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IN THE COURT OF APPEAL
CRIMINAL DIVISION
NCN: [2023] EWCA Crim 1040



CASE NO 202202442/B2

Royal Courts of Justice
Strand
London
WC2A 2LL

Thursday 31 August 2023

Before:

LORD JUSTICE MALES

MR JUSTICE HOLGATE

MR JUSTICE HILLIARD

REX

V

TICHIPIWA CHIGUNWE

**APPEAL AGAINST RECEIVERSHIP DECISION UNDER S.65 PROCEEDS OF CRIME
ACT 2002**

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NON-COUNSEL APPLICATION

J U D G M E N T

1. MR JUSTICE HOLGATE: Pursuant to the leave of the single judge, the appellant, Mr Tichipiwa Chigunwe, seeks to challenge the Enforcement Receivership Order made in the Crown Court.
2. It is proposed by the parties that the matter be dealt with by a Consent Order. The Court has carefully considered the terms of the Order and is prepared to approve it. Consequently, the appeal against the Enforcement Receiver Order is allowed by amending the Enforcement Receivership Order as follows:

"1. The Enforcement Receivership Order made by HHJ Rowland on 7 July 2022 is amended as follows:

- (a) The declaration that the defendant holds the entire beneficial interest in (Asset 2) is amended to 'the defendant holds 55 per cent of the beneficial interest in the net proceeds of sale of 2 Burnaby Close'.
- (b) The declaration that the defendant holds the entire beneficial interest in (Asset 3) is amended to 'the defendant holds 55 per cent of the beneficial interest in the net proceeds of sale of 15 Cottage Close)

2. No order as to costs."

3. That Order is agreed by the appellant, by the defendant, Ronald Chigunwe and by the respondent, the Crown Prosecution.
4. We approve the terms of that Order. To this limited extent only the appeal is allowed.

Epiq Europe Ltd hereby certify that the above is an accurate and complete record of the proceedings or part thereof.

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