



Jeremy Scott-Joynt

Year of Call: 2018

Direct Access: Yes

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Jeremy's primary areas of practice include **business crime**, **sanctions**, regulation and **commercial litigation** – in particular financial crime, investigation and regulation, in both the public and private sectors. More widely, he acts in commercial and regulatory cases involving cryptoassets and data protection/privacy issues.

He is well-suited to advise and represent clients with complex commercial disputes, particularly those involving **financial services and regulators**. His commercial acumen arises in part from working in senior banking roles in Standard Chartered Bank and Bank of Montreal for seven years prior to becoming a barrister. During that time he led investigations and compliance programmes at a global level, resolving commercial and regulatory problems involving financial crime issues from corruption and fraud to sanctions and money laundering, as well as broader regulatory concerns.

As a former lead investigator for a London-based international bank, he is also skilled in managing complex and delicate enquiries and investigations, while his experience in handling both **commercial** and **employment** litigation enables him effectively to mitigate the risks to which such an enquiry can give rise.

In 2023, Jeremy was appointed to the Attorney-General's C Panel of junior counsel to the Crown.

Before his time in banking (during which he served, among other roles, as StanChart's deputy global head of anti-corruption), Jeremy was an intelligence and investigations specialist at the Financial Services Authority, latterly serving as its deputy MLRO.

Jeremy is public access qualified and accepts instructions directly from members of the public. He is also a qualified mediator: a skill which not only enables him to assist as a neutral arbiter in disputes, but to represent clients effectively in commercial mediations.

Areas of Expertise

Business Crime & Investigations

For almost two decades before coming to the Bar, Jeremy specialised in dealing with financial crime issues, intelligence and

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investigations. He is therefore a specialist in assisting clients get to the bottom of complex investigations and in dealing with allegations of fraud, bribery and corruption, and money laundering. His long experience in bribery and corruption matters led to his authoring the first chapter in **Lissack and Horlick on Bribery and Corruption**, the third edition of which was published in 2020.

Jeremy often acts for the Maritime and Coastguard Agency (MCA), both led by **Oliver Powell** and as sole counsel. He has acted for the MCA in a number of matters: investigations, advice, liaison with partner agencies and prosecutions.

Jeremy also has wide experience of contempt of court. He has appeared twice, unled, in the Court of Appeal on contempt matters: one of these cases, **Westrop v Harrath [2023] EWCA Civ 1566**, is now cited in the White Book 2024 as setting the ground rules for findings of contempt arising from Part 71 of the CPR.

He has experience of POCA orders, including the successful release for an overseas client of more than £500,000 frozen and marked for forfeiture by HM Revenue and Customs; the release of goods and vehicles seized by the Directors of Border Revenue; and the defeat of applications by the authorities for CEMA section 144 certificates, enabling firms whose goods were unlawfully seized to seek compensation. He is currently representing a government department in multi-million pound civil proceedings in the High Court involving customs issues and the *Misuse of Drugs Act 1971*, and frequently acts for HMRC in relation to the *Proceeds of Crime Act 2002* and the *Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017*.

Jeremy's experience in internal investigations enables him to both plan and run enquiries into misconduct or suspected criminality, and to advise on how to mitigate the legal risks which can arise from such enquiries. He can be engaged to assist with investigations on a direct access basis if desired.

More widely, he has experience of matters relating to law of international and multilateral organisations, and – with a number of colleagues – is panel counsel for the staff organisations of several such organisations based in Washington DC.

Among recent instructions:

Notable Business Crime & Investigations cases

Advised the Solicitors' Regulation Authority on a number of potential tribunal referrals concerning solicitors' obligations under the Proceeds of Crime Act 2002 and the Money Laundering Regulations 2017.

Led by **Oliver Powell**, advising a UK law enforcement agency in connection with a multijurisdictional fraud investigation focusing on a British Overseas Territory. Including advice on charging, evidence, interviewing and jurisdictional issues, and the drafting and negotiation of memoranda of understanding and international letters of request.

Led by **Ben Compton KC**, defending a London bar and restaurant chain accused of major health and safety violations; and assisting Ben in advising multiple clients on other health and safety matters.

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Appearing unled in **Westrop v Harrath [2023] EWCA Civ 1566**, to persuade the the Court of Appeal to set aside a contempt committal following the High Court's failure properly to follow the procedure set out in CPR Part 71.

Achieving the withdrawal of an unmeritorious contempt application brought in the context of long-running commercial litigation.

Defending a government department in a multi-million pound High Court claim concerning the import of cannabis flowers, in which the claimant is seeking – in effect – to redefine the prohibitions in the Misuse of Drugs Act 1971.

Advising a government department on cross-border evidence issues in the context of a long-running fraud investigation.

Both prosecuting and defending clients in the Crown Court and magistrates' courts in relation to health and safety offences.

Advising and representing HMRC in various courts and tribunals in relation to POCA and the MLR.

Acting as external counsel to the Post Office's Assurance and Complex Investigations team, as they investigated allegations of discrimination within the Horizon prosecutions.

For HMRC, advising and appearing in the first-tier tribunal multiple matters relating registration of MSBs under the MLR, and/or forfeitures under PoCA; as well as representing HMRC in relation to data protection allegations.

Advising and representing the HSE in seeking the strike-out of an unmeritorious challenge to health and safety enforcement.

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Led by **Alex Haines**, representing a staff member of the International Monetary Fund in a dispute with IMF management.

Led by **Oliver Powell**, advising the MCA on the implementation of the Merchant Shipping (Watercraft) Order 2023, including helping the MCA liaise with partner agencies and training more than 100 MCA staff on how the new rules affect personal watercraft and their owners and users.

Advising on and representing the MCA in prosecutions under the 1993 Merchant Shipping (Registration) Regulations in the crown courts.

Acting for a pensions trustee in the case of R v Luckhurst, negotiating an agreement with the defendant over the use of funds restrained under PoCA.

Representing numerous importers of nitrous oxide whose goods have been seized on entry into the UK, achieving the return of the property without a condemnation hearing for several clients, defeating an application for an s144 certificate of reasonableness, and appearing in the magistrates' and crown courts in relation to the Psychoactive Substances Act 2016.

Assisting (along with several other counsel) in a major sanctions and money-laundering investigation undertaken by a Crown Dependency.

Sanctions & Export Controls

As well as his general business crime practice, Jeremy is building a significant practice in advising on matters relating to sanctions and export controls issues in the UK, US, EU and certain Crown Dependencies.

This advice has been for individuals, corporates, and governmental bodies, and covers a range of issues from the permissibility of corporate and commercial proposals, to assistance with the interplay of sanctions regimes and financial regulatory issues, to advising on the applicability of sanctions to private client matters.

Jeremy's work has given him a detailed understanding of the UK sanctions regimes created under the *Sanctions and Anti-Money Laundering Act 2018*, including but not limited to the *Russia (Sanctions) (EU Exit) Regulations 2019*; the "EU Blocking Regulation" (*Council Regulation (EC) 2271/96*); and the UK's export control architecture, in particular the *Export*

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Control Act 2002, the Export Control Order 2008, and the UK Dual-Use Regulation.

Jeremy's work to date has included:

- Advising a UK technology company on computer and technology export licensing under the *Dual-Use Regulation*;
- Advising a law firm on the sanctions and money-laundering implications of payments made under a Court of Protection deputyship order to Afghanistan.
- Led by **Oliver Powell**, advising on the application of the *Russia (Sanctions) (EU Exit) Regulations 2019* to the financing of goods destined for the Ukraine armed forces.
- Led by **Oliver Powell**, advising on the effect of the Export Control Order 2008 on maritime anti-piracy activities in the Gulf of Aden.
- Led by **Alex Haines**, advising on the distinction in the *Russia (Sanctions) (EU Exit) Regulations 2019* between investment services and legal advice relating to investment services.
- Led by **Alex Haines**, advising on the sanctions and export controls issues arising from the funding of weapons and materiel to Ukraine.
- Led by **Oliver Powell**, advising on the application of the *Russia (Sanctions) (EU Exit) Regulations 2019* to an individual and their family, including with application to trust structures and real property;
- Led by **Oliver Powell**, advising a regulated entity on the interplay between the *Russia (Sanctions) (EU Exit) Regulations 2019*, the UK financial services regulatory regime (including the *Financial Services and Markets Act 2000*, the FCA Handbook, and the *Payment Services Regulations 2017*); individuals and entities, including in the context of the UK's regulated financial services sector.
- Assisting (along with several other counsel) in a major sanctions and money-laundering investigation undertaken by a Crown Dependency.
- Advising several clients on the effects of changes to the *Russia (Sanctions) (EU Exit) Regulations 2019*, including those relating to trust structures, insolvency, and legal services.

Commercial and Chancery

Jeremy has a broad commercial practice, appearing in court (both at the interim and final stages) and advising on a variety of claims involving contract issues, restitution, company law and insolvency. In relation to the latter, he has recently advised on jurisdictional issues.

Jeremy acts in matters relating to cryptoassets and smart contracts. Within these areas, Jeremy has presented webinars on the financial crime aspects of cryptoassets, and been part of the legal team on disputes involving the question of whether (and if so, on what basis) cryptoassets can be considered property.

Recent instructions include:

Notable Commercial and Chancery cases

Led by **James Leonard KC**, defending a client facing multi-million pound civil fraud allegations.

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Led by **Oliver Powell**, advising and drafting pleadings for an overseas energy company in the Admiralty Court, in litigation valued at some 30 million euro.

Led by **Justina Stewart** and as sole counsel, advising clients and litigation funders on potential crypto-related fraud claims.

Advising a number of clients in relation to potential section 994 applications – both bringing them and defending against them.

Representing professional firms – one accountants, one law firm – in disputes with technology services providers (one unled, one led by **Edward Morgan KC**). The subject matter included the after-effects of in one case a ransomware attack (settled at mediation), and in the other comprehensive IT failure on the part of the provider.

Advising insolvency practitioners on (among other things) assignment and novation of contractual rights and contractual liens in the context of a major shipping insolvency.

Advising a manufacturer on resolving the failure of a multi-million pound piece of equipment in the context of a commercial leasing arrangement.

Strategic advice to a technology firm seeking to enforce restrictive covenants following the departure of key senior staff; and advising it on potential civil fraud litigation and private prosecution.

Advising a law firm on issues arising from its LLP agreement in relation to a planned merger.

Advising the partners of a law firm in relation to a threatened bankruptcy petition.

Achieving the dismissal of a bankruptcy petition on jurisdictional grounds (under sections 265-268 of the Insolvency Act

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Advising the board of a wealth management firm in relation to the misconduct and conflicts of interest of one of the directors.

Representing a technology firm in an ongoing dispute with its investors.

Advice and representation in a dispute between joint venture partners, including issues of both breach of contract and directors' duties.

Advice to several clients on cross-border jurisdiction and choice of law cases, including advice on potential civil fraud and agency claims.

Advice and drafting of particulars for the claimant in a contract dispute, which led to concession and settlement (including costs) on the part of the prospective defendant.

Advising and drafting pleadings in a High Court claim based on agency and unjust enrichment.

Advising and representing clients in company and insolvency matters.

Securing summary judgment for lenders in a number of actions against defaulting borrowers, including striking out civil fraud allegations.

Financial Services

Having spent more than a decade in banking and regulation, Jeremy has particular expertise in dealing with financial

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services matters. He has provided advice to, and been seconded to, the Financial Conduct Authority, working both with its General Counsel's Division and with Supervision and Enforcement; and the Payment Systems Regulator. He also spent a year supporting the Independent Third Party addressing complaints from small business customers of RBS's Global Restructuring Group. His regulatory experience includes work on the developing area of investments in, and regulation of, medicinal cannabis firms. He has advised and acted for clients in several crypto-related matters.

With Henry Reid and others, Jeremy was part of a team during early 2024 which drafted the Financial Services Lawyers' Association response to the FCA's plans to name and shame the subjects of enforcement investigations.

Recent instructions include:

Notable Financial Services cases

Led by **John McKendrick KC**, representing a trade body seeking judicial review of new FCA rules governing claims management companies.

Led by **Oliver Powell**, representing the CEO of a Lloyd's of London insurer in an appeal against a regulatory sanction imposed by the market.

Led by **Justina Stewart**, representing an individual client in a seven-figure dispute with a High Street bank.

Advising the Payment Systems Regulator on long-term regulatory projects, including account-to-account payments within Open Banking, and amendments to the FCA Handbook.

Advising a trade union on the FCA's non-financial misconduct rules.

Advising a law firm on whether proposals relating to legal funding would fall within the FCA's regulatory perimeter.

Successfully defeating an attempt by a claimant to extend the Quincecare duty to a receiving bank.

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Advising a US investment group on its application for FCA authorisation, including issues under the Senior Managers and Conduct Regime.

Advising a wealth management firm on the resignation (following conflicts of interest) of a founder and director.

Advising UK and US clients on perimeter issues including cryptoassets, litigation funding, contracts for difference, and insurance.

Advising several clients on FOS claims, both complainant and respondent, involving six-figure losses and issues ranging from COBS and BCOBS to the Quincecare duty and Covid business interruption insurance claims.

Representing an individual in a six-figure dispute concerning an alleged failure by a financial adviser to follow instructions and breach of trust.

Successfully appealing a judgment against an authorised firm which risked leaving it liable to pay significant sums to its former appointed representatives.

Advising a law firm on the application of CASS, claims management and insurance regulation.

Advising UK and overseas clients on the use of blockchain technologies for regulatory purposes.

Health, Safety & Environment

Jeremy's background in risk and compliance has led him into a thriving practice in health and safety, where his knowledge of the realities and practicalities of risk management – coupled with his experience of large organisations and financial crime – has been of use to regulators, prosecutors and defendants alike.

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Jeremy often acts for the Maritime and Coastguard Agency (MCA), both led by **Oliver Powell** and as sole counsel. He has acted for the MCA in a number of matters: investigations, advice, liaison with partner agencies and prosecutions.

He also prosecutes for water companies, advises and represents the HSE, and defends against local authorities and others.

Notable Health, Safety & Environment cases

Representing the management company of a residential development facing huge post-Grenfell redevelopment expenses, securing a judgment which allowed it to spend scarce resources on upgrading its fire alarm system rather than on a waking watch.

Led by **Ben Compton KC**, defending a London bar and restaurant chain accused of major health and safety violations; and assisting Ben in advising multiple clients on other health and safety matters.

Advising on and representing the MCA in prosecutions under the 1993 Merchant Shipping (Registration) Regulations in the crown courts.

Led by **Oliver Powell**, advising the MCA on the implementation of the Merchant Shipping (Watercraft) Order 2023, including helping the MCA liaise with partner agencies and training more than 100 MCA staff on how the new rules affect personal watercraft and their owners and users.

Achieving the acquittal, following a three-year investigation, of a Transport Manager facing an indictment for aiding and abetting the falsification of tachograph records, by persuading the prosecution to offer no evidence before their case was even opened.

Led by **James Leonard KC**, advising on the health and safety implications of mobile phone antenna installation and the Communications Code.

Led by **Oliver Powell**, advising a UK law enforcement agency in connection with a multijurisdictional fraud investigation focusing on a British Overseas Territory. Including advice on charging, evidence, interviewing and jurisdictional issues, and the drafting and negotiation of memoranda of understanding and international letters of request.

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Advising several international corporates on the effects of health and safety legislation on their businesses – and the potential of individual liability for their senior executives.

Advising and representing the HSE in seeking the strike-out of an unmeritorious challenge to health and safety enforcement.

Both prosecuting and defending clients in the Crown Court and magistrates' courts in relation to health and safety offences.

Employment & Discrimination

Jeremy's in-house commercial and investigative experience led to significant involvement with employment matters even before he was called to the Bar. He is often instructed by both claimants and defendants in complex employment matters, including whistleblowing, discrimination, TUPE and unfair dismissal disputes. He has assisted counsel including David Grant KC in appeals before the Employment Appeal Tribunal. He is co-author of the 8th edition of the Employment Law Handbook, edited by Daniel Barnett and published in November 2020.

His expertise in investigations has enabled him to undertake complex investigations into allegations of misconduct made between senior individuals at a leading UK university, as well as undertaking investigations into alleged harassment and misconduct among senior officers of a Europe-based international organisation.

He now mainly undertakes employment matters where they intersect with his other specialisms: particularly business crime and regulated financial services.

Disciplinary & Regulatory

Jeremy has advised and represented regulators including the CQC in their oversight of regulated entities. He has also assisted clients in their dealings with the Financial Conduct Authority, the Gambling Commission, the Serious Fraud Office, the Maritime and Coastguard Agency and the Health and Safety Executive. He has represented the Metropolitan Police Service in misconduct and performance hearings, and advised the MPS in relation to data protection and other matters.

He acts in cases where there are data protection and privacy/confidentiality issues. Among recent instructions, he has:

Notable Disciplinary & Regulatory cases

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Successfully defending HM Land Registry in the First-Tier Tribunal in a Freedom of Information Act appeal which – if successful – could have forced it to provide for free large amounts of information for which statute currently allows it to charge a fee.

Acted successfully for a major UK mobile phone carrier in one of the first UK cases to consider data protection and privacy liability for SIM-swapping fraud.

Advised and represented NHS trusts in matters dealing with complex data protection and privacy cases, on several occasions resulting in proceedings being either dropped or settled advantageously.

Advised and represented claimants seeking compensation for breaches by both public and private organisations, including helping a client win significant compensation from a public authority which unlawfully disseminated confidential information about sexual abuse.

Advised corporate clients on the handling of law enforcement data requests.

Acted for both regulators and respondents in disciplinary hearings brought by the Solicitors Regulation Authority and the Bar Standards Board.

Successfully represented the FCA and government departments in the First-Tier Tribunal in data protection and freedom of information cases.

Achieved strike-out or summary judgment in a number of data protection and information law claims brought against government departments.

Public Law

Jeremy's instructions in financial services, regulation and crime often have public law implications. To that end, he

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sometimes acts in public law matters, both led and unled, including acting (led by **John McKendrick KC**) for a trade body seeking judicial review of new FCA and Legal Services Board rule-making, and representing the Metropolitan Police and government departments in resisting applications for judicial review. He has advised other clients in the financial services as to potential public law implications of their decisions and strategies.

As a member of the Attorney-General's panel of counsel (the C Panel), Jeremy frequently acts for public bodies both in court and on an advisory capacity, including (for instance) advising on cross-border regulation of professionals in the context of mutual recognition of qualifications. In court, Jeremy has specialised in acting for government bodies in relation to data protection and information law matters.

International Administrative and Disciplinary Law

Building on his experience with investigations, regulatory matters and public law, Jeremy has a growing practice in the law of international organisations as it relates to its staff and employee relationships. This includes representing both staff who are accused of misconduct or raise grievances with their employers, and advising international organisations both on procedural matters and rules and on investigations.

His instructions in this area include:

- Led by **Alex Haines**, representing a senior staffer at the International Monetary Fund (IMF) in an application to the International Monetary Fund Administrative Tribunal (IMFAT);
- Investigating allegations of misconduct and harassment made against two senior members of staff at a Europe-based international organisation, including advice to the organisation as to the jurisprudence of the International Labour Organization Administrative Tribunal (ILOAT).

Memberships

- **COMBAR**
- **Young Fraud Lawyers' Association**
- **Financial Services Lawyers' Association**
- **Employment Lawyers' Association**
- **Health & Safety Lawyers' Association**
- **Association of Regulatory and Disciplinary Lawyers**
- **London Sanctions Advisors Association**

Languages

- French, Japanese (intermediate)
- German, Brazilian Portuguese (basic)

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Publications

- Contributor, Lissack & Horlick on Bribery and Corruption, 3rd ed (2020)
- Co-author, Employment Law Handbook, 8th ed (2020)

Awards

- Astbury Scholarship, Middle Temple (2017)

Privacy Policy

Read Jeremy's [Privacy Policy](#).

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