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## Practice Profile

***Mark Heywood KC has been ranked as a 'Star Individual' in the Chambers UK Guide to the Bar since 2013 and is a recognised leader at the Bar. He was awarded the Chambers UK Bar Crime Silk of the Year award 2018.***

Mark Heywood KC is a former First Senior Treasury Counsel at the Central Criminal Court having held that post between 2015 & 2018. His practice is concentrated on the most serious of criminal work that comes before our Courts, at the Central Criminal Court, Administrative Court, Court of Appeal and Supreme Court. He has appeared in the High Court in civil contempt proceedings, most recently for a claimant Hong Kong Bank where the defendant was sentenced to 18 months and ordered to pay indemnity costs.

Since his role of Senior Treasury Counsel, Mark Heywood KC has primarily been involved in cases of alleged financial misconduct. He leads the prosecution team for the SFO in Op Glacier, the prosecution of a former Airbus subsidiary that was ordered to pay more than 30 million pounds (\$42 million) after pleading guilty to corruption over contracts to provide military communications services for the Saudi Arabian National Guard, the trial against the directors is due in January 2023. He has provided pre-charge representations to a client that the SFO suspected had conspired to make corrupt payments contrary to s.1 of the Prevention of Corruption Act 1906 and s.1 of the Criminal Law Act 1977, and was interviewed about his actions in particular, the SFO suspects was involved in actions leading to agreements to make corrupt payments to Nigerian and Malaysian Government Officials, which was discontinued. Further successful pre-charge work includes advice given to an SFO suspect in relation to bribery and corruption involving Petrobras, the value of the contract was said could easily be up to \$2 billion. Trial work has including Op Cullinan, a multi-company boiler room fraud involving the sale of diamonds that was dismissed at half time and Op Balaban, a £7m carbon credit fraud that was again dismissed at the close of the crown case.

Mr Heywood has considerable experience in cases of terrorism, large scale corruption, serious & organised crime and offences of homicide. He regularly provides advice to the Attorney General and Director of Public Prosecutions on a range of matters, particularly those being considered by the appellate courts as well as other governmental departments. Other work includes advising upon matters concerning gross negligence manslaughter involving the medical profession and litigation involving the SFO and FSA. He also advises in matters where a private prosecution is sought.

Cases have included the serial killer Levi Bellfield, Operation Crevise the longest running Old Bailey trial better known as the Fertiliser Bomb plot, Nicola Edginton the mental health patient convicted for the killing of an innocent bystander and the attempted murder of two others in Bexleyheath after a cry for help, the Supreme Court hearing of Ntando [2011 UKSC 59] on transferred malice/joint enterprise, Arthur Simpson-Kent who was sentenced to life for the murder of Eastenders actress Sian Blake and their two children. Recent defence work has included a murder trial in the Cayman Islands (R v. Sanchez).

Mark's Privacy Policy can be downloaded [here](#).

## Areas of Practice

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- Serious & Organised Crime
- Financial & Corporate Crime
- Prosecution
- Terrorism
- Homicide
- Inquests
- Confiscation, Civil Recovery & Asset Forfeiture
- General Crime
- Military Law
- Regulatory & Professional Discipline
- Sexual Offences
- Civil
- Extradition
- 5KBW Criminal Appeals
- 5KBW Criminal Appeals Resources

## What The Directories Say

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"His tactical awareness is pretty exceptional. He makes sure that when it comes to the crunch, he's put all the things in place required to get a result." *Chambers UK 2024*

'Mark is a master advocate at the height of his powers. He is simply one of the best criminal advocates practicing at the Bar. He works incredibly hard to prepare cases whilst managing to make complex advocacy look effortless.' *Legal 500 2024*

'Mark is undeniably one of the top advocates at the criminal Bar for fraud. His knowledge and experience is unparalleled and juries love his easy and charming delivery. He has an encyclopedic knowledge of statute and practice which he deploys with great care and tactical awareness.' *Legal 500 2024 - Financial Crime*

"Mark is totally outstanding and in a league of his own when it comes to complex fraud cases. He is very intelligent and a great tactician." *Chambers UK 2023 - Financial Crime*

"An outstanding advocate who is very bright and respected by all." *Chambers UK 2023*

' Mark is a master tactician and a real class act. His advocacy is smooth and eloquent. Everyone in the room listens to him when he speaks.' *Legal 500 - 2023 [Financial Crime]*

"He is a Rolls-Royce who purrs and just keeps going." *Chambers UK 2022*

"Just incredible. He exudes self-assurance and authority in the courtroom and is an inspiring performer." "A real class advocate, he is always on top of his brief and a worthy opponent." *Chambers UK 2021*

"A truly class act and one of the very best at the Criminal Bar." *Chambers UK 2020*

"He just has a way of reducing what are extremely complicated submissions into a really easy, digestible and understandable form. He is first-rate." *Chambers UK 2020*

"The consummate silk." *Chambers UK 2019*

"You can't get better than Mark Heywood. He's a beautiful advocate with great strategic awareness, who is lovely to work with and a very charming man." *Chambers UK 2018*

"One of the best lawyers, if not the best lawyer in the country." *Chambers UK 2017*

"Breathtakingly intelligent and beautifully eloquent." *Legal 500 2016*

## Appointments

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- 2001 - 2008 - Junior Treasury Counsel
- 2005 - Recorder
- 2007 - 2008 First Junior Treasury Counsel
- 2008 - Senior Treasury Counsel
- 2010 - Queen's Counsel
- 2015 - 2018 - First Senior Treasury Counsel

## Memberships

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- South Eastern Circuit
- Criminal Bar Association

## News

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### Encrochat case collapses after three years

13 October 2023

Mark Heywood KC, leading Alastair Smith, 2 BR, defended one of those first charged by the NCA in Operation Venetic in June 2020. C was charged with three conspiracies to import drugs, and one offence of possessing criminal property, based on Encro messages linked to a phone found at his home. Stay and section 78 applications related to the Encro evidence on grounds not argued elsewhere were at first dismissed in November 2021. Focussed disclosure applications were pursued, which, after two successful applications, led to re-review by the prosecution in advance of a third. On Friday 13 October 2023 the prosecution offered no evidence and not guilty verdicts were entered on each count. The prosecution informed the court that the defendant could not have a fair trial.

## Recent Cases

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### Operation Kandla 2022

Health & Safety Prosecution under the Medicines Act 1968

Mark Heywood KC led William Davis in the prosecution of a company that manufactures total parenteral nutrition, which is supplied to vulnerable patients receiving nutrition intravenously. In 2014 a contaminated batch was supplied to hospitals treating severely premature babies. 19 babies developed infections as a result, and one died. After protracted and contentious litigation, the defendant company pleaded guilty to a health and safety offence and to offences under the Medicines Act 1968. The company was sentenced in April 2022.

BBC News Article.

### Operation Rayak 2022

## Swedish Gangland Assassination

Mark Heywood KC led for the Crown in this case involving a Swedish Gangland assassination of a member of a leading figure in Swedish organised crime by a rival group who carried out the shooting by firing 10 shots at point blank range in London in front of the victim's wife and 2 year old child. This was a carefully planned operation involving protracted surveillance of the victim, disguises, the procurement of semi automatic weapons and ammunition and a clean up operation after the event.

News Article.

## Operation Cullinan 2021

### Multi-Company Boiler Room Fraud

Mark Heywood KC leading Gregory Fishwick defended in this multi-company boiler room fraud that sold diamonds as investments. The Crown's case was that a team of brokers including Lewis Bloor from The Only Way is Essex used false identities and pressure sales techniques to con elderly and vulnerable people from hundreds of thousands. The evidence against them included a purported confession that was excluded upon application by the Defence. The Crown also sought to include companies either side of the Indictment period as evidence of bad character but this again was successfully resisted. The Defence managed to show that the Crown's disclosure was fundamentally flawed. Having read the written submissions the Crown initially dispensed with their own expert who had valued the stones and nearly worthless. Having then considered the supplemental written submissions on disclosure the Crown had to concede that they could not continue to prosecute any and all of the Defendants. Instructed by Bark & Co.

BBC News Article.

## R v. Finch - C.C.C. 2021

### Official Secrets Act

Mark Heywood KC led the Prosecution and subsequent reference of sentence to Court of Appeal of defence contractor employed by BAe Systems who compiled records of highly secret operational information relating to a missile system currently in service with the UK armed forces and abroad and then travelled to Europe to send copies by email to multiple recipients. Extremely unusual conviction for an offence under section 1 of the Official Secrets Act 1911.

News Article.

## Operation Balaban - Southwark 2019

### Multi-Million £ Carbon Credit Fraud

Mark Heywood KC defended in this £7 million carbon credit fraud listed for three months. Following extensive legal argument before the close of its case, the Crown, who relied in large part on evidence of the state of the carbon credit market at the relevant time, was forced to acknowledge that its expert fell well short of the standards required in legal proceedings and that there had been disclosure failings such that it was unfair to continue to try the defendants. This case hit the headlines after the alleged expert, Andrew Ager, was discredited leading to many other convictions to be looked into on alleged mis-selling of carbon credits.

BBC News Article

## **Appeal of DS 2016**

Gross Negligence Medical Manslaughter

Mark Heywood QC leading Ben Temple, acted in the appeal by a doctor convicted of Gross Negligence Medical Manslaughter following the death of a patient after falling unexpectedly ill following knee surgery.

## **Operation Lenwade [C.C.C.] 2016**

7-handed gang murder

Mark Heywood QC and Jonathan Polnay prosecuted this 7-handed gang-murder trial at the Central Criminal Court arising out of a feud between two notorious Hackney gangs. Following the convictions, YouTube was put under significant pressure to remove videos that glorified the gangs' activities.

Daily Mail report [here](#).

## **R v. Dwayne Henry [Blackfriars] 2015**

Double-jeopardy prosecution of serial rapist

Mark Heywood QC leading Jonathan Polnay prosecuted this Defendant, who described himself as the 'Hackney Ripper', who stood trial and was convicted of a series of rapes of prostitutes, receiving a sentence of life imprisonment. The Defendant had previously been acquitted of rape. A successful application was made to quash the acquittal under the double-jeopardy provisions of the Criminal Justice Act 2003, and join the re-trial to the new proceedings.

Daily Mail report [here](#).

## **R v. Jose Sanchez [Cayman Islands] 2015**

Murder of special olympian

Mark Heywood QC instructed by Priestleys successfully defended in the Cayman Islands, the trial of JG Sanchez, for the murder of the special olympian Solomon Webster.

News link [here](#).

## **R v. B & ors [Winchester] 2011**

Conspiracy to Murder

Mark Heywood QC led Dickon Reid for a defendant cleared of his involvement in a five-handed conspiracy to murder case in which the defendants were accused of carrying out a series of vigilante attacks over a two-week period. Instructed by Blackfords LLP.

## Notable Cases

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### Operation Dowl [C.C.C.] 2018

Suicide Terror Plot to Kill the Prime Minister

Mark Heywood QC represented the Crown in this case involving the plot by two individuals to kill the Prime Minister. The plan was to detonate a bomb at the gates of Downing Street and then kill Theresa May with a knife or gun.

BBC report [here](#).

### R v. Theodore Johnson [C.C.C.] 2018

Prosecution of man for third offence of homicide of his partners

Mark Heywood QC and Jonathan Polnay acted for the Crown in the case of Theodore Johnson whom was sentenced to life with a minimum tariff of 26 years, increased on appeal against Unduly Lenient Sentence, to 30 years in March 2018. Johnson had been convicted previously for the manslaughter of his partners in 1981 and 1993. His third victim, Angela Best, was murdered with a claw hammer in her flat in North London in December 2016.

BBC report [here](#).

### R v. Abdallah [C.C.C.] 2017

Prosecution of British man who travelled to Syria to join so-called Islamic State

Mark Heywood QC acted for the Crown in this prosecution of a British man who was jailed for possession of an AK47 gun, receiving £2000 for the purposes of terrorism and membership of ISIS.

BBC report [here](#)

Guardian report [here](#).

### R v. Simpson-Kent [C.C.C.] 2016

Murder of Eastenders actress and 2 children by partner

Mark Heywood QC prosecuted the case involving the horrific killings of the Eastenders actress Sian Blake and her two children, whom were murdered by the partner and father Arthur Simpson-Kent. The defendant was sentenced to a whole life tariff.

BBC News report [here](#).

### R v. Armel Gnango [Supreme Court] 2011 UKSC 59 2011

Appeal re: joint enterprise / transferred malice

Mark Heywood QC along with Brian Altman QC represented the Crown before the Supreme Court on this leading authority regarding joint enterprise / transferred malice. The Supreme Court held, restoring Gnango's conviction for the murder of Magda Pniewska, that he was guilty of murder notwithstanding the fact that he had not fired the shot which killed Pniewska during the shoot out which led to her death, and that the fatal shot had been fired by his opponent in an attempt to kill him.

### **R. v. G; R. v. J [2009] UKHL 13; Archbold 2013: 25-67 2009**

Use of Articles for purposes of Terrorism

Mark Heywood QC leading Ben Temple for the Prosecution at first instance, the Court of Appeal and the House of Lords where David Perry QC was also instructed.

J was found to be in possession of an extensive library of religious, political, ideological, military and extreme Islamist material some of which had an express terrorist purpose, digitally stored on his laptop, I-Pod, telephone and numerous digital disks comprising several hundred hours of audio and video material and several thousand pages of documentation. J was charged with possessing articles for a purpose connected with terrorism, contrary to section 57(1) of the Terrorism Act 2000. J pleaded guilty to four counts contrary to section 58 of the Act. The Court of Appeal then handed down judgment in R. v. K [2008] EWCA Crim.185 on the point of reasonable excuse under section 58(3). J, having applied successfully to vacate his pleas, claiming erroneous legal advice in the light of R. v. K, re-entered not guilty pleas at a preparatory hearing in the course of which the Recorder of Birmingham, regarding himself bound by R. v. K, ruled on a question of law formulated by the Crown that, by reference to R. v. K, under section 58 where a reasonable excuse is raised the prosecution must prove a terrorist purpose.

Leave to appeal to the House of Lords was granted. The three certified questions raised substantial, complex issues. The concept of reasonable excuse had to be considered across numerous statutory contexts. The Crown's appeals (G and J) were allowed and J, a year after he had first done so, pleaded guilty to four offences contrary to section 58.

### **R v. Levi BELLFIELD [C.C.C.] 2008**

Prosecution of Serial Killer

Mark Heywood QC together with the then First Senior Treasury Counsel, acted for the Crown in this prosecution of the notorious Serial Killer Levi Bellfield for the murders of the 22 year old French Student Amelie Delagrangue and the 19 year old woman Marsha McDonnell as well as the attempted murder of Kate Sheedy. In 2011 Bellfield was convicted of the murder of Milly Dowler and sentenced to a whole life tariff.

Wikipedia entry [here](#).

### **Operation Seagram [Woolwich] 2008**

Planned Car Bomb attacks

Mark Heywood QC along with Jonathan Laidlaw QC conducted the prosecution of 2 NHS Doctors for conspiracy to murder by planning car bomb attacks in 2007 at London's West End Tiger Tiger Nightclub and at the Glasgow International Airport.

BBC news report [here](#).

### **Operation Crevice [C.C.C.] 2007**

### 'Fertiliser' Bomb Plot

Mark Heywood QC along with David Walters QC and Duncan Atkinson prosecuted the longest running Old Bailey trial which concerned the "Fertiliser Bomb Plot" and conspiracies to cause explosions throughout the U.K.

[BBC news report here](#)