

## JAS JANDU

Year of call

Barrister 2014, Solicitor 2004



Jas Jandu's practice ranges from Financial Services Enforcement and Financial Crime to Commercial Litigation.

As a former Commercial Litigation Solicitor & ex-FCA In-House Counsel, Jas has 20 years' experience of advising and acting for UK/international corporates, individuals or public bodies on matters of English law and complex High Court litigation with an international element.

He is ranked as one of London's Leading Junior Barristers in the Legal 500 in the fields of 'Financial Services Regulation' and 'Business & Regulatory Crime/Global Investigations' (2023 edition). He is also on the SFO's C Panels for 'Prosecutions' and 'Proceeds Of Crime & International Assistance'.

Recent instructions have included advising a major FCA-Authorised firm and the Payment Systems Regulator on complex investigations including its £1.82m fine of Natwest Group Banks. Jas also advises clients on cutting-edge law and regulation concerning Cryptoassets/Cryptocurrency.

Jas was appointed as a Recorder on the South Eastern Circuit in 2020.

### Professional Background & Experience

Before being called to the Bar in 2014, Jas was a Solicitor Advocate with over 10 years' litigation experience. He joined 7BR in 2017 after 8 years as senior litigation lawyer and in-house counsel at the FCA where he developed specialist, advanced expertise in Financial Services Enforcement.

Whilst at the FCA, Jas worked on various Regulatory cases, Civil litigation and Criminal investigations. He advised across the FCA's remit from authorisations to retail / wholesale financial matters, including presenting cases to the FCA Regulatory Decisions Committee.

Jas previously worked at several top-flight law firms acting on £multi-million commercial cases across a range of sectors including International Media Events and Public-Private Sector Disputes. He trained at Allen &

Overly with secondments at Liberty (Human Rights Law) and the High Court.

Jas mentors aspiring law students through the Social Mobility Foundation. He was educated at the University of Nottingham and his personal interests include music, drama and art.

Jas is qualified to accept instructions directly from clients and is registered under the Bar Council's Public Access Scheme, meaning that members of the public who seek specialist advice can come direct to him. In addition, he welcomes instructions from solicitors, in-house law departments, qualified foreign lawyers, and clients licensed by the Bar Council to give instructions direct to barristers under the Bar Council's Licensed Access Scheme. For more information please visit our Direct Access page [here](#).

## LEGAL EXPERTISE

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### Financial Services & FCA Enforcement

Jas has particular expertise in Financial Services & Payment Systems enforcement matters. He is ranked as one of London's Leading Junior Barristers in the Legal 500 for 'Financial Services Regulation' and 'Business & Regulatory Crime / Global Investigations' (2023 edition).

Client testimonials include that he is 'particularly knowledgeable in financial services' and 'has a fantastic grasp of technically challenging law and the ability to explain complex matters to clients.'

Recent instructions have included advising a major FCA-Authorised firm and the Payment Systems Regulator on complex investigations including its £1.82m fine of Natwest Group Banks. Jas also advises clients on cutting-edge law and regulation concerning Cryptoassets/Cryptocurrency.

Jas was previously a senior Litigation Lawyer at the Financial Conduct Authority from 2009 to 2017 where he worked on Regulatory / Civil Litigation cases and Criminal investigations, advising across the whole of the FCA's remit from Authorisations Refusals to Retail / Wholesale cases.

His work included presenting cases to the Regulatory Decisions Committee and defending the FCA in the Upper Tribunal, including FCA Enforcement action for lack of integrity. He has advised on highly confidential Market Abuse and Money Laundering cases.

He also brought High Court proceedings for breaches of the 'General Prohibition' and 'False & Misleading Statements' made by Unauthorised Businesses and their Solicitors. As a Solicitor himself, prior to joining the FCA, he advised innocent investors caught up in £Multi-Million Unauthorised Investment Schemes.

### Selected Cases

[PSR's £1.82m fine of NatWest Group Banks \(2022\) & Other PSR Cases \(2020-23\)](#)

Advising the Payment Systems Regulator on various highly complex enforcement matters, including the PSR's £1.82m enforcement fine issued against National Westminster Bank Plc, Royal Bank of Scotland Plc, Ulster Bank Ltd and Coutts & Company. The fine was levied on the four NatWest Group banks in 2022 for overcharging 'interchange fees' on credit cards.

### Corporate/Enforcement Investigations: FCA-Authorised Firms (2020-23)

Instructed by a leading International Commercial Law Firm to advise on a complex, confidential internal audit / investigation at a major FCA-Authorised Financial Services Firm. Also, on other corporate investigatory matters: advising on FSMA issues, Payment Services law, Money Laundering Regulations, related Competition Law issues, the jurisdiction of the Financial Ombudsman Service (FOS) and the calculation of Regulatory Fines.

### Advising Cryptoasset, E-Money, Credit, Debt & Insurance Firms (2018-21)

Instructed by Kingsley Napley to advise on FCA Authorisation & Anti-Money Laundering regulatory requirements and post-Brexit Payment Services issues in the cutting-edge areas of Financial Technology, E-Money & Cryptoassets. Advising Credit, Debt and Insurance Firms on FCA/PRA Regulatory Perimeter issues.

### Enforcement Litigation: R. [FCA] v. Gopee (2019-20)

Advising the FCA (on secondment) in complex POCA Restraint & Confiscation proceedings resulting in a £5.1m Confiscation Order over criminal proceeds (arising from the Defendant's criminal lifestyle & conviction for operating an illegal / unauthorised money lending business). Appearing as advocate for the FCA in a related claim in the Chancery Division of the High Court and successfully obtaining a full costs order against a Claimant. Assisting on other connected High Court / County Court litigation including Judicial Reviews and claims by third parties.

### Offshore Financial Services AML/CFT Compliance (2018-19)

Assisting on a confidential, complex and high-value offshore financial services Anti-Money Laundering & Counter-Terrorism Financing compliance review. Reporting on compliance and record-keeping effectiveness across a wide range of client files and assisting on a review of Corporate Governance issues.

### Advising an Independent Financial Advisor (2018)

On the pre-action defence of potential professional negligence claims over pensions investment advice.

### FCA v Capital Alternatives & Others [2018] (High Court, ChD); [2015] EWCA Civ 284

As FCA In-House Counsel, Jas had day-to-day conduct of this complex litigation culminating in a successful Trial in Summer 2017 following which the High Court ordered £16.9m+ to be paid back to investors. His work on this case involved applying for and policing several injunctions / undertakings as well as dealing with international law issues and numerous litigants in person / represented parties, including a Solicitor Defendant. Jas led successful pre-trial settlement negotiations with two of the 16 Defendants. He was also lead litigator for the Preliminary Trial after which the Court of Appeal held these Carbon Credit and Land

Schemes to be unauthorised Collective Investment Schemes under ss.19/235 FSMA 2000.

### Confidential & Market Sensitive Regulatory FCA Cases

Advising the FCA as In-House Counsel on highly confidential cases of potential Market Abuse, early intervention cases over Regulated Firms concerning sensitive Money Laundering matters, FCA Voluntary / Own Initiative Requirements, Variations of Permission & Supervisory Notices.

#### FCA v Avacade Ltd & Others (2017)

Pre-action advice in a complex High Court claim for alleged s.397/89 misleading statements and alleged breaches of s.19/21 (unauthorised business & financial promotions) in relation to self-invested personal pensions (SIPPs) and alternative investments.

#### FCA ban of Messrs Kelly & Gray (2016)

For lack of integrity concerning pension advice.

### Authorisations & Refusals Cases

Including refusals for lack of fitness and propriety such as the case of Ms Bhandari (2015).

#### FCA investigation of Solicitor Mr Walker (2015)

Sentenced in 2015 to 5.5 years alongside seven others for his role in a fraudulent £4m+ unauthorised Collective Investment Scheme.

#### Upper Tribunal Ruling Re. Mr Allen (2015)

Full prohibition for lack of fitness and propriety for tendering false and misleading evidence in Court.

#### £0.5m FCA fine of Reckitt Benckiser (2015)

For listing rule failures.

#### £2.8m FCA fine of Policy Administration Services Ltd (2013)

For poor complaints handling re. insurance policies sold by Phones 4u Ltd.

#### FCA Decision to issue SIF Prohibition to Mr Rosier (2013)

For regulatory failings.

#### £175K FSA fine of Nestor Healthcare Group (2013)

For 'clearance to deal' failings.

## £113K FSA fine of Co-op Bank Plc (2013)

For failure to handle PPI complaints fairly.

## Financial Crime

Jas has expertise in Financial Crime and related Regulatory/Compliance offences. He has been appointed to the SFO's C Panels for 'Prosecutions' and 'Proceeds Of Crime & International Assistance'.

He is also ranked as one of London's Leading Junior Barristers in the Legal 500 for 'Business & Regulatory Crime / Global Investigations' (2023 edition). Client testimonials include that he 'has a fantastic grasp of technically challenging law and the ability to explain complex matters to clients.'

Jas was previously a Senior Litigation lawyer and In-House Counsel at the FCA from 2009-17, where he advised on various Civil and Criminal 'Fraud', 'Misleading Statements' and 'Market Abuse' cases.

Recent instructions have included Anti-Money Laundering Compliance and FCA Proceeds Of Crime Act matters.

## Selected Cases

### R. [FCA] v. Gopee (2019-20)

Advising and assisting the FCA (on secondment) in complex POCA Restraint & Confiscation proceedings resulting in a £5.1m Confiscation Order over criminal proceeds (arising from the Defendant's criminal lifestyle & conviction for operating an illegal / unauthorised money lending business).

### UK & Offshore Anti-Money Laundering Cases (2018-20)

Advising on UK Anti-Money Laundering Regulations and Proceeds of Crime Act requirements/offences. Advising on a confidential, complex and high-value offshore financial services Anti-Money Laundering & Counter-Terrorism Financing compliance review (reporting on compliance and record-keeping effectiveness across a wide range of client files and assisting on a review of Corporate Governance issues).

### Operation Cotton (2015)

Assisting on the investigation which culminated in the FCA's prosecution in 2015. Investors had lost over £4m in an unauthorised Collective Investment Scheme and the case resulted in eight convictions.

### R v Meeson & Ors (2013)

Assisting on the initial FCA investigation culminating in the prosecution of a £5m tax fraud perpetrated by a former Tax Association President and others; investigated by the FCA, HMRC and the Pensions Regulator.

## Other Fraud Litigation Matters

Acting for various parties as a Commercial Litigation Solicitor, including advising a UK prison operator in a civil claim for £200k+ embezzled by a payroll manager & advising parties in relation to various 'boiler room' cases.

## Commercial Disputes & Civil Fraud

Jas has experience of advising on complex High Court cases with an international element, representing clients on County Court matters and in Alternative Dispute Resolution or Mediation. He is therefore well-placed to assist on business / commercial advisory issues and disputes.

Recent instructions have included Commercial Debt and Conflict of Laws matters as well as advising a Foreign Government and the FCA on cases in the Business & Property Courts. He previously advised on High Court litigation as In-House Counsel at the FCA and as a Commercial Litigation Solicitor at several top-flight law firms on a wide range of matters.

## Selected Cases

### Advising Foreign Government Re. High Court Claim (2021)

Advising on regulatory issues connected to Commercial Litigation in the High Court in England.

### FCA High Court & County Court Claims (2019-20)

Appearing as advocate for the FCA in the Chancery Division of the High Court and successfully obtaining a full costs order against a Claimant (following strike out of an abusive proprietary claim over restrained funds). Advising the FCA (on secondment) on various claims brought in the Business & Property Courts and Central London County Court by consumers / third parties against various insolvent companies connected to an FCA prosecution. Legal issues advised on included bona vacantia, declarations of unenforceability of loans, general civil restraint orders, civil appeals and the interplay between Civil and Criminal jurisdictions.

### Just Cash Flow Plc v Director & Construction Company (2019)

Successfully defending a Director and his Construction Company (both victims of 'identity fraud') in a contractual loan guarantee claim brought against him inappropriately by a business loan finance company.

### International Global Technology Company (2018)

Advising an International Global Technology Company (2018) on potential legal risks of a commercial relationship with a high profile third party.

### FCA v Capital Alternatives & Others [2018] (High Court, ChD); [2015] EWCA Civ 284

Jas had day-to-day conduct of this complex litigation from 2012-17 whilst working at the FCA. The case

culminated in a successful Trial in Summer 2017 following which the High Court ordered £16.9m+ to be paid back to investors. His work on this case involved applying for and policing several freezing injunctions / undertakings as well as dealing with international law issues and numerous litigants in person / represented parties, including a Solicitor Defendant. Jas led successful pre-trial settlement negotiations with two of the 16 Defendants following a Preliminary Trial and a successfully defended appeal to the Court of Appeal on which he also advised.

### Media & Events: Ram Media Ltd v Greek MoC [2008] EWHC 1835 (QB)

Acting as the Claimant's Solicitor in a claim against the Greek Ministry of Culture regarding a TV show and media contract claim arising from the cancellation of the 2006 FIFPro international footballer awards. The case resulted in a €2.7m judgment and third party debt order against the Greek Ministry Of Culture.

### International Arbitration: Synthetic-Gas Plant Dispute (2006-7)

Acting as Solicitor for a contractor in a Singapore International Arbitration Centre case concerning a facility in China and gathering evidence in Holland under the International Bar Association Rules.

### International Construction: Wembley National Stadium (2006-7)

Advising as Solicitor on adjudication claims brought by the Football Association against Multiplex arising from delays to the £750m+ stadium.

### Public-Private Sector: DeVilbiss Medequip v NHS PASA & Ors [2005] EWHC 1757 (ChD)

Acting as Solicitor to the Claimants challenging the Home-Oxygen tendering process run by the NHS public procurement agency.

### Other Commercial Litigation Cases

Advising as Solicitor on: international commodity trading claims concerning time-bar clauses, liability exclusions, inspection clauses & potential recovery from insurers; defending an intellectual property claim against a garden furniture manufacturer for alleged un/registered design right infringements, resolved through mediation; advising on £multi-million claims for Public Authorities in disputes with, e.g., Private Finance Initiative Contractors.

## Offshore & International Disputes

As a former Commercial Litigation Solicitor & ex-FCA In-House Counsel, Jas has over 15 years' experience of advising and acting for UK/international corporates, individuals or public bodies on matters of English law and complex High Court litigation with an international element.

He spent 8 years from 2009-2017 as a senior investigation / litigation lawyer and in-house counsel at the Financial Conduct Authority. During his time at the FCA, Jas worked on various regulatory cases, civil litigation and criminal investigations with international issues.



Jas also previously worked as a Commercial Litigation Solicitor at several top-flight, international law firms where he advised on a wide range of Commercial Litigation matters with an international element.

## Selected Cases

### C v Ethias (2020) (Conflict Of Laws)

Defending C against an application made by a Belgian insurance company in a civil/tort case to set aside Particulars Of Claim under the “first seised” doctrine and the Recast Brussels Regulation (EU Reg. 1215/2012).

### Offshore Financial Services Cases (2018-20)

Assisting on complex disclosure in off-shore litigation between shareholders of a Financial Services firm. Assisting on a confidential, complex and high-value offshore financial services Anti-Money Laundering & Counter-Terrorism Financing compliance review (reporting on compliance and record-keeping effectiveness across a wide range of client files and assisting on a review of Corporate Governance issues).

### Advising an incoming EEA e-money firm (2018)

On payment services passporting issues, post-Brexit planning and UK FCA authorisation requirements.

### FCA v Capital Alternatives & Others [2018] (High Court, ChD); [2015] EWCA Civ 284

As FCA In-House Counsel, Jas had day-to-day conduct of this complex litigation culminating in a successful Trial in Summer 2017 following which the High Court ordered £16.9m+ to be paid back to investors. The case involved applying for and policing several injunctions/undertakings over assets in the UK and abroad as well as dealing with related international law issues.

### FCA ban of Messrs Kelly & Gray (2016)

For lack of integrity concerning pension advice (which involved consideration of related international issues).

### Ram Media Ltd v Greek MoC [2008] EWHC 1835 (QB)

Acting as the Claimant’s Solicitor in a claim against the Greek Ministry of Culture regarding a TV show and media contract claim arising from the cancellation of the 2006 FIFPro international footballer awards. The case resulted in a €2.7m judgment and third party debt order against the Greek Ministry Of Culture.

### Synthetic-Gas Plant Dispute (2006-7)

Acting as Solicitor for a contractor in a Singapore International Arbitration Centre case concerning a facility in China and gathering evidence in Holland under the International Bar Association Rules.



## Wembley National Stadium (2006-7)

Advising as Solicitor on adjudication claims brought by the Football Association against Australian contractor Multiplex arising from delays to the £750m+ stadium.

## Public Law

Jas can advise on Public Law issues (including Judicial Review matters) which may arise in connection with his other practice areas. He has experience of advising both Claimants and Defendants in cases involving public authorities.

He previously worked as in-house counsel in the Enforcement Division of the Financial Conduct Authority from 2009-17 where his day-to-day work included advising on Public Law issues such as use of statutory powers (e.g. in the conduct of investigations / proceedings) in various cases.

Prior to joining the FCA, Jas worked at several law firms as a Solicitor where he also advised and assisted on a wide range of matters including Public-Private Sector disputes (such as £multi-million claims brought by Public Authorities against PFI contractors).

As a Trainee Solicitor at Allen & Overy LLP, Jas was seconded to Liberty (National Council for Civil Liberties) where he assisted on various Human Rights cases including claims before the Social Security Commissioners (childcare tax credits discrimination) and the Investigatory Powers Tribunal.

## Selected Cases

### Misfeasance/Misconduct In Public Office (2021)

Advising on potential claims against investigatory/regulatory bodies following the discontinuance of a regulatory prosecution.

### Judicial Review: R. (Gopee) v FCA & Others (2019)

Advising the FCA (on secondment) in successfully defending an application for Judicial Review in the High Court and advising on related Judicial Review matters in which the FCA appeared as an Interested Party.

### DeVilbiss Medequip v NHS PASA & Ors [2005] EWHC 1757 (ChD)

Acting as Solicitor to the Claimants challenging the Home-Oxygen tendering process run by the NHS public procurement agency.

### R (Stanley, Marshall & Kelly) v Met Police Comm. & Anr [2004] EWHC 2229 (Admin)

Assisting Liberty's legal team acting for the Claimants in a Judicial Review of ASBO publicity and alleged breach of privacy (as a seconded Trainee Solicitor).

## Appointments

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- Recorder: Crime (2020)
- SFO Panel Counsel

## Memberships

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- Financial Services Lawyers Association
- Commercial Bar Association
- Fraud Lawyers Association
- South Eastern Circuit