

# Andrew Evans

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YEAR OF CALL: 1985



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## Overview

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Andrew Evans is an experienced criminal practitioner, specialising in the prosecution of serious and complex fraud. He is Grade 4 prosecutor, and is often instructed as leading counsel. He has appeared on behalf of various prosecution agencies, including the Crown Prosecution Service (CPS) Central Fraud Group, CPS Special Casework Unit, HM Revenue & Customs, the Department for Business, Innovation and Skills (BIS) and the Department for Work and Pensions (DWP).

Andrew has successfully prosecuted cases involving revenue and social security frauds, banking and insurance frauds, mortgage and healthcare frauds. Due to the size and complexity of these cases, Andrew is regularly instructed at an early stage in order to provide pre-charge advice.

## *Additional Information*

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Andrew has been appointed to the CPS Level Advocates Panel at Level 4.

Andrew is also an appointed member of the CPS Specialist Fraud Panel: Level 3.

## *Professional Memberships*

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Criminal Bar Association.

## *Asset Forfeiture, Confiscation & Civil Fraud*

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Most of Andrew's fraud caseload results in confiscation proceedings, and as a result Andrew is experienced in all aspects of asset recovery, including forfeiture, restraint and receivership. He has been involved in contested confiscation proceedings involving statutory "lifestyle" assumptions and hidden assets.

A recent hearing which he conducted over 9 days involved involving a benefit figure of £14 million.

## *Business Crime & Financial Regulation*

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Andrew specialises in cases involving fraud and financial crime. Andrew's experience and understanding in this field is supported by a background in tax and accountancy.

Andrew has successfully prosecuted cases for the CPS Central Fraud Group, a VAT fraud involving misuse and misapplication of the Second Hand Margin Scheme a revenue fraud involving misuse of the Construction Industry Scheme (CIS).

He is also regularly instructed by BIS to prosecute offences under Companies Acts and Insolvency Act 1986.

## *Criminal Prosecutions - Private & Public*

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Andrew has acquired a reputation for mastering cases involving large quantities of material and documents and he has an eye for detail.

He has successfully prosecuting some of the most serious and challenging cases investigated by the DWP, including insider frauds committed by DWP and/or post office staff, multiple ID frauds, and benefit frauds involving the largest recorded overpayments. He has also prosecuted for HMRC cases involving fraudulent evasion of duty on imported goods (e.g. shish tobacco) and large-scale importations of controlled drugs.

## *Cases of Note*

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### **CURRENT CRIMINAL INSTRUCTIONS:**

#### **Prosecution of multi-Defendant facilitation of immigration law breaches**

Prosecution of three Defendants for facilitating breaches of UK immigration law by engaging migrant workers as carers on a self-employed basis in breach of their visa conditions, and laundering the proceeds of this activity through a payroll company.

#### **Prosecution of child cruelty and £376,000 benefit fraud**

Prosecution of a woman charged with offences of child cruelty and benefit fraud in relation to three of her children, who were subjected to unnecessary operations and excessive medication in order to support false claims for disability benefits, resulting in a total overpayment of £376,000.

#### **Prosecution of tax evasion and benefit fraud**

Prosecution of two Defendants for offences of tax evasion and benefit fraud in relation to their non-declaration of income derived from businesses involved in the supply of male striptease

artists to the adult entertainment industry.

### **Prosecution of large benefit fraud**

Prosecution of two Defendants charged with claiming benefits in multiple identities, using the addresses of several properties which they were sub-letting, resulting in a total benefit overpayment of £557,000.

### **RECENT CRIMINAL CASES OF NOTE:**

#### **R v Ali Moradifard (2015)**

Successful prosecution of Iranian asylum seeker claiming DWP and housing benefits in eight different “hijacked” or false identities.

#### **R v Manoj Vyas, Manoj Vyas and Sarju Popat (2015)**

HMRC prosecution of three Defendants for VAT fraud, involving the misuse and misapplication of the Second Hand Margin Scheme on the sale for export of second-hand luxury cars, resulting in a total duty loss in the sum of £1.3 million.

#### **R v Amanda Webber (2013)**

DWP prosecution of a mother who fraudulently claimed disability and other related benefits for five of her children, on the basis they suffered from various illnesses and disabilities affecting their care and mobility needs, whilst they were simultaneously performing on the West End stage and in other amateur and professional productions.

#### **R v Hunter-Scott, Micheala & 5 Others (2012)**

Leading Counsel in the prosecution of an eight-handed mortgage fraud which targeted high value properties and involved hijacking of identities used to pose as vendors and prospective buyers to obtain £1.2 million in mortgage monies which then laundered through a network of bank accounts. The principal Defendant was described as “one of the most prolific female fraudsters in the UK”.

#### **R v Ekajeh, Aiyeola & Others (2012)**

Leading Counsel in the DWP prosecution of seven Defendants, including three former staff

members, who unlawfully accessed databases in order to hijack customer identities in which false benefit claims were made, resulting in a loss of £1.7 million.

**R v Ene, Odia, Nwokolo and Onuoha (2012)**

Leading Counsel in prosecution of four-handed advance fee fraud, which resulted in £2.6 million being obtained from its victims, one of whom was then shot by her husband, who then committed suicide.

**R v Swee Teong Chew (2010)**

Trading Standards prosecution for unauthorised use of trade marks which involved the importation from China of counterfeit “designer” goods which were then distributed for sale through a network of retail outlets.

**R v Amina Muse (aka Ayan Abdulle) (2010)**

DWP prosecution of a Somalian woman who made a false claim for asylum in the UK and then claimed benefits in two different identities, whilst simultaneously claiming benefits in Sweden, where she had already been granted asylum, resulting in a total benefit overpayment in excess of £¼ million.

**R v Dipakray Patel (2010)**

Prosecution of a confidence fraudster who traded as a financial adviser and cheated his client investors of a total of £1.2 million.

**R v Aslam and Ishaq (2009)**

Leading Counsel in the successful prosecution of a benefit fraud investigator who colluded in the making of false benefit claims by his wife, and then interviewed her under caution when she was investigated. He was also convicted of wilful misconduct in a public office and perverting the course of justice.