



Nicholas de la Poer

Qualification: BA (Hons) DUNELM (English Literature);
Post Graduate Diploma in Law

Year of Call: 2003

Inn: Gray's

Main Areas of Practice:

General Crime:

Predominantly represents Defendants in the Crown Court. Has experience in drugs offences including importation of Class A, sexual offences, offences involving violence, offences involving large scale public disorder, fraud, offences under the Identity Cards Act 2006, offences against public justice, insolvency offences, director's disqualification offences, money laundering and confiscation proceedings. CPS Grade 3 Prosecutor. Approved as an Attorney General's C List advocate.

Criminal Regulatory:

Has experience of prosecuting cases brought by DEFRA, the Marine and Fisheries Agency, the Food Standards Agency, the Health and Safety Executive, the Environment Agency and Trading Standards. Involved as a led junior in defending a FTSE 250 Chairman in a Health & Safety prosecution.

Professional Regulatory:

Has experience representing police officers in misconduct hearings including Chief Constable Review. Instructed by the General Medical Council Legal Division.

Inquests:

Experience of narrative verdict including where Article 2 of the European Convention on Human Rights is engaged.

Additional Information:

Recent & significant cases:

R v B [2005] Crown Court at Leeds. *Breach of an Improvement Notice; interpretation of ss.36 & 37 of Health & Safety at Work Act 1974.*

R v Anderson [2007] Crown Court at Newcastle. *Conspiracy to murder; cell site analysis.*

R v Kepple (John) [2007] EWCA Crim 1339; (2007) 104(26) L.S.G. 32; Arch. News 2007, 7, 3; J.P. 2007, 171(25), 434-435. *Amendment of Indictment after the defendant absents himself; extent of cross examination by defence counsel after defendant absents himself.*

R (on the application of Dagmar Blick) v Doncaster Magistrates' Court [2008] EWHC 2698 (Admin). *Judicial review; s.142(2) of the Magistrates Court Act 1980: appropriate test in consideration of re-opening cases.*

R v Dansby (Paul) [2009] EWCA Crim 1911. *Confiscation: calculation of benefit; tenants with life interests; interpretation of ss.79 & 84 of POCA.*

R v Parkinson [2009] Crown Court at Preston. *HSE; interpretation of the Diving at Work Regulations 1997; abuse of process (delay and application of EMM).*

R v Singh [2010] Crown Court at Teesside. *ILA fraud.*

West Yorkshire Probation Board v Cruickshanks [2010] EWHC 615 (Admin). *Suspended sentence orders: interpretation of s.200 of the CJA 2003; enforcement.*

R v Taylor [2010] Crown Court at Leeds. *One punch joint enterprise manslaughter. Led junior for defendant.*

R v Douglas & Others [2011] Crown Court at Leeds. *£2.5 million franchise fraud. Led junior for the Crown.*

R v Ryder [2011] High Court. *Appeal by way of case stated. Road traffic: provision of specimen of urine via a catheter. Statutory interpretation.*

Scholarships:

Gray's Inn Junior Scholar (Lord Justice Holker Award)
Gray's Inn Senior Scholar

Recommendations:

- Legal 500 2007-08 (Crime): "...showing extremely well"
- Legal 500 2008-09 (Crime): "...building [a] very good practice at [an] early call."
- Legal 500 2009-10 (Crime): "...is very impressive"
- Legal 500 2010-11 (Crime): "... a very effective advocate, very good on the law, and a very good lawyer to have on your side"
- Chambers and Partners 2010 (Crime): receives praise for his "ability to pick cases up at very short notice and quickly get immersed in them." He has received many instructions as a led junior and is noted for his "excellent way with clients."
- Chambers and Partners 2012: "... is a Grade 3 CPS prosecutor. "Bright and impressive," he handles a mixed bag of regulatory, police and criminal cases, and was junior counsel in the manslaughter case of R v Alex Taylor"

Mooting:

Winner of the Louise Godfrey QC Inaugural Mooting Competition (Senior Judge: Henriques J)

Interests:

Fell Running, Mountaineering