

Gary Pons

YEAR OF CALL: 1995



An experienced and highly proficient barrister who specialises in complex financial cases often with a multi-jurisdictional element. Ranked in Chambers & Partners and Legal 500.

Overview

Gary is a talented and dedicated barrister. His approach to cases is distinguished by its careful preparation and measured execution.

Gary is ranked in Chambers and Partners as a band 3 leader in the field of POCA and Asset Forfeiture work (all circuits) and is also ranked as a band 6 leader in the field of criminal law

(London Bar).

Chambers and Partners 2018 says Gary: "handles serious confiscation cases and is an expert on cash forfeiture. He is praised for his fluency in Spanish, which comes in useful when he is handling multi-jurisdictional cases involving Spanish-speaking countries."

"In court there is no doubt the judge understands what his position is - he is very good on his feet." "A very approachable person who has the capacity to analyse complicated facts and simplify them."

Chambers and Partners 2019.

"He's very detail-oriented and his level of commitment is great."

Chambers and Partners 2018.

Gary is also ranked in Legal 500 in tier 3 for his work in POCA and asset forfeiture.

'Very direct, which helps focus clients' minds in multi-handed cases.'

Legal 500 2019.

He is highly proficient in cases involving asset forfeiture and confiscation and recently represented the interests of Sarah Tighe (the wife of Tom Hayes: convicted of manipulating LIBOR rates) in confiscation proceedings.

"Gary is technically excellent and has a great feel for both tactics and the mood of the court. He also provides excellent client care. I would not hesitate to instruct him again."

"Mr. Pons was an outstanding selection to represent our case. He was professional, sympathetic to our cause, quickly grasped the critical facts of our case, and clearly explained to us our legal strategy."

Gary has experience in international criminal cases having acted in a high profile case at the Tribunal of the First Judicial Circuit, South, in Costa Rica. He was part of an international defence team who successfully represented Ann Patton in relation to an allegation that she murdered her husband, the successful Wall Street trader John Bender. Gary is fluent in Spanish which enabled him to play an active part in the preparation as well as assisting the legal teams with interpreting legal documentation that formed the basis of the case. Click [here](#) to read the Daily Mail news article.

His experience in complex financial crime and asset forfeiture has allowed Gary to develop his practice over the years. He acted for the Claimant in the trial of the enforcement of a \$2 million US Judgment in the High Court.

He has advised on multi-jurisdictional asset recovery cases involving off-shore trusts.

His practice includes areas such as business crime, asset recovery and civil fraud, insolvency, and licensing.

Professional panel appointments

Gary is a Grade 3 Crown Prosecution Service (CPS) prosecutor.

Gary is on the approved CPS list of Rape advocates.

Gary is on the approved CPS List of Proceeds of Crime advocates.

Sits as Legal Advisor to Royal Borough of Greenwich Licensing Sub-Committee.

Band C (10 years' call and above) appointed advocate for the General Dental Council (GDC).

Additional Information

Lectures and seminars

Gary regularly provides lectures and seminars on a variety of subjects. He has recently covered the following subjects:

Criminal Aspects of Corporate Insolvency.

Making and Enforcing Confiscation Orders.

Recent Developments in Cash Forfeiture.

Money Laundering Prosecutions.

Licensing Law.

SEV and Gambling Law

Languages

Fluent in Spanish.

Education

Inns of Court Law School, Bar Vocational Course.

University of Kent at Canterbury: English and Spanish Law.

Year at Complutense University in Madrid: Diploma in Spanish Law.

Professional Memberships

Grays Inn.

Criminal Bar Association.

South Eastern Circuit.

Proceeds of Crime Lawyers Association.

Fraud Lawyers Association.

Asset Recovery, Civil Fraud & Confiscation

Gary is a specialist in the field of asset forfeiture and confiscation. He has particular expertise in

relation to both confiscation and enforcement concerning matrimonial property and he has lectured on this subject.

He is on the approved CPS list of Proceeds of Crime Act advocates. Gary regularly appears on behalf of the applicant in cash forfeiture proceedings under POCA.

Gary often acts for the Receiver in enforcement hearings in the High Court.

He represented the Claimant, Superior Composite Structures in a contested three-day High Court hearing to enforce a \$2 million US Judgment.

Business Crime

Gary has significant experience acting for clients, both prosecution and defence, in relation to large scale fraud, white collar crime and a variety of financial crime cases.

Gary's business crime work dovetails with his asset recovery, confiscation and civil fraud work, which often involves technical points of law and financial detail.

He is currently instructed to represent the corporate defendant in matters as varied as Consumer Protection offences, Companies Act offences and Private Security Industry Act offences.

Chancery & Commercial

Insolvency

Gary regularly advises on the interaction between Crime, Proceeds of Crime and Insolvency. He has lectured on both the criminal aspects of Corporate Insolvency and on "POCA and Insolvency".

Gary now uses that experience in the commercial field and both advises and appears in insolvency proceedings.

He has experience of appearing for and advising the Trustee in Bankruptcy. He also has experience of advising companies and directors in corporate insolvency.

Crime

Gary has represented defendants throughout his career at the Bar. He has acted in the most serious of criminal cases including sexual offences, violence and the supply of drugs. Gary has also been led on cases involving allegations of murder, conspiracy to murder and appearing alone in relation to an attempted murder.

Gary is a grade 3 prosecutor and approved rape counsel. Gary is a skilled prosecutor of sexual offences and is accredited on the Rape Panel. He frequently prosecutes serious sexual offences.

Extradition & International

Gary is an experienced extradition practitioner. He was junior counsel for the third appellant Rozanski in the Supreme Court case of Pomiechowski and others.

Gary represented a defendant in a large-scale and international people trafficking case as junior counsel in 2005 and then represented the same defendant nearly six years later in extradition proceedings where his extradition was sought by France. Gary successfully argued that the double jeopardy rule prevented his extradition.

Gary has also appeared in a number of High Court Appeals.

Professional Discipline & Regulatory

Gary has experience in regulatory work in the Magistrates Court. He has appeared for local authorities in matters as wide ranging as applications for closure orders, environmental prosecutions, trademark and copyright, and consumer protection.

He has represented defendants in relation to offences under the consumer protection from unfair trading regulations, fire safety prosecutions and in tree preservation cases.

Gary has acted for both the police and the licensee in Sub-Committee Licensing Hearings. He regularly sits as a legal advisor to the Royal Borough of Greenwich Sub-Committee in respect of their more high profile licensing hearings. Gary has conducted both licensing appeals and prosecutions under the Licensing Act in the Magistrates Court.

Gary frequently provides detailed lectures to the London Borough Legal Alliance on various aspects of Licensing.

Cases of Note

ASSET RECOVERY, CIVIL FRAUD AND CONFISCATION

Superior Composite Structures LLC v Parrish [2015] EWHC 3688 (QB)

Acted for the Claimant, a US company in a trial of a claim for enforcement of a judgment worth over US\$2m obtained in South Dakota. This case involved issues of fraud, principles of natural justice, public policy and Article 6 of the ECHR.

R v Tom Hayes (convicted of LIBOR manipulation)

Represented Sarah Tighe in her application to become a party in contested confiscation proceedings following on from Libor convictions.

BUSINESS CRIME

R v Chavda

Prosecution Counsel in a complex pharmaceutical drug case involving significant money laundering and complex confiscation proceedings.

R v Hargreaves and Others

Represented one of the main defendant in a substantial trademark fraud

EXTRADITION AND INTERNATIONAL

Costa Rican Public Prosecutor v Ann Maxine Patton

Part of the Defence team successfully acting for the Defendant who was facing a charge of murder. The proceedings took place in Costa Rican and were conducted entirely in Spanish.

Rozanski v Regional Court 3 Penal Department Poland [2012] UKSC 20; (2012) 162 N.L.J. 749

Junior Counsel for the Third Appellant in a case involving consideration of the nature of the time limits in relation to extradition appeals.

CRIME

R v Scott

Junior Counsel for the defendant charged with unlawful act manslaughter by trapping the deceased in a loft.

R v Smith

Defending an allegation of attempted murder by husband on his wife.

REGULATORY

RBG v Ozbourne and Ozbourne

Acted for Local Authority in a successful prosecution in respect of Licensing Offences.

RBG v Units 1- 4,10 & 14 Lyndean Industrial Estate

Acted for RBG in successful application for extension of Closure Order in respect of Industrial Units being used as churches.

Accreditation

