

# James Vine

YEAR OF CALL: 1977



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## Overview

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## *Additional Information*

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### **Direct Public Access**

James accepts Direct Public Access instructions.

### **Pro Bono Work**

James practises at the Legal Aid Bar.

James runs a small livestock farm in the West Country.

James tweets as [@jamespsvine](#).

Author of [www.thebungblog.wordpress.com](http://www.thebungblog.wordpress.com).

## *Professional Memberships*

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Criminal Bar Association.

## *Criminal Prosecutions*

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James is an experienced criminal barrister and prosecutes and defends in all criminal matters.

## *Cases of Note*

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### **SERIOUS FRAUD OFFICE**

#### **Re JT and WC**

Investigation into allegation of overseas corruption in Nigerian oil industry. Issues relating to liaison with Swiss Authorities concerning disclosure of Banking Records, and co-operation, (or lack of it) with United States Justice Department.

## **R v H & W**

Junior Counsel prosecuting Fraud and Conspiracy to pervert the course of Justice against solicitor defendants.

## **Re B and Anr**

Instructed to advise on investigation into protracted commercial fraud involving Fraudulent Trading and offences under the Insolvency Act and the Company Directors Disqualification Act.

## **OTHER RECENT CASES**

### **R v S**

Identity Fraud, involving theft from bank account of £1m.

### **R v T**

Successful defence of lorry driver with drug load, after second retrial, and interpreter issues.

### **R v X**

Defending person accused of committing an offence whilst acting as an informant for the same prosecuting authority.

### **R v Angela Edgar**

Defending wife of Printer of Counterfeit £20 Bank of England Notes.

### **R v Waithe – Leading Junior**

Defence of former Olympic Judo competitor accused of acting as Minder and Enforcer for Bristol Drugs and Firearms Cartel.

### **VAT Tribunal**

Appeal on behalf of City Livery Company claiming exemption from VAT on membership subscriptions.

### **R v Waris Ali**

Defendant and brother accused of Conspiracy to pervert the course of Justice following collision

on M4 in which another driver was killed.

### **R v Fajardo-Manas**

Successfully defending a man accused of importing 35 kgs Cocaine.

### **R v Wolyniec**

Successfully defending a man accused of organizing importation of 30kgs Cocaine.

### **R v Jules**

Successful defence of lorry driver accused of importation of 15kgs Ecstasy.

### **R v Fitzgerald**

Defendant acquitted of drug dealing, then successfully pursuing proceedings against HMRC for recovery of monies seized on arrest.

### **R v Djouma**

Defendant accused of systematic "ringing" and exportation of Mercedes vehicles to Eastern Europe.

### **R v Whitehead**

Defence of historical sexual abuse by stepfather.

### **R v McCarthy**

Defending man accused of theft of helicopter, and money laundering. Special Branch Investigation, involving breaches of Air Navigation Order.

### **R v Crate-Lionel**

Defence of brother accused of rape of half-sister. CPS instructed silk to deal with unique HRA argument.

### **R v Clarke**

Defendant accused of being “enforcer” for Chinese debt collector.

### **R v Gunlu (Operation Bluesky)**

VHCC case involving Turkish Immigration Facilitation Gang.

### **R v Emmanul Fryers**

Defending former IRA member charged with conspiracy to steal concrete pump lorry from Luxembourg. Special Branch investigation.

### **Operation Retriever**

Prosecuting as leading junior, three linked trials for CPS Casework Directorate concerning a building materials and labour fraud on Rail track.

### **Operation Bourne R v Brady [2004] EWCA Crim 1763**

Junior Counsel to Richard Sutton Q.C. at Birmingham Crown Court, prosecuting an Inland Revenue “Phoenix” fraud. Defendants were directors of a group of companies, responsible for a series of contrived liquidations. Trial began with 11 week legal argument considering issues of admissibility of evidence secured, and investigation based on material compulsorily acquired under the Company Director’s Disqualification Act, and the Companies Act.

### **R v Philip Hendry**

Prosecution of a Church of England Vicar on allegations of extensive fraud and theft from Parish accounts, involving in excess of £100,000, in order to finance his companion’s cocaine addiction, together with a linked allegation of attempting to pervert the course of justice

### **R v Avtar Singh Hundal [2004] EWCA Crim 389**

Defence, as Leading Junior, of Member of International Sikh Youth Federation. Organisation banned in Britain by virtue of Terrorism Act 2000. Defendant lived in Germany where organisation legal. Arrested by Special Branch as he drove off the ferry on first ever visit to England. First ever prosecution for this offence. (Senior and Junior Treasury Counsel instructed). Issues of: 1. Admissibility of material acquired compulsorily under Schedule 2 of the Act (Post YJCEA) 2. Compatibility of the limitations on the Statutory Defence with HRA. 3. Application of Article 7 to defence where no overt act to be relied on by Prosecution within this

jurisdiction to defeat statutory defence. 4. Extensive PII argument in relation to material withheld by Special Branch 5. Leave to appeal Conviction granted and reserved to LCJ.

### **R v Paul Martin**

Prosecution of Ice Cream seller on behalf of both Inland Revenue and HM C&E. Defendant failed to pay more than a small fraction of Income Tax or VAT due for nearly a decade, on proceeds of sales from his fleet of Ice Cream vans.

### **Operation Buzzar**

Leading Junior prosecuting Excise fraud. Container loads of cigarettes from Eastern Europe. Own Database used to Schedule large quantity of material, phone calls, observations, various events. Six Defendants. Also involves extensive use of i2 analysis software. Evidence presented at trial by computer.

### **R v Christopher Putka**

Leading Junior successfully defending former Immigration Officer on an allegation of forgery, immigration and gang master fraud. Four month trial at Canterbury Crown Court

### **R v John Stanesby**

Defending member of Fathers for Justice accused of endangering road users by climbing to the top of the Tamar Bridge and sitting there for a week.

### **R v Ronald Palumbo and ors**

Prosecution as Leading Junior, of Serving Metropolitan Police Officer involved in conspiring to import four lorry loads of cannabis, whilst awaiting trial on corruption charges.