

James Fletcher

YEAR OF CALL: 2000



"He has a first-class analytical mind, and is able to assimilate and consider huge volumes of detailed material. He's a great advocate who shows diligence throughout and is great in terms of preparing skeleton arguments."

CHAMBERS AND PARTNERS 2015 FOR POCA WORK & ASSET FORFEITURE

Overview

James practises in both civil and criminal law. He is a specialist in Asset Recovery and Proceeds of Crime work. He has significant expertise in dealing with Account Freezing and Forfeiture applications. He is instructed on behalf of businesses, by individual members of the public and by Government departments. This year he has acted for both the HMRC and the NCA in their first contested applications for Account Forfeiture Orders, assisted a client to obtain the return of sums frozen pursuant to an Account Freezing Order and provided advice to a foreign national on Unexplained Wealth Orders.

He has been featured in Chambers and Partners in the field of Proceeds of Crime and Asset Forfeiture work (all circuits) since 2014 and has been "Top Ranked" since 2016.

James is ranked as a Tier 1 leading individual in The Legal 500 for POCA and Asset Forfeiture (London Bar).

"A go-to barrister at the Bar for asset forfeiture work, he is down to earth, user-friendly and very good at explaining things to clients." "He responds to tight deadlines and inspires confidence with his calm, unruffled manner. He is a considerable talent in POCA."

Chambers & Partners 2022.

' James is unfailingly polite and a pleasure to work with. He is extremely bright and very capable. '

'His knowledge of and familiarity with how POCA powers are deployed across the range of enforcement authorities is invaluable.'

The Legal 500 2022 & 2021.

"He's very good and very practical."

Chambers and Partners 2020.

' A very persuasive advocate in court. '

The Legal 500 2020.

Additional information

Direct Public Access

James is qualified to receive instructions directly from members of the public. He is qualified to conduct litigation. Recent cases include:

Advising on Restraint Proceedings.

Advising on third party intervention at confiscation.

Professional Panel Appointments

Attorney General's Panel of Counsel: A Panel.

Grade 3 Prosecutor for the Crown Prosecution Service (CPS).

CPS specialist list for Proceeds of Crime: Grade 3.

CPS specialist list for Fraud and Serious Crime: Grade 3.

"James is very hard-working, bright and very pragmatic in his approach. He is also good at thinking outside the box."

Chambers and Partners 2019.

Professional Memberships

Proceeds of Crime Lawyers Association.

Fraud Lawyers Association.

International Bar Association.

Cybercrime Lawyers Association.

Asset Recovery, Civil Fraud & Confiscation

James has specialist knowledge of the Proceeds of Crime Act 2002 and Asset Forfeiture.

Government bodies, defendants, third parties and victims all approach James to act in Account Freezing, Restraint, Receivership, Confiscation and Enforcement cases in the Magistrates' Court,

Crown Court and High Court.

"A specialist whose highly comprehensible advice you can trust." "With his technical knowledge comes an enthusiasm for the subject matter."

Chambers and Partners 2020.

He undertakes Civil Recovery cases and Cash Forfeiture cases under the Proceeds of Crime Act 2002.

James can help defendants and third parties, providing solutions where they face problematic confiscation issues or have been prevented from dealing with their assets. He can assist businesses and individuals recover missing or stolen assets.

'Another amazingly bright practitioner in the field, and always very prepared.'

Legal 500 2019.

Business Crime

James is a barrister who acts across the whole spectrum of regulatory cases. He deals with all types of search warrant, production order and disclosure applications and associated judicial reviews. He also receives regular instructions from the Security Industry Authority.

Criminal Defence & Criminal Prosecutions - Private & Public

James' practice in crime focusses on fraud and money laundering cases where there are significant quantities of material.

James accepts Private Prosecution Instructions.

Immigration

James accepts immigration instructions and regularly appears in the Upper Tribunal and other Courts in relation to Judicial Review.

Judicial Review & Public Law & Inquests &

Inquiries

James is regularly instructed in Judicial Review matters.

James accepts instructions in relation to Public Inquiries and Inquests.

Cases of Note

NCA v Vlad Filat (appeared for NCA in first contested AFO)

Appeared for the NCA in their first contested application for Account Forfeiture Orders. The Court ordered forfeiture of approximately £500,000 in three accounts held in the name of Vlad Filat, the son of the ex-Moldovan prime minister who was found guilty in 2016 of bribery and corruption offences arising out of his role in the disappearance of 1 billion USD from three Moldovan banks. The Court found the balances derived from the father's corruption also considered that the bank account funds derived from money laundering.

R v Tom Hayes [2018] 1 WLR 5060.

The proper approach to making a tainted gifts finding.

R v Contogoulas & Others

Successful defence of a former Barclays US Swaps trader accused of dishonest manipulation of the LIBOR interest rate benchmark between 2005 and 2007. Led by John Ryder QC (6 KBW College Hill). After a three month case in 2016 where the jury were unable to return verdicts, Mr Contogoulas was acquitted in a re-trial in 2017.

Operation Bitterling

£1.2m VAT fraud conducted by two Indian restaurants over an 8 year period.

Operation Airbrick

Leading junior in a £14m money Laundering case where part of the money was laundered through an alcohol trading company.

Operation Thornback

A multi defendant case where the defendants distributed and sold non duty paid cigarettes across the UK.

R (on the Application of Chaudhary) v Bristol Crown Court [2015] EWHC Admin 723

Costs in section 59 cases. Search warrants

R (on the Application of Chaudhary) v Bristol Crown Court [2014] EWHC Admin 4096

A challenge to the lawfulness of a search warrant issued by the Crown Court must be made to the High Court by way of judicial review.

R (On Application of Bavi) v Snaresbrook Crown Court [2013] EWHC 4015

Mental health issues in cash forfeiture case.

Accreditation

