

# GARY HUGHES

## BARRISTER

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**Britomart Chambers**

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Ranked in lawyer guides:  
Global Investigations  
Review, Who's Who Legal,  
Best Lawyers, Legal 500  
Asia, Chambers Asia-  
Pacific, Asia Law Profiles,  
Benchmark Litigation,  
Global Competition Review

**SUMMARY**

An independent barrister with 25+ years post-admission experience, providing advocacy, representation, dispute resolution and strategic risk advice services:

- specialising in all types of regulatory investigations and prosecution cases
- deep expertise in dealings with Commerce Commission, Financial Markets Authority, Department of Internal Affairs, NZ Police FIU, Serious Fraud Office
- maintains strong sector independence, taking briefs for and against regulators
- working across private and public sector clients, applying blended skills from experience in both litigation and commercial (non-contentious) legal settings

Moved to establish an independent litigation and advisory practice in 2016, now based at Britomart Chambers, Auckland. Previously, equity partner at leading boutique firm Wilson Harle, principal (salary partner equivalent) at Chapman Tripp and worked at leading law firms global (Clyde & Co) and trans-Tasman (Phillips Fox), also for a time in the in-house counsel team at Aon (UK) insurance brokers.

**SPECIALIST AREAS OF EXPERTISE**

**AML, Fraud, Financial Conduct** – anti-money laundering (AML) & anti-bribery or corruption measures (ABC), Financial Services regulation or Financial Markets Conduct cases, fraud or white-collar crime investigations, prosecutions, judicial review or civil disputes (e.g. banking, securities, fin-tech/crypto, derivatives, lenders, de-risking).

**Competition and Consumer law** – all areas of Commerce Commission work: restrictive contracts cartels, merger clearance, abuse of market power, joint ventures, unfair contract terms & fair trading, consumer credit finance, utilities control, market studies.

**Regulatory Investigations** – internal investigations, formal notice demands, public or Royal commissions of Inquiry, licensing and disciplinary approvals, disputes or appeals, across a range of government agencies. Specialty expertise in Transport, Trade and Automotive sector – NZ Transport Agency, Maritime NZ, Customs, Civil Aviation Auth.

**Insurance law and claims** - policy coverage and indemnity issues, claim disputes, D&O, recoveries, statutory liability cover, product liability, professional negligence/liability.

**Privacy, Media, Technology, Infrastructure** - Privacy Commission investigations, breach of confidence, Official Information Act, internet & media law, defamation, advertising.

**RECENT CASE EXAMPLES AND RELEVANT EXPERIENCE**

- Handling financial enforcement cases or investigations, for entities engaging with RBNZ, FMA, DIA; also separately in Australia (AUSTRAC), and Pacific (Cook Islands)
- Advising on impact of law reforms such as Commerce Act criminalisation, Privacy Act 2020 (and GDPR overlaps), Hayne Royal Commission (Australia) and FMA/RBNZ financial conduct inquiries leading to COFI reforms, Productivity Commission Int. Shipping & Commerce Commission Residential Buildings Inquiries
- Acting on NZ foreign trusts/data protection issues in wake of US Department of Justice cases against Mossack Fonseca (Panama Papers), and 1MDB Malaysia
- Involvement in AML/CFT breach cases/investigation for numerous financial firms (e.g. public: Tiger Brokers, QDD, Craigs), others confidential or formal warnings
- Acting for parties under Commerce Commission cartel investigation: property/real estate, shipping, waste/recycling, building products, air cargo, switchgear sectors.

## INDEPENDENT ROLES OR APPOINTMENTS

- Invited expert witness to Cullen Commission of Inquiry into Money Laundering in British Columbia, Canada
- Appointed by TRACE International Inc (anti-corruption) as local NZ expert partner.
- Expert financial regulatory witness to the NZ Immigration Protection Tribunal - deportation/refugee cases involving fraud/financial criminal scheme allegations.
- Invited expert to Ministry of Justice AML-CFT statutory review Advisory Group.
- Appointed to panel of independent referee/arbitrators, Centre for Online Dispute Resolution (CODR) established by former Solicitor-General, Mike Heron QC.
- Expert training sessions provided to government agencies: AUSTRAC (on NZ visit), FMA legal team, Overseas Investment Office, Inland Revenue Department.
- Supervising Solicitor to the High Court for over-seeing execution of Anton Piller (civil seizure) freezing orders in a breach of confidence/fraud case.
- Invited speaker to Cambridge Symposium on Economic Crime (2019), UK.
- International Bar Association, Chair of AML & Sanctions Experts committee (2021)

## PRO BONO AND PROFESSIONAL/GOVERNANCE ROLES:

Co-chair/organiser of ACAMS and NZ Police Financial Intelligence Unit annual financial crime conference (Te Papa, Wellington), NZ's largest cross-agency event over 2.5 days.

Founding member of ACAMS NZ (Association of Certified Anti-Money Laundering Specialists) 2009, Board Member of ACAMS Australasia chapter (2010-19), subsequently technical Advisory Director to the Board.

International Bar Association: officer in Regulation of Lawyers Compliance, AML & Sanctions Experts, and Anti-Corruption division.

Board Member (2004-15) of the Law & Economics Association of New Zealand (LEANZ) - education charitable entity, subsequently elected honorary Life Member

Led Auckland District Law Society committee on AML/CFT Amendment Bill (DNFBPs), including presenting ADLS submissions to Parliamentary Select Committee.

NZ Law Society *pro bono Friends Panel* for confidential practitioner queries about AML/CFT, other regulatory, privilege and ethical difficulties in legal practice.

Guest lecturer at AUT University law school, *Commercial Crime* post-graduate paper.

NZ Law Society delegate to Ministry of Justice AML/CFT Phase 2 reform expert group

International Bar Association author committee for submissions to Australian Senate Committees on Review of Whistleblower law, and of Foreign Bribery laws (2017-18)

NZ Law Society delegate (2013) to the OECD Phase iii review of New Zealand's compliance with Foreign Officials Anti-Bribery Convention.

## BACKGROUND/QUALIFICATIONS

Double degrees: Commerce (Economics); Laws (with Honours) 1995, Univ. of Auckland  
- with Senior Prize (top 5% student) awarded in each degree (1995).

- awarded AG Davis scholarship; & Freemason bursary (1994)

NZI Insurance award 1997 for top student in Insurance Institute of NZ Associateship.

**Professional:** admitted in Feb 1996 in New Zealand (barrister & solicitor); Sept 2000 in England & Wales (solicitor), NZLS practice on own account 2011, barrister sole in 2016

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