



## Nigel Lambert QC

*Year of Call: 1974*

*Year of Silk: 1999*

*Immediate Past Head of Chambers*



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Criminal Defence specialist with a particular emphasis upon very serious crime including large scale commercial fraud, money laundering, terrorism, murder, manslaughter and offences of violence, gangland killings and offences involving the use of firearms, serious sexual offence and child sexual abuse, drug trafficking offences and Courts Martial. Very regularly instructed to appear at the Central Criminal Court.

Recommended Silk in General Crime (Chambers & Partners 2018)

Noted in the 2017 Legal 500 for his “defence-focused practice which includes challenging terrorism and organised crime cases.”

Listed in 2015 Legal 500 in Crime: “Experienced in some of the most emotionally taxing cases.”

Expertise in terrorism law - very recently asked to advise in circumstances where a British National is said to have been closely connected with young persons seeking to enter Syria.

2016 - Successfully Defended in the much publicised case of Nyall Hamlett at the Central Criminal Court. Mr Hamlett was acquitted of conspiracy to murder and preparation of acts of terrorism. Operation Exactness has been “one of the most significant recent counter-terrorism investigations in the UK..... If successful, the plan would have created fear and panic amongst the communities of West London”.

Mr Hamlett and three others were all said to have been influenced by events in Syria and Iraq and inspired by an Islamic State fatwa, posted on You Tube by an IS spokesman, to kill disbelievers in the West. It was alleged that their targets were the police, military or civilians – and the plan was to assassinate them in drive-by shootings - using a firearm with a silencer and then escape by moped undetected.

Has had a considerable number of serious cases stayed as an abuse of the process.

Has notable expertise representing young and/or vulnerable offenders in cases where there are young Prosecution witnesses.

The attention to the smallest detail during the preparation of cases, the care taken with and time devoted to lay clients, coupled with powerful advocacy, have all become his hallmarks.

### Professional recommendations:

Ranked as leading practitioner in Crime - Chambers and Partners 2013

Recommended as a QC in Crime and a "leader in his field" - Chambers and Partners 2012

Recommended by the “Legal 500”

### Professional memberships:

- Member - Criminal Bar Association

- Member – South Eastern Circuit
- Member – Justice
- Member - Bar Council 1993 – 2000
- Member – Fraud Lawyers Association
- Past Chairman – North London Bar Mess

Sits as a Crown Court Recorder

Bencher of Gray's Inn

Trained Advocacy Teacher

Winter 2012 – Lectured on Advocacy, Criminal Procedure and Vulnerable Witnesses to the Bermuda Bar and Judiciary.

## **Homicide and Corporate Manslaughter**

Recent cases include:

**R v Hawgood** - CCC - Leading Jonathan Lennon. Murder. Nigel Lambert QC represents a Defendant who, with his girl-friend, are alleged, as secondary parties to a joint enterprise, to have shouted encouragement to their neighbour who was said to be armed with a long bladed kitchen knife. Although these two Defendants were nowhere near the scene of the actual killing - the Crown's case is that the words used – “Stab um” – encouraged their neighbour to stab run, chase and stab a third party – an eighteen year old brother of another neighbour.

**R v Kandare** Nottingham CC: Leading Jim Tilbury. Defendant originally indicted with the murder of her 8 month old baby – Nigel Lambert QC eventually secured an acceptable plea to manslaughter on the basis that her husband and the teachings of the church at which they attended, and of which he was a pastor, forbade medical intervention for the sick.

**R-v- Gacek and others** - Preston Crown Court: Successfully defended young mother charged with causing or allowing the death of her seven week old baby. [Originally charged with murder – but not proceeded with]

**R- v- Krezolek and Anor.** - Birmingham Crown Court: Represented the step-father in the much publicized murder of the four year old boy – Daniel Pelka – who was said to have been systematically starved, brutally assaulted, punished and imprisoned at home.

**R-v-Hadfield and Ors.** - Preston Crown Court: Secured murder acquittal in the trial of a co-Defendant of Dale Cregan, after a four month, high security, high profile trial. The Manchester police described the multiple killings – including those of two on-duty female police officers as “the worst ever in their history” – involving the use of hand grenades as well as conventional firearms.

**R v Mikolajek** - CCC: The only defendant in a group of three to be cleared of murder following a dispute over the share of criminal proceeds from the scrap metal trade.

**R-v-Omar Butt** - CCC: Multi handed murder of two brothers, part of ongoing rivalry between South London gangs. During the trial pressed the Prosecution to investigate and interrogate the mobile phones of prosecution witnesses. It then became clear the witnesses, before completing their evidence, had been in contact with interested third parties. This gave rise to a successful abuse of process argument. The success of this hearing prompted some successful appeals by Co-defendants.

**R-v-USman Butt** - CCC: Sixteen Defendants were charged with the murder of two brothers in a street fight in South London. Because of the number of Defendants involved the indictment was severed. Represented the main Defendant in Trial 2 and secured an acquittal following an abuse of process argument arising out of unlawful contact between prosecution witnesses and third parties (see Omar Butt above). Those originally convicted in Trial 1 successfully appealed in the light of the submissions made in Trial 2; but the Court of Appeal ordered that four Defendants from Trial 1 should be re-tried. Instructed to represent one of those four. After further admissibility arguments the shape of the prosecution case had changed sufficiently to allow acceptable pleas to be offered.

**R -v- H\*\*\* L\*\*\*** - Central Criminal Court: Represented a Defendant aged 15, on a murder charge arising from a "happy-slapping" incident outside a Mosque in Tooting. the Prosecution accepted pleas to manslaughter on the first day of trial. The incident attracted national media attention. See [www.bbc.co.uk/newsuk-england-london-10737347](http://www.bbc.co.uk/newsuk-england-london-10737347) for more information.

**R-v-O** - CCC: Victoria Station Murder Clash of rival gangs.

**R-v-Smith** - CCC: Gang on gang shooting at point blank range.

**R-v-R** - Stafford Crown Court: Sixteen year old assassin pulled the trigger nine times in the drive-by shooting of a member of a rival street gang.

**R-v-Calero-Guevera** - CCC: Peruvian blind man, his daughter and son – charged with the murder of his brother in law following allegations of abuse committed by the brother in law. The killing was sound recorded on a mobile telephone. Almost certainly the first time that the sound of an actual death, from beginning to end, was heard by a CCC jury. Successfully defended.

**R-v-Scrivener** - CCC: Allegation of murder, with a scimitar and a golf club, in the Defendant's front garden, following an argument over a football between the children of neighbours after a game of football in the street. Successfully defended.

**R-v-Hilton** - CCC: Murder by mistake. Attackers given incorrect information and entered wrong premises and killed complete stranger; issues of transferred malice. Successfully defended.

**R-v-N** - CCC: Seventeen year old member of an East London Youth Club along with other members of the club was charged with the murder of an abusive drunk walking past the club premises. Successfully defended.

**R-v-Fathers** - Oxford Crown Court: Well publicised murder by initial torture followed by forcing victim into River Thames and beating him until he drowned. Successfully defended.

**R-v-Kelly** - CCC: Allegation of murder by male of his female partner by jumping up in the middle of a meal and stabbing her with the steak knife, already in his hand. Successfully defended.

**R-v-Ramzan** - Sheffield Crown Court: Murder indictment stayed following successful abuse of process argument where the Prosecution sought to retain the anonymity of their main witness.

**R-v-Alyas** - Cardiff Crown Court: Nineteen year old man charged with the manslaughter of a seventy-six year old man. Successful defence – the victim was so drunk that he tripped and fell backwards striking his head on the pavement.

**R-v-Irinel** - CCC: Murder by three Romanian brothers who robbed, tortured, tied up and left for dead a male who had been lured from a public house and attacked in his own home.

## **Terrorism**

Very recently asked to advise in circumstances where a British National is said to have been closely connected with young persons seeking to enter Syria.

Notable cases include:

**R v Mohammed Iqbal Hussain** - 2016 - CC - Represented one of two brothers who sold another brother's BMW, when pressed by him – after he took a holiday to Turkey but ended up in Syria with his wife supporting ISIS. The two brothers arranged funding, following their brother's demand for money, and out of "misguided loyalty" sent money to Syria to assist with his housing and welfare at a time when it was said that he was training and then fighting for ISIS.

**R v Hamlett and Ors** 2016 - Successfully Defended - Nyall Hamlett at the Central Criminal Court. He was acquitted of conspiracy to murder and preparation of acts of terrorism. Operation Exactness has been "one of the most significant recent counter-terrorism investigations in the UK..... If successful, the plan would have created fear and panic amongst the communities of West London".

Mr Hamlett and three others were all said to have been influenced by events in Syria and Iraq and inspired by an Islamic State fatwa, posted on You Tube by an IS spokesman, to kill disbelievers in the West. It was alleged that their targets were the police, military or civilians – and the plan was to assassinate them in drive-by shootings - using a firearm with a silencer and then escape by moped undetected.

The trial, for both conspiracy to murder and preparation of terrorist acts, which has received international publicity, lasted for almost three months. Tarik Hassane, a medical student and Suhaib Majeed, a physics undergraduate were convicted.

## **General Crime**

**R-v- Shah and Ors** - Isleworth Crown Court: Massive importations of very high value – of cigarettes and drugs.

**R-v-Fitzpatrick** – Winchester Crown Court: Huntingdon Life Sciences protest group member.

**R-v-Dyer** - Inner London Crown Court: Attempted murder by defenestration.

**R—Tonkin** - Guildford Crown court: Young offender with Aspergers Syndrome alleged to have raped two young victims – successfully defended.

**R-v-Boomer** - Manchester Crown court: Post Office armed robbery – successful abuse of process argument – resulting in suspension of police officers.

**R—Rothery** - Kingston Crown Court: Largest seizure of cocaine known to UK Courts. Upon representations being made to the Prosecution severity of charges drastically reduced.

**R-v-Zorlu** - Croydon Crown Court: Turkish People Trafficking gang.

**R-v-Lewington** - Winchester Crown Court: Historic sexual abuse case stayed as an abuse of process.

**R-v- Stephen** - CCC: Prison Office accused of “springing” a prisoner from Wormwood Scrubs – successfully defended.

### **Fraud and Financial Crime**

Presently instructed (2012): R v W & Ors - Kingston Crown Court - 6 month trial in £20 million MTIC fraud.

**R-v-Wragg** - Wolverhampton Crown Court: £20m loss to Revenue and customs – VAT “Carousel fraud” – Trial spanned a period of over a year.

**R-v-Simpson** - Guildford Crown Court: £6.5m loss to revenue and Customs – VAT successfully defended. “Carousel fraud”. Following legal submissions re Prosecution’s failure to disclose – No Evidence offered.

**R-v-Lombardi** - Southwark Crown Court: Year long trial. International banking fraud – successfully defended.

**R-v-Chipping** - Guildford Crown Court: Income Tax fraud re off-shore accounts.

**R-v- Xin Li** - Southwark Crown Court: £7m money laundering conspiracy directly connected with the contravention of the Copyright design and Patents Act 1988 and the Trade Marks Act 1994. – re the largest seizure in Western Europe, to date, of counterfeit DVDs.

**R-v-Agidi** - Southwark Crown Court: Successful submission of No Case to Answer on seven counts of money laundering – re allegations of corruption at the highest political levels in Nigeria.

**R-v-Miller** - Worcester Crown Court: SFO money laundering prosecution re the trading of an investment company which targeted ex-patriot British citizens.