



Nicholas de la Poer KC

Year of call 2003 Silk 2020



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Nicholas de la Poer KC specialises in criminal law and regulatory work. He is described as “a good operator” and “phenomenal barrister”.

Since September 2020, Nick has been committed to the oral evidence hearings of the Manchester Arena Inquiry as part of the Counsel to the Inquiry team.

And for the majority of 2018 Nick was instructed by Addleshaw Goddard to attend the Grenfell Tower Inquiry into the deaths of 72 people on 14th June 2017.

Between 2015 and 2020, as a junior, Nick was instructed in a significant number of cases involving crimes of homicide or in which fatalities had occurred. These include murder, attempted murder, conspiracy to murder and manslaughter, as well as cases involving deaths which were said to have been caused by breaches of the health and safety legislation.

Expertise

Crime

Nick prosecutes and defends. As a junior he held the highest grade of CPS instructed advocate, Grade 4, qualifying him to prosecute the most serious cases in the Crown Court. He also appeared on the Crown Prosecution Service’s specialist fraud list, specialist proceeds of crime list and specialist counter-terrorism list.

He has experience of being involved in the most serious cases in the criminal canon including murder, manslaughter, rape and serious sexual assault, fraud and money laundering involving sums in excess of £1 million, drug trafficking, people trafficking, kidnap and blackmail.

Within the criminal law Nick has a particular interest in fraud and proceeds of crime cases. He has been described as “one of the

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few genuine confiscation experts on Circuit" (Legal 500 2012).

Nick is regularly instructed in cases post-conviction to consider appeals against conviction and sentence, post-conviction to deal with proceeds of crime and post confiscation order to consider appeal and/or variation.

Notable Crime cases

Re X (2021)

Nick was asked to advise a member of the Bar in relation to an interview under caution.

R v MG (2019)

In his final case as a led junior, represented a man accused of murder. The killing had a particularly striking element, namely that the deceased's fingers and toes had been cut off.

R v JH (2019)

Defence counsel in an allegation of rape.

R v NK (2019)

Defence counsel in an allegation of doing acts tending and intended to pervert the course of justice in relation to a gang-related murder.

R v DR (2019)

Defence counsel in an allegation of attempted murder, rape and false imprisonment.

R v ER (2019)

Led junior in an allegation of indecent assault.

R v JH (2019)

Defence counsel in an allegation of dangerous and unlawful act manslaughter.

R v JC (2019)

Defence counsel in an allegation of attempted murder.

Regulatory

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Criminal

Nick's interest in regulatory matters has led to him being instructed both for the prosecution and the defence in the Crown Court in cases involving fatalities in the workplace.

He has had experience of being instructed to prosecute and to defend cases involving local authorities, the Health and Safety Executive and the Environment Agency.

He also receives instructions in cases involving landlord obligations, waste disposal and fire safety.

During 2020 and 2021 Nick continued to undertake advisory work in relation to companies under investigation within the fire safety and waste disposal regulatory regimes.

Professional

Nick has also appeared before the Medical Practitioner's Tribunal and has been approved for Fitness to Practise work for many years. His work in the MPT has provided him with extensive opportunity to be involved in cases involving medical experts.

Nick has experience of the Solicitor's Disciplinary Tribunal. He has appeared in an appeal from the SDT to the High Court.

Nick has experience of representing police officers in misconduct proceedings.

Nick also has experience of representing a member of the British Association of Counsellors and Psychotherapists (BACP).

Notable Regulatory cases

RMBC v Rotherham United Football Club

Prosecution counsel in a case arising from concerns about the Club's fire safety and evacuation procedures.

R v B

Defence counsel in a case involving allegation of contravention of the Hedgerow Regulations 1997.

The case was stayed as an abuse of process on the basis of a mismatch of guidance on a ".gov.uk" website and the terms of the regulations.

UUW v Omega Proteins Limited

Defence counsel in case involving allegation of breach of discharge consent.

RBC v Iceland

Prosecution counsel in trial following death of contractor at supermarket store in Rotherham.

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HSE v S

Prosecution counsel in a case involving allegations of exposing roofing apprentices to risk of serious harm and death.

HSE v Rennison Tree Surgeons Ltd

Prosecution counsel in a case involving the loss of an arm in a woodchipper.

HSE v The Website (Leeds) Ltd

Prosecution counsel in a case following finger severing and crushing injuries.

LCC v LF

Defence counsel in case involving allegation of breach of permitting requirements.

Insolvency Service v Crosthwaite

Defence counsel in a case involving a allegation of breach of a Director's Disqualification Order.

Public Inquiries / Inquests

Nick is instructed in the **Grenfell Tower Inquiry** for one of the Core Participants: tRiIO. He is being led by Paul Greaney KC. His role required him to attend on every sitting day during Phase 1 of the Inquiry, which has occupied the majority of 2018. tRiIO was also directly involved in the evidence during Module 3 of Phase 2.

From September 2019 Nick was part of the Counsel to the Inquiry team for the **Manchester Arena Inquiry**. The Inquiry is investigating the circumstances of the terrorist attack on 22nd May 2017 which killed 22 people. As part of this role Nick has called a large number of witnesses and participated in related High Court work. Nick conducted the interview of the convicted terrorist, Hashem Abedi, in which Hashem Abedi confessed to participation in the bombing.

The Manchester Arena Inquiry is investigating a broad range of areas. These include: counter-terrorism policing and the work of the Security Service; emergency response to a terrorist incident; security at private venues; and, radicalisation into Islamist Extremism. Nick's role has required him to play a significant part in the preparation, marshalling and calling of evidence in all of these areas.

Nick also accepts instructions to represent interested persons in inquests and has experience of Article 2 compliant proceedings. He was instructed to provide advice to a person concerned with becoming an Interested Party in the third of the Deep Cut Inquests.

Seniors Courts Experience

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Court of Appeal, Criminal Division

Nick has experience of successful appeals against conviction, sentence and confiscation orders in front of the Court of Appeal, Criminal Division. Nick also has experience of responding to terminating ruling appeals and an application to quash an acquittal.

Notable Seniors Courts Experience cases

R v Allen [2020] EWCA Crim 1351

Instructed as a led junior to seek to quash an acquittal for murder. The defendant had been acquitted in 2000 in relation to the murder of a sex worker. In 2010 the defendant confessed to the killing to an undercover police officer. In 2019 the defendant was again accused of murdering a sex worker. The Director of Public Prosecution led the team making the application. The Court of Appeal quashed the 2000 acquittal and the defendant was tried and convicted in 2021 of both murders.

R v DB [2019]

Appealed a terminating ruling on behalf of the CPS. The defendant was charged with conspiracy to murder. A successful submission of no case to answer was made before the trial judge. On appeal, the Court of Appeal quashed the ruling.

R v Slade [2018]

Nick is instructed as a prosecution led junior to respond to an appeal against a conviction for conspiracy to rob. An interim hearing of the appeal is reported at [2018] EWHC 1451 (Admin).

R v Ikram [2018] EWCA Crim 440

Nick was instructed as a led junior to respond to a terminating ruling appeal following a successful submission of no case to answer.

R v E [2018]

Nick was instructed as a led junior to respond to a terminating ruling appeal. The case is expected to become an important one in relation to the role in which the police's failure to seize mobile telephones plays as part of an application to stay the indictment on the grounds that the proceedings are an abuse of the Court's process.

R v Coleman [2016] EWCA Crim 1665

Nick was instructed 11 years after a costs order was imposed by the Crown Court, with a view to quashing it on the basis of the defendant's subsequent change in circumstances.

R v Slade [2015] EWCA Crim 71

Nick was instructed as a prosecution led junior to respond an appeal against a conviction for conspiracy to murder.

R v Bailey [2015] EWCA Crim 395

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Nick successfully appealed a sentence of 12 years for offences of violence, resulting in a reduction to 9 years.

R v McGuffog [2015] EWCA Crim 1116

Nick successfully appealed a conviction for causing death whilst uninsured. The appeal was out of time by some period and arose out of a change in the law.

R v Dansby [2009] EWCA Crim 1911

Nick mounted a successful appeal against the benefit attributed to a defendant, arguing that a tenant's life interest should be taken into account when valuing a defendant's interest in a property under s.79 and 84 of the Proceeds of Crime Act 2002.

R v Kepple [2007] EWCA Crim 1339

In 2007, at 4 years call, Nick successfully appealed the conviction of John Kepple for wounding with intent contrary (*R v Kepple* [2007] EWCA Crim 1339). The appeal centred on the trial judge's prevention of cross examination of the main prosecution witness due to the absence of the defendant. It is the leading authority on the duties of counsel during a trial where a defendant is absent [Archbold 3-222; 4-167; 8-264 & Blackstones D15.88].

High Court

Nick has also been instructed to conduct judicial reviews and appeals by way of case stated to the High Court. Nick also has experience of the procedure under s.36 of the Inquiries Act 2005.

Notable High Court cases

Sir John Saunders v Ben Romdhan (aka Ismail Abedi) [2021] 3274 (Admin)

Part of team which secured a bench warrant in relation to a witness who had left the country.

Sir John Saunders v Taghdi [2021] EWHC 2785 (Admin)

At short notice, secured a bench warrant and warrant of detention in relation to a witness who was trying to leave the country to avoid giving evidence in the Manchester Arena Inquiry. This represented a significant development of the existing law in relation to the powers available to compel attendance at public inquiries.

Sir John Saunders v Taghdi [2021] EWHC 2878 (Admin)

Part of the team who obtained a witness summons and a contingent bench warrant for a reluctant witness. This was the first time such a step had been taken in the context of a public inquiry.

SRA v G [2018]

Nick is instructed as a led junior to represent a solicitor in a high-profile appeal from findings of the Solicitors Disciplinary Tribunal

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to the Administrative Court.

DBS v P [2018]

Nick is instructed to represent a person appealing to the Upper Tribunal against their inclusion upon the Children's Barring List.

JE v Birmingham City Magistrates Court [2017]

Nick successfully represented the CPS in resisting an application to judicially review / case state a decision of the Magistrates to convict a youth.

B v The Crown Court at Leeds [2016] EWHC 1230 (Admin)

Nick was instructed to represent the applicant in an application by way of case stated following the upholding by the Crown Court of the Magistrates' Court sentences of a youth. The application was successful.

Henderson v CPS [2016] EWHC 464 (Admin)

Nick was instructed for the applicant in an application by way of case stated in relation to alternative verdicts in Magistrates' Courts. The application was successful. This is now the leading authority on this question.

West Yorkshire Probation Board v Cruickshanks [2011] EWHC 6125 (Admin)

Nick successfully represented the respondent in an application brought by way of case stated relating to the imposition of the requirements under a suspended sentence order.

R v Ryder [2011] EWHC 4003 (Admin)

Nick represented the applicant in a stated case concerning urine samples, specimen tests and catheters in cases involving allegations of drink driving.

R v Blick [2008] EWHC 2698 (Admin)

Nick was instructed to represent the applicant in a case concerning operation of s.142(2) of the Magistrates' Court Act 1980 and whether the Magistrates' Court should have granted an adjournment.

Appointments

- CPS Level 4 Prosecutor
- CPS Specialist POCA Panel (Level 3)
- CPS Counter Terrorism Panel (Level 4)
- CPS Serious Crime Panel (Level 4)

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- Specialist Regulatory Advocate in Health & Safety and Environmental Law (List B)
- Panellist for British Fencing Disciplinary Panel
- Registered Pupil Supervisor

Directory Quotes

"Nicholas is very impressive - very thorough and effective." "He has a fantastic written style and he's great with bereaved families." "Nicholas is a forensic silk. "He's an effective performer all round." "Nicholas de la Poer KC is one of the finest advocates of his generation."

Chambers and Partners 2025 [Inquests and Inquiries]

"Nicholas is an excellent advocate with an ability to grasp complex concepts and communicate easily to a jury whilst managing vulnerable witnesses and defendants"

Chambers and Partners 2025 [Crime]

"He's very good on the details and good with juries." "He is terrific."

Chambers and Partners 2025 [Health and Safety]

"He is so impressive on his law." "Nicholas is an effective performer all round and a fine performer."

Chambers and Partners 2025 [Financial Crime]

"A silk with a dominant presence in the inquests and inquiries space."

Legal 500 2025 [Inquests & Inquiries]

"He has a brilliant legal mind and an unbelievable ability to formulate and reason legal arguments."

Legal 500 2025 [Crime]

"He is excellent: he has a lot of experience and handles things really well. "

Chambers & Partners 2024 (Financial Crime)

"Nicholas de la Poer's calming and courteous presence in court is well received by a jury. "

Chambers & Partners 2024 (Crime)

"A brilliant, composed advocate...An absolute star."

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Legal 500 2024 (Business and Regulatory Crime) & (Inquests and Inquiries)

“Nicholas is excellent. He is a good operator.”

Chambers & Partners 2023 (Crime)

“Nicholas is a very intellectual barrister.”

Chambers & Partners 2023 (Financial Crime)

“Nicholas de la Poer is praised for his practice in financial crime, as well as related regulatory matters. He is experienced in both the prosecution and defence of fraud cases, including revenue fraud and MTIC fraud. Highly regarded by both judges and opponents.”

Chambers & Partners 2022 (Financial Crime)

“Nicholas de la Poer is known for his experience in serious fraud cases. He is also experienced in homicide and sexual offence matters. He receives regular instructions from an array of regulatory bodies including the HSE, Defra, the FCA and the Environment Agency.”

Chambers & Partners 2022 (Crime)

“A phenomenally intellectual silk. An exceptionally clear thinker - judges love him...a class act, extremely technical in his thinking but is able to offer practical solutions, and an asset to any team.”

Legal 500 2022 (Crime) & (Inquests and Inquiries)

“He is very bright and a go-to for complex frauds.”

Chambers & Partners 2021 [Crime]

“He is intelligent, tactically astute and an excellent court performer.”

Chambers & Partners 2021 [Financial Crime]

“A roundly accomplished advocate well-deserving of his appointment to silk.”

Legal 500 2021 (Crime)

“A superb criminal defence lawyer.”

Legal 500 2021 (Business, Crime and Regulatory)

“He knows how to get the best out of the witnesses and is very persuasive in his closing statements. Exceptional when preparing complex legal arguments and defending regulatory and serious criminal matters.”

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Chambers & Partners 2020 (Crime)

"He's exceptionally hard-working and wonderful on his feet. He's hugely diplomatic and extremely bright." "He's very clear-thinking, analytical and he is a courteous, professional opponent. He also marshals his material well."

Chambers & Partners 2020 (Financial Crime)

"A criminal junior who is praised for his practice in financial crime, as well as in related regulatory matters." He is experienced in both the prosecution and defence of fraud cases. He is very impressive, authoritative, persuasive and unflappable. "He is a bright star indeed"

Chambers and Partners 2019 (Financial Crime)

"An exceptional junior."

Legal 500 2020 (Inquests and Inquiries)

"Always well-prepared, courteous and skillful."

Legal 500 2019 (Crime)

"Known for his expertise in serious fraud cases. He is also experienced in homicide and sexual offences matters." "An experienced and able advocate."

Chambers and Partners 2019 (Crime)

"Very experienced in defending in serious criminal cases."

Legal 500 2018

"Known for his expertise in serious fraud cases. Also experienced in homicide and sexual offences. His advocacy and preparation is always carried out to the highest level and the dedication he brings to cases is second none." "His advocacy and preparation is always carried out to the highest level and the dedication he brings to cases is second none." "He is exceptional in fraud and technical cases."

Chambers & Partners 2018 (Crime)

"Praised for his practice in fraud and financial crime, as well as in related regulatory matters. He is extremely able, personable and charming. I would say he is probably one of the most organised juniors I have ever come across." "He is a silk in the making."

Chambers & Partners 2018 (Financial Crime)

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