



## Colin Witcher

Legal 500, 2019 & 2020 Leading Individual

Year of call: 2010

Year of silk:

"Juries warm to him; he approaches the cross-examination of vulnerable witnesses with care and skill."

Legal 500 2020, Ranked as a Leading Junior

A very fine Advocate, an impressive knowledge of law and procedure

Legal 500 2019, Ranked as a Leading Junior

Incredibly bright. Superb in cross-examining difficult witnesses

Bellamy Forde, Partner, McMillan Williams, London

Corporate clients appreciate his focused practical advice on insider trading and his ability to always hit time sensitive deadlines

Shamina Chowdury, Solicitor, 3HR Corporate Team, Paris



## About

Colin specialises in general crime, corporate crime and financial regulation. He both prosecutes and defends, being entrusted with cases of the highest sensitivity and is often sought to act in high-profile and high-value matters, both in an advisory capacity and at trial. He has acted as a Leading Junior, Led Junior and Junior Alone. Colin is comfortable before all Courts and Tribunals and has developed an impressive appellate practice for his year of call; his recent reported cases include Khan [2017] EWHC 3042 and Inns [2018] EWCA Crim 1081. Current Instructions for 2019:

R v D (Led by QC: Baby Shaking, Luton Crown Court)

R v E (Led by QC: Murder, Central Criminal Court)

R v E (Led by QC: Bribery, Southwark Crown Court)

R v D (Junior Alone: Perverting the Course of Justice, Central Criminal Court)

R v E (Junior Alone: drug importation) Recent Concluded Instructions in 2018:

R v E (Leading Junior: Violent Disorder, Leicester Crown Court)

R v D (Junior Alone: Rape, Croydon Crown Court)

R v D (Junior Alone: Consumer Protection, Isleworth Crown Court)

R v E (Junior Alone: Human Trafficking and Slavery, Peterborough Crown Court) Recent

Advisory Matters:

Re: BB (Food Hygiene)

Re: BJ (Private Prosecution)

Re: DB (Bribery)

Re: DE (Environmental)

Re: AA (International Fraud) Recent International Matters Include:

Re: DR: Kosovo (war crimes)

Re MW: Nigeria (freezing injunctions arising in cross-border fraud)

Re BW: Japan (insider trading arising from employee conduct)

Re DN: Hong Kong (injunction arising from share mismanagement)

Re: DB: Dubai (extradition and HMRC settlement) Profile Overview Colin routinely acts on behalf of companies and directors in the full spectrum of regulation and criminal offending including health and safety, food hygiene and licensing. He has extensive experience of asset forfeiture, restraint and confiscation matters, including acting in one of the largest confiscation cases since the 2002 Act came into force (154m benefit). He has developed a reputation for offering excellent client care and for being an engaging and passionate advocate who can adapt to any tribunal, be they lay, professional, corporate or military. He is well versed in dealing with a variety of expert witnesses and has cross examined medical experts, including pathologists, breaking down complex facts and technical matters to get to the heart of the issue for jurors. Colin received high praise in a recent murder case where he cross-examined a pathologist, forcing concessions highly advantageous to the defence. He, unusually for his level of call, has experience in baby-shaking cases. In general crime, Colin has developed a specialism in defending in paper heavy, complex, criminal matters including murder, drugs and fraud which require thorough and effective case preparation. Colin has been led in a number of high-profile and complex criminal matters but is also a confident Jury advocate in his own right. He has appellate advocacy experience in both the High Court and the Court of Appeal, in addition to advising in CCRC matters. In addition to his domestic practice, international law and military law has long been a passion for Colin both professionally and academically. As a former intern at the Special Court for Sierra Leone during the War Crime trial of Charles Taylor, the ex-president of Liberia, and as a Pegasus Scholar in Washington, Colin often brings an international perspective and approach to his cases. Colin has also discussed cross-boarder legal perspectives with experts, both legal and military, at the Pentagon, Qunatico and the Military Appeal Court, Washington DC. Colin regularly publishes commentary on current legal issues and has lectured both domestically and internationally. In February 2017, Colin was invited to present a key note speech in Seattle, USA, on cross board perspectives on tackling racial bias within the jury system. In November 2017, Colin was invited to join the delegation in Qatar at an international bribery and corruption and in December 2018 Colin assisted in arranging a conference for The Rule of Law & Anti-Corruption Centre in London. In 2015, Colin was elected to the Executive Committee of the Criminal Bar Association and in 2016 was elected to the Executive Committee of the South Eastern Circuit. He is the current treasurer of the Herts and Bed Bar Mess. Colin is now in his fourth successive term on Chambers Management Committee

Extradition: Old Dogs, New Tricks (published by IFO) Colin co-wrote this article on extradition law with Kerim Fuad QC offering commentary on the separation of powers in the light of recent high-profile cases.

Disabled Children, a legal handbook (published by LAG) Colin was a researcher for this leading textbook on child disability law, focusing on researching and drafting content in respect of Statements of Special Educational Needs.

An Innocent Mans Parole (Published by Converse) Article co-written with Charles Archer of J4E ltd offering advice for prisoners seeking parole whilst maintaining their innocence

The Value of Legal Learning (Law Conference 2014)

TUPE, an update (Chambers Lecture Series)

Contempt of Court (Chambers Lecture Series)

Forensic Science (Chambers Lecture Series)

Confiscation in drug conspiracies (Chambers Lecture Series)

Comparative Trial Advocacy (Stetson Law School, USA abroad programme)

Effective Technology in case presentation (Delaware, USA)

Member of the Criminal Bar Association (CBA)

Inns of Court: Pegasus Scholar 2014

Grade Two Crown Prosecution Panel Member

SFO: LPP Disclosure Counsel

Nottingham Law School, LLB (top 2.5 % in cohort)

BPP Law School, BVC (top 2.5% in cohort)

Nottingham Law School: European Funding Award

Middle Temple: Jules Thorn Scholarship

Middle Temple: Certificate of Honour for performance in Bar Finals

## **Cases of note**

**R v C**

*Appeal against conviction; judicial conduct in VAT fraud.*

**R v D**

*Appeal against conviction; cross territorial jurisdictional of document fraud offences.*

**R v G**

*Appeal against sentence in respect of manifestly excessive sentence; drugs.*

**R v P**

*Appeal against conviction in cold case review; murder, fresh evidence.*

**R v N**

*Appeal against sentence in respect of error of law and manifestly excessive sentence.*

**R v G**

*CCRC Appeal in respect of cold case review; bank robbery, fresh evidence.*

**R v M [Maidstone Crown Court]**

*Led Junior in five day final hearing; confiscation sought for 152million; awarded 500,000.*

**R v P [Warwick Crown Court]**

*Privately retained on behalf of company directors in patent/trade mark offences.*

**R v G [Harrow Crown Court]**

*Privately retained on behalf of multimillionaire property developer; confiscation sought for 1million; awarded 190,000.*

**R v E [Snaresbrook Crown Court]**

*Privately retained; successfully opposed an application by the Crown under section 22 to increase available amount.*

**R v D [Harrow Crown Court]**

*Successfully made section 23 application.*

**R v R [High Court]**

*Application for Certificate of Inadequacy.*

**R v O [Leicester Crown Court]**

*Leading Estelle Thornber of Chambers in paper heavy case (150,000 pages) where 11 defendants faced an indictment alleging violent disorder in the context of an attempted murder.*

**R v D [Central Criminal Court]**

*Led Junior in four week murder trial.*

**R v R [Leicester Crown Court]**

*Led Junior in multi-million pound conspiracy to supply Class A and B Drug, value in excess of 5million.*

**R v S [Maidstone Crown Court]**

*Led Junior in two month conspiracy to supply / import class A Drugs trial, value in excess of 7million.*

**R v N [Luton Crown Court]**

*Led Junior in a five week conspiracy to murder trial.*

**R v D [Southwark Crown Court]**

*Led Junior in 1m fraud against the Government (deaf defendants).*

**R v S [Maidstone Crown Court]**

*Led Junior in a seven week multi-million pound money laundering trial.*

**R v P [Central Criminal Court]**

*Led Junior in 1.5m fraud against HMRC.*

**R v G [Kingston Crown Court]**

*Led Junior in three week attempted murder trial.*

**R v E [Croydon Crown Court]**

*Gang rape by young males of drunk complainant.*

**R v D [Reading Crown Court]**

*Multi-Count familiar rape (24 alleged occasions of rape); cross-examination of young complainant.*

**R v P [Northampton Crown Court]**

*Violent rape in the context of domestic violence.*

**R v W [Woolwich Crown Court]**

*Knife point repeated rape of prostitute.*

**R v C [Inner London Crown Court]**

*Assault allegation jointly charged with codefendant facing attempted murder; cross examination on premises of fabrication and stitch up.*

**R v X [Woolwich Crown Court]**

*Successfully defended in Section 18 and Threats to Kill matter.*

**R v O [Woolwich Crown Court]**

*Successfully acted at trial on behalf of a defendant (a victim of domestic violence) who stabbed her husband four times in self-defence.*

**R v D [Central Criminal Court]**

*Secured not guilty verdict for lifer charged with aggravated burglary.*

**R v E [Isleworth Crown Court]**

*Defence of company accountant; three separate trials resulting in acquittal.*

**R v X [Kingston Crown Court]**

*Six week 17 handed conspiracy to rob trial (69 separate high value robberies). Secured one of two only acquittals.*

**R v E [Southwark Crown Court]**

*Led by QC in high-profile and unusual fraudulent trading case.*

**R v B [Central Criminal Court]**

*Led by QC in cheating public revenue matter.*

**X v X [Advisory]**

*Together with QC advising on an international injunction case for LA based clients.*

**MYE [Advisory]**

*Retained privately by the European subsidiary of an international finance company (with \$2.5billion holdings) to advise on insider trading (both FSMA and CJA).*

**SFO [Advisory]**

*Retained as LPP Counsel by SFO in respect of international bribery case.*

**HMRC [Advisory]**

*Retained as LPP Counsel by HMRC in respect of 400m tax fraud.*

**R v S [Canterbury Crown Court]**

*Defence Counsel on behalf of an accountant charged with fraudulent trading.*

**R v P [Nottingham Crown Court]**

*Instructed defence Counsel in 12 handed trading standards trial, prosecuted by Queens Counsel.*

**R v M [Kingston Crown Court]**

*Privately retained in a five day fraud trial concerning misrepresentation to induce and retain building contracts.*

**R v G [Warwick Crown Court]**

*Privately retained on the behalf of a company director of a large-scale importers and distributors in respect of trade description offence arising from EU patent breaches.*

**X v D [High Court, QBD]**

*Junior Alone in a 3million Freezing Injunction arising out of a breach of fiduciary duty.*

**HSE v F [Bromley Magistrates Court]**

*Successfully secured not guilty verdicts in a health safety prosecution in respect of contractors working at height.*

**U v S [High Court, QBD]**

*Led by Damien Brown QC in a high-value Employment/Commercial Dispute involving high profile clients and media coverage.*

**X v X [Bournemouth County Court]**

*Successfully acted at trial in respect of defending liability for valuable cargo which was damaged during transportation.*

**P v P [Advisory]**

*Led by Kerim Fuad QC in advising a leading commercial firm in respect of private prosecutions and injunctions due to conduct by former employee.*