Neil Hawes KC

Call 1989

EXCHANGE CHAMBERS

Clerks

Nick Buckley
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Appointments

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

Memberships

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

Overview

Neil was called to the Bar in 1989, and was originally made a Queen's Counsel in 2010, and is now King's Counsel. He has over 30 years' experience advising individuals and companies on serious criminal business and regulatory offences and investigations. Renowned for his preparation and strategic foresight, he specialises in cases that concern bribery & corruption, fraud, DPA's, company offences, cartel investigations, and insider dealing cases. He is well known for his down-to-earth and collegiate approach with the teams that he works with.

Neil is frequently instructed to advise on live internal corporate investigations, including advising on warrants, documentation retention & production, interview plans, privilege and wider strategic outcomes for companies, which can frequently include money laundering and market reporting obligations.

Neil has been consistently recognised in the legal directories for his work. Legal 500 rank him as Tier 1 leading Silk for Fraud and Business & Regulatory Crime (including Global Investigations). Chambers & Partners list him in Band 1 for Fraud. He is sought after by large corporations and firms alike and is frequently instructed in high profile cases brought by the SFO, FCA, CPS and CMA. In the last few years he has successfully defended in a number of major SFO prosecutions, including: Sarclad Ltd (the XYZ DPA), Guralp Systems Ltd (GSL DPA) and most recently G4S (G4S DPA). In 2019, Chambers & Partners shortlisted him for Crime QC of the year, and in 2023 Legal 500 Shortlisted him as Financial Crime KC of the year.

Criminal Cases

SERIOUS CRIME

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

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

G4S Former Commercial Director.

SFO charged directors of G4S with fraud connected to alleged overcharging for services under contracts awarded to G4S by the MoJ for the tagging of offenders in the UK. In anticipation of defence abuse of process arguments the SFO offered no evidence against the defendants because of its failure to disclose relevant material in sufficient time for a trial which had already been adjourned for over 12 months due to ongoing disclosure issues. The failures included properly scheduling and disclosing material to the defence from the related DPA proceedings. This was a very complex case, affected by its sister investigation, the Serco case and the Altman Report. It required detailed scrutiny and criticism of the SFO's case management abilities, specifically with digital material. Neil lead Roderick James, also in Crucible.

Dave Ames, Harlequin Group of Companies

SFO charged Mr Ames with fraud by abuse of position due to the collapse of the Harlequin group of companies. Harlequin sold and developed off plan properties in a number of locations in the Caribbean. The group collapsed with overall losses in excess of £400 million, where over £200 million of that loss was alleged to have been caused by fraud. The case had notable and unique complexities to it, including significant jurisdictional issues, with numerous companies established in many different countries, defence material held on the Harlequin servers, and large amounts of material that was subject to LPP. This required the defence to manage and assess vast amounts of information over some years before the trial. Neil led two juniors in the case.

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 Morrsion'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.

Recommendations

"He is highly, highly experienced – one of the most fearless advocates."

"His paperwork, knowledge and advocacy are top drawer." **Chambers & Partners 2024, Financial Crime: Corporates Band 2**

"He is a serious detail man, devouring fact and evidence. He can then repackage and present it beautifully in his advocacy."

"His appetite for hard work is extraordinary and he has a calm, reassuring manner with clients." **Chambers & Partners 2024, Financial Crime Band 1**

'Neil is an absolute powerhouse in the financial crime world. He is exceptionally hard working, and knows his cases inside and out. Juries like him as much as his clients do.' **Fraud: Crime – Leading Silk (Legal 500 – 2024: Tier 2)**

'Very client friendly – understands the issues and can explain them in simple terms to a lay client. Quick brain on criminal procedure.' **Business and Regulatory Crime (including Global Investigations) (Legal 500 – 2024: Tier 1)**

'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.**

'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)**

Beyond the Bar

He is long serving member of the Management Board of Charter. He is married with three children. In his spare time, he is a Trustee of one of his children's schools and Chair of Governors of a Voluntary Aided School. He occasionally plays golf (very badly).