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JONATHAN BARNARD

Called to the Bar 1997

"A 'fantastic junior' considered by market observers to be among the leading legal minds at the Criminal Bar... performs at a level akin to that of a QC."

-Chambers and Partners



BIOGRAPHY

Chambers & Partners 2019

- Financial Crime (Individuals): Band 1
- Financial Crime (Corporates): Band 1
- Crime: Band 1

Winner, Crime Junior of the Year 2016

Jonathan is a highly respected leading junior in the fields of crime and fraud, operating “at the highest end of the market”. Singled out as an “elegant”, “charismatic” advocate and “excellent strategist”, he wins praise for his “supreme” judgement, and “superb analytical skills”. Jonathan is routinely instructed to represent professional and corporate clients in high-profile, financial and heavyweight criminal matters both at trial and for strategic advice at the investigation stage. “A class act”, he is noted for being “incredibly intelligent”, “extremely industrious” and “really great to work with”.

WHAT OTHERS SAY

Chambers & Partners 2018

"He is very strong and a silk in waiting"

"Counsel of choice due to his supreme judgement and spot on advocacy skills"

"Fantastic, hard-working and charismatic, he really is great to work with"

"A fantastic junior" considered by market observers to be among the leading legal minds at the Criminal Bar. He is highly experienced at handling both private prosecutions and private defence work, often as a leading junior."

"He is completely reliable and has got a very impressive courtroom manner. His written work is fantastic and he's incredibly intelligent."

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“A polished performer who expertly dissects the other side both on paper and in court.”

“The sole junior counsel at this chambers, albeit one with experience of acting unled in hotly contested criminal and quasi-criminal matters concerning corruption, mis-statement of financial figures and fraud. He wins plaudits for being a practical and clever advocate who performs at a level akin to that of a QC.”

“He is very intelligent, very hard working, very confident and highly competent. Highly sophisticated and professional clients are immediately won over and he operates at the highest end of the market.”

“He has wonderful judgement and powers of analysis.”

Legal 500 2017

‘He leads in cases where other parties are silk-led.’

Chambers & Partners, previous years

“Incredibly intelligent and very easy to work with...has excellent judgement.”

“Offers excellent judgement and clear tactical thinking.”

“An elegant advocate who gets straight to the issue.”

“He has extremely sound judgement.. He is a skilful, charismatic advocate who can communicate very difficult transactional processes ”

“He is fantastic in court and brilliant with clients, especially in difficult cases”

“A class act, who is able to dissect very complicated issues quickly and offer clear and insightful advice”

“One of the best juniors in the market, he handles straight crime, fraud and regulatory cases to a very high standard”

“Highly recommended for his impressive judgement and his ability to relate to lay clients”

“Excellent: very user-friendly, bright and easy to work with. Extremely industrious”

“Excellent strategist”

“Acting in all manner of high-profile cases”

“A real authority when it comes to insider trading”

“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, succinct and effective in his addresses”

“His analytical skills are superb”

RECENT & CURRENT CASES

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Jonathan represented Victor Dahdaleh, the “power broker” acquitted on all counts of overseas bribery brought by the SFO. He also secured the acquittal of Eddy Shah, the former media magnate, on all historical rape charges.

More recently, Jonathan represented

- Represented Robert Hallett, a former director Alstom Network Ltd, charged by the SFO with bribery and corruption offences. Client acquitted of all charges at trial.
- The former senior partner of a major accountancy firm, found not guilty of all charges before the Supreme Court of Gibraltar
- A doctor in a high-profile private prosecution concerning landmark gender abortion issues, in which the High Court upheld the decision from the Crown Court to stay proceedings with costs
- The CEO of a mining company in successfully resisting the SFO’S High Court application for a voluntary bill of indictment

and advised

- Property tycoon Raymond Kwok, the only defendant to be acquitted in Hong Kong’s largest ever graft trial
- The last editor of The News Of the World in his long running contempt proceedings before Parliament
- A former high-ranking official at the Bank of England in relation to the SFO probe into LIBOR fixing

Jonathan’s current instructions include:

- Representing a former executive in SFO v Barclays
- Advising Rio Tinto Plc in SFO investigation
- Representing a director in SFO v Tesco
- Advising corporation in SFO investigation into Airbus
- Advising an individual in relation to the SFO investigation into Rolls Royce PLC
- Advising a major bank in relation to an FCA Prosecution

PREVIOUS CASES

Corporate

- Advised a publicly listed company re SFO and DoJ investigation into overseas bribery (2015)
- Advised a leading firm of accountants re money laundering liabilities (2014)
- Guernsey: Advised a company being investigated by financial regulators (case dropped, 2014)
- Advised leading supermarket re bribery prosecution (2013)
- Advised ex-jurisdictional oil company re bribery and money laundering (2013)
- Advised carbon credit trading company re FSA investigation (case dropped, 2012)
- Advised an overseas construction company re fatality at the Liquid Natural Gas terminal (Health and Safety Executive investigation, 2010)
- Successfully appealed sentence in lead authority on environmental pollution: EA v Thames Water [2010] Env. L.R 34

Individuals

- SFO v Evans [2014] EWHC 3803 (QB): successfully opposed SFO High Court application for a voluntary bill of indictment
- R v J [2014] 3 All E.R. 301: re principal’s consent in overseas bribery
- SFO v Dahdaleh: secured acquittal re overseas bribery (2013)
- R v H (2013): secured a non-custodial sentence for a company director re sale of Olympic Stadium
- Successfully represented a company director in judicial review of search warrants (2013)
- FSA v SC: represented a hedge fund manager (ex-jurisdiction) re market abuse before the Tribunal (FSA proceedings, 2012)

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- R v K: represented the Director of a commercial property company re SFO investigation into international bribery (case dropped)
- Advised company director re sanctions against Iran (2013)
- *Tchenguiz v SFO* [2012] EWHC 3218 (Admin): judicial review of SFO investigation
- Advised director of one of the world's leading maritime services companies re overseas bribery (internal/SFO investigation, case dropped 2012)
- Successfully represented international developer in the Turks and Caicos Islands over corruption charges (2012)
- Represented ex-Icelandic banking executives (SFO investigation)
- R -v- Heywood (2012): represented a senior solicitor charged with fraud and money laundering
- SFO -v- Forsyth (2011) UKSC 9: represented the ex CEO of Mabey & Johnson, including before the Supreme Court re UN sanctions busting.
- 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 brought by DEFRA
- Advised former Director – 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
- 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 (including 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
- SF) -v- Barea (2002): defended in the conspiracy to defraud St Paul's Cathedral of £100m
- **Crime**
- R v Eddy Shah (2013): secured acquittal of former media magnate re multiple counts of historical rape
- Advised former News of The World editor re Leveson Inquiry and contempt of Parliament (2012)
- R v DD (2012): Secured the acquittal of a lorry driver carrying £1.8m drugs into the UK
- R v 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
- Advised the UK Government regarding a Public Inquiry into a civilian death in Iraq (2009)
- R v Rodriguez-Brito (2008): Prosecuting, secured conviction in a knife attack (defendant represented by a QC)
- R v Payne (2007): Prosecuting, secured the only conviction of a British soldier of War Crimes
- 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)

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- 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**
- FCA: has appeared before the RDC and Upper Tribunal, advises regularly re FCA proceedings
- FRC: 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: secured the acquittal of a chief inspector accused of gross misconduct

Health and Safety

- Advised a company re death at work HSE investigation

Trading standards

- Secured non-custodial sentence for director guilty of multiple trading standards offences (2013)

EDUCATION / EXPERIENCE

Edinburgh University, First Class Honours

British Academy Scholar

Publications

Lloyds Law Reports Financial Crime, Consultant Editor, 2012 to present

Anti bribery legislation and its enforcement in the UK, USA and Australia, Cloth Fair, October 2012

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

Insider Trading: an easy offence to commit, Cloth Fair, October 2011

The American Way: Pragmatism, principle and the pursuit of settlements, Cloth Fair, April 2010

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