



Simon Baker KC

Call 1998

Silk 2021

Simon Baker KC has been regarded for many years as one of the country's leading barristers for fraud and financial crime. He is recommended a leader in the field by the Chambers & Partners UK directory (he has been recommended in every edition of the guide since 2013), the Legal 500 guide (he has been recommended every year since the 2015 edition) and the specialist Chambers & Partners HNW Guide (since 2019).

Simon primarily specialises in cases of complex business and regulatory fraud, market abuse, tax fraud and money laundering, as well as in serious criminal conspiracies (including murder and serious drugs cases).

Acting for both individual and corporate clients, he has been instructed in some of the highest profile cases in the UK including the Post Office "Horizon" appeals, LIBOR, the HBoS fraud, BHS, London Capital & Finance and iSOFT.

Simon is regularly instructed to advise at the pre-charge/investigation stage, and has considerable experience of dealing with restraint, asset recovery and confiscation proceedings. Simon also has experience of the particular issues arising in bringing or defending private prosecutions.

Simon also has substantial experience and expertise in regulatory, civil and administrative law, particularly in relation to matters arising out of the cross-over between criminal law and civil litigation.

Practice Areas

Fraud

Simon Baker KC has been recognised for many years by all of the main directories as being one of the UK's leading barristers for serious fraud and financial crime. He represents both individuals and corporate clients. For many years, he has been instructed in some of the most serious and high-profile fraud cases, including LIBOR, the HBoS fraud, iSOFT, BHS and London Capital & Finance.

He has been recommended for Financial Crime in every edition the Chambers & Partners UK directory since 2013. He is described as "*a sensational barrister who does the highest quality work*", and the 2023 guide describes him as "*a brilliant advocate*." The 2022 guide noted that he is "*acclaimed for his impressive skill in mastering the facts of document heavy cases*" and that he "*has a huge amount of gravitas before the judges and he charms the juries. He is recognised by the market as an incredible brain and is frighteningly bright*." He has also been praised for being "*very good with clients; he puts them at ease and his preparation is second to none*".

He has also been described the guides as being *"extremely efficient and wonderfully reliable", "able to turn around documents very quickly to a very high standard", "incredibly easy to deal with and user-friendly" and "exceptionally hard-working, very bright, great company and someone who goes the extra mile for the client."*

Simon is particularly singled out by the Chambers & Partners guide for High Net Worth individuals for his work in financial crime. The guide describes him as *"a really sensational barrister who does the highest quality of work. ... he has never let a client down and he is always in great demand."* The Guide also observes that *"He gets up to speed on the papers very, very quickly, filters out key issues and responds very quickly to enquiries."*

Simon is also recommended for Fraud (Crime) and Business & Regulatory Crime by the Legal 500 guide (he has been recommended in every edition of the guide since 2015). The 2023 Guide describes him as *"incredibly bright, practical, a great team player, a brilliant drafter and excellent advocate. He has the ability to digest huge volumes of material and produce cogent and clear advice at superhuman speed."* Legal 500 has also described him as *"immensely talented and a formidable advocate both on his feet and in written submissions and commands great respect of the judiciary"* and *"a highly effective advocate who gives very pragmatic and strategic advice in applying an extensive knowledge of the law and broader commercial factors"*. Legal 500 has also commented that he is *"Always the master of his brief", "always a joy to work with" and that "his extraordinary mind can absorb complex information in no time"*.

Simon specialises in cases of complex fraud (including corporate fraud, "Boiler room" frauds, market manipulation and MTIC) and money laundering. He has particular expertise in cases involving disclosure/public interest immunity issues and confiscation/asset recovery, as well as cases involving technical computer/digital evidence.

Although he now primarily defends, Simon has experience of private prosecutions. He has previously been on the CPS specialist fraud panel and the Attorney-General's B panel of advocates, and has prosecuted serious cases for the Crown Prosecution Service, the Department of Trade & Industry and H.M. Revenue & Customs.

Cases

- **Post Office "Horizon" appeals (R v H & Others [2021] EWCA Crim 577, R v A & Others [2021] EWCA Crim 1443, R v A & Others [2021] EWCA Crim 1874, R v W & Others [2022] EWCA Crim 435, and R v H & Others [2022] EWCA Crim 1197)** – Representing the Post Office in relation to the criminal appeals and potential appeals of sub-postmasters prosecuted between 2000 and 2013 in cases relying upon evidence from the Horizon computer system (including the largest conjoined appeal ever heard by the Court of Appeal Criminal Division).
- **LIBOR:** Successfully defended in the SFO prosecution of a former broker charged with LIBOR rigging. The case involved allegations that bankers were colluding to fix the LIBOR rate which is used as a benchmark for world trading in a range of financial products. The value of the fraud was incalculable, as the impact could have run to trillions of dollars.
- **Operation Hornet (HBoS):** Represented the first defendant in the very high profile prosecution of HBoS directors and businessmen arising out of alleged fraud and corruption connected to the HBoS impaired assets division between 2003 and 2007. HBoS's alleged losses from the fraud are said to be in excess of £250m.
- **BHS:** Defended DC, who had purchased British Home Stores for £1 from Sir Phillip Green, in relation

to his very high-profile prosecution for offences of tax fraud arising out of the purchase and collapse of British Home Stores.

- **iSoft:** Represented the former CEO of iSoft PLC in the very high profile FCA (formerly FSA) prosecution of the directors of iSoft PLC for offences of market manipulation. The case was the largest ever prosecuted by the FCA/FSA. Following a 4 month trial, which collapsed following successful defence submissions relating to disclosure and abuse, the FCA conceded defeat and the defendants were acquitted.
- **Operation Ark:** Successfully represented JB, the director of a number of companies with a turnover of over £46.7m, facing one of the largest ever Trading Standards prosecutions for conspiracy to defraud arising out of the allegedly fraudulent mis-selling of heating systems. Following a week-long disclosure argument, the Judge agreed that the prosecution's approach to disclosure had been defective and the prosecution offered no evidence.
- **iSpooF:** Represented TF, the founder of the iSpooF website, in the high-profile prosecution for multiple fraud and money laundering offences arising out of the frauds (valued in excess of £43 million in the UK alone and over £100 million worldwide) committed through the website's facility enabling users to "spooF" caller IDs (making it appear that the fraudsters were calling from the victims' banks etc).
- **Operation Balaban:** Acted alone for main director of two companies charged with conspiracy to defraud in relation to a multi-million pound "boiler room" fraud. The case collapsed following defence submissions in relation to disclosure and the fact that the Crown were relying on an expert who was not suitably qualified.
- **Operation Picasso:** Leading counsel for the first defendant successfully acquitted of a multi-million pound "boiler room" fraud involving selling carbon credits as investments.
- **Operation Modcons:** Represented the CEO of a multi-million pound construction logistics company facing allegations of conspiracy to cheat the public revenue through a £6.9m payroll fraud.
- **R v Q:** Leading counsel in this highly publicised case defending an immigration officer charged with large-scale immigration fraud, facilitation, money laundering and misconduct in public office. The press described the defendant as "the most dishonest man in Britain".
- **Operation Aquamarine:** Defended a solicitor alleged to have been at the heart of highly sophisticated conspiracy to commit a very high value (over £40m) mortgage fraud on Barclays Private Clients International and Abbey Commercial Mortgages.
- **Operation Tulipbox:** Represented a company director charged with the UK's first ever carbon credit fraud. This was a £39 million MTIC fraud in which carbon credits were traded on to Blue Chip traders such as Morgan Stanley, BP, Shell & Gazprom.
- **Operation Devout II:** Instructed in relation to the confiscation proceedings arising out of a series of hugely complex MTIC frauds.
- **R v H & Another:** Defence counsel in highly complex and substantial confiscation proceedings relating to money laundering, where the Crown alleged criminality valued at in excess of £1 billion and where the s16 statement ran to almost 3000 pages.
- **R v F & B [2008] EWCA Crim 1868:** Defence counsel at trial (an allegation of money laundering valued at almost £1.2 million), in the appeal before the Court of Appeal, and on the certified appeal to the House of Lords, on the question of whether the Crown are required to prove the underlying offence when prosecuting for money laundering.
- **R v S & others:** Leading defence counsel in complex confiscation proceedings, valued in excess of £3.7 million, relating to the laundering of the proceeds of a large-scale conspiracy to steal cars.
- **R v P:** Defended in a £75 million money laundering case connected to the London City Bond investigations (stayed as an abuse of process).
- **R v F:** Leading defence counsel for the first defendant facing allegations of masterminding a large-scale immigration fraud and corrupting a Home Office official. The 2½ month trial attracted significant

press coverage and resulted in the defendant being acquitted of the corruption offences on a half-time submission.

- **R v M & Others:** Represented the first defendant in a 19-handed conspiracy to commit mortgage fraud.
- **R v A & Others:** Defence counsel in the Kings College NHS Trust fraud (the largest ever fraud perpetrated against the NHS).

Electoral Fraud

Simon has a particular interest in election law and appeared for the applicant in the highly publicised High Court challenge to the postal voting regulations prior to the 2005 general election [*Hemming v Department of Constitutional Affairs (2005)*]. He also advised in the highly publicised Election Court in Birmingham arising out of postal vote fraud in the Bordesley Green and Aston wards.

Business Crime

Simon Baker KC is recognised by all of the main directories as being one of the UK's leading barristers for serious fraud and financial crime, acting for individuals and corporate clients. For many years, he has been instructed in some of the most serious and high-profile fraud cases, including LIBOR, the Post Office "Horizon" appeals, the HBoS fraud, iSOFT, BHS and London Capital & Finance.

He has been recommended for Financial Crime by the Chambers & Partners UK directory in every edition of the guide since 2013. He is described as *"a sensational barrister who does the highest quality work"*, and the 2023 guide describes him as *"a brilliant advocate."* The 2022 guide notes that he is *"acclaimed for his impressive skill in mastering the facts of document heavy cases"* and that he *"has a huge amount of gravitas before the judges and he charms the juries. He is recognised by the market as an incredible brain and is frighteningly bright."* He has also been praised for being *"very good with clients; he puts them at ease and his preparation is second to none"*, *"extremely efficient and wonderfully reliable"*, *"able to turn around documents very quickly to a very high standard"*, *"incredibly easy to deal with and user-friendly"* and *"exceptionally hard-working, very bright, great company and someone who goes the extra mile for the client."*

Simon is particularly singled out by the Chambers & Partners guide for High Net Worth individuals for financial crime. The 2020 guide describes him as *"a really sensational barrister who does the highest quality of work. ... he has never let a client down and he is always in great demand."* The Guide also observes that *"He gets up to speed on the papers very, very quickly, filters out key issues and responds very quickly to enquiries."*

Simon is also recommended for Fraud (Crime) and Business & Regulatory Crime by the Legal 500 guide (he has been recommended in every edition of the guide since 2015). The 2023 Guide describes him as *"incredibly bright, practical, a great team player, a brilliant drafter and excellent advocate. He has the ability to digest huge volumes of material and produce cogent and clear advice at superhuman speed."* Legal 500 has also described him as *"immensely talented and a formidable advocate both on his feet and in written submissions and commands great respect of the judiciary"* and *"a highly effective advocate who gives very pragmatic and strategic advice in applying an extensive knowledge of the law and broader commercial factors"*. Legal 500 has also commented that he is *"Always the master of his brief"*, *"always a joy to work with"* and that *"his extraordinary mind can absorb complex information in no time"*.

Simon has particular expertise in relation to complex corporate fraud, money laundering and cases involving disclosure/public interest immunity issues and confiscation/asset recovery, as well as cases involving technical computer/digital evidence.

Although he now primarily defends, Simon has experience of private prosecutions. He has previously been on the CPS specialist fraud panel and the Attorney-General's B panel of advocates, and has prosecuted serious cases for the Crown Prosecution Service, the Department of Trade & Industry and H.M. Revenue & Customs.

Cases

- **Post Office "Horizon" appeals (R v H & Others [2021] EWCA Crim 577, R v A & Others [2021] EWCA Crim 1443, R v A & Others [2021] EWCA Crim 1874, R v W & Others [2022] EWCA Crim 435, and R v H & Others [2022] EWCA Crim 1197)** – Representing the Post Office in relation to the criminal appeals and potential appeals of sub-postmasters prosecuted between 2000 and 2013 in cases relying upon evidence from the Horizon computer system (including the largest conjoined appeal ever heard by the Court of Appeal Criminal Division).
- **LIBOR:** Successfully defended in the SFO prosecution of a former broker charged with LIBOR rigging. The case, involving allegations that bankers were colluding to fix the LIBOR rate which is used as a benchmark for world trading in a range of financial products. The value of the fraud was incalculable, as the impact could have run to trillions of dollars.
- **Operation Hornet (HBoS):** Represented the first defendant in the very high profile prosecution of HBoS directors and businessmen arising out of alleged fraud and corruption connected to the HBoS impaired assets division between 2003 and 2007. HBoS's alleged losses from the fraud are said to be in excess of £250m.
- **R v M, C & T [2017] UKSC 58:** Represented a company, and its main director, who faced charges relating to multi-million pound grey market trading. The case involved taking an interlocutory appeal all the way to the Supreme Court to determine whether grey market trading constituted a criminal infringement of s.92 of the Trade Marks Act 1994. Both the corporate and individual clients were acquitted when the Crown offered no evidence following successful defence submissions relating to abuse of process and disclosure.
- **BHS:** Defended DC, who had purchased British Home Stores for £1 from Sir Phillip Green, in relation to his very high-profile prosecution for offences of tax fraud arising out of the purchase and collapse of British Home Stores.
- **iSoft:** Junior counsel for the former CEO of iSoft PLC in the very high profile FCA (formerly FSA) prosecution of the directors of iSoft PLC for offences of market manipulation. The case was the largest ever prosecuted by the FCA/FSA. Following a 4 month trial, which collapsed following successful defence submissions relating to disclosure and abuse, the FCA conceded defeat and the defendants were acquitted.
- **Operation Ark:** Successfully represented JB, the director of a number of companies with a turnover of over £46.7m, facing one of the largest ever Trading Standards prosecutions for conspiracy to defraud arising out of the allegedly fraudulent mis-selling of heating systems. Following a week-long disclosure argument, the Judge agreed that the prosecution's approach to disclosure had been defective and the prosecution offered no evidence.
- **Operation Picasso:** Successfully acted as leading counsel for the first defendant, the Managing Director of an investment brokerage, who was acquitted of a multi-million pound "boiler room" fraud conspiracy involving selling carbon credits as investments.

- **Operation Modcons:** Represented the CEO of a multi-million pound construction logistics company facing allegations of conspiracy to cheat the public revenue through a £6.9m payroll fraud.
- **Operation Balaban:** Acted alone for main director of two companies charged with conspiracy to defraud in relation to a multi-million pound “boiler room” fraud. The case collapsed following defence submissions in relation to disclosure and the fact that the Crown were relying on an expert who was not suitably qualified.
- **Operation Aquamarine:** Represented a solicitor alleged to have been at the heart of highly sophisticated conspiracy to commit a very high value (over £40m) mortgage fraud on Barclays Private Clients International and Abbey Commercial Mortgages
- **Operation Tulipbox:** Represented a company director in the UK’s first ever carbon credit fraud. This was a £39 million MTIC fraud in which carbon credits were traded on to Blue Chip traders such as Morgan Stanley, BP, Shell & Gazprom.
- **Operation Devout II :** Instructed in relation to the confiscation proceedings arising out of a hugely complex MTIC fraud.

Advisory

Simon Baker KC is regularly instructed on behalf of both corporate and individual clients to advise in relation to a broad range of highly complex and serious issues. He is recommended as a barrister specialising in fraud and financial crime by the Chambers & Partners UK directory (he has been recommended in every edition of the guide since 2013), the Legal 500 guide (he has been recommended every year since the 2015 edition) and the specialist Chambers & Partners HNW Guide (since 2019).

Pre-charge Advice

Simon’s advice is often sought by clients subject to investigations by the SFO, FCA, HMRC and other prosecutorial and regulatory agencies. This includes advising both corporate and individual clients on engagement with investigations (including the approach to interviews, compliance with production orders and provision of documents generally) and often involves drafting representations to resolve investigations without prosecution or regulatory penalty.

Many of Simon’s clients have been high profile and/or HNW individuals, and Corporate clients, for whom reputation management is of particular importance. Simon has extensive experience in advising clients in such circumstances.

Appeals

Simon is often instructed to advise on the merits of appeals in cases in which he was not instructed at first instance. This includes not only providing second opinions in cases where a client has been recently convicted, but also advising on the possibility of appealing historic convictions.

Simon has recently acted as counsel for the Post Office, reviewing and advising on hundreds of appeals (and potential appeals) arising out of the use of the Horizon computer system.

Regulatory & Compliance

Simon's advice is sought by corporate and individual clients seeking guidance as to their regulatory and compliance duties, including in relation to AML and FSMA concerns.

Investigations & Self-Reporting

Simon advises corporate and individual clients in relating to internal investigations and self-reporting requirements in relation to both potential criminal and regulatory misconduct. Simon's experience in dealing with the major investigative and regulatory agencies (including the SFO, FCA, CPS, NCA and HMRC) enables him to provide practical advice from the outset to assist his clients in protecting their positions and effectively engaging with those agencies where appropriate.

Restraint, Confiscation & Other Asset Recovery Orders

Simon is often instructed to advise on the implications of restraint orders and other orders under the Proceeds of Crime Act 2002 and Criminal Finances Act 2017 (including Account Freezing Orders, Asset Recovery Orders and Unexplained Wealth Orders). Simon is experienced in advising both those who are directly subject to the orders and also to third parties whose financial and other interests are affected by such orders.

Murder & Manslaughter

Simon Baker KC defends in a range of homicide cases, including cases involving group/gang activity and cases involving self-defence, loss of control, diminished responsibility and psychiatric defences. He has experience at dealing with complex and technical evidence including evidence relating to pathology, forensic evidence, cell-site evidence and psychiatric issues.

Notable murder & manslaughter cases

R v JM

Defended in the high profile killing of transsexual woman whom the defendant had met online for sex. The case involved issues of self-defence and loss of control.

R v B

Acted for the lead defendant in a highly publicised gang murder in the back of an ambulance arising out of

a “turf war” between Romanian gangs involved in ATM fraud.

R v F

Defended in a murder trial involving a killing during a pub fight, in which the defence was self-defence.

R v CL

Acted alone as sole counsel defending man charged with attempted murder (repeated stabbing of his girlfriend), where the defence was one of insanity. The defendant was acquitted of attempted murder on the basis of inability for form the required consent due to psychiatric illness.

R v G

Prosecution counsel in a case of attempted murder/s.18 by a paranoid schizophrenic who had repeatedly stabbed a commuter whilst suffering from a delusional episode caused by his deliberate withdrawal from medication.

Crime

Simon Baker KC has been recognised for many years by all of the main directories as being one of the UK’s leading barristers. Simon acts for both individuals and corporate clients, and has been instructed in some of the most serious and high-profile cases in the UK, including the Post Office “Horizon” case, LIBOR, the HBOs fraud, BHS and the high-profile transexual murder of Naomi Hersi.

The Chambers & Partners Guide (in which he has been recommended in every edition since 2013) describes him as *“a sensational barrister who does the highest quality work”*, and the specialist Chambers & Partners Guide for High Net Worth individuals notes that *“... he has never let a client down and he is always in great demand.”* Chambers & Partners has also described him as *“very able and bright”, “extremely efficient and wonderfully reliable”, “incredibly easy to deal with and user-friendly”,* as well as being *“very good with clients; he puts them at ease and his preparation is second to none”* and *“exceptionally hard-working, very bright, great company and someone who goes the extra mile for the client.”* The 2022 Guide commented that he *“has a huge amount of gravitas before the judges and he charms the juries. He is recognised by the market as an incredible brain and is frighteningly bright.”* The 2023 guide describes him as *“a brilliant advocate.”*

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Simon specialises in cases of complex fraud (including corporate fraud, “boiler room” frauds and MTIC) and

money laundering as well as serious crime (including murder and serious drug conspiracies). He is regularly instructed in some of the highest profile cases in the UK. He has particular expertise in cases involving disclosure/public interest immunity issues and confiscation/asset recovery, as well as cases involving technical computer/digital evidence.

Although he now primarily defends, Simon has experience of private prosecutions. He has previously been on the CPS specialist fraud panel and the Attorney-General's B panel of advocates, and has prosecuted serious cases for the Crown Prosecution Service, the Department of Trade & Industry and H.M. Revenue & Customs.

Simon is also experienced in extradition and regulatory work.

Cases

FRAUD & MONEY LAUNDERING

- **Post Office "Horizon" appeals (R v H & Others [2021] EWCA Crim 577, R v A & Others [2021] EWCA Crim 1443, R v A & Others [2021] EWCA Crim 1874, R v W & Others [2022] EWCA Crim 435, and R v H & Others [2022] EWCA Crim 1197)** – Representing the Post Office in relation to the criminal appeals and potential appeals of sub-postmasters prosecuted between 2000 and 2013 in cases relying upon evidence from the Horizon computer system (including the largest conjoined appeal ever heard by the Court of Appeal Criminal Division).
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- **iSpooF:** Represented TF, the founder of the iSpooF website, in the high-profile prosecution for multiple fraud and money laundering offences arising out of the frauds (valued in excess of £43 million in the UK alone and over £100 million worldwide) committed through the website's facility enabling users to "spooF" caller IDs (making it appear that the fraudsters were calling from the victims' banks etc).
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of a very high value (over £40m) mortgage fraud on Barclays Private Clients International and Abbey Commercial Mortgages.

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- **R v S & others:** Leading defence counsel in complex confiscation proceedings, valued over £3.7 million, relating to the laundering of the proceeds of a large-scale conspiracy to steal cars.

MURDER

- **R v JM:** Defended in the high profile killing of transsexual woman whom the defendant had met online for sex. The case involved issues of self-defence and loss of control.
- **R v B:** Acted for the lead defendant in a highly publicised gang murder in the back of an ambulance arising out of a “turf war” between Romanian gangs involved in ATM fraud.
- **R v F:** Defended in a murder trial involving a killing during a pub fight, in which the defence was self-defence.
- **R v CL:** Acted alone as sole counsel defending man charged with attempted murder (repeated stabbing of his girlfriend), where the defence was one of insanity. The defendant was acquitted of attempted murder on the basis of inability for form the required consent due to psychiatric illness.
- **R v G:** Prosecution counsel in a case of attempted murder/s.18 by a paranoid schizophrenic who had repeatedly stabbed a commuter whilst suffering from a delusional episode caused by his deliberate withdrawal from medication.

TRADING STANDARDS

- **R v M, C & T [2017] UKSC 58** – Represented a company, and its main director, who faced charges relating to multi-million pound grey market trading. The case involved taking an interlocutory appeal all the way to the Supreme Court to determine whether grey market trading constituted a criminal infringement of s.92 of the Trade Marks Act 1994. Both the corporate and individual clients were acquitted when the Crown offered no evidence following successful defence submissions relating to abuse of process and disclosure.
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defective and the prosecution offered no evidence.

- **R v BA:** Defending a woman charged with importing and selling in excess of £1.1m of counterfeit apparel through a series of market stalls and online retailers.

DRUGS

- **R v K & others:** Acted for the main defendant in the largest ever conspiracy to import cocaine (over 1.6 tonnes).
- **R v AM & others** – Defended company director charged with conspiracy to manufacture and distribute in excess of £43m of Anabolic Androgenic Steroids.
- **R v H & another** – Defence counsel in highly complex and substantial confiscation proceedings arising out of massive drug and money laundering conspiracies, where the Crown alleged criminality valued at in excess of £1 billion and where the s16 statement ran to almost 3000 pages.
- **R v N:** Defending in relation to the largest ever seizure of Ketamine in the UK (valued at over £4 million).
- **R v R:** Defending in an extremely serious supply of Class A case (involving 6 kilos of cocaine and 20,000 ecstasy tablets to undercover police officers), involving complex abuse of process, entrapment and P.I.I. issues.
- **R v H & Z:** Successfully prosecuted 2 defendants for their roles in a serious conspiracy to import heroin.

IMMIGRATION FRAUD

- **R v Q:** Leading counsel defending an immigration officer charged with large-scale immigration fraud, facilitation, money laundering and misconduct in public office. The trial was front page news in the national press, who described the client as “the most dishonest man in Britain”.
- **R v F:** Leading defence counsel for the first defendant facing allegations of masterminding a large-scale immigration fraud and corrupting a Home Office official. The 2½ month trial attracted significant press coverage and resulted in the defendant being acquitted of the corruption offences on a half-time submission.

EXTRADITION

- **USA v Benbow & others [2005] EWHC 1051 (Admin):** Defending in the leading authority on applicability of entrapment in extradition cases (application to extradite to the USA to stand trial for conspiracy to supply cocaine allegedly to finance the \$220 million purchase of Strontium-90 Metal from former Russian Intelligence Officers).
- **Romania v C:** Acted on behalf of a Chinese national facing extradition to Romania to serve a sentence for murder following his trial in absence. The issues were whether the request was time barred, and whether the Romanian request satisfied the technical requirements of s.85 (whether the defendant’s absence was voluntary).

Confiscation

Simon is recommended as one of the leading barristers for Financial Crime by the Chambers & Partners UK directory (he has been recommended in every edition since 2013), and for Business & Regulatory crime and Fraud by the Legal 500 guide (every year since the 2015 edition). The guides describe him as “*an absolute joy to work with*” and notes that “*His extraordinary mind can absorb complex information in no time*” and that “*He is acclaimed for his impressive skill in mastering the facts of document heavy cases*”. He is also recommended by

the Chambers & Partners HNW Guide for Financial Crime for High Net Worth individuals.

Simon has particular expertise and experience in relation to proceedings, both criminal and civil, for confiscation, restraint and asset forfeiture. He has acted on behalf of private individuals and corporate clients in a wide range of proceedings brought in the High Court, Crown Court and Magistrates' Courts by agencies including the Crown Prosecution Service, the National Crime Agency (NCA), H.M. Revenue & Customs and the Asset Recovery Agency.

Simon has also been involved in training solicitors, barristers and the Crown Prosecution Service on confiscation, and has been a regular lecturer on the subject since 2003.

Notable confiscation cases

R v H & Another

Defence counsel in highly complex and substantial confiscation proceedings relating to money laundering, where the Crown alleged criminality valued at in excess of £1 billion and where the s.16 statement ran to almost 3000 pages.

R v Luckhurst & Golding (2020) EWCA Crim 1579

Instructed in respect of pre-charge restraint proceedings on behalf of a company director alleged to be involved in the London Capital & Finance fraud. Successfully intervened in the Court of Appeal to establish that s.41(4) of the Proceeds of Crime Act does not bar the release of restrained funds to defend parallel civil proceedings arising out of the same allegations.

R v O & Others

Instructed specifically for the confiscation proceedings in respect of an international fraud and corruption case, representing a former solicitor said to have facilitated and laundered the proceeds of a large-scale £40 million fraud on the United Nations Development Programme and The Global Fund by corruptly obtaining contracts for the provision of pharmaceuticals to the Democratic Republic of Congo.

R v S & Others

Leading defence counsel in complex confiscation proceedings, valued in excess of £3.7 million, relating to the laundering of the proceeds of a large-scale conspiracy to steal cars.

Director of the Asset Recovery Agency v W

Successfully defended in the civil claim for asset recovery against an alleged mortgage fraudster.

Operation Devout II

Instructed as junior counsel in relation to the confiscation proceedings arising out of a hugely complex

series of MTIC frauds.

Civil Asset Recovery & Forfeiture

Simon is recommended as one of the leading barristers for Financial Crime by the Chambers & Partners UK directory (he has been recommended in every edition since 2013), and for Business & Regulatory crime and Fraud by the Legal 500 guide (every year since the 2015 edition). The guides describe him as *"an absolute joy to work with"* and notes that *"His extraordinary mind can absorb complex information in no time"* and that *"He is acclaimed for his impressive skill in mastering the facts of document heavy cases"*. He is also recommended by the Chambers & Partners HNW Guide for Financial Crime for High Net Worth individuals.

Simon has particular expertise and experience in relation to proceedings, both criminal and civil, for confiscation, restraint and asset forfeiture. He has acted on behalf of private individuals and corporate clients in a wide range of proceedings brought in the High Court, Crown Court and Magistrates' Courts by agencies including the Crown Prosecution Service, the National Crime Agency (NCA), H.M. Revenue & Customs and the Asset Recovery Agency.

Simon has also been involved in training solicitors, barristers and the Crown Prosecution Service on confiscation, and has been a regular lecturer on the subject since 2003.

Notable civil asset recovery & forfeiture cases

R v Luckhurst & Golding (2020) EWCA Crim 1579

Instructed in respect of pre-charge restraint proceedings on behalf of a company director alleged to be involved in the London Capital & Finance fraud. Successfully intervened in the Court of Appeal to establish that s.41(4) of the Proceeds of Crime Act does not bar the release of restrained funds to defend parallel civil proceedings arising out of the same allegations.

Hampshire Police v St James BG Ltd

Successfully acted on behalf of a consortium of High Net Worth overseas clients who had been the victims of an apparent fraud and who were seeking recovery of their funds from the bank account of the alleged fraudster which had been made subject to an Account Freezing Order.

R v RC

Advising corporate client in relation to applications for High Court freezing orders arising out of multi-national proceedings outside the jurisdiction.

NCA v FS

Advising trustee in relation to Civil Recovery proceedings and Property Freezing Order made by the High Court.

Director of the Asset Recovery Agency v W

Successfully defended in the civil claim for asset recovery against an alleged mortgage fraudster.

HMRC v AP

Represented company director in High Court resisting appointment of management receiver.

R v H & Another

Defence counsel in highly complex and substantial confiscation proceedings relating to money laundering, where the Crown alleged criminality valued at in excess of £1 billion and where the s.16 statement ran to almost 3000 pages.

R v O & Others

Instructed specifically for the confiscation proceedings in respect of an international fraud and corruption case, representing a former solicitor said to have facilitated and laundered the proceeds of a large-scale £40 million fraud on the United Nations Development Programme and The Global Fund by corruptly obtaining contracts for the provision of pharmaceuticals to the Democratic Republic of Congo.

R v S & Others

Leading defence counsel in complex confiscation proceedings, valued in excess of £3.7 million, relating to the laundering of the proceeds of a large-scale conspiracy to steal cars.

Operation Devout II

Instructed in relation to the confiscation proceedings arising out of a hugely complex series of MTIC frauds.

Appeals

Simon Baker KC is often instructed to advise on the merits of appeals in cases in which he was not instructed at first instance. This includes not only providing second opinions in cases where a client has been recently convicted, but also advising on the possibility of appealing historic convictions.

Simon also has experience in advising in relation to historic appeals that require reference to the Criminal Cases Review Commission (CCRC).

Notable appeals cases

Post Office “Horizon” appeals (R v H & Others [2021] EWCA Crim 577, R v A & Others [2021] EWCA Crim 1443, R v A & Others [2021] EWCA Crim 1874, R v W & Others [2022] EWCA Crim 435, and R v H & Others [2022] EWCA Crim 1197)

Representing the Post Office in relation to the criminal appeals and potential appeals of sub-postmasters prosecuted between 2000 and 2013 in cases relying upon evidence from the Horizon computer system (including the largest conjoined appeal ever heard by the Court of Appeal Criminal Division).

R v L & G (2020) EWCA Crim 1579

Instructed in respect of pre-charge restraint proceedings on behalf of a company director alleged to be involved in the London Capital & Finance fraud. Successfully intervened in the Court of Appeal to establish that s.41(4) of the Proceeds of Crime Act does not bar the release of restrained funds to defend parallel civil proceedings arising out of the same allegations.

R v M, C & T [2017] UKSC 58

Represented a company, and its main director, who faced charges relating to multi-million pound grey market trading. The case involved taking an interlocutory appeal all the way to the Supreme Court to determine whether grey market trading constituted a criminal infringement of s.92 of the Trade Marks Act 1994. Both the corporate and individual clients were acquitted when the Crown offered no evidence following successful defence submissions relating to abuse of process and disclosure.

R v D & Others [2014] 1 WLR 1780

Successfully acted in the appeal against sentence in what is now the leading authority for sentencing in MTIC fraud prosecutions.

R v F & B [2008] EWCA Crim 1868

Acted in the appeal before the Court of Appeal, and on the certified appeal to the House of Lords, on the question of whether the Crown are required to prove the underlying offence when prosecuting for money laundering.

USA v CB & others [2005] EWHC 1051 (Admin)

Defending in the leading authority on applicability of entrapment in extradition cases (application to extradite to the USA to stand trial for conspiracy to supply cocaine allegedly to finance the \$220 million purchase of Strontium-90 Metal from former Russian Intelligence Officers).

Regulatory

Simon is recommended by the Chambers & Partners UK directory (he has been recommended in every edition since 2013), and the Legal 500 guide (every year since the 2015 edition). The guides describe him as *"a sensational barrister who does the highest quality work"*, being *"immensely talented and a formidable advocate both on his feet and in written submissions and commands great respect of the judiciary"*, *"an absolute joy to work with"* and notes that *"His extraordinary mind can absorb complex information in no time"* and that *"He is acclaimed for his impressive skill in mastering the facts of document heavy cases"*.

Simon has experience of advising on regulatory matters covering a broad range of regulatory regimes ranging from FSA and FSMA regulation of the financial sector through to Trading Standards, Health & Safety, planning and professional conduct matters.

Simon's experience includes:

- Advising corporate clients on compliance and AML issues
- Acting for parties seeking to bring actions against financial advisors under FSMA
- Prosecuting and defending in regulatory cases brought by the Department of Business, Innovation & Skills (formerly the DTI), local authorities, Trading Standards, and the PCO.
- Advising and representing individuals facing professional disciplinary proceedings, including matters brought by the Financial Reporting Council (accountancy) and the General Medical Council & British Medical Association (medical).

Professional Discipline

Simon has experience of advising and representing individuals facing professional disciplinary proceedings, including matters brought by the Financial Reporting Council (accountancy) the Solicitors Disciplinary Tribunal (solicitors), Bar Tribunal & Adjudication Service (barristers) and the General Medical Council & British Medical Association (medical).

Simon has particular experience of cases where there is a cross-over between criminal allegations and professional discipline proceedings. Simon is recommended for Business & Regulatory crime by the Legal 500 guide, and also recommended for Financial Crime by the Chambers & Partners UK directory (and the Chambers & Partners HNW Guide).

Tribunals

Simon's experience of the cross-over between criminal work (especially fraud) and civil litigation means that he is extremely well placed to advise and assist in relation to clients facing the effect of HMRC verification processes and investigations. Simon has particular experience of acting in appeals before the First Tier and Upper Tribunals (Tax Chamber) relating to VAT reclaims allegedly arising out of MTIC frauds. In addition to acting for appellants in VAT tribunals, Simon is also instructed by HMRC in such appeals as both leading counsel and on his own.

VAT appeals in which Simon has been instructed include:

- Micro River Limited v H.M. Revenue & Customs (as leading counsel)
- Optima Global v H.M. Revenue & Customs (as leading counsel)

- Else Refining & Recycling v H.M. Revenue & Customs
- TLC International Limited v H.M. Revenue & Customs
- Rattan v H.M. Revenue & Customs (as leading counsel)
- Fone World (UK) Limited v H.M. Revenue & Customs
- Telement Limited v H.M. Revenue & Customs
- Intekx v H.M. Revenue & Customs

Sports Law

Simon has advised and represented a wide range of clients from the sports world in relation to a broad range of matters ranging from civil disputes arising out of contracts through to criminal and disciplinary proceedings.

Clients have included:

- Harry Redknapp
- Merlin Sport Ltd
- Golf Management International

Publications

- Recorder
- Bencher, Inner Temple
- Former Chairman of the Inner Temple Bar Liaison Committee

Memberships

- Bencher of Inner Temple
- Former Chairman of the Inner Temple Bar Liaison Committee
- Member of the Bar Council Information Technology Panel
- Member of the Criminal Bar Association
- Member of the Fraud Lawyers Association
- Member of Lawyers for Liberty

Education

- MA (Oxon)

Qualifications

- MA (Oxon)
- Recorder (appointed 2019)
- Direct Access Qualified

Directory Quotes

- *"He is excellent; technically very good on crime and fraud matters"* **Chambers & Partners HNW Guide 2023**
- *"It is difficult to fault Simon in any way as he is exemplary on every level."* **Chambers & Partners HNW Guide 2023**
- *"Simon is a brilliant advocate and is incredibly hard working"* **Chambers & Partners 2023**
- *"Simon is incredibly bright, practical, a great team player, a brilliant drafter and excellent advocate. He has the ability to digest huge volumes of material and produce cogent and clear advice at superhuman speed."* **Legal 500 2023**
- *"He is a real standout ... He has a huge amount of gravitas before the judges and he charms the juries. He is recognised by the market as an incredible brain and is frighteningly bright"* **Chambers & Partners 2022**
- *"Simon is a highly effective advocate who gives very pragmatic and strategic advice. He can rapidly assimilate and absorb the minute detail of very voluminous and complex cases."* **Legal 500 2022**
- *He is really a sensational barrister who does the highest quality of work."* **Chambers & Partners 2021**
- *"He is a very talented and clever individual."* **Chambers & Partners 2021**
- *"He's incredible. He has a huge amount of gravitas before the judges and he charms the juries. He is recognised by the market as an incredible brain in the market. He is frighteningly bright."* **Chambers & Partners HNW Guide 2021**
- *Immensely talented and a formidable advocate both on his feet and in written submissions and commands great respect from the Judiciary."* **Legal 500 2021**
- *"A really sensational barrister who does the highest quality of work."* **Chambers & Partners HNW Guide 2020**
- *"He has never let a client down and he is always in great demand."* **Chambers & Partners HNW Guide 2020**
- *"He gets up to speed on the papers very, very quickly, filters out key issues and responds very quickly to enquiries."* **Chambers & Partners HNW Guide 2020**
- *"He guts, analyses and organises a case in record time."* **Legal 500 2020**
- *"He's very good with clients; he puts them at ease and his preparation is second to none."* **Chambers & Partners 2019**
- *"He's very approachable and forensically very astute."* **Chambers & Partners 2019**
- *"Very bright, a quick worker, a good lawyer and good on his feet."* **Legal 500 2018**
- *"He is exceptionally hard-working, very bright, great company and someone who goes the extra mile for the client."* **Chambers & Partners 2018**
- *"There are few as bright as him and none who work harder."* **Legal 500 2017**
- *"He is acclaimed for his impressive skill in mastering the facts of document heavy cases."* **Chambers &**

Partners 2017

- "His knowledge of the case he works on and his ability to have every word of the brief at his fingertips is very impressive." **Chambers & Partners 2017**
- "Very able and bright – he has a phenomenal memory." **Chambers & Partners 2016**
- "His extraordinary mind can absorb complex information in no time." **Legal 500 2016**
- "An absolute joy to work with." **Legal 500 2016**
- "Always the master of his brief." **Legal 500 2015**
- "Incredibly easy to deal with and user-friendly." **Chambers & Partners 2015**