



"First choice for any serious complex fraud" Legal 500 2010

A specialist in commercial fraud defence and corporate crime who is regarded by his peers as an "intelligent and resourceful advocate" (Chambers and Partners). He has established a "blue-chip fraud practice" (Legal 500), with a reputation as someone who is "exceptional at client management" and "brilliantly focussed on getting the best out of the client".

In recent years he has appeared in substantial cases both on circuit and in London. Those cases have concerned all types of commercial fraud from high yield investment (prime bank instrument) fraud, advance fee fraud, factoring fraud, frauds on the Stock Market, MTIC (VAT) fraud, Revenue fraud to money laundering. He is now instructed in major cases in the VAT Tribunal, a natural extension of his MTIC practice and expertise.

In addition he has experience in professional disciplinary work both at tribunal, statutory committee and higher court level in the Administrative Court and Court of Appeal; representing police officers, pharmacists and solicitors.

#### APPOINTMENTS

INN: Gray's Inn

CIRCUIT: Northern

RECORDER: 1993 - Assistant Recorder  
1998 - Recorder

QC: 2000

#### MEMBERSHIPS

Criminal Bar Association

Personal Injury Bar Association

## NOTABLE CASES

R v Darren Bagnall

Defence

Unique confiscation case following on conviction for money laundering offence. Original trial involved simple issue of fact as to defendant's possession of £100,000. It was a lifestyle offence and the assumptions applied.

Crown alleged in the confiscation proceedings that defendant's benefit was £43 million acquired from MTIC (VAT) fraud which they accepted they could not prove to the criminal standard, but under POCA it was for defendant to disprove.

Raised complex and novel issues of law (human rights, abuse of process etc). Extensive legal argument, followed by (to date) 4/5 weeks of evidence. Will not conclude before Easter 2009.

R v Peter Stott and Another

Defence

Major SFO prosecution arising out of the collapse of highly successful North West company Altgas plc in 2001 owing £43 million. Extensive and complex fraud engineering by principal defendant and presented to investors by Stott, the de facto F.D.

R v Malcolm Bradley and Others

Defence

Substantial SFO prosecution. Was originally a multi handed conspiracy to defraud investors in a high yield investment programme on a 23 count indictment with a six month estimate. The indictment was severed. Trial 2 (10 counts) begins in February. Over £23million invested in highly speculative scheme to process gold and other precious metals from waste fly ash obtained in the US from power stations. Complex chemistry, let alone matters of high finance, share dealings and corporate mergers. Representing chartered accountant, non-exec director of failed company and involved in the corporate restructuring.

R v Mustaq Patel and Others

Defence

Largest ever Revenue prosecution on circuit.

Represented principal defendant, the oldest of 3 brothers running multi £million business. He was the finance director. Company was a leading North West company; a great success story, but now 8 defendants faced allegations of defrauding the Revenue over 15 year period. Massive case requiring lengthy preparation. Significant legal issues both as to liability and confiscation.

R v Zaka Ud-din & Others

Defence

£125million money laundering investigation. Represented principal defendant. Highly complex computerised accounting records and detailed audit trail.

R v Jaswant Ray Kanda and Others

Defence

Large scale multi operation MTIC fraud. £54million VAT defrauded. For lead defendant. Complex issues of law re: disclosure, severance and abuse of process. Confiscation is continuing. The prosecution were seeking in excess of £350million.

# JAMES PICKUP Q.C.

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CALL TO THE BAR : 1976

October 05 and sentenced to 7 years. Not trial Counsel. Instructed on appeal (Feb 06) which was successful (material non disclosure). A retrial was ordered. Further issues on disclosure giving rise to substantive abuse argument, resulting in the Crown offering no evidence on morning of trial.

R v Clive Smith and Others

Defence

Commercial Fraud

Leading SFO prosecution. High profile and substantial fraud on the Stock Exchange. Trial lasted 12 months.

Represented lead defendant.

R v Marshall Ronald and Another [2001 Chester Crown Court]

Defence

Commercial fraud

Prime bank instrument fraud SFO prosecution.

R v David Grindley and Others [2002 Leeds Crown Court]

Defence

Land fraud

Fraudulent obtaining of Government grants for the clearance and development of contaminated land.

R v Julie Bloor and Others [2000 Manchester Crown Court]

Defence

VAT fraud

£27million fraud. Customs prosecution.

R v Trevor Beacock and Others [2000 Hull Crown Court]

Defence.

Commercial fraud

Major fraud within the Yorkshire power industry. Defence of the principal defendant.

R v Anwar and Others [2003 Leeds Crown Court]

Defence

VAT fraud

High profile carousel fraud within the mobile phone industry. Indictment quashed after lengthy legal argument.

R v Amjad Baig and Others [2004 Southwark Crown Court]

Defence

Manslaughter [Gross Negligence]

Pharmacist charged with manslaughter as result of dispensing error. First prosecution of its kind.

Khatab v Royal Pharmaceutical Soc. GB

Applicant

Disciplinary hearing

Hearing before the statutory committee.

Kurforjji v Royal Pharmaceutical Soc. GB

Appellant

Disciplinary[Admin. Court]

Appeal against the removal of pharmacist from the Register.

R v Chief Constable of Merseyside ex p. Bennion [CO 1221/2000]

Applicant

Disciplinary

Application for Judicial Review on grounds of bias.

Extension of the principle in Pinochet Ugarte No. 2.

Leave to appeal to CA.

Chief Constable of Merseyside v Bennion [C/2000/2549]

Respondent

Disciplinary

Appeal by Chief Constable. CA rule that extension of “personal interest” principle unwarranted. Leave to appeal to HL refused.