

Rupert Bowers QC

Call 1995 | Silk 2015



Clerks' Details

 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

Beyond the Bar

Rupert enjoys mountaineering, skiing, mountain and road biking.

Criminal CV

Overview

Rupert Bowers QC 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 with particular expertise in ancillary matters associated with criminal investigations. Rupert is one of the country's leading experts in challenging search warrants and seizures of property, and in challenging asset freezing orders of all types. He is one of only a few QC'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 also practices in sports regulation and discipline which has included cases before the Court of Arbitration for Sport. Those he has represented include West Ham United, Harry Redknapp, James Tomkins, Jermain Defoe, Ben Thatcher, Bradley Wright-Phillips, Steve Cotterill, Emily Sarsfield, World in Motion Ltd., M&C Saatchi Merlin, and drafted the disciplinary procedure for the British Association of Snowsports Instructors.

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.

Recent cases include representing a Premiership football club in the HMRC investigation into tax evasion in player transfers, a fintech company subject to an Account Freezing Order, successfully representing a major futures trading company in relation to the unlawful freezing of over \$3 million of their funds, and advising the American multinational company KBR in the current SFO investigation.

Recommendations

Ranked in Chambers and Partners for Financial Crime and the Legal 500 for Fraud: Crime (including money laundering and asset forfeiture).

Financial Crime – *“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

“He is tactically astute and his clients have confidence in his advice.”

“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.”*
The Legal 500 2019

Fraud: Crime – *“Strong on his feet, with an excellent court presence.”*
The Legal 500, 2020

“An accomplished advocate with excellent communication skills.”
The Legal 500 2019

“A real problem solver who is excellent at challenging search warrants.”

“A respected advocate who focuses on serious and organised crime as well as white-collar work. He is praised for his aptitude in restraint proceedings and pre-charge advice on regulatory aspects.” *“Exceptionally talented. He’s very creative and intelligent and quite fierce in the way he fights for clients. He acts efficiently and quickly.”*
Chambers and Partners 2017

“A tenacious and persuasive advocate, always looking for an interesting and unusual argument.”
The Legal 500 2017

“Brilliant on the law and at getting cases stopped before they’ve even begun.”
The Legal 500 2016

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.

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 parliamentarian Wilson doctrine.

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

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.

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.

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.

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.

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.

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.

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.

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.

Lord Hanningfield v Chief Constable of Essex [2013] 1 W.L.R. 3632 – Successful action for unlawful arrest.

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”.

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.

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.

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.

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.

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.

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.

R (Wood) v Avon and Somerset Magistrates’ Court [2010] 174 J.P. 157. Challenge to a search warrant.

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.

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.

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.

Operation Carp (2015) - Multi Million pound VAT fraud involving the trade in Carbon credits.

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

Diphy Menga (2012). Acquitted of a gang related murder.

Afzal Arif (2012). The murder of a man nick-named "Nasty."

Windsor v CPS [2011] 1 W.L.R. 1519 -Leading case on restraint and receivership orders.

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

Azhar Hussein (2011). Acquitted of attempting to murder his wife by stabbing her in broad daylight in a crowded high street.

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

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.

Ricky Maynard and others (2008)- The manslaughter of a London barrister's clerk.

Operation Movement (2007) Conspiracy to traffic prestige vehicles - The largest case of its type.

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

Operation Alington (2007) - Supergrass case in which all but one defendant was acquitted. Alleged to be the breaking of the largest cocaine cartel in the UK.

Operation Vitric (2006) £100,000,000 VAT fraud stayed for abuse of process.

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

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.