

## Andy Evans

Year of Call: 2007



ST JOHN STREET  
CHAMBERS

Tel: 0161 278 1800

Fax: 0161 278 8220

Email: clerks@18sjs.com



Andy's practice is a balance of prosecution and defence work across all fields of criminal law, focussing particularly on financial offending, Proceeds of Crime and fraud. He is a CPS Level Three prosecutor.

Andy's areas of specialism are:

### **Complex Proceeds of Crime Applications.**

Andy has been instructed to conduct complex POCA for over a decade and has represented NCA, Border Force, Police, Local Authorities, CPS and Respondents both corporate and individual at all levels from the Magistrates Courts and the Tax Tribunal to the Court of Appeal. He accepts briefs post-trial to conduct standalone Confiscation proceedings, often following transfers of representation.

He has built solid working relationships with local Financial Investigators and forensic accountants and has a contact list of useful experts built on his years of work in this field.

He has built up a strong practice appearing in applications to re-open Confiscation Proceedings under s22 of POCA.

He frequently presents seminars to Prosecutors, Experts and Defence Solicitors on Confiscation law and tactics.

### **Local Authority Prosecution.**

Andy is instructed by many Local Authorities, often at pre-charge stage, to conduct cases through jury trial and into Confiscation proceedings beyond, in relation to matters as diverse as Food Safety, Trade Marks Offences, Benefit Fraud, Planning Breaches and Animal Welfare.

### **Benefit Fraud**

Andy formerly worked for DWP. In practice he has extensive experience of prosecuting and defending Benefit Frauds against the DWP, HMRC and Local Authorities.

### **Education**

Marr College, Troon  
Clare College, Cambridge University : LLB  
Northumbria University : LLM

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### **Professional Memberships**

Criminal Bar Association  
Northern Circuit

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## Notable Cases

**R v KM** - Instructed to Prosecute five s18s perpetrated in daytime central Manchester where multiple homeless complainants suffered severe facial wounding.

**R v GW** - Defending unusual firearm - D fired at dog walkers with a homemade blowpipe. Deployed expert analysis of muzzle velocity and mental health assessment to negotiate lesser plea. Secured suspended sentence.

**CEBC v M** - Prosecuting a "Free Man on the Land" who represented himself before the jury on the basis that compliance with an Enforcement Notice issued by a Local Authority Planning Officer was incompatible with his religious views. Secured conviction and costs order.

**R v RM and others** - Prosecuting four handed s18 upon former employers within a close-knit ethnic minority community. Secured convictions of the two main offenders.

**R v SD** - Instructed for Respondent to a contested POCA. The Crown applied for £1 million, and sought to incorporate Hidden Assets in include stole Picasso and Toulouse-Lautrec paintings that R claimed to have burned. Restricted the impact of the inevitable adverse factual findings by aggressive revaluation of the assets.

**R v GT** - Instructed for Respondent to s22 POCA reopening where parents had repaid mortgage during R's custodial term. Deployed Chancery Counsel's advice to advance existence of a Constructive Trust and negotiated favourable settlement.

**R v NC** - Instructed for Applicant in contested s22 POCA. R was a pyramid scheme fraudster. Application to include new gambling winnings into his Available Amount. Deployed schedule of unpaid compensation to victims to tip s22(4) "justice test" in the Crown's favour.

**R v AJ** - Defending a man of good character charged with VAT fraud upon the "Blue Badge" disabled drivers scheme. Multi-million pound conspiracy. Secured a suspended sentence.

**SMBC v H and others** - Prosecuting a multi handed trademarking fraud on behalf of a local authority against defendants who instructed a silk and multiple barrister/recorders. Resisted application to dismiss, secured conviction and confiscation.

**R v WJ** - Prosecuting workmen charged with confidence frauds upon elderly householders for repair work. Also R v M O'D and R v HF : defending similar charges.