



James Lloyd

Call: 2017

A diligent and pragmatic advocate with excellent client care.

James accepts instructions in all of Chambers' areas of practice. He regularly appears in regulatory tribunals and in the Crown, Magistrates', Youth and County courts.

James is frequently instructed to present fitness to practise cases and professional disciplinary cases on behalf of regulators including the Teaching Regulation Agency and Health and Care Professions Council.

Prior to joining Chambers, in a City firm, James was involved in Serious Fraud Office investigations relating to financial institutions and insider dealing. Since joining Chambers, his advisory practice has included advising multinational entities on SFO investigations into global trading arrangements.

James has assisted in past business reviews of financial institutions, particularly looking at COBS compliance, and was involved in 'skilled person' reviews (under s.166 FSMA 2000) instigated by the UK Financial Conduct Authority into alleged mis-selling of interest rate hedging products by a major retail bank, and an investigation into mis-management of investment portfolios.

Expertise

Regulatory and Disciplinary Proceedings

James has significant experience before the Health and Care Professions Tribunal and is frequently instructed in fitness to practise (FTP) cases on behalf of the HCPC. He deals with cases at all stages of the HCPTS process, and has experience of the entire spectrum of cases brought by the HCPC, including cases where fitness to practice is allegedly impaired by virtue of health, misconduct, and lack of competence.

Recent FTP matters in which James has been instructed have involved paramedics, radiographers, operating department practitioners, physiotherapists, occupational therapists and hearing aid dispensers.

James' recent cases include:

HCPC v H Radiographer convicted of multiple serious criminal offences

HCPC v G Operating Department Practitioner accused of multiple acts of dishonesty and false claims for overtime payments in the course of their employment

HCPC v H Hearing Aid Dispenser cautioned by police for multiple sexual offences

HCPC v S Occupational Therapist faced with multiple allegations involving endangering patients, inappropriate clinical practice and misconduct in respect of colleagues

HCPC v N Hearing Aid Dispenser convicted of sexual offences

HCPC v S Paramedic faced with allegations of misconduct and lack of competence involving clinical and capacity assessments, record-keeping and patient safeguarding

HCPC v C Operating Department Practitioner convicted of serious criminal offences

HCPC v B Paramedic convicted of violent criminal offence

HCPC v S Physiotherapist faced with multiple allegations of poor or dangerous practice. Allegations of misconduct and lack of competence

HCPC v H Paramedic accused of dishonesty in the course of their employment

HCPC v K Paramedic alleged to be impaired by virtue of physical/mental health

HCPC v M Radiographer convicted of serious criminal offences

HCPC v S Student Paramedic accused of serious unprofessional behaviour and dangerous driving

HCPC v M Biomedical Scientist faced with allegations of dishonesty and lack of competence

HCPC v D Operating Department Practitioner convicted of dishonesty offences abroad

HCPC v E Operating Department Practitioner convicted of dishonesty and driving offences

HCPC v W Radiographer convicted of theft of drugs from their place of employment

James has significant experience of professional disciplinary matters involving social workers. Recent cases have involved allegations of sexual misconduct, lack of competence, dishonesty and endangering service users.

James has also assisted in professional discipline matters before the Teaching Regulation Agency.

James also maintains an advisory practice in respect of financial regulation. He has recently advised a large US firm in respect of a significant Serious Fraud Office investigation, and undertakes advisory work in respect of investigations instigated by the UK Serious Fraud Office and Financial Conduct Authority.

Confiscation, Civil recovery and Asset Forfeiture

James has a busy confiscation practice, acting in both the Crown and Magistrates' court. He accepts and is frequently called upon to undertake advisory work in respect of both the 2002 and 1988 Acts.

James frequently acts for and advises defendants in applications for the re-consideration of confiscation orders, including:

- **Appeals of confiscation orders;**
- **S.22 and earlier equivalent applications; and**
- **S.23 and earlier equivalent applications.**

Recent non-advisory work includes:

R v R (Leicester CC) Contested POCA matter. Benefit figure reduced from £340,000 to £50,000 after legal argument seeking to depart from a previously agreed (higher) figure

R v R (Derby CC) Contested POCA matter. Benefit figure reduced from £90,000 to £20,000

R v R (York CC) Contested s.23 application following further investigation a number of years after the order was made.

R v J (Harrow CC) Successful (opposed) s.11 POCA application

R v S (Reading CC) Successful (opposed) s.11 POCA application

R v D (Westminster MC) Successfully resisted application to activate default sentence where defendant owed in excess of £200,000

R v G (Westminster MC) Successfully resisted application to activate default sentence where defendant owed in excess of £650,000

R v P (Westminster MC) Successfully resisted application to activate default sentence where defendant owed in excess of £125,000

R v M (Westminster MC) Successfully resisted application to activate default sentence where defendant owed in excess of £85,000

R v B (Westminster MC) Successfully resisted application to activate default sentence where defendant owed in excess of £450,000

Fraud and Financial Crime

R v B (Southwark CC) Second junior to Andrew Trollope QC representing first defendant in the later stages of a five-defendant MTIC-type fraud relating to metals trading

R v E (Southwark CC) Secured acquittal of defendant charged with possession of articles for use in fraud on the Crown offering no evidence following representations on disclosure

R v K (Sevenoaks MC) Secured discontinuance of proceedings for possession of articles for use in fraud

Civil

James accepts instructions in county courts in committal and similar proceedings relating to breaches of civil injunctions and orders. Recent cases include:

Woking Borough Council v U (Oxford CC) Committal hearing for breach of housing injunction

London Borough of Ealing v C (Brentford CC) Committal hearing for breach of anti-social behaviour injunction

With a background in civil litigation prior to joining Chambers, James has a wide experience of civil litigation including disclosure, bankruptcy orders, and judicial review. James has recently assisted in applications for interim freezing injunctions and undertaken advisory work on civil procedure.

Extradition and Mutual Assistance

Recent cases include:

Romania v S EAW extradition request following conviction under Articles 329 and 13 of the

Romanian Penal Code

Greece v E EAW accusation request following conviction for dishonesty offences

United States of America v M Accusation extradition request relating to internet-based alleged criminality

Greece v U EAW extradition request following conviction in absence for fatal offence

Poland v M EAW extradition request for RP said to have escaped from prison

France v G-P EAW extradition request following conviction in absence for cross-jurisdictional smuggling offences

UK Crown Prosecution Service v W Successfully opposed a CPS request for a European Arrest Warrant to be issued in respect of a suspect charged with causing death by dangerous driving

Road Traffic Act offences

James frequently represents defendants charged with driving offences.

Recent cases include:

R v K (Woolwich CC) Secured suspended sentence for defendant charged with dangerous driving with multiple like previous offences

R v G (Highbury MC) Secured acquittal of defendant charged with being drunk in charge of a vehicle

R v M (Uxbridge MC) Secured acquittal of defendant charged with failing to provide a specimen of breath

R v K (Willesden MC) Secured acquittal of defendant charged with driving without insurance following representations and arguments on CCTV evidence

R v S (Staines MC) Secured acquittal of defendant charged with driving whilst over the prescribed limit of alcohol following arguments on the testing procedure

R v W (Croydon MC) Successfully argued special reasons resulting in defendant keeping their licence

General Crime

James has a busy practice in the Crown, Youth and Magistrates' courts covering offences across the criminal spectrum. James acts exclusively for defendants, accepting both privately paying

and legally-aided work.

Recent cases include:

R v V (Snaresbrook CC) Secured acquittal on the Crown offering no evidence following representations made on disclosure failings for defendant charged with threats to commit criminal damage

R v E (Southwark CC) Secured acquittal of defendant charged with possession of articles for use in fraud on the Crown offering no evidence following representations on disclosure

R v H (Woolwich CC) Firearms matter involving a disguised ‘stun gun’

R v A (Birmingham CC) Defendant charged with possession of multiple weapons

R v P (Portsmouth CC) Secured suspended sentence on two counts of possession of a Class A drug with intent to supply

R v S (Hove CC) Secured suspended sentence for defendant who admitted to stealing thousands of pounds from her employer, using cash to flee the country

R v U (Woolwich CC) Secured community order for defendant charged with multiple racially aggravated public order offences

R v T (Isleworth CC) Secured suspended sentence for defendant charged with disorderly and dangerous conduct on an aircraft.

R v R (Bexley MC) Secured acquittal of taxi driver charged with sexually assaulting a drunk passenger

R v R (Bromley MC) Secured acquittal of Uber driver charged with sexually assaulting a drunk passenger

Young People

James frequently accepts instructions in cases involving young people and has completed the new vulnerable witness training programme. James also undertakes advisory work in respect of the national referral mechanism for modern day slavery involving young people.

Recent cases include:

R v B (Snaresbrook CC) 16-year-old defendant sentenced for seven robberies, attempted robbery and vehicle offences

R v J (Reading CC) 15-year-old charged with sexual assault

R v S (Ealing YC) Secured acquittal of 15-year-old charged with two counts of assault, two counts of religiously aggravated harassment, and one count of criminal damage

R v D (Ealing YC) Secured acquittal of 16-year-old defendant charged with assault following application to exclude Snapchat evidence and representations on disclosure

R v B (Bromley YC) Secured acquittal of 15-year-old defendant charged with robbery following arguments on disclosure and abuse of process

R v T (Stratford YC) Secured out of court disposal for 16-year-old defendant charged with possession of a Class B drug with intent to supply following representations made on charging decision

R v Y (Uxbridge YC) Secured discontinuance of proceedings for 15-year-old charged with taking a vehicle without consent and drugs offences

Sexual Offences

Recent cases include:

R v R (Bexley MC) Secured acquittal of taxi driver charged with sexually assaulting a drunk passenger

R v R (Bromley MC) Secured acquittal of Uber driver charged with sexually assaulting a drunk passenger

R v J (Reading YC) Represented 15-year-old charged with sexual assault

Appeals and CCRC

R v H (Inner London CC) Successful appeal against conviction in respect of possession of an offensive weapon

R v O (Snaresbrook CC) Successful appeal against conviction in respect of abh

R v G (Hove CC) Successful appeal against conviction in respect of criminal damage

Appointments and Memberships

Memberships

Association of Regulatory & Disciplinary Lawyers (ARDL)

Criminal Bar Association (CBA)

Proceeds of Crime Lawyers Association (POCLA)

Young Fraud Lawyers Association (YFLA)

Young Legal Aid Lawyers (YLAL)

Prizes

Lord Wolfson Scholarship, Lincoln's Inn

Hardwicke Entrance Award, Lincoln's Inn

Crowther Shield, Lincoln's Inn