Members Profile: **Jonathan Barnard**

WHAT THE DIRECTORIES SAY

Recommended as Leading Junior in the fields of Crime and Fraud:

CHAMBERS AND PARTNERS 2013

"thorough in his approach, yet to the point"

"acting in all manner of high-profile cases"

"a real authority when it comes to insider trading"

LEGAL 500 2013

"singled out as a leading junior"

A "name to note"

PREVIOUS YEARS

"Nicholas Purnell QC and Jonathan Barnard are 'in a class of their own"

"has built a laudable reputation over the years in cases involving criminal fraud as well as general crime"

"one of the best"

"an elegant and appealing advocate, succint and effective in his addresses"

"considerable expertise in complex fraud matters"

"his analytical skills are superb"

AREAS OF PRACTICE

Financial Crime: Regularly instructed to represent professional and corporate clients in high-profile, complex financial matters. Increasingly instructed for strategic advice at the investigation stage, in particular re internal/SFO/FSA investigations into overseas bribery.

Crime: Prosecution experience includes the largest Court Martial in British history and cases from Special Casework Directorate, involving PII issues of the utmost complexity, as well as crime of the upmost seriousness including numerous murders at the Central Criminal Court. Cases involving a medical professional accused of rape and a number of police officers charged with grave misconduct.

Regulatory and Disciplinary: Regularly instructed in matters in front of the General Medical Council and The General Dental Council. Instructed by the Accountancy and Actuarial Discipline Board and before the Financial Services Authority among other regulatory bodies.

Inquests and Inquiries: In particular complex inquests with multi-jurisdictional aspects. Advised the Government re the current Public Inquiry into a civilian death in Iraq.

Environmental Regulation and Crime: Represents and advises companies (private to multinational) in criminal prosecutions brought by the Environment Agency.

Health & Safety: Currently representing a Dutch based firm in relation to a UK fatality.

Trading Standards: Instructed for both prosecution and defence.

PROFESSIONAL APPOINTMENTS, ATTAINMENTS AND MEMBERSHIPS

Appointments -

2012 - Lloyds Law Reports Financial Crime, Consultant Editor

Articles -

2012 - "Anti-Bribery legislation in the UK, USA and Australia

2012 - "Insider Trading: Knowing where to draw the line" , The Regulator. Kingsley Napley

2011 - "Insider Trading: an easy offence to commit" (in-house publication)

2010 - "The American Way", re plea agreements and overseas corruption (in-house publication)

2005 - “A Stupid Agreement”, (Archbold News - Issue 2) money laundering conspiracies

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NOTABLE CASES

RECENT CASES

- Advising ex News of the World editor re Leveson Inquiry and contempt of Parliament
- Advising ex-jurisdictional oil company re bribery and money laundering
- Representing Eddie Shah at the Old Bailey

- Representing a Director of a private company re fraud charges
- Advising the CEO of a major mining company (SFO investigation)
- Representing Thames Water Utilities Ltd
- Successfully represented Vincent Tchenguiz in judicial review of SFO investigation
- Successfully represented international developer in the Turks and Caicos Islands over corruption charges
- Advising Director of one of the world's leading maritime services companies re overseas bribery (internal/SFO investigation)
- FSA v SC: Representing a hedge fund manager (ex-jurisdiction) re market abuse before the Tribunal (FSA proceedings)
- Advising leading supermarket re bribery prosecution
- R v Khan: Representing the Director of a commercial property company charged with fraud
- Advised employee of an international construction company re SFO investigation into overseas bribery (case dropped)
- Advised Directors of carbon credit trading company re FSA investigation (case dropped)
- Advised re a Defamation matter
- Advising an overseas construction company re fatality at the Liquid Natural Gas terminal (Health and Safety Executive investigation)
- Successfully appealed sentence in lead authority on environmental pollution: EA v Thames Water [2010] Env. L.R. 34

OTHER NOTABLE CASES

Fraud/Financial Crime

- Represented ex-Icelandic banking executives (SFO investigation)
- R v Heywood (2012): Represented a senior solicitor charged with fraud and money laundering
- R v Forsyth [2011] 2 W.L.R.277: represented the ex CEO of Mabey & Johnson, including before the Supreme Court re UN sanctions busting (SFO prosecution)
- R v Kleijn (2011): Secured the acquittal of a management consultant accused of industrial fraud
- R v Gohil (2011): Represented a solicitor accused of laundering the proceeds of overseas political corruption through multiple jurisdictions (City of London Overseas Corruption Unit investigation)
- DEFRA v Owen (2010): Negotiated one of the first successful "plea agreements" under the AG guidelines in the largest case of fraud ever brought by DEFRA
- Advised Karren Brady, former director of Birmingham City Football Club: letter of representation halted proceedings before charge (2009)
- Advised Director of Merlin Biosciences re SFO Investigation (case dropped, 2009)
- SFO v Bright (2008): Defended ex-CEO of reinsurance giant IIC (the "stock market's darling")which collapsed with debts of £1bn (SFO prosecution)
- R v Dr S (2008): Secured the acquittal of the country's top breast surgeon accused of medical insurance fraud
- R v Reichwald (CA, 2007): Successfully appealed conviction, via the Criminal Cases Review Commission, of a London businessman for multi-million pound international money laundering
- R v Wood (2007): Secured a non-custodial sentence for a Director of a US company for market abuse in the UK
- R v Apostolopoulos (2007): successfully prosecuted the first Greek national to be extradited under EAW for large-scale money laundering (included the purchase of an airline)
- R v Ahmet (CA, 2006): Successfully appealed money laundering sentence
- R v Azari (2006): Represented dentist in NHS claims fraud

- SFO v White (2006): Represented accountant accused of multi million pound Ponzi fraud
- R v Canhams (2005): Successfully prosecuted fraud on City of London charity; included advising on Mutual Assistance with Eire (City of London Police Fraud Squad investigation)
- HMCE v Namer (2005): Defended “the architect” of a multi-million pound MTIC carousel fraud
- SFO v Feldman (2003): Secured the acquittal of a solicitor accused of laundering £16m
- SFO v Barea (2002): Defended in the conspiracy to defraud St Paul’s Cathedral of £100m

Crime

- R v DD (2012): Secured the acquittal of a lorry driver carrying £1.8m drugs into the UK
- JCL (2012): Secured only non-custodial sentence for violent disorder in student riots
- R v ME (2010): Letter of representations led to charges being dropped against a high profile singer
- R v Jones (2009): Secured acquittal of close protection officer to high profile client
- R v Rodriguez-Brito (2008): Prosecuting, secured conviction in a knife attack (defendant represented by a QC)
- R v Payne (2007): Prosecuting, secured the first conviction of a British soldier under War Crimes legislation in high profile Court Martial lasting six months
- R v Shane (2006): Successfully defended police officer accused of manslaughter
- R v Mollison (2006): Represented a police officer on misconduct charges (unlawful accessing of police databases); case included substantial RIPA applications; secured non-custodial sentence
- R v Goztas (2006): Prosecuting, secured conviction of every defendant in multi million pound international drug smuggling ring (NCS investigation)
- R v Falkowski (2005): Successfully defended psychiatrist accused of drugging and raping a patient’s girlfriend (resulting in the subsequent prosecution and conviction of the complainant for perverting the course of justice, made into the film "U Be Dead")

- R v Butt (2005): Prosecuting, represented the CPS in the High Court in multi-handed, cross-jurisdictional confiscation/divorce proceedings
- R v Khan (2005): Prosecuting, secured murder conviction in “honour” killing
- R v Jones (2005): Represented long-serving police officer who pleaded guilty to involvement with London gang; included substantial RIPA applications
- R v Penny: (2004) Prosecuted gang of armed robbers targeting high value goods in Heathrow warehouses (Flying Squad investigation)
- DPP v Camberwell Green Youth Court (Admin Court, 2003): Successfully resisted judicial review of committal proceedings
- R v Farry (2003): Defended in a £7m armed robbery conspiracy
- R v Copeland (1999): Prosecuted the London nail bomber

Regulatory and Disciplinary

- FSA: experienced before the RDC and Upper Tribunal, advises regularly re FSA proceedings
- AADB: advised re prosecution of Deloitte re MG Rover collapse
- GMC: instructed in over fifty cases including the most serious and complex, e.g. Dr M (2010) - secured the erasure of a GP re the over-administration of morphine to the terminally ill (18 patients); Dr T (2009) - secured the erasure of a GP in a case of

historical sexual assaults (10 complainants); Mr G (2009) - secured findings of operating beyond competence against a leading breast surgeon (10 patients)

- GDC: instructed in dozens of cases at all stages of proceedings
- Police disciplinary: recently secured the acquittal of a chief inspector accused of gross misconduct

Health and Safety

- Currently advising a company re death at work HSE investigation

EXPERIENCE/ SCHOLARSHIPS

- 2008 - Member of the CBA working party on the Attorney General's Consultation Paper: "Plea negotiations in fraud cases"
- 2008 - Member of the CBA working party on the Attorney General's Consultation Paper: Extending the power to prevent fraud and compensate victims"
- 2005 - Lecturer: Trading Standards Institute Conference
- 1997 - Called to the Bar (Middle Temple)
- 1992 - University of Edinburgh (MA First Class with Honours); British Academy Scholar

MORE INFORMATION

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