

Mukul Chawla KC *

Year of Silk: **2001** | Year of Call: **1983**



Mukul Chawla is a recognised leader in complex financial litigation of a criminal and regulatory nature. Mukul was shortlisted for Crime Silk of the Year 2012 by Chambers Directory and, in 2015, was winner of that award.

He has experience in prosecuting and defending the most serious allegations of fraud, corruption and allegations of insider dealing; and of advising companies and individuals on a wide range of criminal and regulatory matters including Financial Services, compliance with the Bribery Act 2010, internal investigations, export and trade control compliance and anti money-laundering compliance.

He undertakes, whether as defender or prosecutor, all types of criminal cases including homicide and health and safety cases.

He has been instructed in disciplinary proceedings instigated by the Financial Reporting Council in relation to accountants and actuaries.

He has acted in International Arbitration proceedings conducted in the London Court of International Arbitration for a Global oil services provider where corruption by an agent formed the basis for successfully defending a multi-million dollar claim.

From October 2018 to January 2022, Mukul was a Partner and Head of the White Collar group in the London office of International law firm, Bryan Cave Leighton Paisner LLP. During that time, he advised companies and individuals in all areas of financial crime compliance, conducted investigations for companies around the world and represented companies and individuals in investigations conducted by the FCA, HMRC and the police. Since his resignation as a Partner, he retains a Consultancy position at BCLP where he continues to advise on criminal, regulatory and compliance issues for clients of the firm.

An advocacy trainer for the last 28 years, Mukul has trained advocates in England and Wales, South Africa, the United States, Dubai, Trinidad and Tobago and the Bahamas.

For the last 5 years, Mukul has provided Witness Familiarisation Training for witnesses giving evidence in the High Court, in Tribunals and in International Arbitrations. These are bespoke sessions aimed at providing practical assistance to both factual and expert witnesses when giving evidence.

Crime

Mukul defends and prosecutes in equal measure across the range of criminal cases including homicide, offences against the person, health and safety, breaches of export controls and offences of dishonesty.

Fraud & Financial Regulation

The principal focus of Mukul's practice lies in 'white collar' crime. He has represented de-fendants facing trial for fraud of every variety, insider dealing and corruption. He regularly advises companies and

individuals facing investigation by the SFO, FCA and HMRC. He has prosecuted cases involving LIBOR manipulation (including the first two prosecutions ever mounted), corruption in the energy and healthcare markets and tax frauds. His de-fence work encompasses fraud, corruption, tax evasion, insider dealing and export control breaches.

POCA - Asset Recovery, Restrain and Confiscation

Mukul invariably conducts confiscation proceedings in cases that he has prosecuted. He is also instructed specifically for confiscation proceedings both for the defence and the prosecution.

Business Regulation

A growing part of Mukul's practice involves advising companies in relation to money laundering compliance, bribery and export control. He has also provided criminal and regulatory advice to companies involved in mergers and acquisitions.

Professional Discipline

Mukul has, for many years, advised and represented police officers facing misconduct proceedings. More recently he has acted for the Financial Reporting Council in investigations and proceedings involving accountants and actuaries.

Extradition and Mutual Legal Assistance

Mukul has advised (both as part of the prosecution of cases and as discrete issues) in Mutual Legal Assistance involving both the provision of and the request for assistance from jurisdictions around the world.

Mukul has some experience of conducting cases in the High Court in areas of Mutual Legal Assistance and as a Special Advocate.

Tax Litigation

Mukul was formerly Standing Counsel to HM Customs and Excise and has utilised his knowledge of tax litigation (in particular in relation to VAT and excise duty) in proceedings before the Upper Tier and First Tier Tribunals.

Tenant at Foundry Chambers

Consultant Bryan Cave Leighton Paisner LLP

<https://www.bclplaw.com/en-US/people/mukul-chawla.html>

Education

LLB (Hons) University College, London 1982

Professional Memberships

Standing Counsel to HM Customs & Excise (1996 - 2001)

Master of the Bench at Gray's Inn (since 2004)

Recorder of the Crown Court (since 2007)

Appointed as a Special Advocate by the Attorney General for cases involving National Security and other highly sensitive issues (2010 to 2018)

Head of (9-12 Bell Yard/Foundry) Chambers (2012 - 2018)

Notable Cases

R v Barnes and others (September 2024 to October 2024) – Prosecuted 3 defendants for the murder of a 16 year old boy by driving at 70mph in a 30mph area and deliberately colliding with his scooter.

R v Avtar Hare and 8 others (January 2022 to July 2024) – Prosecution of 9 defendants in 3 trials for evading excise duty and VAT. The highly complex frauds involved tax losses of some £30m and related to events in 2009 to 2010. In consequence of defective search warrants and subsequent applications to retain and use material found in those searches, the defendants were not charged until 2020. 8 of the defendants were either convicted or, having been unfit to be tried, were found to have done the acts alleged

R v Kallon (May 2024) – Prosecuted a prolific bike thief who murdered a man in order to rob him of his e-bicycle.

R v Yambuya (January 2024) – Prosecuted a 17 year old who murdered a 16 year old schoolboy outside his school.

R v M (July 2023 to August 2023) – represented the only defendant (of 6) who was acquitted of conspiracy to accept corrupt payments in relation to his employment in a waste management facility in Cardiff.

R v Miah (May 2023) – Prosecuted a husband who murdered his estranged wife in order to steal from her.

R v Thompson-Hill and others (June 2018 to August 2018) – Prosecuted 3 defendants for an execution-style murder by shooting and perverting the course of public justice.

R v Peters (April 2018) – Prosecuted the father of his 7 year old daughter who committed murder by strangling her.

R v Skansen Interiors Ltd (March 2018) – Defended in the first contested trial for failing to prevent bribery.

R v Oliver-Rowland and others (January to March 2018) – Prosecuted 5 defendants for the murder of a 15 year old boy.

International Arbitration at LCIA (December 2017) – Represented a Global oil-services provider successfully defending a multi-million dollar claim on the basis of illegality.

R v Tappuni (May to July 2017) – Prosecuted a consultant to the World Bank for corruption of healthcare contracts in Eastern Europe and Central Asia with a value of some £43million.

R v R and others (September 2015 to January 2016) – Prosecuted, for the SFO, 6 inter-dealer brokers at ICAP, R P Martin and Tullett Prebon charged with LIBOR manipulation.

R v Hayes (May 2015 to August 15) – Prosecuted, for the SFO, a trader at UBS and Citi charged with LIBOR manipulation. This was the first prosecution, worldwide, of a person charged with LIBOR manipulation.

R (on the application of Al Fawwaz) v Sec of State for the Home Department (December 2014) – Acted for the Home Secretary in the first case to be heard and concluded under the provisions of Part 2 of the Justice and Security Act 2013.

Financial Reporting Council v Mazars and Karmel (Summer 2014) – Acted for the Executive Counsel of the FRC in proceedings relating to arrangements to substitute an Employee Pension Scheme. Proceedings settled shortly before the hearing of the complaint.

R v Hyde (October 2012) – Prosecuting an arms dealer charged with the illegal brokering of 80,000

semi-automatic firearms and 32,000,000 rounds of ammunition from China to Nigeria. Defendant convicted.

R v H (April 2012 to June 2012) - Defended Head Trader of Blue Index (a derivatives brokerage) charged with Insider Dealing. Only the second case prosecuted by the FCA in which Defendants have been acquitted of Insider Dealing. (The first was in 2010 (R v M) in which he also defended.)

R v S (March 2012) - Defended General Secretary of the Union of Democratic Mineworkers on allegations of theft from a Miners charity of which he was a trustee. Defendant acquitted.

R v Rybak and others (September 2011 to January 2012) - Prosecuted 5 defendants for the SFO for corruption in relation to oil and gas engineering contracts in Iran, Egypt, Russia, Singapore and Abu Dhabi. Contracts corrupted valued at £70m. 4 of 5 defendants convicted, jury unable to agree on the 5th.

R v B (Jan 2011 to June 2011) - Represented the Head Trader of a company involved in £120million VAT contra trading MTIC fraud. Defendant was 1 of only 2 defendants acquitted.

R v M (2010) - defended a solicitor charged by the FSA with insider dealing. This was the first criminal prosecution for insider dealing in which the defendants were acquitted.

R v Nik and others (2009) - prosecuted three businessmen based in the United Kingdom who sent military aviation components to Iran both from the United Kingdom and from the United States of America via third countries in breach of international embargoes.

R v Bright and others (2007) - defended the Finance Director of Independent Insurance which collapsed in 2001.

R v W and others (2003 to 2005) - defended one of the principal Defendants in the Jubilee Line Fraud and Corruption trial.

R v D and others (March 2002 to July 2002) - Defended one of the police officers (the senior custody officer) who were accused of the unlawful killing of Christopher Alder, a black former paratrooper who died in police custody in Hull. All of the defendants were acquitted on the direction of the trial judge at the conclusion of the prosecution case.

R v S (July 2001) - prosecuted a businessman who illegally exported aluminium alloys for use in the Pakistani Nuclear Weapons programme.