

# Curriculum Vitae

## Gavin Thomas SHIU

### Professional

1983 LIB Honours: Bristol- University of West of England

1990 Solicitor in England & Wales to date

1994-2000 Solicitor in Hong Kong

2000 Barrister in Hong Kong to date

2014 ACAMS member and HK Chapter member

Contact [belisarius54-gavinshiu@yahoo.co.uk](mailto:belisarius54-gavinshiu@yahoo.co.uk) mobile 6800 2080

### Current Position

June 2012 to Date Senior Assistant Director of Public Prosecutions, Prosecutions Division, **Department of Justice** (DOJ), HKSAR Special Duties researching legal policy issues including money laundering and asset recovery

### Experience

March 2010 to June 2012 Senior Assistant Director in Advocacy Sub Division conducting jury trials in the Court of First Instance and District Court including fraud and anti money laundering (AML), for Commercial Crime Bureau (CCB) and bribery for ICAC. Advising on admissible evidence for AML and bribery cases.

2009 to March 2010 Continued to lead and develop the effectiveness of the asset recovery section's work on restraints and confiscations. In June 2010, the Financial Action Task Force (FATF) publicly commented on Hong Kong's progress report stating with approval that the number of restraints and confiscations have shown a marked increase since 2006. Worked with FinCen; World Bank and United Nations Office on Drugs and Crime on AML, counter terrorist financing and sanctions and asset recovery.

2008 to 2009 Legal assessor for the joint FATF/Asia Pacific Group (APG) mutual evaluation (ME) of the **Republic of Korea**. This international team of professionals

audited Korea's compliance with FATF standards including their AML/CFT law. I contributed the report's substantial legal evaluation section. Addressed the 2009 FATF Plenary on the report. Letter of recommendation for my work from APG.

2007 to 2008

FATF and APG joint mutual evaluation (ME) of Hong Kong. Answered legal issues for the FATF/APG team during their audit of HK. I fielded questions on the ME Report of HK at the FATF Plenary in 2008.

January 2007 to 2010

Head of asset recovery section in the Prosecutions Division responsible for restraining and confiscating criminal assets. Policy portfolio for anti-terrorism including anti-terrorist financing. In addition, I was DOJ's advisor to the Financial Investigation Division of the Narcotics Bureau, Hong Kong Police (FI/NB) providing prosecution and policy advice on AML/CFT issues. Advising the Joint Financial Investigation Unit on AML/CFT issues. The FATF/APG evaluation of Hong Kong commenced in early 2007 and I was engaged in this process until completion in July 2008.

1994 to 2007

### Work Areas

***Latter five years:*** Basic Law (BL) litigator and BL policy head. Advised on Hong Kong constitutional law. Participated in major appeal work on presumption of innocence in relation to the burden of proof for the elements of offences. Other significant appeal work was on the constitutional certainty of the common law offence of misconduct in public office.

Represented DOJ for a major revision of the Gambling Ordinance 2002 helping to steer the Bill through the full lengthy legislative process. This Bill was controversial, involving internet gambling and extended the HK Jockey Club's bookmaking remit.

*Initial eight years* advising on required evidence and prosecuting commercial crime and corruption. I prosecuted at trial many cases of corruption and other white collar crime. Including an ICAC case in the High Court for bribery and conspiracy to defraud by market manipulation through share ramping by a fund manager based in Singapore. Involved advising on investigatory leads and the evidence required.

**Cross border evidence:** experienced in MLA work in several jurisdictions including examining witnesses in foreign courts, for example Australia and Singapore.

1988– 1994

Private Practice in England:

Litigation Solicitor: I conducted variety of civil and criminal litigation. Included regularly representing insurers in complaints about selling by salesmen.

1985-1988

In England, officer in Legal Department of Albany Life part of Metropolitan Life of New York.

**Speaker at Training Courses**

1. I have provided courses on AML/CFT and asset recovery to FI/NB and other police formations, ICAC, Customs and Excise (LEAs). These courses held on my own initiative and of my own design. The purpose was to improve the understanding and approach to asset recovery and AML by LEAs.
2. Speaker at AML/CFT seminars held provided by the Security Bureau to professional bodies including accountants and solicitors. The purpose was to encourage better quality suspicious transaction reports.
3. In 2009, in Vietnam conducted a three day training course on AML/CFT jointly with the Hong Kong Police to Vietnam Government officials for the UN Office on Drugs and Crime. Assistance to a developing economy.
4. Since 2007 to date on own initiative I provide proprietary training courses on AML and asset recovery law, including to professional groups. These groups include the HK Associated Certified Fraud Examiners (ACFE) and the Association of Certified Anti Money Specialists (ACAMS). Invited by

ACAMS to give opening talk to their Hong Kong Chapter and at ACAMS Pacific's annual conference in Bali in 2012.

## **Publications**

1. Contributing editor to **2015 Hong Kong Archbold** Criminal Laws reference book updated bi-annually responsible for Chapter **36** on conspiracies including conspiracy to defraud and conspiracy to money launder.
2. Chapters on prosecutions and human rights in various publications including: ***One Country, Two systems, Three Legal Orders***, Springer 2009.
3. Author of Chapter on AML in ***Hong Kong Banking Law*** loose leaf published by LexisNexis published 2011 and later editions to 2015.
4. Articles on AML offences and Hong Kong's involvement with FATF published in ***Hong Kong Lawyer*** the HK Law Society magazine in 2009, 2010 and 2012; and ***Hong Kong Banking Today***, the Hong Kong Banking Institute's magazine 2012.