



*Fleet Street*

Called 1986  
Email [chambers@187fleetstreet.com](mailto:chambers@187fleetstreet.com)  
Contact  
Telephone 020 7430 7430  
Fax



## Richard Christie QC

### Profile

Richard Christie was appointed to the Attorney General's A list of prosecution counsel in 2002 after many years specialising in heavy defence work. He took silk in 2006. His practice continues to reflect a mix of both defence and prosecution work in almost equal measures. He deals in all areas of criminal work but especially serious fraud, murder and cases that require substantial client care. In the last 10 years, he has been extensively involved in MTIC cases (multi-million pound VAT frauds) and has particular expertise in this very complicated area both criminally and in the VAT tribunal. During 2011 he successfully concluded the hugely complicated defence of the historic axe murder of Private Eye Daniel Morgan, a case which involved numerous allegations of police corruption and is linked to the News International phone hacking scandal and now the murder of Stephen Lawrence. In the same year he appeared before the Leveson Inquiry and successfully defended in a multi-jurisdictional £1 billion cocaine importation. He recently defended the only defendant to be acquitted in Operation Chert, a 5 ½ month MTIC trial at Kingston Crown Court. His successful prosecution of a multi-million pound 10 handed excise fraud was featured on the ITV programme "Fiddles, Cheats and Scams" in 2010.

He has extensive experience of the VHCC system.

He has been recommended in Chambers and Partners every year since taking silk.

He has been Chairman of the Essex Bar mess since 2011.

Richard Christie is one of only a few designated counsel, appointed to deal with rough justice/historic appeal cases by Her Majesty's Revenue and Customs. He is also engaged in a number of these cases at any one time on behalf of the defence. He regularly acts on behalf of the Criminal Cases Review Commission in judicial review proceedings that contain the same sort of issues.

Before coming to the Bar he trained with the leading accountancy firm Touche Ross and Co.

He has been on the Serious Fraud Office's panel of approved Queen's Counsel since 2009 and was reappointed for a further 4 years (19 April 2013) and again for a further 4 years in 2017.

### Criminal Practice

### Notable Cases

- **R v. Johnson (Aldin) (1995) 2 Cr. App. R. 1** - Alibi and severance.



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- **R v. Mian (1997)** - £1.5m cannabis importation by high ranking Pakistani, said to have been framed by Pakistani regime.
- **R v. Parr (1997)** - Money laundering following cross-jurisdictional Eurobond fraud.
- **R v. Phipps (1998)** - Murder: educationally subnormal Defendants. Cut-throat defences.
- **R v. Robinson (1999)** - Paedophile family: allegations of rape and fellatio.
- **R v. Butler (1999)** - Leading Junior in major local government corruption fraud: stayed for abuse of process.
- **R v. Alkadiki (1999)** - \$3.5m international banking fraud: stayed for abuse of process.
- **R v Bosson (1999) Crim. L.R. 596** - Handling/theft: multiple appropriations.
- **R v Rodrigues (2001)** - Leading Junior in sophisticated banking fraud perpetrated by employees of Lloyds/TSB: stayed for abuse of process.
- **R v Wheeler (2001)** - Drugs gang murder: cut-throat defences.
- **R v Stapleton, May and others (2002)** - One of the first major Missing Trader Intra Community (MTIC) VAT "carousel" frauds involving ten Defendants and the loss of over £12 million to the revenue plus confiscation.
- **R v Dixon (2002)** - Assault: automatism brought on by a combination of ADHD, bipolar mood disorder and wrongly proscribed prescription drugs.
- **R v Gill (2003)** - Leading Junior. Money-laundering of proceeds of multi kilo heroin dealing + 2 day appeal in 2004.
- **R v Haggerty (2003)** - Leading Junior. Highly regarded police officer charged with multiple counts of fraud involving bullying of wife (Q/E) into stealing from her employer.
- **R v X (2003)** - £40 million VAT fraud involving the evasion of duty on 180 million cigarettes using multiple corporate bodies. Extensive PII and legal submissions owing to Defendant's status as informant.
- **R v Smith (2003)** - Rough Justice-style murder appeal based on fresh evidence - 3 day appeal hearing.
- **R v Walpole (2004)** - Major Conspiracy to import cocaine and cannabis (in excess of one metric tonne) in to UK plus confiscation (Leading Junior).
- **R v Grady (2004)** - Leading Junior in Multiple Letters of Credit fraud perpetrated against the English Clearing Banks - Stayed after 3 months for abuse of process.
- **R v Chapman (2004)** - £16.75m VAT fraud: one of the first MTIC frauds involving use of the "Wallbank Protocol".
- **R v Yang (2004/5)** - Chinese Herbalist charged with numerous offences under the Medicines



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Act 1958 involving fenfluramine and other banned substances - Campaign by local newspaper and NHS Trust against her.

- **R v Piggott and others (2005)** - £44 million MTIC fraud involving use of off-shore companies in Hong Kong, Spain, Panama, Portugal, Ireland and France-15 week trial. Confiscation ongoing and joined with ancillary relief proceedings in the High Court (Leading counsel 2006-2010).
- **R v Carine and Barret-Jolley (2005-8)** - Rough Justice-style appeal for one of the Southend airport conspirators (250kg of cocaine) - Previous counsel - Martin Heslop QC; Simon Bourne-Arton QC.
- **R v Bush (2004 and 5)** - Rough justice-style appeal in murder linked to contested divorce proceedings. Previous Counsel John Nutting QC.
- **R v Strain (2005/6)** - Leading junior in hydro-carbons (fuel laundering) fraud involving extensive money laundering amongst the Northern Irish criminal fraternity (4 month trial).
- **R v Carter (2006)** - Leading Counsel in murder trial. Complicated forensic evidence in which he successfully argued that there had been no killing at all (4 week trial). Against Sally Bennett-Jenkins QC and then Jeremy Benson QC.
- **R v Duffy (2006)** - Murder. Diminished responsibility reduced to manslaughter - batters mother to death with hammer - against Philip Singer QC.
- **R v Long (2007)** - Leading Counsel in fraud/arson trial (8 week trial). Target criminal. Substantial disclosure issues involving previous 9 month prosecution. Confiscation ongoing. Against Bill Clegg QC (trial) and Tim Owen QC (confiscation).
- **R v Donnan and others (2007/8, adjourned from 2006)** - Prosecution of £35m money laundering operation stemming from major MTIC fraud - 8 week trial followed by 5 day confiscation proceedings.
- **R v Bodden (2007)** - Leading Counsel in conspiracy to murder trial in the Cayman Islands (3 week trial). Co-defending with Jerome Lynch QC.
- **R v Nevers (2007)** - Leading counsel in series of attacks on pregnant women or women with small children (9 in total). Similar fact/bad character (2.5 month trial). Against Stephen Solley QC and then Henry Grunwald QC.
- **R v Ahmed (2007)** - Leading Counsel in rough justice-style appeal. Multiple rape, kidnap and false imprisonment resulting from Islamic marriage. Issues relating to legal professional privilege of the victim, bad and good character and fresh evidence emanating from legal documents seized from the victim.
- **R v Abu and others (2007/8)** - Leading Counsel in Immigration fraud (3.5 month trial).
- **R v Tambengwa (2008)** - Leading counsel. 5 week murder trial combined with serious sexual offences on a child witness. Against Richard Ferguson QC.
- **R v Small (2008)** - Leading counsel. Rough justice appeal against conviction in case involving serious historic sexual offences. Conviction quashed. Re-trial in 2009. Acquitted.



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- **R v Hale (2009)** - Leading Counsel. Murder. Missing victim. Note "By fire, by sea, by landsite, by acid" found in Defendant's possession. Acquitted. Front page Evening Standard and Sky News. Against Crispin Aylett QC.
- **R v Rees (2008-2011)** - Probably one of the most complicated and unusual murder trials ever. Historic axe murder involving alleged police corruption, 750,000 pages of material, 5 month abuse of process application and 5 previous enquiries. Listed for 6-8 months. After the defendants were acquitted, Mr. Justice Maddison, the trial Judge said:
  - "In all the years that I have been a judge, and there have been many, many of them, I have never come across a case in which there have been so many issues or such complex issues to be resolved before a trial could even get underway. And I anticipate that the combined experience of counsel, and it is very considerable combined experience, has never come across a case of this kind"
  - "My firm view is that the legal representatives for all the defendants, faced with a mammoth task, have responded magnificently to it. And the quality of the written and oral submissions that I have received has been of the highest quality. The industry and the tenacity which has been shown by the defence teams is to be commended and the defendants will leave court knowing, if they did not already and I think they must have known before, that they have been very well served".
  - "Mr. Christie, if I may say so, it is obvious from the detail and quality of your submissions that you have been investing a huge amount of effort into this."
- The case is said to have involved the longest pre-trial legal arguments in the history of English Criminal Law
- The case has been linked to the phone hacking scandal, has featured on Panorama and been widely reported in all the National Newspapers.
- Against Nicholas Hilliard QC and Jonathan Rees QC
- **R v Conroy and others (2008-12)** - Leading counsel. Ten-handed £18m excise and VAT fraud. Interviewed on ITV's "Fiddles Cheats and Scams".
- **R v Briggs (2010-2011)** - Leading counsel. £1 billion+ cocaine importation and firearms charges. Acquitted of all charges bar £10k worth of money laundering.
- **R v Hanson (2011)** - Leading Counsel. Conspiracy to murder based on tainted SOCPA evidence. Estimated to last 3 months but following 5 day abuse of process argument, key evidence excluded and prosecution offered no evidence.
- **R v Gill (2011 to 2013)** - Leading counsel. Conspiracy to cheat. Seven-handed £38m MTIC fraud. First carbon credit MTIC fraud. First presentation of the evidence in electronic only form. 4 month trial.



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- **R v Naqshbandi (2012)** - Leading Counsel. £6m crash for cash conspiracy to defraud. Over 250 staged accidents/ exaggerated claims. Numerous satellite cases that were prosecuted as separate cases against prosecution witnesses. 5 week trial. Against David Aaronberg QC.
- **R v Dudley (2012)** - Leading Counsel for main defendant in allegation of four-handed gross-negligence manslaughter - alleged excited delirium arising from lawful restraint by 4 doormen leading to spontaneous death - acquitted. 6 week trial.
- **R v Durham (2012)** - Leading Counsel. 11 counts of conspiracy to rob CIT vans over a 5 year period. 6 of 11 acquitted. Large scale 'fit-up' alleged against the Flying Squad who had previously fitted up two of the defendants. 5 month trial. Against Brian O'Neill QC.
- **R v Beck (2012)** - Leading Counsel. Murder. Football related. Diminished responsibility defence. Against Jonathan Turner QC.
- **R v Bensley (2013)** - Leading Counsel. £24m. 6-handed MTIC fraud. 5 ½ month trial. Only one of 6 defendants to be acquitted
- **R v T (2013)** - Leading Counsel. Rough justice appeal. Historic sexual offences. Fresh evidence.
- **R v Mohamoed (2013)** - Leading Counsel. Attempted murder of ballet dancer Jack Widdowson (featured on BBC and numerous National Newspapers as a real-life Billy Elliot). Acquitted. Against Michael Mather-Lees QC.
- **R v Naweed Bashardost (2015)** - Acquittal on charges of murder and conspiracy to cause grievous bodily harm following 4 month trial. 3 applications to discharge the jury, two because of alleged bias. Naweed Bashardost, was acquitted of murder and conspiracy to commit GBH. The seven handed case was heard in Birmingham Crown Court and gave rise to numerous problems as a result of reports of jury bias against the defendants. The case concerned an alleged gang attack by Afghans on a rival Pakistani gang who were all said to be armed with Samurai swords, baseball bats and at least one shotgun. Naweed Bashardost was one of only 3 defendants who were acquitted completely of all charges.
- **R v Iftinca (2015)** - Leading Counsel with Matthew Bagnall. Instructed to defend in 6 handed murder trial at Chelmsford Crown Court. The trial was due to last 8 weeks but Mr Iftinca was acquitted at the close of the Prosecution case. Against Jeremy Benson Q.C.
- **R v Lorenzo Simon (2015)** - Murder - body in a suitcase disposed of in the Birmingham canal.
- **R v Rafiq (2015-2016)** - Ongoing. Human trafficking. First-ever prosecution of end user of trafficked labour. Brought against a bed manufacturer supplying John Lewis, Dunelm and Next. Acquitted at close of Prosecution case, resulting in Prosecution appeal. Against Christopher Tehrani Q.C.
- **R v Sylvester, Lewis and Houlder (2016-2017)** - Murder - stabbing following fallout between drugs dealers. Murder commissioned by lead drug dealer. Successful prosecution of first two defendants. Extradition of one defendant, prosecution pending. Against Annette Henry Q.C. and Sally-Ann Hales QC
- **R v Bergin, Simms and Shreeve (2016)** - Attempted murder, aggravated burglary and s.18 of



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multi-millionaire businessman - shot with sawn-off shotgun at point blank range. Complex issues relating to voice recognition. Successful prosecution.

- **R v McCarthy (2017)** - Murder within the travelling community. Alleged revenge attack by running over the victim with a transit van following attack with slash-hooks and machetes by the victim and his family. Acquitted of murder. Against Miranda Moore Q.C.
- **R v Bird (2017)**- Murder - attack with hammer, leading to delayed rupture of the spleen. Complex issues relating to causation and pre-existing ill-health. Successful prosecution. Against Nigel Lickley Q.C.
- **R v H (2016-2018)** - Conspiracy to cheat HMRC as part of tax -avoidance film scheme - professional, high net worth defendant. Ongoing.
- **R v Karim (2015-2018)** -170,000 page immigration and revenue fraud. Listed for trial twice but adjourned in 2016 and then 2017. 5 month trial listed in 2018. Ongoing.
- **R v Taft (2017)** -rough-justice appeal against convictions for conspiracy to issue threats to kill and to cause explosions (pipe bombing in the course of business dispute) arising from deficiencies in disclosure at the original trial.

In the course of the Court's judgment at paragraph 36 Holroyde LJ observed:

"We preface our remarks by paying tribute to the care and clarity with which both counsel have addressed us. We are extremely grateful for their written and oral submissions"

<https://crimeline.co.uk/wp-content/uploads/2017/11/taft.pdf>

#### **R v White and Shepherd**

Richard Christie QC and Matthew Bagnall secure convictions against two drug dealers who murdered their friend and rival having lured him to dense woodland, beaten him over the head with baseball bats and cut his throat. Following a 7 week trial at Cambridge Crown Court jurors returned guilty verdicts against both defendants after being in retirement for 6 full days. Both defendants were sentenced to life imprisonment and were required to serve minimum terms of 29 and 28.5 years respectively. The case involved detailed scientific, telephone, CCTV evidence and eye witness testimony following the creation of false alibis by both defendants.

<https://www.cambridge-news.co.uk/news/cambridge-news/sam-mechelewski-murder-trial-sentencing-15743567>

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#### **Civil Practice**

In silk, he has been involved in many quasi-criminal proceedings including judicial review proceedings on behalf of the CCRC. He was engaged as independent counsel to the IPCC in the shooting of barrister James Saunders. He has also drawn extensively on his experience as a Deputy Taxing Master, dealing with many high-profile high value costs cases on behalf of HMRC and other public bodies.



He has regularly dealt with civil actions against the Police and appeared in the landmark House of Lords case of **Martin v. Watson (1994) Q.B. 425 C.A. and (1995) A.C. 74**. In recent years, as acts of policing have been carried out more and more by public companies, this has meant an increase in work in this area.

**Cases of Note Include:**

- **X v Her Majesty's Commissioners for Customs and Excise (2004-2005)** - Malicious prosecution case against Customs relating to £40 million fraud where Claimant acting for Customs throughout (Leading Counsel on both sides instructed). Against Simon Freedland Q.C.
- **Boston v CCRC (2004-6)** - Instructed on behalf of CCRC to resist judicial review proceedings brought against CCRC for refusing to refer conspiracy to pervert the course of justice case by solicitor and stockbroker to the court of appeal. Complicated costs issues also involved. Against Tim Owen Q.C.
- **Ancix v CCRC (2006)** - Instructed on behalf of CCRC to resist judicial review proceedings brought against the CCRC for refusing to refer this murder case to the Court of Appeal. Against Ed FitzGerald Q.C.
- **IPCC v Saunders (2008)** - Independent counsel instructed by IPCC to review material in the notorious case of the shooting of a barrister.
- **Kenneth Noye v CCRC (2008)** - Leading counsel instructed on behalf of CCRC for refusing to refer this notorious murder case to the Court of Appeal - Against Clare Montgomery Q.C.
- **Imerman v Tchenguiz (2009)** - Leading counsel in breach of confidence case brought by multi-millionaires against one another. Involves alleged computer misuse. Now the leading case on illegally obtained documentation from an opposing party.
- **Davis v CCRC (2009-2010)** Leading counsel instructed on behalf of CCRC for refusing to refer this serious sexual case to the Court of Appeal.
- **Delroy Lewis v Ministry of Justice (2011)** - Leading Counsel. Judicial Review based on overlong detention pursuant to the Criminal Justice Act 2003 for long term prisoner convicted of serious drugs and firearms offences but also convicted of a minor specified offence leading to detention for a further 2 years and 8 months longer than his actual sentence.
- **VOSA v Buzzlines (2013)** - Leading Counsel for VOSA. Judicial review of costs order made by Margate Magistrates' Court in huge tachograph-related prosecution.
- **Watson v CCRC (2014)** - Highly complex judicial review of historic murder case. Instructed on behalf of the CCRC to defend their refusal to refer the case to the Court of Appeal. Against Stephen Kamlish Q.C. Over 20 years ago Karl Watson was prosecuted for murder by Nigel Sweeney and David Waters (as they both then were). The case went to the Court of Appeal in 1996 and then was subject to one of the longest and most extensive reviews by the CCRC. When the CCRC finally decided not to refer the case back to the Court of Appeal Mr. Watson sought judicial review of that decision on numerous grounds. After a lengthy hearing that application was refused.
- **R v Evans (2015-16)** - Representing SFO in costs claim brought by five defendants including



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Deputy High Court Judge, prosecuted for offence of conspiracy to defraud re open cast mining in Wales.

· **Hussain v General Pharmaceutical Council - (2016-2018)** Granted leave to appeal to the Court of Appeal against decision to erase pharmacist from GPC register which had been upheld by High Court - ongoing