CHURCH COURT
— CHAMBERS —

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Oliver Grimwood

Year of call: 2013 | Year of silk:
Lawyer Monthlys New Lawyer of the Year 2013

About

Called to the Bar in November 2003 by the Honourable Society of Lincolns Inn. Pupillage completed in 2004 at 2 Bedford Row, Chambers of William Clegg QC. LLB (Hons) 2:1 from Queen Mary College, University of London. Wolfson Scholar of Lincolns Inn. Practice areas: Oliver has a predominantly Criminal Defence practice, but also takes instruction from the Crown, Her Majestys Revenue and Customs, and Local Authorities. Olivers practice is divided into two areas. In the first Oliver has built a considerable reputation for his expertise in business crime, fraud, bribery and corruption, money laundering and proceeds of crime matters, and asset forfeiture at trial, in confiscation hearings and on appeal. This has now developed into an international practice, which requires the detailed consideration of the laws of multiple jurisdictions, and an appreciation of how these will interact with each other. The second covers all levels of serious violent crime (conducting over 15 Section 18 GBH trials last year alone), rape and sexual assault, drug importation and supply, robbery, kidnap, and blackmail. Oliver is one of the youngest Barristers to ever appear before the Supreme Court. He has been before the Court twice on the now leading confiscation authority of R v Waya [2012] UKSC 51, a case the full 9 man court deemed to be a matter of great public importance. This successful appeal provided a wholesale review of the assessment of criminal benefit in confiscation hearings, the effects of re-payment of such benefit prior to final hearing, and whether abuse of process principles can apply. A Court now must only make a confiscation order if it is satisfied it is proportionate to the aims of the legislation and so compatible with Article 1 of the 1st Protocol of the European Convention on Human Rights. This has given those wishing to challenge confiscation orders significantly greater scope to do so. This landmark judgment has gone a long way to creating a more level playing field for those from whom the State is attempting to take private property. Oliver is often instructed in confiscation or asset forfeiture matters that involve cross-jurisdictional asset tracing. Oliver has sent solicitors everywhere from Jamaica to Nigeria and all across Europe in attempts to establish the legitimate source of client assets. As a result of this international element to Olivers practice he now regularly advises a law firm in the Cayman Islands on cases involving fraud, money laundering regulations, asset forfeiture, the bribery act, and general compliance with the regulatory obligations imposed upon companies in the Caribbean, and upon those of them that conduct business abroad. Under the Bribery Act, and other regulations, the law of one jurisdiction can be used to regulate conduct in another. Due to the off shore nature of Caymans business environment, and its place in a global economy, this can often pose complicated questions as to liability, and ultimately culpability. Oliver has much experience of, and enjoys dealing with, the international nature of such allegations. Oliver is available for conferences via Skype, at times suitable to the time zone for those that instruct. Oliver also advises individuals, law firms, and corporate clients in the United Kingdom on their compliance obligations under the bribery act, the money laundering regulations, and the proceeds of crime act: a growing area of legal services in light of the increased use of enforced self-regulation by the Financial Conduct Authority and the Prudential Regulation Authority. He also has significant experience in handling complex expert evidence, ranging from telephone and forensic analysis of computers to ballistic, medical and veterinary experts.

Practice Areas

- Business Crime
- International Law
- Criminal Law

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Languages

- English

PUBLICATIONS / LECTURES

Oliver provides Bar Standards Board accredited Continuing Professional Development lectures given on confiscation, proceeds of crime, bribery, and fraud to barristers, firms of solicitors, and to Local Authorities. These can be provided in Counsels Chambers or at Solicitors offices.

Invited by WestLaw UK Insight as a market leading lawyer on the Proceeds of Crime Act to provide the 100,000 subscriber legal database with the sole articles on following topics:

Confiscation: Overview

Confiscation: Criminal Benefit

Confiscation: Appeals

Proceeds of Crime: Asset forfeiture

POSITIONS OF RESPONSIBILITY

Pupil mentor in Chambers

Advocacy tutor for Lincolns Inn Bar School students residential weekends

Debating Tutor for Lincolns Inn Bar School students

Past President of Lincolns Inn Debating Society

Volunteer at Camden Law Centre

EDUCATION

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Cases of note

Standing Counsel to Mr. Richard Barton Attorney at Law, George Town, Grand Cayman

Advising on variety of cases usually focusing on fraud matters or involving cross-border money laundering, and subsequent multi-jurisdictional Repatriation Orders.

R v Byrd

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Fraud, false accounting, and money laundering offences relating to Caymans Airways Cargo Company. Proceeds transferred from Grand Cayman to U.S. with assets dissipated via fraudulent property investment vehicles. Detailed analysis required of mirror offences in multiple jurisdictions.

R v Woodcock:

Money laundering offences relating to proceeds of drug offences being used to purchase property, which is then used as collateral for loans. Issues as to asset tracing, and bona fides purchasers for full consideration (equitys darling). Matter on going.

R v C Charles

Regulatory matter relating to medical practitioner. Issue as to insurance liability dispute and employee rights.

R v Enyidedie and others

Central Criminal Courts. Complex fraud on Royal Sun Alliance. Fraudulent takeover of business accounts in multiple jurisdictions and subsequent money laundering of proceeds through unauthorised investment in long established companies in different jurisdictions.

R v A.T.

Terrorism investigation. Multiple frauds, and false identity creation to launder proceeds of fraud, to directly finance Islamic State terrorist activity in Syria.

R v Hatharb

U.K. Money laundering offences by alleged financier for Al-Qaida. Abuse of process on grounds of delay argued where delay was due to intelligence services disagreeing as to whom should fund operation.

R v Carpenter and others

Led Junior in multi-handed money laundering to Jamaica of funds representing criminal property. Defence case required live video link evidence from Jamaica of over 30 witnesses to disprove existence of sham recipients. Not Guilty.

R v Rizwan

Banking fraud relating to the establishing of business accounts for over 20 entirely fictional companies being used to pay into personal bank accounts of expanding non-existent workforces set up to further the fraud. Multiple loans taken out and cheques cashed at once to take advantage of accrued higher credit rating. All proceeds laundered via shell companies to Pakistan within 48-hour period.

R v Chitul

Fraud on H.M.R.C. V.A.T. rebates with proceeds laundered through casinos and winnings sent via MoneyGram under guise of informal money lending to Romanian diaspora around the world. Complex paper trail raising legal arguments as to admissibility.

R v S Scott

Large scale fraud on Petrochemical company, with funds laundered through multiple companies, charity events in the UK, and mining companies in South America.

R v Busari

Multiple Frauds involving numerous mortgages, identity, employment and benefit related offences totalling over 800,000.

R v Snooks

Instructed by Crown in complex False Accounting prosecution involving over 3 years of banking records and stock takes of a major high street clothing store.

R v Butler and others

Conspiracy to defraud a casino. Instructed on behalf of the roulette croupier alleged to have masterminded the offence. Not Guilty.

R v Waya

[2013] 1 A.C. 294 Supreme Court appeal relating to approach to assessment of benefit figure in proceeds of crime confiscation hearings, the application of abuse of process principles and the compatibility of decisions with Article 1 1st Protocol European Convention on Human Rights. Case heard in front of full 9-man Court, including Lord Chief Justice, as issues deemed matters of great public importance.

R v Samar and others

Pakistan based international money launderer for numerous criminal drug organisations worldwide. Confiscation order of 162million sought as representing individual benefit figure. Total Confiscation order sought from all defendants of over 600million. Matter on going.

R v Johnson

Leading Junior. Confiscation application sought assets of over 250million generated from importation of Class A drugs where Crown allege assets hidden abroad in multiple jurisdictions. Investigation required of Land Registry and business interests in 3 countries in Europe and 2 in Africa. Final available assets assessed at only 300,000.

R v Enyidedie: ibid.

Issues at confiscation proceedings related to differentiation between sham and legitimate company assets, and what profits were generated from investment of proceeds of fraud. When Crown allege business set up solely as a vehicle for fraud, legal argument as to extent this justifies piecing of corporate veil.

R v Salopal

Instructed by Prosecution for confiscation proceedings. Conspiracy to steal high value pharmaceutical drugs.

R v Bharya

Sophisticated trading standards fraud generating over 800,000 per month, with multiple and overlapping business creation to disguise the recipients of the fraud.

R v Robinson

Consumer Protection from Unfair Trading Regulation and misleading omissions. Abuse of process raised. Numerous legal arguments led to redrafting of indictment 3 times during trial.

R v Shahraki

Fraud and breach of Consumer Protection from Unfair Trading Regulations by clocking of Odometers in motor vehicles.

Kent County Council v Hilton

Trading standards prosecution involving mis-selling of jewellery relating to quality of stones, purity of metal and value of over 250 items.

R v Hindes

Led Junior in Operation Trident matter. Daytime gunfight involving Mach-10 machine guns between rival Yardie gang members. Dubbed Machine gun mayhem trial by Press.

R v Palmer

Led Junior on Murder at Central Criminal Courts (The Old Bailey). Issues as to liability for the actions of the principle offender in joint enterprise allegations.

R v Bailey

Led Junior at Central Criminal Court. Multi-handed gang related youth murder.

R v Abid

Section 18 GBH in the course of a robbery with victim stabbed in the heart. Not Guilty.

R v Buente

Section 18 GBH. Gang related assault in prison, attempted removal of mans face with homemade knife. Crown offered no evidence after lengthy pre-trial disclosure hearings overturning Crowns refusal on grounds of it being contrary to public interest to release any intelligence, CCTV, or telephone records from a prison. Not Guilty.

R v Barlow

Section 18 GBH. Alleged attempt to decapitate with gardening equipment. Not Guilty.

R v Hussain

Section 18 GBH. Knuckle-duster attack on co-worker. Not Guilty.

R v Neziraj

Section 18 GBH. Glassing to the face in a nightclub. Not Guilty verdict returned within15 minutes.

R v Musse

Section 18 GBH. Defendant alleged to have bitten off complainants ear. Not Guilty.

R v Copeland

Section 18 GBH. Knife attack in settling of drug debt.

R v Saini

Use of motor vehicle in attempt to run over own wife and child. Not Guilty.

R v Wickson

Section 18 GBH. Defendant bit off, and was alleged to have chewed and swallowed, cheek of complainant.

R v Brown

Section 18 GBH. Assault of policeman during chase where said to have pushed his hand onto spike on railings to make good an escape.

R v Duprey

Section 18 GBH on neighbour. Not Guilty.

R v Charlery

Section 18 GBH and Robbery of son on father. Not Guilty to the GBH.

R v Grant

Section 18 GBH. Youth stabbing.

R v Kwik

Section 18 GBH and lesser violence stemming from a family fight involving 15 in-laws. Guilty plea to 1 common assault only.

R v Saleh and others

3-month multi-handed rape and sexual activity offences. Detailed consideration required of large volume of social service records, Doctors records, and multiple complainant accounts.

R v Wilson

Led Junior in historic child rape and sexual assault allegations. Not Guilty.

R v X

Rape and multiple sexual assault of a 12 year old. Not Guilty.

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R v Shahzad

Multiple sexual assaults by private Koran teacher on 11 year old pupil. Not Guilty.

R v Gocaj and others

Conspiracy to import and supply 600 kilo of cocaine over 12 months from South America by Albanian mafia. 80 million identifiable proceeds laundered via money exchanges back to Albania.

R v Barnes

Armed robbery in the home. Comparison between multiple mobile telephone data evidence and automatic number plate reading technology on motorways, involving challenge from numerous experts.

R v Wallace

Led Junior in Conspiracy to commit armed robbery. This case was the most expensive prosecution in relation to compilation of mobile telephone evidence. Attracted extensive broadsheet, tabloid and television interest.

R v Francis

Conspiracy to rob approximately 800,000 worth of watches and jewellery in an alleged sham sale to Chelsea footballer Ashley Cole.

R v Francis

30 Defendant Operation Gorgas. Conspiracy to supply Class A. Not Guilty

R v Emmanuel

Conspiracy to commit cash in transit robberies. Guilty plea to single substantive robbery.

R v Mareceheau

Multi-handed robberies of high-end motor vehicles.

R v Bishop

Smash and grab robbery of jewellery store targeting over 100,000 of Rolex watches.

R v Vella

Witness intimidation of known member of Essex criminal underworld by 55 year old Grandmother.

R v Waya

Landmark decision that provides the guideline authority for assessment of benefit from criminal conduct in all confiscation applications.

R v Tabali

Appeal against conviction for murder, where issue related to new evidence of number of DNA strands found and implications for secondary transfer of bloodstains. Matter on going.

R v Ishmail

Successful appeal against sentence for robbery, clarified position as to credit for guilty plea. The Sentencing Guidelines Council tariff for youths amended as a result.

R v Nassralla

Appeared for Crown in response to Defence appeal against conviction arising from guilty plea to lesser alternative charge when trial conviction is on greater substantive charge. This case established the correct procedure to follow.

Operation Branfield

Junior for Her Majestys Revenue and Customs in multi-case collective appeal relating to use of participating informants in drug importations over a 20 year period. Vast pre-appeal disclosure exercise undertaken prior to the

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substantive appeal.

Quotes

Oliver has built a reputation for not shying away from cases that involve complicated legal argument or those that require a detailed consideration of large volumes of disclosure. He approaches all cases in the same fashion, that a successful defence is built and fought from the outset

Lawyer Monthly Awards September 2013.