

Lewis MacDonald

"He is stronger than his years: very thorough, never misses a thing, and great on paper. An up-and-coming star."
ChambersUK 2024



Year of Call: 2014

020 7353 5324

Lewis is ranked as a leading practitioner across his main practice areas in both of the main directories: In fraud and financial crime, private prosecutions, and professional discipline. He has quickly developed a reputation as a very bright junior with a calm court room manner, and is frequently instructed in document heavy cases raising complex issues of fact and law.

In the criminal sphere, Lewis acts for the prosecution and defence across the spectrum of serious criminal offences, from violence and terrorism to large scale fraud. His practice increasingly focuses on white collar, business crime, consumer offences, and asset forfeiture. Lewis is known as a go-to junior for private prosecutions, and has been instructed in a number of significant fraud cases for and against the private prosecutor.

In regulatory cases, Lewis has extensive experience appearing before a number of regulators, often in complex or high-profile cases. He most commonly acts for solicitors, accountants, sports, and medical professionals. He has acted in complex Article 2 inquests and both statutory and non-statutory Inquiries.

Lewis also applies his fraud experience in cases before the tax tribunal, most commonly in MTIC denials, penalties, and Border Force cases.

Lewis accepts **Direct Access** instructions.

What others say:

"He is outstanding and super bright." "Lewis's written arguments are very impressive. He is a very down-to-earth, very bright barrister." and "Lewis is very hard-working, very bright and thinks outside the box." – Chambers UK 2024 (Financial Crime: Pte Prosecutions)

"He has an impressive grasp of detail and produces careful advice. He quickly obtains the confidence of clients in a difficult situation." and "He is stronger than his years: very thorough, never misses a

Location

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thing, and great on paper. An up-and-coming star.” – Chambers UK 2024 (Professional Discipline)

“Lewis is excellent at considering the details of a voluminous case and being able to spot a complex legal argument which many others may not have seen. His preparation and understanding of a case is outstanding and he is a very intellectual barrister. This is coupled with good court presence and ability to communicate well with lay clients.” – Legal 500 UK 2024 (Fraud)

“Mr MacDonald has strong advocacy skills, excellent legal knowledge and a thorough understanding of the law. He has impeccable preparation and communication skills.” “He is extremely strong technically and brilliant with the client.” “Lewis is very practical in his solutions. He is a go-to barrister.” and “He is a supremely able junior.” – Chambers UK 2023 (Prof Disc)

“Extremely thorough and hard-working. In short, excellent at all aspects of handling case material.” – Legal 500 UK 2023 (Prof Disc)

“Lewis is an outstanding junior barrister. His strength is his ability to apply his intelligence and legal knowledge in a practical and strategic way.” – Legal 500 UK 2023 (Fraud: Crime)

“A very hard-working junior with a great eye for detail. He is a pleasure to work with.” – Chambers UK 2022 (Financial Crime: Private Prosecutions)

RISING STAR Legal 500 UK 2022

“Very articulate with excellent drafting skills, Lewis is very approachable even with clients and delivers high quality professional work. Overall, he is a talented and hardworking barrister.” – Legal 500 UK 2022 (Professional Discipline)

“Lewis is a fantastic junior.” – Legal 500 UK 2022 (Fraud)

RISING STAR Legal 500 UK 2021

“Easy to work with, well-prepared and a good advocate, he is a very talented and hardworking junior barrister.” – Legal 500 UK 2021 (Professional Discipline)

Business Crime & Financial Services

Lewis has been involved in a number of cases involving large scale financial investigations representing individuals or companies, both for the prosecution and defence. His current and recent instructions include acting as junior counsel for a Lebanese bank prosecuted for fraud, counsel alone for a high-profile political organisation prosecuted for Companies Act offences, counsel alone for an individual facing FSMA offences, and junior counsel for an international corporation prosecuting what the sentencing judge described as the most sophisticated counterfeiting fraud he had ever come across.

Lewis regularly acts for both sides in asset forfeiture. He acts for both the authorities and individuals and corporations faced with cash or account forfeiture. His recent cases include the recovery of €52,000 carried by three diamond dealers following a contested hearing, in which his clients were unusually awarded their legal costs against the police.

He currently acts in a number of account freezing order proceedings involving very substantial six-figure sums, including recently appearing alone for a US currency exchange faced with an account forfeiture order, who

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ultimately had their funds returned and a portion of their legal costs paid by the Metropolitan Police.

Lewis has particular experience and interest in advising legal and other professionals on their money laundering due diligence obligations arising under the Proceeds of Crime Act 2002 and the Money Laundering Regulations 2007. He is able to advise individuals and businesses on their obligations in relation to money laundering, bribery, and customer due diligence. He has advised and acted for individuals and companies facing both criminal and regulatory proceedings.

In the civil sphere, Lewis has expertise in cases where sanctions have been imposed by the UK government. He assisted for a number of years as part of the team for HM Treasury in *Bank Mellat v HM Treasury*, an extremely high value claim arising out of the Iran nuclear sanctions regime which has been in the higher courts a number of times, including the Supreme Court.

Lewis has also regularly advised in civil proceedings arising out of criminal and regulatory cases. He gave long running and extensive advice in a civil fraud raising a number of issues with regard to use of material obtained in criminal proceedings, which eventually resulted in the client successfully extricating themselves from the civil case. He has often advised commercial clients faced with witness summons for the disclosure of sensitive information, especially in criminal proceedings.

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Current and recent work:

R v TS

Illegal Money Lending Team prosecution in which the defendant and her husband (represented by **Daniel Chadwick**) were accused of operating a business providing hundred of thousands of pounds of loans over several years. The defence case was that the loans were provided as part of a culture originating in the Philippines, did not constitute a business and were therefore exempt from regulation under the Consumer Credit Act 1974 and the Financial Services and Markets Act 2000. Both defendants were acquitted of all charges after a trial at Snaresbrook Crown Court.

Supreme v Michele Di Pierro and others

Junior counsel for private prosecutor in highly publicized prosecution of two Italian nationals and English company engaged in sophisticated counterfeiting fraud committed in UK, Europe, and China. All defendants convicted and sentenced to total of 11 years imprisonment and £7.5 million fine.

SFO v Jardine and others

Part of counsel team with two KCs and three juniors in accounting fraud prosecution following a DPA with G4S.

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National Money Lending Team v A

Sole counsel for individual charged with offences under the Financial Services and Markets Act 2000 and Consumer Credit Act 1974, raising complex legal issues requiring resolution before the Lord Chief Justice in the Court of Appeal.

Private Prosecutor v A Ltd

Sole counsel for defendant, high profile political organisation, charged with Companies Act offences. Court dismissed summonses and awarded wasted costs after contested hearing.

MPS v B Ltd

Sole counsel for US currency exchange faced with six figure account forfeiture order. Fund belonging to the company were returned and the MPS agreed, after a number of contested hearings, to pay a portion of the companies' costs.

Criminal Defence

Lewis is experienced defending in the Crown Court in cases of serious violence, sexual offences, fraud and property offences, and supplying prohibited drugs. His recent cases acting alone include joint enterprise attacks with knives and a samurai sword, firearms cases, a six-figure fraud by abuse of position, and large-scale drug conspiracies involving kilogram quantities of Class A drugs. He is often instructed as junior counsel in frauds requiring a keen analysis of the law and evidence. He also has extensive experience acting privately in the Magistrates' Courts.

Lewis is also experienced advising on and conducting appeals to the Crown Court, Divisional Court, and Court of Appeal.

Criminal Regulatory

Lewis has acted in a number of cases for public authorities and for defendants in licencing, consumer protection, and financial services cases. He has acted in cases involving the Consumer Protection from Unfair Trading Regulations and the Business Protection from Misleading Regulations, the Covid-19 regulations, the Licensing Act, and the Financial Services Act 2012 and Financial Services and Markets Act 2000.

Lewis has acted on his own and assisted a number of members of chambers in criminal regulatory matters. He has experience of cases involving corporate manslaughter, and breaches of the Health and Safety at Work Act 1974 and associated regulations. He has acted multiple times for a national supermarket chain in food safety proceedings. He assisted on the boohoo Group PLC's Independent Review into its Leicester supply chain.

Current and recent work:

National Money Lending Team v A

Sole counsel for individual charged with offences under the Financial Services and Markets Act 2000 and Consumer Credit Act 1974, raising complex legal issues requiring resolution before the Lord Chief Justice in the

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Court of Appeal, where led by Sallie Bennet-Jenkins KC.

Inquests & Public Inquiries

Lewis is regularly instructed to act for Interested Parties in Inquests, particularly in medical cases. He is experienced in the Regulatory sphere of advising on evidence arising out of Inquests, and has successfully conducted cases involving complex medical evidence and multiple expert witnesses.

He was instructed for a medical professional in an Inquest where a mentally ill patient murdered a member of the public. The case attracted widespread national media coverage involving criticism of the police and NHS.

He was recently privately instructed to represent a nurse who's conduct had been found to amount to neglect causing death by a Coroner. In the regulatory proceedings, Lewis was able to expose the flaws in the expert evidence accepted by the Coroner, resulting in the panel finding there was no case to answer against his client.

Lewis has been involved in statutory and non-statutory Inquiries, and has been instructed both for the Inquiry and for interested parties.

He was appointed Assistant to the Inquiry into child safeguarding in St Helena. He worked with Sasha Wass QC and team of safeguarding experts, visiting the British Overseas Territory of St Helena and investigating allegations of widespread sexual abuse of children and safeguarding failings. He assisted in all aspects of the process including interviewing and contact with witnesses, legal research, reviewing documents, and drafting of the Inquiry's report to the Foreign Secretary. As a result he gained valuable experience in dealing with vulnerable witnesses, the law relating to Maxwellisation, Data Protection and British Overseas Territories.

Lewis was also instructed as part of the Home Office team of counsel for the Grenfell Tower Inquiry.

Licensing

Lewis is increasingly instructed in licencing cases, chiefly across the vehicles, gaming and food and hospitality industries. He has acted in multiple cases where breaches of the Licencing Act were alleged, including criminal proceedings and proceedings for closure orders.

He has acted for the appellant driver in TFL licensing appeals, for a national supermarket chain in food safety proceedings, and has expertise in the Gambling Act 2005 and regulatory action by the Gambling Commission. Lewis assisted the legal team for the corporate defendant in the first civil case brought under modern slavery legislation in the High Court.

Lewis has acted as a legal clerk for the Phone-Paid Services Authority, the licencing authority acting under OFCOM to regulate phone-paid services. He has dealt with cases involving seven figure fines, and having drafted decisions on behalf of panels is well placed to understand the PSA's decision-making process and offer representation to individuals and corporations before the PSA.

Public Prosecution

Lewis is a Grade 3 Prosecutor and is on the SFO B Panel. He has acted in a variety of serious cases both alone

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and as a led junior. He was part of a team of 5 counsel, including 2 KC's, in one of the SFO's most high-profile prosecutions. He was recently led in the prosecution of 6 defendants for a six-figure fraud against a large number of vulnerable victims, and in a terrorism trial at the Central Criminal Court. He has acted alone in cases of aggravated burglary, serious violence, drug conspiracies, and fraud.

Lewis has acted for the prosecutor in a number of complex private prosecutions. He has acted for a number of prosecutors other than the CPS, including HMRC, the Office for Immigration Services Commissioner, the Secretary of State for Transport, and Royal Mail.

Professional Discipline

Lewis appears before a number of regulatory bodies, most often in the legal, medical and sports law context. He appears before the Solicitors Disciplinary Tribunal, the accountancy regulators, Medical Practitioners Tribunal Service (GMC), General Dental Council, General Pharmaceutical Council, General Osteopathic Council, General Optical Council, Nursing & Midwifery Council, and the British Horseracing Authority, most often acting for the regulated professional, although he also has experience acting for the regulator. His current and recent instructions include acting for a Partner in a big-four accountancy firm, the Head of Human Resources at Baker McKenzie, and a Partner at a US firm accused of dishonestly misleading the High Court.

He has acted in a number of medical cases involving complex expert evidence regarding the causation of patient deaths, and in cases involving allegations of dishonesty, and sexual misconduct against patients.

Lewis also represents professionals charged with criminal offences. He recently secured the acquittal of a foreign national carer accused of theft, where counter allegations of sexual misconduct were made by his client, and of an ex-police officer and teacher accused of threatening someone with a knife. He acted for an accountant accused of fraud where the majority of the prosecution allegations were withdrawn because of the exposure of major disclosure failings. He has advised and acted for professionals pre-charge, including making representations on pre-charge bail.

Current and recent work:

Lewis was instructed as junior counsel for one of the Respondents in the SRA proceedings against Baker McKenzie for sexual harassment by their Managing Partner in 2012, and the Firm's Response to it. The hearing lasted 5 weeks, the resumption of which was undertaken by video-link during the Covid-19 pandemic in one of the first cases of its kind. All charges against Lewis' client were found not proved.

He acted as sole counsel for Peter Gray, a partner at Gibson Dunn who was accused of dishonestly misleading the High Court whilst acting for the Republic of Djibouti in a freezing injunction application, before both the Solicitors Disciplinary Tribunal and the High Court.

Lewis acted before the accountancy regulator as sole counsel for a partner at Ernst & Young who was accused of sexually inappropriate remarks towards a trainee. Lewis' client received a fine after mitigation convinced the panel to resile from their position that they would have expelled him as an accountant, had they not been convinced the behaviour would never be repeated.

He represented Tom Morgan, an ex-Cheltenham Hunt winner, for betting irregularities before the British Horseracing Authority.

Lewis acted for a nurse who's conduct had been found at the Inquest to have amounted to neglect and caused

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death. In the regulatory proceedings, Lewis' cross-examination of expert witnesses revealed flaws in the evidence accepted by the Coroner, resulting in the panel finding no case to answer against his client.

Private Prosecution

Lewis has conducted and defended private prosecutions for companies and individuals, both acting alone and led, and is a highly regarded junior in this area. He has acted in cases from start to finish, both in the Magistrates' and Crown Court, and is well placed to advise on prospects, the investigatory process, the drafting and issuing of summons, disclosure, and costs. He has acted in a number of cases involving evidence from multiple jurisdictions.

Lewis also defends individuals and corporations facing private prosecutions. He has recently secured dismissals of private prosecutions against a

He has successfully resisted abuse of process arguments and applications to dismiss, and has experience drafting representations to the Director of Public Prosecutions on whether to take over a private prosecution.

Lewis regularly acts in private prosecutions for quangos and quasi-public bodies. He is often instructed by Royal Mail in prosecutions which attract press interest. He has also acted for the Office of Immigration Services Commissioner.

Current and recent work:

Supreme v Michele Di Pierro and others

Junior counsel for private prosecutor in highly publicized prosecution of two Italian nationals and English company engaged in sophisticated counterfeiting fraud committed in UK, Europe, and China. All defendants convicted and sentenced to total of 11 years imprisonment and £7.5 million fine.

Private Prosecutor v Bank

Junior counsel for defendant foreign bank accused with fraud by unlawful retention of customers' funds. All charges dismissed and wasted costs awarded against the private prosecutor, after application to dismiss and abuse of process argument.

Private Prosecutor v A Ltd

Sole counsel for defendant, high profile political organisation, charged with Companies Act offences. Court dismissed summonses and awarded wasted costs after contested hearing.

Private Prosecutor v B

Ongoing proceedings acting as junior counsel for high-net-worth individual prosecuting company director who misappropriated funds and drove company into liquidation.

Private Prosecutor v C

Defending individual charged with fraud offences in neighbor dispute involving negligent building work. After considering representations drafted by Lewis, the DPP took over and discontinued the prosecution.

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Sports Law

Lewis has acted for high profile sports people in criminal, licencing, and regulatory proceedings. He has dealt with accusations of violence, betting, and financial irregularities in the sports context. He most commonly appears before the British Horseracing Authority. His mixed criminal and professional discipline practice make him well placed to advise in cases where dual proceedings are active or contemplated.

Tax

Lewis acts for HMRC and individuals and corporations, both as a led junior and alone in civil proceedings under the Proceeds of Crime Act 2002 and in tax appeals in the First-Tier Tax Tribunal. He is currently instructed in a number of cases involving Kittel denials, or penalties arising from Kittel denials, other penalties and surcharges, and Border Force seizures.

Lewis has acted for individuals accused of tax irregularities before their regulator, and before the criminal courts. He has particular experience and knowledge of the issues arising from parallel HMRC and criminal or regulatory investigations.

Accreditations



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Appointments & Memberships

- CPS Advocate Panel Level 3
- SFO B Panel

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- Criminal Bar Association
- Young Fraud Lawyers Association
- Association of Regulatory & Disciplinary Lawyers
- Health & Safety Lawyers Association
- Private Prosecutor's Association

Education & Qualifications

- MA Hons in Law, Queens College, Cambridge
- Droop & Levitt Scholarships, Lincolns' Inn
- BPTC (Outstanding), Nottingham Law School
- Taylor Prize for Best Overall Student, Nottingham Law School

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