

## ANISH BHASIN

Eleven Wentworth Chambers, 180 Phillip Street, Sydney NSW 2000

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### PROFESSIONAL QUALIFICATIONS

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May 2018	Called to the Bar of New South Wales
November 2016	Called to the Bar of England and Wales by the Inner Temple
February 2013	Granted Higher Rights of Audience (Civil) in England and Wales
August 2011	Admitted as a solicitor of the Senior Courts of England and Wales
July 2008	Admitted as a lawyer of the Supreme Court of New South Wales

### LEGAL EXPERIENCE

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- Apr 2017 – **Supreme Court of New South Wales, Equity Researcher**  
Dec 2017  
(*Sydney*)
- Researcher to the Equity Division of the Supreme Court of New South Wales under Chief Judge in Equity Julie Ward
- Feb 2010 – **Herbert Smith Freehills LLP, Senior Associate and Solicitor Advocate**  
Nov 2016  
(*London*)
- Member of the firm's specialist public law, financial services regulatory, corporate crime and banking disputes group. Select matters included:
- Public Law / Public Inquiries**
- Acted for the Archbishops' Council of the Church of England as a core participant in the Independent Inquiry into Child Sexual Abuse
  - Advised Cuadrilla Resources on public law aspects of its planning and environmental permit applications to carry out exploratory drilling and 'fracking' for shale gas in Lancashire A
  - Acted for the Horserace Betting Levy Board in the High Court and Court of Appeal to defend a judicial review challenge to its decision that betting exchange users are not subject to the horserace betting levy
  - Advised a range of public authorities and commercial organisations on freedom of information issues and on the powers and practices of Parliamentary Select Committees
- Competition / Procurement**
- Acted for Stagecoach Group plc to oppose a proposal by the North East Combined Authority to replace the deregulated bus market in Tyne and Wear with a Quality Contracts Scheme under the *Transport Act 2000*, the first such proposal in the UK
  - Advised Royal Mail Group plc in relation to the regulation of end-to-end and access competition by Ofcom under the *Postal Services Act 2011*
  - Advised a major airline on a potential challenge under the *Civil Aviation Act 2012* to the economic regulation of airports
  - Acted for Virgin Trains Limited in parallel judicial review and *Public Contracts Regulations 2006* claims leading to the withdrawal of the Department for Transport's decision to award the InterCity West Coast railway franchise to FirstGroup
  - Acted for BAA in its challenge in the Competition Appeal Tribunal and Court of Appeal on judicial review grounds to the Competition Commission's decision that it must divest Stansted airport
- Banking Litigation**
- Acted for Lloyds Banking Group plc in defending a shareholder class-action in relation to its takeover of HBOS plc
  - Advised a syndicate of banks in relation to the settlement of a dispute concerning a US\$1.2 billion dollar syndicated loan facility
- Financial Services Regulation**
- Acted for Bank of Scotland plc in relation to the Financial Services Authority's investigation into the conduct of its Corporate Division between 2006 and 2008

- Acted for Nemo Personal Finance Limited intervening in support of a judicial review challenge by the British Bankers' Association to the Financial Services Authority's Policy Statement on payment protection insurance complaints
- Advised a major retailer on whether extended warranty products are “contracts of insurance” subject to regulation by the Financial Services Authority
- Acted for Coats Group plc (formerly Guinness Peat Group plc) in responding to Financial Support Direction Warning Notices issued by the Pensions Regulator

#### **Corporate Crime and Investigations**

- Advised a defence contractor on complying with human rights obligations in its overseas dealings
- Advised a major financial institution in relation to investigations and prosecutions by the Serious Fraud Office into alleged LIBOR manipulation
- Advised the UK subsidiary of a Japanese bank in relation to investigations by the Serious Fraud Office into the Olympus scandal
- Advised an individual on the potential to challenge extradition pursuant to a European Arrest Warrant

#### **Professional Regulation**

- Acted as the presenting officer for the Chartered Institute of Management Accountants in disciplinary proceedings against members and students of the Institute
- Acted for a “Big Four” accountancy firm and an individual audit partner in relation to an investigation by the Financial Reporting Council into alleged deficiencies in the audit of a listed company
- Advised a number of professional regulatory bodies on their powers and duties in conducting disciplinary investigations

#### **Pro-bono**

- Appeared pro bono before a single judge of the Court of Appeal seeking permission to in an immigration matter concerning the right to private and family life under Article 8 of the European Convention on Human Rights
- Appeared pro bono in the High Court of England and Wales to oppose the continuation of an injunction obtained *ex parte* in relation to a real property dispute
- Appeared pro bono in over 100 hearings before the First-tier Tribunal (Asylum Support) on behalf of asylum seekers and refused asylum seekers challenging the Home Office's decision to refuse or withdraw subsistence support
- Acted for JUSTICE intervening in the Supreme Court of the UK in *Smith v Ministry of Defence* concerning whether UK soldiers deployed abroad are within the jurisdiction of the UK for the purposes of the European Convention on Human Rights
- Assisting with the drafting of JUSTICE's written submissions as an intervener in *Cadder v HM Advocate* [2010] UKSC 43 concerning a suspect's right to seek legal advice before being interviewed by police in Scotland

Oct 2009 –  
Feb 2010  
(*The Hague*)

#### **International Criminal Tribunal for the former Yugoslavia, Chambers Legal Intern**

- Legal intern in Trial Chamber I working with a team of twelve lawyers and interns to support the three international judges sitting in *Prosecutor v Gotovina et al*
- Researched international criminal law and broader public international law issues; undertook comparative domestic criminal law and evidence research; drafted witness briefings; witness summaries for the draft judgment; and interlocutory decisions of the Chamber

Jan 2008 –  
Aug 2008  
(*Sydney*)

#### **Office of the New South Wales Director of Public Prosecutions, Prosecution Officer**

- Case-managed the prosecution of serious criminal matters that were to proceed on indictment
- Appeared on behalf of the Crown in bail applications in the Supreme Court of New South Wales; in the District Court of New South Wales in appeals against the severity of sentences imposed in the Local Court; and in District Court of New South Wales case-management lists

Jan 2008 –  
Aug 2008  
(*Sydney*)

#### **Sir Anthony Mason, Research Assistant (part-time)**

- Provided research assistance to Sir Anthony Mason in relation to anti-terrorism legislation and legislation targeting sex-offenders in the United Kingdom and Australia

## **NON-LEGAL EXPERIENCE**

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- Jul 2001 – Aug 2004  
(Sydney)
- Macquarie Bank, Treasury and Commodities Group, Associate Director**
- Performed quantitative market risk analysis to support sales and trading in debt markets, foreign exchange and commodities
  - Structured, priced and marketed vanilla and exotic derivative hedging products to base and precious metals clients globally
  - Promoted to Associate Director in 2004 and became the primary contact responsible for managing the day to day sales relationships with the metal and mining division's major hedging clients

## **EDUCATION**

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- 2008 – 2009 **Bachelor of Civil Law, University of Oxford**
- Peter Cameron Sydney Oxford Scholar
- 2005 – 2007 **Bachelor of Laws with First Class Honours, University of Sydney**
- Nancy Gordon Smith Prize for top five students at graduation
  - Wigram Allen Scholarship for most proficient student in Graduate Law Year 1
  - George and Matilda Harris Scholarship for most proficient student in Graduate Law Year 2
  - Sir John Peden Memorial Prize for proficiency in Foundations of Law, Federal Constitutional Law, International Law, and Real Property
  - CA Hardwick Prize and Pitt Cobbett Prize for Constitutional Law
  - EM Mitchell Prize for Contracts
  - Chancellor's Committee Exchange Scholar to the University of Texas at Austin, School of Law in 2007. Worked with the School's Capital Punishment Center to represent indigent death-row inmates in their post-conviction appeals, including in a successful appeal to the US Supreme Court (*Panetti v. Quarterman*, 551 U.S. 930 (2007)).
- 2002 – 2004 **Master of International Studies with Merit, University of Sydney** (part-time)
- 1997 – 2000 **Bachelor of Electrical Engineering with Class 2:1 Honours, University of Queensland / University of Auckland**

## **OTHER**

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- 2005 – 2006 **New South Wales Council for Civil Liberties**
- 2017 – present
- Member of the Committee (2005-2006, 2017-present) and Executive (2005-2006)
  - Coordinator of the Civil Rights and Bill of Rights subcommittee (2005-2006)