Gary Summers

Junior Counsel - Above 15 Years
CALLED 1985



Gary is a highly respected UK and/or Irish and/or DIFC (UAE) barrister with 40 years' experience and is highly regarded in the fields of International Law, Extradition, mutual legal assistance, private prosecutions, financial and business crime, medical defence and Investigations.

Presently he focuses on directing worldwide litigation for ultra-high net-worth individuals and/or companies and/or family offices (UHNW's) and the challenges faced by them, alongside dispute resolution, financial investigations and mediation and crisis management - he also has other specialisms in medical and/or criminal defence.

International Protection Practice

Gary Summers has a multi-functional international protection practice helping HNW, high-profile individuals, family offices and politically exposed persons (PEPS) who are under scrutiny from International law enforcement in the UK and/or globally or whose wealth and assets might come under the spotlight, ensuring they receive holistic advice at proportionate cost from the right experts when facing complex challenges across multiple jurisdictions,

including advice on extradition, Interpol notices, sanctions, travel restrictions, asset forfeiture orders, unexplained wealth orders claims, immigration/asylum issues, bank accounts closures or freezes, PEP registrations and international family and/or financial arrangements and reputational management matters. Often the mention of one particular nationality may trigger one of the latter.

These profound challenges to their reputation and key relationships can have an immediate and devastating impact on their reputations.

All of the above risks require expert management, but all too often when they arise unexpectantly, UHNWs rapidly search around for the best people to help who may lack the precise skill set to deal with the specialist problem: Which lawyers for what task? What media strategies and how to engage with the digital and traditional media? What should be done to manage key stakeholders?

International Practice

Recent coal face experience has included and directing multi-jurisdictional civil proceedings in London, Luxembourg and East Africa.

Successfully directing two successful extradition appeals against extradition from UAE to EU countries;

Directing a challenge in the Dutch courts against European Arrest Warrant issued by Germany and Italy,

Removing red notices in successful challenged before the CCF in Lyon France;

Removal of PEPS registrations (World Check; Refinitiv; Lexis Nexis; Dow Jones; Factiva and RDC),

Directing International libel proceedings in the London Courts

His international work often reprises the role of an Investigative lawyer/counsel which he first made his own in 2011 when he was retained as special investigation counsel on behalf of Uhuru Kenyatta in the International Criminal Court (ICC). In mid 2012 he was appointed lead investigation counsel for Kenyatta in relation to his impending trial. All charged against Kenyatta were withdrawn in 2014.

Asset Recovery

In asset recovery work he has experience of uncovering assets in Europe; Central and South America; the Far East and has instructed local lawyers in all those jurisdictions.

DOMESTIC PRACTICE: BACKGROUND AND EXPERTISE

Private Prosecution

In private prosecution cases, Gary seeks to identify crimes, perpetrators and backers - including those perverting the course of justice. He files information, procures summonses and prosecutes individuals in the UK courts.

Dispute Resolution

Gary has advised on countless cases in the UK Court of Appeal and High Court. In the past 15 years he has advised claimants and defendant in multi-million loss cases in High Court, arbitration and insolvency proceedings involving marine insurance; construction; metal trading; receivables finance and investment fraud.

Since 2016 using his licence to litigate, Gary has been directly instructed in several civil fraud cases in the Commercial Court for claimants and defendants; insolvency cases in the High Court; contentious probate cases in the Chancery Divisions and Central London County Court, cases in the Family Division and Central Family Court and Judicial review cases in the Administrative Court.

Financial investigations

In financial investigations, Gary seeks to identify crimes, perpetrators and backers, and provides evidence to authorities and/or private clients. He may also cause a recovery process to be instituted here and abroad, to recover the fruits of frauds.

Gary is an acknowledged expert in asset confiscation – and ranked as a leading junior in fraud in the Legal 500 (2006–14 edition).

In 2007, Gary set up an international forensic investigation capability – tested in 2007–08 during a substantial investigation in Dubai.

Criminal defence

In criminal defence cases, Gary aims to clear the names of those unjustly accused of serious crimes here and abroad.

In 2011 Gary was retained as special investigation counsel on behalf of Uhuru Kenyatta in the International Criminal Court (ICC). In mid-2012 he was appointed lead investigation counsel for Kenyatta, in relation to his impending trial. All charges against Kenyatta were withdrawn in 2014.

Medical defence

Gary represents those accused of disciplinary offences by the General Medical Council (GMC), Nursing & Midwifery Council (NMC) and Health and Care Professions Council (HCPC).

Mediation and Crisis Management

Gary is a qualified Mediator. Combining his skill sets Gary represents those in crisis. He has been instructed to intervene quickly on diverse matters.

Areas in which advice has been provided in the last few years include: parents of a group of kidnapped children; parents affected by a natural disaster; company directors threatened with SFO intervention; several victims of multi-million pound frauds; several insolvency situations; a group of companies where one of the companies had become contaminated by mtic fraud; a professional man falsely accused of downloading pornography; a solicitors practice whose professional indemnity insurance (PII) claim was declined in the face of a multi-million pound negligence claim. Gary reinstated the PII within 4 weeks of being instructed and ultimately the insurers paid the claim and all the legal costs.

Notable Cases

International

F LTD v A, 2023

Contested Commercial Court trial acting for Claimant combined UK legal team directed by Gary.

F LTD v MB et al, 2023

Commercial Court proceedings acting for Claimant combined UK legal team directed by Gary.

Belgium v E, 2023

Contested extradition proceedings in Dubai by UAE/ Belgian/UK combined legal team directed by Gary.

F LTD v MB, 2022

Contested Luxembourg trial proceedings (several actions) acting for Claimant: combined UK/Luxembourg legal team directed by Gary.

Italy v M, 2021

Contested extradition proceedings in Dubai successfully resisted by UAE/ Italian combined legal team directed by Gary.

Belgium v E, 2021

Contested extradition proceedings in Dubai successfully resisted by UAE/ Belgian combined legal team directed by Gary.

Germany v F, 2021

Challenge in the extradition court in the Netherlands against a European Arrest Warrant issued by Germany.

Italy v F, 2022

Challenge in the extradition court in the Netherlands against a European Arrest Warrant issued by Italy.

E v Belgium, 2022

Challenge by E to two red notices at the CCF at Lyon France.

International

Private Prosecutions

E v D'S and others, 2023

Acting for the private prosecutor in proceedings for fraud.

C Ltd v J&J and others, 2022

M Ltd v C and others, 2021-2022

Acting for the private prosecutor in proceedings for fraud.

B Ltd v H Ltd and others, 2017-2018

Acting for the private prosecutor in proceedings for conspiracy to defraud.

P v R and D, 2018-2019

Acting for the private prosecutor in proceedings for Fraud

T v G, 2018-to date

Acting for the private prosecutor in proceedings for Fraud

Alternative Dispute Mechanisms

COMMERCIAL COURT/BUSINESS AND PROPERTY COURT

In the Matter of C, 2020

Instructed under license to litigate in the Chancery Division for a Part 8 application for ToLATA declaration under the Trusts of Land and Appointment of Trustees Act 1996.

SML v PT, ST and Estate of WS, 2019-to date

Instructed under license to litigate (instructing Lesley Anderson QC) in the Chancery Division (Business and Property Court) London for two director defendants and the estate of a third in connection with allegations of breach of director's duty arising from a management buyout and a claim for £18m. Contribution Proceedings under Civil Liability (Contributions) Act 1978.

HT v LBG and BC LLP, 2019-to date

Instructed under license to litigate (instructing Brie Stevens Hoare QC) in the Commercial Court London for the Claimant in connection with allegations of an unlawful means conspiracy arising from the acquisition of Jaeger Group Ltd and Aquascutum Group Ltd in 2012 and a claim for £124m.

A v CS and R, 2017

Acting for the defendant in civil fraud proceedings.

S v R, 2017

Acting for the defendant in civil fraud proceedings.

B v I and T, 2017-2018

Acting for the claimant in civil fraud proceedings.

Vincent Tchenguiz and Rawlinson & Hunter, 2015-2017

Advised in claims in the BVI and London against Grant Thornton (UK) and Kaupthing bank (Iceland)

CHANCERY DIVISION - INSOLVENCY

Re Debtor A, 2017-2018

Acting for A in contested bankruptcy proceedings.

Re debtor H Ltd, 2017

Acting for the petitioner in winding up proceedings.

ADMINISTRATIVE COURT

R v Westminster Magistrates Court ex parte T, 2019-2020

Acting for the Applicant in Judicial Review proceedings.

R v Westminster Magistrates Court ex parte P, 2019

Acting for the Applicant in Judicial Review proceedings.

R v Southwark Crown Court ex parte B, 2018

Acting for the Interested Party in Judicial Review proceedings.

FAMILY DIVISION/CENTRAL FAMILY COURT

G v G, 2017-2018

Acting for the applicant for financial relief in divorce proceedings in the High Court Family Division.

A v A, 2018-2019

Acting for the applicant for protective steps order; single issue order (signing application for private school);financial relief in divorce proceedings in the High Court Family Division.

CONTENTIOUS TRUST AND PROBATE

In the Matter of L, 2020

Instructed under license to litigate in the Chancery Division for LN's Part 8 application for a Beddoes declaration in relation to a Trust.

N v N, 2017-2019

Acting for the claimants in contested probate proceedings.

Re CJW, 2017

Acting for the claimants in section 50 proceedings to remove an Executor.

[Alternative Dispute Mechanisms]

Disciplinary and Regulatory

DR AS, 2023High Court appeal against length of suspension.Dr M, 2022

Acting for Dr M in contested proceedings (18 day trial) before the MPTS

DR AS, 2021

Successful High Court appeal against impairment findings and erasure.

Miss K, 2015

HCPC Registration appeal.

Dr B, 2015

GMC interim orders panel (IOP) and fitness to practise panel Suspension successfully resisted at IOP. Allegations concerning criticisms of care of terminally ill patient by doctor in private practice.

Ms Clay, 2015

GDC Fitness to practise case; instructed by Capsticks for the GDC. Issues of consent in emergency treatment.

Mr Moss

GDC Fitness to practise case; instructed by Capsticks for the GDC. Profound treatment issues concerning a well-known West Midlands implant specialist.

Young

General Chiropractic Council Fitness to practise case; instructed by Crowell and Moring for the defence. One of a series of cases relating to the capability of chiropractors generally and their website descriptions.

[Disciplinary and Regulatory]

Achievements

Memberships

- Private Prosecutors' Association
- Association of Regulatory and Disciplinary Lawyers

Publications

- Joint editor of Fraud Law Practice and Procedure, Lexis Nexis
- Numerous articles in the New Law Journal and Money Laundering Bulletin

Education

- BA Law (Hons) (2:1), East London University

What my clients say

Dispute Resolution Company and Commercial

- **Ms N**

'In 2019, I instructed Mr. Gary Summers to work in a highly complex Commercial case, heard in a four-week trial in the High Court, Chancery Division (sitting at the Rolls Building London)

I was always fully consulted and in control of the process. Gary acted with commercial integrity and the financials were will transparent. I was kept informed of and decided on all expenditure. The whole service was very cost effective.

Gary completely understood the mental, and at times physical strain of the whole process and of a legal system totally alien to a layperson. His support was unwavering throughout and he was always available to respond to my questions and concerns. I always felt that my well-being was at the heart of his entire service'

- **Mr T**

'A calm and brilliant senior lawyer with many years of experience. Gary has represented me directly from 2018 to date - where two other so-called leading solicitors failed - with the confidence needed during serious commercial litigation in the commercial court as the Claimant against two financial

institutions.

He has pitched himself against two leading solicitor firms representing the defendants with large teams, ensuring that as the client I understand in detail and at every stage of the journey the process and procedures of law during our twice weekly discussions. I would highly recommend him.'

- **Mr P**

'Mr Summers is a respectable and knowledgeable barrister who provided us with vital support regarding legal and technical matters of the law.

Mr Summers worked on a tight schedule to prepare our defence case. He was very reassuring and right at the outset explained the technical points he would use to fight our case.

I found Mr Summers to be highly professional, extremely helpful and plain speaking. His service to us as defendants in a complex commercial legal matter was highly valuable.

Mr Summers is easy to talk to and listens carefully to his client, presenting legal arguments to us clearly in both a reliable and timely manner. he was supportive throughout the whole process including the preparation for and in attendance of court, whilst being always contactable. He condensed and articulated the relevant points of our case and managed our time effectively.

Mr Summers was completely dedicated to us and I feel we were well represented throughout the entire proceedings. Without hesitation I would recommend Mr Summers and would also like to thank him for his support and thoughtfulness during my case.'

Mediation and Crisis Management Insurance (Business and Personal)

- **Mr S**

'In 2015 the solicitors firm in which I was employed faced a major crisis. We were bring sued for several million pounds (by two well-known sports celebrities) in connection with unsecured loans and property matters undertaken by our senior partner. Our professional indemnity (PI) insurers has pulled the run out from under us and we were refusing cover. Our senior partner was potentially facing financial ruin.

Gary spent ten intensive days undertaking a thorough investigation into the issues and produced a perceptive report with diagnostics and solutions. He negotiated ruthlessly with the PI insurers. Gary's focus and tough and street-wise approach ensured that the insurers remained on cover which ultimately saved the firm.'

Crime Criminal Defence

Mr B

(Crown Court Defence Trial Rape and Sexual Assault)

'I knew from the outset that I had chosen my defence well. By the time the trial date arrived Gary had carried out extensive research and was well prepared in his defence. As a result of Gary's outstanding defence, I was found not guilty unanimously by the jury on six counts of profoundly serious charges.

Investigations - Criminal Defence

- **Mr K**

ICC v Uhuru Kenyatta President of Kenya

'Gary Summers handled a high-profile international investigation of great complexity with total professionalism yielding sensational results for the client. His seniority as a barrister provided him with the back-up legal expertise needed to negotiate a quagmire of dancer and ensured the investigation got to the bottom of what has happened. The investigation deployed a range of experts in telecommunications, linguistics and audio identification amongst others. He had the experience of knowing where to go to get the cutting-edge expertise needed to crack the case. The case organisation, essential in these situation was 100% effective.'

- **Mr B**

Gary Summers is a top-class Counsel, Investigator and Licenced Litigator. From the very first telephone conversation he made me feel at ease in hat would turn out to be a very complex murder investigation, for which Gary is so very well equipped as he is able to call upon and work with other experts such as former Scotland Yard murder squad detectives, and forensic scientists.

Our very first meeting was very meaningful with his analysis of the facts impressive, with me likening his understanding and intuition to that of a modern-day Sherlock Holmes. Gary quickly structured the sequence of events to lead to a formal report and further witness reports to see the matter to a conclusion. He makes a highly formal process accessible when dealing with complex and serious matters. I recommend Gary to any case that is of a serious nature to get the job done.'

Professional Discipline

- **Mr E**

Healthcare Disciplinary

'In 2012 out of the blue I receive a letter that was to change my life. False allegations had been made about me and they were serious enough to be investigated by the NHS Fraud Squad and the Police. I knew I had not done any of the things i had been accused of and I contacted a barrister - Mr Summers - directly. From the moment I met him I knew I had someone who could fight my corner. His professionalism and support were so reassuring. The case was dropped by the Crown Prosecution Service and NHS Fraud Division.

My nightmare would continue as I was reported by my employer to the Health Care Professions Council (HCPC). Mr Summers went into action to refute the false allegations. He would conference call me and keep my up to dater on every stage of the case and his knowledge of the law was evident. Throughout this ordeal without the support of Gary Summers I feel my life would have been ruined. The case was finally heard having been adjourned on several occasions but despite this Gary was there every step of the way and the outcome was again no case to answer.'

Professional Insurance

- **Dr B**

'I was recommended the direct access legal services of Gary Summers by a colleague following the sudden and unexpected withdrawal for my medical indemnity cover by my insurer. This left me in a very vulnerable and precarious position, facing a lengthy General Medical Council (GMC) disciplinary hearing without any legal representation. It was at this point that Gary came to my rescue and agreed to defend me.

His ability to unpick the complexities of the case, leave no stones unturned and cleverly present the evidence in my favour shone through. I have never met another lawyer more ardent, prepared or focused. Nothing seems to faze him at all or distract him from his goal on the case, which of course makes him extremely tough to beat.

GMC disciplinary hearings are extremely distressing and stressful for any doctor to have to endure during their medical career and I was so grateful for Gary's support and encouragement throughout.

I was also subject to intruding media attention during my hearings which was very stressful. Gary's

ability to negotiate with the GMC press office and press photographers ensured that this unwanted attention was kept to an absolute minimum. He successfully defenced me in the Interim Order Tribunal (IOT) hearing which meant that I could continue to practice medicine as a doctor pending the result of the Medical Practitioners Tribunal Service (MPTC) hearing.

He also succeeded in getting 75% of the GMC Heads of Charge (HOC) against me to resume my career.'