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THE RIGHT HONOURABLE SIR ANTHONY HOOPER

Sir Anthony Hooper retired from the Court of Appeal of England and Wales in September 2012.

Sir Anthony offers his services in the United Kingdom, the United States and other countries to national and international corporations and organizations (both civil and military). As a former Lord Justice of Appeal he may act as an independent investigator, expert witness, mediator, arbitrator and monitor and as an advisor on compliance programmes. He lectures and leads discussion groups on issues of fraud, bribery, confiscation, money laundering and related criminal and civil activity arising in the United Kingdom and in other countries. He is a core member of Matrix's Integrity+ governance, investigations and solutions practice group.

Sir Anthony read law at Trinity Hall, Cambridge, of which he is now an Honorary Fellow.

PRACTICE

Barrister and solicitor: Russell and DuMoulin, Vancouver (1968-1969)

Barrister: England & Wales (1974-1995)

Appointed Queen's Counsel (1987)

Associate member of Matrix (2013 – Present)

Post-judiciary

In 2013, Anthony was Chair of the Whistleblowing Commission established by the charity [Public Concern at Work](#) (now Protect);

In 2015, Anthony conducted a review for the General Medical Council as to how the Council handle cases involving individuals who regard themselves as whistleblowers, and who have appropriately raised concerns in the public interest, including individuals whose fitness to practise is being investigated or determined. The review can be found [here](#);

In 2014, Anthony was appointed by the Ethics Commission of the IAAF (International Association of Athletic Federations) to investigate four individuals whose conduct in relation to the Russian marathon runner Liliya Shobukhova was alleged to be corrupt and in breach of the IAAF Code of Ethics. The individuals were subsequently sanctioned by the Ethics Commission, and their appeals were dismissed by the Court of Arbitration for Sport. A copy of the decision and of the report can be found [here](#). Anthony conducted and continues to conduct further investigations into allegations of

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ACADEMIC

Trinity Hall, Cambridge (1957-1960, 1961-1962) (Scholar)

Called to the Bar of England and Wales, Inner Temple (1965)

Lecturer, University of Newcastle on Tyne (1962-65)

Associate Professor of Law, University of British Columbia (1965-68)

Admitted to Law Society of British Columbia (1969)

Associate Professor, Université de Laval (1969-70) (teaching in French)

Visiting Professor, Université de Montréal (1972-73) (teaching in French)

Professor of Law, Osgoode Hall Law School, York University, Ontario (1971-73)

Visiting Professor, Osgoode Hall Law School, York University, Ontario (1984)

alleged corruption within athletics. Currently investigating alleged corruption in the choice of Rio de Janeiro for the 2016 Olympic Games;

From 2013 to 2017, Anthony worked for the Stolen Asset Recovery Unit of the World Bank, and the United Nations Office on Drugs and Crime. He developed and subsequently presented on many occasions a 5-day course to raise the awareness of judges and prosecutors in East Africa of their anti-corruption laws, and their powers to preserve and confiscate proceeds of crime and particularly the proceeds of corruption. On occasions Anthony assisted in the drafting of proceeds of crime legislation;

Anthony advises internationally on reform to criminal justice systems. In 2018 he revised the course for judges and prosecutors in Kazakhstan, and presented the course in October 2018;

In 2018 he was an expert witness in criminal proceedings in Greece;

In 2018, Anthony was appointed Chair of the Public Council of International Experts in Ukraine, with the task of assisting in the appointment of judges for the new Anti-corruption Court of Ukraine.

Anthony is often instructed in an advisory capacity in civil and criminal litigation, and speaks both domestically and internationally on anti-corruption and proceeds of crime legislation, and on the differences between the common law system and the civil law system developed in France.

Pre-judiciary

During his 20 years practice, Sir Anthony appeared in both civil and criminal court. He prosecuted and defended in a number of high-profile criminal trials, appeared in the European Court of Justice (representing Kaiser Aluminum and Chemical Corporation in Case No. 53/83), as well as in the Cour d'Appel in Paris. He combined practice at the English Bar with membership for a number of years of the Brussels European law firm, Stanbrook & Hooper. He defended in the Blue Arrow rights issue case in 1991-1992 and in 1988 he prosecuted the serial murderer and rapist John Duffy. He appeared in 1987 for EMI in their dispute with Warner Brothers, which unsuccessfully alleged that the composer Vangelis had plagiarised the theme music for the film Chariots of Fire. He appeared in 1995 for the Premier League in their successful defence of a civil claim brought by the Swiss Bank Corporation for payment of an alleged success fee. He also successfully defended a senior accountant in a criminal case in Singapore. Whilst at the bar, Sir Anthony chaired the Bar Council's Race Relations Committee and was heavily involved in the production and implementation of the first Bar Equality Code.

JUDICIAL

Justice of the High Court of England & Wales (1995-2004) and Presiding Judge of North Eastern Circuit (1996-2000), presiding over criminal and civil cases in the Administrative Court, and the Employment Appeal Tribunal

Sir Anthony tried a number of high profile jury criminal cases including the first Damilola Taylor trial in 2002. The acquittal of the defendants was subsequently vindicated by DNA evidence. He conducted the trial in 2000 of two senior police officers for the alleged manslaughter of the 96 victims of the Hillsborough Stadium disaster. He sat in the Queen's Bench Division, the Administrative Court and the Employment Appeal Tribunal, as well as in the Court of Appeal Criminal Division. He dealt with challenges to the decisions of lower courts, the parole board, prison service, the Special Educational Needs Tribunal, governing bodies of schools, the Local Commissioner for Administration, the Horse Race Betting Levy Board, the Bishop of Stafford

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and the Video Appeals Committee. His decision in *The Queen on the application of Amin v. The Secretary of State for the Home Department* [2001] EWHC Admin 719 was an early case dealing with the Article 2 obligation on the state to conduct an enquiry into certain deaths. His decision, having being overturned in the Court of Appeal, was unanimously reinstated by the House of Lords [2004] 1 AC 653. Lord Bingham said: "Hooper J. loyally applied those minimum] standards. The Court of Appeal, in my respectful opinion, did not". In *Saleem v. Secretary of State for the Home Department* Sir Anthony struck down one of the rules in the Asylum Appeals (Procedure) Rules on the grounds that the primary legislation did not authorise expressly or by necessary implication such a draconian rule (see [2000] EWCA Civ 186, upholding the decision). In *Masters v Secretary of State for the Environment, Transport and the Regions* [2000] 2 All ER 788, Sir Anthony gave an important decision, upheld in the Court of Appeal ([2001] QB 151), protecting public rights of way.

Lord Justice of Appeal and Privy Counsellor (2004-2012), sitting in both the Civil and Criminal Divisions of the Court of Appeal

In the Court of Appeal Sir Anthony sat on both civil and criminal appeals, deciding complex issues of law and fact. He also presided in the Divisional Court. His particular areas of expertise included fraud, confiscation, money laundering, public interest immunity, joint enterprise, asylum and immigration, extradition, libel, employment law and all aspects of administrative law. Sitting in the Court of Appeal Criminal Division, he was particularly involved in appeals raising issues of joint enterprise and confiscation. Amongst the latter are *White* (<http://www.bailii.org/ew/cases/EWCA/Crim/2010/978.html>) and *Ahmad* [2012] 1 WLR 2335 (<http://www.bailii.org/ew/cases/EWCA/Crim/2012/391.html>).

Civil decisions include *The Queen on the application of Lofti Raissi v. SSHD* [2008] QB 836 (state liability for miscarriages of justice); *Charman v. Orion Group Publishing and others* [2008] 1 All ER 750 paragraphs 92-229 (libel); *Brown v Pretot* [2011] EWCA Civ 1421 (land law); *Servaas Incorporated v Rafidain Bank* [2011] EWCA Civ 1256, paragraphs 40-61 (state immunity); *R (on the application of AC) v Berkshire West Primary Care Trust & Anor* [2011] EWCA Civ 247 (access to specific health care); *Barbados Trust Company Ltd v Bank of Zambia & Anor* [2007] 1 Lloyd's Rep 495, paragraphs 120-143 (a "vulture fund" case); *Bancoult, R (on the application of) v Secretary of State for Foreign & Commonwealth Affairs* [2006] EWHC 1038 (Admin) (lawfulness of order exiling inhabitants of the Chagos Islands), upheld in the Court of Appeal and overturned in the House of Lords by 3-2, Lord Bingham dissenting. In October 2012 he gave the lead judgment in a murder appeal heard by the Privy Council.

OTHER

General Editor, *Blackstone's Criminal Practice* (2010-2014)

Member and then deputy chair of the Criminal Procedure Rule Committee (2005-2012)

Author of Chapter 31, *The Golden Thread*, in *The Judicial House of Lords 1876-2009* published in 2009 by the Oxford University Press

President, *British Academy of Forensic Sciences* (2001-2003)

Governor, *Expert Witness Institute* (2012-2017). **Chair from June 2013**

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Chairman of the Whistleblowing Commission established by the charity
Public Concern at Work (2013)

LECTURES

Sir Anthony has lectured widely in the United Kingdom and abroad. In Argentina (2011), France (2009) and China (2005) he spoke about the criminal justice systems in common law and civil law jurisdictions. In June 2012 he gave a lecture in the Inner temple, London entitled "Half a Century of Crime: A Valedictory Summing-up". In November 2012 he was a lead speaker at a criminal law reform conference in Hong Kong organized by the Director of Public Prosecutions and gave a guest lecture to the Singapore Academy of Law. In 2013 Sir Anthony attended a study day in Paris organised by L'Institut des hautes études sur la justice to discuss (in French) a draft report on the future role of the French judiciary. In October 2013 Sir Anthony is speaking about bias in arbitrators at a conference in Paris organised by the Corporate Counsel International Arbitration Group and the International Chamber of Commerce Institute of World Business law.