

Nikita McNeill

"Nikita's strengths are her soaring intellect, her capacity to turn papers around at such a fast pace, and her attention to client care – a winning combination!"
Legal 500 UK 2023



Year of Call: 2010

020 7353 5324

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 a leading practitioner in the field of Inquests and Public. She is a sought after junior, who has acted in many of the largest and most inquests and public inquiries.

She combines this with a diverse and challenging practice that also encompasses crime, professional discipline and licensing law. She is a member of the Attorney General's Civil Panel C.

Nikita accepts **Direct Access** instructions.

What others say:

"Nikita is a joy to work with: first-rate expertise in this area, responses are quick and succinct, with advice which cuts to the core of the issues." and "She is on the ball and up to speed; she provides excellent work." - Chambers UK 2024 (Inquests & Public Inquiries)

"Nikita has a formidable intellect. She demonstrates a forensic command of the issues and has a real gift for making the most complex points accessible." – Legal 500 UK 2024

"Nikita is a phenomenal barrister who is the most organised person I have ever met. She is so efficient and has a really good strategic instinct." – Chambers UK 2023

"She is an exceptionally good advocate. She has encyclopedic knowledge of inquests law and inquiries, with really good judgement." – Chambers UK 2022

"Nikita is a go-to junior – anyone involved in a public inquiry or large inquest would do well to have her on their side." "Nikita is a really good advocate, who also offers exceptional client care and excellent judgement." – Legal 500 UK 2022 & Chambers UK 2021

Location

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“One of our go-to juniors for inquest and inquiries work. She is supremely hard-working, unflappable and cuts straight to the heart of the matter. Her advocacy is powerful yet measured.” – Chambers UK 2021

“She is so organised and so on top of everything.” – Chambers UK 2021

“An exceptional advocate, who is clear and fair but does not give up. She is effective, knows everything about public inquiries and gives sensible views.” – Legal 500 2021

“She has an excellent knowledge of the law.” – Legal 500 2020

“Her confidence and the high standard of her work belies her call. She is one to watch.” and “Her advocacy was succinct and well delivered. She reduced complex points so they could be simply understood by the coroner and the family, and delivered them sensitively but authoritatively.” – Chambers UK 2020

“She has an excellent ability to marshal the evidence and the team, and a very strategic sense of how things should progress.” – Chambers UK 2020

Business Crime & Financial Services

Nikita is skilled at representing both individuals and businesses in complex and high-value fraud matters, as well as other white collar work. She has particular experience in prosecutions by, or on behalf of, HMRC.

Before she came to the Bar, Nikita 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. She has utilised this unique experience to advise upon the application of the Financial Services and Markets Act 2000 to proposed business structures.

Notable Cases:

HMRC v Divyesh Karsan & Ors

Nikita was a led junior in a lengthy and complex MTIC fraud. The prosecution followed a large scale HMRC investigation, including covert surveillance and concealed cameras installed within the organisation’s offices. HMRC estimated that over £85 million in profits was laundered within the UK and transferred abroad, and that the total loss to the revenue as over £34 million. Nikita, led by Mark Graffius, defended the director of Golden Harvest, a wholesale alcohol supplier who was alleged to have acted as a “buffer company”.

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.

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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.

Notable Cases:

R v LC (Peterborough Crown Court)

Nikita acted as junior alone representing a defendant accused of 14 counts of the most serious sexual assaults against 4 children aged 3-10 years old.

The defendant had very significant mental and physical health problems. In the course of very complex fitness to plead arguments Nikita obtained evidence from, and cross examined, expert evidence from 5 mental health professionals.

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

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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)

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.

Inquests & Public Inquiries

Nikita has been consistently ranked as a leading individual in the Inquests and Public Inquiries section of both Chambers & Partners UK and Legal 500 since 2018.

Nikita is a sought after junior for complex and high profile inquests and public inquiries. She is regularly instructed on behalf of a wide range of interested persons and core participants.

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 and has both advised upon and acted in judicial review proceedings arising from inquests.

Notable Cases:

Independent Inquiry into Afghanistan

Nikita is currently instructed by the Government Legal Department to represent the Ministry of Defence in the Independent Inquiry relating to Afghanistan, which was established to investigate matters arising from the deployment of British Special Forces to Afghanistan between mid-2010 and mid-2013.

Post Office Horizon IT Inquiry

Nikita is currently instructed on behalf of the Post Office in the Post Office Horizon IT Inquiry established to gather a clear account of the implementation and failings of the Horizon IT system at the Post Office over its lifetime.

Inquest touching upon the death of Andrew Clarke

Nikita was instructed by a private mental health facility in an Article 2 jury inquest following the death of a detained patient from diabetic ketoacidosis as a result of failings identified in the facility's management of his diabetes.

UK Covid-19 Inquiry

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Nikita currently acts for the Welsh Government in their role as Core Participants to the independent public inquiry into the Covid-19 pandemic in the UK. Nikita is taking responsibility for the Inquiry's Module 3 which will examine the impact of the pandemic on healthcare systems in the 4 nations of the UK.

Inquest touching upon the death of Olivia Perks

Nikita was instructed by the Government Legal Department to represent the Ministry of Defence in an inquest touching upon the suicide of an Officer Cadet at Sandhurst which considered the systems and support in place for vulnerable officer cadets.

Inquest touching upon the death of Corrie McKeague

Nikita was instructed by the Government Legal Department on behalf of the Ministry of Defence in an inquest touching upon the death of an RAF Airman who went missing but whose body was never found.

R (Morahan) v HM Assistant Coroner for West London

Nikita successfully represented HMAc for West London before the High Court in relation to the, now leading, case considering the application of Article 2 for cases involving the treatment of mental health in the community.

Inquest into the death of Alexander Tostevin

Nikita was junior counsel for the Ministry of Defence in an inquest into the death of a member of special military unit, in which there were complex arguments about the anonymity of the unit and its members.

Jermaine Baker Public Inquiry

Nikita was instructed as first junior counsel to the Jermaine Baker Inquiry – an independent public inquiry into the shooting of Jermaine Baker during a Metropolitan Police Service operation.

Grenfell Tower Inquiry

Nikita is instructed to represent a core participant involved in the renovation of the Grenfell Tower Inquiry following a fire which resulted in the death of 71 people.

Rushbrooke v HM Coroner for West London

Nikita acted on behalf of the Coroner in an application to the Divisional Court to quash the inquest into the death of Sylvia Rushbrooke who was, at the time of her death, subject to a DOLS order and resident in a care home. The application was based upon procedural irregularities in the first inquest as well as insufficiency of inquiry.

R.e. Peter John Fasoli

Nikita acted on behalf of the Senior Coroner for West London in an application to the Divisional Court to quash the inquest into the death of Peter Fasoli. Mr Fasoli's death was originally found to be accidental, following a fire at his home. Video footage subsequently discovered showed that Mr Fasoli was murdered before the fire was intentionally set.

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.

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Cummings v HM Coroner for West London

Nikita acted for the Senior Coroner for West London in an application to quash the inquest into the death of an elderly lady who died when her home caught on fire, following receipt of a new investigation by the London Fire Brigade into the possible causes of that fire.

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.

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.

Notable Cases:

Re. Chipstead Golf Club

Nikita represented the licensee who, having had a club premises certificate, wished to apply for a premises licence in order to make greater use of the Club's leisure facilities for weddings and events. There was a large and concerted campaign of opposition by local residents to both the change in licence and the proposed licensing hours. Nikita persuaded the panel that the residents' concerns about noise and nuisance were not supported and to grant the licence applied for.

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.

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Re. The Straight & Narrow

Nikita acted for a residents association in appealing to the Magistrates' Court against the grant of a licence for a wine bar in a 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.

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 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.

Notable Cases:

NMC v CR

Fitness to Practise

Nikita represented one of eight nurses facing FtP proceedings following medication errors which culminated in a patient's death. 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 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.

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ACCA v ML

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.

Sports Law

Nikita advises and represents both athletes and their regulators. She has appeared before a number of different sports associations in relation to conduct and disciplinary proceedings.

Her experience in the fields of crime and professional discipline, as well as her very extensive knowledge of safeguarding provisions, make her ideally suited to the very broad range of cases which may arise within the field of Sports Law.

Notable Cases:

British Gymnastics Association v A

Nikita acted for the British Gymnastics Association in disciplinary proceedings against a gymnastic club and its coaches relating to its treatment of young elite gymnasts.

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.

FA v M

Nikita appeared on behalf of the FA to present the case against a player who used discriminatory language towards opposing players.

Accreditations

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Appointments & Memberships

- Attorney General's Civil Panel C
- Criminal Bar Association
- Association of Regulatory & Disciplinary Lawyers
- Young Fraud Lawyers Association
- South Eastern Circuit

Education & Qualifications

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- 2010: BVC, College of Law
- 2009: BVC Exhibition Award, Inner Temple
- 2008: LLB (Hons) Law with Australian Law, University of Nottingham

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