



Simon Airey

Partner, Litigation Department
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Simon Airey leads the litigation and investigations team in the London office of Paul Hastings. Mr. Airey specializes in global investigations, financial and regulatory crime, bribery and corruption, money laundering, tax and fraud inquiries, data breaches, dawn raids, and corporate compliance issues. He has conducted a wide range of litigation and investigations in different sectors, principally construction, defense, financial services, gambling, oil and gas, logistics, pharmaceuticals, and telecommunications. Mr. Airey represents both companies and individuals in criminal and regulatory proceedings and in associated litigation.

He advises a large number of multinational groups in relation to their global compliance programs and has lectured around the world in relation to the U.K. Bribery Act, the U.K. Criminal Finances Act and related matters. He is advising a number of organizations in relation to the new corporate criminal offense of failing to prevent the facilitation of tax evasion and served on the U.K. Law Society committee which devised related guidance for the legal profession. Amongst other things, he is also defending multi-party litigation in relation to a significant data breach in the U.K., leading several bribery investigations, dealing with an FCA investigation relating to a global payment services provider and representing a high profile individual in relation to a £multi-million D&O insurance dispute in the context of a U.S. DoJ prosecution.

Recent Representations

- Involved in the largest case ever prosecuted by the U.K. Serious Fraud Office relating to allegations of cartel behavior in the U.K. pharma sector
- Disposed of a high-profile investigation into alleged bribery by an oil and gas company in Somalia after extensive engagement with the SFO
- Disposed of a SFO bribery investigation into a global shipping company
- Representing a high-profile individual in connection with a major bribery prosecution in Italy relating to oil transactions in Nigeria
- Advising two individuals under investigation for alleged bribery in the Middle

London

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Practice Areas

Anti-corruption and FCPA
Litigation
Investigations and White
Collar Defense
Tax Litigation and
Controversy

Admissions

Barrister regulated by the Bar
Standards Board

Education

University of Sheffield -
School of Law, LL.B. 1988

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East

- Designing and implementing compliance programs for various global organizations, with associated training, audit and review work
- Advising the parent company of a U.K. energy company under investigation by the SFO in relation to biodiesel trading activity
- Worked with Transparency International on a keynote publication relating to 'facilitation payments' - "Countering Small Bribes"
- Advising a foreign government in relation to various tax and transparency initiatives and the design of a new model for the financial services sector
- Advised an investment bank in relation to a major FCA Anti-Money Laundering investigation
- Devised and implemented ABC, AML, Dawn Raid and Investigations policies and procedures for various global institutions
- Defended one of the U.K.'s most high-profile cases involving the supply of arms to Iraq in breach of U.K. licensing laws and UN sanctions
- Advised almost 50 major financial institutions in relation to compulsory disclosure notices obtained by HM Revenue & Customs relating to suspected offshore tax evasion on the part of their clients
- Advising various gambling operators regarding ABC & AML compliance and regulatory investigations by the U.K. Gambling Commission
- Disposed of an investigation relating to breaches of the Terrorism Act by a UK charity regarding the misappropriation of its assets by Al Shabaab
- Advising a globalevents company regarding a significant data hack

Accolades and Recognitions

Chambers & Partners and Legal 500

- 2019 - "Simon Airey is brilliant, disarming, strategically astute and dogged in defence of his clients"; "Paul Hastings is one of the few firms that really do specialise in the largest corporate fraud and crime cases"; "Simon Airey is outstanding."
- 2018 - "Paul Hastings provides 'high levels of expertise, competence, professionalism and responsiveness'. It advises on government investigations, litigation and corporate compliance, including anti-corruption and FCPA, global trade controls, privacy and data security, securities enforcement, and white collar matters. The firm also designs compliance programs, conducts due diligence on mergers and acquisitions, and conducts internal investigations. Simon Airey joined as head of team in 2017 from DLA Piper, he has 'great charisma and superb judgment and he has the confidence of even the most exacting clients.'"
- "Simon Airey is valued for his deep skill in financial crime investigations. Clients

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comment that 'he is adept at threading his way through the complexity of multi-dimensional and multi-jurisdictional cases.'

- 2017 – "'He is a safe pair of hands, knows everybody, and is very reliable. He's very effective at coming up with the right advice and the right solution, and good at threading through difficult issues' according to a highly satisfied client."
- 2016 – Simon Airey "has a very good commercial understanding and is proactive and in tune with what we want in terms of advice." ... "He attracts praise for his 'wealth of experience' and specialises in tax and fraud investigations for private individuals and financial institutions."
- 2015 – "...the 'outstanding' Simon Airey...advises clients on global compliance issues. Offering 'good value for money,' [he is] also experienced in acting on large criminal and regulatory investigations." ... "Simon Airey...is 'definitely the man to have on your side.'"
- 2014 – "Simon Airey handles bribery and corruption issues as part of a broader white-collar practice. Sources admire his ability to advise on matters that straddle the divide between criminal and civil law."
- "Simon Airey 'really gives us fresh eyes on the issues and concerns we take to him. He is a very charming man and is always pleasant and cordial,' remarks a client."
- 2013 – "Sources note that he is a 'very intelligent' lawyer who will 'make sure that his team does what needs to be done' on behalf of clients. He has experience of acting for multinational corporations subject to major bribery investigations. Clients describe him as an 'intelligent and knowledgeable' practitioner who strikes the "perfect balance" between listening and advising."
- 2012 – "Sources describe him as a 'very competent and likeable' practitioner."
- 2011 – "Simon Airey is recommended for his expertise in tax and fraud investigations against individuals and major corporations both domestically and internationally. He led the team advising financial institutions on voluntary disclosure matters."
- 2010 – "An extremely effective leader of a strong team," Simon Airey is well known in the field. This "forthright, ebullient character" is highly respected for keeping clients happy with his "great mastery of the details" and has been busy advising many major financial institutions on HMRC's Offshore Accounts Project.
- Acritas 'Star Lawyer' 2017
- Who's Who Legal 2019: 'Global Leader' – Investigations
- Who's Who Legal 2019: 'Thought Leader' – Investigations, Business Crime Defence, Asset Recovery

Reported cases – selection

- HMRC -v- Micro Fusion – Court of Appeal [2009] EWHC 1082 (Ch)

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- HMRC -v- Halcyon Films LLP – Court of Appeal [2010] EWCA Civ 261
- Sheikh Mohammed Hussein Al Amoudi -v- Elias Kifle & The Ethiopian Review [2013] EWHC 293 (QB)
- R (on the application of Soma Oil & Gas Ltd) -v- Director of Serious Fraud Office (CO / 4022 / 2016)

Speaking Engagements and Publications

Simon has spoken on a wide variety of issues and matters, including:

- At MLROs.com Conference One 2017 on "The Evolving World of Compliance: Risks, Threats - and Opportunities"
- At MLROs.com Conference One 2018 on The Global Enforcement Landscape and interviewing Lord Bernard Hogan-Howe, former Commissioner of the Metropolitan Police, and Sir David Green CB QC, former Director of the Serious Fraud Office.
- At Aon's Global Law Conference 2018 on compliance and enforcement
- With US Ambassador Nick Burns on "The Revolving World of Politics and the Evolving World of Compliance"
- At Sogang Law School in Seoul on global compliance and enforcement initiatives
- At the invitation of the Chinese government, presenting a number of seminars in Beijing on corruption, procurement, and corporate governance to several hundred of China's most senior public officials within China's largest governmental agency, the National Commission for Reform & Development
- At the UK FATCA Summit on likely future developments in global Tax Information sharing
- Co-chaired the Global Investigations Summit in London at which Senator George Mitchell was the keynote speaker

Simon has authored many articles and newsletters, including:

- "Countering Small Bribes - principles and good practice for dealing with small bribes including facilitation payments" - Transparency International
- "Bribery Act raises the bar for global compliance programmes" - In-House Lawyer (No. 193)
- "What to do when you suspect corruption: disclosure obligations and enforcement processes in the UK, the US., Australia and China" - Practical Law Company - Multi Jurisdictional Guide
- "The United Kingdom" (chapter) - International Investigations Review
- "Failing to Prevent Associated Persons from facilitating Tax Evasion" - Wolters Kluwer Global Tax Weekly
- "Online Gambling – Changes on the Horizon" – Online Gambling Lawyer

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- "UK Beneficial Owner Register will be First of its Kind" – Law 360
- "Making A Virtue of Transparency" – International Tax Review
- "Tax Evasion - the Corporate Offence of Failure to Prevent" - Lexis PSL
- "Golden Opening" - Taxation (vol. 164)
- "Gift Horse or Trojan Horse?" - Taxation (vol. 166)
- "Wolf in Sheep's Clothing or Blessing in Disguise?" - Taxation (vol. 168)

Professional and Community Involvement

- Fraud Advisory Panel
- Commercial Litigators Forum
- Tax Investigations Practitioners Group
- Proceeds of Crime Lawyers Association
- The Honourable Society of the Inner Temple
- Chairman of the Editorial Board, MLROs.com
- Association of Regulatory & Disciplinary Lawyers
- Paul Hastings' U.K. Money Laundering Reporting Officer

Education

- University of Sheffield, Bachelor of Laws – LLB (Hons)

News

October 05, 2018

The Financial Times Recognizes Paul Hastings for Innovation in Europe

August 17, 2018

14 Paul Hastings Lawyers Named 2018 Acritas Stars

October 31, 2017

Paul Hastings Investigations and White Collar Defense Practice Named Most Impressive Investigations Practice by Leading Industry Publication Global Investigations Review

April 27, 2017

Paul Hastings Adds Leading Corporate Crime & Investigations Partner to London Office

Insights

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October 20, 2020

U.K. Gambling Commission Imposes Tighter Controls on Customer Incentive Schemes Targeting “High Value Customers” and “VIPs”

October 08, 2020

Recent U.K. Cases Highlight Potential Pitfalls in Acquisition Agreements

September 21, 2020

English High Court Confirms the Application of Privilege to Foreign Lawyers

July 06, 2020

UK Government Uses Sanctions to Target Human Rights Contraventions

May 01, 2020

Supermarket Sweep—UK Supreme Court Clarifies Law Regarding Vicarious Liability: Key Take-Aways for Employers

April 16, 2020

In Unprecedented Times, Something’s Got to Give — But Don’t Let It Be Your Compliance Programme...

April 03, 2020

Can You Handle the Truth? New Rules Regarding Statements of Truth and Foreign-Language Witness Statements in Civil Proceedings

March 20, 2020

PH COVID-19 Client Alert Series: Coronavirus Bill introduces changes to conduct of legal proceedings and investigations in the United Kingdom

January 23, 2020

What the SFO Looks For in a Compliance Programme—New Guidance Published January 2020

December 02, 2019

Significant Changes to Media, Communications and Data Claims

October 17, 2019

New EU Directive Enhancing the Protection of Whistleblowers

September 20, 2019

Significant Changes to Media, Communications, and Data Claims in the English

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Courts

August 13, 2019

New UK Serious Fraud Office Co-operation Guidance: From Avoiding “Trampled Crime Scenes” to Helping Secure Admissible Evidence

June 25, 2019

National Health Service in the United Kingdom to Launch a Young People’s Gambling Addiction Service

September 06, 2018

The Privilege to Conduct an Internal Investigation

May 18, 2018

UK Government Announces Wide-Ranging Changes for Both Retail and Online Gambling in the UK

July 28, 2017

Non-U.K. Companies to be Prosecuted for Failing to Prevent the Facilitation of Tax Evasion Anywhere in the World

Rankings & Awards

October 24, 2019

Recognized in the Global Investigations Review’s GIR 100 for 2019

November 02, 2018

Recognized in the Global Investigations Review’s GIR 100 for 2018

October 05, 2018

The Financial Times Recognizes Paul Hastings for Innovation in Europe

August 23, 2018

Recognized as Acritas Stars by Sharplegal

October 27, 2017

Recognized in the Global Investigations Review’s GIR 100 for 2017