

Christopher Gillespie

"A first-rate advocate, who is diligent and thorough in his preparation."
Legal 500 UK 2024



Year of Call: 1991

020 7353 5324

After twenty years of experience defending and prosecuting serious crime, Chris now practises exclusively in the regulatory sphere.

In professional discipline, Chris works primarily for the defence and is instructed by all the major medical and dental insurers to represent doctors and dentists before the MPTS and GDC. He is regularly instructed to represent the interests of doctors at inquests. However, he is also instructed to present cases for the GOsC and has in the past been instructed by GOC, GPhC and RCVS. He has appeared for the NMC in the Divisional Court.

Chris also represents corporate and individual defendants in criminal regulatory cases brought by the HSE, EA and local authorities and at inquests. He was instructed with Jonathan Laidlaw KC to represent the crowd management and security company at the Manchester Arena Inquiry and is currently instructed as junior counsel in the civil proceedings.

Chris also has a substantial advisory practice with a focus on gambling and licensing matters. In 2023, he successfully represented a bookmakers in civil proceedings brought by an alleged problem gambler.

Chris accepts **Direct Access** instructions.

What others say:

"Very knowledgeable in professional discipline. He picks up and advises on complex matters very quickly and is a very clear and persuasive advocate." "Adept handling of very nervous clients and achieves excellent results. What more could you want?" and "A great barrister, who is thoughtful, excellent with clients, and has good strategic awareness. A safe pair hands." – Chambers UK 2024

"A first-rate advocate, who is diligent and thorough in his preparation." – Legal 500 UK 2024

"Christopher is very user-friendly and approachable." – Chambers UK 2023

Location

2 Hare Court
Temple
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EC4Y 7BH

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“Chris is a highly effective barrister. He is elegant, confident and straight-talking.” – Legal 500 UK 2023

“Extremely able, well-prepared, affable and very able. Chris is a very polished performer. He is thorough, careful and right.” – Legal 500 UK 2022

“He’s delightful, very experienced and unruffled, and thoroughly prepared.” “He is very well prepared, robust and has a lovely manner in his advocacy that is very persuasive.” “Extremely professional and excellent with clients. He’s a really polished and very professional barrister.” – Chambers UK 2022

“An extremely effective cross-examiner, but it is done in a respectful manner. He is firm but not aggressive, and also pragmatic – he never takes any bad points.” – Legal 500 2021

“A very able advocate with gravitas, who will go the extra mile.” – Legal 500 2020

Criminal Regulatory

In the days of the AG’s list Chris was instructed to prosecute cases on behalf of the HSE. However, since 2010 he has acted exclusively for the defence including cases involving death and serious injury.

Chris regularly acts for the owners of care homes facing criminal regulatory intervention whether by the CQC, HSE or local authorities.

In environmental cases Chris acts for the defence in prosecutions brought by the EA or local authorities in relation to permitting breaches and/or pollution. He specialises in cases involving statutory nuisance including noise pollution. In this context much of his work is advisory, liaising with prosecuting authorities to avoid prosecution. As a result of his practice prosecuting and defending in the criminal courts he has a particular specialism in environmental cases that involve a confiscation hearing.

Recent cases in which Chris has been instructed include:

- A fatality at a waste transfer station which led to a five-day Newton hearing at which the judge rejected the vast majority of the aggravating features alleged by the HSE leading to a substantially reduced sentence and order for costs.
- Severe lead poisoning of two operatives who were working on a marine structure in the Solent. The poisoning was so acute that the hospital used the entire UK stock of medicine to treat the operatives.
- A serious fall from height and a crushing accident in separate incidents at the warehouse of a major logistics company.
- Defending a national chain of health clubs for offences at one of its clubs under Food Safety and Hygiene legislation.
- Advising a police force in relation to a neighbour complaint concerning noise from the dog kennels.
- Acting for a hunt in nuisance proceedings concerning the level and frequency of noise from its kennels.
- Advising on the use to which material disclosed in potential civil proceedings may or may not be used for the purposes of an HSE investigation/inquest.

Chris has lectured widely on the fees for intervention regime, the effect of s85 of LAPS0, fines for very large organisations, the proposed sentencing guidelines for corporate manslaughter and health and safety offences involving death and criminal confiscation in environmental cases and the role of the CQC in the regulation of care homes.

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Inquests & Public Inquiries

As a result of his practice in health and safety cases and professional discipline matters Chris acts for interested parties at inquests.

Recent and notable cases include:

- Acting for the crowd management company at the public inquiry into the Manchester Arena bombing on 22 May 2017 which resulted in the deaths of 22 people.
- Acting on behalf of a corporate client in the Zane Gbangbola inquest which attracted substantial publicity because of the family's claims that their son's death had resulted from hydrogen cyanide poisoning from contaminated land owned by Chris' client; after a six-week inquest the Coroner concluded that death was as a result of carbon monoxide poisoning from a petrol pump in the family home.
- Acting for a Doctor in relation to an examination of a prison inmate who died within days of the examination. Acting for a Doctor in relation to the over-prescription of opiates to a drug addict.
- Acting for a company whose employee died in an accident off site when his tipper truck overturned. Acting for a non-secure children's care home where a child absconded and died.
- Acting for a care home where concerns, subsequently dismissed, had been raised concerning the treatment and care of an elderly resident.
- Acting for a care home where there was an issue as to when pressure sores had developed and to what extent, if any, they had contributed to death.

Licensing

Chris has an extensive advisory practice in the fields of gambling and licensing. In 2014 he was instructed to advise the then government of Bermuda on its proposed gambling legislation. He can be instructed either through solicitors or in appropriate cases on a **direct access** basis.

Recent instructions have included:

- Whether particular schemes constituted an unlawful lottery
- Whether a particular lottery was entitled to withhold £1m of winnings
- Whether a gambler who had self-excluded from online betting had a claim against bookmakers at whose physical premises he continued to gamble
- Advising companies on the renewal of SEV licences
- Advising companies in relation to annual reviews and potential proceedings by the Gambling Commission
The potential liability of personal licensees and/or qualifying persons
- Advising companies and individuals generally in proceedings brought by Licensing Authorities or the Gambling Commission

Chris also accepts instructions to appear before Licensing Authorities and the Gambling Commission and in appeals from these bodies.

Notable Cases:

SO v SS

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The Claimant who described himself as “a problem gambler” lost his claim against Star Sports, a Mayfair bookmaker, for the return of betting losses incurred whilst he was in a “betting frenzy”. Chris represented Star Sports (“SS”). The Claimant had argued that SS, in providing him with facilities to gamble, supplied a service to which the Consumer Rights Act 2015 applied. There was an implied term that SS would perform its services with “reasonable care and skill” pursuant to section 49(1). That much was conceded. However, it was further argued that, as it was a condition of the SS’s operating licence that it would comply with the Social Responsibility Code Provisions issued by the Gambling Commission, any failure to abide by that Code was a breach of the implied term, which entitled the Claimant to claim damages. The Claim failed on every ground. The judge noted that that the Claimant, notwithstanding a detailed Part 18 Request for Further Information, had refused to provide any financial records to demonstrate the extent of his winnings and losses and how they related to his general financial situation. Further, he had failed to provide any medical or psychiatric evidence of his mental state during the relevant period. His case was inconsistent and self-contradictory in a number of crucial respects, including what he had said about his problematic gambling to employees of SS. Read more [here](#).

This case was widely publicised, media links: [The Times](#) | [Daily Mail](#) | [Racing Post](#)

Professional Discipline

The vast majority of Chris’s practice is now made up of professional disciplinary work. Chris is regularly instructed on behalf of all the major medical insurers to defend doctors and dentists facing allegations of misconduct and/or deficient professional performance and/or health concerns at fitness to practice hearings. He has represented medical professionals charged with sexual misconduct, drug abuse, financial irregularities, irregular record keeping, dishonesty, bullying and clinical incompetence. His twenty years’ experience at the Criminal Bar makes him an adept cross-examiner of lay, professional and expert witnesses.

In the past he has been instructed to present cases on behalf of the Royal College of Veterinary Surgeons, the General Optical Council and the General Osteopathic Council. He previously presented for the NCTL including two cases that were part of the Birmingham Schools Trojan Horse investigation.

Chris’s advisory work has included advice on disclosure both in the context of planned disciplinary proceedings and under the Data Protection Act/General Data Protection Regulations and on the lawfulness of Production Orders issued to doctors under the Police and Criminal Evidence Act.

Ranked in the Legal 500, *“A first-rate advocate, who is diligent and thorough in his preparation.”* – Legal 500 UK 2024, and Chambers and Partners *“Very knowledgeable in professional discipline. He picks up and advises on complex matters very quickly and is a very clear and persuasive advocate.”* *“Adept handling of very nervous clients and achieves excellent results. What more could you want?”* and *“A great barrister, who is thoughtful, excellent with clients, and has good strategic awareness. A safe pair hands.”* – Chambers UK 2024.

Accreditations

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Appointments & Memberships

- Criminal Bar Association
- Association of Regulatory & Disciplinary Lawyers
- Health & Safety Lawyers Association
- Fraud Lawyers Association

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