



James Lewis KC

Call: 1987 / Silk: 2002

James Lewis KC is a specialist in both civil and criminal cases, and was appointed Joint Head of Chambers in 2020.

This is demonstrated by the stellar array of leading cases in which he has appeared and shows that his experience and judgment is highly sought after.

Vastly experienced in criminal, civil and commercial fraud, extradition, regulatory work, contempt, public international law and judicial review matters. He appears frequently at first instance, the Court of Appeal and in the Privy Council and the Supreme Court as well as other foreign jurisdictions being additionally called ad hoc to the bars of Hong Kong, Gibraltar, Cayman Islands, Brunei, Trinidad and Tobago and Ireland.

Often used as an experienced litigation strategist and advocate who can advise and represent governments, companies and individuals in respect of commercial, regulatory and criminal issues, particularly those with an international dimension. He excels in complex and difficult cases. Described by a judge as a Rolls Royce advocate.

In commercial fraud matters between 2015 and 2019 he was senior leading counsel for the SFO investigation into the \$5.3 trillion-a-day foreign exchange market ('FOREX' Fines of £1.7 billion were imposed on the banks). He advises the FCA in the ongoing actions against Barclays Bank and others. Other substantial commercial fraud cases include **HRH Prince Jefri of Brunei** (\$30 billion); **Masri** (\$150 million); **Snoras Bank v Antonov** (\$1 billion); **Bogolyubov v Pinchuk** (\$1.5 billion); **Al Gosaibi v Saad** (\$7 billion); **Phoenix v Gerald Smith & Oths** (£200 million).

He is currently (2019) lead counsel for the SFO in the Airbus investigation, one of the largest investigations ever conducted by the SFO. He is advising Huawei in Canada in the extradition of Madam Meng. He is the leading expert on Unexplained Wealth Orders and Asset freezing Orders.

Recent **Supreme Court** cases he has appeared in are **R (on the application of B) v Westminster** [2015] AC 1195 involving closed procedure material; **Lithuania v Bucnys** [2014] AC 480 involving European Union Law; **VB v**

Westminster Magistrates Court [2014] UKSC 59 involving closed material procedure; extradition; and witness anonymity orders; and **R (British Sky Broadcasting Ltd) v Central Criminal Court** [2014] AC 885 involving civil procedure; criminal evidence; civil evidence, and production orders.

To see James Lewis in action in the Supreme Court this is a link to one of the latest Supreme Court appeals he has conducted in 2019; **R (Hutchings) v Director of Public Prosecutions of Northern Ireland** UKSC [2018/0040](#).

He can be seen making submissions to the Judicial Committee of the Privy Council (from 1hr 52 mins) during the [morning session](#). His submissions were concluded during the [afternoon session](#).

Commercial Fraud

Notable Commercial Fraud cases

- **Akcine Bendrove Bankas Snoras v Antonov Queen's Bench Division (Commercial Court) [2013] EWHC 131 (Comm)**
Civil procedure; Banking and finance; Freezing injunctions; Non-disclosure; Privilege against self-incrimination; Stay of proceedings; Variation.
- **Independent Trustee Services Ltd v GP Noble Trustees Ltd [2012] EWCA Civ 195 Court of Appeal (Civil Division)**
Trusts, Pensions, Equity, Civil Procedure.
- **Masri v Consolidated Contractors International Co SAL Court of Appeal (Civil Division) [2011] EWCA Civ 21; [2011] CP Rep. 20; (2011) 108(6) LSG 19; [2011]**
Civil procedure; civil evidence; affidavits; case management; committal for contempt; disclosure; judgment debtors; private investigators; receivers; specific disclosure.
- **Consolidated Contractors International Co SAL v Masri (Costs) CA (Civil Division), [2011] EWCA Civ 64**
Civil procedure; appeals; case management; costs; payment into court; prejudice.
- **Masri v Consolidated Contractors International Co SAL QBD (Commercial Court [2011] EWHC 409 (Comm)**
Civil procedure; foreign nationals; judgments and orders; jurisdiction; receivers.

Terrorism

Notable Terrorism cases

- **R v Ibrahim and others [2008] EWCA Crim 880**
21/7/05 London Bombings.
- **United States of America v Kadir & Othr (Trinidad) CV 2007-3062**
Conspiracy to bomb JFK airport in New York
- **Ramda v Secretary of State for the Home Department & Anor [2005] EWCH 2526 (Admin)**
Bombing of the Paris Metro and TGV.
- **R v Zardad (2005)**
Afghan warlord convicted in UK for torture and hostage taking in Afghanistan.
- **Argentina v Hadi Soleimanpour (2004)**
Bombing of Jewish centre.

Public Law & Extradition

Notable Public Law & Extradition cases

- **Re: Hutchings' Application for Judicial Review, Supreme Court [2019] UKSC 26**
Criminal procedure; Armed forces; Administration of justice.
- **National Crime Agency v A, [2018] EWHC 2603 (Admin)**
Unexplained Wealth Orders.
- **R (on the application of Corbiere Ltd) v Secretary of State for Justice (Administrative Court), 19 September 2017.**
Civil procedure; Immigration; Criminal procedure.
- **Rwanda v Ntezirayo, Queen's Bench Division [2017] EWHC 1912 (Admin)**
Extradition; Human rights; Criminal procedure, double jeopardy; Extradition orders; Genocide; Right to fair trial.
- **R (on the application of Southwark LBC) v London Fire & Emergency Planning Authority, Divisional Court, [2016] EWHC 1701 (Admin)**
Local government; Bias; Conflict of interest; Decisions to prosecute; Fire and rescue authorities; Health and safety offences.

Crime

Notable Crime cases

- **R v Lama (Kumar), Court of Appeal (Criminal Division)[2017] 3 WLR 469**
International law; Autrefois convict; Immunities; Service personnel; Torture; United Nations.
- **R (on the application of British Sky Broadcasting Ltd) v Central Criminal Court (Administrative Court) 20 December 2011**
- **Option NTC Ltd v Revenue & Customs Commissioners, First-tier Tribunal (Tax Chamber) (2011)**
- **Serious Organised Crime Agency v Hymans, Queen's Bench Division (2011)**
- **R v Nazir (Azhar), Court of Appeal (Criminal Division), [2009] EWCA Crim 213**
Murder; confessions; joint enterprise; jury directions; murder; witness anonymity orders.

Contempt

Notable Contempt cases

- **Xu v Corbiere Ltd, Court of Appeal (Civil Division) [2018] EWCA Civ 1899**
Administration of justice; Intellectual property.
- **Coll v Floreat Merchant Banking Ltd Queen's Bench Division, 03 June 2014 [2014] EWHC 1741 (QB)**
Administration of justice; Civil procedure; Torts, Committal for contempt; Confidential information; Contempt of court; Solicitors.
- **Masri v Consolidated Contractors International Co SAL QBD (Commercial Court) [2011] EWHC 2579 (Comm)**
Civil procedure; administration of justice; contempt of court; enforcement; judgment debts; judgments and orders; oil and gas industry; penalties; settlement.
- **Islamic Investment Co of the Gulf (Bahamas) Ltd v Symphony Gems Court of Appeal (Civil Division) [2010] EWCA Civ 709**
Civil procedure; breach; committal for contempt; information from judgment debtors; judgments and orders; Non-disclosure.

Notable Cases

Commercial fraud

Akcine Bendrove Bankas Snoras v Antonov

Queen's Bench Division (Commercial Court)

[2013] EWHC 131 (Comm)

Civil procedure; Banking and finance; Freezing injunctions; Non-disclosure; Privilege against self-incrimination; Stay of proceedings; Variation

Independent Trustee Services Ltd v GP Noble Trustees Ltd

[2012] EWCA Civ 195 Court of Appeal (Civil Division)

Trusts, Pensions, Equity, Civil Procedure

Masri v Consolidated Contractors International Co SAL

Court of Appeal (Civil Division)

[2011] EWCA Civ 21; [2011] CP Rep. 20; (2011) 108(6) LSG 19; [2011]

Civil procedure; civil evidence; affidavits; case management; committal for contempt; disclosure; judgment debtors; private investigators; receivers; specific disclosure

Consolidated Contractors International Co SAL v Masri

(Costs) CA (Civil Division),

[2011] EWCA Civ 64

Civil procedure; appeals; case management; costs; payment into court; prejudice

Masri v Consolidated Contractors International Co SAL

QBD (Commercial Court)

[2011] EWHC 409 (Comm)

Civil procedure; foreign nationals; judgments and orders; jurisdiction; receivers

Masri v Consolidated Contractors International Co SAL

QBD (Commercial Court)

[2011] EWHC 1024 (Comm)

Civil procedure; contempt of court; enforcement; foreign companies; foreign courts; foreign jurisdictions; freezing injunctions; information from judgment debtors; judgment creditors; judgment debtors; mitigation; receivership.

Butler-Creagh v Hersham

[2011] EWHC 2525 (QB)

Real property; torts; contracts; restitution; damages; breach of contract; compensatory damages; deceit; fraudulent misrepresentation; quantum meruit; unjust enrichment

Option NTC Ltd v Revenue and Customs Commissioners

First-tier Tribunal

Tax Chamber [2011] UKFTT 768 (TC)

VAT; employees; fraud; imputed knowledge; input tax; missing trader fraud; repayments

Masri v Consolidated Contractors International Co SAL

QBD (Commercial Court)

[2010] EWHC 2640 (Comm)

Civil procedure; committals; disclosure

Independent Trustee Services Ltd v GP Noble Trustees Ltd

Chancery Division

[2010] EWHC 3275 (Ch); [2011] 2 FLR 174; [2011] Fam. Law 803

Trusts; pensions; civil procedure; equity; ancillary relief; assets recovery; consent orders; fraud; proceeds of crime; rescission; trustees' powers and duties; trust funds; vesting

Brunei v Prince Jefri Bolkiah

Chancery Division

[2008] EWHC 1247 (Ch)

Civil evidence; cross-examination orders; diplomatic immunity; foreign jurisdictions; hearsay evidence

Brunei v Prince Jefri Bolkiah

Chancery Division

[2008] EWHC 1248 (Ch)

Civil procedure; abuse of process; adjournment; Brunei Darussalam; civil evidence; committal proceedings.

Prince Jefri Bolkiah v Brunei

Privy Council

[2007] UKPC 62

Bias; constitutional law; misrepresentation; affirmation; collateral contracts; estoppel

Brunei Investment Agency v HRH Prince Jefri

(2006)

Misappropriation of US\$30 billion; freezing orders; registration of foreign orders

Darussalem v Prince Jefri Bolkiah and others

Chancery Division

[2005] EWHC 1526

Motorola Credit Corp v Uzan and Others (No 2)

Court of Appeal (Civil Division)

[2004] 1 WLR 113

Contempt; disclosure orders; absent appellants

Renworth v Stephensen

Court of Appeal (Civil Division)

[1996] 3 All ER 244

Self-incrimination; freezing orders; fraud

Bennett v Commissioner of Police for the Metropolis

Chancery

The Times 24 October 1997

Torts; Crown Prosecution Service; immunities; police inquiries; public policy; tortious liability

Re Jeffrey S Levitt Ltd

Chancery Division

[1992] Ch 457

Self-incrimination; breach of trust

Terrorism

R v Ibrahim and others

[2008] EWCA Crim 880

21/7/05 London Bombings

United States of America v Kadir & Oth

(Trinidad) CV 2007-3062

Conspiracy to bomb JFK airport in New York

Ramda v Secretary of State for the Home Department & Anor

[2005] EWCH 2526 (Admin)

Bombing of the Paris Metro and TGV

R v Zardad (2005)

Afghan warlord convicted in UK for torture and hostage taking in Afghanistan

Argentina v Hadi Soleimanpour (2004)

Bombing of Jewish centre

R v Kalayci (2004)

DHCKP terrorist organisation

USA v Abu Hamza (2004)

Terrorism in US and Yemen

Re: Al Fawwaz

House of Lords

[2002] 1 AC 556

Al Qaeda bombings of US Embassies

Re Moley

CO 1032/94

Stinger missile sale

R v Edward Pearce

Mardi Gras bomber

Public law and extradition

Re: Hutchings' Application for Judicial Review,

Supreme Court [2019] UKSC 26

Criminal procedure; Armed forces; Administration of justice

National Crime Agency v A

[2018] EWHC 2603 (Admin)

Unexplained Wealth Orders

R (on the application of Corbiere Ltd) v Secretary of State for Justice

(Administrative Court), 19 September 2017.

Civil procedure; Immigration; Criminal procedure

Rwanda v Nteziryayo

Queen's Bench Division [2017] EWHC 1912 (Admin)

Extradition; Human rights; Criminal procedure, double jeopardy; Extradition orders; Genocide; Right to fair trial

R (on the application of Southwark LBC) v London Fire and Emergency Planning Authority

Divisional Court, [2016] EWHC 1701 (Admin)

Local government; Bias; Conflict of interest; Decisions to prosecute; Fire and rescue authorities; Health and safety offences

Docì v Italy

Divisional Court, [2016] EWHC 2100 (Admin)

Category 1 territories; Decisions to prosecute; Double jeopardy; European arrest warrants

Sarao v United States

Queen's Bench Division [2015] EWHC 1570 (Admin)

Bail conditions; Security; Variation

B v Chief Constable of Northern Ireland

Divisional Court, [2015] EWHC 3691 (Admin)

Necessity; Northern Ireland; Police powers and duties; Powers of arrest; Undertakings; Unlawful arrest; Wednesbury unreasonableness

R (on the application of B) v Westminster Magistrates' Court

Supreme Court, [2015] AC 1195 Human rights, Closed material procedure; Extradition hearings; Non-disclosure; Open justice; Right to fair trial; Rwanda; Witness anonymity orders

VB v Westminster Magistrates' Court (Supreme Court)

[2014] UKSC 59

Closed material procedure; Extradition hearings; Non-disclosure; Open justice; Right to fair trial; Witness anonymity orders

Ezz and Others v EU Council

[2014] EUECJ T-256

European law; Sanctions; Article 215 TFEU

Shankaran v India

[2014] EWHC 957 (Admin)

CBI; Classified information; Data storage; Extradition; Hearsay evidence; India; Official Secrets Act offences

Ghana v Gambrah

[2014] EWHC 1569 (Admin)

Extradition; Human rights; Assurances; Bars to extradition; Death penalty; Extradition requests; Ghana; Inhuman or degrading treatment or punishment; Mental health; Murder; Prison conditions

R (British Sky Broadcasting Ltd) v Central Criminal Court (Supreme Court)

[2014] UKSC 17; [2014] AC 885;

Civil procedure; Criminal evidence; Civil evidence, Closed material; Journalistic material; Production orders

Edwards v United States

[2014] 1 WLR 1532

Human rights, Fitness to plead; Inhuman or degrading treatment or punishment; Medical evidence; Mental health; Oppression

R (on the application of Gambrah) v Crown Prosecution Service

[2013] EWHC 4126 (Admin)

Extradition; Criminal procedure; Disclosure; Documents; Prosecutors' powers and duties; Search

United States v Shlesinger

Divisional Court

[2013] EWHC 2671 (Admin)

Extradition; Human rights, Bars to extradition; Right to respect for private and family life; Seriousness of offence

Lithuania v Bucnys

(Supreme Court)

[2013] UKSC 71; [2014] AC 480

European Union; Convictions; Estonia; EU law; European arrest warrants; Judicial decision-making

R (on the application of Van der Pijl) v Kingston Crown Court

[2012] EWHC 3745 (Admin); [2013] 1 WLR 2706;

Criminal procedure; Police; Human rights, Applications without notice; Computer records; Identification; Private documents; Retention; Right to fair trial; Search and seizure; Search warrants

Edwards v United States

[2012] EWHC 3771 (Admin)

Carltona principle; Certificates; Execution; Extradition

Hamza v Secretary of State for the Home Department

[2012] EWHC 2736 (Admin)

Extradition; Human rights; Fitness to plead; Inhuman or degrading treatment or punishment; Prison conditions; Private prosecutions; Stay of execution; Terrorist offences

Fuller v Attorney General of Belize

[2011] UKPC 23

Extradition; Constitutional law; Separation of powers

R (on the application of Bryant) v Commissioner of Police of the Metropolis

[2011] EWHC 1314 (Admin)

Human rights; Police; Telecommunications

R (on the application of Asliturk) v City of Westminster Magistrates' Court

Divisional [2010] EWHC 2148 (Admin); [2011] 1 WLR 1139; [2011] 1 All ER 1079; [2011]

Extradition; administrative law; decisions; discharge; extradition hearings; judicial review

R (on the application of HH) v Westminster City Magistrates' Court

[2011] EWHC 1145 (Admin); [2011] ACD 94

Extradition; human rights; children; European arrest warrants; extradition; fresh evidence; mental illness; right to respect for private and family life; validity

Asztalos v Hungary

Divisional Court [2010] EWHC 237 (Admin); [2011] 1 WLR 252; [2011] 1 All ER 1027

Extradition; criminal law; criminal procedure; child cruelty; criminal investigations; European arrest warrants; extradition offences; Hungary; prosecutions

Asliturk v Wandsworth Prison Divisional Court

[2010] EWHC 1720 (Admin); [2011] ACD 8

Administration of justice; extradition; criminal procedure; human rights; appeals; bill; decisions; extradition; habeas corpus; lawfulness of detention

Beriro v France

Divisional Court

[2010] EWHC 2071 (Admin)

Extradition; customs; cigarettes; European arrest warrants; excise duty; extradition offences; illegal importation.

Gradica v Public Prosecutor's Office

[2009] EWHC 2846 (Admin)

Extradition; convictions in absentia; European arrest warrants; extradition; Italy; retrials; right to fair trial.

Louca v Germany

Supreme Court [2009] UKSC 4; [2009] 1 WLR 2550; [2010] 1 All ER 402; (2009) 159 NLJ 1667

Times, November 24, 2009

Extradition; arrest warrants; European arrest warrants; extradition requests; information; Interpretation.

Sinani v Albania

Divisional Court [2009] EWHC 2773 (Admin)

Extradition; convictions in absentia; extradition requests; failure to attend; hearings

T (Wardship: Impact of Police Intelligence), Re Family Division

[2009] EWHC 2440 (Fam)

Family law; Disclosure; Family proceedings; Public interest immunity; Solicitors' powers and duties; Special advocates; Wardship

Re: Hilali

[2008] UKHL 3

Extradition; change of circumstances; conspiracy; European arrest warrants; extradition offences; extradition orders; extradition proceedings; habeas corpus; mistake; no case to answer; statutory appeals; terrorism

United States of America v Tollman

[2008] EWHC 184 (Admin)

R (on the application of Spain) v City of Westminster Magistrates Court

[2007] EWHC 2059 (Admin); [2007] Extradition LR 245

Extradition; abuse of process; Crown Prosecution Service; disclosure orders drafting; equality of arms; European arrest warrants; Spain

R (on the application of the Central Examining Court, Madrid) v City of Westminster Magistrates' Court)

[2007] All ER (D) 376

R(Government of the USA) v Bow Street Magistrates' Court and Stanley Tollman

[2006] EWHC 2256 (Admin)

Statutory interpretation; abuse of process

Office of the Kings Prosecutor v Cando Armas

[2006] 2 AC 1

Extradition; European arrest warrants; extradition offences; territory; trafficking in human beings

Re Marriotti

[2005] EWHC 2745 (Admin)

Extradition; convictions in absentia; discharge; extradition offences; habeas corpus; Italy; justice

R (on the application of Castillo) v Spain

Divisional Court

[2004] EWHC 1676 (Admin); [2005] 1 WLR 1043

Extradition; bad faith; extradition requests; habeas corpus; Spain; terrorism

R(Guisto) v Governor of Brixton Prison

House of Lords

[2004] 1 AC 101

Extradition; committal orders; convictions; fugitive offenders; habeas corpus; jurisdiction

R v Governor of Brixton Prison

[2004] 1 AC 101

USA v Boris Berezovski

(2003)

Woodcock v New Zealand

The Times 27th November 2003

Extradition; abuse of position of trust; delay; extradition; habeas corpus; sexual offences

Zezev v Governor of Brixton Prison

Divisional Court [2002] 2 Cr App R 33

Extradition; actus reus; computer crime; habeas corpus; mens rea

Re Asliturk; Asliturk v Government of Turkey

[2002] EWHC 2326 (Admin)

Extradition; committal orders; criminal charges; extradition requests

Chakkaphak v Government of Thailand

[2001] EWHC QB 158

Extradition; dishonesty; false accounting; habeas corpus; Thailand; theft

Re: Saifi

[2001] 4 All ER 168

Extradition; admissibility; burden of proof; evidence; India; murder; translations

Eidarous v Governor of Brixton Prison

Divisional Court [2001] EWHC Admin 298, 02 May 2001

Extradition; admissibility; anonymity; conspiracy; detention; evidence; witnesses

R v Governor of Belmarsh Prison ex parte Gilligan

[2001] 2 AC 84

Extradition; abuse of process; Ireland; offences; warrants

Nnamdi v Governor of Brixton Prison

Queen's Bench Division

[2001] EWHC Admin 112

Extradition; criminal evidence; admissibility; drug offences; evidence; habeas corpus; police interviews

R v Bow Street ex parte USA

House of Lords

[2000] 2 AC 216

Extradition; committal orders; computer crime; conspiracy; United States

O v Governor of Holloway Prison

[2000] 1 FLR 147 family law; criminal law; child abduction; criminal liability; custody; extradition; United States

Peci v Governor of Brixton Prison

The Times 19 January 2000

Extradition; retrials; right to fair trial; Switzerland

R v Bow Street Magistrates' Court ex parte Pinochet (No.3)

[2000] AC 147

Extradition; extraterritorial crime; heads of state; immunities

R v Bow Street Magistrates' Court ex parte Pinochet (No.1)

[2000] AC 61

Extradition; international law; extraterritorial crime; heads of state; immunities

Lees v Norway

Divisional Court

(2000) 97(42) LSG 43

Extradition; habeas corpus; suspended sentences

v Bulgaria Ex p Ratchev

Queen's Bench Division

17 May 2000

Extradition; criminal procedure; administrative law; Bulgaria; committals; habeas corpus; time

R v Secretary of State for the Home Department Ex p Pinto

Queen's Bench Division

08 March 2000

Extradition; delay; discharge; extraterritorial crime

R v Governor of Brixton Prison Ex p Debs

Divisional Court 12 November 1999

Extradition; bad faith; evidence; habeas corpus; witnesses

R v Bow Street Metropolitan Magistrate ex parte Government of the USA

[1999] QB 847

Re: Cuoghi

[1999] 1 All ER 466

Fraud on Credit Suisse

Government of Switzerland v Rey

Privy Council

[1999] AC 54

Extradition; Bahamas; committals

R v Bow Street Magistrates' Court

[1998] 2 WLR 498

R v Bow Street Magistrates' Court ex parte Government of Germany

[1998] QB 556

Extradition; committals; ill health; jurisdiction; Magistrates' Courts

R v Governor of Brixton Prison ex parte Cuoghi

[1998] 1 WLR 1513

Extradition; authentication; committal orders; documents

v Secretary of State for the Home Department Ex p Launder (No.3)

Divisional Court

[1998] QB 994

Extradition; international law; constitutional law; bail; Hong Kong

R v Governor of Brixton Prison ex parte Levin

[1997] AC 741 (HL); [1997] QB 65 (DC)

Extradition; admissibility; computer output; theft

R v Bow Street Magistrates' Court ex parte Raccagni

CO/719/97

R v Bow Street Magistrates' Court ex parte Allison

The Times 5 June 1997

Conspiracy; computer misuse

R v Governor of Brixton Prison ex parte Bekar

The Times 10 June 1997

Extradition; authentication; warrants

R v Governor of Belmarsh Prison ex parte Dunlayici

The Times 2 August 1996

International law; extradition

Thom v DPP

[1996] Crim LR 116

Jurisdiction of the DPP; discontinuance of proceedings

R v Governor of Belmarsh Prison ex parte Martin

[1995] 1 WLR 412

Extradition; criminal law; criminal evidence; admissibility; telephone tapping

R v Governor of Brixton Prison ex parte Francis

[1995] 1 WLR 1121

International law; extradition; evidence; extradition

Re: Al-Salaam

CO/1622/94

Re: Forwell

The Times 25 October 1994

Administration of justice; extradition; sentencing; United States

Re Schmidt,

House of Lords

[1994] 1 AC 339

Administration of justice; extradition; jurisdiction

Re: Evans

House of Lords

[1994] 1 WLR 1006

Extradition; international law; human rights; admissibility; evidence; international criminal law

Re: Bartley

The Times 22 July 1994 –

R v Government of Brixton Prison ex parte Osman (No. 4)

[1992] 1 All ER 579

Abuse of process; fresh evidence; habeas corpus

R v Governor of Pentonville Prison and another ex parte Boettcher

CO/2196/92

Identity; warrants

R (on the application of Fini) v Governor of Brixton Prison

Divisional Court

Extradition; bad faith; extradition; oppression

Crime

R v Lama (Kumar)

Court of Appeal (Criminal Division)[2017] 3 WLR 469

International law; Autrefois convict; Immunities; Service personnel; Torture; United Nations

R (on the application of British Sky Broadcasting Ltd) v Central Criminal Court

(Administrative Court)

20 December 2011

Option NTC Ltd v Revenue and Customs Commissioners

First-tier Tribunal (Tax Chamber)

28 November 2011

Serious Organised Crime Agency v Hymans

Queen's Bench Division

18 October 2011

R v Nazir (Azhar)

Court of Appeal (Criminal Division)

[2009] EWCA Crim 213

Murder; confessions; joint enterprise; jury directions; murder; witness anonymity orders

R v Sumray

[2008] EWCA Crim 1818

Contempt of court; witness summons

R v Jones & Milling

[2007]

1 AC 136

International law; aggravated trespass; crime of aggression; criminal damage; customary law; defences; demonstrators; justiciability; offences; prerogative powers; reasonable force; war

R (on the application of Customs and Excise Commissioners) v Nottingham Magistrates Court Divisional Court

[2004] EWHC 1922 (Admin)

Criminal procedure; legal profession. Abuse of process; attendance notes; disclosure; jurisdiction; legal professional privilege; prejudice; right to fair trial; stay of proceedings

R v Jones (Margaret)

Court of Appeal (Criminal Division)

[2004] EWCA Crim 1981; [2005] QB 259

International law; crime prevention; criminal damage; defences; duress; honest belief; international crimes; jurisdiction; necessity; war

R (on the application of Theobald) v Nottingham Magistrates' Court

[2002] 2 AC

Criminal procedure; admissibility; committals; criminal evidence; judicial review; procedural impropriety

R (on the application of A) v Snaresbrook Crown Court

Times, July 12, 2001

(Administrative Court)

Appropriation; companies; directors; theft

RE Owens

[2000] Cr App R 1

Child abduction; foreign protection orders

R v Bow Street Metropolitan Magistrates ex parte Government of the USA

House of Lords

[2000] 2 AC 216

Computer misuse, conspiracy, statutory construction

R v Secretary of State for the Home Department ex parte Launder

6 March 1998

Corruption, criminal evidence

R v Staines Magistrates' Court ex parte Westfallen

[1998] 1 WLR 652

Illegality of arrest

R v Commissioner of Police of the Metropolis Ex p. P Divisional Court

(1996) 8 Admin LR 6

Criminal procedure; criminal evidence; police; cautions; juvenile offenders

DPP v Butterworth

House of Lords

[1995] 1 AC 381

Road traffic; breath tests; charges; drink driving offences; duplicity

R v Sheffield Crown Court Ex parte DPP

3 March 1994

Criminal procedure; administrative law; committals; criminal procedure; sentencing

McAngus, Re

Divisional Court

13 December 1993

Criminal evidence; counterfeiting; deception; intention; Theft Act offences

Shaw v DPP

[1993] 1 All ER 918

Road traffic; Criminal procedure; Criminal law; blood tests; breath tests; drink driving offences; duplicity; informations

R v Rashid Rama

(1992) 13 Cr App R (S) 63

Sentencing

R v Ellis

(1991) 95 Cr App R 52

IRA bomb maker, statutory construction, definition of conspiracy to cause explosions

R v Clerkenwell Magistrates' Court ex parte Bell

Abuse of process, natural justice.

The People (at the suit of the Director of Public Prosecutions),

Respondent v John Gilligan, Applicant (No 2)

Irish Supreme Court,[2006] IESC 42

Irish constitution

Contempt

Xu v Corbiere Ltd,

Court of Appeal (Civil Division) [2018] EWCA Civ 1899 Contempt, Administration of justice; Intellectual property

Coll v Floreat Merchant Banking Ltd

Queen's Bench Division, 03 June 2014

[2014] EWHC 1741 (QB)

Administration of justice; Civil procedure; Torts, Committal for contempt; Confidential information; Contempt of court; Solicitors

Masri v Consolidated Contractors International Co SAL

QBD (Commercial Court)

[2011] EWHC 2579 (Comm)

Civil procedure; administration of justice; contempt of court; enforcement; judgment debts; judgments and orders; oil and gas industry; penalties; settlement.

Islamic Investment Co of the Gulf (Bahamas) Ltd v Symphony Gems

Court of Appeal (Civil Division)

[2010] EWCA Civ 709

Civil procedure; breach; committal for contempt; information from judgment debtors; judgments and orders; Non-disclosure

Directory Recommendations

“A superb practitioner and an example of a top-notch lawyer with a wide understanding of international litigation.”

Chambers High Net Worth: Financial crime

“His input on strategy and devising skeleton arguments is invaluable.” **Chambers High Net Worth: Financial Crime**

“A fine advocate who commands the attention of the court and is hugely impressive.” **Chambers UK 2019: Extradition**

“An incredibly experienced and thoughtful advocate. If you want someone to handle complex corporate fraud cases with an extradition angle, he's your man.” **Chambers UK 2019: Financial Crime**

“Highly respected by the bench and Bar and a powerful and very persuasive advocate.” **The Legal 400 2019: Administrative and Public Law**

“His incredible knowledge of a vast range of topics, his warm and skilful client manner and his extreme user-friendliness never cease to amaze.” **Chambers UK 2018: Crime**

“... a charming man with a mega-brain.” **Chambers UK 2018: Extradition**

“Very commercial and has excellent strategic sense.” **Chambers UK 2018: Extradition**

“He is very good on strategy, and very much has the ability to use his experience to predict how authorities and regulators will behave.” **Chambers UK 2018: Financial Crime**

“The safest pair of hands for a criminal trial.” **Legal 500 2017: Fraud**

“An incredibly experienced silk whose practice includes serious criminal matters with an international angle.” “Strong, smart and fearless.” “He has great authority and is very persuasive in court.” **Chambers UK 2017: Crime**

“An outstanding silk with in-depth experience of the most complex and challenging extradition cases.” **Chambers UK 2017: Extradition**

“He is academically excellent and has considerable experience in international cases.” **Chambers UK 2017: Financial Crime**

“All you would expect from a top QC and more; he never disappoints.” **Legal 500 2016: Administrative & Public Law**

“He is fantastically good and knowledgeable – one of the few experts in the field of international criminal law.” **Chambers UK 2015: Crime**

“His experience of acting in multi-jurisdictional cases and representing governments is invaluable.” **Chambers UK 2015: Extradition**

“He excels in difficult and complex cases.” **Chambers UK 2014: Crime**

“... a brilliant tactician” “has clarity of judgment and wisdom that few can match.” **Legal 500 2012**

“... a punchy, bright, powerfully intelligent advocate” whose “mastery of detail” is ideally suited to the weighty cases he undertakes.” **Chambers UK 2013**

“Very, very bright” “the silk of note for major extradition and international crime cases.” **The Lawyer Hot 100**

“Very reliable, very knowledgeable and a great strategist.” **Chambers UK 2013: Crime**

Education

- BSc (Hons)
- Diploma in Law

Appointments

- Appointed Joint Head of Chambers (2020)
- Appointed Chief Justice of the Falkland Islands (2018)
- Appointed Chief Justice of the British Indian Ocean Territory (2018)
- Appointed a Judge of the Supreme Court of South Georgia and the South Sandwich Islands (2018)
- Appointed a Judge of the Supreme Court of the British Antarctic Territory (2018)
- Election Commissioner (High Court Appointment) (2017)
- Appointed to the SFO Prosecution List (2013)
- Deputy High Court Judge assigned to the Administrative Court (2013)
- Authorised to sit as a judge of the Central Criminal Court (2011)
- Member Advisory Group to the Sentencing Guidelines Council (2010)
- Member Criminal Committee of the Judicial College (2008)
- Bencher of Gray's Inn (2007)
- Tutor Judge for the Judicial Studies Board (Judicial College) (2006)
- Gray's Inn advocacy trainer (2004)
- Silk (2002)
- Recorder of the Crown Court (2000)
- Attorney General's List (Civil) (1999)

Accreditations



Privacy Statement

I, James Lewis KC, am a data controller and can be contacted at 3 Raymond Buildings, Gray's Inn, London WC1R 5BH or by telephone on 020 7400 6400 or by email at clerks@3rblaw.com. My Data Protection Policy can be found below.

All personal data that I process is for the purposes of providing legal services, conducting conflict-checks, marketing, defending potential complaints, legal proceedings or fee disputes, legal research, research for publications, keeping anti-money laundering records, training other barristers and pupils and when providing work-shadowing opportunities, judicial appointments and/or exercising a right to a lien. The types of data I process vary upon the nature of the legal matter in relation to which I am engaged to advise, but can include names, contact details, biographic details and 'special category personal data' (such as details of racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sex life and criminal convictions and proceedings).

Depending upon the circumstances of the case, the legal bases upon which I process personal data are (i) the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract, (ii) the processing is necessary to comply with legal obligations to which I am subject, or (iii) the processing is necessary for the legitimate interests set out above, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subjects which require protection of personal data, in particular where the data subject is a child. When I rely on (iii) legitimate interests, my 'Legitimate Interests Assessment' can be found [here](#). When I process data which has not been obtained directly from the data subject (e.g. personal data contained in evidential materials), it will have been supplied to me as part of my instructions in circumstances covered by legal professional privilege or confidentiality.

Depending upon the circumstances of the case, I may share the personal data with:

1. my Chambers, which supplies professional and administrative support to my practice;
2. Courts and other tribunals to whom documents are presented;
3. my lay and professional clients;
4. potential witnesses, in particular experts, and friends or family of the data subject;
5. solicitors, barristers, pupils, mini pupils and other legal representatives;
6. ombudsmen and regulatory authorities;
7. current, past or prospective employers;
8. education and examining bodies;
9. business associates, professional advisers and trade bodies.

I retain personal data for no longer than 15 years after the case has come to an end or as otherwise required by law.

I do not intend to transfer data to any country which is not either within the European Union, 'white listed' by the EU or otherwise permitted by EU law (e.g. to the USA under the provisions of the 'Privacy Shield').

Under the GDPR, data subjects whose personal data I process have the right to request from me access to, and rectification or erasure of, their personal data, the right to the restriction of processing concerning them, the right to object to processing as well as the right to data portability. Data subjects also have the right to lodge a complaint with the

Information Commissioner's Office (ico.org.uk).

In cases where there is a contract between me and the data subject, the provision of personal data is a contractual requirement and the data subject is obliged to provide the personal data in order that I can supply legal services. A failure to provide such data may mean that I will not be able to provide the legal services.

Rev 1.0 – 23.05.2018

[Data Protection Policy](#)

[Legitimate Interests Assessment](#)

Direct Access

James Lewis KC is qualified to accept instructions direct from clients under the Bar Council's [Public Access](#) Scheme. This means that members of the public who seek specialist advice can come direct to him. In addition, he welcomes instructions from solicitors, in-house law departments, qualified foreign lawyers, and clients licensed by the Bar Council to give instructions direct to barristers under the Bar Council's [Licensed Access](#) Scheme.

For further information please contact our [Clerks](#).