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Jonathan Polnay

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Practice Profile

Jonathan is a specialist criminal and appellate advocate with a wide experience of serious and complex cases, often involving complex financial organised crime. He is regularly instructed by Complex Casework Units and Headquarters Divisions as well as corporations and individuals. Jonathan is ranked as a leading junior in Chambers & Partners UK Bar Guide 2018 (Band 1) and the Legal 500. Jonathan was appointed Junior Treasury Counsel at the Central Criminal Court by the Attorney General in November 2017.

He is particularly experienced in dealing with the issues arising out of cases that involve intelligence-led policing and RIPA-regulated activity and is often instructed pre-charge to advise law enforcement agencies as well as a leading junior at trial, often against silks. Jonathan has a wealth of experience in dealing with financial crime, corruption, direct and indirect taxation and money laundering as well as restraint and confiscation.

Having previously worked in the computer industry, Jonathan is particularly at ease when conducting cases involving the internet, computer, electronic or mobile phone evidence. He has developed a particular specialism in cases with a cyber angle, including corporate blackmail. Jonathan has lectured on the GDPR.

Jonathan accepts instructions from all specialist divisions of the Crown Prosecution Service, Solicitors and when appropriate Direct Professional Access "DPA". Instructions in privately funded matters are accepted subject to The (New) Standard Contractual Terms for the Supply of Legal Services by Barristers to Authorized Persons 2012. Jonathan's Privacy Notice can be [downloaded here](#).

Areas of Practice

- Appellate
- Fraud & Financial Crime
- Homicide & Corporate Manslaughter
- Prosecution
- Road Traffic
- Serious & Organised Crime
- Sexual Offences
- General Crime
- Confiscation, Civil Recovery & Asset Forfeiture
- Cyber Crime
- Inquests
- Military Law
- Regulatory & Professional Discipline
- Terrorism
- Public Access

What The Directories Say

‘A masterful advocate – eloquent, sharp and irresistibly persuasive.’ *Legal 500 2020*

“He has extensive experience of how the criminal justice system operates in practice, particularly in relation to the processes used by law enforcement and the mechanics of the various powers available to law enforcement agencies. He has excellent judgement and is able to offer simple, but highly useful suggestions.” *Chambers UK 2020*

"There are not enough superlatives to do this gentleman justice; he has a prolific energy that galvanises his cases." *Chambers UK 2019*

"He instils great confidence in clients." *Legal 500 2016*

'A very effective prosecutor, and also a very hardworking defence junior, who gets on very well with clients.' *Legal 500 2017*

Reported Cases:

- Riley [2019] EWCA Crim 816 – Role of the Attorney General as guardian of the public interest
- Zaheer [2019] 1 Cr App R (S) 14 – Appropriate level of adjustment in sentence for attempts
- James [2018] 1 WLR 2749 – Special Court convened to consider procedure on renewed applications to appeal
- Thompson [2018] 1 WLR 4429 – 5-Judge Court of Appeal considered extended sentence provision
- Muss [2018] 1 Cr App R S 17 – Level of sentence for large-scale DDoS attacks
- Bala [2017] MHLR 375 – Historic manslaughter appeal
- Dorling [2016] EWCA Crim 1750 – CCRC reference on murder conviction
- Barre [2016] Crim LR 768 – When manslaughter should be left as an alternative to murder
- Hamilton [2016] 2 Cr App R S – Approach to be taken to drug smuggling in prison
- Bhatti [2016] 1 Cr App R 1 – Special procedure warrants in relation to credit reference
- Henry [2015] 2 Cr App R 1 – Double jeopardy trial, definition of 'new' evidence
- Patel [2013] Med LR 507 – Actus reus in offence of ill-treatment of mental patients
- King [2012] EWCA Crim 805 – Covert surveillance involving breaches of PACE
- A, B, C, D [2011] 2 WLR 647 – Parasitic accessory liability, pre-Jogee
- Jordan [2009] EWCA Crim 953 - Single act propensity/coincidence in bad character

Recent Cases

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R v Anwar Hussain & ors [Southwark] 2019

MTIC Fraud

[Jonathan Polnay](#) led [William Davis](#) in this long running MTIC fraud involving five companies and tax losses of around £13M. There were multiple trading chains supported by a wealth of forged documentation, and the proceeds of the fraud were transferred offshore via banks in Eastern Europe and Hong Kong.

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R v. John Worboys [C.C.C.] 2019

Further prosecution of notorious black-cab driver for drugging passengers with sexual intent

[Jonathan Polnay](#), led by Duncan Penny QC prosecuted the notorious black-cab driver for drugging a further four passengers with sexual intent. All the women made their allegations to the police in early 2018, shortly after the Parole Board announced it had decided he was fit to leave prison after serving less than nine years of an indeterminate sentence, plus time spent on remand.

[News article here](#)

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R v. Drenova [C.C.C] 2019

Prosecution of Lithuanian serial-killer

[Jonathan Polnay](#), led by Tim Cray QC, acted for the Prosecution in this case involving a serial killer nicknamed Scarface who went on a bloody crime spree across Europe. He was jailed for at least 20 years for his fifth murder.

[News article here](#)

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Operation Major [Guildford] 2019

Multi handed conspiracy to money launder and commit fraud

[Jonathan Polnay](#) led [Ben Holt](#) for the Crown in this seven-handed conspiracy to launder the proceeds of a two-million-pound fraud. Instructed by CPS Specialist Fraud Division.

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R v Abdi-Jalebi [Southwark] 2018

Multi-million pound renewable energy research fraud committed by Cambridge academic

[Jonathan Polnay](#) prosecuted this Cambridge University academic who carried out a £2.5 million fraud in government grants. Dr. Ehsan Abdi-Jalebi, 38, a former engineering student and Bye-Fellow at the university, used faked documents to siphon off money into his own accounts from funding allocated to the development of renewable energy projects.

[News article here.](#)

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R v Freddy David [Southwark] 2018

Prosecution of financial advisor for £15m fraud on clients

[Jonathan Polnay](#) prosecuted this rogue financial advisor who stole nearly £15 million from wealthy clients to fund his gambling addiction and pay his children's school fees.

[News article here.](#)

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R v Ngueyn [Southwark] 2018

Grenfell Tower Fraud

[Jonathan Polnay](#) prosecuted this serial fraudster who has been jailed for 21 months after he pretended his wife and son were killed in the Grenfell Tower fire in a “despicable” attempt to pocket £12,500 set aside for victims of the disaster.

[News article here.](#)

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Operation Tandil [Croydon] 2018

Violent disorder arising out of an attack on an asylum seeker in Croydon

Two linked trials. [Jonathan Polnay](#) led [Ben Holt](#) in the first and [Ben Holt](#) led [Dickon Reid](#) in the second. A total of 14 defendants were charged with violent disorder arising out of an attack on an asylum seeker in Croydon. The case attracted international media attention. Instructed to SCU at CPS London.

[Daily Mirror report here](#)

[Daily Mail report here](#)

- ## **R v. Garang & Galean [C.C.C.] 2017**

Teenagers who stabbed selfridges wine salesman to death found guilty of murder

[Jonathan Polnay](#), led by Jonathan Rees QC, prosecuted these two teenagers for the murder of an 23 year old man in North London. The victim was lured to a location just off of Turnpike Lane under the pretence of a car insurance sale, but was robbed and murdered due to a previous dispute over the purchase of a laptop on the gumtree internet site.

[Guardian news report here.](#)

- ## **R v. Whitlock & Baker [Blackfriars] 2017**

Escape from HMP Pentonville

[Jonathan Polnay](#) prosecuted this escape from HMP Pentonville by two cell mates serving substantial sentences. Whitlock & Baker sawed through a bar, crossed a roof and swung out on a CCTV pole before going on the run, being caught after 6 and 2 days.

[News Report here.](#)

- ## **Operation Polarity [C.C.C.] 2017**

Teenager who masterminded Cyber crime attacks upon Sony & Microsoft

[Jonathan Polnay](#) prosecuted this teenager who set up a computer hacking business that caused chaos worldwide. Adam Mudd was 16 when he created the Titanium Stresser program, which carried out more than 1.7m attacks on websites including Minecraft, Xbox Live and Microsoft and TeamSpeak, earning the equivalent of more than £386,000 in US dollars and bitcoins from selling the program to cybercriminals.

[News Report here.](#)

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R v. Pantellaro [I.L.C.C.] 2017

Attempted Murder of Brother & Sister

[Jonathan Polnay](#) was instructed to prosecute this Italian Martial Arts expert whom broke into and stabbed a brother and sister as they slept in their home. The attack was racially motivated and random. The Judge directed a not guilty verdict by reason of insanity and the defendant was detained for mental health assessment.

[Evening Standard report here.](#)

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R v. Dobby [C.C.C.] 2017

Drug user admits manslaughter after two killed in Penge car chase

[Anthony Orchard QC](#) leading [Jonathan Polnay](#) appeared for the Crown in this case involving the death of an aunt and 10 year old nephew killed by a drug user during a car chase with Police. The defendant was sentenced to 12 years.

[News report here.](#)

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R v. Chandler [C.C.C.] 2017

Serial Rapist

[Jonathan Polnay](#) prosecuted this defendant, dubbed one of Britain's worst sex offenders, who was sentenced to a further 3 life sentences for rapes committed over 30 years ago.

[News report here.](#)

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R v. Coe [Southwark] 2016

'Anjem Choudary' associate

[Jonathan Polnay](#) prosecuted this notorious associate of Anjem Choudhary for assaulting teenage muslim children who he saw holding hands.

[Press report here.](#)

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R v. Oorloff & Dickinson [Guildford] 2016

£2m 'Rare Earth Metal' Fraud

[Jonathan Polnay](#) led [Ben Holt](#) in this "boiler room" rare earth metals fraud. Both Defendants were convicted after trial of selling worthless Rare Earth Metals as part of an investment. The total value of the scam was £1.9m. Both defendants were convicted and sentenced to a total of 11 years' imprisonment. Instructed by CPS Headquarters Central Fraud Group.

[News report here.](#)

- **R v. Orhon [Kingston] 2016**

Multiple attempted murders

[Jonathan Polnay](#) prosecuted this "disturbed loner" who randomly attacked four women during a stabbing spree in a supermarket car park in Hampton Court as revenge for his perceived mistreatment by police.

[News Report here.](#)

- **R v. Denning [Southwark] 2016**

Historic Sexual Abuse by former Radio 1 DJ

[Jonathan Polnay](#) prosecuted this former BBC DJ whom was jailed for 13 years for a series of child sex offences committed between 1969 and 1986.

[BBC News report here](#)

- **R v. Eren & ors [Wood Green] 2016**

Plan to commit armed escape from Wood Green Crown Court

[Jonathan Polnay](#) prosecuted this six-handed conspiracy to escape and possession of imitation firearm case at the Crown Court at Woolwich, as a sole junior. The case centred around a plot to free Izzet Eren whilst he was being transported to Crown Court at Wood Green to be sentenced for firearms offences. During the police operation to disrupt the planned offence, a firearms officer shot dead a man in the car with the conspirators.

[BBC news report here.](#)

- **Operation Lenwade [C.C.C.] 2016**

7-handed gang murder

[Mark Heywood QC](#) and [Jonathan Polnay](#) prosecuted this 7-handed gang-murder trial at the Central Criminal Court arising out of a feud between two notorious Hackney gangs. Following the convictions, YouTube was put under significant pressure to remove videos that glorified the gangs' activities.

[Daily Mail report here.](#)

- **R v. Vassell & ors [C.C.C.] 2016**

6-handed kidnap, torture and blackmail

[Jonathan Polnay](#) successfully prosecuted this 6-handed kidnap, blackmail and torture case at the Central Criminal Court. Following a perceived drug debt, the Defendants kidnapped the victim and held him hostage. He was made the subject of numerous sadistic assaults when the demanded ransom was not paid.

<http://www.mirror.co.uk/news/world-news/reservoir-dogs-inspired-gang-tortured-7313282>

- **R v. Paul [Blackfriars] 2015**

Historic Sexual abuse in Lambeth Children's Home'

[Jonathan Higgs QC](#) leading [Jonathan Polnay](#) prosecuted this prolific paedophile. Paul was convicted by the jury of numerous counts of serious sexual abuse of boys in his care in a Lambeth children's home.

<http://www.bbc.co.uk/news/uk-england-london-35316685>

- **R v. H & anr [Southwark] 2015**

International Cricket Match-Fixing

[Jonathan Polnay](#), Led by Jonathan Laidlaw QC, successfully defended a practising criminal barrister, accused of perverting the course of justice. The case attracted national and international press attention as it centred around an International cricketer, whom was also cleared, of lying under oath in a 2012 Libel trial.

- **R v. Jones [C.C.C.] 2015**

£1.8m racehorse fraud

[Jonathan Polnay](#) appeared for the Crown in this Prosecution of City Banker for defrauding friends and colleagues of £1.8m in a false racehorse investment scheme.

[Press report here.](#)

- **R v. Shaibu & Nelson [C.C.C.] 2015**

Discharge of automatic weapons at PCSO

[Jonathan Polnay](#) prosecuted this two handed trial at the Old Bailey involving a proposed revenge attack to seek retribution on a group they believed was responsible for assaulting one of their gang associates armed with a submachine gun. A PCSO who heard the altercation intervened and was shot at but was unhurt. The defendants were jailed for 24 years & 12 years.

[News report here.](#)

- **R v. Dwayne Henry [Blackfriars] 2015**

Double-jeopardy prosecution of serial rapist

[Mark Heywood QC](#) leading [Jonathan Polnay](#) prosecuted this Defendant, who described himself as the 'Hackney Ripper', who stood trial and was convicted of a series of rapes of prostitutes, receiving a sentence of life imprisonment. The Defendant had previously been acquitted of rape. A successful application was made to quash the acquittal under the double-jeopardy provisions of the Criminal Justice Act 2003, and join the re-trial to the new proceedings.

[Daily Mail report here.](#)

- **R v. A & ors [C.C.C] 2015**

Standing Order Fraud

[Jonathan Polnay](#) led [Ben Holt](#) for the Crown in a nine-handed standing order fraud that was set up and orchestrated by an inside man working with Nationwide bank. Case involved a considerable amount of forensic and banking evidence. (Investigated by DCPCU, instructed by CPS SCU). Jury were unable to reach a verdict on defendant said to be "inside man". Prosecuted re-trial alone and the defendant was convicted. [Mail Online news report.](#)

- **R v. Iqbal & 18 ors [Southwark] 2014**

Banking & Credit Fraud

[Robert Ellison](#) led [Jonathan Polnay](#) for the Prosecution in this 19 defendant Credit and banking fraud with many thousands of pages of served and unused evidence. A conspiracy to defraud creditors and 'Acquiring Companies' by abusing technical weaknesses in the 'chip and PIN' payment process. The fraud was so complex that the trial judge described the methodology and money laundering as an 'impenetrable scheme'.

- **Operation Goomburra [C.C.C.] 2013**

Joint Enterprise Murder

[Mark Heywood QC](#), [Jonathan Polnay](#) and [Alison Wilkes](#) Prosecuted this 3 month,10-handed murder trial at the Central Criminal Court with extensive cell site, phone download and CCTV evidence, including the use of electronic presentation aids (360 mapping).

- **R v. B & ors [Harrow] 2013**

Bogus college immigration fraud

[Jonathan Higgs QC](#) led [Jonathan Polnay](#) and [Senghin Kong](#) prosecuting three defendants involved in running a bogus college for conspiracy to assist unlawful immigration. The defendants were convicted after a 3 month trial. The case involved complex legal argument in relation to Griffiths-type conspiracies and substantial disputed evidence from forensic accountants. Senghin Kong was instructed to prosecute the resulting 3 day confiscation hearing without a leader, against three QCs and juniors. Instructed by CPS Central Fraud Group.

Notable Cases

- **R v. Theodore Johnson [C.C.C] 2018**

Prosecution of man for third offence of homicide of his partners

[Mark Heywood QC](#) and [Jonathan Polnay](#) acted for the Crown in the case of Theodore Johnson whom was sentenced to life with a minimum tariff of 26 years, increased on appeal against Unduly Lenient Sentence, to 30 years in March 2018. Johnson had been convicted previously for the manslaughters of his partners in 1981 and 1993. His third victim, Angela Best, was murdered with a claw hammer in her flat in North London in December 2016.

[BBC report here.](#)

- **Operation Boldo [I.L.C.C.] 2017**

Horsemeat Fraud

[Jonathan Polnay](#) was lead Counsel for the Crown in this multi-handed and much publicised conspiracy involving three prominent businessmen passing off horsemeat as 100% pure beef.

[News report here.](#)

- **R v. Patel [Southwark] 2014**

First ever prosecution for Acquiring Biological Weapons

[Jonathan Polnay](#) prosecuted this young woman who was charged with the first ever prosecution under the Biological Weapons Act and attempted murder of her mother, after attempting to poison her, taking her inspiration from the series "Breaking Bad".

[News report here.](#)

- **Operation Cent [C.C.C.] 2013**

Anti-corruption unit worldwide investigation re: bomb detection units

[Jonathan Higgs QC](#) leading [Jonathan Polnay](#) represented a defendant in the much publicised Old Bailey trial involving the worldwide sale of "fake" bomb detection devices. Instructed by Gary

Bloxsome of Blackfords LLP.

[BBC news report here.](#)