

# James Thacker KC

Call: 2001 | Silk: 2024

<b>E</b>	<a href="mailto:jthacker@dekachambers.com">jthacker@dekachambers.com</a>
<b>T</b>	<a href="tel:+44(0)2078320500">+44(0)20 7832 0500</a>



James Thacker KC is an experienced barrister who prosecutes and defends in high-profile, complex, and serious cases.

He regularly leads a team in cases involving Organised Criminal Networks.

Specialisms include:

- Homicide and Serious Violence
- Organised and Complex Crime
- Financial Crime
- Road Traffic prosecutions involving death or serious injury
- Rape and Child Abuse
- Disciplinary Proceedings
- Health & Safety
- Inquests
- Appeals

James is experienced in defending road traffic prosecutions, especially where death or serious injury has occurred, and accepts instructions directly or through insurers. His expertise extends to representation in Inquests.

## Areas of Expertise

### Crime

James prosecutes and defends in serious and organised crime. He is regularly instructed in cases of factual and legal complexity often involving multiple defendants.

James is experienced in representing and prosecuting defendants in allegations of rape, child abuse and other serious sexual offences.

He has substantial experience dealing with expert evidence including telephone/cell site data, scientific and medical evidence. He is knowledgeable about the Encrochat platform and dealt with one of the first prosecutions in which it featured.

Prior to taking silk, James was a grade 4 prosecutor on the CPS General Panel and CPS Serious Crime Panel.

### Notable Crime cases

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#### R v S, Central Criminal Court, 2024

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Leading Claire Harden-Frost in prosecution of one of the youngest defendants to appear in the Crown Court in what was a sensitive and complex case. A girl, aged 12 years old at the time of offending, was prosecuted for the attempted murder of her mother and attempting to cause grievous bodily harm and threatening to kill her care workers whilst remanded into the care of the local authority.

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- R v JH and CH, Court of Appeal Criminal Division [2024] EWCA Crim 1315, Dame Victoria Sharp P., Saini J., Foxton J.
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Leading Emilie Morrison in appeal against conviction in large scale EncroChat drug conspiracies where the issue was whether the trial judge was correct to proceed to trial, upon application by the prosecution, in the appellants absence and without representation when there was a moot point whether counsel (silk and juniors) and solicitors were sacked or whether they withdrew following criticism. The Court of Appeal dismissed the appeals finding that the trial judge had been entitled to proceed as the appellants had deliberately and voluntarily waived their right to appear in a calculated action designed to try to frustrate the proceedings or cause an adjournment. Further grounds of appeal that the trial was unfair were found to be unarguable.

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#### Operation Pawgag, Inner London Crown Court, 2024

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Leading Nicholas Mather in prosecution of conspiracy to supply class A drugs through EncroChat. Expert evidence relied on by defence that EncroChat was unreliable. Convicted and received substantial sentence of imprisonment.

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#### Operation Goldafar, Central Criminal Court, 2024

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Leading Emilie Morrison in prosecution of multiple defendants for attempted murder, firearm offences and conspiracy to steal drugs.

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#### Operation Hankcom, Harrow Crown Court, 2023-24

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Prosecuted two defendants in conspiracy to murder. Revenge attack where attempt made to execute victim in daylight by shooting him while sat in stationary vehicle. Both defendants convicted sentenced to life imprisonment.

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#### Operation Mudden, Kingston Upon Thames Crown Court, 2020-23

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Leading Thom Dyke/Amelia Katz in prosecution of 4 defendants (including a youth) who were members of an Organised Criminal Group for conspiring to supply 70kg+ of cocaine through EncroChat, conspiring to laundering £2.3m+ and conspiring to cause grievous bodily harm.

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Operation Estadio, Woolwich Crown Court, 2020-22

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Leading Emilie Morrison in prosecution of 5 defendants for the purchase and distribution of 89kg+ of cocaine and the laundering of at least £3.5m+ following the successful infiltration of EncroChat. Members of this professional and sophisticated Organised Criminal Network were sentenced to substantial terms with the two principal defendants each receiving 25 years' imprisonment.

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Operation Acceptilate, Kingston Upon Thames CC, 2021-22

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Leading Laura Hibberd in prosecution of Organised Criminal Group in EncroChat 'Venetic' case that involved principal defendants dealing in 100+ kilos of cocaine.

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Operation Enlist, Southwark CC, 2021

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Leading Laura Hibberd in prosecution of Organised Criminal Group for multiple conspiracies to supply class A and B drugs. Principal defendant used EncroChat and dealt in multi-kilo quantities of cocaine.

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Operation Scenario, Southwark CC, 2021

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Successfully prosecuted Organised Criminal Group in EncroChat 'Venetic' case.

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R v JA, Central Criminal Court, 2021

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Successfully prosecuted defendant for an attempted so-called honour killing.

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R v PJ, Maidstone CC, 2020

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Defended in allegation of causing death of a motorcyclist by careless driving. Successfully argued that charge should be dismissed.

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Operation Edge, Woolwich CC, 2020

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Leading Jennifer Newcomb and Kyah Mufti in substantial conspiracy to supply class A and B drugs by an Organised Criminal Group. All defendants convicted and sentenced to substantial terms of imprisonment.

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R v WT, Croydon CC, 2020, Court of Appeal Criminal Division [2021]

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Led by Tom Little KC, Senior Treasury Counsel. Successfully prosecuted serial rapist sentenced to life imprisonment. Leave to appeal against conviction and sentence refused. Appeal against sentence renewed on basis of how minimum term calculated. Court of Appeal held that two thirds of the notional determinate sentence was correct. Appeal dismissed.

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Operation Labootan, Kingston CC, (2018-2020), Court of Appeal Criminal Division [2021] EWCA Crim 1925

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First junior to Christopher Donnellan KC in substantial (1 tonne plus) conspiracy to supply high purity cocaine (£32m wholesale) that spanned December 2016 to January 2018. Court of Appeal examined the law of conspiracy and interplay with co-conspirators' convictions under s.74 PACE 1984. Appeals dismissed. Sentence of 27 years' imprisonment for leading defendant upheld.

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R v HP, KM and AS, Harrow CC, 2019

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Leading Jennifer Osborne in premeditated and sustained assault to abort the foetus of a pregnant teenager. Complicated issues relating to the Modern Slavery Act arose. All defendants successfully prosecuted.

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R v SG, Central Criminal Court, 2019

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Successfully defended HGV driver accused of causing a death by careless driving. Proceedings stayed as an abuse of process following legal argument and after s8 disclosure requests unearthed police corruption during the investigation that tainted evidence from various eye witnesses and caused exhibits not to be retained.

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R v AA, Snaresbrook CC, 2018

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Successfully prosecuted Scoutmaster who groomed and sexually abused at least 7 young cubs and scouts, aged between 9 and 13 years.

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R v GS, Woolwich CC, 2017

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Successfully prosecuted non-recent inter-familial rape and child abuse (sexual, physical and psychological) case which spanned 4 decades and involved multiple complainants.

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R v PO, Isleworth CC, 2017

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Successfully prosecuted the defendant dubbed 'Ripper of Ravenscourt' who attacked eight women including one schoolgirl over the course of three days around the Ravenscourt Park area of London.

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## Fraud

James represents defendants and prosecuting agencies in major business crime cases; multi-handed, high value financial crime perpetrated against multinationals, banking institutions, government, and Trusts.

He is experienced in highly specialised areas of fraud such as benefit fraud, NHS prosecutions and MHRA (Medicines & Healthcare Products Regulation Authority) prosecutions.

Prior to taking silk, James was a grade 4 specialist fraud prosecutor.

### Notable Fraud cases

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#### Operation Funsea, Southwark CC (2023)

Prosecuting an Organised Criminal Group for conspiring to sell an antique Pomegranate bottle vase from the Yongle period (1403-1425) stolen from the Musee des Arts d'Extreme-Orient in Geneva, Switzerland.

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#### Operation Sanguine, Southwark CC (2021-2022)

Prosecuting multiple defendants for defrauding Cleary, Gottlieb, Steen and Hamilton LLP.

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#### R v SF, RT and AW, Canterbury CC (2020)

Leading William Dean in £2.7m Government grant aid fraud under the Countryside Productivity Scheme administered by the Rural Payments Agency at DEFRA.

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#### Operation Veil nos.1 and 3, Sharesbrook CC (2018)

Leading Jennifer Newcomb on behalf of HMRC in combined £2.3m fraudulent evasion of duty.

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#### Operations Amaryllis and Ensete, Wood Green CC (2018)

Leading Thom Dyke in £7½ million multiple global banking conspiracies.

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## Education

- LLB (Hons), Birmingham University

## Memberships

- Fraud Lawyers Association
- Association of Regulatory and Disciplinary Lawyers
- Criminal Bar Association
- South Eastern Circuit

## Appointments

- Recorder of the Crown Court
- Chair of the Central London Bar Mess
- Committee member of the South Eastern Circuit
- Bencher of Gray's Inn
- Pupil supervisor
- SFO prosecution Silk panel (2024-)
- SFO prosecution level A panel (2017-2024)
- Level 4 CPS General panel (2016-2024)
- Level 4 CPS Fraud panel (2019-2024)
- Level 4 CPS Serious Crime Group panel (2020-2024)
- CPS Rape panel (2012-2024)

## Notable Cases

### Fraud

- R v SF, RT and AW, Canterbury Crown Court, 2020: Leading William Dean in £2.7m Government grant aid fraud under the Countryside Productivity Scheme administered by the Rural Payments Agency at DEFRA. The case involved what is understood to be the first conviction under regulation 16 of the Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014.
- Operation Veil nos.1 and 3. R v MF, AJ, DI and HC, CW, Snaresbrook Crown Court, 2018: Leading Jennifer Newcomb on behalf of HMRC in combined £2.3m fraudulent evasion of duty.
- Operations Amaryllis and Ensete v VS, US, AS, VS & SG, Wood Green Crown Court, 2018: Leading Thom Dyke in £7 ½ million multiple global banking conspiracies.
- R v AA, CR and SJC, Wood Green Crown Court, 2017: Insider fraud at Barclays Bank plc.

- Operation Dinghy, no. 2 v RF, TH, MD, KR & SJ, Southwark Crown Court, 2017: Leading Dominic Hockley in Wine Investment Fraud.
- Operation Radome v AT & 6 Others, Maidstone Crown Court, 2017: Leading Frederick Hookway in fraudulent evasion of duty by smuggling tobacco.
- R v MC, Snaresbrook Crown Court, 2016: Prosecuted lawyer with law firms in UK, Portugal and Brazil for fraud.
- R v SK, Woolwich Crown Court, 2016: Multi-million Education Trust fraud. National newspapers refer to the case as 'Britain's biggest Education Fraud'. £3.3million Confiscation Order made.
- R v BB, Southwark Crown Court, 2016: £3.1million fraud perpetrated against HSBC Invoice Finance UK Limited in biggest ever loss suffered by them.

## Crime

- Operation Edge v MH and 8 others, Woolwich CC, 2020: Leading Jennifer Newcomb and Kyah Mufti in substantial conspiracy to supply class A and B drugs by an Organised Criminal Group. All defendants convicted and sentenced to substantial terms of imprisonment.
- Operation Labootan. R v DB, PD, GP, GL, JH, MO and CD, Kingston Crown Court, 2018-2020: First junior to Christopher Donnellan QC in substantial (1 tonne plus) conspiracy to supply high purity cocaine (£32m wholesale) that spanned December 2016 to January 2018. The investigation resulted in over 120,000 pages of evidence including ½ million rows of telephone data and was presented in court electronically with iPads. First case prosecuted where defendants used Encrochat devices. Trial one stopped in 2018 with two further trials, each lasting three months, in 2019. Defendants sentenced to a total of 111 years' imprisonment with principal organiser sentenced to 27 years'.
- R v HP, KM and AS, Harrow Crown Court, 2019 before Simler LJ (sitting as a judge of the High Court): Leading Jennifer Osborne in premediated and sustained assault to abort the foetus of a pregnant teenager. Complicated issues relating to the Modern Slavery Act arose. All three defendants successfully prosecuted and received combined sentences of 25 years with two defendants deemed 'dangerous' and sentenced to extended terms of imprisonment.
- R v SG, Central Criminal Court, 2019: Successfully defended HGV driver accused of causing a death by dangerous driving. Proceedings stayed as an abuse of process following legal argument and after s8 disclosure requests unearthed police corruption during the investigation that tainted evidence from various eye witnesses and caused exhibits not to be retained.

## Rape, Sexual Offences & Child Abuse

- R v WT, Croydon Crown Court, 2020: Led by Tom Little QC, Senior Treasury Counsel. Successfully prosecuted serial rapist sentenced to life imprisonment.
- R v AA, Snaresbrook Crown Court, 2018: Prosecuted Scoutmaster who groomed and sexually abused at least 7 young cubs and scouts, aged between 9 and 13 years. Sentenced to 11 years' imprisonment and made subject to a Sexual Harm Prevention Order for life.
- R v GS, Woolwich Crown Court, 2017: Successfully prosecuted non-recent inter-familial rape and child abuse (sexual, physical and physiological) case which spanned 4 decades and involved multiple complainants. Defendant sentenced to 26 years' imprisonment.
- R v PO, Isleworth Crown Court, 2017: Dubbed 'Ripper of Ravenscourt' the defendant attacked eight women including one schoolgirl over the course of three days around the Ravenscourt Park area of London.

## Public law

- *McCourt v Parole Board* (2020) [2020] A.C.D. 127  
Led by Tom Little QC. Represented the Claimant in two day judicial review challenging the Parole Board's decision to

release Ian Simms. He was convicted of murdering Claimant's daughter – Helen McCourt in 1989 but still refuses to say where her body is. Successful submissions as to standing to bring the proceedings were accepted by the Court and represent important clarity on that issue.

#### Regulatory & Disciplinary

- Commissioner of Metropolis v MM and SC, 2020: Advised and represented Appropriate Authority in Professional Misconduct Proceedings where operational dishonesty proved that led to dismissal without notice.

#### Health & Safety

- HSE v New Earth Solutions Group, Maidstone Crown Court, 2016: Prosecuted company for breaching Health & Safety at Work Act, which resulted in the death of an employee.
- HSE v Mahle Powertrain Ltd, Birmingham Crown Court, 2016: Prosecuted company for significant and substantial breaches of Manual Handling at Work.

### Accreditation Logos

