

# *Dominic Connolly*

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YEAR OF CALL: 1989



*Dominic is a specialist criminal practitioner with experience in murder, manslaughter, organised crime, heavy fraud, serious sex offences and the proceeds of crime. He is ranked in Chambers and Partners and the Legal 500.*

## *Overview*

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An experienced criminal practitioner whose practice principally concerns serious and large-scale organised crime. He is a Crown Prosecution Service (CPS) Grade 4 prosecutor and is on the CPS rape and serious sexual offences list.

Dominic is ranked in Chambers and Partners and the Legal 500 as a leading individual in crime at the London Bar.

'He prosecutes in serious cases.'

Legal 500 2019.

## *Additional Information*

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### **Seminars and lectures**

Dominic has lectured to solicitors and fellow members of the Bar on various subjects including the Bribery Act 2010 and disclosure.

### **Direct Public Access**

Accepts Direct Public Access instructions.

## *Professional Panel Appointments*

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CPS Grade 4 prosecutor and is on the CPS rape and serious sexual offences list.

CPS Grade 4 specialist prosecutor: Fraud and Serious Crime.

Appointed Standing Counsel to HM Revenue and Customs Prosecutions Office (RCPO) in 2008.

Band C (10 years' call and above) appointed advocate for the General Dental Council (GDC).

## *Professional Memberships*

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Criminal Bar Association.

South Eastern Circuit.

Proceeds of Crime Lawyers Association.

Kent Bar Mess.

Football Association affiliated lawyer.

## *Asset Recovery, Civil Fraud & Confiscation*

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A significant proportion of Dominic's practice relates to the restraint, confiscation and forfeiture of the proceeds of crime in the Court of Appeal, Divisional Court, High Court and Crown Court. A number of his cases are reported, including the leading cases of Patel, Attorney-General's Reference No. 3 of 2003 and Allpress.

## *Business Crime*

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Dominic's work as Standing Counsel to Revenue and Customs Prosecutions Office (RCPO), involved being instructed in the prosecution of serious and complex financial crime for RCPO including missing trader fraud, tax evasion, VAT fraud, excise fraud and money laundering. In addition, he is regularly instructed by the Central Fraud Group (fiscal and non-fiscal) and the South East Complex Casework Unit in advance fee frauds and e-crime.

## *Criminal Prosecutions*

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For some years, Dominic has prosecuted in serious and high profile cases as leading Counsel including murder (as leading junior and on his own), manslaughter, death by dangerous / careless driving, kidnapping and corruption. He has prosecuted as leading junior, many complex, multi-handed cases of drug smuggling and other forms of organised crime.

When he prosecutes he presents his cases fairly and efficiently.

Legal 500 2020.

As Standing Counsel to Revenue and Customs Prosecutions Office (RCPO), he has been instructed in the prosecution of the most serious offences for RCPO and the Serious and Organised Crime Agency. In addition, he undertakes cases across the full range of serious criminal work.

He has extensive experience of all issues relating to Public Interest Immunity and has lectured on the subject.

### **Sexual Offence**

Dominic is regularly instructed in cases of rape, historic sexual abuse, child “grooming” and indecent images. He has extensive experience of dealing with vulnerable witnesses and special measures.

## *Cases of Note*

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### **MURDER / MANSLAUGHTER**

#### **R v Fender**

Sole counsel instructed by the Crown in a murder trial following the stabbing of young mother at the hands of her former common law husband.

#### **R v Manuel**

Lead Counsel in the murder prosecution of a heroin dealer following the stabbing of a heroin user.

#### **R v Crewe and Others**

Junior Counsel in a three handed murder. The case involved the homophobic killing of a young gay man, he having been lured to scene of the murder following the placing of advertisements in a “lonely hearts” column.

#### **R v Beaney**

A “one punch manslaughter” following a disturbance in a rural village pub.

### **FRAUD**

#### **Op Imitate (R v Stephen Court & Ors)**

This was one of the largest fraud investigations ever carried out by the Kent Police. A seven handed prosecution of 3 separate conspiracies to defraud. Numerous bogus companies were set up using multiple false identities. Trade accounts were set up in these company names and

goods were obtained on credit. VAT repayment returns were submitted to HMRC using these and other trading entities. Over £4 million was obtained as a result of these frauds. The proceeds were laundered using a complex network of bank accounts in multiple identities. Much of the proceeds were sent abroad. In subsequent confiscation proceedings, assets exceeding £1 million were obtained from the principal offender.

### **R v Rahmonov & Ors**

The prosecution of an internet banking fraud following an investigation by the Metropolitan Police's e-Crime Unit, local boroughs and Specialist Crime Directorate. This was the first operation of its kind working in collaboration with the financial services industry. Fraudsters made use of a "Trojan" computer programme to infect the computers of members of the public. When customers with infected computers went to use online banking, the Trojan programme allowed the fraudsters to obtain sufficient personal details to enable them to transfer large sums of money from these online accounts into bank accounts controlled by the fraudsters. Much of this money was then sent abroad, to Eastern Europe.

### **R v Dadabhoy**

Conspiracy to defraud. This case concerned numerous "advance fee frauds" whereby a very large number of people, both in this country and abroad, were contacted by fraudsters and told that they had won huge sums of money in a lottery. They were then induced to pay increasingly large sums of money in order to secure their winnings. Despite paying these sums, no prize money was ever forthcoming.

### **R v Smiles**

Leading defence Counsel for a Company Director accused of providing bribes to secure contracts from a multi-national insurance company.

### **R v Balogova and Others**

The prosecution of a multiple identity Tax Credits fraud and the laundering of the proceeds. A large number of Slovakian women were brought to the UK to make multiple fraudulent claims for Working and Child Tax Credits. Forged employment documents were utilised to support claims for Working Tax Credits. Multiple bank accounts were opened to receive the funds. Following the claimants' return to Slovakia, the claims were then continued and maintained by the

defendants. The proceeds were then transferred to Slovakia. It was described in the national press as the largest fraud of its kind.

### **Operation Marjoram (R v Abimbola and Others)**

This was a prosecution of two conspiracies to fraudulently obtain tax credits and VAT repayments. The case involved the collation of over 800 stolen identities and the use of these details to make in excess of 400 fraudulent applications for tax credits and VAT repayments. The potential loss to the Revenue exceeded £5.2 million. The actual loss exceeded £350,000.

### **Operation Turbine (R v Ullah and Others)**

Instructed as leading Counsel in the prosecution of two serving officers of HM Revenue & Customs and others in a sophisticated VAT repayment fraud, involving the setting up of two fictitious businesses, supposedly with a view to publishing a celebrity cook book. One of the witnesses for the Crown was Marco Pierre White.

### **R v Young**

The prosecution of a Solicitor on charges of theft of funds from the firm's client account and using a forged instrument, namely a bank statement submitted to the Law Society in an attempt to cover up the crime.

### **R v Ward & Ors**

Junior Counsel in a multi handed Serious Fraud Office prosecution of two Solicitors, a mortgage broker, an accountant and others in a multiple mortgage fraud and money laundering case. Subsequently had sole conduct of confiscation proceedings in which an order in the sum of approximately £1.5 million was obtained, although this was subsequently reduced by the Court of Appeal following the decision of the House of Lords in R v May.

### **R v Westell**

Prosecution of a Chartered Accountant in a complex VAT fraud and theft of monies from a client account.

### **R v Bayley**

Junior Counsel in the prosecution of a Chartered Accountant on charges of evasion of VAT

amounting to nearly a million pounds. Currently instructed in the prosecution of an alleged Film Tax Credit fraud involving a claim in the sum of £1.2 million in respect of a film on general release.

## **DRUGS**

### **R v Castle, Castle and Haynes**

The prosecution of three individuals including a transport manager concerning the importation of Class A and B drugs hidden in oil drums with an estimated street value of £5 million.

### **Op Hopi (R v Adesinya & Ors)**

Five handed drug importation. consignment of two large boxes purporting to contain food from Nigeria was intercepted and examined at Heathrow Airport. Amongst the food were a large number of sachets of what, according to the packaging, was seasoning. In fact, many of those sachets contained not seasoning but cocaine totalling 21 kilograms with an estimated street value of £3.6 million.

### **R v Smith & Ors**

Defending criminal associate of alleged drug dealer who was alleged to have falsely imprisoned and tortured three youths who had burgled the drug dealer's home and stolen drugs.

### **R v Suchedina**

Leading Counsel in the prosecution of a London based money exchange dealer on a charge of conspiracy to money launder the proceeds of drug dealing and / or other crime.

### **R v Fung**

Prosecution of the operator of numerous cannabis factories situated in on the Sussex coast.

### **Op Hortatio (R v Moon & Ors)**

A prosecution involving serving prisoners in the UK and South America conspiring together and with others to import Class A drugs from South America into the UK and Republic of Ireland.

### **Operation Kilimanjaro**

Leading Counsel in a conspiracy to supply heroin.

### **Operation Horntail (R v Seenauth & Ors)**

Leading counsel in the prosecution of a cocaine smuggling ring who were using airport cleaners to collect rucksacks containing cocaine from passengers arriving from Jamaica and using their Airport Security passes to by-pass Customs controls.

### **Operation Draft (R v Michael Michael & Ors)**

Junior Counsel in what was then the largest ever prosecution brought by HM Customs & Excise (as they then were). The case involved the arrest of a major international drug trafficker. He and three of his close associates pleaded guilty and provided evidence for the Crown leading to the arrest and prosecution of over 40 of his criminal associates including a serving police officer, a solicitor's clerk and two notorious expatriate drug barons.

## **OTHER ORGANISED CRIME**

### **R v Whitlock & Ors**

The prosecution of an organised crime group engaged in the theft of Cash Point Machines at numerous locations throughout the South East of England.

### **Operation Erasure (R v Smith and Ors)**

Instructed as leading counsel in the prosecution of a prolific team of "rogue builders" who defrauded over 40 elderly or otherwise vulnerable householders in London and across South East England. In excess of £800,000 was fraudulently obtained. The case was widely reported in the national media.

### **R v Mead and Latty**

Another "rogue builder" case involving 11 elderly or otherwise vulnerable victims who were defrauded of substantial sums of money as a result of being pressured into allowing building work to be carried out that was not required. The work was inadequately performed. Exorbitant sums of money were then charged. Numerous bogus company names were used. The offending was spread over a seven year period. Over £1,000,000 was fraudulently obtained.

### **R v Paul Stone**



A car ringing conspiracy concerning the theft of twenty (specimen) high value cars and their subsequent sale on false but genuine existing identities, to innocent members of the public. The details of the legitimate cars were obtained and then cloned so as to appear identical to the legitimate vehicles. The cloned vehicles were then advertised for sale in Auto Trader and sold to unsuspecting members of the public who were provided with forged vehicle documentation.

### **R v Gary Neal**

A money laundering, drugs and firearms prosecution. Large sums of money were fraudulently obtained from financial institutions and then paid into the bank account of a business owned by this defendant. Substantial sums were then transferred to an account in the name of an alias of the defendant and then withdrawn in cash. When the defendant's home address was searched, police found a considerable quantity of cash, a large quantity of firearms and large quantities of various drugs.

### **Op Bristol (R v Roberts & Ors)**

Instructed by the Complex Case Unit (formerly the Organised Crime Unit) in Kent as junior Counsel in a conspiracy to carry out ram raids on cash machines across South East England.

### **Op Attest (R v Carrington, Khan & Ors)**

Four handed cigarette smuggling prosecution following the raid of a warehouse on agricultural premises in Essex, found to be full of counterfeit cigarettes.

### **Op Backrest (R v Dimitrijevic & Ors)**

Five handed cigarette smuggling prosecution. Three million cigarettes discovered in a lock-up in Northampton following an extensive surveillance operation. The cigarettes should have attracted excise duty of £ ½ million.

### **R v Simkus & Ors**

The prosecution of a multi handed tobacco smuggling ring involving the storage of smuggled excise goods in commercial storage units across London.

## **REGULATORY**

### **Op Hannah (R v Gandesha & Ors)**

A prosecution on behalf of the Medicines and Health Regulatory Agency concerning a series of importation and subsequent supply of counterfeit medicines (Seretide Evohalers).

### **R v Lim**

A prosecution under the CITES regulations. The case concerned the smuggling of endangered species, namely extremely rare orchids from South East Asia into the UK for onward sale on to the black market, a case that attracted considerable media attention.

## **REPORTED CASES**

### **R v Gonzales [2010] eWhC 3428**

(admissibility of “mixed” interview).

### **R v Symeou & Allpress [2009] EWCA Crim 8**

(meaning of “benefit” in confiscation proceedings).

### **R v Kenedy [2008] EWCA Crim 2817**

(Requirement of holding an identity parade and disclosure)

### **R v Moreland**

### **R v Briggs [2003] EWCA Crim 329**

(effect of defendant obtaining certificate of inadequacy in confiscation proceedings).

### **McKenna v DPP [2005] EWhC (Admin) 677**

(effect of failure to hold identification parade).

### **Attorney-General’s reference no. 3 of 2003 [2004] EWCA Crim 1867**

(Crown’s right of appeal in confiscation proceedings).

### **R v Patel [2000] 2 Cr.App.r.(S) 10**

(meaning of “benefit” under CJA 1988).

### **R v Shields [1997] Crim.l.r.59**

(timing of majority direction to Jury).

## *Accreditation*

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