



**The UK's first and
leading Private
Prosecution Firm**



About the firm

Edmonds Marshall McMahon (EMM) is the first and only specialist private prosecution law firm in the UK and the established leader in this dynamic field. Founded in 2012 by Tamlyn Edmonds, Andrew Marshall and Kate McMahon, EMM offers a novel service to companies, organisations, charities, and individuals who have been the victims of crime.

The UK is one of the only jurisdictions in the world that provides a statutory right to individuals, companies, and legal entities to privately prosecute in the criminal courts, without relying on the State. Private prosecutions are seen as an increasingly effective tool to bring fraudsters and perpetrators of economic crime to justice where the authorities lack the resources or willingness to do so. It also provides a valuable tool for victims to regain their assets using the criminal confiscation regime.

EMM is a unique firm, staffed by experienced senior-prosecutors and investigators with an unrivalled track record in conducting major fraud and intellectual property (“IP”) investigations and prosecutions, including asset identification and recovery. We have unparalleled strength in anti-corruption investigations and prosecutions, complex fraud prosecutions and proceeds of crime actions. We also have the UK’s leading counterfeit prosecution team. We offer a fast, effective, and bespoke service to victims of economic crime around the world, where an element of that offending has occurred in England or Wales.

EMM was established to offer an innovative service to corporates and individuals, as well as regulators and government agencies, who have been the victims of crime. Since inception, the firm has attracted significant industry and national media attention and awards.

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2012

The Partners

Tamlyn Edmonds



Tamlyn is a highly experienced prosecutor, specialising in serious fraud, cyber-crime, asset recovery, cross-border fraud, money laundering and intellectual property crime.

She acts for corporates, high net worth victims of fraud, international brands, NGOs, and others involved in the investigation of domestic and cross-border fraud and criminal IP infringement.

Prior to founding EMM, Tamlyn headed up the Department of Health, Medicines, and Healthcare products Regulatory Agency's (MHRA) prosecution team. She was the lead lawyer in the largest-ever counterfeit medicines case, R v Gillespie and others (2011) concerning the importation of counterfeit prescription, and other life-saving medicines, which reached the legitimate supply chain.

Tamlyn has significant experience in asset identification, restraint, and confiscation. One such example is R v Somaia (2016) which resulted in the UK criminal court's largest ever confiscation order (£21m) to be awarded in a private prosecution.

As a member of the Advisory Committee to the Fraud Advisory Panel, she provides strategic advice and challenges to the main board.

In 2016, Tamlyn was voted "Boutique Lawyer of the Year" by the Lawyer Monthly Women in Law Awards, in recognition of her success in the private prosecution field.

Tamlyn is a Leading Individual in Private Prosecutions (Legal 500) and Top Ranked in Financial Crime: Private Prosecutions (Chambers and Partners).

Andrew Marshall



Andrew is a committed and vastly experienced advocate and litigator, with over 30 years of experience

He has spent most of 30 years advising on, and prosecuting, serious fraud (including confiscation and restraint), organised crime, and regulatory matters at the highest level and to the highest standard.

Andrew is a Grade 4 Advocate (the highest rank) for the Crown Prosecution Service. He was appointed to the Attorney General's list of Prosecuting Counsel in 1990 and to the list of Standing Counsel in 2005.

As Standing Counsel, Andrew was responsible for advising on, and prosecuting, the most complex cases brought by the Attorney General in the criminal courts.

Andrew was also appointed as a Recorder of Crown Court in 2003 and sits as a part-time Judge in various Crown Courts.

Andrew now advises individuals, charities, corporations, Governments, and other law firms, having conducted several high-profile private prosecution cases and investigations over recent years.

Andrew is a Leading Individual in the area of Private Prosecutions (Legal 500) and Top Ranker in Financial Crime: Private Prosecutions (Chambers and Partners).

The Partners

Kate McMahon

Kate is an esteemed dual-qualified prosecutor known for her sharp analysis and strategic acumen in major fraud, corruption, cross-border fraud, and asset recovery.

Kate acts for international Governments, hedge funds and financial institutions, corporates, particularly in the oil, mining and insurance sectors, and high net worth clients. She is highly regarded by her clients and has a reputation for being extremely determined and driven in all her cases.

Prior to founding EMM, Kate was a senior prosecutor at the Serious Fraud Office (SFO) where she was the senior lawyer on some of the UK's largest criminal prosecutions including "Innospec", a case involving systemic corruption by a UK/USA company in Iraq and Indonesia. This resulted in fines of US\$17m.

In 2017, The Lawyer recognised Kate as one of the "Hot 100" Lawyers in the UK. In 2018 & 2019, she was recognised as a "Global Elite thought leader" by the "Who's Who Legal: Asset Recovery" guide which lists the world's leading asset recovery lawyers.

She was also recognised by GIR in 2019 as a "thought leader" for investigations and business crime and by "Who's Who Legal" as an "outstanding practitioner" in the field of asset recovery. The publication said, "Kate is a well-established name in the market with an excellent track record in high-profile confiscations", describing her as "creative and aggressive in a careful and measured way; able to distil complex matters and convey a joined-up solution... quickly and coherently".

In 2017, Kate was invited to become a member of "ICC FraudNet", the world's leading asset recovery network.

Kate is a Leading Individual in the area of Private Prosecutions (Legal 500) and Top Ranked in Financial Crime: Private Prosecutions (Chambers and Partners).

Ashley Fairbrother

Ashley brings a distinctive expertise to investigative and contentious legal matters, specialising in intricate commercial disputes, fraud cases, crypto fraud, charity fraud and asset recovery.

As a notable private criminal prosecutor, with a wealth of experience, Ashley is a skilled litigator, known for his acute analytical judgment, creative approach, and his ability to unravel complex disputes. He is often instructed in emergency procedures, including asset freezing relief where time is of the essence. His work ranges from professional negligence claims, the diversion of business opportunities and breaches of fiduciary duty, to claims involving deceit, conspiracy, and secret profit.

His knowledge of blockchain technology, cryptocurrency and NFT's enables him to navigate the complexities of crypto fraud with precision.

He was recently involved in the pioneering case of *Law v Persons Unknown and Huobi Global Ltd* [2023] 1 WLUK 577 (26 January 2023) (Delivery up of funds in offshore cryptocurrency accounts ordered despite WFO), which resulted in a novel mechanism, by which substantial judgments obtained against crypto asset fraudsters can, in certain circumstances, be more readily satisfied than was previously thought.

Ashley is also a seasoned private prosecution specialist, fearlessly championing justice on behalf of his clients. His understanding of the nuances of criminal law, surrounding private prosecutions, enables him to pursue such cases with tenacity and efficacy.

Notably, led by Tamlyn Edmonds, he has advised and represented a client in confiscation proceedings, resulting in securing confiscation and compensation orders totalling £38+ million - the largest confiscation order ever obtained by a private prosecutor in the UK.

The Partners



John Day

A highly experienced, City-trained, litigator, who qualified as a solicitor in 1998, John specialises in complex commercial litigation.

His practice focuses on civil fraud, financial services, and high value professional negligence disputes, in addition to advising on a broad range of commercial matters, including contractual, trust, partnership joint-venture and company disputes.

Many of John's cases have an international element to them and he frequently handles applications for freezing injunctions, third party disclosure orders and other forms of urgent interim relief.

For the first 5 years of his career, John worked as an international shipping and trade lawyer, mainly for Scandinavian ship-owners and insurers.

In 2001, he joined Baker McKenzie, where he broadened his litigation experience by working on larger, more diverse, commercial, disputes. In 2010, John co-founded the highly successful boutique litigation practice, DS Law (formerly DaySparkes Solicitors) of Gray's Inn, which has been ranked by the UK Legal 500 as a leading London law firm for commercial and banking litigation since 2012.

In recent years, John has acted for more than 20 individual victims of the infamous HBOS Reading banking scandal, in complex fraud claims against Lloyds Banking Group, for the recovery of damages ranging from £1m to £50m in value.

One of John's cases (RBS v Highland, Scott Law LLP & Others ([2013] EWCA 328) remains the leading Court of Appeal authority on anti-suit injunctions.

In addition to his core practice, John has brought two, successful, and very high-profile, judicial reviews against the UK Government and has handled a range of tribunal and arbitral cases.

EMM Accreditations



EMM provides a fast, effective, and bespoke service to victims of fraud. We have earned numerous significant industry plaudits since our inception in 2012, including the following:

- **UK Legal 500** describes Edmonds Marshall McMahon as 'a firm with unsparing attention to detail' that is 'the very model of how fraud cases should be prosecuted....'
- **UK Legal 500**, as a Tier 1 firm in Crime, Fraud and Licensing: Private Prosecutions.
- **Chambers Directory**, as a Band 1 firm in Financial Crime: Private Prosecutions.
- **"Boutique Law Firm of the Year – City"** at the 2014 Lawyer Awards.
- Tamlyn Edmonds, Kate McMahon, and Andrew Marshall are all top ranked for Financial Crime Private Prosecutions in **Legal 500 and Chambers & Partners**.
- 'EMM are still the pre-eminent private prosecution shop in town; their specialist experience, knowledge and practical advice are second to none.' – **Legal 500 2024**.
- 'Simply the best in the business when it comes to private prosecutions.' – **Legal 500 2024**.
- "I cannot fault their client service which I rate as exceptional with complete commitment to the case." **Chambers and Partners: Financial Crime: Private Prosecutions**.

We are experts in investigating and prosecuting bribery and corruption offences, ranging from assisting companies in preliminary internal investigations to leading global, large-scale investigations and prosecutions, including on behalf of foreign governments.

Our investigation team is made up of former senior SFO investigators and lawyers with a wealth of experience in some of the UK's leading SFO cases.

Our expertise includes:

- Working with foreign governments and foreign private entities across many sectors.
- Working with UK based companies to investigate whistleblowing and corruption.
- Using cutting-edge technology, including artificial intelligence, to investigate and prosecute rapidly (many of our investigators and lawyers were part of the SFO team that pioneered the use of artificial intelligence in an SFO investigation for the first time).
- Utilising developing areas of corruption legislation including DPAs and SOCPA agreements in corruption matters.
- Liaising with the UK and foreign governments in multi-jurisdictional offending in respect of cooperating suspects and the implications of double jeopardy.

The depth of our experience from some of the largest global bribery and corruption investigations and prosecutions has led to us being instructed by foreign governments to assist in complex, multi-jurisdictional, anti-corruption investigations and prosecutions.

We are innovative, technical, strategic, and results-driven in our approach.

Anti-Corruption

It is estimated that 86% of fraud cases go unreported

Investigations

96% of all cases reported to Action Fraud, go unsolved and only 1% are being prosecuted:

Our comprehensive service spans from investigation to asset confiscation. We collaborate with our client's investigative teams, provide assistance through esteemed private investigators, covert or overt, or by way of our own in-house investigative team.

Specialising in combatting organised crime impacting business and economic productivity, we are experts in evidence gathering, e-review and e-disclosure for criminal proceedings.

Our investigators are experienced in the unique challenges that result from companies and individuals being targeted by criminals.

Our investigations are conducted in accordance with the Criminal Procedure and Investigations Act 1996 and we are proud to provide a complete evidence gathering service, from investigation to confiscation, including the application for criminal restraint orders, confiscation orders, and enforcement through default jail sentences for non-payment.

We excel in white-collar and business crime, with a focus on cross-border and international cases.

We have extensive experience within the EU, collaborating with international law firms to craft innovative, cross-border litigation strategies.

Globally, EMM advises and prosecutes across jurisdictions, often assisting governments with high-level crime and aiding corporates in global asset recovery and freezing orders amidst complex, high-value fraud and IP infringement cases.

International Crime

EMM stands out in Confiscation Proceedings and Asset Recovery, utilising legal remedies from both Criminal and Civil Courts within the UK and abroad to trace and secure assets.

The team adeptly enforces Restraint Orders, both in the Crown, and High Courts and acquires Worldwide Freezing Orders to halt the movement of assets following fraud detection.

Notably, we achieved a record confiscation and compensation order for a private prosecutor, in R v Somaia, culminating in a significant financial penalty of £38m and a default prison term of 16yrs for non-payment.

Confiscation & Asset Recovery

We are experts in conducting successful fraud prosecutions. We identify comprehensive case strategies to address the objectives of our clients, and exercise effective case management in furtherance of these aims.

We frequently handle:

- Misconduct in joint venture agreements, including the dishonest redirection of funds to one party, whether global or UK based.
- Fraud in dealings with banks, financial firms, and hedge funds.
- Misappropriation by professionals such as solicitors and accountants.
- All forms of business, employment, or financial fraud leading to losses.
- Fraud related to loans, insurance, and mortgages.
- Theft of data by current or former employees.
- Internal fraud by company executives like CEOs and CFOs.

Serious Fraud

“Fraud now accounts for over 40% of crime but receives less than 1% of police resource”.

Intellectual Property and Counterfeiting in UK. Trade in counterfeit products has staggering financial implications for businesses. It costs the UK economy billions of dollars a year in forgone company sales, overpriced products, and tax revenues.

Counterfeiting causes financial harm to companies and the Exchequer; it causes reputational damage, is credited with funding organised crime, and has health and safety implications. It is a problem that all companies with a brand to protect must consider seriously.

EMM has a vast amount of experience prosecuting IP crime, ranging from Trademark offences to Registered Design infringement. We work with our clients' in-house Brand Protection officers as well as some of the most experienced intellectual property crime investigators in the country, to ensure an effective, compliant, and successful investigation and prosecution.

We also assist our clients to present 'prosecution ready' cases to state agencies, such as the Police Intellectual Property Crime Unit, for prosecution.

Intellectual Property Crime

Charity Sector Fraud

30 Charity Fraud convictions in 3yrs

Charities, no matter their size, are not immune to the scourge of fraud; a reality that can have far-reaching and severe impacts on their operations and the communities they support.

With fraud constituting a significant proportion of crime in England and Wales, particularly during economic downturns, the charity sector faces heightened vulnerability.

EMM is highly experienced in tackling charity fraud, providing tailored private prosecution strategies and advising on robust counter fraud measures to protect and recover assets.

Recognised for our excellence in public/private collaboration, EMM's partnership with Macmillan Cancer Support has set a precedent in effective fraud prevention and recovery.

In February 2023, EMM was awarded the Public/Private Partnership Excellence Award with Macmillan Cancer Support at the Public Sector Counter Fraud Awards.

This was in recognition of our collaboration, being a hallmark example of what effective public/private partnerships can achieve.

Senior Prosecution & Investigation Team



Fani Gamon - Senior Associate

Since joining Edmonds Marshall McMahon in 2015 from the CPS Organised Crime Division, Fani has become a key player in the firm's criminal and civil law cases, particularly focusing on complex fraud, intellectual property, and proceeds of crime. She's successfully represented clients in major cases, including securing a conviction in a complex international fraud case, obtaining a freezing injunction in a sophisticated Bitcoin fraud, and convicting a corporation under the Companies Act 2006. Additionally, Fani leads significant intellectual property prosecutions for global fashion and luxury brands.

Jack Walsh - Special Counsel

Jack is an expert in financial crime and fraud prosecution, with extensive experience in the Crown and County Court, Tax Tribunal, High Court, Court of Appeal, and Courts Martial in the UK and Germany.

At EMM, he's known for his detailed legal knowledge and has been instrumental in numerous private prosecutions, especially those with international aspects or involving complex areas of law. Jack is skilled in advising on the collection of evidence for civil proceedings, both domestically and internationally, and provides EMM's lawyers with specialised legal support.



Jane Guthrie - Senior Associate

Jane specialises in fraud, bribery, and corruption cases. She leads significant investigations and prosecutions, targeting corporates and high net worth individuals, both in the UK and internationally.

Previously, Jane was a key lawyer in the Serious Fraud Office, contributing to the major Rolls Royce corruption case. She also has experience as legal counsel in a London tech firm and experience in both civil and criminal litigation in New Zealand, including high-profile murder trials. Jane holds law and commerce degrees, plus a language diploma, from the University of Otago, New Zealand.

Mike Jackson - Head of Investigations

Before joining EMM, Mike served as a leading investigator at the Serious Fraud Office for over a decade, spearheading some of the UK's most challenging fraud and corruption cases. At EMM, he directs the investigation team, specialising in complex cases for substantial corporate clients, with a keen eye on those involving international elements.

Mike's expertise lies in meticulously sifting through extensive data to unearth crucial support for investigations. His strategic acumen and proficiency in interviewing both witnesses and suspects are unmatched. Presently, Mike collaborates with an international law enforcement body on a significant corruption probe.



Senior Prosecution & Investigation Team



Carolina Cabral - Senior Associate

Carolina is an accomplished advocate from a leading barristers' chambers, specialising in criminal law, with a focus on fraud, money laundering, and conspiracies. Her experience includes serious jury trials and a high-profile corruption case in a British Overseas Territory. She's adept in international cooperation, having worked on secondments with the CPS, SFO, and NCA. She has worked as a Grade III prosecutor and on specialist panels for Fraud and Serious Crime. Carolina's expertise extends to international bribery cases and professional disciplinary matters in healthcare, covering misconduct and competency issues.

Natalie Tenorio-Bernal - Senior Investigator

Natalie joined Edmonds Marshall McMahon after seven years at the Financial Conduct Authority (FCA), handling some of their most high-profile regulatory and criminal investigations, including one which resulted in the FCA's first-ever criminal prosecution for money laundering failings.

Her areas of expertise include complex financial cases, data analysis, conducting interviews, and international law enforcement cooperation. A Bar-qualified investigator with an LLM in Law, Natalie also speaks Spanish.



Amelia Clegg - Senior Associate

Amelia is a dual-qualified barrister in England and an attorney in New York. Following her admission to the New York Bar in 2021, Amelia worked for three years at a leading New York law firm, specialising in commercial and white-collar criminal litigation, including a high-profile commercial bribery case and representing a major sports body in concussion-related cases. Known for her persuasive skills and robust advocacy in both criminal and civil cases, Amelia excels in legal writing, winning the American Inn's of Court's Warren E. Burger Award in 2022. She was called to the Bar in 2017 after studying Classics at Oxford and completing her legal qualifications in London. Amelia also holds an LLM from the University of Pennsylvania, earned as a Thouron scholar.

EMM Accreditations



Kate McMahon...

- *"...imaginative and unafraid to think outside the box, constantly challenging both orthodox resolutions and easy answers in order to further her clients' interests. Kate is a brilliant lawyer and a great tactician."* **Chambers & Partners 2024**
- *"an incredibly imaginative litigator"* **Chambers & Partners (2020)**
- *"She understands the background of a problem and is very smart."* **Chambers & Partners (2020)**
- *"a fearless and energetic prosecutor" who has "a relentless commitment to justice"* **Legal 500 (2016)**
- *"enjoys and excels in her work"* **Legal 500 (2015)**
- *"formidable adversary" and "highly respected"* **Legal 500 (2014)**

Tamlyn Edmonds...

- *"...remains a leader in the private prosecution space; a supportive and experienced leader who is successfully shaping her team to follow in her footsteps."* – **Legal 500 2024**
- *"incredibly hard-working and has great judgement"* **Chambers & Partners (2020)**
- *"Her strengths are her sheer knowledge and application of the law as it relates to the matters in hand. She is always available to provide practical and pragmatic guidance in a timely fashion. Her professionalism and commitment to justice stands out. She is an experienced prosecutor who constantly seeks innovative ways to pursue cases on behalf of her clients."* **Chambers & Partners (2020)**
- *"an experienced prosecutor who constantly seeks innovative ways to pursue cases"* **Legal 500 (2019)**
- *"a very bright...fearless advocate (with) good forensic skills"* **Legal 500 (2019)**

Andrew Marshall...

- *"Andrew Marshall has a legal brain the size of a planet."* **Chambers & Partners 2024**
- *"...he has been nothing short of brilliant and accurate in his assessment and handling of the case."* – **Legal 500 (2024)**
- *"[a] legal genius", "an incredibly experienced and robust prosecutor" and "He has vast experience in conducting regulatory investigations and prosecuting and defending cases. He is absolutely first-rate."* **Chambers and Partners (2020)**
- *"He has impeccable judgement and makes complicated things sound simple": he has 'extensive experience of prosecuting high-value matters, including alleged tax frauds. He is an expert on document-heavy cases involving complex technical evidence'."* **Chambers & Partners (2017)**

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