

# Anam Khan

Call to Bar: 2013



As an established practitioner with a multidisciplinary practice, Anam is able to draw upon her diverse experience in Civil, Crime, Regulatory and Coronial law to deliver lateral advice to her Clients. In addition to representing parties at trials and interlocutory hearings, she is frequently instructed for her advice and analysis in matters concerning privilege, disclosure and the instigation of proceedings. Some of her professional clients include various Government departments, the Information Commissioner's Office ('ICO') and Greater Manchester Police.

Anam is enthusiastic and confident in turning her mind to new areas of law, her recent instructions cover a broad spectrum, namely, acting as Junior Counsel with a disclosure function on the Manchester Arena Inquiry, defending a cash forfeiture action brought by HMRC, claiming for damages arising from an actionable interference with an easement, representing parties at the Employment Tribunal and developing a practice of civil actions against the police.

Anam prides herself on meticulous case preparation. She has a keenness to get involved with all aspects of preparatory work, recognising the need for her clients to be fully equipped for court proceedings, from the outset. Anam employs a pragmatic approach to her cases which allows her to deliver sensible and practical advice to her clients. Anam is often commended by Solicitors for her thoroughness and excellent attention to detail.

## Regulatory

Following a three-month secondment at the ICO, during which time, Anam acted as a disclosure junior on one of the ICO's largest multi-defendant prosecutions, Anam continues to prosecute a range of data protection act offences, particularly, offences of unlawfully obtaining and disclosing data.

During her secondment, Anam acquired the requisite skills for handling a large-scale disclosure exercise; she produced disclosure logs, disclosure management documents and maintained schedules of sensitive and non-sensitive material. Anam worked closely with the case investigators and advised them on issues surrounding lines of enquiry and the recording and retention of material. Anam developed a thorough understanding of the Criminal Procedure and Investigations Act 1996 Code of Practice and kept her knowledge up to date regarding matters contained within the CPS' disclosure manual.

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## Practice areas:

Civil  
Actions against the police  
Commercial  
Criminal  
Regulatory  
Data protection  
Inquiry  
Inquests

## Professional appointments:

CPS Grade 2 prosecutor  
Attorney General's Junior Panel  
Sunley Scholarship – Lincoln's Inn  
BPTC - Opinion Writing (Outstanding)  
1st in class  
BPTC - Civil Litigation (Outstanding) top  
3 in class

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Anam prosecuted the landmark case of **ICO v MK** which attracted media interest for being the first ICO prosecution for a non-data protection act offence, to result in the imposition of a custodial sentence. Anam was involved in all aspects of this prosecution from shaping the charges to conducting the first appearance through to the confiscation proceedings.

Anam is keen to expand her existing regulatory practice.

## Inquest and Inquiry

Anam is currently instructed as part of the Junior Counsel team on the Manchester Arena Inquiry into the deaths of those individuals who lost their lives as a result of the terrorist bombing. Anam is heavily engaged with the disclosure exercise and undertakes comprehensive evidence reviews.

As a representative of the Inquiry, Anam attended the Old Bailey for the criminal trial of the brother of the Manchester bomber, **R v Abedi**; a landmark case of the first individual to be tried for twenty-two murders in English jurisdiction.

Anam has experience of representing private organisations as interested parties at Inquests. Of note is In the **inquest touching upon the death of LH** concerning the death of a male who whilst being subject to onerous licence conditions continued to take drugs to the knowledge of a number of relevant individuals and organisations. Of significance, was the question of information sharing between organisations. Anam's client was particularly concerned about a regulation 28 order. Anam understood the commercial implications of any such order and was successful in obtaining a favourable outcome for her client.

## Civil

**Actions against the police:** Anam has experience of drafting detailed particulars of claim for various causes of action, specifically, assault, trespass to the person and unlawful detention, including claims for complex financial losses and exemplary and aggravated damages. Anam has represented Claimants at their trials, of note is the case of **DK v Chief Constable of Nottinghamshire Police** which involved an allegation of improper and dangerous use of a police dog resulting in the Claimant sustaining extensive bite injuries.

**Commercial Debt Recovery:** Anam has acted for companies and sole traders in the architectural, legal, automotive, engineering and building industries where the primary issue has been the quality of the products and services provided. Anam was recently instructed to represent a large finance company at a formal mediation. Notable cases include:

**KK v S:** Successfully represented a defendant car garage by discharging the reverse burden of proof that the vehicle was of satisfactory quality at the point of sale.

**WF v NP:** Successfully represented the Claimant, a marketing company engaged by the Defendant, the Claimant faced a counterclaim for loss of business revenue alleged to have been caused by irresponsible marketing which had damaged the Defendant business' reputation. Judgment was entered for the Claimant for its outstanding invoices and the Counterclaim was dismissed despite the Defendant business' reputation.

**DA v CC:** Successfully represented the Claimant, an architect engaged by the Defendant on a large expansion project. The Defendant disputed payment of the invoices on the basis of poor workmanship and incomplete performance of the contract. He brought a counterclaim for the cost of additional services. Judgment was entered for the Claimant and the counterclaim was dismissed on the basis that the Claimant had performed the contract diligently.

**Unsecured Debt Recovery:** Anam has a high-level of familiarity in acting for lenders in debt recovery actions pertaining to consumer credit, principally dealing with issues of limitation, identity and contract formation. Anam has experience of acting for energy companies, this has in some instances required sifting through hundreds of bills in order to locate a minute detail.

**Secured Debt Recovery:** Anam has experience of acting for lenders in secured debt recovery actions by way of attending contested charging order applications, applications for orders for sale as well as mortgage possession hearings.

**Personal Injury:** Anam accepts instructions in the full spectrum of PI hearings from Small Claims through to Multitrack Trials. She is frequently instructed for her advice on quantum and by both Claimants and Defendants in Stage 3 hearings and trials pertaining to liability, quantum and credit hire. Anam keeps herself up to date with credit-hire case law and is accustomed to contentious and complex credit hire points. Anam is highly familiar with the law surrounding fundamental dishonesty and is able to advise clients on how a finding may be achieved/avoided.

**Bankruptcy/Insolvency:** Anam has been instructed to represent the official receiver on preliminary hearings concerning void transactions, breach of director's duties involving illicit dividend payments and failure to discharge company obligations. Anam has appeared on behalf of petitioning creditors at initial bankruptcy hearings and resisted applications to set aside a statutory demand.

**Landlord and Tenant:** Anam has been instructed to act on behalf of both commercial and residential landlords dealing with issues of possession, deposit protection and disrepair.

## Crime

As well as being a grade 2 prosecutor, Anam enjoys a varied defence practice which includes private driving. Anam has been particularly successful in advancing arguments of special reasons and exceptional hardship. Of note is the case of R v E in which Anam was successful in having disapplied the mandatory endorsement provisions when E was stopped for driving without insurance.

Anam has represented individuals accused of offences of violence, public disorder, harassment, drugs, dishonesty and poor driving. Anam has experience of dealing with particularly complex client needs as a result of age and mental health/cognitive difficulties. She has been successful on a number of occasions in opposing special measures' and bad character applications and in advancing non-defendant bad character applications and s.78 PACE 1984 arguments to exclude. Of note is the case of R v MB where the complainant's bad character was allowed into evidence allowing Anam to refute the Crown's suggestion that MB had carried out honour-based violence.

In light of Anam's commercial astuteness, she recently represented a company director in proceedings brought by the Insolvency Service.

Anam particularly enjoys the intricacy of confiscation work, especially cases which involve representing third parties asserting an interest in property, of note is the case of **R v SA (third party)** wherein the third party intervened at the stage of the Crown's application for receiver appointment. Anam was successful in obtaining a six month stay to the receiver's powers to enable the third party to pursue an application under the Matrimonial Causes Act 1973 for a property adjustment order. This case involved arguing the application of Stack v Dowden [2007] principles.

## Other notable cases include:

**R v B**: Represented a 73-year old individual subject to life licence for a murder in 1975. Upon his release from prison in 2007, B was convicted for harassment which led to the parole board authorising his detention for a further ten years. Upon his release in 2017, B was again the subject of harassment allegations. There was a high chance of B being detained for a lengthy period, if convicted again. At trial, the Complainant adduced evidence of B's bad character. The Crown waited until the day of trial to serve extensive telephone records allegedly showing B's persistent text messaging in response to the Complainant asking to be left alone. B was acquitted on the basis that his conduct was found to be reasonable.

**R v D**: Represented a male accused of breaching a term of his restraining order when he turned up at the complainant's house unannounced. D was found to have had a reasonable excuse and was acquitted.

**R v S**: Represented a male accused of assaulting a police constable. Body worn footage was adduced to show the alleged incident taking place in a cell. S was acquitted in absence.

**R v M**: Represented a male accused of assaulting his disabled wife. At trial, injury photographs were produced to show extensive bruising to the Complainant's arms. It was put to the Complainant that her injuries were inconsistent with the alleged circumstances of the assault. M was acquitted.

**R v KM**: Represented a male accused of threatening two police officers with a machete. Anam elicited inconsistent evidence from the police officers which severely undermined their credibility. KM was acquitted.

## Other experience

In gaining experience prior to the Bar, Anam spent time in Indiana, North America on a Criminal Justice Internship, which allowed her to draw comparisons between the two legal systems. Anam gained an understanding of American law enforcement through spending time with the sheriffs' department.

Anam has volunteered in a number of capacities, all of which enabled her to work with individuals from disadvantaged backgrounds and those in unfavourable situations. She represented individuals at the Social Security Tribunal for appeals against benefit entitlement decisions, on behalf of the Citizens Advice Bureau.

Anam further volunteered as a mentor for the Probation Service where she assisted hearing impaired individuals to learn to read and write English, so they could progress to further education. Anam subsequently acted as a mentor for a charity which focused on the empowerment of young girls in order to overcome issues of low self-esteem, sexual exploitation and bullying.

Anam's voluntary work has extended to the delivery of humanitarian aid in Tanzania, a project which required in-depth research into methods of malaria prevention.