

# The one person facing criminal charges over HSBC is the...

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It is, I think, widely agreed that it is a scandal that fewer prosecutions have resulted from the HSBC leaks than anyone could reasonably have expected. But as my friend and co-author Prof Ronen Palan has pointed out in a [calm analysis on The Conversation web site](#), there is one person facing prosecution:

*Last but not least, as in previous cases of such leaks, the person most likely to suffer from the leak is the whistleblower himself. HervÃ© Falciani, the former HSBC systems engineer who revealed the information. He has been on the run from Swiss authorities since breaking Swiss bank secrecy laws and is living under protection.*

So, just as Antoine Deltour is now being prosecuted in Luxembourg at the behest of PWC so is the HSBC whistleblower having to live a life under threat.

If there's a lesson that comes out of this it is that a person revealing tax abuse has to be offered immunity from prosecution in international law. Justice demands it. In these cases, quite literally tax justice demands it.