



Andrew Herd

Call: 2015

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Andrew has experience in criminal, civil and regulatory matters.

He defends and prosecutes and has appeared in cases involving dishonesty, violence, drugs, sexual offences, proceeds of crime and road traffic offences as well as in contractual claims and disputes relating to the breach of civil injunctions. He has also acted in cases involving Companies Act offences, and in forfeiture proceedings and has recent experience defending in a case prosecuted by the Information Commissioners Office relating to data protection offences. Andrew also has experience in environmental law, contract law, and education law.

Andrew regularly advises regulators such as Ofqual, the examinations regulator, and has experience undertaking work for the Government Legal Department in relation to immigration appeals. He also works with international regulators on a direct access basis.

Andrew maintains an academic interest in the law – most recently co-authoring the latest update to Arlidge on Fraud. He is currently working on the new edition.

Andrew is qualified to accept suitable cases directly from individuals through the Direct Access scheme. Enquiries can be made by contacting Chambers' directly by phone or email.

Crime

Recent cases include:

- R v X (2019) Client acquitted, possession of bladed article.
- R v X, (2019) Junior counsel, client acquitted of modern slavery offence after half time submission.
- R v X (2019) Disclosure counsel for the Crown in murder trial.
- R v X (2019) Acting for the prosecution in an environmental case relating to the destruction of bats' roosts by a construction company.
- R v X (2018) Persuaded court not to impose mandatory minimum sentence in third strike PWITS case after trial.

- R v X (2018) Client received a suspended sentence for circa £64k fraud.
- R v X (2018) Client acquitted by majority verdict of going equipped for theft.
- R v X (2018) Client acquitted of 'stalking causing serious alarm or distress' after a submission of no case to answer.
- R v X (a child) (2018) Appearing in a sentencing hearing for a client convicted of robbery: youth rehabilitation order.
- Disclosure work for SFO (2018).
- R v X (2018) Client received community order for Robbery
- R v X (2018) Client acquitted of threat to kill and ABH
- R v X (2018) Client acquitted of theft
- R v X (2018) Crown offer no evidence on possession of bladed article after legal argument
- R v X (2018) Client received suspended sentence for theft from employer.
- R v X (2018) Client received suspended sentence for various money laundering offences.
- R v X (2018) Client acquitted on appeal against conviction in theft case.
- R v X (2018) Client received a suspended sentence for circa £64k fraud.
- R v X (2018) Client acquitted by majority verdict of going equipped for theft.
- R v X (2018) Client acquitted of 'stalking causing serious alarm or distress' after a submission of no case to answer.
- R v X (a child) (2018) Appearing in a sentencing hearing for a client convicted of robbery: youth rehabilitation order.
- R v X (2017) Appearing in a sentencing hearing for a client convicted of money laundering: suspended sentence.
- R v X (2017) Appearing in a sentencing hearing for a client convicted of possessing indecent images of children: suspended sentence.
- R v X (2017) Acting for the defendant in a multi-handed public order trial who was acquitted after a submission of no case to answer.
- R v X (2017) Client was acquitted of two charges of assault due to discrepancies identified in witness accounts.
- R v X (2017) Successful second bail application for a client charged with several counts of sexual assault.
- R v X (2017) Client acquitted of failing to give driver details after trial.
- R v X (2017) Client acquitted of 'inconsiderate driving.'

Civil

Recent cases include:

- L v X (2019) client received suspended sentence in committal proceedings.
- L v X (2018) Acting in successful appeal proceedings for client with brain tumour imprisoned

for contempt.

- L v X (2018) Instructed to provide advice in relation to civil contempt in the context of a property dispute.
- A v D (2017) Trial involving 14 contested breaches of an injunction order, 2 found unproved, client received suspended sentence. Successful application to amend injunction after trial.
- L v S (2017) Business owner's injunction amended post trial after legal argument.
- H v A (2017) Successful claim in damages for breach of contract.
- L v A (2017) Client held not to have breached his injunction after an identification made by a police officer was undermined in cross examination.
- L v N (2017) Successful submission that injunction was not drafted precisely enough to found breach proceedings.

Publications, Lectures and Training

Publications

Brexit and Money Laundering Regulation: co-author with Michael Goodwin QC and Leila Chaker, April 2017

Book Review of Forbes: *The Institutes of the Law of Scotland*: *Edinburgh Law Review*, vol. 18, pp 300 – 301, May 2014

[Criminal Finances Act 2017](#) (January 2018 update): co-author with Michael Goodwin QC.

Arlidge and Parry on Fraud, 5th Edition, 1st Supplement, September 2018

Education

LLM by Research, University of Edinburgh, Distinction

LLB (Hons), University of Aberdeen, First Class