



# Jonathan Rogers



Call 2000





## Clerks

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## Memberships

- Criminal Bar Association

## Education

- LLB Law – University of Manchester – First Class

## Criminal

Jonathan's practice is increasingly dominated by cases involving complex and serious fraud. Jonathan also has extensive experience in prosecuting and defending cases of all types.

He has gained a significant amount of experience in dealing with all areas of fraud. This includes pre-charge, disclosure, PII, trial preparation and trial presentation (including electronic) in areas such as:

- Direct tax fraud (corporation and income tax)
- VAT repayment fraud
- VAT evasion (cigarettes)
- Investment frauds
- Benefit fraud
- Confiscation, asset recovery and money laundering
- Regulatory offences (including those brought by Trading Standards, VOSA and DEFRA)

The cases Jonathan has been involved in have included extradition from South Africa, cross-jurisdiction money movements, hidden assets and complex taxation issues such as residence, domicile and permanent establishment. In this category of cases Jonathan has been led by Queens Counsel and/or leading junior, acted as sole junior and has also been instructed counsel responsible for disclosure.

Other areas of criminal expertise include:

- Homicide
- Offences of serious violence
- Child neglect
- Drugs conspiracies
- Local Authority licensing cases; involving taxi, street and entertainment licenses.

Jonathan is a Category 3 Prosecutor, and a member of the Specialist Fraud Panel. He is also appointed to the Panel of Special Regulatory Counsel.

In 2009 Jonathan became a Middle Temple Advocacy Trainer and he has for several years provided advocacy training to new Northern Circuit practitioners. He is widely recognised for his meticulous preparation and clear client communications.

He leaves no stone unturned in each case, working hard with both solicitors and lay clients to achieve the best possible outcome wherever possible.

## Criminal Cases

*R v P* – Jonathan defended a bus driver in a large multi-handed prosecution brought by VOSA. The case, which centered on drivers' hours was prosecuted by a silk and junior.

*R v J* – Jonathan defended a mechanic charged in a vehicle clocking case.

*R v S* – He was instructed as second junior to defend in a multi-million pound London City Investment fraud, relating to sale of Jatropa beans and plantations in Cambodia. The defendant acted as a sales agent. The trial included complex issues relating to pensions.

*R v Karim & Ors* – Jonathan was junior prosecution counsel in a £55million pound input tax (MTIC) fraud. Confiscation, which raised complex and challenging issues relating to hidden assets, was dealt with by Mr Rogers; the defendant was represented by leading counsel.

*R v W* – Jonathan was instructed as second junior to defend one of several defendants in a massive mortgage fraud perpetrated in North Wales. The case involved 100s of properties and mortgages.

*R v H, B, S* – Jonathan was instructed as second junior to prosecute a large and complex film fraud.

*R v Patel & Ors* – Jonathan was junior prosecution counsel in a multi-million pound tax evasion fraud relating to over 30 newsagents and garages.

*R v Kitchen & Ors* – He was instructed as junior counsel to prosecute an income tax fraud, in which the principal defendant, whilst employed by HMRC, made false credits to the SA tax accounts of his friends. Due to the size of the case there were three separate trials, the third of which Jonathan prosecuted without a leader. Confiscation proceedings were significant and included various legal issues including joint ownership.

*R v Hulme* – Jonathan defended as second junior in this input tax fraud relating to the purchase and sale of mobile phones. Confiscation raised challenging issues, with complex banking arrangements and the prosecution alleging significant hidden assets. Jonathan advised on and consulted with the forensic accountant.

*R v Smith & Howarth* – Instructed as junior prosecuting counsel in this tax evasion fraud; the principal allegation related to the diversion of income to offshore bank accounts. In addition to the international element complicated issues surrounding liability to UK tax (domicile and residence) arose.

*R v B* – Jonathan was instructed, on behalf of the prosecution, to challenge an application to vary a confiscation order brought under POCA 2002, s.23.

*R v P & P* – Jonathan was originally led in this MTIC fraud; thereafter he conducted confiscation proceedings. Issues arose relating to benefit figure in light of accepted bases of plea.

*Operation Humidity (£1.9m VAT repayment fraud)* – Prosecuting junior responsible for presenting much of the Crown's case to the jury with the assistance of electronic presentation.

*Operation Lexis (£55m MTIC Fraud)* – Junior defence counsel in £55m MTIC fraud. Trial utilised electronic presentation of evidence. Confiscation raised complex and challenging issues relating to hidden assets.

*R v Connolly & Connolly* – Instructed as disclosure counsel in large scale false invoice fraud

*R v Goldberg & Palache* – Instructed as disclosure counsel in construction industry repayment fraud.

*R v Kenneth Chow & Ors (TDA)* – Defended director charged with offences relating to the sale of advertising on plasma screens in UK hospitals.

*R v David Ellis* – Defend the employee of a public transport (bus) company accused of forging documents relating employees’ hours which had been presented to the traffic commissioner

*R v Lofthouse* – Defended a farm manager accused by DEFRA of “cattle ringing”.

*R v Coyne* – Defend a construction industry contracts manager charged with stealing from his employers by creating false invoices made out to a separate company he had created.

*R v Leo Sarwij (Environmental Agency Prosecution)* – Company illegal deposit of controlled waste, involving a complicated industrial process and argument on the meaning of controlled waste.

*R v Cunliffe & Johnson* – Instructed to prosecute mother (and her partner) for offences of child cruelty and assault of a 5 year old complainant. Dealt with issue of instructing intermediary to assist such a young complainant to give evidence.

## Recommendations

In terms of the service provided by Jonathan, he was recently described by an instructing solicitor as:

‘....providing excellent follow-up and advice on trial preparation...’