

Simon Gurney

Call to Bar: 2006



'Simon is an extremely impressive barrister who has a rapidly expanding reputation in regulatory work. He is the busiest junior on the circuit, he is a first-class barrister, a quick thinker, and a persuasive advocate.'
Crime (General and Fraud) - Legal 500(2024)

Simon is a specialist in serious criminal litigation. He is instructed nationwide in cases across the spectrum of serious criminal offending and is involved in cases of the utmost gravity, sensitivity and complexity. He is renowned as an excellent lawyer and a talented jury advocate.

Simon is recommended consistently by Chambers & Partners and the Legal 500 for his expertise in criminal law.

In the 2023 Edition of the Legal 500 he is described as:

'without doubt the most able Criminal junior on the Northern Circuit. A first-class choice for heavyweight fraud cases. A peerless lawyer who finds the defences everyone else has missed. Tenacious in fighting for his clients, he puts a huge amount of work into case preparation.'

The 2023 Edition of Chambers & Partners identifies him as **'a talented junior who is noted for his expert handling of a range of serious criminal matters. He primarily acts for defendants, and is regularly instructed in homicides and cases involving historic sexual abuse. He is also well regarded for his expertise in drug conspiracies.'** He is described as **'an exceptional barrister'** who **'possesses meticulous attention to detail excellent advocacy skills.'**

In the 2022 and 2021 Editions of the Legal 500 he was described as:

'Intellectually formidable and well-organised... a hugely impressive advocate, whether he is arguing a complex issue of law before the Court of Appeal or arguing a case before a jury.'

and

'a quality barrister with a huge intellect. Very good on his feet, great knowledge of the law.'

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Practice areas:

Criminal law
Financial & Regulatory Crime
Professional discipline
Health and safety
Tax appeals
Judicial review
Licensed to provide representation under the 'Public Access' scheme directly to members of the public

Professional appointments:

Crown Prosecution Service General Crime - Category 4
CPS Specialist Counter Terrorism, Serious
Government List of Specialist Regulatory
Advocates - List B MPTS Rule 36(5) Counsel Panel

Simon Gurney

The 2021 Edition of Chambers & Partners described him as:

"exceptionally bright and very measured in his approach. He is a quality barrister who is really hard-working and very responsive... His attention to detail is brilliant."

In the 2020 Edition he was described as:

"a rising star of the Northern Circuit. He just has that magical something. He's very switched-on, very clever, very proactive and hard-working"

and

"a quick thinker and a persuasive advocate. He is sought out due to his encyclopaedic legal knowledge and his ability to apply that to defences and legal arguments... In complicated cases he has an unrivalled mastery of detail."

Simon has built a formidable reputation for his intellectual ability, diligence, tactical acumen and meticulous preparation. He brings sound judgment and tenacity to every case and is focused on ensuring the best possible result for his clients.

He has particular expertise in defending allegations arising from the activities of alleged organised crime groups, involving murder, the discharge of firearms, the importation and supply of controlled drugs and serious violence.

He is instructed in high-profile murder cases and has an unrivalled track record defending allegations of historic sexual abuse.

He is particularly sought after in cases involving voluminous material and cases with a technological aspect. He has a particular interest in cases that raise issues concerning human rights and civil liberties.

Simon is often engaged by clients pre-charge in substantial cases to advise upon challenges to search warrants by way of application for judicial review; applications to discharge restraint orders and resisting applications for forfeiture of assets. He is currently instructed to advise a politician under investigation for allegations of corruption. He is also often instructed to draft pre-charge representations with the aim of avoiding a charge. He was recently instructed to draft such representations for a senior police officer under investigation for misconduct in a public office.

Simon has built a strong reputation with a wide range of clients who value his pro-active, strategic approach and his outstanding attention to detail. He prides himself on offering a first-rate service and maintaining a close working relationship with those who instruct him, whether a professional client or lay client instructing him directly. The success of Simon's practice is founded upon his ability to build a good rapport with clients and tribunals alike. His client care skills are much praised.

He has substantial expertise in defending professionals and public sector employees accused of criminal offences in the course of their employment or profession. His expertise in professional discipline complements his experience in crime, enabling him to offer a comprehensive service to professional clients seeking advice and representation.

Whilst the majority of his practice is comprised of defence instructions, Simon is also an experienced prosecution advocate, receiving instructions to prosecute serious, complex and multi-handed cases. Simon has been appointed a Level 4 Prosecutor by the Crown Prosecution Service and is a member of the specialist CPS Counter Terrorism, Serious Crime and Proceeds of Crime Panels, in addition to his appointment on the List of Specialist Regulatory Advocates.

PAST NOTABLE CASES

Murder / Serious Violence

Operation Mirato (Dale Cregan & Others) – instructed (with Rick Holland) to represent one of ten defendants in this high-profile murder trial amidst unprecedented security and media scrutiny (instructed by Saeed Hafezi, Stephen Lickrish & Associates)

Operation Colindale – instructed (with Paul Keleher KC) to defend one of seven people accused of involvement in a drive-by shooting in Blackburn that caused the murder of Aya Hachem (instructed by Urfan Mahmood, Shafi Solicitors)

Operation Thames – instructed as junior Counsel for the Prosecution in the trial of Stephen Archer, convicted of the murder by arson of his sister, who he doused in petrol before setting her alight (instructed by CPS Manchester)

Operation Landseer - instructed (with Tim Storrie KC) to defend one of five defendants accused of the murder of Cole Kershaw, in a drive-by shooting in Bury (instructed by Matt Corn, Olliers Solicitors)

Operation Zebra – instructed as junior Counsel for the Prosecution (led by Guy Gozem KC) in the trial of Vincent O’Kane, convicted of the murder of a vulnerable friend by stamping on his chest in a drug-fuelled rage (instructed by CPS Manchester)

R v Stewart Diamond [2008] EWCA Crim. 923: instructed as junior Counsel for the Prosecution (led by Tony Cross KC) in an appeal against conviction for murder, re the admission of evidence of psychiatric illness after conviction where the issue was not raised during the original trial.

R v PH – successful representation of a prisoner at HMP Manchester accused of causing grievous bodily harm with intent when he caused permanent damage to a fellow prisoner’s eye using a broom handle (instructed by Richard Holliday of Olliers Solicitors)

Organised Crime

Operation Natalis – instructed (with Jim Pickup KC) for one of five defendants who conspired to export substantial quantities of controlled drugs via the anonymous dark web online marketplace ‘Silk Road’, conducting over 6,000 drugs transactions (instructed by Gary Broadfield, then of Cartwright King Solicitors, Manchester)

Operation Monaco – instructed to represent the lead defendant, accused of heading an OCG orchestrating the supply of drugs and using serious violence against rival gangs, including the use of firearms (instructed by Fida Hussain of Jon Mail Solicitors)

Operation Noble - secured the acquittal on a half time submission of a client accused of conspiring to fire a shotgun into the home of a member of a rival organised crime group (instructed by Vaqas Latif of Rees Clayton Solicitors)

Operation Sprint – instructed (with Tim Storrie KC) to represent the lead defendant in an international people trafficking ring who was alleged to have raped and imprisoned his victim (instructed by Dylan Bradshaw, Waddingtons Solicitors)

Operation Bellow – instructed to represent one of seven defendants in a 6-week trial, accused of planning and executing the kidnapping at gunpoint of a rival gang member (instructed by Max Saffman of Olliers Solicitors)

Operation Victor – secured the acquittal, after a 9-day trial, of a client charged with money laundering as part of a multi-handed conspiracy to import controlled drugs (instructed by Nick Dearing of Donald, Race and Newton Solicitors)

Operation Elmpond – secured the acquittal of a young man accused of supplying cocaine, despite being found in possession of over 2 ounces of cocaine in his car, along with a collection of snap seal bags, and despite a recent conviction for supplying cocaine (instructed by John Hera, then of Mary Monson Solicitors)

Operation Norma - secured a non-custodial sentence for a member of an organised crime group which arranged the theft of 95 high value luxury motor vehicles, valued at £3m, which were then dismantled in one of their 'chop shops' before being sold or exported to Dubai (instructed by Saeed Hafezi of Stephen Lickrish Solicitors)

Sexual Offending

R v SM – instructed (with Andrew Thomas KC) in a national test case in which our client was accused of rape on the basis of deception as to his HIV status. Following submission of an application to dismiss and application to stay the indictment as an abuse of process, the Prosecution elected not to proceed and the client was cleared of all charges (instructed by Samantha Smith, then of Mary Monson Solicitors)

R v LC – successfully defended at trial at Croydon Crown Court a young defendant with mental health difficulties, accused of historic sexual offending against three distant relations, including the alleged rape of his three-year-old cousin (instructed by Colleen Dickinson-Jones of Roebucks Solicitors)

R v RE – secured the acquittal, after a 7-day trial, of a client accused of historic sexual abuse against the children of three family friends between 1970 and 1998 (instructed by Ellie Akhgar, then of Mary Monson Solicitors, Manchester)

R v KM – successfully defended at trial a young man accused, with three others, of engaging in sexual activity with a child in a case arising out of the Rochdale child sexual exploitation investigations (instructed by Noel Trussler of Connor, Ross, Brown Solicitors)

R v SF – successfully defended at trial a young man accused of sexually abusing his younger sister, when she was aged just four years old, despite having written a letter of confession and failing to attend his trial (instructed by Ellie Akhgar of One Legal Solicitors)

R v ME - successfully represented at trial a young man of good character accused of raping and sexually abusing a teenage girl who he had abducted from a city centre street in Liverpool (instructed by Samantha Smith at Mary Monson Solicitors)

R v AA – successfully represented one of five defendants charged with conspiring to rape a 15-year-old girl during Eid celebrations in Rusholme, Manchester. Simon persuaded the Crown that there was insufficient evidence to proceed against his client and, on the day of the application to dismiss, the Crown offered no evidence (instructed by Ellie Akhgar, then of Mary Monson Solicitors)

R v LR – successful defence at trial of a young defendant with complex personal difficulties, who had been accused of historic sexual and physical abuse of a family friend, when he was just 16 years old, including the rape of the Complainant when she was 10 years old (instructed by Sam Smith, then of Mary Monson Solicitors)

R v RL – successfully defended at trial a client accused of rape and assault by penetration of the teenage girlfriends of his two nephews (instructed by John Greenwood, Stephenson's Solicitors)

R v SS – following submissions on an application to dismiss, Simon secured the dismissal of charges alleging participation in the gang rape of a 14-year-old boy (instructed by Garry Leaver of Farleys Solicitors)

R v AJ – represented at trial at Nottingham Crown Court a man accused of serious sexual offences over 30 years earlier when he was just 14 years old – secured his acquittal in respect of the allegations of rape, albeit convicted of indecent assault, but which resulted in a non-custodial sentence (instructed by Graham Rishton of Mary Monson Solicitors)

R v PD – Successful submission of no case to answer following detailed cross-examination of the computer expert called by the Crown in the case of a mental health nurse accused of making child pornography (instructed by Kristian Cavanagh, NGA Solicitors)

R v RO - instructed to represent a former choir master accused of over one hundred sexual offences against 14 victims over a period of 30 years (instructed by Jared McNally of Clifford Johnstone Solicitors).

Judicial Review claims arising from criminal investigations / proceedings

R (X and AB Ltd) v IOPC [2022] - instructed with Chris Daw KC to settle grounds for judicial review on behalf of real and corporate claimants seeking to challenge the IOPC in relation to its approach to complaints made about criminal investigations into the Claimants by Merseyside Constabulary (instructed by Oliver Wright, JMW Solicitors)

R (F) v Manchester Crown Court and HMRC [2018] EWHC 1866 – instructed with Jim Pickup KC to represent real and corporate claimants, who were successful in securing a declaration that warrants issued to search their premises had been granted and executed unlawfully (instructed by Simon Harrison of RH Law)

Jones v Director of Public Prosecutions [2011] EWHC 50; (2011) 175 J.P. 129; [2012] R.T.R. 3 instructed to represent a serving police officer charged with exceeding the speed limit on duty, driving at 90mph. Simon pursued an appeal by way of case stated against the decision of the Crown Court at Caernarfon (instructed by Slater & Gordon Solicitors in Manchester)

R (M) v Burnley, Pendle and Rossendale Magistrates' Court [2009] EWHC 2874; (2010) 174 J.P. 102 (Admin) – instructed to represent two children against whom ASBOs had been sought by their local authority. He successfully challenged the decision to hear the application in the children's absence (instructed by John Nuttall of NGA Solicitors)

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