



L I B E R T A S  
C H A M B E R S

# Keith Arno Mitchell

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**Year of Call: 1981**

## **INTRODUCTION**

Keith has long been recognised for his expertise in defence fraud and white-collar crime and has been consistently ranked as a leader in his field in all fraud sections of the top legal directories, Chambers UK 2019 and the Legal 500 2021. He has previously been named 'Fraud Barrister of the year -2014' and 'Best for White Collar Criminal Law-UK 2016' by Acquisition International.

He has been described as *"an excellent communicator with in-depth experience.", "superb with clients and popular with juries", "a talented practitioner who knows his way around fraud cases" and "spot-on when it comes to strategy"*. His practice encompasses major SFO, VAT and MTIC frauds as well as business, financial and other white-collar crime matters. Chambers and Partners states *"Keith knows the game inside out. He is a consummate professional who is almost theatrical in court and is awe-inspiring when you see him in action. Other barristers defer to him and ask his advice."* *"A very sophisticated advocate who has seen and done it all."*

Previous legal directories have said of Keith, that *"apart from having the brains and personality to deal with the most complex fraud cases, Keith Mitchell is also the type of barrister who takes the time to go through everything with his clients"*. *"Very industrious, very reassuring, and very articulate in communicating complicated legal concepts."* *"He handles a lot of high-level financial criminal work, he is great with juries, and he wins a lot of cases."* Recent editions have commented *"...he's very practical in looking for solutions and a very strong advocate on his feet"*. *In yearly editions of the Fraud (Crime) section of the Legal 500, Keith is highlighted as being an "extremely strong jury advocate"*. *"His ability to sift through heavy paperwork and present a cogent argument in court is the envy of many": "He is just superb. He's always involved in the biggest cases in the country and he has a great touch with the clients."*

He has been *"recognized as being one of the main players specialising in VAT and fraud"*. Keith is also known *"for his great client care skills and flair when it comes to case management"* and his *"flamboyant"* style as an advocate.

As a specialist in defending serious fraud and crime, including Inland Revenue, VAT, (including Tribunal) and all types of company fraud, Keith has appeared in several European courts including Jersey and Guernsey and in Spain in response to applications under the Criminal Justice (International Co-operation) Act 1990 and Evidence (Proceedings in Other Jurisdictions) Order 1983.



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## HISTORY

In his early career, Keith defended in many high-profile murder trials and other serious crime cases including many of the defendants in the Tottenham riots of the 1980s. Highlights included representing all appellants in the House of Lords definitive ruling on character in *R v Aziz* [1995] 3 AER 149 and in the Court of Appeal, in the case of *R v Watson* [1987] Cr.App.R.1 which is still widely used in criminal courts and is known as the 'Watson direction'. In later years, he has become more widely recognized nationally for his expertise in complex fraud, in which he came to prominence in the 1990s during his involvement on behalf of the defence in a number of high profile MTIC frauds, the most prominent of which was the collapsed £110million MTIC fraud, Operation Venison, at Southwark Crown Court in 2005 which led to an independent police enquiry.

This led to further high-profile VAT frauds, 'Operation Divert' (£110 million VAT fraud), 'Operation Dowel Drive and Lychees' (£50 million VAT fraud) and 'Operation Dosall, Dunnaway and Doona' (£100 million VAT fraud) and 'Operation Vaulter' the largest ever MTIC fraud based in Dubai.

Other notable cases which have attracted widespread public interest have included, Aleef Garages, of its time, the largest Inland Revenue prosecution in the North West involving the alleged misuse of tax revenue regarding Muslim charities. 'Operation Krypton' better known as the Fallon, 'Jockey Club' case, in which he successfully acted for and secured the acquittal of, the alleged head of one of the betting organisations. He secured an acquittal for a defendant in a £34million payroll and construction fraud in the West Midlands, 'Operation Digit' and acted for a defendant who admitted breaching BIS export controls by selling military grade equipment to Arab Governments and US Companies, including the sale of bulletproof body armour and helmets to Iraq and Kuwait among other destinations to the value of \$6,000,000 during the height of the war.

In 2015, successfully concluded 'Operation Cactus Hent' the "pensions busting" North West SIPP fraud (which involved an unsuccessful appeal by the prosecution to the LCJ, see [2015] EWCA Crim 5380).

This was followed by a successful submission of no case to answer in Operation 'Galion,' a high-profile multimillion-pound publishing fraud emanating out of Liverpool after a 5-year investigation and trial [2016].

In January 2017, led for the main defendant in Operation 'Holt', concerning Logica PLC, who was involved in insider dealing, involving a £1.7billion takeover by Canadian based company CGI Group Holdings Europe. The defendant was a business analyst who passed inside information to individuals who then carried out transactions on the FTSE. The defendant avoided custody. Keith then represented the only director to be acquitted, in the PCS LTD Conspiracy to defraud, which involved supplying chauffeur driven cars to celebrities and individuals including Emirates Airlines in the UK and premier league football teams.



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In September 2017, Leading Junior in one of the largest cyber net frauds prosecuted by Trading Standards, 'Operation Dougal' which netted more than £36million. It was alleged that the companies involved operated highly sophisticated but dishonest schemes; the aim of which was to deceive or mislead victims into using, -and making millions of pounds' worth of payments to- websites operated by the defendants in the belief that they were using official Government websites, (including USA and India) to access and pay for goods or services such as passports, driving licenses, e-visas and ESTA applications.

In November 2017, R v G. Kingston Crown Court represented a City Solicitor and high-profile member of the law Society and former chair of the Commercial Litigation Association who faced three counts of alleged Fraud from Clients account. The defendant was acquitted.

In January 2018, represented a defendant, R v Moxon, Guildford Crown Court who pioneered an internet IT programme for modernizing health care and admissions but was accused of bribing Chief Executive Officer of National Health Trust in Surrey, regarding the implementation of a computerized Health Care System nationwide.

In October 2018, represented Shafiq Uddin Operation Lester, Sheffield Crown Court, the accountant and alleged organiser of human trafficking organization based in Sheffield that involved the enslaving of individuals from Romania and Bulgaria in the landmark investigation in Sheffield and Yorkshire into modern slavery fraud and subsequent misuse of the housing and benefits system – the defendant was acquitted of all charges.

In 2019, acted as Leader in an SFO operation into a long firm fraud into well-known printing companies with allegations of bribery and corruption, and insolvency, successfully acting for the 'brains' of one of the alleged major criminal gangs in the UK in 'Operation Aldgate', an allegation of multiple Insolvency frauds.

In 2020, involved in a trial called Operation Gurgle at Birmingham and led for the first defendant in £29 Million Research and Development Tax Fraud regarding the setting up of IT health care systems in UAE involving offshore investments, client resident, of Dubai and acting in Operation Cornflour at Southwark Crown Court. Keith's article on the case has attracted considerable interest and can be found at <https://lnkd.in/d6RiMtR>.

In 2021, Keith will commence Operation Aspen HMRC investigation into former Spearmint Rhino gentleman's club regarding alleged widespread Tax evasion. Keith has also been instructed to lead in Operation Maple Lodge the Royal Mail £89million, conspiracy to defraud prosecution, into the worldwide affairs of Postal Packets International, Global Express Worldwide Ltd and Tiger International Logistics.

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## **TESTIMONIALS**

'Before the day is out I wanted to write to you to express my gratitude for what you have both done for my family and I. Today was a remarkable achievement by a remarkable team. I shall never forget this. In this day you have saved the campaign over which I have laboured for 21 years. More importantly, I do not have to explain to my 10 year old son that his father may be imprisoned for the treachery of erstwhile colleagues taking advantage of his father's momentary mis-step. Thank you for giving me that.' **T N G Solicitor.**

Keith was always a pleasure to work with. He quickly developed legal arguments within a very short time of seeing evidence. His court persona is both experienced yet approachable. I look forward to the next time we work with him. **Steve Malley, Consultant at Law Trust**

## **Chambers and Partners 2022**

"A really good advocate who has a lovely manner with the jury."

## **Legal 500 2020**

"He is hard working and very thorough and does not only rely on his vast experience. He is tactically astute. His courtcraft and ability to win over Judge and juries is brilliant"

<https://www.legal500.com/firms/9516-33-chancery-lane/9795-london-england/lawyers/484506-keith-mitchell/>

## **Chambers and Partners 2021**

Puts clients in stressful situations at ease and speaks to them in a style they can readily understand, according to those who instruct him. He frequently acts unled, acting for the defence in high-value cases. His caseload includes a number of tax fraud, corruption and trading standards matters. He has noted expertise in major bribery cases and is adept at handling cross-border issues. Strengths: "Has a very easygoing style and is very practical." "A sophisticated advocate." Recent work: Acted for a defendant in Operation Cornflour, a cold calling and diamond fraud based in Birmingham and Croydon.

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## **MEMBERSHIPS:**

Keith is a member of:

- South Eastern Circuit;
- Criminal Bar Association;
- the Fraud Lawyers Association; and
- the Proceeds of Crime Lawyers Association.

## **AWARDS**

**UK White Collar Crime Defence Barrister of the year 2013 - AI**

**Fraud Barrister of the Year UK 2014 - AI**

**Best for Serious Fraud Defence UK 2015 -AI**

**White Collar Crime Law Expert England 2021 -GLE**

## **SPECIALISATION: FRAUD AND FINANCIAL CRIME**

### **RECENT NOTEWORTHY CASES**

#### **Operation Galion, R v Dumbell, Liverpool Crown Court**

A trading standards investigation into publishing firm Weinstein Williams, which was based in Liverpool and involved a cold calling fraud on 15,000 clients involving complaints from over 22 local authorities across the UK misrepresenting that they were acting on behalf of the emergency services. Successful submissions of no case to answer for the defendant who was regarded as the 6th highest seller, before other defendants were convicted. A notable victory after a 5-year investigation.

[www.bbc.co.uk/news/uk-england-merseyside-35373234](http://www.bbc.co.uk/news/uk-england-merseyside-35373234)

#### **Operation Cactus Hunt, R v Thompson, Birmingham Crown Court**

Allegation of fraudulent pensions carousel. The Revenue alleged a conspiracy to cheat tax relief at source upon pension contributions funded by loans from companies funded offshore initially by the defendants. The prosecution sought to demonstrate that by moving money offshore and then repatriating it there had been a dishonest circularity of funds. The loss to the Revenue £12million plus. Case spectacularly collapsed at half time on our submission and also dismissed by the Court of Appeal on interlocutory appeal- important landmark judgment.

[R v Quillan and others \[2015\] EWCA Crim 5380.](#)

#### **Operation Holt, R v Mohal, Central Criminal Court**





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Operation 'Holt' Logica Insider Dealing, involving £1.7billion takeover by Canadian based company, CGI Group Holdings Europe. The defendant was a business analyst who had access to insider information regarding the sale of Logica and is alleged to have sold inside information to members of the Indian community who then carried out transactions on the FTSE. There was worldwide interest in the case see Reuter report below.

<http://uk.reuters.com/article/britain-insider-logica-idUKL6N0WT2AD20150327>

R v Mchugh, Liverpool Crown Court, Central Criminal Court, Chester Crown Court  
Prolific serial fraudster, practicing as accountant, solicitor, Judge and sometime barrister  
confidence fraudster, involving Kerry Katona, 'Lord' Davenport .

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjKt5qOs-fsAhXFRxUIHcjbCSIQFjABegQIAxAC&url=https%3A%2F%2Fwww.liverpoolecho.co.uk%2Fnews%2Fliverpool-news%2Ften-accused-3m-fraud-plot-3562802&usg=AOvVaw25YH5M7FS5XmAYSVacw3lY>

[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjI9-2utOfsAhUpURUIHYAsD3gQFjAEegQIBBAC&url=https%3A%2F%2Fwww.theguardian.com%2Fuk%2F2011%2Foct%2F05%2Flord-edward-davenport-jailed-fraud&usg=AOvVaw2LijNUiSzaWvP6\\_ji8bJZw](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjI9-2utOfsAhUpURUIHYAsD3gQFjAEegQIBBAC&url=https%3A%2F%2Fwww.theguardian.com%2Fuk%2F2011%2Foct%2F05%2Flord-edward-davenport-jailed-fraud&usg=AOvVaw2LijNUiSzaWvP6_ji8bJZw)

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjI9-2utOfsAhUpURUIHYAsD3gQFjAEegQIBBAC&url=https%3A%2F%2Fwww.bbc.co.uk%2Fnews%2Fuk-england-london-15185621&usg=AOvVaw1l5SJPCB-VeXQyMH5KeS6S>

<https://www.independent.ie/irish-news/kerry-katonas-former-accountant-targeted-in-raid-by-fraud-squad-38558237.html>

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjI9-2utOfsAhUpURUIHYAsD3gQFjAEegQIBBAC&url=https%3A%2F%2Fwww.bbc.co.uk%2Fnews%2Fuk-england-london-15185621&usg=AOvVaw1l5SJPCB-VeXQyMH5KeS6S>

<https://www.independent.ie/irish-news/kerry-katonas-former-accountant-targeted-in-raid-by-fraud-squad-38558237.html>

<https://www.independent.ie/irish-news/kerry-katonas-former-accountant-targeted-in-raid-by-fraud-squad-38558237.html>

### **R v PCS Events Ltd, Chester Crown Court**

Conspiracy to defraud, involving High profile celebrities and Mercedes Benz and the Emirates Airways, Liverpool FC and Manchester United and Manchester City and the 'X' factor organisation providing high profile UK wide professional chauffeur services. The allegations alleged false accounting of car travelling, servicing and 'clocking' of vehicles to Mercedes Benz. Represented the accountant and Director who was acquitted!

<https://www.phtm.co.uk/news/887/phtm-news/car-clocking-chauffeur-firm-fined-£250,000-for-fraud>

<https://www.dailymail.co.uk/news/article-5444693/Chauffeur-firm->

### **Operation Dougal 1 and 2, R v Hinks, Teesside Crown Court**

The largest – 'crime buster' investigation into allegations that TAD/VAD Services operated a highly sophisticated but dishonest scheme the aim of which was to deceive or mislead victims into using and making 36 millions of pounds' worth of payments to Internet websites operated by the defendants in the belief that they were using official Government websites (including the US government) to access and pay for goods or services such as passports;



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driving licences; e-visas and ESTA applications. The fraudsters netted a benefit of more than 36million has been. The defendants were further charged with a copycat allegation designed to thwart restraint proceedings

<https://www.asa.org.uk/news/asa-welcomes-sentencing-of-criminals-behind-fraudulent-copycat-websites.html>

## **R v Tony Guise Guilford Crown Court.**

Represented a City Solicitor and former chair of the Commercial Litigation Association who faced three counts of Fraud from Clients account. Acquitted.

<https://www.lawgazette.co.uk/news/tony-guise-confident-fraud-charge-will-be-dropped/5055187.article>

## **R v Moxon Guilford Crown Court**

In January 2018 represented a defendant who pioneered an internet IT programme for modernizing health care and admissions and bribing of Chief Executive Officer of National Health Trust in Surrey, regarding the implementation of a computerized Health Care System nationwide.

<https://www.bbc.co.uk/news/uk-england-surrey-38534551>

## **Operation Lester, R v Uddin, Sheffield Crown Court**

In October 2018 represented Shafiq Uddin the accountant and alleged organiser of human trafficking and enslaving of individuals from Romania and Bulgaria in the landmark investigation in Sheffield and Yorkshire into modern slavery fraud – the defendant was acquitted of all charges.

[www.jusnews.net/modern-slavery-act-offenders-to-appear-at-sheffield-crown-court/](http://www.jusnews.net/modern-slavery-act-offenders-to-appear-at-sheffield-crown-court/)

## **2019/2020**

Advising in an SFO operation into well-known oil companies with allegations of bribery and corruption and led for a defendant R v Cumming, Southwark Crown Court in 'Operation Aldgate', an allegation of multiple Insolvency frauds which was followed by Operation Gurgle, a £29 million Research and Development Grant fraud arising out of a computerized health care programme involving PWC and royal families of UAE, R v Matt Sutherland at Birmingham Crown Court. During the height of lockdown, Keith, undertook R v Rizwan Hussain, at Southwark Crown Court part of Operation Cornflour at Southwark Crown Court. Keith's article on the case has attracted considerable interest and can be found at <https://lnkd.in/d6RiMtR>.



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## 2021

In 2021, Keith will commence Operation Aspen HMRC investigation into former Spearmint Rhino 'gentlemen's club' regarding alleged widespread Tax evasion. Keith has also been instructed as lead Counsel in Operation Maple Lodge the current largest Royal Mail current prosecution an £89million, conspiracy to defraud, into the worldwide affairs of Postal Packets International, Global Express Worldwide Ltd and Tiger International Logistics to be tried at Southwark in May 2022.

In June 2021, Keith led in a successful appeal pursuant to Regulation 29 of the Criminal legal Ais (Remuneration) regulations 2013, in the High Court branch of Senior Courts Cost Office, against a refusal by the Legal Aid Agency to allow fees for special preparation, within the terms of Paragraph 17(1)(a) of Schedule 1 of the Criminal Legal Aid (Remuneration) Regulations 2013, [R v C, SCCO REF-2020-CI-000205](#), arising out of a defendant's unique medical condition.