016) Prosecuted by Queen's Counsel leading Junior Treasury Counsel** Led Junior representing the main Defendant, a youth charged with murder in multi-handed case involving youth Defendants. Case revolved around complex cell site evidence and text message interpretation.

**R v Ibrahim, Central Criminal Court, Old Bailey (2016) Prosecuted by Queen's Counsel.** Led Junior. Cut-throat multi-handed murder trial relating to death of female. Complex cause of death injury and timing of injuries arguments relating to brain injury. Only Defendant acquitted.

**R v Monteith & Ors, Central Criminal Court, the Old Bailey (2012-2014). Prosecuted by Senior & Junior Treasury Counsel.** Represented (as led junior) Mr Monteith who was charged with revenge murder and had left a DNA sample at the Crime Scene. Low Copy DNA arguments successful. Defendant Acquitted after 8-week trial.

**R v Wellington & Ors, Winchester Crown Court (2012).** Representing main Defendant of five, said to have organised shooting of rival drug dealer. Acquitted of murder.

• **SERIOUS SEXUAL OFFENDING**

*I have been instructed in a significant amount of sexual offending cases. I was first instructed in a rape in 2009. More recently:*

**R v Bucur & Ors, Southwark Crown Court (2016)** – Leading Counsel representing one of eight Defendants alleged to be involved in trafficking women into the UK from mainland Europe and then forcing them to be sex slaves. Defendant acquitted of all counts.

**R v Lategan, Isleworth Crown Court (2015)** – Representing famous fashion photographer suffering from frontal lobe syndrome and dementia, accused of repeated sexual assaults on numerous females.

**R v Bowman, Blackfriars Crown Court (2012)** – Represented female with severe mental health difficulties accused of sexually assaulting a child, who himself had vulnerabilities and behavioural difficulties.

**R v Noon & Ors, Portsmouth Crown Court (2011)** – Representing female Defendant with severe learning difficulties in an international paedophile ring case. The UK Defendants were engaged in a conspiracy with Australian Defendants in replicating serious, horrific child abuse.

• **SERIOUS ORGANISED CRIME/PROCEEDS OF CRIME:**

*Over many years, I have represented individuals and groups involved in the most serious organised crime. I have routinely been instructed, as Junior Alone, in drug importation/supply cases involving multi kilo cases as well as involved in associated Proceeds of Crime/Confiscation Proceedings. Examples include:*

**R v Tripp, Central Criminal Court, Old Bailey (2015-2017)** – Junior Alone. Conspiracy to Supply over 100 kilograms of cocaine and smaller kilograms of heroin. Also represented interests during Proceeds of Crime allegation seeking to recover £10 million.

**R v Clarke, Birmingham Crown Court (2015-2016)** – National Crime Agency Prosecution – conspiracy to import/supply 150kg cocaine.

**R v Menciou & Ors, Woolwich Crown Court (October 2017).** Represented a businessman charged with a complex, high profile money laundering allegation involving members of the notorious Adams Crime Family, with issues ranging from abuse of process to severance.

#### • **FRAUD/WHITE COLLAR OFFENDING**

*I also routinely received instructions in fraud offences, including representing professionals and companies:*

**R v SH & Ors, Southwark Crown Court (2017-2018)** - I was instructed to represent a Defendant charged with multi-million, international fraud relating to movie equipment. Trial was moved to April 2018, resulting in me having to return the case.

**R v BBM, Guildford Crown Court (2017-2018)** - Represented Care Home Owner said to have stolen money from clients for whom she was guardian due to their lack of capacity

**R v Mohsin, Blackfriars Crown Court (2018)** – Junior Alone. Representing an accountant who required an intermediary, charged with Charity Commission Fraud. I also successfully represented him before his professional body in separate regulatory proceedings.

**R v Pandit, Blackfriars Crown Court (2016)** – Representing Payroll Accountant who it was alleged stole over £1 million from his employer, the Charity, Marie Stopes International.

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#### **WORK HISTORY**

**Barrister, Green's List | from 22 March 2018** I have recently accepted an invitation to join Green's List.

**Barrister | Chambers of Forshaw, QC & Heywood, QC, 5 King's Bench Walk, London | Nov 2009 to Present**

*Recommended Leading set of Barristers' Chambers in London*

- I was regularly led by Queen's Counsel, often undertaking cases as Junior alone and also acted as Leading Counsel. I appeared regularly in the Crown Court and Court of Appeal and routinely received instructions for cases at the Central Criminal Court ("*the Old Bailey*").
- I was also a member of Chambers' Pupillage committee, which includes taking training/educational sessions for current pupils to assist them in Court which includes ethical problems. I remain a door tenant at 5KBW.

**Barrister | Chambers of David Nathan QC, 9 Lincoln's Inn Fields**

**Oct 2006 to Nov 2009**

- During my first three years in practice, I routinely attended the Magistrates' and Crown Courts representing people accused with a wide variety of offences and would undertake all hearing from first appearances through to sentence. I also prosecuted for Local Authorities and the Crown Prosecution Service. I also appeared at the Court of Appeal on occasion.

**Pupil Barrister | Chambers of David Nathan, QC, 9 Lincoln's Inn Fields, London Oct 2006 to Jan 2007**

- In the first six months of pupillage, I routinely shadowed my supervisor, Ms Sue Rodham in Court and learnt a great deal from her. In particular, I was educated as to the tactics when presenting a trial before a judge and jury.
- I was fortunate to be involved in the research and preparation for *R v Iain Davis [2008] UKHL 36* which was a successful legal argument in the House of Lords in relation to witness anonymity, as well as involved in *Baby P*, a notorious murder allegation relating to a child at the Old Bailey.
- In my second six months, I was on "my feet" and undertook advocacy representing clients in the Magistrates' and Crown Court. I undertook prosecution (regulatory) work and advised in that capacity. At the end of the 12-month pupillage, I immediately applied to become a tenant at Chambers and was delighted to be offered a place which I subsequently accepted.

**Paralegal/Police Station Representative | Saunders Solicitors**

**Jul 2002 to Sep 2006**

- Initially I worked as a paralegal (instructor's representative) as part of my law degree but then remained in employment (part-time) and during my holidays. Once qualified, I also represented the interests of those arrested and detained in the police station, where I advised them of their rights and also how to answer questions in interview. I represented clients suspected of the calendar of offences, from drunk and disorderly to rape. This included a *Crimewatch* Sexual Predator Case.