

Privilege & The Iniquity Exception, *New Law Journal*

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In their recent article for the *New Law Journal*, Litigation Partner Christian Tuddenham and Investigations, Compliance and Defense Associate André Nwadike delve into the case of *Al-Sadeq v Dechert LLP*, which revolves around legal professional privilege.

The authors outline the criteria necessary to invoke the iniquity exception and shed light on the potential applicability of litigation privilege to non-parties, including victims of crime and commercial litigation funders. They highlight that investigative work conducted by lawyers will generally engage legal advice privilege. They also emphasise that corporate entities seeking to utilise litigation privilege are not subject to the narrow definition of ‘client’ established in the *Three Rivers (No 5)* case, which only applies to legal advice privilege.

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Christian advises financial institutions and companies worldwide in connection with complex litigation and arbitration. He has particular experience managing disputes in emerging and frontier markets, including throughout the Middle East, India, Pakistan, Russia, and the Commonwealth of Independent States.

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