



Jonathan Underhill

Year of Call: 2008

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Financial Crime incl Fraud POCA

Jonathan built his experience in Fraud, Business and Financial crime over years of acting for the Specialist Fraud Division and HMRC. He is a Level 4 CPS specialist Fraud Prosecutor and a specialist Proceeds of Crime Prosecutor.

Jonathan applies that knowledge and experience to his Defence practice, specialising in defending individual and corporate clients and has a notable practice in financial crime, including prosecuting cases involving Ponzi schemes and high-value frauds. He is regularly sought out by individuals and corporations.

"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." He is a "fluent advocate with a calm and assured presence in court" (Legal 500 2026 Fraud: Crime). He "commands the attention of everyone in the courtroom" and is "incredibly persuasive and always very well-prepared" (Legal 500 2026 Crime (General and Fraud))."

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.

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

Recent Notable Cases

Fraud and Money Laundering

- **Operation Plains (2026)** – Defence instruction. Leading Counsel for second defendant in prosecution bought by FCA. Prosecuted by, and co-defending with, Kings Counsel.
- **R v G and K (2026)** – Prosecution Instruction. Multiheaded complex benefit fraud.
- **Operation Rainy (2026)** – Defence instruction. Circa £1/2 Million VAT and Income tax evasion prosecuted by HMRC. Community Order obtained following written submissions to prosecution.
- **R v S (2025)** – Prosecution instruction. “Cash for Crash” fraud.
- **R v X and Y (2025)** – Defence instruction. Multiheaded high value Ponzi scheme fraud.
- **R v CC (2024)** – Defence instruction. Insolvency Service prosecution for illegal and fraudulent use of COVID-19 Bounce back loan. Complicated by issues surrounding culpability and understanding of the agreements signed. Issues of duress, or other pressure by organised crime groups.
- **R v TT (2024)** – Instructed for the defence. Private prosecution. Case involved alleged fraudulent provision of £1 million overdraft facilities and advance payment fees. Following robust and substantial written submission persuaded the CPS to take over the case, and to discontinue all charges against the client.
- **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.

Confiscation and Proceeds of Crime

- **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 from accounts under AFO relating to an international money laundering investigation.

Recommendations

"I want to give a huge thankyou to Jonathan Underhill was there at the conclusion of my case and I am so thankful for everything he has done. I can't express my thanks through words but thankyou"

DR – Defence Client

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

- AG Panel Regulatory Advocates – A Panel
- Level 4 – CPS Panel Advocate (General Crime)
- Level 4 – Specialist Fraud Panel
- Level 4 – RASSO Panel
- Level 2 – Proceeds of Crime Panel
- Inner Temple Accredited Advocacy Trainer
- Western Circuit Advocacy Trainer
- SEC Advanced International Advocacy Course, Keble College Oxford

Professional bodies

- Western Circuit
- Criminal Bar Association
- Fraud Lawyers Association
- Proceeds of Crime Lawyers Association
- Private Prosecutors Association
- Health and Safety Lawyers 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.