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## Practice Profile

***Rishi Nathwani now practices at the Australian Bar in Melbourne but continues to be an Associate Member of 5KBW. Rishi was appointed as Senior Counsel [silk] in 2023.***

Exclusively defending in his practice, Rishi Nathwani has been representing those charged with serious criminal offending from the outset. His early experience included work as an accredited police station advisor on a variety of cases, one of which was featured in Crimewatch. In his first year of Call, he was a led junior in a multi-million pound drug importation case.

Rishi is routinely instructed in the most serious cases, including homicide, terrorism, serious violence, serious sexual assaults, firearms, drugs and kidnap offences and fraud offences. He has experience in all hearings undertaken at the Crown Court as well as appearing before the Court of Appeal.

Noted for his strong client care skills and meticulous attention to detail in case preparation, Rishi is sought after for cases involving vulnerable defendants and complex evidential matters such as DNA identification.

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## Areas of Practice

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### What The Directories Say

"Intellectually razor-sharp." *Legal 500 2016*

'A first-class junior, who is very tactically astute, hardworking and effective.' *Legal 500 2017*

'A go-to barrister in high demand from many top-calibre solicitors.' *Legal 500 - 2019*

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## Recent Cases

### R v. Gale [Lewes] 2017

Murder of bomb expert over unpaid debt

Rishi Nathwani led by Michael Bromley-Martin QC in this high profile murder allegation relating to the death of Mark Manning. The defendant was alleged by the Crown (prosecuted by senior treasury counsel) to have murdered Mr Manning due to a debt owed to him. The Crown relied on a confession by Gale to his wife as well as a 14 year old boy testifying that he heard Mr Gale and another discuss killing Mr Manning. From immediately after the death in 2014 up to November 2016, Mr Gale had denied any involvement in the death, including providing false witness

statements to the police. In November 2016, he admitted for the first time that he had killed Mr Manning but stated he acted in self-defence and in panic had hidden Mr Manning's body, which was only found in May 2016. He was acquitted by the jury of murder and convicted of manslaughter, a plea he had offered to the prosecution from the outset of the trial. Instructed by Bambos Tsiattalou of the Stokoe Partnership.

BBC News report [here](#).

### **R v. Bucur & ors [Southwark] 2016**

People Trafficking

Rishi Nathwani, leading Hannah Wyatt, represented 1 of 9 Defendants charged with people trafficking for sexual exploitation and linked controlling prostitution charges. Successfully applied to dismiss three of the four counts faced by the Defendant. Thereafter, the Crown's main evidence was successfully excluded, some of which related to complex hearsay arguments. After further legal arguments relating to disclosure and admissibility of evidence that had been tampered with by the Investigating officers, the jury were discharged after 12 days and the Crown formally offered no evidence to the remaining counts faced by this client. Instructed by Hodge Jones Allen.

### **R v. Ibrahim & ors [C.C.C.] 2016**

Murder

Rishi Nathwani, led by Kieran Vaughan QC, represented the First Defendant in multi-handed cut throat murder trial relating to death of Hamdi Jiumale. Defendant acquitted at half time of murder at the direction of HHJ Wide, QC. Co-defendants convicted of murder and manslaughter. Instructed by Stokoe Partnership. Independent news report.

### **R v. Pandit [Blackfriars] 2016**

£1.44m Payroll Fraud

Rishi Nathwani represented payroll clerk who was charged with stealing £1.44 million from his employer, the charity Marie Stopes International. Instructed by Bark & Co.

### **R v. Lategan [Isleworth] 2015**

Alleged sexual assaults upon 8 women

Rishi Nathwani successfully represented a celebrated photographer charged with several allegations of sexual assault on a total of 8 women. This was a high profile case as Mr Lategan (regarded by Vogue Magazine as one of the UK's most influential photographers) was linked with celebrities and royalty such as Twiggy, HRH Princess Anne, Margaret Thatcher, the McCartneys, Salman Rushdie and the Beckhams. Successfully deployed psychiatric evidence to demonstrate that Mr Lategan was unfit to stand trial and that the offending acts occurred as a consequence of the brain damage he sustained from an horrific fall in 2008. Instructed by Goldkorns. Telegraph news report.

### **R v. GD [C.C.C.] 2015**

Murder

Rishi Nathwani led by Stephen Kamlish QC represented the main Defendant in a 6 handed, 6 week murder trial.

GD was a 16 year old charged with the murder of James Hunter. Case alleged that the murder was as a result of brewing tensions between the Defendant's group and the deceased's friend. The Crown relied upon mobile phone, cell site and Blackberry/WhatsApp messaging and their interpretation. The case also involved significant non-conviction bad character of both witnesses and defendants as well as complex hearsay arguments. Instructed by Goldkorns. ITV news report.

## **R v. Monteith & ors [C.C.C.] 2015**

Revenge Killing

Rishi Nathwani led by Kieran Vaughan QC represented the Defendant in a 8 week long, 3 handed murder allegation relating to the brutal killing of Danny Gough in his bed whilst he slept next to his pregnant girlfriend. The Crown alleged that the attack was planned and executed by Monteith and his 2 co-defendants as revenge for the deceased a month earlier breaking into Monteith's home and slashing his face. Case involved complex low copy DNA of the Defendant found within the crime scene that was the subject of legal argument culminating in the Crown no longer relying upon it. There was also eye witness evidence, computer evidence telephone/cell site and CCTV evidence, as well as placing before the jury motives of others who wished to kill the deceased. Mr Monteith and his co-defendants were unanimously acquitted by the jury. Instructed by Goldkorns. BBC news report.

## **Operation Withern 2012**

London riots

Rishi Nathwani represented one of 22 Defendants charged with a pre-planned conspiracy to rob wealthy victims and commit violent disorder during the height of the riots in August 2011, where notorious London gangs joined forces to commit widespread disorder. Represented one of the principal organisers. Case revolved around telephone/cell site and video evidence.

## **Notable Cases**

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### **R v. Aziz & ors [C.C.C] 2017**

Three Musketeers Terror Trial

Rishi Nathwani led by Kieran Vaughan QC, instructed by Tuckers represented 1 of the 4 Defendants in the unprecedented Three Musketeers Terror Trial that lasted 5 months at the Old Bailey before Mr Justice Globe. There was a significant press interest in this case, that was only the third trial in the history of the UK that was held (in part) in secret (in camera) due to issues of national security.

The Defendants had been under surveillance and subject to an undercover operation by the West Midland Counter Terrorist Special Projects Team, who ran a covert operation from a Courier Company. When the MI5 were fitting a listening device in a co-defendant's car, a search revealed a bag with a pipe bomb, imitation firearm, live ammunition and a hatchet with "Kafir" scratched into it. It was the Defence case that these items had been planted by the Under Cover Officer given the previous terror convictions of some of the Defendants.

The trial process threw up a number of complex and significant legal issues, which included:

- Secret/in camera evidence
- Anonymous Witnesses
- British Secret Service (MI5) Evidence that was not contained to NCND

- PII/Disclosure which resulted in the service of the personal phones of several Under Cover Operatives who it was alleged had planted a pipe bomb to frame the Defendants, some of whom were known to the police/MI5
- Jury irregularities including a juror making it plain that she fancied the Officer in the case (who the Defence suggested was corrupt) and another juror making enquiries as to his relationship status.
- Bad Character
- Extreme Islamic ideology
- Low Copy DNA evidence
- Legal argument relating to prejudice/bias as a result of the 4 terror attacks that occurred during the trial (Westminster, Manchester, London Bridge and Finsbury Park)

### **Operation Diamond 2013**

#### Conspiracy to Murder

Rishi Nathwani led by Jonathan Fuller QC, represented one of 6 Defendants charged with Conspiring to Murder with a conspiracy to commit GBH in the alternative. The allegation related to attacking the mistress of one Defendant to appease his girlfriend. The attackers had driven from the Nottingham area down to Poole on three occasions to find her and on two occasions did and attacked her with hammers. The case involved covert surveillance in the form of probe evidence, mobile phone billing and cell site and considerable cell site analysis. Defendant convicted of the GBH after a trial before Mr Justice Royce and a jury. Instructed by EBR Attridge.

### **Operation Pod 2013**

#### Gangland Drug related Murder

Rishi Nathwani led by Kieran Vaughan QC, alleged Gangland, drug related 5 handed Murder of Reece James Menzies. Represented alleged organiser of a planned execution with sawn-off shotgun, where 3 of the Defendants travelled to an address in Bournemouth from London in the early hours of the morning and went straight to a known drug dealer's address, entered the property and exited 90 seconds later with the deceased passing away during that time due to a bullet wound to the face. Complex case involved covert surveillance probe, cell site/telephone evidence, anonymous witnesses and bad character/motive issues where Defence case was a burglary during which the deceased produced a firearm that killed him in an accident. Much of the evidence was excluded after successful legal argument relating to bad character despite attacking character of the deceased and his associates. After lengthy trial, Defendant acquitted of murder but convicted of manslaughter by majority verdict before Mrs Justice Davies QC and a jury. Instructed by Goldkorns.

### **Operation Shido 2012**

#### Kidnap & Conspiracy to Rob

Rishi Nathwani represented one of 8 Defendants charged with conspiring to kidnap and rob a known drug dealer of over £1 million worth of cocaine and over £100k in cash. Trident officers conducted a surveillance operation on the Defendants, who themselves were conducting a surveillance operation on the intended target. This Defendant accepted purchasing a tracking device that was placed under the target's vehicle and also accepted travelling from London to Brighton around the same time as the target and his vehicle travelled to that location, with the Crown maintaining the purpose was to follow the target. Evidence against the Defendant also revolved around cell site data and text messages. 4 weeks into the trial, the Court (HHJ Stow) upheld a submission of no case to answer after careful cell site analysis. The Defendant was the only Defendant acquitted of all counts, with others receiving between 7-10 years imprisonment.

### **R v. Noon [Portsmouth] 2011**

### International Paedophile Ring

Paul Walker led Rishi Nathwani for the main defendant in this 6 week international paedophile ring trial. Their client was the mother of the abused children and the case attracted worldwide publicity. The Crown's suggested starting point upon sentence was 13 years imprisonment. The Recorder of Portsmouth's sentence, following mitigation, was 4 years imprisonment.

Following an Attorney General's reference, the Court of Appeal in March 2012 increased the Sentence of this defendant to 8 years.