

Fiona Horlick

1992 Middle Temple, 2019 Kings Counsel, horlick@deanscourt.co.uk



Education

Professional Associations

ARDL
CBA
FSLA
HSLA

Areas of Specialism

Business Crime

Disciplinary & Regulatory

Court of Protection

Health & Safety

Environmental Law

Mental Health

Inquests

Crime

Criminal Regulatory

Discipline and Regulation

Healthcare and Regulation

Fiona Horlick KC was consistently ranked as a Band 1 (top tier) leading junior before her elevation to silk, in both *Chambers & Partners* and *Legal 500*. She is now ranked as a respected New Silk. She is praised for her unrivalled advocacy skills, her unbending will to succeed as well as her charisma and her ability to handle clients with sensitivity.

"Incisive, intelligent and brilliant at cross-examination"

"She has a phenomenal understanding of her cases and is always able to pick up on the key issues, regardless of the volume of information"

"Her advocacy skills are unrivalled and she is fantastic to watch. She knows when to have a fight and when to have people listen to you and like you"

"Persuasive and appropriately firm in her advocacy, making her a fearsome opponent"

"Her approachable manner puts clients at ease"

Fiona's practice encompasses Health and Safety, a wide variety of Regulatory work, Disciplinary proceedings and Specialist Crime – particularly business crime, medical crime, and health and safety criminal proceedings. She has extensive experience as an advocate in all

courts from the Privy Council (defending in murder appeals), the Court of Appeal, the High Court, Crown Courts (all types of crime), regulatory proceedings and inquests. She honed her skills on criminal work and jury trials before expanding her work profile.

Fiona is the co-editor and major contributing author of the leading work on the Bribery Act 2010 *Lissack and Horlick on Bribery* published internationally by LexisNexis. The 3rd edition has been commissioned and will be available in 2020. This renowned publication provides a comprehensive and detailed overview of bribery in both a national and international context. Fiona advises and represents companies with regard to business crime.

Health & Safety

Fiona's health and safety practice specialises in regulatory law which is complimented with many years of experience in criminal enforcement. Her practice is predominantly defence work with particular interest in criminal proceedings, inquests and inquiries, fire safety, food safety and Maritime regulatory law.

Fiona is regularly instructed by large multinational companies and/or their Directors, concerning fatalities or serious accidents in the workplace, as well as regulatory breaches concerning HSWA, food safety and fire safety. She appears in proceedings before the Crown Court, Magistrates Court and in Coronial proceedings in courts in England and Wales. She is particularly sought after by clients for her strategic input into investigations pre PACE interview with a target of achieving a result of no further action.

Her recent and current instructions include advising a participant Grenfell Tower Inquiry, defending a care home in a prosecution brought by the Care Quality Commission and prosecuting a large multi-national security services company as a result of a suspected legionnaires outbreak at their premises.

Disciplinary & Regulatory

Fiona has a regular and extensive practice both defending and prosecuting regulated professionals.

This practice encompasses:

Disciplinary proceedings before regulators

Criminal trials

Inquests

Employment/internal disciplinary hearings

The professionals include but are not limited to:

Healthcare professionals such as doctors, dentists and pharmacists;

Financial Services professionals including Accountants and Actuaries;

Legal Services professionals including Solicitors, Barristers and Legal Executives.

She has represented many top consultants and surgeons in a wide variety of matters including poor clinical practice, dishonesty and sexual misconduct allegations. She has defended in the full range of performance, misconduct and health cases, often working in sensitive cases.

Fiona has conducted a number of serious and complicated cases regarding the regulation of actuaries on behalf of the Institute and Faculty of Actuaries. Such cases invariably involve complex matters of expert evidence with regard to pensions and insurance.

Medical Crime

Coming originally from a criminal practice background with experience in cases involving murder, manslaughter, assisted suicide, fraud and sexual misconduct, Fiona is perfectly matched to conduct criminal cases involving health professionals. These trials require a combination of criminal trial experience, cross examination skills and in-depth knowledge of the health profession.

In particular Fiona has many years of experience both defending and prosecuting in very serious sexual allegations including rape, child abuse and pornography.

Fiona is known in the directories as 'at the top of the list of very able barristers for medico legal matters' with regard to medical crime.

Fiona has co-written the chapter on *Prosecuting Health Professionals* in the Oxford University Press book *Witness Testimony in Sexual Cases: Evidential, Investigative and Scientific Perspectives*.

Business Crime

Against a long career in criminal cases, Fiona has both prosecuted and defended in the range of business and financial crime.

Her experience of financial crime, regulation and enforcement is wide ranging. It includes large scale MTIC fraud, international advance fee fraud, tax fraud, fraudulent trading, mortgage fraud, money laundering and asset recovery.

Fiona is the co-editor and major contributing author of the leading work on the Bribery Act 2010 *Lissack and Horlick on Bribery* published internationally by LexisNexis. This work is now in its 2nd edition and provides a comprehensive and detailed overview of bribery in both a national and international context. The 3rd edition is due out in 2020. The current edition has a foreword by the Lord Chief Justice of England and Wales and a number of chapters not only on the law with regard to bribery both nationally and internationally, but also subjects such as bribery in sport, in the defence industries, the extractive industries and construction as well as DPAs and sentencing.

Fiona advises companies with regard to business crime, in particular bribery and corruption matters and money laundering.

Administrative & Public Law

Fiona's public law practice includes appeals to the High Court on often for healthcare professionals. Fiona has also advised on Court of Protection matters in relation to treatment matters.

Notable Cases

Regina v AG

Practice Area:

The case involved the gruesome discovery of a body in the River Caldew by a farmer in Carlisle in July 2020. The deceased was lured to a house in the city centre before being severely beaten and tortured over a two hour period by a number of men due to a significant drug debt, leaving 57 injuries to his head alone. He was then transported in a jeep whilst unconscious and his body dumped in the river where he ultimately drowned. The murderers abandoned the vehicle in woodland to the east of Carlisle and attempted to cover their tracks. The trial lasted eight weeks involving 6 defendants.
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Consultant Physician defended by Fiona Horlick QC was acquitted of all charges following a 4 week trial at Cardiff Crown Court.

Practice Area:

Dr Krishna was charged with 11 counts of sexual assault and 1 count of indecent assault between 1996 and 2017 in relation to 7 separate women, 5 of whom were his patients and 2 other women who were his colleagues. Having heard 4 weeks of evidence including expert evidence, Dr Krishna was unanimously acquitted by the jury. Dr Krishna who has serious health conditions was permitted to attend the trial remotely, a likely first for a trial of a defendant on bail. Fiona was instructed by Katherine Sheldrick, partner at Hempsons, Manchester

Re Harlow District Council v G4S Cash Solutions Limited

Practice Area: Health & Safety

Acting for Harlow District Council in a successful prosecution of a large multinational security company with regard to a Legionnaires' outbreak at one of their sites. Defendant fined £1.8 million.

Food Standard Authority v AC Hopkins Limited

Practice Area:

Defending a company in a trial at the Old Bailey for criminal breaches relating to food hygiene. Involved complicated expert evidence.

Southern & Scottish Gas Networks

Practice Area:

Advising a major UK utilities company with regard to gas network liabilities and public safety.

British Airways PLC

Practice Area:

Advising a major UK airline with regard to Health & Safety issues.

HSE v Mr X

Practice Area:

Defending at the Crown Court a managing director of a company whose employee had been crushed to death.

In An Inquest

Practice Area:

Defending a well known building company in a jury inquest where a worker had died as a result of a fall from height on one of their sites.

PSA v GMC & Uppal

Practice Area: Disciplinary & Regulatory

Defending Dr Uppal both at the original GMC FtP hearing and in the PSA's High Court appeal. Now a reported and widely used case on dishonesty and FtP

GMC v Yasin

Practice Area:

Defending Dr Yasin in his appeal to the High Court against erasure.

GMC v Khetyer

Practice Area:

Defending Dr Khetyer in the GMC's appeal to the High Court.

ICAEW v Boyden, Harris and White

Practice Area:

Defending 3 accountants before the ICAEW FtP proceedings.

GMC v Haynes

Practice Area:

Defending a consultant surgeon in a multiple patient case involving deaths and complex expert evidence.

GMC v Mehboob

Practice Area:

Defending a psychiatrist in alleged sexual case involving a child member of his family.

GMC v Ademola

Practice Area:

Defending a consultant psychiatrist in assaults against a vulnerable patient

R v Kay Gilderdale

Practice Area: Medical Crime

In a case garnering international press coverage, Fiona defended Kay Gilderdale who was charged with the attempted murder and assisting suicide of her gravely ill daughter by means of an overdose of morphine. Acquitted by the jury of attempted murder. Pleaded to assisting suicide and sentenced to a conditional discharge.

R v Dr H

Practice Area:

Defending a doctor in 3 sequential trials involving serious sexual offences against vulnerable male patients. Acquitted.

R v Dr K

Practice Area:

Defending a doctor charged with sexually assaulting an elderly patient in her home and a nurse. Acquitted.

R v Dr B

Practice Area:

Defending a consultant charged with sexually assaulting 3 female patients. Acquitted.

R v Dr B

Practice Area:

Defending a doctor charged with multiple sexual assaults on a patient over many years. Acquitted.

R v Dr K

Practice Area:

Defending a doctor charged with sexually assaulting an elderly patient in her home and a nurse. Acquitted.

Re X Company

Practice Area: Business Crime

Advising a multinational company involved in the extractive industry with regard to bribery.

Re Y Company

Practice Area:

Advising a multinational company with regard to money laundering.

Re v M & Another

Practice Area:

Defending a solicitor in a multi million pound mortgage fraud with international aspects. Acquitted.

R v S & Another

Practice Area:

Defending an accountant charged with criminal offences under the Insolvency Act with regard to his professional conduct. Acquitted.

Re v H & Others

Practice Area:

Prosecuting multi million Euro laundering operation from drug dealing and other criminal activities involving several different trials and asset confiscation. Convicted.

What the Directories say

She is brilliant on her feet.

Professional Discipline & Regulatory Law, Legal 500

A really impressive advocate.

Her approachable manner puts clients at ease.

She has a very keen eye for detail.

Professional Discipline, Chambers & Partners

Recommended for dental, actuarial and medical cases.

Professional Discipline & Regulatory Law, Legal 500

She grasps complex work quickly and easily, is a master of cross-examination, and an excellent person to represent both regulators and professionals.

Professional Discipline, Chambers & Partners

Hard-working, enthusiastic junior Fiona Horlick is someone you don't want to be up against, according to one impressed peer, as she can destroy your case, very, very quickly.

Chambers & Partners

She demonstrates a superior command of fitness-to-practise hearings as well as appeals in the Administrative Court, and is a strong choice for representation where there are allegations of serious sexual misconduct.

Professional Discipline, Chambers and Partners

Well prepared and knowledgeable. She has the ability to see the real picture.
Incisive, intelligent and brilliant at cross-examination.

Professional Discipline, Chambers & Partners

She has a phenomenal understanding of her cases and is always able to pick up on the key issues, regardless of the volume of information.

Professional Discipline, Chambers & Partners

Her advocacy skills are unrivalled and she is fantastic to watch. She knows when to have a fight and when to have people listen to you and like you.

Professional Discipline, Chambers & Partners

Her forte lies in defending healthcare professionals. Her "ability to work sensitively with emotional clients" is seen as a particular strength.

Professional Discipline, Chambers & Partners

Straight-talking and easy to work with – a formidable advocate.
Favoured for her experience and dedicated approach.
Personable and very tough.

Professional Discipline, Chambers and Partners

Persuasive and appropriately firm in her advocacy, making her a fearsome opponent.

Professional Discipline & Regulatory Law, Legal 500

Her advocacy skills are second to none; most would hate to be subjected to a cross-examination by her because she's just so good. She grasps technical issues extremely quickly and is an extremely effective advocate.

Professional Discipline, Chambers & Partners

She exudes an air of confidence.
She's an excellent advocate who is very good at cross-examination.

Professional Discipline, Chambers & Partners

Fiona Horlick engages in high-stakes disciplinary actions for and against doctors, dentists and pharmacists. She is adept at making intelligent, highly demanding clients feel that they are being well handled. Solicitors like her as she is "capable of being a rottweiler for her client if the situation calls for it."

Professional Discipline, Chambers & Partners

