

David Whittaker QC

“A calm and smooth operator in whom clients have complete confidence.”
Legal 500 2017



Year of Call: 1986 QC: 2019

020 7353 5324

David Whittaker QC has for many years been acknowledged as a leading advocate in the fields of crime, fraud and regulatory matters and he is consistently ranked in the legal directories.

He is a practitioner of experience and distinction who regularly appears in demanding, complex and high profile cases. His practice is wide-ranging. He is equally as comfortable advising companies being investigated for serious crime or regulatory matters and professionals or other hard-working individuals accused of crime that will tarnish their reputations or ruin their lives. No matter who he represents, he prepares his cases meticulously, formulates a strategy from the outset and, above all, has excellent client-care skills.

He has been described as “conscientious and hard-working”, “personable” and “charming with clients.”

David delivers training in relation to criminal and regulatory matters and has recently written the UK fraud chapter for a City solicitor’s firm.

David accepts **Direct Access** instructions.

David was shortlisted for the Crime Junior of the Year in the Chambers UK Bar Awards 2018.

What others say:

“At the top of his game and really well prepared.” – Chambers UK 2018

“A brilliant and assured junior who deals with a number of complex general criminal matters.” – Chambers UK 2018

Location

2 Hare Court
Temple
London
EC4Y 7BH

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“His solid personality gives clients a real confidence in his advice.” – Legal 500 2017

“He is extremely competent in every way.” – Chambers UK 2017

“One of the Bar’s outstanding criminal juniors. He is extremely hard-working, meticulous, and someone who has both good judgement and great presence in court.” – Chambers UK 2017

“An advocate for all seasons who is equally happy handling Court of Appeal cases as jury trials. He is extremely competent in every way.” – Chambers UK 2016

“He is sensible and has a very nice style in court – a very experienced advocate who is like a silk.” – Chambers UK 2016

“He has been consistently excellent over a number of years.” – Chambers UK 2015

Business Crime & Financial Services

Significant and complex fraud cases have always formed a substantial part of David’s practice. He has extensive experience of most forms of white-collar work and is often instructed to defend in SFO and FCA prosecutions.

He also has experience of ancillary proceedings, including asset forfeiture, restraint and confiscation and he regularly represents professional people and companies being investigated and accused of financial crime.

Cases

PD v NB & HB

Instructed as the private prosecutor in the prosecution of two defendants for fraud of £16.5 million. Obtained a restraint order ex parte against one of the defendants who lives overseas and successfully resisted an inter partes application to discharge that order.

R v Nickson

Represented a leading clinical negligence solicitor with fraud on two of his clients who had suffered life-changing injuries following treatment by the NHS.

Operation Dorothy

Represented a Swedish businessman charged with fraud of \$4 million.

Operation Tabernula

Leading junior representing a well-known London trader on a charge of insider dealing, having allegedly conspired with an employee of Deutsche Bank.

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Operation Cotton

Leading junior representing defendant on a charge of conspiracy to defraud in respect of the largest land banking scheme brought by the FSA.

R v West & Others

Leading junior representing a company director charged by the SFO with fraud by misrepresentation, fraudulent trading, furnishing false information and 3 counts of bribery.

R v NG & Others

Leading junior representing the chief engineer in a telecommunications company charged with conspiracy to defraud.

Operation Kyrenia

Represented a clinical perfusionist charged with conspiracy to defraud the Basildon and Thurrock University NHS Foundation Trust by failing to deliver his contracted hours in order that he could maximise his income from private practice.

R v Murray & Others

Leading junior representing a company director charged with conspiracy to defraud in respect of a multi-million pound MTIC fraud.

R v Yorkshire

Leading junior in a high yield investment fraud where three losers were seduced into parting with, respectively, \$1 million, 10 million Euro and £11.9 million.

Criminal Defence

David continues to be instructed in cases of serious crime. He is often instructed privately by high-profile individuals and professionals in a variety of cases, including sexual assaults, coercive and controlling behaviour, death by dangerous driving and other motoring cases.

Recent Cases

R v A

Successfully represented a 16 year-old youth charged with attempted murder and robbery.

R v Green

Secured acquittals over 3 trials for G, who was charged with money laundering through bureaux de change, and

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G's wife who was charged with mortgage fraud and money laundering.

R v E

On an indictment charging attempted rape and sexual assault the jury convicted this Cambridge student of the sexual assault on another Cambridge student.

R v PV

Successfully represented PV who was charged with death by dangerous driving even though he had no recollection of the collision. Expert defence witnesses were instructed from the UK and USA to give their opinion on the phenomenon of "looming".

R v Harris

Successfully represented partner of TOWIE star charged with large-scale drug dealing, both cocaine and heroin. Harris was alleged to be the ringleader of a large-scale drug operation that was making weekly profits in the hundreds of thousands of pounds.

R v M

Successfully represented hedge-fund manager charged with coercive and controlling behaviour.

R v T

Successfully represented businessman charged with coercive and controlling behaviour.

R v Rosen

Represented defendant charged with running a money laundering business in which £30 million was laundered over a two-year period.

R v DF

Successfully represented a City employee charged with an offence of Assault by penetration under section 2 of the Sexual Offences Act 2003

R v DW

Successfully represented a property developer of assisting in the running of a brothel.

R v Smith

Represented defendant in a conspiracy to supply cocaine following an investigation that identified multi-kilo importations on 9-11 occasions over a 9- month period.

R v AB

Represented AB for sentence and in Court of Appeal following his convictions for sexual activity with 9

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complainants between 1982 and 1989 whilst he had been working as a teacher at two schools.

R v BC

Successfully represented a 20-year old charged with unlawful sexual activity with a 14 year-old.

Criminal Regulatory

David is an influential member of the 2 Hare Court Criminal Regulatory Team and regularly represents corporate bodies, their officers and other individuals before the criminal courts in relation to the full range of criminal offences arising out of fatal and non-fatal accidents. He is also instructed to represent interested persons in relation to inquests associated with these cases.

In addition, he represents companies and individuals in cases involving food safety and prosecutions brought by the CQC.

David delivers training in relation to criminal regulatory matters to solicitors and other members of the profession. He has for many years been acknowledged as a leading advocate and is consistently ranked in in the legal directories. He has been described as “extremely hard-working, meticulous, and someone who has both good judgment and great presence in court”.

Recent Cases:

Health & Safety

HSE v RW Hill Ltd

Defence of RWH charged in connection with fatality during concrete works at Felixstowe docks.

HSE v Builder’s Beams Ltd

Represented defendant company following a work at height accident causing serious injury to the victim

HSE v Jones Building Contractors

Represented a building company cleared of charges under Health & Safety Legislation following a “Work at Height” death of a sub-contractor roofer at Eastwell Manor Hotel in Kent.

HSE v S&K Groundwork Solutions Ltd

Defence of S&K charged in connection with the serious injury of an employee who was crushed by a dumper truck.

HSE v Encirc Ltd

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Defence of E charged in connection with a serious injury caused to an employee when hit by a forklift truck at its bottle-producing plant.

HSE v Matthew Lea

Defence of ML charged with injury to passer-by whilst clearing shrubbery on a building site using a flailing device.

HSE v WE Roberts Ltd

Represented defendant company charged with various H&S offences (electrical and PUWER) following HSE inspection of its cardboard manufacturing plant.

HSE v Delivered (UK)

Representing defendant (delivery) company charged with offences under sections 2 and 3 HSWA following an injury to one of its contract workers.

HSE v DHL Express (UK) Ltd

Represented defendant company after an employee suffered life-changing injuries when coupling his tractor unit to a trailer on uneven ground close-by to one of the company depots.

HSE v John Doyle Construction

Represented JD, a subcontractor working on the construction of a seven-storey hotel in London, after a primary beam was dropped which struck an operative, causing him extensive injuries.

Food Safety

Thurrock Council v Williams Butchers Ltd

Representing defendant company, and director, charged in relation to food safety.

LB Tower Hamlets v Taylor St Baristas Ltd

Represented defendant company and directors charged in relation to safety at its food production site.

Westminster Council v BHFS

Successful submissions made to Council resulting in defendant company receiving a caution for mice infestation at one of its London nurseries.

CQC

CQC v Coverage Care Services Ltd

Defence of company following fatality in one of its care homes. Only the second prosecution brought by the CQC.

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Inquests & Public Inquiries

David has experience of a wide range of inquests.

He is frequently instructed to represent companies at inquests who are facing possible HSE prosecution and care homes who may be prosecuted by the CQC. He also represents private individuals who have been given “interested party” status.

Cases

Inquest touching upon the death of AA [North Yorkshire CC]

Represented driver involved in a fatal road traffic accident

Inquest touching upon the death of BT [South Wales Central CC]

Represented care manager following death of resident in her care home

Inquest touching upon the death of JH [Central and South-East Kent CC]

Represented care home following the death of a resident in one of its care homes

Inquest touching upon the death of KB [Warwickshire CC]

Represented this garage equipment services company following the death of one of its mechanics.

Inquest touching upon the death of HB [Gloucestershire CC]

Represented a Doctor who had been involved in caring for the deceased.

Inquest touching upon the death of DY [West Sussex CC]

Represented the site-manager of a national construction company following the death of the company employees who was installing drainage pipes at a school.

Inquest touching upon the death of RT [Derbyshire CC]

Represented two Doctors who had been involved in caring for the deceased.

Inquest touching upon the death of RT [Central & South East Kent CC]

Represented the construction company at the inquest into the death of one of its sub-contractor employees.

Inquest touching upon the death of Marine AH [North Wales Coroners Court]

Represented the family of a Marine who died on a training exercise in Snowdonia.

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Accreditations



Appointments & Memberships

- Association of Regulatory & Disciplinary Lawyers
- Criminal Bar Association
- Fraud Lawyers Association
- Health & Safety Lawyers Association

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