

LUKE BLACKBURN

Year of call
1993



Luke Blackburn is a specialist in serious crime and fraud matters and is regularly instructed by both prosecution and defence solicitors.

A respected senior junior, Luke deals with murders/manslaughter; sexual offences, including historic rapes; drugs cases; complex frauds, including money laundering and tax fraud.

Luke is regularly instructed as leader on cases and is often asked to advise pre-charge in grave and delicate cases including murders.

He is frequently instructed on a private basis, particularly in allegations concerning sexual matters and driving fatalities.

Luke defends and prosecutes professionals charged with offences by their regulators, and in particular advises in negligence cases relating to barristers' conduct. He is also often consulted by individuals, lawyers and corporates concerning money laundering and Proceeds of Crime Act duties.

He has extensive experience of sensitive cases involving participating informants, Preston briefings and the handling of probe material.

Luke is often asked to advise police forces on legal professional privilege, including in cases in which lawyers themselves are the subject of monitoring.

He is well-used to firearms, alcohol and driving licensing cases.

LEGAL EXPERTISE

Financial Crime

Luke specialises in high-value money cases such as fraud and money laundering. He is often asked by investigators in the United Kingdom and abroad to advise on whether suspects should be charged with criminal allegations, including in delicate cases such as the prosecution of police officers, and thereafter gives strategic advice in such investigations.

He has recent experience of carousel frauds, diversion frauds, counterfeiting, mortgage frauds, revenue frauds, long firm frauds, false escrow systems, boiler-room frauds and Ponzi frauds.

He has extensive experience of advising individuals (including legal and financial professionals) and corporates at an early stage as to their liabilities in terms of the Proceeds of Crime Act 2002. He is often asked to assist on a discreet basis before the involvement of prosecuting authorities as to sensitive issues such as protected and authorised disclosures, due diligence and diversion from prosecution.

Similarly he assists business clients with all aspects of forfeiture, restraint and confiscation, both in terms of guidance and advocacy.

He has experience of corporates' particular requirements in Office of Fair Trading investigations, both in terms of cartel raids and longer-term investigations of anti-competitive practice. Where raids have been conducted his involvement has been as early as the time of the raid itself and immediately afterwards.

Luke was recently a paper speaker at the debate organised by the Fraud Advisory Panel about prosecution policy changes in the Serious Fraud Office, against Jessica de Grazia, the author of the report on which the new policy was based.

Particular expertise:

- Delicate LPP issues
- Cash forfeiture (s.298 PoCA)
- Management receivers (s.48 PoCA 2002)
- Directors' disqualification
- Corruption
- Bribery

Selected Cases

Taylor (2018)

Fraud against NHS by contractor.

Operation Fountain (2018)

OCG laundering cash for drug dealer.

Operation Hyperion (2018)

OCG courier fraud and money laundering.

Barker & Others

Fraud against Severn Trent.

Chen & Others (2017)

OCG laundering £10 million cash.

Badwal & Others (2016)

OCG laundering £47 million cash.

Crime

Luke has considerable experience in cases involving organised crime, particularly involving modern slavery, people trafficking and drugs conspiracies. He is said to have 'an unusual ability to make serious and complex cases seem straightforward to a jury.' Recent examples of his instructions are Operations Wickerball, Jaspoid, Jade and Chromium

He specialises in fatality cases (including driving fatalities), serious sexual allegations and high-value money cases such as fraud and money laundering. He is often asked by investigators in the United Kingdom and abroad to advise on whether suspects should be charged with criminal allegations, and thereafter gives strategic advice in such investigations.

As well as state-funded work Luke is often instructed on a private basis by those clients seeking access to a barrister very early in a criminal investigation, and who want to assure themselves of the best client-care and consistency of representation at all times. He is particularly experienced in meeting the specific requirements of such clients. Luke is also regularly instructed by insurance-backed clients, and is well able to assist lay clients and insurers by giving realistic and accurate advice about prospects and workload.

He usually appears as a leading junior. He appears on a regular basis before the Court of Appeal, often against Queen's counsel.

Particular experience:

- Murder/manslaughter
- Vehicle fatality
- Sexual cases including historic and multiple-complainant cases
- Complex Fraud
- Money-laundering
- Paper-heavy and/or lengthy cases

- Cases with scientific or computing aspects to the evidence
- Tax fraud, including HMRC cases
- Government regulators (DEFRA, HSE)

Selected Cases

Tinsdeall & Another (2018)

Drug dealing with firearms.

Paczkowski (2018)

Modern slavery.

C & Another (2018)

Rape.

Lau & Others (2018)

OCG drug dealing.

Swanwick & Others (2018)

OCG drug dealing.

Haynes & Others (2018)

OCG drug dealing.

Cvetkovas & Others (2017)

OCG importing cathinone-group drugs from China.

Brzezinski (2017)

Modern slavery.

P & Another (2017)

Gang-related shooting.

S & Others (2016)

OCG kidnapping of alleged drug dealer.

Jogee (2016)

Murder (leading case on accessory liability).

Singh & Another (2016)

Death by dangerous driving.

Pawley (2016)

Sexual abuse.

Singh & Others (2016)

OCG importing cocaine.

Blake & Others (2016)

OCG kidnapping of restaurateur.

Markowski Brothers (2016)

Modern slavery.

Employment

Luke undertakes all aspects of employment and discrimination cases for both claimant and respondent, and has a particular aptitude for cases:

- Which concern parallel claims of unfair dismissal and discrimination.
- Involving internal or professional disciplinary investigations or other particular sensitivity.
- Which are complex, and either for or against large employers.

He often advises on settlement agreements, and undertakes public access and licensed access work.

He is a highly-experienced tribunal advocate, able to adapt his style as fits opponents from litigants-in-person to senior counsel.

In December 2013 Luke addressed the Cambridge Union Society at a debate about positive discrimination, having been invited by the then president because of his experience in employment matters.

He writes articles for national publications such as the Employment Law Journal, most recently on zero-hours contracts, and is often asked for comment by broadcasters, newspapers and professional journals.

Recent cases have involved:

- TUPE, especially historic transfers with poor record-keeping
- Race discrimination
- Sexual orientation discrimination
- Disability discrimination, particularly as relates to ill-health defences
- Age discrimination
- SOSR/third party request dismissals
- ACAS code reductions/increases
- Victimisation
- Redundancy
- ET claims by current employees
- Pensions' apportionment
- Complex pensions/benefits when considering remedies
- Failure to mitigate loss
- Polkey/equitable reductions of damages

Selected Cases

A v A London Borough

Unfair dismissal, disability discrimination, ill-health dismissal, victimisation for issuing proceedings.

G v A London Borough

Race, gender and age discrimination, capacity dismissals.

O v A London Borough

Gender and age discrimination, redundancy, five-day ET.

Re B

Direct and indirect disability discrimination.

S v BBC

Redundancy, pregnancy and maternity discrimination, indirect discrimination, victimization over grievance procedure, covert recordings.

A v ECC

Unfair dismissal: reinstatement, re-engagement, 'Polkey' reduction, contributory fault, breach of ACAS code, delay, fairness of internal disciplinary procedures.

W v P

Out-of-time for unfair dismissal: thus action for wrongful dismissal, involved whistle-blowing and internal corruption.

Regulatory & Professional Discipline

Disciplinary work forms a significant part of Luke's regulatory practice, at preliminary strike-out, first instance and appellate level. He often represents legal, medical and financial professionals, and the players and officials of sports and games before the disciplinary committees of their regulatory bodies. He specialises in disciplinary proceedings involving barristers and solicitors.

He is often asked to give advice on a discreet and confidential basis before professional negligence or disciplinary proceedings may be brought. He also writes on disciplinary matters in publications such as Counsel magazine and lectures to professional clients on law and procedure.

He has been appointed to the panel of counsel instructed to prosecute barristers before disciplinary tribunals.

Selected Cases

X

Barrister acted in unregulated manner.

Y

Barrister managed pupillage system in discriminatory manner.

Z

Barrister acted without instructing solicitor.

A

Pharmacist dispensed medicine to self, other than in regulated manner.

B

Bridge player accused of cheating, appealed to appellate body of regulator.

C

Solicitor mismanaged client funds, but disciplinary prosecution avoided.

D

Barrister failed to act on deficiencies in indictment, which later were said to have caused client's imprisonment and subsequent release.

E

Barrister said to have failed to act in client's interests in PoCA hearing before Crown Court.

Appointments

- Panel of counsel instructed to prosecute barristers before disciplinary tribunals.

Memberships

- Association of Regulatory & Disciplinary Lawyers
- Criminal Bar Association
- Employment Lawyers' Association
- Employment Law Barristers' Association