



# Dr. Anthony Richardson

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CHAMBERS

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## **DR ANTHONY RICHARDSON**

**Year of Call: 2001**

**Dr. Anthony Richardson is a very accomplished, tenacious, self-motivated, disciplined, hardworking and effective Barrister. These attributes have made Anthony a highly sought-after Barrister. His primary areas of practice are commercial law, criminal law, public law, public international law, and regulatory matters.**

Prior to his arrival at another London Chambers in July 2020, Anthony practised law in Bermuda cumulatively for almost 20 years as a general practice attorney, an in-house counsel for two international financial institutions, and a senior parliamentary counsel and senior legal advisor to the Governor and Government of Bermuda (on occasion working directly in partnership with law enforcement agencies such as the FBI, RCMP, Scotland Yard, and the Royal Navy/ US Coast Guard while engaged in the arrest of suspect vessels at sea). Anthony was directly involved in the creation of Bermuda's Financial Intelligence Agency in 2007.

He also has several years' experience on the judicial bench as a provisional judge and coroner in Bermuda and is a former Clerk and Law Researcher to two of Bermuda's Chief Justices.

### **CIVIL LAW**

In civil law, he maintains a commercial law practice involving aviation law, banking law, company law, construction law, human rights, insurance and reinsurance law, proceeds of crime and anti-terrorist financing law, public law, shipping law, tax law, telecommunications law and trade union law. Anthony is also an accredited civil and commercial mediator.

### **COLONIAL LAW**

In colonial laws, he is an expert in the operation of UK colonial law operation within Bermuda and the Caribbean region and provides legal advice (including tactical legal advice) on the same.

### **CRIMINAL LAW**

In criminal law Anthony maintains a predominantly criminal defence practice, specialising in general criminal law matters and financial crime matters.



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## **INTERNATIONAL LAW**

In public international law (crimes against humanity, genocide, war crimes) he maintains a human rights law practice but is also developing a strong international sanctions practice (representing nation states and states or persons affected by the imposition of sanctions).

Anthony's International Technical Assistance Regions are set out below:

### **Bermuda Region**

Bermuda

### **Caribbean Region**

- British Virgin Islands
- Cayman Islands
- Jamaica: Including Death Row Appeals
- Puerto Rico (US Territory)
- Turks & Caicos Islands

### **North America Region**

- California: Death Row (Appeals)
- New York: Miscarriages of Justice (Appeals)
- Texas: Death Row (Appeals)
- United Nations HQ, New York City

### **Middle East Region**

- Israel
- Jordan
- Lebanon

## **TAX LAW**

In tax law, Anthony is developing a strong international tax law practice.



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Anthony also provides domestic and international technical assistance (specific to his practice areas), in the form of policy development and the drafting of legislation, to NGO's and to the governments of small countries and small states.

## PRACTICE AREAS:

### CRIMINAL LAW:

**R v YJ, 2023.** Anthony secured two unanimous verdicts for a defendant charged with one count of burglary and one count of theft, following a 3-day trial at the Old Bailey Crown Court.

**R v DG, 2023.** Anthony secured two unanimous verdicts for a defendant charged with one count of assault occasioning bodily harm with intent and one count of assault occasioning bodily harm, following a 4-day trial at the Old Bailey Crown Court.

**R v ME, 2022** - Instructed in a matter where the Defendant has been charged with possession of cocaine with intent to supply and possession of diamorphine with intention to supply.

**R v WF, 2022** - Instructed in a matter where the Defendant has been charged with two counts of modern slavery and two counts of possession of Class A drugs with intent to supply.

**R v RD, 2020** – Sentencing/First In Time Principal: Dr Richardson was counsel for the defendant who entered a plea of guilty to a charge of criminal damage (broken window and frame valued at 640.00 pounds).

The Crown asserted that this guilty plea caused the defendant to be in breach of a previous Suspended Sentence Order and now liable for a term of imprisonment. Dr Richardson countered this assertion by inviting the court to look at the actual date each matter came before the courts and argued that there was no such breach as the suspended sentence matter was moved in front of the current criminal damage matter by the Crown. In other words, the Defendant cannot be punished because the Crown decided to prosecute it's matters, related to the same defendant, out of sequence. The court accepted his arguments and refused to activate the suspended sentence matter. The court thanked Dr Richardson for preventing a miscarriage of justice.

**R v S, 2006** - Drugs/Possession & Care & Control. Dr Richardson was Counsel for the defendant who was charged with being in possession of Class B drugs. The defendant's motor car, while parked in a bowling alley parking lot, was found to have with it small



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packets of Class B drugs shoved inside the small, unlocked door cover for the petrol tank. As the defendant's motor car was parked in a public place, a bowling alley where patrons of the bowling alley freely walked between the parked motor cars (the parking lot had no walls, fencing or barriers restricting access), Dr Richardson successfully argued that anyone could have placed the Class B drugs inside the unlocked door cover for the petrol tank and, this being the case, the Crown failed to prove beyond a reasonable doubt that the Defendant was guilty of the offences charged. The defendant was acquitted of all charges.

**R v GL, 2005** - Dr Richardson was Junior Counsel for the defendant, over a period of approximately four weeks, where the defendant was charged with the offence of murder. The defendant caused the death of his ex-girlfriend by stabbing her over twenty times with a butcher knife, in broad daylight at a petrol station, in front of several witnesses. The defence put forward was one of not guilty by reason of insanity, relying on expert evidence.

**R v HE and ORS, 2005** – Serious Gang Violence/Lacuna In The Law/Habeas Corpus. Dr Richardson was Counsel for the defendant who was charged with, along with others, unlawful wounding and being in possession of an offensive weapon (a machete). At first instance before the Magistrates Court, the presiding Magistrate declared that the Crown had failed to provide the necessary paperwork to allow the matter to be submitted to the Crown Court for trial and, in consequence, no longer had jurisdiction to detain the defendant and his co-defendants. Still, the Magistrate refused to Order the Defendant's release or to release him under Bail conditions. In 2005 Bermuda did not have statutory law or case law that would allow for the detention of a defendant under these circumstances. Dr Richardson determined this to be an obvious lacuna in the law/that the defendant was being unlawfully detained. On the instruction of the defendant, Dr Richardson commenced an immediate habeas corpus application in the High Court for his immediate release. After several hours of legal argument by me, relying simultaneously on constitutional law and criminal law and procedure, the Court ruled in favour of the defendant and ordered his immediate release (the Crown later withdrew the unlawful wounding and possession of an offensive weapon charges during the arraignment session of the Court).

## CIVIL LAW

**Medical Service Provider, 2002** - Instructed by a Medical Service Provider in Bermuda, by way of Direct Access, to draft and advise on common law employment and service provider contracts involving million-dollar intellectual property subject matters.

**M.P & CG (A Bank), 2006** – Dr Richardson was Counsel for the claimant property developer and buyer, who alleged that the defendant Bank was negligent by failing to consider his bid for a property, valued over one million Bermuda Dollars/ US Dollars, due to an oversight by employees of the Bank. The defendant Bank sought to strike out the claimant's claim by arguing that this was a case where the legal doctrine of 'battle of the forms' applied. In



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response, he argued that the claimant needed first to be in the 'battle' in order for this legal doctrine to have effect. Rejecting Dr Richardson's arguments, the High Court found in favour of the defendant Bank. On appeal the Court of Appeal rejected the arguments of the Bank and accepted Dr Richardson's arguments. This matter was settled out of court between the parties immediately after the appeal hearing.

**LMWS (A Firm) v MP1, MP2, MP3 (the Defendants), 2006** – Company Law/Directors Liability/No Case. Dr Richardson was Counsel for the defendant companies who sought to stop the efforts of the claimants to have them declared insolvent and, as a result, wound-up. The claimant alleged that the defendants owed them over \$250,000.00 Bermuda Dollars/ US Dollars in unpaid service fees and accrued interest. The claimant also sought to enforce the penal notice attached to a Chambers Summons against one of the directors for failing to attend a Chambers Hearing in relation to the same matter. By methodically and successfully attacking the faulty financial statements, invoices, timesheets, and attendance notes, and supporting affidavits submitted by the claimant, he demonstrated that there was 'No Case' to answer by the defendants. The Court found in favour of the defendants. The Court also refused to enforce the penal provision against the director as the method of service was determined to be defective.

**R v V (A ship), 2002** – Admiralty/Oil Pollution/No Case. Dr Richardson was Counsel for the defendant Cruise-Ship being charged with oil pollution while berthed at the City of Hamilton pier. At the time of the alleged offence the Cruise-Ship was berthed, along with other ships and marine craft, at the City of Hamilton pier. Although an oily substance was clearly visible on sides of all the ships and marine craft, Marine Police determined that the Cruise-Ship was responsible for the alleged oil spill. At trial, no evidence was put forward by the Crown specifically linking the Cruise-Ship to the oil spill other than there being an oily substance on the Cruise-Ship's sides. Dr Richardson put forward a 'No Case' submission arguing that the Crown failed to provide the necessary fingerprints from the Cruise Ship, such as test sample results from fuel carried by the ship/ its bunkers, specifically linking it to the oil spill. The court found there was 'No Case' to answer and acquitted the Cruise-Ship.

## **COURT MARTIALS:**

**R/Bermuda Regiment v B (A Private), 2005** – Courts Martial/Abuse of Process. Dr Richardson was Counsel for the defendant Private, in relation to a string of offences charged against him which included assaulting an Officer. After successfully obtaining a conviction against the Private for a previous matter, the Bermuda Regiment (Bermuda's local Defence Force at the time was a mostly conscripted Force) sought in error to bring a duplicate prosecution of the Private some three plus years after the purported offences were said to have occurred. He argued that the prosecution was an abuse of process. The court found in favour of the defendant Private and thanked Dr Richardson for spotting the error and for preventing a miscarriage of justice.



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## **MEMBERSHIPS:**

- Bermuda Bar Association
- Gray's Inn
- New York City Bar Association (Non-Practicing)
- Administrative Law Bar Association
- Canadian Institute for the Administration of Justice
- Chancery Bar Association (England & Wales)
- Commercial Bar Association (England & Wales)
- Criminal Bar Association
- Human Rights Lawyers Association
- Revenue Bar Association (Tax Law)
- The Society of Mediators
- Gray's Inn: Law Mentor
- Delta Epsilon Sigma Honors Society (USA)

## **ACADEMIC & PROFESSIONAL AWARDS:**

- 2023 Visiting Law Lecturer/Visiting Research Fellow & Scholar, Brunel University Law School
- Harvard University: Certificate in Higher Education (Teaching Accreditation) w/ International Law Focus [First Class]
- University of London: Master of Philosophy/ Doctor of Law and Philosophy (Dual Degree)
- University of London: Master of Law Degree
- BPP Law School: Bar Vocational Course Diploma in Law
- BPP Law School: Post Graduate Diploma in Law
- University of Wales Cardiff: Bachelor of Laws (Hons) Degree
- University of Victoria (Canada): Bachelor of Arts in History and Political Science Degree