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## CHAMBERS

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### NICHOLAS PURNELL KC

Called to the Bar - 1968

Queen's Counsel - 1985 | King's Counsel - 2022

*"He is a titan of the Bar."*

- Legal 500

*"He knows everything there is to know and is the go-to name in this area."*

*"The Counsel of choice for corporate clients and individuals of note"*

- Chambers & Partners

## BIOGRAPHY

With an impressive career at the Bar spanning over four decades, Nicholas has covered every area of criminal and criminal-related law. His immense experience enables him to bring a commanding level of expertise and great gravitas to each new case that he conducts.

Nicholas practises principally in commercial and business crime and in regulatory and professional disciplinary matters. Typically instructed at the early stages of investigations pre-charge, he advises clients in cases under examination by global regulatory and prosecuting authorities including the Serious Fraud Office (SFO), the Financial Conduct Authority, the US Department of Justice and the Securities and Exchange Commission.

The development of collaborative investigations across jurisdictions has brought about the need for teams to be in place to provide joint advice on the impact of managing the response to investigations on a global basis. Nicholas has specialist experience in the development of the appropriate strategy to enable businesses to develop and cope with the resource demands imposed by such investigations.

## WHAT OTHERS SAY

**Chambers & Partners – Star Rated in Financial Crime & Financial Crime: Corporates**

"A high-quality trial lawyer."

"Extremely clever."

"His cross-examination skills and courtroom strategy are masterful."

"He has all the intelligence, depth of experience and commitment that is required in the most complex and sensitive cases and does it all with a wonderful client manner."

*Entries from Previous Years*

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*"One of the best Counsel for corporate crime, his strategic advice is second to none. He's unbeatable for tough, high-stakes criminal litigation."*

*"He's excellent; he has enormous court presence and exceptional judgement."*

*"One of the doyens of the Financial Crime Bar; he's massively experienced and a force to be reckoned with"*

*"He is really fabulous in court and a devastating cross examiner. He has the ear of the court in all of the cases that he deals with and is revered by both prosecutors and judges"*

*"One of the most accomplished QCs in the corporate crime field"... "He is our counsel of choice when dealing with complex and sensitive matters that involve our most important clients"*

*"Hugely impressive"... "He is the only member of the Bar I've seen do a four-month trial and never use notes to make his speech, which is awe-inspiring"*

*"He is quite exceptional – he commands the court and everyone pays attention to him." "He is every bit the legend you hear about."*

*"He is an impressive advocate, a great strategist and he is very client-friendly"... "Has vast experience of complex multi-jurisdictional investigations and appreciates the commercial context against which legal advice is sought."*

*"His attention to detail and ability to see what matters in a case is really impressive"*

*"He has seen everything and brings unparalleled experience.. He's smooth as silk"*

*'Counsel of choice for corporate clients and individuals of note...' "He is celebrated for his adept handling of complex and commercially sensitive matters".. His ability to master detail is charming'*

*"An impressive advocate and a great strategist"*

*"An astute tactician who is bold and fearless in defence of his clients"*

*"One of the true greats...excellent on all counts"*

*"Deservedly regarded as one of the best criminal defence lawyers in the country"*

*"Nicholas Purnell QC has been practising at the bar for over 40 years. He still wins plaudits as a top name in the market for a range of criminal work, including notable fraud matters."*

*"Really effective and tough, you would want him in your corner." According to those that use him, "he fights to the last and is monumentally persuasive in court"*

Nicholas Purnell QC *"has a commanding presence and very good strategic insight", "A forceful advocate,"* he has plentiful experience of the whole range of criminal fraud-related work, including internal investigation, cross-border corruption, cartel fraud and regulatory investigations.

Nicholas Purnell QC *"holds sway completely once in court."* He has *"immense experience, great gravitas and such complete comprehension of the criminal system that others have to defer to him".* He is also *"fearless"* and *"not afraid to mark the judge's card when circumstances dictate."* He may not be doing as much crime as fraud these days but is still *"nigh-on unbeatable"* when he turns his hand to it.

His *"sharp and incredibly quick mind"* leaves colleagues in awe, and his authoritative status is such that it allows him to stand up to judges and be heard. Clients praise him for having an ability to see things from a corporate perspective, and he is frequently instructed on cartel and corruption matters. He is *"sensational with a jury"*, and greatly admired for his *"ability to take control of a situation in*

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court”, “an absolute class act who is exceptionally well regarded for his fine judgement – he also has wonderful gravitas, which allows him to set the mood early on.”

The “silky smooth” Nicholas Purnell QC is “indisputably at the absolute top” and as “graceful and thorough an advocate as you could ever hope to instruct”. He “has an ability to be particularly effective in complicated and protracted trials. A supreme advocate, head and shoulders above the majority”, “a superb tactician who fearlessly fights for his clients with real tenacity.”

### RECENT & CURRENT CASES

Nicholas acted for ICBC Standard Bank to negotiate the first ever Deferred Prosecution Agreement with the Serious Fraud Office to be approved in the UK. Nicholas appeared before the President of the Queen’s Bench Division at the High Court to agree the terms of the DPA.

This case marks Nicholas’ hat trick of firsts; the first civil settlement with the SFO for Balfour Beatty; the first attempt at a simultaneous global settlement in the US and the UK with the SFO in Innospec; and the combination of this first charge under s7 of the Bribery Act as part of the process of achieving this Deferred Prosecution Agreement with the SFO.

Nicholas’ recent cases include the successful defence of John Varley, the former Chief Executive of Barclays, in his acquittal from charges of fraud by false representation in a trial brought by the SFO against former directors of the bank in respect of its capital raising from Qatari investors in 2008. Nicholas also successfully represented Carl Rogberg, the former finance director of Tesco, against charges of fraud and false accounting. Victor Dahdaleh in his acquittal in the international corruption and fraud trial brought by the SFO. His representation of a defendant in the ‘Vantis Tax’ fraud case and of a former editor of a national newspaper charged with contempt of Parliament are reflective of the variety of the cases that have come to court.

The major element of Nicholas’ practice is focused upon advising in cases that are subject to investigations in the UK and abroad which may never result in trial. Currently, Nicholas is advising a global bank in an investigation by the FCA and the DoJ.

Other notable instructions in recent years include:

- Representing a former Governor of Delta State in a multi-million pound corruption trial
- Representing a Director of Mabey & Johnson Ltd, charged with international sanctions violations
- Civil Aviation Authority v Travel Republic: Successfully represented Travel Republic Ltd leading to an acquittal by the regulator and success at appeal in the proceedings brought by the CAA
- Representing Thyssen Elevator Ltd in a corporate plea agreement in the recent corporate manslaughter proceedings concerning health and safety breaches in a banker’s death at Holmes Place
- Representing Sports Direct in their Successful Competition Appeals Tribunal hearing
- Represented Balfour Beatty in the first civil settlement with the SFO
- Advised BSkyB
- Advised Thomas Cook in cross-border investigations into deaths outside the jurisdiction
- R -v- Burns: Advised a Director of British Airways regarding the cartel investigation
- Advising a Director of Johnson & Johnson Ltd regarding the SFO and USA Department of Justice investigation

### PREVIOUS CASES

Over a career spanning 40 years Nicholas Purnell has covered every area of criminal and criminal-related law.

From appointments as a DTI Inspector into allegations of insider share dealing to successfully defending David McCormick, CEO of Atlantic Computers; Johnny Townsend, Deputy Chairman of Selborne Brick and Tile Company on charges of insider share dealing.

He defended in both references of the Guinness case to the Court of Appeal in 1995 and 2002, prosecuted the Brink’s Mat money laundering trials and Blue Arrow fraud trials; defended in the McNicholas, Morgan Grenfell frauds and the VTI Fertasco anti-

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dumping prosecution.

He was instructed by the owners of the Bowbelle in the litigation which followed the Marchioness Disaster, the criminal investigation and the subsequent Wreck Commissioner's Inquiry. Between 2002 and 2005 he acted for the First Defendant in the Jubilee Line trial at the Old Bailey.

He represented Lord Archer and Jonathan Aitken's co-accused in their respective perjury trials. He advised Celador when concerns arose over the winning contestant in 'Who Wants To Be A Millionaire?' In 2007 he successfully defended Matthew Mellon in the case alleging he had hacked into Tamara Mellon's computer system.

### EDUCATION / EXPERIENCE

The Oratory School; Open Exhibitioner King's College, Cambridge; Harmsworth Entrance Exhibition and Astbury Scholar, Middle Temple

Recorder of the Crown Court 1986 – 2010

Deputy High Court Judge 1996 – 2014

Former Chairman and founder member of the Criminal Bar Association