

Simon Gurney

Call to Bar: 2006



"Simon Gurney is 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." Crime - Chambers and Partners, 2024

"Simon Gurney is first-class and intellectually top-drawer." Crime - Chambers and Partners, 2024

"His written work is brilliant. He's a fantastic lawyer and one of the stars on the circuit." Crime - Chambers and Partners, 2024

'Simon is one of the best barristers around and a joy to work with. He is highly sought after due to his immense intellect and amazing client care skills, he is a real stand-out performer, and he is extremely hard working with excellent written work.' Tier 1 Business and Regulatory Crime (Inc H&S) - Legal 500 (2024)

Within his practice in serious criminal litigation Simon has particular experience and expertise in defending allegations of fraud and financial crime and allegations of regulatory offences.

He is instructed for both individuals and corporations nationwide in cases of the utmost gravity, sensitivity and complexity.

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 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 is recommended consistently by Chambers & Partners and the Legal 500 for his expertise in financial and regulatory crime (including health and safety)

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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

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The financial crime editorial in Chambers & Partners 2023 describes him as **‘an esteemed junior with a broad practice spanning regulatory and criminal defence work. His expertise encompasses cross-border investigations and cases concerning allegations of fraud and money laundering.’**

The Legal 500 2023 identifies him as having “particular expertise defending clients in substantial fraud prosecutions.”

In the 2022 and 2021 Editions of the Legal 500 he is 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.’

The 2021 Edition of Chambers & Partners describes 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.”

Financial crime

Simon has particular expertise in defending allegations of fraud and financial crime, whether brought by the Police / CPS, Serious Fraud Office or other prosecution agencies.

In recent years he has been instructed in some of the most complex commercial fraud trials, in addition to fraudulent trading, money laundering and intellectual property offences. He is sought after in cases involving voluminous / complex financial material and cybercrime, often involving cross-border investigations.

Simon is often instructed pre-charge in substantial cases to advise upon investigation and interview strategy; 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 also often instructed to draft pre-charge representations with the aim of avoiding a charge.

Simon has been instructed in several of the leading confiscation cases over recent years (involving alleged benefit in excess of £50m). He has built a strong reputation and has particular expertise in proceedings concerning confiscation, asset recovery, cash forfeiture, restraint and contempt.

Notable financial crime cases:

Operation Abode – instructed (with Guy Gozem KC) to represent one of six defendants accused by the Serious Fraud Office of organising a £13million fraud in relation to the sale of solar panels. VHCC trial at Liverpool Crown Court which lasted 5 months (instructed by John Greenwood of Stepnensons Solicitors)

Re TF - retained (along with Jim Pickup KC) by a businessman under investigation by the Serious Fraud Office, HMRC and the Insolvency Service in relation to alleged fraudulent property investment schemes. Succeeded in quashing the search warrants (by judicial review) and secured the discharge of the restraint order (instructed by Simon Harrison of RH Law)

R v JH – instructed to represent the lead defendant in a private prosecution brought at Newcastle Crown Court by the FA Premier League alleging a conspiracy to defraud arising from the distribution of over 8,000 IPTV boxes, causing a loss estimated in the region of £4million (instructed by Gary Broadfield, then of Cartwright King in Manchester)

Operation Bryson – instructed by Stephenson Solicitors to represent a solicitor accused by Trading Standards of fraudulent trading in relation to the sale of estate planning instruments (generating in excess of £5m) which were falsely claimed to evade liability for care home fees. **Operation Atrium** – instructed to represent the lead defendant in a substantial prosecution at Carlisle Crown Court which encompassed a 38-handed ‘crash for cash’ conspiracy to defraud and a massive money laundering conspiracy spanning three decades (instructed by John Greenwood of Stephenson Solicitors)

R v MB – instructed to represent one of three defendants prosecuted at Shrewsbury Crown Court by the Security Industry Authority in relation to their alleged involvement in the forging of assessment documentation. The Prosecution ultimately dropped the case following disclosure requests and the threat of an application to dismiss (instructed by Craig Liversidge of Forbes Solicitors)

R v FE – secured the acquittal at Isleworth Crown Court of a staff member at L’Oreal’s Head Office accused of stealing over £40,000 worth of products (instructed by Alex Chaudhary of Mary Monson Solicitors, London) **R v SM** – secured the acquittal of one of four defendants accused of involvement in a ‘boiler room’ fraud, heard at Cardiff Crown Court (instructed by Geoff Ireland of NGA Solicitors)

R v FH - instructed to represent the lead defendant alleged to have committed a substantial and complex postal fraud through a network of companies, generating a loss of £1.3m. The case was a private prosecution brought by Royal Mail which involved complex financial and technical issues (instructed by Saeed Hafezi of Stephen Lickrish Solicitors)

Confiscation / Asset Recovery / Restraint

Operation Holdback (R v Bagnall) [2013] 1 W.L.R. 204 – instructed (with James Pickup KC) in confiscation proceedings concerning over £52million alleged to be the proceeds of an MTIC VAT fraud wholly unrelated to the crime of which the Defendant was convicted. Following the Court of Appeal hearing, the case is now pending before the European Court of Human Rights (Instructed by Shah Ali, of Osborne Knight Solicitors)

Re: TK and associated businesses – instructed to represent a successful businessman whose substantial personal and company assets had been restrained following an ex parte application by the local authority, preventing him from operating his businesses. Simon drafted an urgent application to discharge the restraint order which was heard on the final sitting day before Christmas. The order was duly discharged and the Prosecution ordered to pay the Client’s costs (instructed by Imran Khan of Lewis Hymanson Small Solicitors).

Re: Choice Classic Ltd / Barton - instructed to advise the administrators of CC Ltd, a company used by Mr Barton as a vehicle for defrauding elderly care home residents, in relation to a witness summons served upon them in POCA proceedings where consideration was given to piercing the corporate veil (instructed by Addleshaw Goddard Solicitors).

Operation Flamage – instructed to act on behalf of a defendant resisting an application for a confiscation order in excess of £2million. Simon argued abuse of process on the grounds that the Defendant could not be afforded a fair hearing, as guaranteed by Article 6 ECHR, owing to his ill health. Following submissions, the Judge stayed the proceedings (instructed by Graeme Tindall of JGT Solicitors).

Operation Capote - instructed by John Greenwood of Stephenson in confiscation proceedings following convictions for conspiring to import 40kg of cocaine and heroin. The Crown sought a confiscation order in the sum of £1.3million. Simon pursued a preliminary legal argument which saw the benefit figure reduced to no more than £70,000.

Alta Gas Plc Fraud - appeared (with Guy Gozem KC) for a defendant who faced complex confiscation proceedings following his conviction for fraudulent trading relating to the collapse of his multi-million pound company. The Crown alleged a benefit of £50million. This case involved complex accounting issues and obtaining evidence outside the jurisdiction (instructed by Saeed Hafezi of Stephen Lickrish & Associates).

Regulatory crime

In the wider regulatory sphere, Simon represents clients accused of regulatory offences across a broad range of areas, including gross negligence manslaughter; breaches of regulations relating to health and safety at work, fire safety, environmental law and trading standards legislation.

He is instructed to advise companies and individuals under investigation and to provide representation to those charged with regulatory offences in both the Crown Court and Magistrates' Court.

He is often instructed pre-charge to advise on investigation and interview strategy and negotiation with the prosecution agency, in the hope of avoiding the commencement of proceedings.

Simon is appointed to List B of the Specialist List of Regulatory Advocates, the list of advocates retained by public agencies responsible for prosecuting alleged regulatory offences. He is regularly instructed by the Crown Prosecution Service and the Health & Safety Executive to prosecute serious criminal and regulatory offences.

Notable regulatory cases

SIA v AR Ltd and its directors - instructed to represent a corporate defendant and its two directors accused by the SIA of breaches of the Private Security Industry Act. Secured dismissal of charges against both directors and a modest fine / no confiscation for the company (instructed by Tim Andrew of Burton Copeland)

Cannock Chase District Council v Quartz 23 Limited – instructed to represent the manager of a nightclub who faced health and safety charges following the death of a customer following his departure from the club. The case raised complex issues surrounding abuse of process and the investigatory powers of the HSE / local authority (instructed by Damian Wall of Burton Copeland Solicitors)

HSE v RH and 9-5 Roofing Ltd - instructed to represent the owner of a roofing business who faced health and safety / work at height charges following the death of one of his employees who fell from a roof without adequate edge protection whilst working under the Defendant's management.

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Simon negotiated a favourable basis of plea and secured a non-custodial sentence for his client (instructed by Tim Andrew of Burton Copeland Solicitors)

HSE v SM Dixon Building Contractors – instructed by the HSE to prosecute the owner of a building company who faced health and safety charges following a life-threatening injury suffered by an employee whilst operating a forward-tipping digger on a construction site.

GMFRS v Oasis Lounge – instructed to represent one of six defendants charged with breaches of fire safety regulations arising from the operation of the Oasis Lounge shisha bar in Manchester. On the day of trial, Simon's client pleaded guilty and gave evidence for the Crown against her co-defendants, following receipt of careful and considered advice. Ultimately, his client retained her liberty whilst those against whom she gave evidence were all sent to prison (instructed by Nasir Hafezi of Stephen Lickrish & Associates)

Oldham MBC v AS – instructed to advise the owner of a pizza restaurant who had been summoned by Oldham Council in relation to alleged breaches of health and safety regulations and failure to comply with a prohibition notice.

GMFRS v QA – instructed to advise the owner and landlord of a number of HMOs who was under investigation by the Greater Manchester Fire and Rescue Service for alleged breaches of fire safety regulations. Simon was retained to advise pre-interview as to strategy; in relation to negotiations surrounding basis of plea; and in order to mitigate sentence (instructed by Nasir Hafezi of Stephen Lickrish & Associates)

R v AL / Yes Clothing – instructed to represent one of four directors of an online clothing company accused of selling substantial quantities of counterfeit items via an online marketplace. Simon achieved a positive outcome for the client at sentence and in confiscation, following protracted negotiations with the prosecution authority (instructed by John Greenwood of Stephensons)

Blackpool BC v RF Ltd – instructed by a company on a direct access basis to provide advice and representation in relation to allegations that they had committed offences under the Trade Marks Act by selling counterfeit England rugby balls. Simon successfully negotiated a settlement with the local authority which resulted in a favourable outcome for the client.

Blackpool BC v ST, HT & NT – instructed to represent three co-directors of retail premises in Blackpool accused of selling counterfeit stock, that infringed the copyright held by numerous premier league football clubs. Simon negotiated a positive outcome for the defendants which frustrated the Prosecution's ambitions in relation to confiscation

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