David Whittaker KC

Call: 1986 | Silk: 2019

"David Whittaker KC has a calm, relaxed manner and is extremely persuasive in court. He is a brilliant advocate and is really user-friendly."

Chambers UK 2026 (Crime)

clerks@2harecourt.com 020 7353 5324

David Whittaker KC has for many years been acknowledged as a leading advocate in the fields of crime, financial crime, regulatory crime, private prosecutions and public inquiries and inquests.

He is recommended in three practice areas in Legal 500 UK Bar 2025: Crime (Tier 3, Leading Silks), Fraud (Tier 1, Leading Silks) and Health & Safety (Tier 2, Leading Silks); he is recommended in Chambers & Partners 2025 in Crime, Financial Crime and Health & Safety.

David has extensive experience and he 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.” In court, he “is a superb advocate”, “has a delightful manner with the jury” whose “all round performance is outstanding”.

David’s current instructions include individuals charged with fraud and other serious criminal matters; companies charged under health & safety legislation; individuals facing allegations of gross negligence manslaughter; two private prosecutions; and, he is representing the project designer for the cladding sub-contractor in the Grenfell Tower Public Inquiry.

David delivers training in relation to criminal and regulatory matters and has written the UK fraud chapter for a firm of City solicitors.

He accepts Direct Access instructions and is often privately instructed through Direct Access, particularly in driving matters.

David has recently been shortlisted as Financial Crime Silk of the Year in the Legal 500 UK Bar Awards 2025.

Expertise

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Temple
London
EC4Y 7BH

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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.

David has appeared in many serious fraud cases, including MTIC fraud, tax fraud, insider trading, advance fee fraud, mortgage fraud and fraudulent trading. He was instructed in the largest insider trading fraud prosecuted by the FCA (R v Dodgson & ors) and one of the largest land-banking frauds (R v Crawley & ors). He has also appeared in many cases of money laundering and has considerable experience of ancillary proceedings, including asset forfeiture, restraint and confiscation.

David is also instructed in financial private prosecutions and advises companies with regard to business crime, in particular bribery and corruption.

Cases

Anna Machkevitch v SFO

DWKC and Gabriele Watts represented AM, the daughter of one of the founding partners of Eurasian Natural Resources Corporation ("ENRC"). In January 2020 she was convicted of failing to comply with a notice to produce documents to the SFO under section 2(3) Criminal Justice Act 1987. Her case was intrinsically linked to the SFO's criminal investigation of ENRC and, following the conviction, we kept abreast of the civil proceedings brought by ENRC against the SFO and their solicitors, Dechert LLP and a partner in Dechert, Neil Gerrard. Following judgments in the High Court, where the SFO were subject to considerable criticism, discussions were launched with the SFO and an appeal lodged against AM's 2020 conviction. Ultimately, the SFO agreed that the appeal was being pursued on forceful grounds and they offered no evidence.

RL

DWKC represented RL, a surveyor at a large construction company, who was charged with fraud on an indictment that also contained charges of bribery against the company and a director. At trial, in July 2024, the prosecution accepted pleas of guilty from the company and director and offered no evidence against RL who was therefore acquitted.

R v MS

Instructed to represent MS, a consultant surgeon, who has been charged with fraud (from insurance companies funding private operations), forgery and sending a malicious communication. Case ongoing.

R v DG

Instructed to represent DG who has been charged with 2 cases of laundering the proceeds of fraud involving multiple companies and over £30 million. Case ongoing.

LB v MB

Instructed pre-charge to advise and commence proceedings for an individual who was defrauded of nearly €1 million by a broker and financial intermediary. Case ongoing.

R v MK

MK was charged with laundering the proceeds of her partner's alleged fraud whilst he was working at the Commonwealth Secretariat

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and a leading firm of London solicitors. Following the submission of a dismissal application and skeleton argument the prosecution offered no evidence.

SFO v AM

AM was only the second individual to be charged and tried for her failure, under section 2(13) Criminal Justice Act 1987 (CJA), to comply with a notice in writing from the Serious Fraud Office, under section 2(3) CJA, to produce documents, those documents relating to the SFO investigation into Eurasian Natural Resources Corporation Limited (ENRC). Although convicted of the charge (having failed to establish a reasonable excuse) she was sentenced to a fine of only £800.

R v Javid Limbada

Represented the Head of International Business Development at a London-based finance company who was tried for his part in a £25 million excise fraud at Southwark Crown Court in 2019. The defendant had denied any illegitimate involvement in the fraudulent scheme and said that he was recruited for his longstanding legitimate business experience. He was acquitted on all of the six charges that he faced.

R v Terence Green

TG was charged with two counts of money laundering relating to €45,600 found in his car and a further €420,000 and $10,000 found in various locations at his home address. TG successfully argued that the money was on part property intended for his daughter's bureau de change located in central London and in part his own money derived from a number of successful property transactions.

In a separate case, TG's wife was acquitted of property fraud.

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

IP was a well-known London trader who faced charges of insider dealing, having allegedly conspired with an employee of Deutsche Bank.

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

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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. His publicly funded work encompasses homicide and organised crime.

David's present instructions include conspiracy to murder, murder, "Encrochat" drug offences, sexual assault and a private prosecution for blackmail.

Recent Cases:

R v DT

DT is charged with serious Class A drug supply and importation offences. Case ongoing.

R v AP

AP is charged with supplying cocaine and cannabis. Case ongoing.

R v WM

WM is charged with setting up and running multiple cannabis factories. Case ongoing.

R v Warren Barnes

WB was charged with conspiracy to murder. The case had its roots in gang crime and was one of a number of tit-for-tat murders and violent assaults in Salford, Manchester. WB was acquitted following a 6-week 'Covid' trial.

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R v Jacob Sporon-Fiedler

JSF is presently awaiting confiscation proceedings following his pleas of guilty to importing 15,921kgs of unlicensed Anabolic Androgenic Steroids with an estimated valuation of close to £12 million. The prosecution is seeking a benefit figure of over £27 million and assert that JSF has realizable assets of over £15.5 million.

R v PR

PR pleaded guilty to the possession and distribution of multiple indecent photographs of children, many of which were Category A images. Following his pleas he was sentenced to a suspended sentence of imprisonment.

R v Yahia Cherief

YC was charged with coercive and controlling behaviour in a relationship and assaults on his former partner. He was acquitted following trial.

R v John McGovern

JM was charged with causing death by dangerous driving and causing serious injury by dangerous driving when his car swerved into pedestrians standing at a bus stop. His case was that he had fainted at the wheel and had no recollection of the accident which, in law, required the defence to prove that JM was temporarily insane. Although convicted following trial, JM was sentenced to a suspended sentence of imprisonment.

R v Robert McWhir

RM was charged with murder and perverting the course of justice. The allegation was that he drowned his partner in a shallow brook and, later, asked a prosecution witness to tell the police that the crime had been committed by another person.

R v JA

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

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

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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 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.

Health & Safety

David 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. His Heath and Safety practice is extensive and nationwide and is generally at the higher end of the scale of seriousness.

He is also instructed to represent interested persons in relation to inquests associated with Health and Safety issues. He is presently representing a core participant in the Grenfell Tower Inquiry.

Moreover, he has experience with Health and Safety issues arising out of care homes and has represented companies and individuals in cases of fatal accidents or unexplained deaths of residents.

In addition, David has also advised in environmental cases. He has appeared before the EAT in relation to appeals against improvement and prohibition notices and has represented companies and individuals in cases involving food safety.

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”.

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Recent Cases:

Environmental

H v T Council

David prosecuted a case against the defendant council. He successfully responded to an application by the council to stay the proceedings as an abuse.

Health & Safety

R v SW

Instructed as leading counsel, leading Tom Day, to represent an individual charged with gross negligence manslaughter and HSWA offences in relation to the death of a roofer on the site of a large hotel redevelopment. Instructed by Keoghs. Case ongoing.

The Grenfell Tower Inquiry

David is currently representing the project designer for the cladding sub-contractor engaged on the refurbishment of the Tower. Instructed by Hallinans

HSE v Mills

Representing the Director of a printing and bookbinding company in relation to an exposure to asbestos which occurred at the company premises. Instructed by Kennedys. Case ongoing.

HSE v Lescost Transport Ltd

Lescost Transport were charged under section 3(1) and 33(1)(a) of the Health and Safety at Work Act 1974, the allegation relating to the injury of an individual who was attempting to deal with an unsecured load on one of its double-decker trailers. Upon review of the case the prosecution decided to offer no further evidence and the judge entered a not guilty verdict against the company. Instructed by DWF.

HSE v Hobbledown Ltd

Hobbledown run an adventure farm park in Surrey which includes attractions at height. A customer using a “climbing tower” had his karabiner fixed to the wrong part of the safety harness, the gear loop, and he fell from height suffering serious and lasting injuries. At trial, Hobbledown were convicted of a non-causative offence and one of the causative offences. They were acquitted of other offences. The company (a “small” organization) was sentenced to only £9,000. Instructed by Keoghs.

HSE v RW Hill Ltd

Defence of RW Hill who were charged in connection with fatality during concrete works at Felixstowe docks. Instructed by Ellisons.

Total Contractors v Inspector of H&S

Represented appellant company in an application before the EAT for an extension of time to serve an appeal against prohibition notices served by the HSE following a death at work. Instructed by Keoghs.

HSE v Builder’s Beams Ltd

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Represented defendant company following a work at height accident causing serious injury to the victim. Instructed by Keoghs.

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. Instructed by ASB Law.

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. Instructed by Keoghs.

HSE v Encirc Ltd

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. Instructed by Kennedys.

HSE v Matthew Lea

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

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. Instructed by BLM.

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. Instructed by BLM.

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. Instructed by Blake Morgan.

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. Instructed by Pinsent Masons.

Food Safety

Westminster Council v BHFS Ltd

Advised BR pre-charge and prepared written submissions to the EHO which resulted in the company being offered a caution. Instructed by BLM.

LB Tower Hamlets v Taylor St Baristas Ltd

Represented the company and 6 of its directors who were summonsed in relation to food safety matters. Successfully secured the

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acquittal of the company directors with the company receiving a modest financial penalty. Instructed by Keoghs.

Thurrock Council v Williams Butchers Ltd

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

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.

Inquests

David has experience of a wide range of inquests.

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

Cases

The Grenfell Tower Inquiry

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.

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

Represented the construction company at the inquest into the death of one if 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.

Public Inquiries

David is presently instructed for a core participant in the Grenfell Tower Inquiry (the project designer for the cladding sub-contractor engaged on the refurbishment of the Tower).

Cases

The Grenfell Tower Inquiry

Private Prosecution

David has been instructed to advise in an increasing number of private prosecutions.

Presently he is prosecuting 2 cases that are progressing through the Courts, one involving allegations of fraud and money laundering, and the other, blackmail. He has previously prosecuted 2 individuals for their role in a conspiracy to defraud and secured the return of over £10 million of stolen funds. In 2 instances, David has applied for, and obtained, restraint orders against defendants in cases he has prosecuted.

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