

Daniel Jones

YEAR OF CALL: 2013



Dan is a specialist criminal practitioner. He undertakes cases in general crime, serious crime and business crime. He also has a strong practice in confiscation matters and the associated civil proceedings.

Overview

Dan is a specialist criminal practitioner who regularly acts for the prosecution and the defence in the most serious criminal cases. He also has a strong practice in civil proceedings under the Proceeds of Crime Act.

"...Has an ability to argue the right points and argue them well...he had a nice manner with jurors and witnesses... his closing speech was an example of making a silk purse out of a sow's ear."

“...His lay client was lucky to have had him... The approach he adopted was the right one and his final speech hit the right note.”

Feedback from Crown Court judges

Professional panel appointments

CPS Grade 3 Prosecutor.

CPS Grade 3 Specialist Prosecutor: Serious Crime Group.

CPS Grade 2 Specialist Prosecutor: Proceeds of Crime Group.

Discipline Officer, London Welsh RFC.

Additional information

Education

Cardiff University, BPTC (Outstanding).

Aberystwyth University, LLB (Hons) (2:1).

Awards

Inner Temple Award for Outstanding Achievement on the BPTC 2013.

Before coming to the Bar, Dan was employed as a paralegal in the criminal department of Lewis Nedas solicitors. Whilst there he gained a thorough understanding of how a criminal case is litigated, what instructing solicitors require from their counsel and gained experience in the preparation of a wide range of cases including murder and serious sexual offences.

Dan has completed his vulnerable witness training and holds “SC” security clearance.

Professional Memberships

Criminal Bar Association (CBA).

Cymdeithas Cyfreithwyr Cymry Llundain (Association of London Welsh Lawyers).

Advocate (formerly the Bar Pro Bono Unit).

Proceeds of Crime Lawyers Association (POCLA).

Asset Recovery, Civil Fraud & Confiscation

Alongside his criminal practice, Dan has a specialist practice in civil recovery proceedings under the Proceeds of Crime Act 2002.

As well as acting on a private basis for individuals responding to such applications, he is regularly instructed by Her Majesty's Revenue and Customs, the National Crime Agency and the Metropolitan Police to make applications for the forfeiture of seized cash and money held in bank and building society accounts. Current / recent instructions include:

Representing HMRC in a case involving a total of nine linked applications for account forfeiture orders and cash forfeiture orders totalling well in excess of £4.5 million (led by James Fletcher);

Acting for the Metropolitan Police in relation to a cash seizure which took place as part of a joint Met and FBI investigation into international cyber crime, fraud and money laundering;

Representing HMRC and successfully resisting an application to set aside an AFO made in relation to over £1 million;

Acting for the NCA and successfully forfeiting £2 million seized from a cash courier working for an international OCG specialising in money laundering;

Instructed to represent an international fashion dealer in a contested application for an AFO worth over £100,000. Dan secured the release of funds from the frozen account for the respondent to fund his legal expenses.

Dan also has experience in listed asset detention and forfeiture cases.

He also acts in confiscation proceedings (including where he is instructed specifically to deal

with confiscation) and has experience of contesting applications for confiscation orders and securing significantly reduced orders. Before coming to the Bar, Dan assisted in the defence of confiscation proceedings which followed on from the SFO's prosecution of the UK's biggest ever mortgage fraud, involving a loss to AIB and RBS of over €1 billion.

Dan has provided seminars on these areas to instructing solicitors and enforcement officers and has written articles on the developing law in relation to the use of unexplained wealth orders (UWOs).

He is keen to expand this area of his practice to encompass High Court civil recovery applications and restraint proceedings.

Business Crime

Closely linked to his work in asset forfeiture and confiscation, Dan is developing experience in business and financial crime.

He was instructed by the Serious Fraud Office as Independent Counsel to conduct a large-scale LPP review as part of the one of the SFO's largest and longest-running investigations into serious international bribery and corruption.

Dan was also instructed to act as disclosure counsel for a major multi-national company in relation to international arbitration proceedings involving allegations of bribery.

Criminal Prosecutions - Private & Public

Dan is a Grade 3 CPS Prosecutor on the General Crime list as well as a Specialist Prosecutor for the Serious Crime and Proceeds of Crime Groups. Over the years, he has developed a reputation as a scrupulously fair prosecutor.

Criminal Defence

Dan's principal area of practice is serious crime. He is instructed to act in relation to the full range of criminal offences, but particularly cases of serious violence, serious sexual offences, offences related to the supply of drugs as well as weapons offences (including firearms).

Alongside his Crown court practice, Dan maintains a practice in the magistrates' court where he accepts instructions on a private basis to defend in general criminal matters as well as road traffic cases.

Professional Discipline & Regulatory

Dan has experience of representing clients facing criminal proceedings brought by regulatory bodies and local authorities, as well as prosecuting such matters. He has prosecuted for a number of London Boroughs, the City of London Corporation and the Care Quality Commission.

As a keen sports fan, he has a particular interest in developing a practice defending athletes before their various governing bodies. He volunteers as a Discipline Officer at London Welsh RFC where he is available to represent players before the local union's discipline board.

Cases of Note

Reported Cases

R. v. H [2020] EWCA Crim 826

Junior alone representing H in his appeal against sentence for possessing criminal property. Provided "helpful and concise" submissions. Dan represented H throughout the Crown court proceedings.

R. v. Q [2017] EWCA Crim 66

Junior alone representing Q in his appeal against the sentence imposed for possession with

intent to supply class A drugs. Dan also represented Q at trial in the Crown court.

R. v. T [2017] EWCA Crim 649

Junior alone representing T in his appeal against the sentence imposed for a number of theft offences. Dan also represented T from first appearance through to sentence in the Crown court.

Asset Recovery and Confiscation

NCA v. H [2021]

Successful application for the forfeiture of £2million in cash which H was attempting to smuggle out of the UK on behalf of an international OCG specialising in money laundering.

Metropolitan Police v. K [2020]

Junior alone representing K. The police sought an AFO against funds in K's bank account and an order for the detention of a collection of high-value watches seized from K as part of an investigation into terrorist financing. Successfully resisted an application for further detention of the watches and the AFO was withdrawn by the police shortly after being the initial hearing.

HMRC v. L [2019]

Junior alone representing HMRC, successfully resisting L's application to set aside an account freezing order relating to over £1million in frozen funds.

Home Office v. S [2018-2019]

Junior alone representing S in a four-day contested hearing opposing the Home Office's application for forfeiture of over £30,000 in cash.

R. v. JB & Anor. [2017 – 2019]

Junior alone instructed specifically to deal with confiscation. Three-day contested hearing involving legal arguments relating to the applicability of a basis of plea in confiscation and constructive trusts amongst others. Crown initially sought a benefit figure of over £320,000, the final order was just under £96,000.

Crime

Serious violence

Conspiracy to Murder: R. v. X & Y [2022]

Instructed as led junior (led by Queen's Counsel) for the Crown in this prosecution for conspiracy to murder and conspiracy to possess firearms, based on evidence recovered from encrypted Encrochat devices. Listed at the Old Bailey in early 2022.

Conspiracy to Murder: R. v. D & Ors. [2016]

Instructed as led junior counsel for the first defendant in this five-handed case.

Attempted Murder: R. v. MB [2021]

Junior alone defending MB. MB accepted that he had stabbed an acquaintance 15 times in the face, head and neck but denied having an intent to kill. The jury acquitted MB of attempted murder after just three hours of deliberation. Successfully resisted the Crown's bad character application in relation to previous offences committed by MB, including an incident only a few weeks prior to the attack where he had stabbed his uncle.

Attempted Murder: R. v. XY & AS [2019]

Instructed as led junior for the Crown, prosecuting two young defendants for the attempted murder of an innocent teenage bystander. The two defendants were said to be members of a local gang who had gone out looking for someone to stab in an attempt to intimidate members of another gang. Dan successfully argued against the admission of "expert" evidence from the defence.

Throwing a Corrosive Fluid with Intent: R. v. FG [2021]

Junior alone prosecuting an acid attack. FG had crashed a stolen car whilst drunk and tried to flee the scene. When two members of the public attempted to restrain him, he threw ammonia over them to make good his escape. Convicted and given an extended sentence.

Sexual Offences

Rape of a Child: R. v. AA & YY [2021]

Led junior for the first defendant. Allegations were made by Z (AA's daughter and YY's

stepdaughter) and other children including allegations of rape, other very serious sexual offences and child cruelty. Dan drafted the half-time submissions which were successful in relation to some of the child cruelty counts and also argued against the Crown's bad character application, which resulted in certain evidence being excluded.

Rape: R. v. P [2020]

Junior alone instructed to defend P, who contacted the police to make voluntary admissions to historic offences including a number of rapes, false imprisonment and serious assaults.

Psychological and psychiatric evidence called at sentence.

Assault by Penetration: R. v. L [2016]

Historic allegations of sexual abuse by a family member. Successful application to dismiss the most serious allegation on the indictment of assault by penetration.

Fraud / Money Laundering

Transferring Criminal Property: R. v. P & Ors [2018]

Led junior for the Crown prosecuting P and others for transferring criminal property. Three eminent QCs privately instructed for the defendants.

Operation X [2019]

Instructed by the SFO as Independent Counsel to conduct a large-scale LPP review as part of a serious international bribery and corruption investigation.

Business Crime / Regulatory

BIS v. H [2016]

Privately instructed to represent H, who was prosecuted under section 216 of the Insolvency Act for using a prohibited name. H received a community order and had to make a modest contribution to prosecution costs. Successfully resisted the prosecution's application for a director's disqualification order.

CQC v. N & Anor. [2019]

Successful prosecution, on behalf of the CQC, of N and another who provided a regulated

service (personal care) without being properly registered.

LBN v. W [2017]

Successful prosecution, on behalf of the London Borough of Newham, of a landlord for failing to comply with an improvement notice issued under the Housing Act 2004. Praised by the chairman of the bench for the “outstanding” presentation of the council’s case.

LBH v. A [2018]

Successful prosecution, on behalf of the London Borough of Hounslow of H for failing to comply with two enforcement notices. Secured a substantial confiscation order at sentence in the Crown court.

Other Cases of Note

Fraud by False Representation: R. v. CC [2021]

Privately instructed to represent CC, who had used a clone of a credit card belonging to Nadine Dorries MP to attempt to purchase a Canada Goose jacket.

Perverting the Course of Justice: R. v. Y [2018 – 2019]

Instructed as junior alone defending Y in relation to an allegation of perverting the course of justice. Y accused of allowing his electronic monitoring tag to be tampered with by a corrupt EMS officer. Series of five linked trials. The trial of Y and his co-defendants lasted eight weeks. (<https://www.dailymail.co.uk/news/article-7986629/Worker-took-bribes-criminals-fix-electronic-ankle-tags-jailed-seven-years.html>)

Escape from Lawful Custody: R. v. R [2016]

Represented a client who pleaded guilty to escaping from prison. Client was serving a 21-year sentence for a string of armed robberies, kidnap, false imprisonment and firearms offences. Sentenced to 9 months' imprisonment, concurrent to his existing sentence.