

Nikita McNeill

"She's phenomenally hard-working, organised, and a very effective advocate."
Chambers UK 2019



Year of Call: 2010

020 7353 5324

Nikita is an experienced and multi-faceted member of chambers. She enjoys a diverse and challenging practice that encompasses crime, inquests and public inquiries, professional discipline and licensing law.

Nikita is a skilled and confident advocate who is known for meticulous attention to detail and is particularly adept at managing cases involving complex expert evidence.

Nikita is ranked as a leading individual in the Inquests and Public Inquiries section in Chambers UK 2019. She is a sought after junior for large and high profile inquests and public inquiries. She was junior counsel to the inquest in the Hillsborough Inquests and is currently junior counsel to the Independent Inquiry into Child Sexual Abuse, having recently appeared in the hearings into the response of the Anglican Church to cases of child sexual abuse.

In addition to her experience in the Crown Courts, Nikita has a significant amount of experience before both healthcare and financial services regulators. Her considerable experience of the wider regulation of the Health Case sector allows her to provide a full service approach to criminal allegations, inquests and disciplinary proceedings.

Nikita accepts **Direct Access** instructions.

"She's incredibly efficient and is a skilled cross-examiner." – Chambers UK 2019

"Her written work is first class and she is very good at handling clients and providing proactive advice that helps clients see their way through problems." – Chambers UK 2018

"She is thorough and meticulous. She really gets to grips with the expert evidence" – Chambers UK 2018

Location

2 Hare Court
Temple
London
EC4Y 7BH

Contact Us

T: +44 (0)20 7353 5324
F: +44 (0)20 7353 0667
E: clerks@2harecourt.com
DX: LDE 444 Chancery Lane

Criminal Defence

Nikita is an experienced and tenacious criminal advocate. She has substantial experience representing defendants across a wide spectrum of offences; including violent and sexual offences.

Nikita is particularly experienced at representing defendants suffering from mental health concerns and advising upon fitness to plead procedures.

Cases

R v MD (Harrow Crown Court)

Assault occasioning Grievous Bodily Harm with Intent

Nikita acted as junior alone to represent a defendant acquitted of a serious machete attack.

R v AK (Blackfriars Crown Court)

Robbery and Indecent Assault

The defendant was arrested as a result of a 20-year-old cold case review, which involved an elderly woman who had been sexually assaulted and robbed at knife point in her home.

R v RC (Snaresbrook Crown Court)

Inciting a child family member to commit sexual activity

Nikita represented a defendant who was unfit to plead, and accused of inciting sexual activity with his niece. Following very careful cross-examination of a very young witness, and her family, the most serious charge was dismissed at half time.

R v SD (Court of Appeal)

Robbery

In one of the first successful appeals under the new Robbery Sentencing Guidelines, the defendant's sentence was reduced from 32 months to 18 months.

R v SR (Croydon Crown Court)

Sexual Assault

Nikita represented a healthcare assistance who was acquitted of multiple counts of sexually assaulting a vulnerable patient in a hospital.

R v AM (Inner London Crown Court)

Location

2 Hare Court
Temple
London
EC4Y 7BH

Contact Us

T: +44 (0)20 7353 5324
F: +44 (0)20 7353 0667
E: clerks@2harecourt.com
DX: LDE 444 Chancery Lane

Assault occasioning Grievous Bodily Harm with Intent

Nikita represented a defendant involved in a suspected gang-related knife attack.

R v TT (Reading Crown Court)

Burglary (dwelling)

Nikita represented a defendant charged with burglary in which there was CCTV footage of the burglary from which a police officer had identified the defendant. A voir dire was conducted in which Nikita successfully argued to exclude the identification evidence for gross breaches of the PACE code of conduct by the police and further persuaded the court to exclude the CCTV footage under Section 78. The prosecution were obliged to offer no evidence.

Business Crime & Financial Services

Before commencing pupillage Nikita worked as an Adjudicator at the Financial Ombudsman Service. As an Adjudicator she investigated and ultimately decided upon complaints brought against financial institutions. During pupillage she has advised upon the application of the Financial Services and Markets Act 2000 to proposed business structures.

She worked as a credit analyst for a worldwide blue chip company and was an adjudicator for the Financial Ombudsman Service, investigating and deciding upon complaints made against financial institutions.

Nikita has been instructed in complex and significant fraud matters. Dovetailing her fraud experience with her regulatory work, Nikita also regularly appears before accountancy regulators such as the ACCA.

Cases

HMRC v Italian Wine Company (Central Criminal Court)

Nikita appeared as a led Junior in the defence of the Financial Controller of IWC. A joint investigation by the British and Italian authorities culminated in a 2 month trial at the Central Criminal Court. Over a 5 year period from 2008-2013 the company manipulated the Excise Movement and Control to smuggle wine from Italy. The total value of the evaded VAT, Excise Duty and Corporation Tax was estimated as over £46.5 million.

Inquests & Public Inquiries

Nikita is ranked as a leading individual in the Inquests and Public Inquiries section in Chambers UK 2019.

She is a sought after junior for complex and high profile inquests and public inquiries, and has been instructed on behalf of a wide range of interested persons and core participants, in particular Nikita is very experienced at representing medical practitioners and those involved in Article 2 inquests involving Health and Safety at Work Act

Location

2 Hare Court
Temple
London
EC4Y 7BH

Contact Us

T: +44 (0)20 7353 5324
F: +44 (0)20 7353 0667
E: clerks@2harecourt.com
DX: LDE 444 Chancery Lane

Nikita has experience of the lengthy and complex procedures required for applications to the Attorney General for a fiat to overturn the findings of an inquest.

She is currently instructed as junior counsel in the Independent Inquiry into Child Sexual Abuse. She has appeared in the public hearings into the response of the Anglican Church to cases of child sexual abuse and is involved in the investigation into child sexual exploitation by organised networks.

Nikita was also junior counsel to the inquest in the renewed inquests into the Hillsborough Stadium Disaster, which is the longest running jury case in UK legal history.

As a result, Nikita is confident in dealing with the many challenges posed by lengthy and document heavy cases.

Cases

Independent Inquiry into Child Sexual Abuse

Nikita is currently instructed as junior counsel in the Independent Inquiry into Child Sexual Abuse, which was established to examine how the country's institutions responded to their duty of care to protect children from sexual abuse.

Inquest into the death of AR

Nikita represented the GP surgery in a week long inquest into the death of a patient with significant and complex mental health problems who took his own life after he was discharged from community mental health services into the care of his GPs.

Inquest into the death of AG

Nikita was instructed in an Article 2 Inquest following the drowning of a swimmer at a health centre. The deceased was seen on CCTV struggling for some time, before being at the bottom of the pool for 6 minutes before being retrieved by staff even though there was a lifeguard on duty at that time.

Inquest into the death of KG

Nikita is instructed by a travel company in an inquest into the death of a UK traveller in one of their European hotels.

Hillsborough Stadium Disaster

Nikita was instructed by Sir John Goldring as junior counsel to the inquest into the death of 96 football fans at the Hillsborough Stadium Disaster. Nikita was particularly involved in the consideration of the extensive and complex pathological evidence.

Location

2 Hare Court
Temple
London
EC4Y 7BH

Contact Us

T: +44 (0)20 7353 5324
F: +44 (0)20 7353 0667
E: clerks@2harecourt.com
DX: LDE 444 Chancery Lane

Professional Discipline

Nikita has experience of both presenting and defending in cases across a number of professional regulators.

Nikita has extensive experience of proceedings before the Nursing and Midwifery Council, including representing registrants in complex cases involving the death of vulnerable patients. She also appears on behalf of doctors before the Medical Practitioners Tribunal Services.

Nikita has appeared regularly before the ACCA, both on behalf of the regulator and representing registrants. She has presented cases against teachers for the National College of Teaching and Learning. She has also appeared on behalf of the Football Association.

She was instructed by a leading professional regulation firm to review and provide advice upon proceedings before the General Pharmaceutical Society relating to the largest pharmaceutical fraud investigated by the MHRA.

Cases

FA v X

Nikita appeared on behalf of the FA to present the case against a player who failed an out of competition drugs test.

NMC v CR

Fitness to Practise

Nikita represented one of eight nurses facing FtP proceedings following medication errors which culminated in the death of a patient. The patient, admitted with a pulmonary embolism, did not receive his anti-coagulant medication for 4 days. The patient subsequently died of what was believed to be a new pulmonary embolism and an inquest recorded a finding of neglect, before referring the nurses to the NMC. Following an independent pathological expert report and cross-examination of the original pathologist, the cause of death was shown to have been incorrect and the charges against Nikita's client were dismissed at the close of the NMC's case. Nikita is currently representing all nurses involved in an application to the Attorney General for a Fiat to overturn the inquest findings.

NMC v AC

Fitness to Practise

Nikita represented a registered nurse and care home manager who faced over 40 allegations relating to medication errors, safeguarding concerns and dishonesty that occurred over a 6 month period and resulted in the care home being placed into special measures. Following a 2 year investigation and 3 weeks of hearing all dishonesty charges and medication errors were dismissed and, ultimately, no impairment was found based upon the remaining management errors.

ACCA v ML

Location

2 Hare Court
Temple
London
EC4Y 7BH

Contact Us

T: +44 (0)20 7353 5324
F: +44 (0)20 7353 0667
E: clerks@2harecourt.com
DX: LDE 444 Chancery Lane

Fitness to Practise

Nikita represented an accountant facing 5 allegations of misconduct, including two of dishonesty, before the ACCA. The allegations centred on a criminal conviction he had received for Assaulting a Police Officer and his subsequent failure both to declare the conviction upon registration (dishonestly it was alleged) and failure to refer himself to the ACCA. Following legal submissions the ACCA offered no evidence on the two allegations relating to self-referral. At a hearing the committee of the ACCA found the remaining two allegations, including that of dishonesty, for failing to declare the conviction unproved. The ACCA agreed with Nikita's submissions that the ACCA's own process, in part, led to the omission.

GPhC v JQ

Fitness to Practise

The registrant had been charged in criminal proceedings as a party to the largest pharmaceutical fraud the UK has seen in which counterfeit medicines, including those for cancer, had infiltrated the NHS. Following acquittal in the criminal proceedings Nikita was instructed by the General Pharmaceutical Council to work, together with the MHRA, to consider in excess of 20,000 pages of evidence to advise upon proceedings before the GPhC.

Licensing

Nikita is highly experienced in advising and representing clients on all licensing matters under the Licensing Act 2003. She is particularly experienced in the areas of alcohol licensing. Nikita has advised and represented clients on the transfer of existing licences, licensing reviews and licensing appeals. In addition to her work representing individuals and companies facing Road Traffic and Tacograph Offences, Nikita is very knowledgeable about the Licensing and Regulation of Heavy Goods Vehicles by the Traffic Commissioners. She is able to advise upon both Operator Licences and Operating Centres, and to provide representation before the Traffic Commissioners.

Cases

Metropolitan Police Service v Bar Taps Nikita represented the licensee who was subject to a summary licence review under the Section 53A procedure of the Licensing Act 2003 where the Metropolitan Police submitted that they were a premises associated with serious crime and disorder. Nikita made written representations against the very restrictive interim steps imposed, which were subsequently varied. During the substantive hearing Nikita cross-examined both the Metropolitan Police Officer and the Licensing Officer. Having made extensive written and oral submissions, Nikita persuaded the panel that the Metropolitan Police were wrong and this was not in fact a bar associated with serious crime or disorder. The panel agreed that the extremely serious conditions requested were not necessary and would serve only to shut down the premises. **Southwark Council v Jacks Bar** Nikita represented the licensee at a combined hearing to consider long-standing complaints by residents against a number of bars in the Southwark Area. Nikita negotiated with the licensing officer in advance of the hearing to agree a number of sensible conditions which the licensee could comply with and which would address many of the residents' complaints. On the outstanding issues, Nikita addressed the panel at length and dissuaded them from limiting the operating hours or capacity of the venue. **Re. The Straight & Narrow** Nikita is presently acting for a residents association in appealing to the Magistrates' Court against the grant of a licence for a wine bar in a

Location

2 Hare Court
Temple
London
EC4Y 7BH

Contact Us

T: +44 (0)20 7353 5324
F: +44 (0)20 7353 0667
E: clerks@2harecourt.com
DX: LDE 444 Chancery Lane

residential area. **Re. RS (Before the Traffic Commissioners)** Nikita acted for a large distribution company in a two-day public inquiry into its operating centre. A substantial local residents campaign had formed and objected to the continuing use of the centre following serious and repeated complaints about the safety and environmental effects of the site. Nikita questioned expert witnesses on noise, site safety and road safety. Ultimately, the Traffic Commissioner renewed the licence for use of the site without imposing any further restrictions on the operator.

Public Prosecution

Nikita is a CPS Grade 2 Prosecutor. She has conducted trials on behalf of the Crown Prosecution Service in the Magistrates' Court and is regularly instructed in matters in the Crown Court. Nikita has acted on behalf the National Probation Service in the prosecution of probation breaches in the Crown Court.

Accreditations



Appointments & Memberships

- Criminal Bar Association
- Association of Regulatory & Disciplinary Lawyers
- Young Fraud Lawyers Association
- South Eastern Circuit
- CPS Panel Advocate Level 2

Education & Qualifications

- 2010: BVC, College of Law

Location

2 Hare Court
Temple
London
EC4Y 7BH

Contact Us

T: +44 (0)20 7353 5324
F: +44 (0)20 7353 0667
E: clerks@2harecourt.com
DX: LDE 444 Chancery Lane

- 2009: BVC Exhibition Award, Inner Temple
- 2008: LLB (Hons) Law with Australian Law, University of Nottingham

Location

2 Hare Court
Temple
London
EC4Y 7BH

Contact Us

T: +44 (0)20 7353 5324
F: +44 (0)20 7353 0667
E: clerks@2harecourt.com
DX: LDE 444 Chancery Lane