



# Nick James

Call 2001

Nick James defends in the most serious, complex and sensitive criminal cases from white collar fraud to murder. He is regularly instructed as leading junior for the main defendant in long trials.

His most recent cases include MTIC fraud, Carbon Credit fraud, Libor rigging, money-laundering and numerous drugs trials including a conspiracy to manufacture Crystal Meth.

Nick is astute and committed, as well as approachable, which makes him highly valued by both professional and lay clients.

Nick is ranked as a leading junior in Chambers 2021 for both Financial Crime and Crime and in Legal 500 for Crime and Fraud.

## Practice Areas

---

### Fraud

Nick is a leading fraud practitioner with particular expertise in complex financial and business crime. He has an excellent record defending in high value frauds including MTIC, carbon credit, banking and false accounting. His persuasive advocacy and strategic insight mean Nick is highly sought after for complex cases.

His notable recent cases include Operation Balaban, a Carbon Credit fraud which collapsed when the Prosecution expert was exposed as unreliable, representing a Barclays trader convicted of Libor rigging (R v Pabon [2018] EWCA 420) and defending a company director in a series of complex fraud trials alleging fraudulent trading and false accounting against Natwest.

### Notable fraud cases

---

#### R v LC & Ors (2020)

Operation Epsom is an MTIC fraud which was stopped due to Covid-19 and will now be tried in 2021. Nick defends a man who is alleged to have provided numerous fraudulent documents in order to establish shell companies which act as buffers or missing traders.

---

**R v RU & Ors (2020)**

Nick defended one of 12 men accused of fraud by misrepresentation across the UK. Targeting vulnerable victims of crime, the gang posed as police officers in order to encourage the victims to withdraw large sums of money and/or provide bank details on the pretext this would enable them to recover previous losses.

---

**R v AH & Ors (2019)**

Nick represented the second defendant, a former company director, in this £3m Carbon Credit and Diamond fraud. The trial collapsed when the expert witness who had been advising the Police even before charges were brought was thoroughly discredited and failures to disclose his lack of expertise uncovered.

---

**R v GS (2019)**

Nick defended a man alleged to have laundered £500k from a £3m nationwide banking fraud. Individuals and businesses had their emails and bank accounts hacked and diverted to criminal bank accounts. Nick's client was in control of more than 20 such accounts.

---

**R v MS & Ors (2018)**

This was a 13 handed MTIC fraud alleged to have caused a loss to HMRC in excess of £20m. Nick defended the man operating the freight company responsible for arranging the fraudulent loads of copper and diverting them from destinations in Europe to the UK.

---

**R v EE (2018)**

US and UK law enforcement combined to trace the hacking of the Orange County employee's pension scheme to the defendants home in Reading via IP addresses and Virtual Private Network (VPN) services. The trial involved expert cyber security evidence on both sides, as the case turned on the reliability of a copy of log files provided by a VPN service in the US who would later refuse to co-operate with the prosecution.

---

**R v Pabon (2018)**

Led by Tom Allen QC, Nick appeared in the Court of Appeal for one of the Barclays traders who had been convicted of Libor rigging. The appeal focused on an expert called by the SFO to explain banking, including Libor and STIR, to the Jury. However, it became apparent during the retrial of a co-defendant that the witness was not in fact an expert in those areas and had not complied with his duties as an expert.

---

**R v SH & Ors (2016-17)**

Nick defended a company directors in a series of 3 high value fraud trials involving allegations of investment fraud, fraudulent trading and defrauding Natwest bank.

---

### R v MB & Ors (2017)

This was a private prosecution alleging Fraudulent Trading and Theft of £500k of plastic against the directors of a UK company. This was the subject of High Court proceedings and both the Prosecutor and first defendant had been held liable to the claimant company.

---

## Crime

Nick is a leading criminal defence practitioner with particular expertise in long and factually complex trials. He has an excellent record defending in drugs cases and cases of serious violence. His persuasive advocacy, strategic insight and client care mean Nick is highly sought after for difficult and serious cases.

In the last 12 months he has led in a heroin conspiracy, been led by Queen's Counsel in a 400 kilo cocaine importation and appeared in three serious gun cases.

### Notable crime cases

---

#### R v SD & Ors (2019)

Nick was instructed as leading junior for a man playing a leading role in this voluminous 6-week Conspiracy to Supply Heroin. The case involved complex legal arguments about the scope of the conspiracy and whether in fact there was one agreement or a number of separate agreements, as per the cases of Shillam, Mehta and Griffiths.

---

#### R v AT & Ors (2019)

This 12-week trial concerned the importation and onward supply of around 400 kilos of Cocaine plus wholesale quantities of ketamine and cannabis. Overall more than twenty people in London and the Midlands were arrested, with Nick's client alleged to be the head of the entire operation.

---

#### R v SM (2019)

Two sub-machine guns and a kilo of cocaine were found at the defendant's flat. Following negotiation and written and oral submissions, he was sentenced as an unwitting custodian. The Court also acceded to submissions that he was entitled to full credit despite the timing of his plea, due to the exception in the guidelines for cases involving complex legal issues.

---

#### R v PF & Ors (2019)

Nick's client was charged with the large scale importing and exporting of crystal methamphetamine through Turkey and Japan. He became unfit to stand trial, but neither the Crown nor the Judge accepted this was genuine or that it wasn't related to voluntary drug use. Nick successfully kept him out of custody throughout prolonged proceedings and ultimately these very serious charges were ordered to lie on file.

---

### **R v JN & Ors (2018)**

Nick acted as leading junior in Operation Vocare, which featured 13 defendants in a conspiracy to commit aggravated burglaries at mobile phone shops. The gang targeted shops on 17 separate occasions, using mopeds and carrying weapons including knives and handguns.

---

### **R v FF & Ors (2018)**

Nick defended one of 4 people alleged to be have organised and carried out a shooting in East London. Four people were injured and a combination of cell site and covert recordings led to the arrest of the defendants.

---

### **R v JB (2018)**

Nick defended an 18-year-old defendant as leading junior in this gang related kidnapping case. The complainant was held for 24 hours and subjected to violence and threats to kill by an armed gang.

---

## **Murder & Manslaughter**

Nick has defended in more than 20 murder, attempted murder and manslaughter trials. He has experience in a wide range of different types of homicide case including gang murder, honour killing, professional hits and one-punch manslaughters.

---

### **Notable murder & manslaughter cases**

---

#### **R v JB & Ors**

Nick defended an 18-year-old in this murder trial involving the deliberate targeting of the victim by a gang. The evidence included 'drill' videos and other evidence of gang membership.

---

#### **R v AA**

Nick represented a 16-year-old boy with ADHD accused of murdering his friend over an argument on snapchat. The case featured evidence from all forms of social media and anonymous witnesses.

---

#### **R v EE & Ors**

This three-handed murder trial involved a knife fight between four men which was captured on film and witnessed by numerous members of the public. Alleged to have been a deliberate and planned attack on the deceased, the Jury acquitted of murder despite the defendant not giving evidence.

---

## Appeals

Nick is regularly instructed to advise on appeals and to appear in the Court of Appeal for the Appellant.

### Notable appeals cases

---

#### R v SM

Following the collapse of Operation Balaban due to disclosure failings relating to a discredited expert, Nick has been instructed to represent a company director whose conviction for carbon credit fraud was based on the evidence of the same expert. This complex appeal relies on the decision in Pabon, the observations of HHJ Loraine-Smith in Operation Balaban and involves novel issues relating to the rules for expert witnesses and the enhanced duty of disclosure when trying someone in their absence.

---

#### R v Pabon

Led by Tom Allen QC, Nick appeared in the Court of Appeal for one of the Barclays traders who had been convicted of Libor rigging. The appeal focused on an expert called by the SFO to explain banking, including Libor and STIR, to the Jury. However, it became apparent during the retrial of a co-defendant that the witness was not in fact an expert in those areas and had not complied with his duties as an expert.

---

#### R v Khan

Nick appeared in this appeal against sentence where the Court of Appeal concluded that the Sentencing Guidelines for Drugs offences did apply to charges of Conspiracy to Supply.

## Directory Quotes

---

- "He is extremely good in court – a charismatic advocate." **Chambers 2021 (Financial Crime)**
- "Nick is an intelligent and pragmatic lawyer." **Chambers 2021 (Crime)**
- "Passionate about his clients' cases, he will fight hard and make himself available to discuss matters at a moment's notice. He has an excellent manner with clients in what can be extremely emotional circumstances." **Chambers 2021 (Crime)**
- "A really excellent, hard-nosed brief with a very instinctive sense of the right strategic moves." **Chambers 2020 (Financial Crime)**
- "He's an incredibly good advocate and he builds a very good rapport with clients and solicitors." **Chambers 2020 (Financial Crime)**
- "He has an engaging personality and excellent rapport with lay and professional clients." **Legal 500 2020 (Crime)**
- "An advocate with an unperturbed manner but a steely resolve." **Legal 500 2020 (Fraud)**