

"His preparation is first-class and his advocacy is excellent - it is a pleasure to watch him in court."

Legal 500



Neil Baki

Called in 2003

Neil Baki is a specialist trial advocate. He has extensive experience in civil and criminal fraud (including money laundering, bribery and corruption), contentious tax and financial litigation.

Ranked as a leading junior in the Legal 500 for fraud, Neil has been instructed to lead, and has been led in a number of extremely complex and high value fraud and tax cases. His work involves advising companies and financial institutions as well as individuals accused of dishonesty or misconduct.

Neil is regularly instructed by City firms, and directly by accountants to assist on a wide range of matters including breach of contract, contentious tax litigation and corporate criminal liability. Neil also has experience in drafting injunctions, freezing orders, asset tracing orders and affidavits, as well as defending in such applications, often at short notice.

Neil has advised a number of companies, investment firms and financial institutions as to their duties under the Financial Services and Markets Act 2000, Money Laundering Regulations and Bribery Act 2010. Neil has an excellent understanding of financial services law and the workings of the FCA, PRA, NCA, SFO and HMRC.

Neil has also advised on criminal offences relating to news gathering and investigations, conspiracy, bribery and interception of communications, blagging, data protection act offences and harassment. For example, Neil was instructed to advise a journalist in Operation Elveden and National newspaper editor in Operation Weeting in relation to bribery/corruption and phone-hacking taking place in the civil and criminal Court.

Neil has been instructed to lead, and has been led in a number of extremely complex and high value civil and criminal fraud cases. His work is split between representing individuals and increasingly companies and financial institutions.

Personal Injury

Neil is developing a busy and varied practice in both Claimant and Defendant personal injury work. Neil welcomes instructions in

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a wide range of matters from road traffic accidents, occupiers liability, Highways Act, long-term disability, fatal accidents, psychiatric injury, assault/abuse and disease.

With a keen eye for trial tactics, Neil welcomes being involved in cases from an early stage, whether that be drafting pleadings/defences, interim applications or advising on quantum.

With over 15 years experience of conducting complex trials, he has a particular skill for witness handling and robust advocacy in liability trials. Neil has a particular interest in cases pertaining to fraud, malingering and exaggerated claims.

Neil has been instructed to deal with difficult interlocutory applications, such as relief from sanctions, setting aside and default judgements where careful and persuasive written and oral advocacy is required.

Neil has combined his experience of high-level investigations and defence work with his personal injury practice to develop a particular specialism in pleading and establishing fraud.

Neil has particular expertise in cases concerning the investigation and defence of allegations of historic physical and sexual abuse. He is often instructed in cases that involve the analysis of voluminous Social Services/Local Authority, School and Medical records.



Fraud

- **NCA v EAI & Anr** (Operation Redroot)
Privately instructed to represent a Defendant accused of corruption and perverting the course of justice by bribing Nigerian State Officials and police officers within the background of international human trafficking from Nigeria to Germany. The first UK prosecution pursuant to s2 (6) Modern Slavery Act 2015 giving the UK jurisdiction to prosecute such cases wherever they have been committed in the world.
- **HMRC v KRO** (Operation Harpseal)
Instructed to represent a main conspirator in a multi-million pound VAT cheat on HMRC.
- **Birmingham City Council v Eze Europe Ltd, SO & Anr**
Privately instructed to represent the company and director in relation to fraud and multiple counts of fraudulent trading.
- **HMRC v Hadee Engineering Ltd & 2 Ors**
Instructed as sole Counsel in complex civil proceedings before the Tax Tribunal concerning allegations of direct

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- (corporation tax) and indirect (VAT) fraud arising out of a lengthy investigation by HMRC. Other substantial issues concerned the validity of an Employee Benefit Trust (EBT). Following detailed skeleton arguments the fraud allegations were withdrawn and the EBT settled.
- **HMRC v KH (Operation Lunar)**
Instructed in one of the largest tax frauds to be prosecuted by HMRC to date. Instructed to defend KH as led junior, a director of Seven Arts Entertainment in criminal proceedings prosecuted by HMRC. Following successful legal argument in the Crown Court the matter was dismissed.
- **HMRC v DS & Ors (Operation Incubus)**
Instructed to represent a main Defendant in a £50m duty evasion conspiracy to cheat.
- **NTS v NB & Ors (Operation Angel)**
Instructed to represent a company officer in a complex fraud, and for regulatory breaches in a trial that lasted some 6 months.
- **Serious Fraud Office v Sand**
Sole Counsel instructed for the defendant, convicted of drug offences, in relation to civil recovery of gold bullion held by the Police.
- **NHS Protect v PwC, JF & Ors**
Advising the defendant JF, a director of a medical consultancy and former director of PwC and NHS management consultant in criminal and civil investigations in relation to fraud, money laundering and misuse of confidential information.
- **SOCA v PL**
Instructed for PL, a finance director to a film management company in civil contempt proceedings for breaches of an undertaking and freezing order.
- **HMRC v JH (Operation Chainmail/Crystalite)**
Instructed on behalf of an equity trader employed by a global US bank, in criminal proceedings in relation complex tax evasion.
- **Environment Agency v Thorn International & Singh**
Instructed as lead counsel for the company and managing director in relation to a guiding case concerning breaches of the Transfrontier Shipping (Toxic) Waste Regulations 1997 from the UK to non OECD countries.
- **HMRC v Ahmed & Morganrise Ltd**
Counsel representing a director of a company alleged to be involved in a multi-handed Missing Trader Intra-Community fraud (MTIC carousel fraud). The losses to the revenue were said to be in the region of £150million.
- **R v Quinn**
Counsel representing the main defendant and 3 third parties during civil enforcement proceedings brought by the Enforcement Receiver in the High Court.
- **R v Afzal**
Counsel instructed to defend confiscation proceedings resulting from large scale mortgage fraud convictions with an alleged benefit of £60m.

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Commercial

- **David Brown Systems Ltd & BAE Systems v HE Ltd**
Instructed for the Defendant to provide written advice in relation to breach of contract concerning the alleged standard manufacture of a submarine gearbox.
- **Lawson Developments v DL**
Instructed to provide written advice for the Defendant quantity surveyor in relation to issues of illegality concerning a claim for damages arising out of negligent advice and breach of contract over a building contract.
- **East & West Horseracing Ltd v El Hajj**
Counsel instructed for El-Hajj, billionaire businessman, defending a claim for breach of contract and fraudulent misrepresentation.
- **Favor Easy Management v Wu**
Instructed to advise the defendant concerning whether documents relating to a party's credit have to be disclosed as part of standard disclosure.
- **Greenwoods Menswear Ltd v Rice 2 Ltd; Greenhaven Ltd v Greenwoods Menswear Ltd**
Substantial contractual disputes between a major high-street menswear retailer and its suppliers from India and the Far East involving allegations of fraudulent misrepresentation.
- **Crest Nicholson (South) Ltd v Regional Investments Ltd**
Advising dispute over a large property development in Surrey, involving allegations of fraud, breach of contract and rectification claims.

Insurance

Credit Hire

Public Inquiries

Health & Safety

Disciplinary

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Inquests

Regulatory

Professional Negligence

Personal Injury

Recent Personal Injury cases

(1) NB (2) CB v HBC (on-going)

Instructed to draft the Defence in response to Particulars of Claim drafted by Queen's Counsel, in a substantial claim concerning breaches of the Claimant's Article 8 rights and causing severe psychiatric injury, with respect to the first Claimant and her children, who were allegedly unlawfully removed from her care by a Local Authority.

NR v (1) UoG (2) RSA & (3) PS (on-going)

Instructed by the Claimant to peruse damages against a University and other teaching institutions, for severe psychiatric injury and very significant loss of earnings, following his removal from a teacher training course.

Notable Cases

NCA v EAI & Another (Operation Redroot)

Privately instructed to lead the defence of a defendant accused of corruption and perverting the course of justice by bribing Nigerian State Officials and police officers within the background of an international human trafficking network from Nigeria into Germany. The case involved substantial and complex legal argument, including the cross examination of the Chief Legal Officer for NAPITIP and the Head of the Joint Border Task Force as part of a voir dire via live link to the British Consulate in Lagos. Whilst the offences were alleged to have been committed overseas, the prosecution was commenced by the UK authorities pursuant to s2 (6) of the Modern Slavery Act 2015.

HMRC v KRO & Others (Operation Harpseal)

Instructed to represent a main conspirator in a multi-million pound VAT conspiracy to cheat HMRC. A successful outcome was achieved following an abuse of process argument.

HMRC v Hadee Engineering Ltd

Hadee Holdings Ltd & Civil Environmental Systems (2016 - present) - Instructed to represent a holding company and its subsidiaries with respect to allegations of civil tax fraud, tax evasion (both direct and indirect tax) and issues surrounding the legality of an Employee Benefit Trust (EBT) in the Manchester Tax Tribunal.

HMRC v KH & SA Ltd & Ors (Operation Luna 2016 - present)

Operation Luna is a tax investigation by HMRC into capital tax relief tax arrangements designed for high net worth individuals surrounding the activities of Zeus Capital. Neil is instructed to represent the director of a film finance company (asset provider) concerning allegations of conspiracy to cheat the Revenue of more

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than £150m.

HMRC v JH & Ors (Operation Chainmail/Operation Crystallite 2015/2016)

Operation Chainmail and Crystallite were tax investigations concerning film tax fraud. Instructed to represent an investor defendant, who was employed as a senior equities trader at a well-known US bank.

HMRC v DH, AM, DS & Ors (Operation Incubus 2016 - present)

Criminal investigation concerning the evasion of duty on the importation of goods from Luxembourg to the UK. The alleged loss to the Revenue is estimated at £50m.

David Brown Systems Ltd & BAE Systems v HE Ltd (2017 - present)

Instructed to advise the defendant in breach of contract litigation concerning the alleged substandard manufacture of a submarine gearbox.

Lawson Developments v DL (2017)

Instructed to advise the defendant quantity surveyor relation to issues of illegality, concerning a claim for damages arising out of negligent advice over a building project.

NHS v JF & Ors (2016/2017)

Instructed to advise the director of an NHS consultancy firm and former partner of a global accountancy firm concerning allegations of fraud and misuse of confidential information.

Crest Nicholson (South) Ltd v Regional Investments Ltd (2016)

Advising in relation to a dispute over a large property development in Surrey, involving allegations of fraud, breach of contract and rectification claims.

R v AD & Ors (2015)

Acting on behalf of a company director for offences brought under the Companies Act and Insolvency Act.

NTS v B & Ors (2015)

Instructed to represent one of the main defendant companies in one of the UK's largest trading standards investigations so far undertaken by the National Trading Standards team. Allegations included trade mark fraud, money laundering and unfair commercial practices.

R v Richardson & Ors (2014)

Instructed as lead counsel in a £5m mortgage fraud allegedly involving the complicity of professional mortgage brokers, surveyors and solicitors.

R v Ferkova & Ors (2013)

Instructed as lead counsel in a £1.5 m tax fraud.

R v Tagplates UK & Conroy (2013)

Instructed as lead counsel in relation to trade mark infringement concerning Mercedes Benz, BMW, Ford and Land Rover.

If you would like to instruct Neil Baki or would like help or advice in doing so, please call and talk to our excellent clerking team, led by senior clerk Alan Kilbey MBE. Our phone number is +44 (0)20 7583 9241. Alternatively, please email us at chambers@farrarsbuilding.co.uk

For more information about our clerking team, please [click here](#) for the clerks page.

Appointments & Memberships

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- British Association for Sports & Law
 - Criminal Bar Association
 - Financial Services Lawyers Association
 - Fraud Lawyers Association
 - Health & Safety Lawyers Association
 - Proceeds of Crime Lawyers Association

Education & Qualifications

- BVC (Very Competent), Inns of Court School of Law (2002-2003)
- LLM (Commercial & Corporate Law (Distinction)), University College London, University of London (2000-2001)
- LLB (Law (2:1)), University College London, University of London (1997-2000)

Directory Quotes

"A fearsome advocate and leaves no stone unturned in the defence of his clients" Legal 500, 2018. Fraud: Crime, Leading Junior

"His preparation is first class and his advocacy is excellent. It is a pleasure to watch him in Court". Legal 500, 2017. Fraud: Crime, Leading Junior



Publications

- "Too much, too little, too late? Draft CPS guidance on speaking to witnesses" Ent.LR. 2015 26/(5) 155-159 (Neil Baki & Jennifer Agate, Farrar & Co)
- Free Speech Online (2014)
- Bar Quarterly Review (March 2009) "Future of Expert Evidence"

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