

# Rupert Bowers KC

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CHAMBERS

## Clerks

 Nick Buckley  
 0161 817 2757

## Memberships

- Criminal Bar Association

## Education

- Inns of Court School of Law
- College of Law
- University of Newcastle-Upon-Tyne
- Oundle School

## Criminal

Rupert Bowers KC was called to the Bar in 1995 and took silk in 2015. He was ranked as a leader in his field in the Chambers and Partners and Legal 500 publications before taking silk and has been ranked every year since being in silk.

Rupert leads the chambers Business Crime & Investigations team in Doughty Street maintaining a practice in financial crime and extradition, and data protection and information rights, with expertise in ancillary matters associated with criminal investigations and data breaches.

Rupert is one of the country's leading experts in challenging search warrants of all types, seizures of property and information and in challenging asset freezing orders. He is one of only a few KC's with experience not just of heavy trial and appellate work in the criminal courts, but with vast experience of judicial review and other applications in the civil courts. His breadth of knowledge across different jurisdictions is his strength. He was the only criminal silk in the case of *Lucas v Security Service* [2017] 1 All E.R. 283 ([Click here](#)) which challenged the lawfulness of the mass interception of communications data by GCHQ before the Investigatory Powers Tribunal ([Click here](#)), a case with many parallels with the recent transnational operation targeting the use of EncroChat. Rupert was instructed in the lead EncroChat case ([Click here](#) and [here](#)).

Rupert also practices in sports regulation and discipline which has included cases before the Court of Arbitration for Sport.

Rupert only acts for a small number of high net-worth private clients and companies at any one time which allows him to focus on their particular needs, and when involved in criminal cases he tends to act for those who engage him at the investigative stage.

## Criminal Cases

### JUDICIAL REVIEW/POLICE LAW

*R (Merida Oil Traders) & Others v Central Criminal Court & Others* [2017] EWHC 747 (Admin) – Case addressing the unlawful practice of the City of London Police of asking financial institutions to create cheques via production orders so they may then be seized using the summary cash seizure provisions and frozen in the Magistrates' Court. ([Click here](#))

*Lucas v Security Service* [2017] 1 All E.R. 283 – Representing George Galloway before the Investigatory Powers Tribunal in a claim against the Government in relation to the alleged interception of communications in breach of the parliamentary Wilson doctrine. ([Click here](#))

*National Crime Agency v Simkus* [2016] 1 W.L.R. 3481- Case addressing the ex parte procedure of applying for Property Freezing Orders. ([Click here](#))

*R (on the application of HS) v South Cheshire Magistrates' Court* [2016] 4 W.L.R. 74 – The Divisional Court did not have to determine every issue in a judicial review of a search warrant prior to a section 59 hearing taking place. ([Click here](#))

*Hargreaves & ors v Powys County Council Trading Standards Department & anor* [2015] C.T.L.C. 138 – Successful challenge to a search warrant issued under the Trading Standards regulations. ([Click here](#))

*Sher and Others v United Kingdom* [2015] All E.R. (D) 177 (Oct) – Judgment of the European Court of Human Rights in relation to the pre-charge detention regime under Schedule 8 of the Terrorism Act 2000, and in relation to the width of search warrants executed in Operation Pathway. ([Click here](#) and [here](#))

*R (on the application of Kouyoumjian) v Hammersmith Magistrates' Court* [2015] Crim. L.R. 455 – The first case in which the Court denied the losing defendant police force the opportunity to remedy its unlawful possession of material seized under a warrant that was subsequently quashed. ([Click here](#))

*R (on the application of Panesar) v Central Criminal Court* [2015] 4 All E.R. 754 – A challenge to the jurisdiction of the Crown Court to remedy the unlawful possession of material seized under the authority of warrant that was subsequently quashed in judicial review proceedings. ([Click here](#))

*R (on the application of F) v Blackfriars Crown Court* [2014] EWHC 1541 (Admin) – The Divisional Court quashed a search warrant issued to seize legal files for its failure to particularise the material sought. ([Click here](#))

*R (on the application of B) v Huddersfield Magistrates' Court* [2015] 1 WLR 4737 – A search against practising solicitors was held to be unlawful because of police failures of disclosure. All seized material was returned. ([Click here](#))

*R (on the application of S) v Chief Constable of the British Transport Police* [2014] 1 W.L.R. 1647 PRACTICE NOTE- A successful challenge to the seizure of material from solicitors premises which was subject to LPP. The court gave guidance on how applications for search warrants should be made. ([Click here](#))

*Lord Hanningfield v Chief Constable of Essex* [2013] 1 W.L.R. 3632 – Successful action for unlawful arrest. ([Click here](#))

*R (on the application of Herron) v The Parking Adjudicator* [2012] 1 All E.R. 709- Judicial review of the legality of Controlled Parking Zones for one of the original “metric martyrs”. ([Click here](#))

*R. (Glenn & Co. (Essex) Ltd and others) v. HM Commissioners for Revenue and Customs and another* [2012] 1 Cr. App. R. 22. Challenge to search warrants. ([Click here](#))

*R. (on the application of Panesar (t/a Anami Law)) v Bristol Crown Court* [2011] Lloyd's Rep. F.C. 337 – Successful challenge to search warrants using the res judicata principle and leading decision on police bail. ([Click here](#))

*R. (on the application of Windsor and others) v Bristol Crown Court* [2011] S.T.I. 2376. A challenge to unlawful search warrants following HMRC's refusal to accept the judgment in an earlier case above. ([Click here](#))

*Sher v Chief Constable of Greater Manchester* [2011] 2 All E.R. 364. A public law challenge to the pre-charge detention regime in terrorist cases. Later subject to a decision of the ECtHR as above. ([Click here](#))

*R (Cook) v Serious Organised Crime Agency* [2011] 1 W.L.R. 144 – A successful challenge to the contrived use of the power of seizure under section 19 PACE. ([Click here](#))

*R (on the application of Cummins) v Manchester Crown Court* [2010] Lloyd's Rep. F.C. 551 – A search warrant was quashed and material returned to the claimant because of a defect in the pro-forma application used by SOCA. ([Click here](#))

*R (Wood) v Avon and Somerset Magistrates' Court* [2010] 174 J.P. 157. Challenge to a search warrant. ([Click here](#))

*Bates v Chief Constable of Avon and Somerset* [2009] 173 J.P. 313. The successful challenge to the search of the home of a forensic computer expert led to the refusal of the Chief Constable to return Mr. Bates' property following the High Court ruling. Eventually this led to an application to commit the Chief Constable to prison whereupon the property was returned the evening before the court hearing. ([Click here](#))

*R (Redknapp) v Commissioner of Police of the Metropolis* [2009] 1 W.L.R. 2091; [2008] 1 All E.R. 229; Times, June 16, 2008. – For both Harry and Sandra Redknapp in this successful challenge to the execution of a search warrant at the Redknapp's home. ([Click here](#)) ([Click here for News report](#)).

#### CRIMINAL LAW

*R v A Youth* (2017)- Successfully defended a youth against a charge under section 5 of the TA 2006. The defendant was a white supremacist with links to the proscribed organisation National Action. ([Click here](#))

*Operation Carp* (2015) – Multi Million pound VAT fraud involving the trade in Carbon credits. ([Click here](#))

*R v Cook (Sam)* [2012] 1 W.L.R. 2451 – The ability of the Crown to allege guilt against those already acquitted. ([Click here](#))

*Diphy Menga* (2012). Acquitted of a gang related murder. ([Click here](#))

*Afzal Arif* (2012). The murder of a man nick-named "Nasty". ([Click here](#))

*Windsor v CPS* [2011] 1 W.L.R. 1519 -Leading case on restraint and receivership orders. ([Click here](#))

*R v Elliott (Nathan)* [2011] 175 J.P. 39. Leading case on gang affiliation evidence. ([Click here](#))

*Azhar Hussein* (2011). Acquitted of attempting to murder his wife by stabbing her in broad daylight in a crowded high street. ([Click here](#))

*Lord Hanningfield & Others*. [2010] UKSC 52; [2011] 1 A.C. 684  
Representing Lord Hanningfield in the MP's and peers expenses case. ([Click here](#))

*Operation Devout II* (2009). Multi million pound fraud and money laundering investigation.

*R v Attila Makai* [2008] 1 Cr. App. R. (S) 73- Trafficking for the purposes of sexual exploitation. Case arising out of the raid on "Cuddles" in Birmingham. ([Click here](#))

*Ricky Maynard and others* (2008)- The manslaughter of a London barrister's clerk. ([Click here](#))

*Operation Movement* (2007) Conspiracy to traffic prestige vehicles – The largest case of its type. ([Click here](#))

*Karl Pettitt* (2007) – One of the UK's largest cocaine importers. ([Click here](#))

*Operation Alpington* (2007) – Supergrass case in which all but one defendant was acquitted. Alleged to be the breaking of the largest cocaine cartel in the UK. ([Click here](#))

*Operation Vitric* (2006) £100,000,000 VAT fraud stayed for abuse of process. ([Click here](#))

*Robert Howard* (2003). The murder of Hannah Williams, a case linked in the media to the disappearances of Danielle Jones and Milly Dowler. ([Click here](#))

## Recommendations

### Financial Crime –

*“He thinks outside the box and shows tenacity and real skill when finding those subtle and un-obvious points.”*

(Chambers and Partners, 2021-22)

*“He is tenacious and tactically astute. His clients have confidence in his advice, which is provided in clear terms even in the most complex of circumstances. He is fearless in the face of novel points because he has done his homework.”*

(Chambers and Partners, 2020)

*“A leader in the field so far as public law challenges to invasive warrants are concerned; his knowledge in this area is encyclopaedic.”*

(Chambers and Partners, 2019)

### Business and Regulatory Crime (including Global Investigations) –

*“He has an impressive knowledge of criminal proceedings and search warrants as well.”*

(Legal 500, 2019)

### Fraud: Crime –

*“A confident advocate.”*

(Legal 500, 2021-22)

*“Strong on his feet, with an excellent court presence”*

(Legal 500, 2020)

*“An accomplished advocate with excellent communication skills”*

(Legal 500, 2019)

## Publications

“Blackstone’s Guide to the Terrorism Act 2006”- Co-author.

“Financial sanctions, bribery and corruption” 2009 – Consultant on the College of Law DVD.

“Intercepting Terrorists” 2009 – Covert Policing Review.

“Silence on Violence: Improving the Safety of Women” 2011 – Consultant on a report prepared by Andrew Boff of the Greater London Authority.

“Search and Seizure: Your Rights” June, 2014 – The Law Society Gazette.

“Restraint Orders: Reasonable Suspicion and Reporting” December, 2015 – Solicitors Journal.

“A Tale of Two Orders” March, 2016 – An article in relation to property freezing orders in Criminal Law and Justice Weekly.

“Open Season, in Closed Session” June, 2016 – An article on recent developments in the law in challenging search and seizure in Criminal Law and Justice Weekly.

## Beyond the Bar

Rupert enjoys mountaineering, skiing, mountain and road biking.