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IAN WINTER KC

Called to the Bar 1988

Queen's Counsel - 2006 | King's Counsel - 2022

"A tremendous and fearless advocate, who applies his huge intelligence with inexhaustible rigour and energy. Having him lead the team can be the difference between winning and losing. A pleasure to work with."

- Legal 500

"His advocacy is brilliant, his legal analysis is superb and his strategic thinking is second to none. His attention to detail is also phenomenal."

"An extremely impressive performer who is in it to win it"

"There is nobody better at trial advocacy than Ian Winter KC."

- Chambers & Partners – **Star-rated in Financial Crime, and Band 1 Financial Crime: Corporates**



BIOGRAPHY

Ian Winter KC is firmly established as one of the leading silks at the Bar. A focused, highly sought-after criminal specialist with a particular emphasis on fraud and financial crime. He is regularly instructed to advise and represent companies as well as individuals involved in cases brought by the Serious Fraud Office and Financial Conduct Authority who require complex strategic advice from the outset.

Ian also represents clients on matters of professional discipline, appearing at hearings in front of a variety of regulatory bodies.

He has appeared in the commercial court and attracts market attention in the libel and defamation arena.

Ian regularly appears in cases in Hong Kong, Singapore, Gibraltar and the Isle of Man.

WHAT OTHERS SAY

Chambers & Partners – Star-rated in Crime, Financial Crime & Financial Crime: Corporates

"He has great judgement and is fantastic to work with."

"A sensational advocate, who thinks solely of the interests of his client and what can properly be put forward."

"He is mesmerising."

"A very good team player, who's very hands-on and a pleasure to work with, he's someone whose strategic vision is excellent."

Professional Discipline:

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"He's a very good strategist and an excellent, if not outstanding cross-examiner."

Entries from previous years

"He's a fabulous silk and a superb advocate for big cases"

"Very forceful and very persuasive. A very good, very polished advocate"

"He's always brilliant and has super sharp intelligence"

"An excellent advocate and a sound tactical thinker"

"Outstanding...Ruthlessly effective...If there's a way out in a case, he will find it"

"Peers say he has an unparalleled ability to see the solution to any problem and a tremendously attractive and persuasive style of advocacy"

"Ruthlessly effective". "If there's a way out in a case, he will find it"

"Accessible, sharp and provides extremely practical advice."

"He is intelligent, astute and user-friendly." *"He is very good with clients and very clear in his advice."*

"Able to build client relationships very quickly, can see the key issues and is a very good strategist." *"Provides very clear and straightforward advice."*

"His cross-examination is superb...really incisive and focused. He is a fantastic barrister"

"You can trust his judgement. He is charismatic, charming and clever, he makes the practice of law look easy"

"He's exceptional, slick and commercially aware"

"An extremely impressive performer who is in it to win it" who "just rips into the prosecution when defending" and "a seriously shrewd litigator who lays the traps very charmingly, a real asset on a case"

A leading white-collar crime silk with an impressive track record of advising companies and individuals on charges of corruption, money laundering and market abuse.

"Very thorough and knowledgeable," he's "very easy to work with and a great team player."

"He is a fabulous advocate... he has complete personal commitment to his cases, is very strong and absolutely fearless"

Straight crime, complex fraud and defamation cases make up the practice of a silk who impresses all who encounter him.

Peers say he has *"an unparalleled ability to see the solution to any problem and a tremendously attractive and persuasive style of advocacy"*

Ian Winter has developed a stellar criminal fraud practice since taking silk. One interviewee marveled: *"I've never known anyone to have such a stunning capacity for work and the ability to recognise the real issues in a matter as him"*

Ian Winter QC is a younger silk who is *"at the top of his game, he is extremely proactive in all he does, and presents in a highly polished manner"*

Said to be *"something quite special"* by commentators; *"a real star who is fantastic with clients."* "Winter's inimitable skills are highly sought after by instructing solicitors, who frequently turn to him when facing matters requiring tactical nous and captivating advocacy style"

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A flamboyant but incredibly focused practitioner, a great strategist who simply devours paper-heavy cases; more than qualified to be the next superstar silk at the Bar. He has a wonderful ability to adapt his manner seamlessly from private general crime to complex international fraud cases.

Despite a relatively short time in silk, doing some extraordinary work. One source was particularly impressed with Winter's recent success in "completely turning around a complicated case in less than 24 hours" adding that "his efforts in that regard amounted to a master class"

RECENT & CURRENT CASES

Ian recently represented Tom Kalaris, a former executive of Barclays, charged by the SFO following its investigation into the 2008 recapitalisation of the bank. Ian secured an acquittal for his client following a trial at the Central Criminal Court.

Ian successfully represented John Scouler, the former commercial director of Tesco, charged with fraud and false accounting by the SFO. He is also advising suspects in relation to the SFO investigations into ENRC, Unaoil and Airbus.

Ian successfully represented May Hao before the Court of Final Appeal in Hong Kong.

Ian also acts for a Singapore doctor now appearing before the General Medical Council, having previously acted for her in regulatory proceedings in Singapore and before the American College of Surgeons.

Ian represented Thomas Chan in Hong Kong in the city's biggest corruption trial involving the former Chief Secretary of the Special Administrative Region. He represented stock broker Ben Anderson charged by the FCA with insider dealing offences arising from Operation Tabernula, the largest ever investigation into share trading abuses by the city regulator. Following a four-month trial Ian secured an acquittal for Mr Anderson.

Other notable instructions in recent years include:

Fraud/Crime

- J: Advised musician on issues of blackmail in connection to proceedings at the Employment Tribunal
- P: Strategic advice on potential criminal proceedings arising out of a case in the Companies Court
- R v Dr Khan – Acquittal secured for doctor charged with sexual assault
- Christian Laguea – acquittal secured after trial in Gibraltar re murder charges
- R v G: Represented client charged with money laundering in connection to investigation surrounding a former Governor of Delta State
- R v Dougall – leading authority on sentencing Executive-level whistleblowers entering plea agreements in corruption cases (for Mr. Dougall)

PREVIOUS CASES

Fraud/Crime

- S: Advised a national security company throughout an SFO investigation
- HKSAR v Lai, Hong Kong: (on behalf of appellant): appeal following seven month trial. Representing solicitor convicted of conspiracy to defraud the Stock Exchange of Hong Kong after a listed company takeover fraud; full acquittal.
- SFO investigation into BAE Systems (on behalf of a putative defendant): international corruption, jurisdiction and sufficiency of evidence
- R v K (on behalf of the defendant): solicitor accused of tax fraud. Privilege against self-incrimination in ancillary relief proceedings, without prejudice privilege and abuse of process; landmark judgment
- DOJ v Packer, DOJ v Dougall, DOJ v Chodan (on behalf of the defendants): three separate ongoing cases involving international corruption, Foreign Corrupt Practices Act, Mutual International Assistance, Section 2 SFO investigations

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- Australian Securities and Investment Commission (counsel for the Commission): Mutual International Assistance, Judicial Review x2, leading authority on the rights of putative defendants and third parties;
- R v Kieren Fallon (on behalf of the defendant): successful defense of the six-time Champion Jockey charged with race-fixing, corrupt practices and conspiracy to defraud; successful no case to answer submission after two months at trial
- SFO v Bright (on behalf of the defendant): the £1bn Independent Insurance prosecution – actuarial fraud, false accounting, unlocking the pension for confiscation purposes
- Instructed by the Financial Services Authority: instructed to advise the FSA on ten-handed ‘boiler room’ fraud
- R v Stevenson (on behalf of the defendant); doctor accused of multiple manslaughter
- Instructed by Aviva: instructed to advise re private prosecution of Insurance fraud
- Advising an International Bank: re the consequences for it and its Iranian subsidy of the Non-proliferation of Nuclear Weapons Treaty
- Advising a Premiership Footballer in criminal and libel proceedings: following a News of the World sting involving the possession of Class A drugs and blackmail

Professional Discipline/ Regulatory:

- Dr Wasu: Acting for dentist at proceedings in front of the General Dental Council
- James Babbs & John Celaschi: Represented two city traders at disciplinary proceedings at the British Horseracing Authority
- Re M: Application to the RDC following a refusal by the FSA to grant a license to an IFA to exercise a Customer Function under the Financial Services and Markets Act 2000
- Dr Sivaraman: Acting in GMC and criminal proceedings regarding commission of offence contrary to the Offences Against the Person Act 1861. Allegations following an article printed in the Telegraph that Dr Sivaraman was giving abortions on the sole grounds of gender.
- Dr L: advising internationally renowned surgeon during proceedings at the Singapore Medical Council arising from complaint from the Brunei Royal Family. Panel recused for breach of natural justice
- GDC re Sheikh (counsel for the dentist): conspiracy to defraud, necessity to order interim suspension, successful Part 8 appeal, whether delay and exemplary post criminal conduct justified non-erasure from the Register
- Prosecuting Counsel to the Accountants and Actuarial Advisory Board in the regulatory proceedings against a leading firm of accountants: allegations of asset stripping, conflicts of interest and auditing deficiencies
- GDC v Woolgrove (on behalf of the defendant): 14 counts of defrauding a PCT arising out of the Personal Dental Services Scheme. Successful half time submission of no case to answer relating to the complexities of the Scheme and the failings in the expert evidence
- BHA v McKeown (on behalf of the jockey): fraud/corrupt practices in horse racing and the compliance of the BHA with its own Rules of Racing/Article 6 and on Appeal by way of Part 8 application to the High Court, challenging the reasonableness and legitimacy of the BHA decision; judgment reserved

Extradition

- USA DOJ v C (on behalf of the defendant): ongoing proceedings challenging the right of the DOJ to extradite for alleged offences pre-dating the amendments to the 1889 and 1906 Acts

Civil Contempt of Court:

- Lembergs: Represented a Latvian politician over \$135 million commercial court worldwide freezing order
- Mukhtar Ablyazov: Failure to disclose multi-million pound assets in complex off shore trust structure.
- Lawrence and Lawrence v Beller and Owen – civil contempt of court application, successful discharge

Libel

- McKeown v NGN (on behalf of the claimant)
- Sharma v Associated News (on behalf of the claimant): successful cross-examination of witnesses alleging harassment

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- Daunt v H Bauer Publishing Ltd. (on behalf of defendant), case settled
- Various matters of advisory work
- Desmond v Bower (on behalf of the claimant Richard Desmond): contested week long libel trial, with two separate visits prior to and during the trial, to the Court of Appeal Civil Division