

Stuart Biggs

Call: 1999



Stuart's practice focuses on matters involving allegations of misconduct by companies, directors, public officials and financial professionals.

He acts for individuals and corporates investigated and prosecuted by the SFO, FCA and HMRC and advises corporate victims of crime. He has considerable experience in Proceeds of Crime Act proceedings.

Stuart advises on a range of matters affecting companies including anti-money laundering, sanctions, data protection, internal investigations, brand and content protection, health and safety and consumer protection.

Financial Crime

The predominance of Stuart's financial crime practice is in the defence of cases brought by the SFO, FCA and following HMRC investigation, but he has a wealth of prosecution experience to draw upon in respect of corruption and fraud matters and maintains a specialist prosecution practice, including private prosecutions. He also advises corporate victims of crime.

Recent matters include:

Pre-charge advice to persons under SFO investigations into London Capital & Finance, Rolls Royce and Greenergy.

- Successful application to remove UK restraint obtained in respect of the Vatican's £300m corruption investigation
- Defence of a director of a Hong Kong fiduciary services company in respect of allegations of money laundering put at \$120m
- Defence of sales director in £160m financing fraud

- Defence of Director of Corporate Finance and Investment Firm charged with FSMA offences
- Defence of Director of hospitality industry companies accused of multi-million pound tax fraud
- Advising on prosecution of an international bribery case
- Representing a company in negotiation in respect of a potential DPA
- Defence of a Director of a services company against allegations of defrauding consumers.

Stuart is experienced in providing advice for commercial clients where companies and other organisations are confronted by fraud and/or come into contact with regulators or the criminal justice system. This includes acting in the civil jurisdiction for victim companies, as well as advising them on the mechanics of the criminal jurisdiction. He has spoken at seminars with City firms, banks and commercial clients on the Bribery Act and drafted anti-bribery and corruption policies. He is Treasurer of the Private Prosecutors' Association and takes a lead role in that organisation's work. He has wide ranging experience of conducting private prosecutions in respect of financial crime and intellectual property crime.

Stuart has complementary experience of advising and acting in respect of individual and company insolvency, has acted for a director in contested company director disqualification proceedings and in cases before the tax tribunals as leading junior, led junior and alone.

Since co-authoring the Butterworths' Guide to the Proceeds of Crime Act 2002 Stuart has maintained a keen interest in this area, conducting confiscation, restraint and enforcement hearings; acting defendants, third parties and prosecutors. He has also appeared several times in the Court of Appeal on confiscation matters. Recently, he was invited to contribute to the Law Commission's work on suggested reform the law of confiscation.

Stuart has considerable experience in account freezing and cash forfeiture cases. Recent matters have seen the release of over £1m frozen in the accounts of a bitcoin brokerage; discharge of an order freezing over £700,000 belonging to a construction company and the return of circa £150,000 in cash relating to a club event in a foreign jurisdiction.

Stuart has been instructed by the Home Office in respect of Mutual Legal Assistance requests from a foreign state conducting a fraud investigation.

Stuart has a longstanding specialism in Intellectual Property Crime and content protection. He is instructed by a variety of rightsholders and provides detailed advice on the substantive law and on investigations and procedure. He is regularly instructed to work in this field with eminent Queen's Counsel from the civil jurisdiction. He has spoken on IP crime at the Cambridge Symposium on Economic Crime.

Notable Financial Crime cases

- **R (SFO) v S & F**

Defence of a director of a Hong Kong fiduciary services company in respect of allegations of money laundering put at \$120m.

- **R (SFO) v A & Others**

Defence of sales director in £160m financing fraud.

- **R (FCA) v B & Others**

Defence of Director of Corporate Finance and Investment Firm charged with FSMA offences.

- **R v D & Others**

Defence of Director of hospitality industry companies accused of multi-million pound tax fraud.

- **R v A & Others**

Defence of Director of services companies charged with conspiring to defraud consumers.

- **R v Skansen Interiors Ltd**

Representing a company in negotiation in respect of a potential DPA.

- **Operation Elveden**

including R v Anthony France [2016] 4 WLR 175: [2017] 1 Cr App R 19 and R v Chapman & Others; R v Sabey & Brunt [2015] 3 WLR 726.

- **R v Darren Thompson [2015] EWCA Crim 1820**

Football investment fraud.

- **R v Matthew Ames (Unreported, 2014)**

£1.6m carbon credit investment scheme fraud.

- **R v Sevket (Unreported, 2013)**

£1.5m film loan fraud.

- **R v Aston Shim**

[2016] EWCA Crim 576, Security Industry prosecution

- **R (Virgin Media Ltd) v Zinga**

[2015] 1 Cr App R 2, intervening on behalf of the film and music industries

- **AC (Wholesale) Ltd v Revenue & Customs Commissioners**

[2017] UKUT 191 (TCC)

- **MBG Associates v Revenue & Customs Commissioners**

[2012] UKFTT 723 (TC)

- **Secretary of State for Trade and industry v Swan and Others**

[2005] BCC 596

Crime

Stuart has represented and prosecuted defendants charged across the full range of crimes including murder, arms trafficking and largescale drug importations.

Notable Crime cases

- **R v P (2019)**

Southwark Crown Court, 2019: Acquittal on allegation of attempted murder.

- **R v H [2012] EWCA Crim 1113**

Arms trafficking.

- **R v May [2008] UKPC 36**

Successful Privy Council appeal.

- **R v Golizadeh & Others [2008] 2 Cr App R (S) 47**

- **R v Joseph (2007)**

Acquittal of murder.

Professional Discipline

Stuart acts for clients in proceedings before a diverse range of disciplinary tribunals and regulators.

Past examples include:

- Acting for a chartered accountant in ICAEW proceedings
- Acting for a Member of Parliament in an Electoral Commission investigation
- Representing the General Optical Council in High Court proceedings and advising on general practice and procedure
- Acting for a prospective parliamentary candidate before the disciplinary committee of a political party
- Advising a local councillor on an investigation in alleged electoral irregularities
- Representing a dentist in GDC proceedings
- Advice and representation for the Security Industry Authority

Public Law

Stuart has conducted Judicial Review proceedings in respect of a range of topics relating to criminal practice. He acted for the claimant in judicial review proceedings successfully challenging a simple caution and conducted the successful judicial review of a decision to impose default sentence for non-payment of a confiscation order.

Notable Public Law cases

- R (on the application of S) v Chief Constable of Thames Valley [2013] EWHC 1561 (Admin)
- R v Dover Justices, ex parte Ilyas (Unreported)
- R (on application of Harper and Johncox) v Aldershot Magistrates' Court [2010] EWHC 1319 Admin

Regulatory Enforcement

Stuart is on a panel of counsel used by a leading national retailer for its non-financial regulatory work.

He is currently instructed to defend prosecutions for consumer protection offences and fraud in respect of a services company. Previous cases include defence of a Soho production company for alleged breaches of advertising regulations and defence of retailers for health and safety and consumer protection breaches.

He has been on the B List of Specialist Regulatory Advocates in Health and Safety and Environmental Law for several years and has acted for many London local authorities in criminal courts and in the High Court (QBD) in applications for injunctions to prevent nuisance. He has acted and advised in many cases brought by the Security Industry Authority.

Stuart provides advice on intellectual property crime to diverse rights-holders, with a particular expertise in on-line sales and distribution.

Inquests & Inquiries

Notable Inquests & Inquiries cases

- Peat/Lawson

Inquiry into various aspects of the conduct of members of the household of St James's Palace; junior counsel to Edmund Lawson QC.

Notable Cases

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[2012] EWCA Crim 1113

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[2015] 3 WLR 726

R v Darren Thompson

[2015] EWCA Crim 1820

R v Matthew Ames

(Unreported 2014, Isleworth Crown Court and Court of Appeal – £1.6m carbon credit investment scheme fraud)

R v Sevket

(Unreported 2013, Central Criminal Court and Court of Appeal – £1.5m film loan fraud)

R v Aston Shim

[2016] EWCA Crim 576

R (Virgin Media Ltd) v Zinga

[2015] 1 Cr App R 2

AC (Wholesale) Ltd v Revenue & Customs Commissioners

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Inquests & Inquiries

Peat/Lawson

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Directory Recommendations

"A junior destined for silk. He is an outstanding lawyer, who is able to crystallise complex issues into persuasive submissions. He is a formidable cross-examiner of expert witnesses." **Legal 500 2022: Fraud – Crime**

"A go-to junior – he is one of the best." **Chambers UK 2022: Financial Crime**

"He is extraordinarily hard-working, extremely able and has a very lovely manner with the jury." **Chambers UK 2022: Financial Crime**

"He is really smart and a good advocate." **Chambers UK 2022: Financial Crime**

"A very good advocate who can draw in different areas of the law." **Chambers UK 2022: POCA**

“Adaptable and equally strong both prosecuting and defending, he can see problems from both sides.” **Chambers UK 2022: POCA**

“Stuart is an outstanding lawyer; he is excellent in distilling difficult legal issues into clear and persuasive legal submissions; he has a charming manner with the jury and is a formidable cross-examiner of experts.” **Legal 500 2022: Business & Regulatory Crime**

“He is an outstanding junior. He is extraordinarily hard-working, extremely able and has a very lovely manner with the jury.” **Chambers UK High Net Worth 2021: Financial Crime**

“Excellent with clients and very calm in pressurised situations. He is able to break down and explain complex matters to clients with ease.” **Chambers 2021: Financial Crime**

“Technically brilliant and a charming advocate.” **Chambers 2021: Financial Crime**

“When it comes to advisory work he has a very keen eye for detail but also broader strategy.” **Chambers 2021: Financial Crime**

“Knows his way around difficult POCA case law.” He’s able to take a point in a measured way, advance it without overplaying it and really develop it forcefully.” **Chambers UK 2021: POCA**

“Very bright, hardworking and able to charm a jury. Stuart has a brilliant grasp of the issues of the case. Very calm and persuasive but when necessary a hard-hitting advocate.” **Legal 500 2021: Business & Regulatory Crime**

“Stuart is quite simply the best junior I have ever worked with. He is extremely bright, and very hardworking. He produces clear and persuasive written work. He is able to charm a jury. He is particularly strong at dealing with tricky financial evidence.” **Legal 500 2021: Fraud – Crime**

“A very efficient worker, who produces beautifully crafted arguments in a few hours. He likes complex, cerebral tasks. Give him an expert witness to cross-examine and he’s totally up for it.” **Chambers UK 2020**

“He pays close attention to detail, knows the area inside out and is very confident and assured.” **Chambers UK 2020**

“Self-assured and street-smart, he is a man with gravitas and great technical knowledge.” **Chambers UK 2020**

“Does an absolutely first-rate job, particularly in relation to the forensic accountancy elements of a case.” **Chambers UK 2020**

“Intelligent, courteous and charming.” **Legal 500 2020**

“Extremely clever, knowledgeable and hard-working and someone who always sees the bigger picture. He has a lovely calm, reassuring manner and always wants to go the extra mile. A technically brilliant and thoroughly charming advocate.” **Chambers UK 2019**

“Extremely diligent and very bright – he also cross-examines exceptionally well.” **Legal 500 2019**

Education

- MA (Cantab) (law), Fitzwilliam College

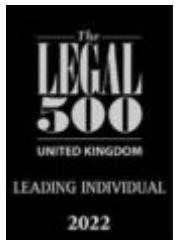
Publications

- Lexis Nexis Corporate Crime Lawyers Consulting Editorial Board
- The Proceeds of Crime Act 2002, Butterworths (2003)

Appointments

- Specialist Advocates' B panellist for Health & Safety and Environmental Law

Accreditations



Privacy Statement

I, Stuart Biggs, am a data controller and can be contacted at 3 Raymond Buildings, Gray's Inn, London WC1R 5BH or by telephone on 020 7400 6400 or by email at stuart.biggs@3rblaw.com. My Data Protection Policy can be found below.

All personal data that I process is for the purposes of providing legal services, conducting conflict-checks, marketing, defending potential complaints, legal proceedings or fee disputes, keeping anti-money laundering records, training other barristers and pupils and when providing work-shadowing opportunities, and/or exercising a right to a lien. The types of data I process vary upon the nature of the legal matter in relation to which I am engaged to advise, but can include names, contact details, biographic details and 'special category personal data' (such as details of racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sex life and criminal convictions and proceedings).

Depending upon the circumstances of the case, the legal bases upon which I process personal data are (i) the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract, (ii) the processing is necessary to comply with legal obligations to which I am subject, or (iii) the processing is necessary for the legitimate interests set out above, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subjects which require protection of personal data, in particular where the data subject is a child. When I rely on (iii) legitimate interests, my ‘Legitimate Interests Assessment’ can be found [here](#). When I process data which has not been obtained directly from the data subject (e.g. personal data contained in evidential materials), it will have been supplied to me as part of my instructions in circumstances covered by legal professional privilege.

Depending upon the circumstances of the case, I may share the personal data with:

1. my Chambers, which supplies professional and administrative support to my practice;
2. Courts and other tribunals to whom documents are presented;
3. my lay and professional clients;
4. potential witnesses, in particular experts, and friends or family of the data subject;
5. solicitors, barristers, pupils, mini pupils and other legal representatives;
6. ombudsmen and regulatory authorities;
7. current, past or prospective employers;
8. education and examining bodies;
9. business associates, professional advisers and trade bodies.

I retain personal data for no longer than 7 years after the case has come to an end or as otherwise required by law.

I do not intend to transfer data to any country which is not either within the European Union, ‘white listed’ by the EU or otherwise permitted by EU law (e.g. to the USA under the provisions of the ‘Privacy Shield’).

Under the GDPR, data subjects whose personal data I process have the right to request from me access to, and rectification or erasure of, their personal data, the right to the restriction of processing concerning them, the right to object to processing as well as the right to data portability. Data subjects also have the right to lodge a complaint with the Information Commissioner’s Office (ico.org.uk).

In cases where there is a contract between me and the data subject, the provision of personal data is a contractual requirement and the data subject is obliged to provide the personal data in order that I can supply legal services. A failure to provide such data may mean that I will not be able to provide the legal services.

Rev: 1.1 20.02.2019

[Data Protection Policy](#)

[Legitimate Interests Assessment](#)