



# JAMES LOFTHOUSE

YEAR OF CALL: 1996

James is an imposing but hugely personable advocate, who enjoys an excellent rapport with clients, opponents and judges alike. He has a heavyweight practice specialising in homicide and serious violence, rape and child sexual abuse and organised crime. James is happy to be contacted by those who instruct him at all hours and can provide urgent written advices and arguments as and when they are required. While principally a highly-skilled jury advocate, he is equally at home in the appellate courts and is particularly well-regarded for his knowledge of the law, his lucid written advocacy, his coolness under fire and his capacity quickly to absorb and master huge amounts of documentary and electronic material.

## EXPERTISE

James is a seasoned criminal advocate who has acted as a leading and led junior, although he is often instructed to run large and complicated cases alone. His last three murder briefs have been one counsel cases. He is a Grade 4 prosecutor and is on the Rape and Child Sex Abuse List for the CPS in London and the SE. In recent years, James has been instructed to advise the CPS pre-charge in a substantial number of complex and highly sensitive cases, ranging from attempted murder by arsenic poisoning to serious sexual allegations.

He frequently receives instructions from various CPS Special and Complex Casework Units and is one of the Flying Squad's counsel of choice. James was one of two principal counsel instructed to prosecute the vast majority of Crown Court trials resulting from the various student and TUC demonstrations of 2010/2011. Through this work, and the contacts he made, James has developed niche specialisms in football banning order applications and contested PACE production orders.

While now a specialist criminal advocate, James enjoyed a wide-ranging common law practice for many years and therefore has extensive experience of a variety of practice areas, including immigration and asylum appeals, family (both children and financial), housing, employment, personal injury and trusts. His many years in civil practice have finely honed his drafting skills and give a particular edge to his written advocacy.

He is an accredited Pupil Supervisor who has mentored a host of pupils through to tenancy and on to successful careers at the bar.

## NOTABLE CASES

### Murder & Attempted murder

**R v CP (2018)** – Luton CC – attempted murder. Recently instructed to prosecute case where Defendant is accused of deliberately running over his sister following a family dispute.

**R v MA (2018)** – Lewes CC – murder. Sole counsel prosecuting QC and junior. Defendant, dealing on a “county line”, stabbed one of his customers.

**R v SZ (2017)** – Luton CC – attempted murder. Father threw his 6 month old baby out of a first floor window in a cannabis-induced psychosis.

**R v AM & others (2017)** – St Albans CC – conspiracy to murder. Led by David Aaronberg QC in his last case before going to the circuit bench. Complex 6-handed conspiracy to murder where intended victim absented himself from proceedings and much turned on interpretation of cell-site, ANPR and, in particular, expert evidence regarding rare and distinctive shotgun cartridge wadding. The case attracted national as well as extensive local press coverage [add link from News story on website]

**R v MK (2017)** – Old Bailey – attempted murder. Prosecution of woman accused of attempting to poison her husband with arsenic, one of only a handful of such cases in the last 50 years.

**R v MM (2016)** – Blackfriars CC – attempted murder. Defendant stabbed a fellow teenager in the street in revenge for his “snitching” to police over an earlier incident at school.

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**R v GP (2016)** – Lewes CC – murder. Sole counsel prosecuting QC and junior. The “Battle Tackle murder”. Following receipt of James’s Opening Note, the Defendant, who had been running a defence of loss of control, pleaded guilty to murder at trial.

**R v EA (2016)** – Maidstone CC – murder. Instructed as sole counsel to prosecute “the Swanley murder” where Defendant, a London drug-dealer, ran over and killed one of 2 men he said were robbing him.

**R v GM & others (2015)** – Old Bailey – 3-handed attempted murder and possession of firearm with intent to endanger life. A shooting in broad daylight in NW London.

**R v AD (2014)** – Wood Green CC – attempted murder. Mentally disturbed Defendant stabbed her mother through the stomach while she lay sleeping with the Defendant’s 6 year old autistic brother. Voluminous diary entries setting out the Defendant’s violent fantasies and extensive psychiatric evidence.

**R v RB (2013)** – Isleworth CC – attempted murder. Opposed by QC in trial resulting from an unprovoked street attack which left victim with significant permanent head injuries.

**R v CJ (2011)** – Croydon CC – attempted murder. Instructed to prosecute stabbing of mini-cab driver on Saturday before trial with papers only received on the day of trial. Despite the Judge trying to give the Defendant a route to self-defence, after a forensic dissection of his earlier account, James forced him to re-adopt and commit to an earlier answer in cross-examination and he was unanimously convicted.

#### Serious Violent Crime

**R v NP (2015)** – Kingston CC – Defendant convicted after trial of attempted s18, criminal damage and dangerous driving when she drove her car, with her 4 young children inside, at an autistic cyclist and then into the front of a hair salon after a road rage incident. Case attracted significant coverage in the national press.

**R v KL (2014)** – Old Bailey – led junior in allegation of baby-shaking where sub-dural bleeding was sustained by 7 month old baby of Defendant of positive good character. Case rested almost entirely on exceptionally complex medical evidence. Guilty plea on day of trial.

**R v BC (2014)** – Inner London CC – Defendant charged with multiple counts of attempted s18 on police officers after trying to drive his way out when boxed in by police cars after a pursuit. Within seconds of surrounding him, police officers had smashed his side window, struck him with batons, sprayed him with CS gas and discharged multiple Tasers.

**R v BT (2012)** – Croydon CC – s18 where Defendant struck a fellow reveller over the head with a meat cleaver near Sutton High Street on New Year’s Eve.

**R v SC & BO (2010)** – Inner London CC – gang-related double stabbing. Required very careful handling of reluctant young witnesses and their families and involved allegations of judicial bias.

#### Serious Sexual Crime

**R v NS (2018)** – Lewes CC – successful prosecution, on a re-trial, of Defendant who repeatedly raped his step-daughter over a 4 year period from the age of 11/12.

**R v RD (2017)** – Maidstone CC – multiple pleas negotiated following arrest of Defendant on a European Arrest Warrant in relation to controlling prostitution and managing premises as brothels (linked case to R v TZ below).

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R v JP (2017) – Aylesbury CC – successful prosecution of serving police officer, represented by a QC, for historic sexual offences against his step-daughter. Case currently awaiting hearing at the Court of Appeal in relation to fresh expert evidence Defence seek to rely on.

R v DD (2017) – Snaresbrook CC – multiple prosecutions of Defendant following unrelated sexual allegations made by children of his previous partners.

R v GC (2016) – Isleworth CC – successful prosecution of Defendant who had systematically raped his young step-daughter over a number of years, despite her having made and retracted the allegations previously and told police she had lied.

R v AU-M (2016) – Snaresbrook CC – secured conviction of Defendant for rape and other serious sexual offences committed on his wife’s teenage sister. The Defendant had previously been acquitted of similar allegations made by his wife (in a trial James did not prosecute).

R v TZ (2016) – Maidstone CC – complex case taken as a late return. Secured convictions on multiple counts of controlling prostitution and managing 7 premises as brothels where organizers and prostitutes were all Lithuanian nationals.

R v GP (2016) – Blackfriars CC – prosecuted a senior teacher at a prestigious independent school, who was represented by an experienced QC, following allegations of historic sexual abuse made by former pupils.

R v FA (2016) – Kingston CC – prosecuted Defendant who pleaded guilty to 2 counts of raping a 12 year old girl (whom he consequently impregnated).

R v MD (2015) – Isleworth CC – Sentencing judge adopted James’s characterisation of Defendant’s conduct as “a campaign of rape”. Disabled Defendant befriended, groomed and then filmed himself raping and abusing a number of 12 – 16 year old girls.

R v JT (2015) – Maidstone CC – Defendant, whose counsel took silk shortly afterwards, was sentenced to 18 years imprisonment after being convicted of a series of historic sexual offences against his stepdaughter.

R v CR (2015) – Canterbury CC – Defendant convicted of a series of historic sexual offences against his stepdaughter despite the only direct evidence against him coming from the complainant herself and various family members testifying on his behalf.

R v MA (2015) – Woolwich CC – Defendant convicted of rape after running defence of consent/somnolence on part of complainant after a night of mutual drinking and drug-taking. Respondent’s Notice drafted when Defendant sought permission to appeal his conviction. Permission was refused.

R v GF (2015) – Lewes CC – Defendant, represented by QC, pleaded guilty on day of trial to 14 out of 16 counts of historic sexual offences committed against his niece when he himself was still a child.

R v RS (2014) – Wood Green CC – sexual grooming and various allegations of penetration of a 13 year old by the father of her best friend at school. Schedule of over 10,000 phone communications, family members giving evidence on both sides and managing trial severely disrupted by repeated bouts of ill-health afflicting the Defendant.

R v SP (2014) – Guildford CC – successfully prosecuted 16 year old Defendant accused of oral rape of 6 year old son of a family friend, despite lack of medical or any forensic evidence (in circumstances where one would expect to have found it) or any other corroborative evidence. Case effectively rested wholly on ABE and live-link evidence of the child complainant.

R v BT (2011) – Woolwich CC – exceptionally highly charged trial concerning allegation of assault by penetration by 54 year old Parkinson’s sufferer on his 17 year old niece and Goddaughter when she came to visit him while he was recuperating from deep brain surgery.

R v OA (2010) – Inner London CC – allegation of obtaining sexual services from a child. Required very sensitive handling of a challenging 14 year old complainant who gave evidence over 5 days in total.

#### Other Complex and Specialist Cases

R v JK (2018) – Lewes CC – prosecution of senior care home worker accused of ill-treatment of 88-year old resident with advanced vascular dementia.

R v LN (2017) – Wood Green CC – successfully resisted application for Football Banning Order where Defendant had pleaded to affray and been clearly caught on CCTV throwing punches at rival supporters on his way to a Spurs match.

R v BR & CJ (2016) – Woolwich CC – prosecution, based almost entirely on phone and cell-site evidence, following fake kidnap plot.

R v LK (2016) – Snaresbrook CC – sensitive case involving prosecution of Defendant for mobile phone theft from a moped. The Defendant, the pillion passenger, had been seriously injured, and the rider, a promising footballer on the books of a Premier League club, killed following a police pursuit.

R v TB & others (2015) – Inner London CC – successfully prosecuted multi-handed drugs conspiracy where transaction involving 1 kg of heroin was master-minded from his prison-cell by TB, a career heroin-dealer. Case rested almost entirely on phone and WhatsApp evidence.

R v JC & others (2014) – Croydon CC – prosecution of prominent South London scrap metal merchant. After a history of failed prosecutions by others, James secured convictions on all counts of converting criminal property and receiving stolen goods.

R v OF (2014) – Old Bailey – multiple allegations of bank fraud committed by personal banker at Lloyds TSB. Case involved vast quantity of computer-generated bank records, expert handwriting evidence as well as many hours of internal CCTV footage.

R v SS & others (2013) – Old Bailey – 6-handed conspiracy to commit violent disorder involving Millwall and West Ham risk supporters arranging to use an FA Cup tie between Dagenham and Redbridge FC and Millwall as an opportunity to engage in violent confrontation at what they hoped would be a lightly policed match.

R v AM & others (2012/13) – Kingston CC/Woolwich CC – leading junior prosecuting several multi-handed trials flowing from allegations of violent disorder at student tuition fee demonstration in December 2010. One of the Defendants was represented by a prominent QC and the trials attracted substantial national media attention.

R v EB (2012) – Woolwich CC – Operation Trident. Possession of loaded sawn-off shotgun by Defendant with previous conviction for armed robbery. Defence of duress rejected after trial.

R v OO & others (2012) – Woolwich CC – multi-handed local authority education fraud with an “inside man”.

Operation Cabinet (2011/12) – Chelmsford CC – contested production order. Acting for Essex Police in proceedings to obtain footage from various national and multinational media organisations and freelance journalists relating to the Dale Farm evictions. Succeeded at first instance against the leading QC in this esoteric and legally exceptionally challenging and nuanced field, although judge’s ruling subsequently overturned in the Administrative Court.

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## INTERESTS

James is married with 2 young sons, but still finds time to enjoy fine wine, good food (his wife's a chef), US Civil War history, politics, sport and the occasional pub quiz.

## PROFESSIONAL ASSOCIATIONS

Criminal Bar Association  
Member SE Circuit

## QUALIFICATIONS

BA (Hons.) Law – Durham

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