



Raoul Colvile

Year of call: 2016 (previously admitted as a solicitor 2013)

'the barrister you want on your team when the stakes are high and the hours long'

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Practice Summary

Raoul has a broad based dispute resolution practice and significant experience of white collar crime, investigations, and complex civil litigation, each regularly containing multi-jurisdictional elements.

He was called to the bar following nearly six years of practice at the London Office of a major US Law Firm where he qualified as a solicitor advocate.

Raoul's white collar crime and investigative work has often involved high profile and sensitive matters. Highlights to date have included the Serious Fraud Office v. ICBC Standard Bank Plc UK Bribery Act matter, which culminated in the UK's first ever Deferred Prosecution Agreement ("DPA"), as well as working for the joint administrators in respect of the collapse of British Homes Stores ("BHS").

Raoul is currently instructed as Junior Counsel by the Serious Fraud Office on a major high profile investigation. Since February 2019, he has also been assisting the Financial Conduct Authority on two matters.

Raoul's civil litigation work has commonly included contractual disputes, matters arising from fraud, and the implementation of international asset recovery strategies. He has experience of ADR (including several detailed commercial settlements), arbitration, and the Chancery and Commercial Courts. He has advised companies and individuals both personally and as part of a team on a wide range of issues.

As well as those mentioned above, Raoul's other recent instructions include: (i) representations at the interim order, substantive hearing, substantive order review and restoration application stages for the Nurses and Midwifery Council, (ii) representations in the High Court, Crown Court and County Court, (iii) the role of sole LPP counsel on a high profile matter for the Serious Fraud Office, (iv) assisting the Government Legal Department on a commercial dispute involving alleged violations of the European Convention of Human Rights, (v) a three month secondment to the Pension Protection Fund.

White Collar Crime, Investigations and Regulatory

Instructed as Junior Counsel by the Serious Fraud Office. The matter is a major high profile investigation on which assistance has been provided since July 2017.

Assisting the FCA on two significant regulatory investigations on an ongoing basis.

Appeared on behalf of the Nurses and Midwifery Council on various matters at the interim order, substantive hearing, substantive order review and restoration application stages.

Acted as sole LPP counsel on a high profile matter for the Serious Fraud Office.

Advised the joint administrators of British Homes Stores after the collapse of BHS following its administration by the Arcadia Group (Sir Philip Green) and then Retail Acquisitions Limited (Dominic Chappell).

Advised a major international bank over a near three-year period on their potential liability concerning s.7 of the UK Bribery Act. The case featured an international internal investigation, self-report to the SFO, negotiations with the DoJ (who ultimately declined to continue their investigation given the UK resolution) SEC and Tanzanian authorities, and ultimately the successful negotiation of the UK's first ever DPA (pursuant to the Crime and Courts Act 2013) as approved by Leveson LJ on 30 November 2015. (Serious Fraud Office v. ICBC Standard Bank Plc Case No: U20150854)

Advised on and undertook a confidential internal investigation at a major global retailer concerning allegations of impropriety including audit obstruction and kickbacks at a key subsidiary following a whistle-blower report.

Advised a major international corporation on their potential liability under the UK Bribery Act in respect of a proposed corporate event involving foreign dignitaries.

Advised a high profile solicitor in respect of a police investigation and linked ongoing criminal proceedings. The investigation focused on potential conspiracy, and offences including money laundering.

Advised two high-net-worth individuals in respect of a police investigation into money laundering.

Advised a purchaser as to their potential liabilities and risk in respect of certain ABC, AML, KYC and Regulatory and Compliance issues within a target group.

Commercial

A three month secondment to the Pension Protection Fund assisting on a wide range of commercial issues.

Advised a leading US private equity Firm following their purchase of a UK company on their warranty claims pursuant to an SPA and specifically failures of disclosure in respect of certain licenses and royalty arrangements.

Advised a high profile professional concerning the resisting of an application for indemnity costs in which proceedings has been discontinued.

Advised a multinational oil and gas company in respect of an arbitration and settlement concerning alleged breaches of certain FPSO charter and service agreements and unpaid invoices.

Advised two separate major real estate clients in respect of possession hearings concerning trespassers in the High Court and County Court respectively.

Advised a major European investment management group, including procuring settlement, on their ability to enforce a multi-million Euro investment option.

Advised a leading international automotive group on a number of matter including the setting aside of Default Judgment against a UK subsidiary, securing the withdrawal of a winding up petition in the Chancery Courts, and negotiating and facilitating a confidential settlement in respect of a commercial contract.

Advised a high net worth individual in a contentious shareholder dispute in the context of an anticipated IPO.

Advised a multinational oil and gas company in respect of a commercial dispute including on prospects of success, launching Commercial Court proceedings, obtaining permission to serve out and an extension of time, prior to staying matters pending the outcome of foreign proceedings.

Assisted the Government Legal Department on a commercial dispute involving alleged violations of the European Convention of Human Rights.

Advised on a complex commercial dispute focusing on the validity of various contracts which culminated in a two-week trial in the Chancery Division. (*Sibir Energy Limited v Slocom Trading Ltd* [2012] EWHC 3464 (Ch))

Advised on several other matters in various stages of the litigation process, including several specialist disclosure roles on large and complex civil cases for clients including manufacturing and real estate investment clients and on cases featuring varied underlying facts and relevant laws.

Fraud & Asset Recovery

Advised a former AIM listed company in respect of a suspected international, multi-million dollar fraud. Action included claims against an international bank and the filing of an overseas criminal complaint.

Advised a prestigious Liechtenstein-based arts and antiques trust, and its high-profile beneficiary, over a number of years on a global recovery strategy including settlement agreements, foreign proceedings (including criminal proceedings) and a Commercial Court action which led to a Summary Judgment in favour of the client, and a worldwide freezing order and order for contempt of court against the Defendant. (*Khalili Familienstiftung v. Dowlatshahi* [2013] EWHC 220 (Comm), and *Familienstiftung v. Dowlatshahi* [2013] EWHC 1247 (Comm))

Advised on and assisted in the obtaining of a UK freezing order for a major middle eastern bank in support of foreign proceedings.

Advised the Claimants in Commercial Court proceedings including coordinating a complex international service process and obtaining Default Judgment against certain Defendants, prior to negotiation of a stay with the extant Defendants. In addition, advised on strategy in light of concurrent and related Criminal Proceedings, and their impact on the civil case.

Academic Qualifications

- BA Hons, Philosophy and Theology, Hatfield College, Durham
 - Graduate Diploma Law (BPP)
 - Accelerated Legal Practice Course (BPP)
 - Civil Higher Rights of Audience (COL)
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Articles

Privilege and Internal Investigations in the wake of SFO v. Eurasian Natural Resources Corporation Limited [2017] EWHC 1017 (QB)

Significant and Reported Cases

Instructed as Junior Counsel by the Serious Fraud Office. The matter is a major high profile investigation on which assistance has been provided since July 2017.

Assisting the FCA on two significant regulatory investigations on an ongoing basis.

British Home Stores (in administration)

Serious Fraud Office v. ICBC Standard Bank Plc Case No: U20150854

Khalili Familienstiftung v. Dowlatshahi [2013] EWHC 220 (Comm)

Familienstiftung v. Dowlatshahi [2013] EWHC 1247 (Comm)

Sibir Energy Limited v Slocom Trading Ltd [2012] EWHC 3464 (Ch)
