



Mark Harries

Year of Call: 1995

“Known for his measured, careful analysis of the facts and persuasive court advocacy style.”

Ranked as a leading junior in both fraud and general crime.

[Chambers & Partners 2018]

“Cool, calm and collected and gets on well with clients.”

“He can handle complex issues with ease and make it all look easy.”

[Chambers & Partners 2017]

“His experience includes leading junior positions in major cases. A leading junior in cases concerning human trafficking, homicide and drug offences.”

[Legal 500 2017]

“A highly impressive junior who is extremely intellectually sharp.”

[Chambers & Partners 2016]

“An outstanding fraud lawyer with gallons of charm.”

[Legal 500 2015]

“He is an immaculate advocate and has a first class client manner.”

“A highly sought after white collar barrister whose expertise includes fraud, asset recovery and confiscation proceedings.”

“He is a very charming individual. He has got a phenomenal way of cutting through to the heart of a case and presenting his client’s case in a very robust and effortless way.”

[Chambers & Partners 2015]

“Exceptionally good at fraud.”

“Sources admire his diligence.”

“He takes a meticulous and refined approach to financial investigations.”

“Impressive expertise of advising on Ponzi, MTIC and money laundering cases.”

[Chambers & Partners 2014]

“A respected defence practice”

[Legal 500 2012]

“Known for his cutting arguments and fabulous cross-examination.”

[Chambers & Partners 2011]

Mark practises exclusively for the defence in all forms of major crime as leading and junior counsel in publicly and privately funded cases. He is consistently ranked as a leading junior in criminal fraud and general crime in the Chambers & Partners UK Bar Guide and recognised as a leading junior in the Legal 500.

He has significant expertise in white collar crime including MTIC frauds, Ponzi frauds, tax evasion, corruption and fraudulent trading; he has equally substantial experience in cases involving serious organised crime, and in particular, high profile homicide and fatality cases.

Last year, Mark defended in a variety of high profile trials attracting national publicity. He acted for the “superhead” CEO of a Federation of Academies in a 10 week fraud trial, the first defendant in the Tilbury Docks fatal people trafficking case and for a company director in a highly publicised corruption trial. He defended a gunman acquitted of murder in the Digbeth botched armed robbery in Birmingham and recently acted for a chartered accountant in a £60m fraud trial in which a sophisticated international sideways tax relief scheme is under scrutiny (Operation Evenbox).

He combines his criminal work with a busy disciplinary and regulatory practice. Mark’s earlier work involved acting on behalf of the General Dental Council, but he now defends individuals in fitness to practise proceedings brought by their regulatory bodies. Recent work has seen him advise and appear for individuals facing allegations of misconduct before the NCTL, the SRA, the HCPC, the RICS and the GPhC.

Mark has a wealth of experience in Courts Martial in the UK and abroad.

He is regularly called upon to provide pre-charge advice and representation to individuals and corporate bodies.

Member of the Criminal Bar Association, Liberty and POCLA, ARDL, AMCA, a registered pupil supervisor and a lead advocacy trainer at Lincoln’s Inn.

Homicide

Mark has been instructed in many highly publicised cases of homicide throughout his career including the murder of the Linklaters Solicitor Tom ap Rhys Pryce, the double gangland executions of John & Joan Stirland and the murder of ‘Celtic Pat’ Marshall, the last two cases have been written about extensively in a book called “Hoods” by Carl Fellstrom.

Most recently, he defended one of the gunmen in a botched warehouse robbery in Birmingham; he was acquitted of murder.

He has a particular specialism in gangland murder trials and a strong interest in firearms and ballistics evidence, a topic upon which he has lectured. He is also a highly experienced and effective cross-examiner of cell site experts.

Mark has also defended in cases of infanticide, manslaughter by unlawful act and by gross negligence, and death by dangerous driving.

Homicide cases of note include:

R v Mistry (Birmingham): Operation Aline – tragic case of a botched robbery of a cash and carry warehouse in Digbeth in which staff were tied up and the safe targeted; the manager was shot dead when he resisted. Mistry was alleged to be one of the two gunmen. He was acquitted of murder and convicted of manslaughter. <http://www.bbc.co.uk/news/uk-england-birmingham-37350232> and <http://www.itv.com/news/central/2016-09-13/two-men-cleared-of-murder-in-fatal-shooting-of-business-owner/>

R v U (Nottingham): Defendant charged with manslaughter following the death of a man rendered unconscious by a “sleeper” hold. Acquitted.

R v D (Winchester): Operation Diamond - instructed to defend a man accused of conspiracy to murder following repeated attacks on a woman in Dorset allegedly by members of a Nottingham gang. Acquitted. http://www.bournemouthecho.co.uk/news/10585768.Gang_jailed_for_Poole_hammer_attacks_on_fitness_instructor/?ref=nt

R v HEB (Southwark): Acted for a doctor charged with gross negligence manslaughter following the death of a detainee at a police station. Acquitted. <http://www.bbc.co.uk/news/uk-england-london-16797821> <http://www.standard.co.uk/news/judge-cleared-doctor-negligent-over-cell-death-7312292.html>

R v Meenan (Birmingham): Acted for the first defendant in the brutal stabbing to death of a local shopkeeper during a robbery. <http://www.dailymail.co.uk/news/article-2073462/Caught-CCTV-preparing-kill-Gang-jailed-life-mindless-murder-shopkeeper.html> <http://www.mirror.co.uk/news/uk-news/four-jailed-life-murdering-shopkeeper-281328>

R v M (Harrow): Royal Mail lorry driver accused of causing death by dangerous driving of two occupants of stationary vehicle on A40. Acquitted.

R v G (CCC): Soliciting Murder, representing defendant alleging a history of high levels of police corruption. Acquitted. <http://news.bbc.co.uk/1/hi/england/surrey/8064142.stm> and <http://www.telegraph.co.uk/news/uknews/law-and-order/5200906/Millionaire-hired-undercover-police-officer-to-kill-late-fathers-girlfriend.html>

R v D (Birmingham): The Stirland Murders - a gangland execution of the parents of a convicted murderer within a witness protection scheme. Acquitted. <http://news.bbc.co.uk/1/hi/england/nottinghamshire/4821810.stm> <http://www.guardian.co.uk/uk/2008/feb/22/ukcrime2>

R v Brown (CCC): The Linklaters Solicitor Murder, the shocking murder of Tom ap Rhys Pryce in a botched robbery by members of a notorious steaming gang. <http://news.bbc.co.uk/1/hi/england/london/6190374.stm> <http://www.theguardian.com/uk/2006/nov/28/ukcrime>

R v M (Leicester): The Murder of Celtic Pat Marshall, a gangland shooting outside a Nottingham public house. Acquitted. <http://news.bbc.co.uk/1/hi/england/nottinghamshire/6708183.stm>

R v Rahimi (CCC): Conspiracy to murder, arising out of a turf war between rival drug gangs.

R v McPherson (Sheffield): Murder – 10-handed gangland drive-by shooting in a case that made legal history. <http://www.yorkshirepost.co.uk/news/main-topics/local-stories/shotgun-gang-of-nine-get-life-in-trial-that-made-legal-history-1-2547319>

R v Toussaint-Collins (CCC): Execution of rival gang member in broad daylight on school run.

R v M (Nottingham) – Gross negligence manslaughter by addict boyfriend fatally injecting partner with heroin. Acquitted.

Fraud and Financial Crime

A substantial element of Mark's practice relates to fraud and financial crime, in which he is regularly instructed as leading counsel.

He has significant experience defending prosecutions brought by the National Crime Agency, its previous guise as the Serious Fraud Office, and HMRC, in particular allegations of tax evasion fraud and banking and investment fraud.

In addition, he has defended a number of professional lay clients, including accountants, company directors, CEOs and members of the legal profession facing allegations of fraud, corruption and embezzlement.

He is adept at handling cases involving a very large volume of paperwork and distilling the important issues into manageable and comprehensible topics to be presented to a jury simply and with persuasion.

Mark lectured on the hallmarks of fraud, with a particular emphasis on hedge fund and banking fraud, at the 2014 Carmelite International Fraud & Asset Recovery Conference.

Current instructions for 2017 include a multi-million pound VAT fraud, the defence of a former professional rugby player in a complex mobile phone contract fraud and an alleged immigration fraud predicated upon the running of sham colleges.

Financial Crime cases of note include:

R v B (Southwark): Operation Evenbox – defence of Financial Director chartered accountant in 6 month HMRC prosecution alleging illegal tax sheltering against context of international environmental and medical research. <http://www.telegraph.co.uk/news/2016/09/20/renowned-conservationist-was-involved-in-60m-tax-dodging-scheme/>

R v Zlaoui (Southwark): *Operation Hayrack* – acted for a company director accused of bribing the deputy property manager in return for service contracts at a major national institution. The only defendant convicted of corruption to avoid immediate imprisonment.

R v G (Lincoln): Defence of former CEO and “Superhead” of a Federation of Academies accused of embezzlement of public money and manipulation of contracts to employ family members. 10 week trial in Lincoln in which the Crown called over 20 lay witnesses including several Heads and Governors, the Chairman of the Board, a solicitor and an accountant, each of whom were cross-examined with a view to demonstrating a politically driven campaign to discredit the defendant. Acquitted on all counts. <http://www.bbc.co.uk/news/uk-england-lincolnshire-35430950> and <http://thelincolnite.co.uk/2016/01/former-lincoln-academies-boss-and-finance-director-cleared-of-all-fraud-charges/>

R v S (Manchester): *Operation Doberman* - a money laundering operation secreting drug trafficking funds in property purchases and the avoidance of confiscation proceedings. Acquitted at conclusion of Crown's case.

R v S (Bradford): *Operation Bamburgh* – large scale mortgage fraud in the North East. Prosecution eventually offered no evidence.

R v C (Birmingham): *Operation Lift* – multimillion pound money laundering disguising criminal proceeds as the product of trade within the garment industry.

R v Woodward (Southwark): *Operation Quiver* - £6m VAT and Corporation Tax fraud arising out of the creation of false invoices within the Railways Industry artificially reducing company profits and defraying its tax liabilities <http://www.dailymail.co.uk/news/article-2785511/Self-styled-Del-Boy-applied-TOWIE-listed-Bentley-Maserati-company-expenses-jailed-5-8million-VAT-fraud.html>

R v CT (Maidstone): *Operation Advent* - VAT and income tax fraud within the haulage industry facilitated by the creation of false invoices to minimise tax liabilities. Re-trial avoided by plea and suspended sentence.

R v SS (Southwark): *Operation Barber* – leading counsel for a woman accused of a role in a multi-million pound long-firm fraud within the construction industry. <http://www.dailymail.co.uk/news/article-2626500/Crooked-company-boss-jailed-6m-scam-fund-lavish-lifestyle-helicopter-lessons-vintage-wine-indoor-swimming-pool.html>

R v P (Manchester): *Operation Enigma* - acting for a defendant involved in a £200 million money laundering operation in which funds were diverted to Pakistan via travel agencies and money transfer bureaux. Stayed on successful abuse of process application.

R v S (Southwark): *Operation Iceman* – acted for the first defendant accused of a £5m wine investment fund fraud. <http://www.telegraph.co.uk/news/uknews/crime/10300417/Fine-wine-fraudsters-jailed-for-conning-elderly-investors.html>

R v Souleiman (CCC): *Operation Ninjask* – leading counsel for the first defendant, a solicitor, accused of using his law firm to run a £5m sham marriages fraud and a ghost employee tax fraud. <http://www.bbc.co.uk/news/uk-england-london-21498874>

R v U (Southwark): Acting for the first defendant in a £40m money laundering allegation involving the movement of Ukrainian mafia money across Europe to be distributed within the UK. Acquitted. http://www.newhamrecorder.co.uk/news/crime-court/stratford_man_helped_launer_40m_of_crime_cash_1_1689565

R v Davies (Kingston): *Operation Vault* - 5 month £30m MTIC trial for the first defendant in a cut-throat with others.

R v PS (Southwark): *Operation Tulipbox* - Acted for a defendant alleged to have operated a defaulting trader company in a £20m MTIC – the first UK prosecution involving the artificial trade of carbon emission credits. Cut-throat against the controlling minds. Acquitted. <http://www.dailymail.co.uk/news/article-2161520/Fraud-mastermind-cheated-taxpayer-39million-just-69-DAYS-spent-money-1million-home-Rolls-Royce-jailed-15-years.html>

R v H (Bradford): Acted for the first defendant in a £10m Ponzi fraud prosecuted by the SFO, that eventually resulted in a plea deal.

R v Murden (Leeds): *Operation District* - MTIC fraud involving over 135,000 pages of evidence <http://nds.coi.gov.uk/Content/Detail.aspx?ReleaseID=416907&NewsAreaID=2&ClientID=257>

R v Smallman (Middlesbrough): *Operation Anaconda* - largest DfES prosecution of the director of a distance learning college for fraudulent trading and trading whilst insolvent. <http://news.bbc.co.uk/1/hi/england/tees/7448814.stm>

R v Scriven (Wolverhampton): *Operation Callous* - MTIC via travel agencies

R v Roope (Worcester): International Advance Fee Fraud prosecuted by the Serious Fraud Office

R v IL (Southwark): Boston United Football Club fraud by means of the fabrication of playing and coaching staff FA contracts. Acquitted. <http://news.bbc.co.uk/1/hi/uk/5412612.stm>

Organised Crime

Mark frequently acts as leading counsel for defendants alleged to have been part of serious organised crime gangs in domestic and international criminal enterprises. He has extensive experience in SOCA investigated cases of drug trafficking, police corruption and firearms. He recently defended the alleged organiser of the Tilbury Docks Afghan trafficking case, which attracted significant publicity.

Organised Crime cases of note include:

R v SMcL (Basildon): Operation – conspiracy to evade immigration laws in which defendant was alleged to have facilitated the illegal entry of 48 Afghan asylum seekers in container lorries; during one crossing, one man died. Convicted at re-trial in May 2016. <http://www.theenquirer.co.uk/tilbury-docks-smuggling-trial-one-guilty-one-cleared-and-two-to-be-re-trialed/> and <http://www.theguardian.com/uk-news/2015/jul/23/tilbury-container-death-man-guilty-smuggling-35-immigrants>

R v SM (Basildon): *Operation Zambia* – Conspiracy to conduct the commercial importation and distribution of heroin.
https://www.essex.police.uk/news_features/features_archive/2014/march_2014/drugs_group_jailed_for_11_8_yea.aspx

R v K (Leeds): *Operation Thatcham* – 58-handed “cash for crash” insurance scam. <http://www.northern-assessors.co.uk/news/58-crash-for-cash-44-sentenced-at-leeds-crown-court-ringleaders-are-jailed-for-conspiracy-to-defraud>

R v A (Liverpool): *Operation Chaplin* - multi-million pound multiple conspiracy to import and supply drugs from South America and Europe and the forgery of identity documents, over 76 counts and 6 indictments. <http://www.liverpoolecho.co.uk/news/liverpool-news/merseyside-gang-jailed-4-billion-3363639>

R v L (Birmingham): 33-handed Vietnamese commercial cultivation of cannabis prosecution.

R v R (Middlesbrough): *Operation Roman* - Conspiracy to supply drugs in the North East, involving argument regarding the enforced repatriation of D from Northern Cyprus and matters of highly sensitive PII requiring Security Services clearance. <http://ts20.gazettelive.co.uk/local-news/kidnapped---thats-the-claim-of-drug-charge-man-brought-back-to-uk/>

R v Wright (Lewes): Leading counsel for first defendant in £90 million duty evasion conspiracy.

R v Breslin (Birmingham): *Operation Salt* - Leading counsel in case of Nottingham gang members' corruption of serving police officers.

R v Gratton (Nottingham): *Operation Telesse* -commercial supply of drugs and firearms amongst gangs in Midlands.

R v Bridge (Nottingham) *Operation Normality* - drugs supply and associated money laundering on multimillion pound scale. <http://news.bbc.co.uk/1/hi/england/nottinghamshire/4537215.stm>

R v Ivanov (Middlesex): Russian mafia kidnap, torture and extortion of businessman. <http://www.telegraph.co.uk/news/uknews/1337706/Russian-mafia-tortured-businessman.html>

Regulatory and Disciplinary

Mark has developed an increasingly busy practice in regulatory work. He initially appeared on a number of occasions on behalf of the General Dental Council in fitness to practise hearings against dental practitioners before the PCC.

These days, he represents private individual members of a number of professions facing disciplinary proceedings brought by their professional bodies, including solicitors, chartered accountants, pharmacists and teachers.

Most recently, he represented a housemaster from a well known public school accused of a variety of acts of misconduct with teenage boys. He was cleared.

He has appeared for serving police officers in disciplinary proceedings before the Police Complaints Commission and on behalf of Lincoln's Inn in disciplinary actions brought against students.

Mark has also acted for prisoners before discretionary lifer panels with a view to securing their re-categorisation and eventual release and in the judicial review of decisions of the Parole Board.

Military Law

Mark has defended in Army Courts Martial in the UK and in Germany in a wide variety of criminal allegations.

Sexual Offences

In cases alleging serious sexual assault, Mark has developed a sensitive yet firm and effective style in the cross-examination of vulnerable witnesses, with particular mastery of voluminous and complex unused material and third party applications in historic abuse cases.

Cases of note include:

R v P (Derby): the defence of a former borstal warden accused of the rape and sexual assault of teenage inmates in the early 70s

R v W (Derby): Acted for man accused of multiple rape of daughter in which wife and step-brother were co-accused. Acquitted.

R v AK (Leicester): *Operation Retriever* - Asian gang targeting vulnerable teenagers for rape and sexual abuse in Derby. Acquitted. <http://www.bbc.co.uk/news/uk-11819732>

R v TR (Lincoln): *Operation Ore* - provision of paid-password websites held on US servers in which defendant claimed to be acting under the authority of the FBI to monitor sex offenders. Case stayed following rare nolle prosequi.

R v P (Nottingham): historic allegations of sexual abuse by Head Teacher upon schoolchildren. Acquitted.

R v C (Snaresbrook): historic allegations of multiple rape by father on daughter.

R v Ennis (Nottingham): "Private" shop keeper accused of trading in hardcore pornography under the counter when not classified by the British Board of Censors.

R v Watts (Lincoln): allegation of attempted murder and domestic rape.

General Crime

Mark is regularly instructed in cases of grave seriousness in a wide variety of criminal allegations. In recent years he has successfully defended in The Lincoln Prison Riots as leading counsel, and *Operation Tattershall* (terrorism and explosive offences). He recently defended a former army officer in proceedings arising out of *Operation Elveden*.

Current instructions for 2017: the defences of a former Police and Crime Commissioner for Data Protection Act breaches; of a former police officer for misconduct in a public office; of a highly experienced legal executive for a well-known solicitors firm accused of facilitating criminality under the Serious Crime Act 2007.

R v JH (Central Criminal Court): *Operation Elveden* – the defence of a former Colour Sergeant at the Sandhurst Military Academy charged with misconduct in a public office arising from the sale of stories and photographs to a tabloid newspaper. H became the only public official acquitted by a jury in this series of prosecutions.

R v JD (Derby): Arrested under Terrorism Act, accused of possession of military grade explosives, terrorist literature, child abduction and commercial supply of heroin.

R v GO (Lincoln): Leading counsel for the only defendant of 30 over 3 trials acquitted by a jury, accused of riot and causing explosions following the disturbances at HMP Lincoln.
<http://www.dailymail.co.uk/news/article-199658/Prisoners-accused-mutiny-riot.html>

Confiscation, Civil Recovery, Asset Forfeiture

Mark is a member of Carmelite's civil fraud practice team. He has particular familiarity with criminal confiscation legislation and considerable experience in recovery proceedings. He regularly advises on restraint and insolvency proceedings prior to and during the criminal trial process, including prior to charge.

Appeals and CCRC

Experienced appellate court advocate both in the Court of Appeal Criminal Division and the Divisional Court of the High Court. He has advised on judicial review in a number of criminal and human rights based matters, including the impact of prison officers' industrial action on prisoners' rights, the recovery of defendants' costs orders and parole board decisions.

In 1997, shortly after completing his pupillage, Mark appeared *pro bono* in the Court of Appeal for a renewed application for leave to appeal a murder conviction. Several members of the Bar, including original trial Queen's Counsel, had advised there was no prospect of appeal. Against the odds, Mark was successful in obtaining leave to appeal the conviction following a hearing before the Full Court.

Since then, he has continued to have a keen interest in historic miscarriage of justice appeals in murder cases in the UK and abroad.