



Jeremy Benson QC

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Jeremy is an accomplished silk with over thirty years' experience both prosecuting and defending in fact heavy, complex cases of considerable importance.

He is instructed in serious crimes at the highest level including sexual offences, murder, organised crime and financial crime. Jeremy has been ranked in the directories every year since 2001 in both crime and fraud and more recently in tax: corporate and vat. Jeremy is frequently called upon to teach various advocacy courses worldwide, including the American Bar Association advocacy course in Florida, the Keble College Annual Advocacy Course and the teacher trainer advocacy course at Middle Temple. He is a tutor Judge at the Judicial College.

Crime

Jeremy has more than just an in-depth knowledge of the relevant law and an ability swiftly to assimilate complex and extensive material. He provides a tactical perspective that ensures a trial is run with an eye on all the potential legal, factual, evidential and procedural advantages which can be deployed for his clients.

Murder

Jeremy is frequently briefed in complex murder trials often involving complicated scientific, psychiatric or medical evidence. He is familiar with the processes, procedures and approaches required for expert evidence, and is adept at witness handling and being appropriately sensitive to the issues and personalities involved.

Some examples of his notable cases are as follows:

- R v D & others (2018) Five defendants, all under 18 at the time of the offence, in a group stabbing in East London. Press Link: [BBC](#)
- R v DD & others (2018) Murder in Boston (Lincs). Multi-handed. Complex DNA and blood

spatter evidence. Press Link: [BBC](#)

- R v B and C (2017) M25 Cobham Services Murder. Represented second defendant. Acquitted. Press Link: [BBC](#)
- R v Kestutis Bauzys (2017) . Press Link: [BBC](#)
- R v Alison Tomlin (2016) Pathological evidence could not identify how or when the deceased had died 9 days before his body was found in his flat. Scientific evidence showed that the Defendant was present after his death. There were complex arguments concerning forensic evidence and the circumstances of death, bad character submissions, and legal argument on whether it was possible to properly convict where the prosecution bring defendants to trial in the alternative. Press Link: [BBC](#)
- R v Alam (2015) Prosecution of six under-18s for murder by stabbing with a knife. Involved detailed cell-site analysis, detailed CCTV analysis, detailed forensic evidence, self-defence and submissions on bad character. Press Link: [BBC](#)
- R v X & 3 Others (2015) Successful defence of a 16 year old girl accused of murder and of attempting to pervert the course of justice between charge and trial. The case involved stringent cross-examination of the main prosecution witness and complex legal issues regarding joint enterprise. Jeremy's submissions were later confirmed as correct by the Court of Appeal. Press Link: [BBC](#)
- R v Tamoliunas (2014) 5 handed murder of an Italian student and attempted murder of another. The case involved complex forensic evidence and developed into a four way "cutthroat". Press Link: [Mirror](#)
- R v MR (2012) Acting for an immigration solicitor who was found to have murdered his wife. Press Link: [BBC](#)
- Rv F (2012) Acquitted of murder by stabbing during a group attack. The defendants had been previously been convicted of the attempted murder of the deceased who had died two years and two months after the original attack. Issue at trial was causation.
- R v N (2012) Manslaughter. "Shaken Baby Syndrome". Ten medical experts gave evidence. Detailed and complex cross-examination. Acquitted.
- R v Foye (2011) A second homicide whilst serving life imprisonment for murder. Diminished responsibility. Jeremy also appeared on the appeal: the important issue of whether the burden on the defence to establish diminished responsibility is consistent with Art. 6 ECHR [2013] EWCA Crim 475. Press Link: [BBC](#)
- R v J T & others (2011) Contract killing. Involved cross-examination of an informant and complex telephone evidence. Judge found no case to answer.
- R v C H (2010) Charged with the attempted murder of two Metropolitan Police officers, and aggravated burglaries where a firearm was discharged. Acquitted of the attempted murders.
- R v H (2010) Manslaughter of young child by her father involving complex medical evidence.
- R v SY 1st year university student accused of attempted murder by deliberately driving his car at the complainant. Complainant severely injured and unable to give evidence.

Organised Crime

Jeremy practice includes dealing with large-scale drug allegations, people trafficking and robberies.

- R v LC Largest non-terrorist importation of guns and explosives (hand-guns, machine guns, silencers, grenades and rocket propelled grenades, Semtex and wireless detonators) investigated by the Anti-Terrorist Branch.
- R v W J H Drugs acquittal: SOCA six month probe and observation case. 1 million ecstasy tablets and 15 kilos of cocaine recovered. Defendant, had a conviction quashed 6 years earlier because of police corruption, and the planting of evidence.

Sexual Offences

Throughout his career Jeremy has been instructed in many cases that involve sexual allegations, and for over ten years, he has sat as a Recorder, trying rape cases and other serious sexual offences.

- R v A (2017) Defendant charged with running brothels in London, and rape and sexual assault of 8 sex workers. He was acquitted of all allegations save two sexual assaults. Press Links: [Daily Mail](#)
- R v P H Defendant suffered from severe learning difficulties. He was accused of raping two young girls. Both of them were suffering from learning difficulties. The second allegation arose when the defendant was released on bail having initially been in custody for three months. Both girls had previously made false allegations of rape.

[su_tab title= "Fraud and Business Crime

- R v FK and six others (2016) Prosecution of mortgage fraud on Barclays International IOM involving both legal and financial professionals.
- Operation Borzoi / Operation Bayweek (2016) Two 18 month ongoing interconnected operations into large scale money laundering, VAT fraud, duty fraud, and alcohol diversion fraud, involving 12 defendants. Covert investigation techniques were employed: approximately 20,000 pages of electronic material were generated.
- HMRC v Butt (2017) Representing HMRC in the first ever (£6m) penalty case involving MTIC Fraud in the First-Tier Tribunal (Tax). The issue was whether the legislation (now repealed) could be interpreted to apply to MTIC fraud. HMRC succeeded at first instance.
- Lakonia Ltd v HMRC (2015) Representing HMRC. The appellant was a sophisticated MTIC trader. There were approximately 160 files, involving seven contra-traders, operating over a 4 year period. This formed part of the "Malaga Cell" which caused Revenue losses of £200m. Actual knowledge of the fraud was found. Jeremy acted for HMRC in other Malaga Cell cases. Earlier cases include:
 - HMRC v Infinity Distribution Ltd Representing HMRC in an interlocutory appeal against

a decision of the First Tier Tribunal (Tax) to exclude evidence of fraud by third parties. The case involves participation in MTIC fraud linked to Operation Inertia, another proved MTIC fraud.

Tax

Jeremy regularly appears on behalf of HMRC in both the first-tier and the upper tribunal (tax chamber) and the Court of Appeal Civil Division and advises on evidential matters of general application in VAT fraud cases. He is therefore adept at understanding complex fiscal operations and actions within a commercial context.

Jeremy was instructed in the first series of civil carbon credit MTIC cases which involve high profile commodity and financial companies.

- Umaad Butt v HMRC [2019] EWCA Civ 554. Civil penalty imposed on director. EWCA Civ 1899
- CCA Distribution (in administration) v HMRC (2017) EWCA Civ 1899
- Umaad Butt v HMRC (2017) UKUT 0325 (TCC)
- Lakonia Ltd v HMRC (2016) UKUT 0362 (TCC)
- HMRC v Infinity Distribution Ltd (2015) UKUT 0219 (TCC). (2016) EWCA Civ 1014
- CCA Distribution Ltd v HMRC (2015) UKUT 0513 (TCC)
- Ebuyer v HMRC (2014) Acting for HMRC against Ebuyer (the largest online UK retailer of electrical goods) appeal challenging HMRC denial of £6.5m input tax and assessment of £5.5m arising out of an allegedly fraudulent tax loss.

Judicial Review

Jeremy regularly acts in and advises on Judicial Reviews

- R (Parashar) v Sunderland Magistrates' Court [2019] EWHC 514 (Admin) Gives guidance as to when it is appropriate to apply for judicial review during the interlocutory stages of proceedings in the Magistrates Court.
- DPP v S [2018] EWHC 544 (Admin) "Best evidence rule" and the use of copy documents.
- Decani now reported at: [2017] EWHC 3422 (Admin)
- R (on the application of Decani) v City of London Magistrates Court (2017) unreported
- R (on the application of Bourne) v Scarborough Magistrates Court (2017) EWHC 2828 (Admin)
- R (on the application of Hassani) v West London Magistrates Court (2017) EWHC 1270 (Admin)
- DPP v Manchester and Salford Magistrates Court and Blakeley (2017)
- DPP v Manchester and Salford Magistrates Court and Whyte (2017) EWHC 1708 (Admin)
- R (on the application of Jordan Russell Towers) v the Criminal Cases Review Tribunal (2012)

Recommendations

Legal 500: Ranked in Tax: Corporate and VAT, & Crime

Chambers & Partners: Ranked in Crime & Fraud

- "*He always demonstrates attention to detail combined with excellent advocacy*"- London Bar - **Legal 500 2017**
- "*His judgement on case strategy is excellent and his advice is prompt and sensible*" - Crime; Fraud - **Legal 500 2017**
- "*An excellent advocate*"- VAT; Tax - **Legal 500 2017**

Education

BA (Hons) Essex University

PGCE ST Peter's College, Birmingham.

Memberships

Criminal Bar Association

South East Circuit

Health and Safety Lawyers' Association (HSLA)