

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 barrister. He has built a strong Crown court practice, defending in a wide range of criminal matters, but particularly cases of serious violence, sexual offences, offences related to the possession and supply of drugs and firearms offences.

“...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."

Feedback from a Crown Court Judge in a long trial

Professional panel appointments

Grade 2 Crown Prosecution Service (CPS) Prosecutor.

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, fraud and sexual offences.

Professional Memberships

Criminal Bar Association (CBA).

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

Young Fraud Lawyers' Association (YFLA).

Advocate (formerly the Bar Pro Bono Unit).

Asset Recovery, Civil Fraud & Confiscation

Alongside his criminal practice, Dan is developing a specialism in 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.

Dan 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. Dan has also represented clients in enforcement proceedings before the magistrates' courts.

Dan is keen to expand this area of his practice to encompass civil recovery applications.

Business Crime

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

He has recently been instructed by the Serious Fraud Office as Independent Counsel to conduct a large-scale LPP review as part of the SFO's investigation into an allegation of serious international bribery and corruption.

Criminal Defence

Dan's principle area of practice is general criminal law, where he primarily acts for the defence.

Dan is instructed to act in relation to the full range of criminal offences, but particularly cases of serious violence, sexual offences, offences related to the possession and supply of drugs and firearms offences.

Dan has experience in appellate work and is adept at advising in writing in relation to applications for leave to appeal against conviction and/or sentence (including providing second opinions), and has experience of representing clients before the Court of Appeal (Criminal Division).

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

Criminal Prosecutions

Dan's principle area of practice is general criminal law. He is a grade 2 CPS Prosecutor and on the AG's Junior Juniors Panel. He has developed a reputation as a scrupulously fair prosecutor.

Dan is instructed to act in relation to the full range of criminal offences, but particularly cases of serious violence, sexual offences, offences related to the possession and supply of drugs and firearms offences.

As a member of the Attorney-General's Junior Juniors panel, Dan has developed a detailed knowledge of the law in relation to legal professional privilege and has been instructed as Independent Counsel on a number of occasions to review seized material. This led to Dan spending most of 2018 working with Her Majesty's Revenue and Customs on a large-scale LPP review relating to a tax avoidance and money laundering investigation worth millions of pounds.

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.

He hopes to develop a practice defending individuals before the various regulators, including sport governing bodies, and as a keen rugby player (for London Welsh RFC) he has a particular interest in representing athletes, particularly in cases where sports and the criminal law intertwine.

He has joined the disciplinary panel of London Welsh RFC as a discipline officer, where he will represent players of the club before the local union's discipline board.

Cases of Note

Reported Cases

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

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.

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.

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.

HMRC v. P [2019]

Junior alone representing HMRC, successfully applying for the forfeiture of thousands of pounds in cash recovered from P's home address.

Metropolitan Police v. LS [2019]

Junior alone representing the Metropolitan Police, successfully opposing LS' application to set aside an account freezing order relating to hundreds of thousands of pounds.

Metropolitan Police v. AP [2019]

Junior alone representing the Metropolitan Police, successfully applying for the forfeiture of tens of thousands of pounds in cash recovered from Aps wardrobe. The cash was discovered when AP was arrested as a result of being investigated by the FBI in relation to international cyber crime, fraud and money laundering.

Crime

Serious violence

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

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

Murder: R. v. G [2016]

Instructed as noting junior for the Crown in this murder allegedly committed by a 16-year-old defendant who had murdered another 16-year-old as a result of an argument about a tracksuit.

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

Instructed as led junior for the Crown, prosecuting two defendants for attempted murder. For trial in October 2019, estimated to last 4 weeks.

Aggravated Burglary: R. v. K [2019]

Junior alone prosecuting K for aggravated burglary. Instructed to prosecute this CPS Grade 3

matter whilst still at Grade 2.

ABH: R. v. D [2019]

Successful defence of D, accused of assaulting a neighbour as part of a wider, ongoing dispute between them.

ABH: R. v. D [2017]

Privately instructed as junior alone representing D, who was accused of head-butting the DJ at a wedding party. Convicted after trial, but successfully argued for a suspended sentence of imprisonment.

GBH: R. v. S [2018-2019]

Junior alone representing S, who pleaded guilty to assaulting his father. Significant mental health issues. Called expert evidence at sentence to secure a hospital order.

Possession of an offensive weapon: R. v. D [2018]

Junior alone prosecuting D for possession of a claw hammer. Successfully opposed application to stay proceedings as an abuse of process.

GBH: R. v. L [2017]

Junior alone representing L, who pleaded guilty to being part of a group assault upon the victim which resulted in a significant injuries including a fractured skull and memory loss. 30 months' imprisonment.

ABH: R. v. M [2017]

Junior alone defending M who was charged, with two others, with assaulting her co-defendant's ex-partner and his new partner.

Sexual Offences

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.

Business Crime / Regulatory

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.

BIS v. H [2016]

Represented 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. Dan also successfully resisted the prosecution's application for a director's disqualification order.

CQC v. N & Anor. [2019]

Prosecuting, on behalf of the CQC, N and another who provided a regulated service (personal care) without being registered with the CQC.

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

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

Instructed as junior alone defending X in relation to an allegation of perverting the course of justice. 8-week trial involving complex expert evidence and over 15,000 pages of prosecution evidence.

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.