

Jonathan Underhill

Year of Call: 2008

Email Address: jonathan.underhill@3pb.co.uk

Secure Email: Jonathan.underhill@3paper.cjsm.net

Telephone: 01202 292 102 / 020 7583 8055



Overview

Jonathan is a specialist criminal and regulatory barrister providing first class representation and client care combined with thorough preparation. Bringing to bear more than a decade of experience, Jonathan is adept at building rapport with both professional and lay clients, focusing on developing understanding and trust paired with impartial and comprehensive advice.

He is commended for his advocacy; from his "realistic and concise submissions" advanced with "commendable brevity and good sense" to his "conspicuously well drafted written arguments". He has successfully completed the SEC Advanced International Advocacy Course at Keble College, Oxford and is an accredited advocacy trainer for the Inner Temple and Western Circuit.

His practice is focused almost exclusively on defence work, assisting individuals and companies across a range of complex criminal and regulatory matters.

Recommendations

Jonathan Underhill of 3PB Barristers regularly defends individuals and corporations in complex health and safety matters. He has particular expertise in handling cases regarding fatalities and serious injuries arising from regulatory breaches of duty.

Strengths: "He takes good points in cases."

"He is lovely, and very pleasant to work with."

Chambers UK 2025/Health and safety) / Western Circuit - ranked in Band 1

Jonathan Underhill – 3PB 'Jonathan is meticulous in his case preparation and offers a calm and assured presence in court. He is a skilful lawyer who can translate his understanding into persuasive and compelling advocacy.'

Legal 500 2025/Crime (general and fraud) / Leading Juniors/ Western Circuit

Jonathan Underhill – 3PB 'Jonathan is meticulous in his case preparation and offers a calm and assured presence in court. He is a skilful lawyer who can translate his understanding into persuasive and compelling advocacy, both in his legal submissions and trial advocacy.'

Legal 500 2025/Business and regulatory crime (including health and safety) / Leading Juniors/ Western Circuit

Jonathan Underhill – 3PB 'Jonathan's ability to process detail is outstanding. He brings great technical knowledge, and that gives him a wonderful air of confidence which puts his clients at ease.'

Legal 500 2025/Fraud: Crime/ Leading Juniors/London Bar

"Thanks for this Jonathan and ... for your help on the overall pursuit. This was without question a very serious and challenging issue for our company and you delivered the best result we could have achieved ...I am very happy with the result. I also wish to thank your Chambers admin team for their professional and proactive support that made direct access a simple tool to

use.”

MS – CEO S Ltd – Direct Access Client (Defence)

“In a conspicuously well-drafted skeleton argument, supported by his oral submissions, Mr Underhill accepts...”

Mrs Justice Farby – In the High Court

“I found his approach to the cases very professional, and his cross examination was excellent, just what is required in cases like this. The council have had several chambers representing the council, I feel that Jonathan has been the best person that we have had.”

Mike Johnson ACFM (Senior Auditor) – Basingstoke & Deane Borough Council

“Not having been in court before, I found myself in a situation that was very unfamiliar. However, I was instantly put at ease straight away from the approach of my barrister, Jonathan Underhill. He was extremely professional, understanding and took on board everything I wanted to get across in the court room. The attention to detail and the communication filled me with confidence that Jonathan was the right person to get the desired result for myself.

I would highly recommend Jonathan’s services, I couldn’t have asked for a better representation, he kept me calm and positive throughout my trial, and we ended up getting the correct outcome, not guilty! Thank you again”

JS – Defence Client

“You have been nothing short of brilliant... thank you...”

R Cassidy – Levaes Solicitors

“I would not hesitate in instructing Mr Jonathan Underhill in all manner of Regulatory matters. He has an almost encyclopaedic knowledge in all key regulatory areas, including Environmental, Licensing, Housing and Planning offences. His preparation is meticulous with close attention to detail. He is extremely approachable and is great at communicating to a wide range of clients, which has always led to positive feedback and requests to instruct him in future matters. He has an amazing ability to advocate complex issues in law, in a way that is easy to understand for Magistrates, Jurors and Judges. His Advocacy is simply exceptional. He is and will continue to be my first choice of Counsel.”

C Smith – Criminal Litigation Lawyer (London Local Authority)

“I am indebted to Mr Jonathan Underhill...for his realistic and concise submissions... Mr Underhill was utterly realistic in his submissions to this court, which he advanced with commendable brevity and good sense”

HHJ Jeremy Richardson QC – In the High Court

“I was very impressed with Jonathan Underhill – and he had a glowing report from our environmental health manager for his advocacy at the recent noise trial he did for us”

Local Authority Solicitor

“I would not hesitate in instructing Mr Underhill – cases are always thoroughly prepared, time and care taken with clients and outcomes reported back promptly. The client feedback has been excellent and often accompanies with a request that he represent them again. The quality of his representation is first class.”

Lindsey Taylor (Solicitor) – Watkins and Gunn Solicitors

“I have found Mr Underhill to be an excellent advocate who is always well prepared and courteous to all. I have had positive feedback from clients in cases he had conducted on my firm’s behalf. I would not hesitate to instruct him.”

Paul Lewis (Partner) – Quality Solicitors HPJV

Very clearly presented – a dry subject made interesting. Very useful info. Excellent trainer.

Nikki Hutt, West Sussex County Council

Very informative, clear, concise but with a level of relaxed delivery and humour. I enjoyed Jonathan's 'style'.

Dee Plum, West Sussex County Council

Academic qualifications

- BVC (Graded Outstanding) – Cardiff University Law School
- Inner Temple Prize Winner – Outstanding Achievement
- LLB (Hons) Law & Politics – Cardiff University Law School

Professional qualifications & appointments

- Inner Temple Accredited Advocacy Trainer
- SEC Advanced International Advocacy Course, Keble College Oxford
- Level 4 – CPS Panel Advocate
- Level 3 – Specialist Panel Advocate – Fraud
- Level 2 – CPS Specialist Panel Advocate – Proceeds of Crime Panel

Professional bodies

- Western Circuit
- Criminal Bar Association
- Fraud Lawyers Association
- Proceeds of Crime Lawyers Association
- Private Prosecutors Association

Direct Access

Jonathan Underhill is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.

Expertise

Crime

Jonathan is routinely called upon to deal with complex issues involving large amounts of digital, forensic and financial evidence and analysis. His focus on defence work means that every avenue is explored to make sure that clients – both lay and professional – are properly and effectively represented.

He has been a led Junior, both by Senior Juniors and King's Counsel in matters ranging from murder, rape, and national multi-defendant conspiracies to multi-million-pound fraud and money laundering cases. He has been called upon to step into the place of his leader to deal with both cross examination and legal submissions.

Whilst Jonathan's focus on defence work means that he accepts instruction in all areas of general criminal practice his particular areas of expertise are:

- Fraud
- Regulatory Crime
- Proceeds of Crime
- Computer Misuse/Cyber Crime.

Notable Cases

Sexual Offences

- **R v C (2023)** – Private Defence instruction, D accused of raping another his boyfriend following meeting on Grindr. D acquitted following trial. Case involved complex S41 legal arguments.
- **R v TB (2023)** – Defence instruction, rape within a relationship, case involving issues pertaining to the "rough sex" defence. Defendant acquitted following Jonathan's efforts in unearthing fundamental disclosure failures leading to the Prosecution offering no evidence.
- **Noel vs Chief Constable of Dorset Police [2022] EWHC 3618 (Admin)** – Instructed for the police in High Court proceedings. Successful in resisting appeal against imposition of Sexual Harm Prevention Order.
- **R v RP (2022)** – Defence Instruction and acquittal at trial. Same sexual assault following sexual banter and drunken flirting.
- **R v LT (2022)** – Private Defence Instruction. Sexual Assault by penetration, massage therapist accused of assaulting two vulnerable clients.
- **AA v Chief Constable (2022)** – Successfully overturned the making of a Sexual Risk Order flowing from an acquittal for Rape on the basis of "sexsomnia"
- **R v L (2020)** – Instructed for the Defence in indecent images case – following submissions as to the nature and unreliability of electronic and computer evidence Crown were forced to abandon all but 2 counts of a 9-count indictment.
- **R. (on the application of Hovenden) v. Parole Board [2014] EWHC 3738 (Admin)** – Judicial Review against decision of the Parole Board.

Drugs

- **Operation Scowl (2024)** – Defence instruction. Multi-handed Encrochat prosecution stemming from Operation Venetic.
- **R v A (2024)** – Prosecution Instruction. Advice and assistance in case involving large amounts of cannabis edibles, sold via the dark web, involving crypto assets and dark web sales profiles.
- **Operation Nightstand (2023)** – Defence Instruction. 6 Defendant conspiracy to supply Class A drugs.
- **R v JS (2022)** – Defence instruction. Vulnerable client requiring careful support. Acquitted of PWITS class A following legal

argument establishing fundamental disclosure failings on the part of the Crown.

- **R v Wooff [2019] EWCA Crim 2249** – Permission granted to appeal against imposition of mandatory sentence for dealing in Class A drugs. In their judgment Court of Appeal provided a summary of the chief features of the legal framework surrounding the minimum sentence for a third Class A drug trafficking offence under section 110 of the Powers of Criminal Courts (Sentencing) Act 2000.
- **Operation 'Buntline' (2017)** – Instructed for the Defence in large multi-handed country wide conspiracy to supply class A drugs – involving ANPR, and nationwide telephone and telemetry evidence.

Driving

- **R v JB (2021)** – Instructed for the Defence – fully contested case of causing death by careless driving – expert evidence for both Crown and Defence

Violence / Neglect

- **R v WW and Others (2024)** – Defence instruction family members accused of assisting and offender and perverting the course of justice in relation to a murder connected to criminal activities.
- **R v DT and LT (2023)** – Defence instruction. Child cruelty. 5 children between 9 – 18, with allegations over a 5-year period. Complex Family Proceedings disclosure issues. Children required intermediary assistance and full written cross examination.
- **Operation Garth (2022/2023)** – Defence instruction – Multi handed section 18/Pervert the course of justice and witness intimidation. 7-week trial instructed for the 1st Defendant
- **Operation Fringe (2022/2023)** – Murder. Led by Adam Feest KC (now HHJ Feest KC). Multi handed murder. Defendant diagnosed with ASD. Dealt with sentencing without leading counsel.
- **R v LF and Others (2022)** – Defence instruction. Case of violent disorder. Successful dismissal application following analysis of Prosecution identification failures.
- **R v T (2021)** – Instructed for the Crown – Section 18 assault – knife attack in a public street
- **R v M and B (2021)** – Instructed for the Crown – child cruelty case involving young child in dangerous living conditions
- **R v. J** – Led Junior for the Defence in an attempted murder case.

General Dishonesty and Theft

- **R v C (2019/2020)** – Instructed as sole prosecuting Counsel in Multi-defendant, conspiracy to commit dwelling house burglaries involving upwards of 35 individual offences across 4 counties.
- **Operation Glenfall (2018/2019)** – Instructed as Led Prosecution Junior in a 31 handed perverting the course of justice case – required to prepare and cross examine multiple defendants across multiple trials.
- **R v. M and Others (2018)** – Instructed as Led Junior Counsel in multi handed cash in transit robber case investigated by the "Flying Squad" – called upon to present the prosecution in place of leading counsel for the first week of the trial.
- **R v. S (2017)** – Represented a member of a gang who burgled the home of England footballer John Terry and a number of other High-profile victims.
- **R v. K (2017)** – Case concerning people smuggling across European Borders.

Fraud, Business and Financial Crime

Jonathan built his experience in Fraud, Business and Financial crime over years of acting for the Specialist Fraud Division of the Crown Prosecution Service, and HMRC, as well as undertaking disclosure and review work for both the Serious Fraud Office and National Crime Agency. He remains a Level 3 CPS specialist Fraud Prosecutor and a Level 2 specialist Proceeds of

Crime Prosecutor.

Jonathan applies that knowledge and experience to his Defence practice, specialising in defending individual and corporate clients. He understands the impact of criminal and regulatory investigations and prosecutions on clients and their businesses and brings to bear his expertise from the outset of a case to support clients from early advice and issues of disclosure through to trial.

In 2017 he was part of the team representing a former FOREX trader who was prosecuted by the US Department of Justice for conspiracy to fix prices in the FOREX market. The trial ended in an acquittal in the Southern District of New York in 2018; building upon his experience in White Collar and commercial frauds.

Jonathan has also been sought out to advise on other less common frauds pertaining to local authorities and business regulation; notably "airport parking", "blue badge" fraud as well fraud which overlap with other areas including:

- Trademarks infringement and copyright
- Trading Standards
- Licencing
- Consumer Protection from Unfair Trading Regulations.

He has particular expertise in handling the restraint, confiscation and asset recovery aspect of cases centring on financial misconduct.

Notable Cases

Fraud and Money Laundering

- **Operation Dafour (2024)** – Led Junior in 28 count (20 complainant) multi million pound "Ponzi" fraud
- **R v GB (2023/2024)** – Defence instruction. £450K fraud against employer. Sentenced on a basis of half of that value as a result of defence submission and expert evidence
- **R v MB (2022/ 2023)** – The 7-count indictment involved 6 separates but personally connected victims. Over a 5-year period, MB purported to invest sums in excess of £800K into both the Forex Capital Markets and various Cryptocurrency platforms. Careful financial analysis led to the court accepting a loss figure of almost half the invested sum for the purposes of sentencing. The defence team was specifically acknowledged by the sentencing judge for the hard work, attention to detail and careful analysis shown in advancing MB's defence. Led by Benjamin Newton KC of Doughty Street Chambers.
- **Operation Kijang (2022/ 2023)** – 18 handed Conspiracy to Defraud. Secured Suspended Sentence following detailed evidential analysis upon sentencing
- **R v SB and MS (2021/2022)** – Defence instruction, multi-million diversion Fraud and Money Laundering, Inner London Crown Court. Secured only acquittal following fully contested trial
- **R v GM and JB (2021)** – Instructed for the Defence case involving fraudulent insurance claim and allegations of perverting the course of justice
- **R v W, W and S (2021)** – Instructed for the Crown in multi-handed fraud and theft case, involving the fraudulent abuse of power of attorney over a vulnerable complainant
- **Operation Aboon (2020)** – Instructed for the Defence in fraudulent VAT evasion. Successful submission of there being no case to answer at the close of the prosecution case
- **R v B (2020)** – Instructed for the Defence in Multi-Defendant case of involving money laundering stemming from a 1.2-million-dollar payment diversion fraud
- **R v H (2019/2020)** – Instructed for the Defence for 1st Defendant in multiple allegations of defrauding the DWP by alleged fabrication of the education and social care needs of 6 children over a period of 8 years and fraudulently claiming tax credits

- **R v M (2019/2020)** – Instructed to advise for the Defence on multi-defendant fraudulent evasion of VAT
- **R v N (2019)** – Instructed for the Defence – 7-year failure to declare taxable income to HMRC
- **R v S (2019)** – Instructed to Prosecute failure to declare inheritance of circa £200,000 resulting in significant benefit overpayment and subsequent contested PoCA application to seek full recovery
- **Operation 'Barren' (2019)** – Instructed for the Defence in a multi-handed fraud prosecuted by HMRC valued at £3.4 million.
- **Operation 'Z' (2018)** – Instructed as Led Junior Counsel in a multi handed money laundering case.
- **R v. C (2018)** – HMRC, failure to declare self-assessment Income tax and NOI contributions; circa £170,000.
- **R v. S (2018)** – Successfully Defended in “failing to declare case” brought by HMRC, concerning income from multiple properties on the South Coast.
- **R v. C (2017)** – Instructed for the Defence solely to deal with contested POCA proceedings arising from large scale drug dealing.
- **R v PE and Ors (2016)** – Instructed to advise pre-charge on large scale multi-company, multi-site airport parking fraud valued at several hundred thousand pounds.
- **(R)S v. Q and Others** – Led Junior for the prosecution in four handed 6-week conspiracy to defraud case involving council tax, housing benefit and identity fraud.

Proceeds of crime

These cases are complex and require experienced representation. Jonathan acts for individual defendants, respondents and third parties, along with corporate bodies and directors.

Jonathan firmly believes that confiscations proceedings should not be viewed as an “add on” to criminal matters. Careful analysis and legal submissions are vital. Jonathan can provide a tactical approach from the outset of a case which is often essential in securing a favourable outcome.

Jonathan can assist in some of the most complex proceeding pertaining to:

- Confiscation of assets
- Cash forfeiture and seizure
- Asset recovery
- Third party confiscation
- Restraint Orders and Freezing Orders
- Account Freezing and Forfeiture Orders
- Unexplained Wealth Orders.

Notable Cases

- **R v MB (2024)** – Defence instruction. Confiscation following FX and Commodities trading fraud
- **R v GB (2024)** – Defence instructions. Confiscation following complex fraud – benefit amount and property rights contested by the Defence
- **R v RH (2024)** – Instructed by Crown (Central PoCA Unit) – Advice and assistance on complex Proceeds of Crime application, involving complex and overlapping property interests
- **R v BB (2023)** – Defence instructions advising on third party challenge to restraint order at the outset of criminal proceedings against both a company and its director

- **R v VA (2023)** – Crown instructions. Successful application for appointment of enforcement receiver
- **PCC v DA (2022)** – Contested confiscation proceedings stemming from Local Authority and Trading standards investigation in counterfeit tobacco products
- **R v F (2021)**
Instructed for the Crown (Central PoCA Unit) to advise on the drafting and making of compliance order under the Proceeds of Crime Act – concerning international accounts and funds
- **R v GM (2020)**
Instructed for the Defence to advise on the making and variation of restraint order concerning multiple properties
- **R v S (2020)**
Instructed for the CPS Central PoC Unit in successful prosecution of fully contested (2 day) PoCA application involving consideration of hidden assets, tainted gifts and proportionality.
- **R v C (2020)**
Instructed to advise pre-Charge on prospect of successfully opposing and/ varying Restraint order covering multiple accounts, properties and company assets
- **R v E (2020)**
Instructed by Central PoCA Enforcement Division
- **R v K and L (2019/2020)**
Instructed for international 3rd Party clients in application to seek return of funds form accounts under AFO relating to an international money laundering investigation
- **R v K (2019)**
Successfully argued against the appointment of a receiver to force the sale of the Defendants Property and family home in PoCA enforcement proceedings.
- **R v K (2019)**
Successfully argued against the issue of arrest warrants following multiple failures of Defendant to satisfy the PoCA order made against him following trial.
- **R v. X (2018)**
Instructed to advise on the rights and interest of third parties involved in confiscation where assets were potentially covered under constructive trust.
- **R v. B (2018)**
Legal argument concerning the proper statutory interpretation of the re-assessment of available assets following further conviction.
- **R v. C (2017)**
Instructed for the Defence solely to deal with contested POCA proceedings arising from large scale drug dealing.
- **R v. B and Ors**
Instructed on behalf of third-party insurance company to provide detailed legal advice on arguments pertaining to the Defendants having “obtained” property; detailed noting brief required of multi day contested hearing.
- **R(S) v. Q and Others**
POCA confiscation. Lifestyle assumptions, multiple properties, bank accounts, hidden asserts, assertion of third-party rights **and assets outside of the jurisdiction.**
- **WSS v. D**
Trading Standards confiscation, legal argument as to the effect of proportionality and R v Waya as relating to tainted gifts and third-party property rights.

Regulatory crime

Jonathan is praised for his robust defence of private individuals and companies; most notably where such cases fall outside of traditional criminal practice. Particular time and care should be taken in the conduct of cases which, whilst still being dealt with by the Criminal Courts, encompass areas of fact and law which are less common within that jurisdiction.

Regulatory prosecution is a real and present risk for small and medium sized businesses who are often without their own internal compliance or legal departments. Engaging the appropriate expertise and skill in such cases, from the earliest possible point, is essential to achieve the best outcome.

His extensive experience in confiscation proceedings means he can provide a complete service to clients from pre-charging advice, through trial, to confiscation proceedings. This is particularly important for Trading Standards and Local Authorities as well as private clients who can benefit from astute tactical advice from the outset of their case.

Notable Cases

Health and Safety

- **BCC vs. PE Ltd and A (2024)**
Defence instruction. Breach of duties. Life changing injuries sustained following incident. Co-Defending with Kings Counsel.
- **DAF T Ltd (2023)**
Defence instruction. Breach of at work duties, defect machinery and inadequate guards and protections.
- **HSE vs. QBEC Ltd (2023)**
Defence instructions. 4 week contested trial. Regulatory failing as Principal Designer under the CDM's. Co-Defending with Kings Counsel.
- **HSE vs L Ltd (2023)**
Defence instruction. HSE prosecution of failure to comply with working from Height Regulations.
- **BCP vs. AC Ltd (2022)**
Prosecution instruction. Breach of Covid Regulatory Regime.
- **B v LMC Ltd (2022)**
Prosecution instruction. Breach of Covid Regulatory Regime.

Trade Marks

- **RBC v RR (Ltd) and K (2023/ 2024)**
Defence instruction (private) – Grey good cases. Thousands of imported counterfeit items. Significant PoCA application pursued by the Prosecution.
- **SBC v A Ltd and J (2023)**
Defence instruction. Instructed for trial. Counterfeit Vodka.
- **SHC v TSS Ltd and C (2022/2023)**
Acting for Company and Director. Director acquitted. Complex trading standards investigation taking place of a number of years, pertaining to thousands of example of counterfeit goods.
- **A & D Computers Ltd v NCC [2022] EWHC 2922 (Admin)**
High Court instruction for NCC following removal of previous counsel. Praised for “conspicuously well written” arguments in the High Court.
- **R v CL (2020/2021)**
Instructed for the Defence in International importation of tobacco in breach of trademark conspiracy case. Case is privately prosecuted by the Japanese Tobacco Corp.
- **R v C (2019)**
Multi Defendant Trademarks Act offences – large sale importation on Isle of Wight.

- **R v. M Trading Standards**

Prosecution involving Trademark offences against the Premier League, British Legion and Help for Heroes – including issues of international production and importation.

- **R v. A Trading Standards**

Prosecution involving several thousand pounds of counterfeit tobacco.

Trading Standards

- **R v C Ltd (2020)**

Instructed for the Defence in Electrical Products (Safety) Regulation 2016 involving counterfeit apple products.

- **R v B (2019)**

Instructed to prosecute “Rogue Plumber” under Fraud Act 2006 and CPUTR 2008. Case involved multiple victims over a long time.

- **PCC v. K (2018)**

Long term parking fraud concerning fraudulent parking permits and mis-use of “blue badges”.

- **HB v. MK (2018)**

Multiple outlet breach of smoking ban prosecution – legal argument as to proper application of statute.

- **Operation ‘Foxchase’**

Instructed as led Junior in a complex national secondary ticketing trading standards case.

- **Operation ‘Hugo’**

Trading Standards case involving importation of farmed puppies, featured on BBC programming.

- **Operation ‘Wendelin’**

Multi handed Trading standards prosecution of rouge traders involving 15 complainants.

- **PCC v. A and Ors**

Multi handed Parking Fraud Prosecution involving fraudulent use of Parking Permits by police employees.

- **R v. S**

Trading Standards prosecution against persistent street peddler.

Food and Hygiene

- **WFC v TD Ltd (2023/2024)**

Defence instructions for Director and company. Breach of pest control at high-street fast-food franchise.

- **DCC v A and A Ltd (2023)**

Defence instruction. Breach of food safety regulations; complex issues pertaining to allergens; fatal injury and medical evidence.

- **LCC vs Morrisons Ltd (2022)**

Defence instruction on behalf of national supermarket. Involving issues surrounding the Bakers of Nailsea decision.

- **DCC v AA Ltd (2022)**

Defence instruction. Instructed for pre-charge advice and trial. Breach of pest and hazard control regulations.

- **MKBC v MM Ltd (2022)**

Defence instruction. Breach of pest and allergen control measures. Complex sentencing exercise.

- **R v FF Ltd (2021)**

Instructed for the Defence – Multiple alleged breaches of EU Directive including HACCP failures and allergen issues

- **R v EH Ltd (2019)**

Instruction for the Defence to provide advice and representation concerning Food Condemnation Proceedings, Novel Food Regulations and their applicability to SARM following the National Food Crime Units classification of such as a Novel Food for the purposes of enforcement.

- **LBH v. K (2018)**

Persistent and escalating breach of environmental legislation pertaining to fast food and animal waste in central London.

- **R v. X (2017)**
Instructed for the Defence in food hygiene case involving breaches of European and Domestic regulation.
- **R(BDBC) v. FF and Ors**
Multi handed Food safety case involving multiple breaches of Regulatory provisions, hygiene improvement and prohibition orders.

Environmental, Housing and Planning

- **TW v SES Ltd (2023/2024)**
Direct Access Defence instruction – Defended prosecution under Water Industries Act 1991
- **BCP v H (2022)**
Defence instruction – Fly tipping asbestos and other hazardous materials
- **R v H (2021)**
Instructed for the Defence to advise on breach of Environmental Permitting (England and Wales) Regulations 2016
- **R v HM (2021)**
Instructed for the Defence – Fly tipping and waste depositing involving hazardous materials, including asbestos
- **R v C (2020)**
Instructed for the Defence in Fly Tipping case brought by the Local Authority – called upon to assist in drafting evidential representation which led to the case being dropped as no longer being evidentially sustainable, or in the public interest.
- **LBH v E (2019)**
Instructed for the Prosecution – Persistent and serious breach of HMO involving a challenging litigant in personal and multi-day magistrates court trial.
- **HB v. M and A (2019)**
Advertising and Planning enforcement Appeal against conviction and sentence – instructed for the Crown – complete rehearing required – appeal dismissed with full costs awarded to the Crown.
- **HB v. A (2018/19)**
Multi-Property Planning Enforcement and Environmental Breach Prosecution, leading to PoCA application valued at circ. £300,000.
- **HB v. T (2018)**
Multi Defendant Fly-Tipping Prosecution against both individuals and limited companies.
- **HB v. A (2018)**
Multi Defendant, Multiple breaches of Improvement notices over significant periods of time effecting multiple tenants and requiring Local Authority involvement.
- **R(SCC) v. C and Ors**
High Court case stated flowing from a LA noise abatement prosecution – successfully defeated an application for wasted costs against the Local Authority running to approx. £80,000

Animal Welfare

- **DCC v I Ltd (2022)**
Defence instruction. Animal welfare and licensing case. Death of cattle and maltreatment allegations.
- **R v HH (2021)**
Instructed for the Defence – Dangerous dogs case involving multiple dogs and injuries to the public
- **HCC v R and R (2019/ 2020)**
Instructed for the Defence in relation to Animal Welfare and Pets Licencing– including dealing with and reducing a confiscation order originally sought by the Prosecution in the sum of £1.3 Million.
- **DCC v G (2019)**
Instructed for the Prosecution on Dangerous Dogs matter, requiring detailed evidential analysis of multiple accounts, and

a full consideration of the test of evidential sufficiency under the Code for Crown Prosecutors.

- **HTS v G (2018)**

Instructed for prosecution dealing with sentencing and application for Animal Deprivation and Disqualification Orders under the Animal Welfare Act 2006 relating to two large farms with cross species orders consideration of conflicting veterinary evidence.

Articles

Jonathan Underhill sets out a short sentencing aide memoire for cases of intentional non-fatal strangulation with reference to the key cases of Rex v Cooke [2023] EWCA Crim 452, Rex v Borsodi [2023] EWCA Crim 899 and Rex v Yorke [2023] EWCA Crim 1043.

[View Article](#)

Enforcing the Novel Food regime - Part 1: Overview and Rationale

In the first of a short series of bite size articles, Jonathan Underhill takes a deeper look into the enforcement of the Novel Food regime and seeks to identify and breakdown the powers made available to those agencies, who are tasked with securing compliance.

[View Article](#)

What are the new Enforcement and Prosecution Powers of Local Authorities and their effect on Business under the Health Protection (Coronavirus, Restrictions (England) Regulations 2020?

[View Article](#)