



Trevor Archer

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Trevor Archer specialises in complex investigations, particularly those relating to financial crime prosecuted by the SFO, HMRC, FCA, BEIS, and the CPS.

Trevor has extensive experience advising on matters of privilege, and was admitted to the Bar in the Turks and Caicos Islands for that specific purpose. More recently, he has advised major banks in the UK and the US on privilege. Trevor has also acted as independent counsel for the SFO, BEIS, and HMRC.

Trevor's practice also encompasses health and safety work in the Crown Court and other regulatory work at professional disciplinary tribunals.

Fraud & Corruption

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Trevor has worked on many Serious Fraud Office ("SFO") investigations into international corruption and fraud including, advanced fee fraud, ramping fraud, rent fraud, mortgage fraud, Ponzi schemes, banking fraud and market manipulation. These investigations frequently involve evidence obtained from other jurisdictions and collaborative work with international agencies.

Trevor also regularly prosecutes and defends fraud prosecuted by the CPS specialist fraud group, including VAT fraud investigated by HMRC and benefit fraud. Notable defence instructions include a boiler room fraud, a banking fraud and a misconduct in public office/fraud trial.

- **R v X (2017)** Currently instructed as junior counsel for the SFO to advise on an ongoing international corruption investigation.
- **R v Robey (2017)** Led by Gillian Jones QC defending an allegation of misconduct in public office, fraud, theft and money laundering relating to an employee at the London Borough of Southwark.
- **R v Smith and Ouzman Ltd (2016)** Instructed as junior prosecution counsel in the SFO's first successful prosecution of a company for bribery of a foreign public official. A UK company and

two company directors were convicted of corruption involving bribes totalling £400k to Kenyan and Mauritanian officials to secure contracts to supply printing materials for public elections and academic examinations. Press report: [SEO](#)

- [R v Jenkins \(2016\)](#) Defended a multi-handed boiler room fraud.
- [R v Saunders and others \(2015\)](#) Instructed by the SFO as disclosure counsel in a £45m London-based Ponzi fraud. One defendant pleaded guilty and the two other defendants were convicted after a trial.
- [R v Jones \(2015\)](#) Junior counsel for the SFO allegation of aiding and abetting Sir David Jones to use a false instrument to mislead the financial markets. A nolle prosequi was issued as Sir David became too ill to stand trial. His son, Stuart Jones was tried and acquitted of aiding and abetting his father.
- [Brafman & Sandhu \(2015\)](#) Junior counsel for BEIS in the successful prosecution of offences under the Company Directors Disqualification Act arising from four companies that became insolvent with deficiencies exceeding £18m. Trevor was subsequently instructed alone to prosecute the confiscation proceedings.
- [Op. Saturn \(2012\)](#) Instructed to assist the FCA with disclosure in a complex insider dealing prosecution following examination of intelligence and trading analysis over a 21-month investigation. The case involved trading through a variety of accounts on the basis of price-sensitive information provided by print room employees working within two major investment banks.

Legal Professional Privilege

Trevor was admitted to the Bar of the Turks and Caicos Islands in 2010 for the specific purpose of advising the Special Investigation and Prosecution Team (SIPT) on matters of privilege. The SIPT was established following Sir Robin Auld's Commission of Inquiry in 2009 to investigate allegations of bribery and corruption involving senior members of the former Turks and Caicos Islands Government. Trevor has subsequently been instructed by the Serious Fraud Office, HM Revenue and Customs, the Department of Business, Energy and Industrial Strategy and major banks in the UK and the USA to advise on matters of privilege.

- [R v Misick and others \(2010-2014\)](#) Investigation into allegations of corruption involving the highest echelons of the Turks and Caicos Islands Government and international property developers: instructed to advise SIPT on matters of privilege and ownership of documents during the investigation.

Proceeds of Crime (POCA)

Early in his career, Trevor spent five months seconded to the Asset Forfeiture Division of the Revenue and Customs Prosecutions Office. He was specifically engaged on a review of Confiscation Orders following the judgment of Toulson L.J. in *R v Chambers* [2008] EWCA Crim 2467. Trevor

developed a comprehensive understanding of the subtle and intricate issues surrounding confiscation under POCA.

Trevor is a member of the specialist 'proceeds of crime' counsel panel for the Serious Fraud Office.

- **R v Y** Instructed to advise and represent a local authority in confiscation proceedings relating to breach of a planning enforcement notice.
- **R v X** Prosecuted confiscation proceedings relating to a multi-handed drugs conspiracy case where one of the main issues related to the equity in a matrimonial home registered to the defendant's wife.
- **R v G** Instructed by the SFO to examine and review defence solicitor's files during confiscation proceedings in a case where the defendant waived privilege and claimed the SFO had undertaken to exclude certain assets from their assessment of his available assets.
- **R v X** Instructed by the CPS Organised Crime Division to prosecute confiscation proceedings in a weapons importation case.

Crime

Trevor has experience defending and prosecuting a wide variety of offences including conspiracy to murder, aggravated burglary, robbery and causing grievous bodily harm with intent, and a wide variety of sexual offences.

Significant cases include:

- **R v Chaplin and others (2017)** Led by Sally-Ann Hales QC in prosecution of a conspiracy to murder a heavily pregnant woman. The case involved intermediaries. The defendants were all found guilty after a trial.
- **R v G (2013)** Defended historic rape of stepdaughter and digital penetration of niece. Acquitted of the allegations involving his niece. Successful appeal against convictions relating to stepdaughter. At retrial of allegations relating to stepdaughter, acquitted of all allegations of rape and digital penetration but convicted of indecent assault.

Professional Disciplinary & Regulatory

Trevor is panel counsel for the General Medical Council and frequently acts in proceedings before the Medical Practitioners Tribunal Service. He is also appointed to the list of approved regulatory counsel to the Health and Safety Executive, the Office of Rail Regulation and the Environment Agency (List C). Trevor has acted for various local authorities in a variety of miscellaneous regulatory matters, including prosecution for breach of an enforcement notice and appeals. He also acts for the defence.

Significant cases include:

- **R v Wates Construction Ltd & RJ Fitters Ltd (2017)** Prosecuted an offence that caused a carbon monoxide leak and also risked a gas leak and explosion inside a residential tower block. Resulted in fines and costs totalling £700k.
- **R v Osborne (2017)** Defended two alleged breaches of the Diving at Work Regulations 1997. The defendant was unanimously acquitted.
- **R v Danco International Plc (2017)** Prosecuted an offence arising from the collapse of a temporary floor system for the BBC Proms in the Park, crushing an employee.
- **R v Kent and Medway NHS Trust (2016)** Prosecuted an offence concerning the death of an 87-year-old man in a residential nursing home.
- **R v Ardmore Construction Ltd (2016)** Prosecuted an offence arising from the collapse of a site hoarding, severely injuring passing pedestrians.
- **R v Amtek Aluminium Castings (Witham) Ltd (2016)** Prosecuted an offence arising from an injury caused by a vertical milling machine.
- **R v O and others (2014)** Defended a multi-handed prosecution under the Environmental Protection Act 1990. The defendant and two co-defendants were local council waste recycling employees accused of exploiting their position to assist others to make unauthorised deposits of commercial waste

International Representation

Trevor was admitted to the Bar of the Turks and Caicos Islands in 2010, and has since been instructed as independent counsel to the Special Investigation and Prosecution Team (SIPT). The SIPT was established in 2009 to investigate allegations of bribery and corruption involving senior members of the former Turks and Caicos Islands Government. Trevor was instructed to attend searches, review seized items and advise on highly complex and disputatious LPP issues.

In 2008, Trevor spent six weeks as Crown Counsel in the Falkland Islands working within the Attorney General's chambers. He prosecuted a wide range of cases and gave pre-charge advice to the Royal Falkland Islands Police in various investigations including an attempted murder involving complex jurisdictional issues, a drugs importation; and a death by reckless driving (under Falklands law). Trevor also advised a variety of government departments on a number of civil matters.

Trevor has been instructed to work on a fraud investigation into offences committed in Jersey. Working pro bono, Trevor has also advised in relation to a number of appeals from the Jamaican Gun Court.

Prior to pupillage, Trevor spent three months in New Orleans shortly after Hurricane Katrina. Working pro bono in connection with the Amicus charity, assisting prisoners on Louisiana's death row with their appeals. Due to the acute conditions at the time, the work not only involved legal research but also investigative work to locate witnesses who had been dispersed throughout Louisiana and neighbouring states.

- **R v Misick and others (2010-2014)** Investigation into allegations of corruption involving the highest echelons of the Turks and Caicos Islands Government and international property developers. Trevor acted as Independent Counsel to the Special Investigation and Prosecution Team, advising on issues of privilege and ownership of documents.
- **R v X (2008)** Advising the RFI police and the Attorney General on complex jurisdictional issues arising out of an attempted murder on a British military base involving British military personnel in the Falkland Islands.

Inquiries & Appellate Work

Coroners' Inquests

Prior to commencing pupillage, Trevor assisted in relation to a number of high profile inquests, including the second inquest into the death of 13 teenagers in New Cross house fire in 1981, and the death of Zahid Mubarek who was murdered in his cell by a fellow prisoner. Since joining chambers, Trevor has acted as counsel representing properly interested persons in a number of jury inquests.

- **Anthony Quigley Inquest (2014)** Instructed by the Treasury Solicitor to represent the Crown Premises Fire Inspection Group at an inquest into the death of a prisoner following a cell fire at HMP Chelmsford.
- **Lee Balkwell Inquest (2008)** Represented an employer (initially suspected of murder) at a jury inquest into the death of a builder who had died when trapped in the machinery of a cement mixer.

Public Inquiries

Trevor spent much of 2012 working as support counsel to the Al-Sweady Inquiry.

- **Al-Sweady Inquiry (2012 and 2014)** Support counsel to an inquiry into allegations of torture and murder of Iraqi detainees in the custody of British Forces in 2004, leading a multidisciplinary team to analyse evidence and prepare for the oral hearings and assisted the Chairman to prepare his inquiry report. Press Links: Gov.uk

Appeals

Trevor has enjoyed success in the Court of Appeal. He is highly accomplished at drafting advices and

grounds of appeal, both in relation to conviction and sentence.

Judicial Review

Trevor has experience both of advising in relation to claims for judicial review, and of appearing in the High Court.

- **R (Rawlinson & Hunter) v SFO (2012)** Instructed by the SFO and Treasury Solicitor to advise on duty of candour in judicial review regarding an application for search warrants, relating to circumstances surrounding the collapse of the Icelandic bank, Kaupthing, in October 2008.
- **R (Hoskin) v Northampton Crown Court (2009)** Represented the claimant in judicial review of a Circuit Judge's decision to remand the claimant in custody. The claim was granted and the decision was quashed. The criminal proceedings were later discontinued.

Publications

After the Hurricane - capital appeals in New Orleans, Counsel Magazine, April 2007

Memberships

South Eastern Circuit

Criminal Bar Association

Health and Safety Lawyers Association

Association of Regulatory and Disciplinary Lawyers

Young Fraud Lawyers Association

Inner Temple

Turks and Caicos Islands Bar (2010)