



Neil Hawes KC.

Year of call 1989 - KC

Barrister • 2010

neil.hawes@crucible.law

What others say:

- *Neil knows how to grasp the case, he makes the clients instantly feel at ease. He is a fantastic advocate with great delivery style'. **Chambers & Partners 2023, Financial Crime: Corporates Band 2***
- *'Neil is absolutely brilliant. He is incisive, quick and explains things easily for lay people to understand'. 'He really has in-depth knowledge of his area and he makes clients feel like they are in safe hands'. **Chambers & Partners 2023, Financial Crime Band 1***
- **Business and Regulatory Crime (including Global Investigations) (Legal 500 - 2023: Tier 1)**
- **Fraud: Crime - Leading Silk (Legal 500 - 2023: Tier 2)**
- *"He shows a high level of commitment to his clients and his cases. A very trustworthy advocate." **Chambers & Partners 2022, Financial Crime, Band 1 Counsel.***
- *'A very tactically adroit silk.'* - **Fraud: Crime**
- **Business and Regulatory Fraud – Leading Silk (Legal 500 – 2022: Tier 1)**
- *'His attention to detail is second to none, and this is evident in his written and oral advocacy.' **Very hard-working and impressive.' Chambers & Partners 2021, Financial Crime, Band 1 Counsel.***



Present instructions:

- G4S Former Commercial Director (SFO prosecution).
- Advising a Director in relation to bribery and corruption allegations in the building sector concerning a listed FTSE company (CPS)
- Advising a Board and Executives in an alleged cartel in a specific market sector investigation (CMA)
- Advising a company in an ongoing multi million pound tax investigation (HMRC)
- Advising a solicitor in an ongoing Pensions investigation (Pensions Regulator)

Qualifications:

- *'He goes the extra mile for his clients. Extremely hard-working, tactically very astute, and very personable.'* **Legal 500, 2021, Tier 1 Counsel, Business and Regulatory Crime (including Global Investigations)**
- *"Extremely bright and very hard-working. Judges love him. He's great at technical legal arguments in front of the High Court and he's a good jury advocate."* – *"Neil has a phenomenal practice. He's a very smooth operator and a real details-man; he will take the granular approach."* **Chambers & Partners 2020 Leading Silk Financial Crime.**
- *'His ability to absorb, retain and analyse huge amounts of information is staggering'* – **Business and Regulatory Fraud – Leading Silk (Legal 500 – 2019, 2020: Tier 1)**
- *'Excellent and thorough'* – **Business and Regulatory Fraud – Leading Silk (Legal 500 – 2018: Tier 1)**
- *"A quality advocate who is sought out to advise on leading cases involving rate rigging, corruption and mortgage fraud. His wide-ranging experience includes the defence of cases prosecuted by HMRC, the FCA and the SFO"* – **Chambers and Partners 2018.**

Practice Profile:

Neil is the Head of Crucible. Called to be Bar in 1989, he was made a King's Counsel in 2010 and has over 30 years' experience in advising on serious criminal business and regulatory offences and investigations. Renowned for his exhaustive preparation and strategic foresight, he specialises in bribery & corruption, fraud, DPA's, cartel investigations, and insider dealing cases. He remains well known for his down-to-earth collegiate approach with the people who work with him.

Neil is regularly instructed to lead and advise on internal corporate investigations. Instructions have included advising on warrants, documentation retention & production, privilege and strategic outcomes, including money laundering and market reporting obligations.

Neil has been consistently recognised in the legal directories before and since taking silk. Legal 500 rank him as Tier 1 leading Silk for Fraud and Business & Regulatory Crime (including Global Investigations).

- Called 1989, Inner Temple, KC 2010
- LL.B (Hons)

Appointments:

- Head of Chambers
- Co-Chair of the Remuneration Committee of the Bar Council (Crime)
- Member of the Bar Council's Management Committee

Professional memberships:

- South East Circuit
- Criminal Bar Association
- Fraud Lawyers Association
- Cybercrime Practitioners Association

Neil is qualified to accept instructions from clients through the [Direct Access scheme](#).

He is sought after by large corporations and firms alike and is regularly instructed in high profile cases brought by the SFO, FCA, CPS and CMA. During 2019 he sequentially successfully defended two Directors in SFO prosecutions; Sarclad Ltd (the XYZ DPA) and Guralp Systems Ltd (GSL DPA). In 2019, Chambers & Partners shortlisted him for Crime KC of the year.

Serious crime:

Over 30 years Neil has been instructed in some of the most serious crime cases the courts have had to deal with from the importation of 4 tonnes of cocaine over 6 years to appearing for the defence in over 30 murders, including cases of double and treble murder, and retrials arising out of BBC Rough Justice investigations. Neil has extensive experience in serious crime cases where he is sought out for his calm approach and insightful cross examination.

Notable serious crime cases:

Homicide

R. v. JA & others [2020]

JA and others were charged with a drug related killing, in which JA, a youth at the time, conducted a trial in which others were seeking to blame him for the killing. JA suffered from various mental health issues and was regarded as being vulnerable, requiring a intermediary throughout the trial. He did not give evidence. He was however convicted of manslaughter and received a prison sentence of 8 years. His co-defendant, who gave evidence and blamed him for the murder, following Neil's cross examination was convicted of murder.

R. v. HP

Neil represented a defendant charged with a triple killing (his parents and one of his sisters). A youth at the time, the killing was covered up and made to appear to have been committed by racists burglars. The case involved significant medical and scientific evidence.

R. v. JM & Others

The execution of two drug dealers in the North of England by the use of home made guns and bullets. This was a significant investigation in a 'who did it' scenario where both deceased were large scale drugs dealers living together and had a significant number of potential enemies and assailants. There was complex scientific evidence, including evidence from the FBI on the metal components of the bullets used to execute the two deceased.

R v. PF

Neil represented a sales representation charged with attempting to kill a young woman but hitting her repeatedly over the head 16 times with the hammer. She survived. Although identified by a child as left the alleyway where she was found, RF was acquitted.

Financial crime:

Neil is a leading practitioner and trial lawyer in financial crime. Regularly instructed in the most serious and high profile financial crime cases of the day, some of which have come to trial, he has represented a number of high profile clients and acquired a significant reputation in this field of work. He is often instructed to advise or appear in bribery and corruption cases, market rate fixing, cartel and fraud cases. Frequently instructed by corporates and individuals alike when they are under investigation or being prosecuted by the SFO or FCA, he often advises on criminal and quasi-criminal matters both nationally and internationally.

Notable financial crime cases:

Bribery

Sarclad Ltd, R v. AL & Others [2019]

International corruption and bribery allegations in the steel industry prosecuted by the SFO. This was also known as the XYZ DPA case. Neil represented the Marketing Director.

Neil Hawes KC also appeared in the connected important judicial review of The Queen (on the Application of AL) v SFO [2018] EWHC 856.

This case provided guidance on the protection individuals should receive regarding disclosure, following a DPA. The case went on to form the backbone for the SFO developing their Corporate Co-Operation Guidance in late 2019.

Guralp Systems Ltd R. v. AB & Others [2019]

International corruption and bribery allegations in the seismic instrumentation industry prosecuted by the SFO. This was connected to the GSL DPA.

Neil appeared for the Managing Director.

R. v. GW & Others [2018]

International bribery and corruption allegation connected to power stations, and it formed one of a sequence of prosecutions against Alstom.

Neil represented a Swedish national, extradited to the UK, and who had been a senior executive in deals connected to power station development in Lithuania.

Rolls Royce

Neil was instructed on behalf of a senior executive in the organisation and advised them during the lengthy investigation. The executive was not charged with any subsequent offences.

Fraud

R. v. Tom Hayes (Libor) [2016]

The Hayes case achieved worldwide attention. He was the first and main trader to be tried for the Libor rate rigging

allegations, alleged to be worth billions to the world markets as the rate was used to fix all financial transactions.

Neil was instructed a few months before the Hayes trial was due to start. He conducted an initial preparatory appeal on the Libor directions and whether it could amount to a crime, and then on a three day appeal against Hayes' eventual conviction and sentence. The directions and outcome of this case were watched around the world due to the prevalence of rate fixing inquiries. The directions were used in subsequent cases, including Euribor.

R v. AB & Others [2017]

HMRC prosecuted carbon offset LLP case in which Neil Hawes appeared for the first defendant. The trial lasted 6 months.

R. v. Goldshield Ltd & Others [2009/10]

This was the largest SFO case of its time. Prosecuted as a conspiracy to defraud, the 'Pharmaceuticals case' alleged a common law cartel to fix the price of two medicines to the NHS. The case went to the House of Lords.

R. v. Hauxwell-Smith & Others [2008/9]

A large scale fraud of over £16m under delivered stock to IKEA. The case was made specifically complex by the computer legacy systems that IKEA was operating at the time. The case went to the House of Lords on a preparatory disclosure point, and became a key case in disclosure and serious fraud investigations.

Insider Dealing & FCA Offences

R v. GH & Others [2016]

The largest insider dealing case prosecuted by the FCA to date, Operation Tabernula.

Neil represented an alleged 'insider' merchant banker.

R v. C [2015]

Senior Morrison's Executive charged with insider dealing on the floatation of shares.

Cartel Offences

R. v. George & Others [2014]

The first contested prosecution by the then OFT (now CMA) for alleged price fixing between British Airways and Virgin Atlantic airlines.

Neil was instructed to represent a very senior executive of BA.

Furniture & Truck CMA investigations

Neil advised senior executives in these two CMA cartel investigations, and on the back of written representations those executives were not charged with any criminal offence of price fixing.

Professional discipline and regulatory law:

Neil regularly advises a number of different professionals on regulatory infraction and professional discipline. He is often required to advise professionals on FCA investigations and potential enforcement in the RDC or Tribunal.

