

Jonathan Rose

Year of Call: 1986



Practice Summary

Jonathan has significant trial experience of civil fraud, commercial dispute resolution and criminal defence, having been instructed as leading counsel in numerous cases.

With a strategic legal mind, he takes a tactical approach to his cases. Whilst having attention to detail, he nonetheless keeps an eye on the bigger picture. His arguments are clear and he is well known for effective, poignant and incisive cross examination.

He inspires confidence and builds good relationships with both professional and lay clients; he is known to be easy to work with and approachable.

Jonathan has appeared in most courts, including the Supreme Court, Privy Council, Court of Appeal and High Court and has been called on a case-by-case basis in the Cayman Islands.

Jonathan's practice includes commercial dispute resolution, civil and regulatory work in addition to his criminal practice.

He has recent experience included acting for a defendants in a significant commercial case Skatteforvaltningen (Danish Customs and Tax Administration) (SKAT) v Solo Capital Partners LLP (In Special Administration) The defendants succeeded on a preliminary point and the case is on going now the subject to appeal.

Jonathan is experienced in dealing with a multitude of general commercial matters including contractual claims, freezing injunctions and proprietary claims. He recently acted for a defendant involved in a banking claim arising out of the collapse of a hotel chain. Jonathan accepts cases on direct access and is licenced to litigate.

His regulatory work includes presenting cases of misconduct for the MPS, and he has been instructed by the NMC. He has special interest in environmental waste cases.

He acted successfully for the claimant in a case of malicious prosecution that was ultimately determined favourably in the House of Lords (before it became the Supreme Court) *Martin v Watson* | [1995] 3 W.L.R. 318

He has represented directors in disqualification proceedings both in the civil and criminal courts and has acted for directors involved in commercial disputes with administrators.

Jonathan continues to do criminal cases and has defended in most types of cases including: fraud; terrorism; drug offences; money laundering; sex offences and murder. He has been instructed as leading counsel to defend in several murder trials. Most recent reported criminal cases include *R v Roddis* Court of Appeal (Criminal Division) [2020] EWCA Crim 396, an appeal against convictions for terrorist offences based on new evidence that the Appellant was autistic. *R v Byrne and others* [2021] EWCA Crim 107 a case concerned a carbon credit fraud, bad character and the admissibility of “dubious” expert evidence. He has experience of gang related cases, including murder, where an AK47 was used as the murder weapon; the notorious Nunes footballer murder an alleged drug related assassination of a young footballer in the Midlands.

He is reported in the case of *R v Athwal* (a so-called honour killing) Court of Appeal (Criminal Division) [2009] EWCA Crim 789, where he acted for the appellant at trial and on appeal.

Culmer v Queen Privy Council (Bahamas) [1997] 1 W.L.R. 1296, acted for the appellant on appeal from the Bahamas.

He successfully represented the deputy commissioner of police in the Cayman Islands known as “Operation Tempura”. The defendant was charged with perverting the course of justice and misfeasance in public office. Tempura was an investigation conducted by the Metropolitan Police into alleged corruption that involved the arrest and suspension of senior police officers and a High Court Judge.

Jonathan has acted for defendants in Courts Martial hearings both in the UK and in Germany.

He was instructed by the union, when he successfully represented a prison officer alleged to have assaulted a prisoner in the execution of his duty.

He has experience of the most serious of driving offences, including the successful defence of a lorry driver who tragically killed three others in an accident.

Banking finance frauds, VAT, Duty frauds, cheating revenue, money laundering, particular expertise money laundering arising out of Hawala banking transactions.

VAT fraud, Southwark, common law and statutory offences of cheating revenue.

Diversion duty frauds

Represented and advised a former director of US firm Peregrine Systems, involved extradition and , liaising with the DoJ California and SEC in UK. This case followed on the form “Nat West 3”, able to pre-arrange bail in the USA following extradition, with conditions allowing defendant to return to the UK.

Common law cheating revenue, failure to declare tax

Lottery winner alleged to have defrauded her husband

Money laundering including interesting case Hawala banking and how regarded as suspicious by the revenue, include cross border evidence from Middle East

Particular expertise in understanding Mortgage Fraud

Recently Litigated £20m alleged fraud involving collapse of a hotel group, losses to bank amounted to in excess of £45m.

Criminal prosecutions arising out of bankruptcy

Appeal and drafted referrals of the CCRC, case ongoing appeal conviction of an alleged terror suspect.

Trade descriptions, fire safety, consumer protection unfair trading , Nursing Midwifery Council, Royal College Nurses,

Defendants charged with trade descriptions, acted for defendant said to be the largest counterfeit goods of recent times, defendant extradited from Spain by Local Authority.

Presented cases of the Nursing Midwifery Council and represented nurses instructed by the Royal College Nurses. Trained other barristers in the relevant procedure.

Acted for defendant whose business was alleged to contravene the Consumer Protection Unfair trading regulations.

Police law specialist covering the following areas: Public inquiries, regulatory, misconduct proceedings, Misfeasance in a public office civil claims.

Acted for deputy commissioner of police, "Operation Tempura" charged with perverting the course of justice and misfeasance in public office. Tempura was an investigation conducted by the Metropolitan Police into alleged corruption in the Cayman Islands, involved the arrest of suspension of senior police officers and a High Court Judge.

Jonathan has acted in regulatory matters in the criminal courts, including offences under the Environmental Permitting Regulations, the Trade Descriptions Act, Health and Safety, Fire Safety and Consumer Protection Regulations. He acted for the defendant, in one of the largest counterfeit goods cases where the defendant was extradited from Spain by the Local Authority. Recently he acted for the defendant charged with significant Environmental Offences, both in the crown court and court of appeal. That case culminated in a confiscation order for £2 million.

Experienced in all manner of POCA confiscation proceedings, asset tracing, civil and criminal recovery, High Court freezing orders.

Jonathan has been called Called to Caymanian Bar on case by case basis, appeal to Privy Council from Bahamas and Jamaica, extradition to US, liaising with DoJ in California and SEC.

Acted for deputy commissioner of police, "Operation Tempura" charged with perverting the course of justice and misfeasance in public office. Tempura was an investigation conducted by the Metropolitan Police into alleged corruption in the Cayman Islands, involved the arrest of suspension

of senior police officers and a High Court Judge.

Dealt with appeals to the Privy council for Caribbean including cases from Jamaica and the Bahamas.

Directors disqualification, Liquidators claims against directors, administrators compulsory interviews directors.

Experienced in acting for and advising Company directors defending claims and investigations against them personally brought by the administrators and liquidators.

Dealt with directors disqualification brought by the Department business innovation and skills.

Building on his significant experience Jonathan has now re-developed his civil practise receiving instructions directly from the public and solicitors. Including:

He is currently instructed In the Commercial Court for one of the defendants in an allegation of fraud against the SKAT (Danish tax authority) alleging a loss said to be in the region of £1 billion.

Has advised a number of UK listed companies on the legality and possible money laundering implications of investing in Canadian cannabis production.

Recent experience of litigating a fraud involving the collapse of a chain of hotels. The loss incurred was said to be £30 plus million. The case involved hands on management of a worldwide freezing order; administrators compulsory interviews and directors disqualification proceedings brought by the Department Business Innovation and Skills.

Acting for and advising Company directors, defending claims and investigations against brought by the administrators and liquidators.

Jonathan is authorised to received instructions directly from the public and is qualified to conduct litigation.

He is a police law specialist covering public inquires; regulatory; misconduct proceedings; misfeasance in a public office and malicious prosecution. He appeared for the claimant in Martin v Watson [1996] A.C. 74 , at trial, in the Court of Appeal and successfully in the House of Lords [Supreme Court].

Represented and advised a former director of US firm Peregrine Systems who was extradited to the USA. The case involved liaising with the DoJ California and the SEC. The case followed on the from the "Nat West 3", exceptionally negotiations allowed this defendant to return to the UK on bail.

Memberships

- Fraud Lawyers Association
- Association Regulatory and disciplinary lawyers
- South Eastern Circuit
- Criminal Bar Association