


# Anesta Weekes KC

Call 1981 | Silk 1999



## Clerks

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## Appointments

- Recorder (1999)
- Queen's Counsel (1999)

## Memberships

- Criminal Bar Association
- IATC — International Advocacy Training Council

## Education

- Keele University, Law and English (BA Joint Honours)

## Overview

Anesta Weekes KC is considered by many as a top tier criminal advocate, known for her decisive cutting edge cross examination and memorable passionate closing speeches. She is an excellent Court of Appeal/Privy Council advocate.

Anesta has particular expertise in dealing with sensitive issues of national importance which is reflected in her work on a number of major national Public Inquiries and Reviews, one of the most memorable being The Stephen Lawrence Inquiry.

Anesta maintains this level of expertise by imposing upon herself the discipline of detailed preparation in every case. She practices the skill of preparation outside the courtroom as a leading advocacy trainer in her spare time, in the UK and common law jurisdictions including the Caribbean, South Africa, Scotland, Dublin/Northern Ireland and Kuala Lumpur.

## Cases

### Recent work: 2021—2022

- 2020 – 2021—defending in a 6 handed murder and attempted murder case in Preston Crown Court.
- 2021 — defending the leader of the opposition party in Antigua for charge of corruption – 3 defendants were Government ministers at relevant time. A judge only trial which was dismissed at close of prosecution case. DPP has exercised his statutory right to appeal that dismissal. (eccourts.org the Queen v Harold Lovell et al)
- 2021 — Privy Council Appeal 2021 UKPC 12. Pre-trial appeal in the Brant case.
- Prosecuting the former Premier of Montserrat (and Senior Lawyer)

for serious sexual exploitation of minors. Conviction is now appealed.

- 2021— defence of “positional affixation” for a first-year University student for assault on police – who lashed out in flight/fight state after being held on the ground by security personnel for approximately 5-7 minutes. This case had all the hall marks of the USA “George Floyd” restraint. The Crown accepted the defence submissions that “positional affixation” affected the defendant’s ability to form the required intent for assault on police, so the prosecution came to an end before trial.
- Appeal to Court of Appeal. Issue — should the trial Judge have reviewed whether the alternative count should remain at the close of evidence.

### Public Inquiries / Investigation Work

- Counsel to the Stephen Lawrence Inquiry.
- Counsel to the Broadwater Farm Haringey Council Independent Inquiry into the death of Police Officer – Keith Blakelock.
- April 2000 — Member of the Governments Gambling Review Committee – To deal with specific recommendations on the need for a revised statute /rules and regulations and governing body for all areas of gambling. Reference to money laundering, financial regulations and problem gamblers.
- January 2004 – Oct/Nov 2004 — Panel member of the Morris Inquiry (Sir William Morris (now lord Morris)). Chair of Inquiry – Sir Anthony Burden O St j. QPM. Public inquiry into the Professional Standards/Corruption/ Employment law matters for the Metropolitan Police Service.
- 2008 — Chair of working party for solicitors Regulatory Authority — disproportionate number of black ethnic minorities in disciplinary and investigation matters.
- Jersey Review/inquiry into fresh evidence on a criminal case to put before the Governor of Jersey. Jan 2016 – November 2016 — I was Counsel representing His Excellency the Governor General of Jersey for a request that he exercise his power to grant a convicted person (Curtis Francis Warren) rights under Article 43 Court of Appeal (Jersey) law 1961. Article 43 is similar to the CCRC in UK.
- Chair of School Investigation 2017 — Instructed by Governor of the School to investigate and report on allegation by mother of unfair treatment by staff in respect of decisions on detention for her son (included, an allegation that staff picked upon the child because he is a black child).

### International/Offshore Work — Criminal and Civil

ANGUILLA — briefed by the AG to defend his office against allegation of Malicious prosecution brought by leading local law firm.

#### BERMUDA —

- acting for then home secretary of Bermuda in Judicial review of police tribunal appeal. The Bermuda police Association v The permanent police Tribunal – this case involved a dispute between the Government of Bermuda and the Police association about the meaning of “salary”.
- preparation for trial against former premier of Bermuda for corruption – trial yet to be finalised.
- 2010 – Bermuda Hospital Board v Hofer-( ref; JCPC/2010/0086). Acted for the Respondent (a tetraplegic) who received his injuries whilst in the care of the Bermuda Hospital Board. The hospital board appealed to the Privy Council to set aside the ruling of the High Court of Bermuda, who exercised its discretion to reinstate Hofer’s claim for damages against the Hospital board after inordinate delay in processing the claim. The appellant’s appeal to the Privy Council failed.

ST. KITTS — acting for AG of Montserrat in appeal relating to employment pay to government worker. Court of Appeal sitting in St.Kitts.

BARBADOS — defending male actor (Ben Freeman) in ‘Emmerdale’ – allegation of rape whilst on holiday in Barbados.

ANTIGUA — Privy Council appeal on employment issue. 2009 – Alistair Greene v Half Moon Hotel (Appeal no 9 of 2008). This case dealt with an appeal by the appellant against a finding of dismissal from his place of work. The issue for the Privy council was whether he was entitled to written reasons from the court of appeal in Antigua and a re-hearing of that appeal.

JAMAICA AND TRINIDAD — Death row cases — Privy Council appeals for defendants charged with Capital murder. Mostly pro bono.

#### MONTSERRAT —

- The Commissioner of Police v Brian Cavanaugh (Appeal No.46 of 2004) – instructed by AG of Montserrat. This case involved the construction and effect of an emergency Regulation for use by the commission of police when it was necessary to evacuate persons from their homes because of danger of an erupting volcano.
- briefed by AG/DPP – theft of ¾ million eastern Caribbean dollars from deserted bank – 5 defendant’s (prosecuting).
- prosecuting a lawyer charged with theft of large portions of land owned by US citizen.
- acting for Police Officer in Court of Appeal charged with GBH (defending).
- 2015 – Representing a claimant in the Court of Appeal of Eastern

Caribbean against the insurance company as indemnifier for her claim for damages from a road accident.

### Fraud Financial Crime (UK)

- 2009 – representing Revenue in MTIC fraud, (VAT) in Tax Tribunal. *Root v MHRC*. company accused of fraudulently requesting repayment of VAT. Tribunal decision – upheld revenue decision to deny payment of VAT.
- 2010/2011 – representing the Revenue on VAT fraud in civil tax tribunal.
- decision of *Masstech Corporation limited v The Commissioners for Her Majesty’s Revenue and Customs (March 2012)*. Tribunal decision – upheld revenue decision to deny payment of VAT.

### Disciplinary Cases

#### Police disciplinary tribunals

- *Beresford Peart v PAT (Police Appeal Tribunal)* This case is of interest as it is probably the first case under the Police Appeal Tribunal Rules 2008 which has been subject to three judicial reviews. ( *CO/4248/2011* decision of His Honour Judge Anthony Thornton QC June 20011. [2011] EWHC 3421(Admin).
- 2017 – representing Police officer successfully in disciplinary proceedings for gross misconduct.

#### Other

- Barristers and Solicitors (Direct access) – cases included breach of code of conduct, dishonesty.
- Doctors / GMC (advice Direct access).

## Recommendations

“Preparation thorough and rigorous, oral arguments sound in law and impressive in delivery”

– From client charged with corruption — 2021

“Written skills—Meticulous scrutiny and excellent documentation.. Preparation —scrupulous, detailed and insightful analysis”

– From private paying Client’s mother for her straight A’s son charged with assault on police within first 3 months of University.

“I was particularly impressed with her knowledge, attention to detail and her communication skills both written and orally.. her cross-examination quite devastating”

– From junior counsel/instructing attorney defending leader of the opposition party for corruption in Antigua and Barbuda.

## Publications

### Advocacy Training/ Speaking Engagements

- 1994 – to present date – Advocacy teacher and trainer for Gray’s Inn. Teaching advocacy to student members and training teachers. Master of Advocacy for a two-year period (2012 -2013)
- Conducted advocacy training in the Caribbean region, Jersey, South Africa, Mexico, The Hague, Sierra Leone, Zimbabwe, Dubai.
- Speaking engagement 2012 – writing and delivering a seminar of a Hypothetical case study on the Bribery Act for the Commercial law group of British Telecom (BT – in house seminar).
- Scotland – training senior lawyers in case analysis (2019).
- South Africa – once a year every year before covid.
- Dublin – Advocacy training – once a year every year.