

## Christopher Gillespie

"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 UK 2021



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 is currently instructed with Jonathan Laidlaw QC to represent the crowd management and security company at the Manchester Arena Inquiry.

Chris also has a substantial advisory practice with a focus on gambling and licensing matters. He is frequently asked to advise at the early stages of criminal regulatory proceedings and on issues such as professional privilege.

Chris accepts [Direct Access](#) instructions.

## What others say:

"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

"Fantastic....." – Chambers UK 2018

"A name to note in the criminal/regulatory sphere." – Legal 500 2017

### Location

2 Hare Court  
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“An impressive advocate and a scrupulously fair prosecutor.” – Legal 500 2017

“Fantastic in cross-examination and very good at reassuring the client.” – Chambers UK 2018

“He’s hard working, fearless and he gets results.” – Chambers UK 2017

“He was the best advocate in the trial we had. He had to negotiate a tricky cut-throat issue, and whilst others went off-piste or didn’t put the work in, he shone. He knew the case well and had fully thought through the line he was going to take.” – Chambers UK 2017

“Able to put even the most vulnerable witnesses at ease.” – Legal 500 2016

“Able to digest a large volume of documentation quickly and thoroughly.” – Legal 500 2016

## Business Crime & Financial Services

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Chris is instructed to defend in all types of fraud including land banking, so-called “boiler room” fraud, mortgage fraud, internet fraud, tax fraud and money laundering.

In *R v Crawley and others* (Southwark Crown Court) Chris as leading junior successfully defended his client, the only defendant to be acquitted by the jury, on a charge of conspiracy to defraud in respect of a land banking scheme brought by the FSA in its biggest prosecution to date.

Chris has also recently secured the acquittal of a well-known Norwich businesswoman on six counts of cheating the revenue in relation to £360,000 of unpaid VAT, PAYE and NI. In the last few years Chris has acted for a number of defendants charged with tax fraud and in each case has either secured acquittals or low sentences and appropriate confiscation orders.

## Cases

### **R v Negus & Others**

Leading junior in mortgage fraud.

### **R v Finch & Others**

Leading junior in banking fraud.

### **R v Place & Others**

Prosecution junior to Malcolm Swift QC in what judge described as “industrial scale” internet fraud.

### **R v Smith & Others**

Junior to Trevor Burke QC in multi-million pound VAT/money laundering.

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# Criminal Regulatory

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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 and is now ranked by the Legal 500 as a leading junior.

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.

## Inquests & Public Inquiries

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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 in relation to the inquests 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

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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

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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.

## Professional Discipline

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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 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.

He is also 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.

He is often instructed to represent doctors who are interested parties at inquests.

Chris's advisory work has included advice on disclosure both in the context of planned disciplinary proceedings

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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, *“His advocacy demonstrates patience, courtesy and realism in managing unpredictable witnesses.”*

## GMC v NB

Proceedings against a GP in private practice who had begun a sexual relationship with a former patient with whom she was engaged and had a child. Chris successfully argued before the MPTS that the doctor/patient relationship had been sufficiently brief and that the gap between the end of the professional relationship and the beginning of the personal relationship sufficiently long that the doctor’s actions were not improper and did not constitute misconduct.

## Accreditations

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## Appointments & Memberships

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

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