



Nicholas Chapman

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Nicholas Chapman is recognised as one of the country's leading barristers across his practice areas.

He has a very broadly based practice with a particular emphasis on public law, public inquiries and inquests. He is also well known for his work in a number of related practice areas, including regulatory and disciplinary, tax, civil-criminal crossover, health and safety and environmental law, and public international law.

He is consistently ranked as a leading barrister by the main legal directories, and is one of only a handful of members of both the Attorney General's "A panel" of counsel and of the Equality and Human Rights Commission's "A panel" of counsel.

Nick's cases are generally important, complex and high-profile, and often raise cutting edge issues. In recent years his experience has included:

- representing the British government in a number of judicial review challenges concerning its response to the Covid-19 pandemic, including in relation to the hospitality curfew, attendance at weddings, and the "Moonshot" mass asymptomatic testing programme
- acting for all seven defendants in claims alleging British government and intelligence agency involvement in extraordinary rendition and torture (Belhaj & Boudchar v Jack Straw, MI6, MI5 & others) and in a range of other cases in the national security and counter-terrorism field
- representing the British government in relation to Operation Pitting, the 2021 evacuation of Afghanistan, and the subsequent Taliban takeover
- acting for the Home Secretary in the Supreme Court appeal concerning the lawfulness of the statutory fees regime for British citizenship applications, now the leading authority on principles of statutory construction (R (PRCBC and O (a child)))
- appearing in the leading domestic case on the scope of the UN Refugee Convention and the circumstances in which refugee status can be cancelled or withdrawn (JS (Uganda))
- appearing in one of the leading cases on the circumstances in which a friendly state's Article 3 assurances should be rejected (Devani)
- representing the Parole Board in a series of judicial review claims concerning the release of life- or extended sentence prisoners (including R (McCourt) v Parole Board)
- representing DEFRA in a series of judicial review challenges to the Government's badger culling programme

- acting for the Home Secretary in a number of leading appeal cases concerning the rights of asylum-seeking children
- representing the Cabinet Office, including the Prime Minister and No.10 Downing Street, in the UK Covid-19 inquiry
- representing the Department for Levelling Up, Housing & Communities in the Grenfell Tower Inquiry
- representing the Department for Business, Energy & Industrial Strategy in the Post Office Horizon IT Inquiry
- representing HMRC in a leading case concerning the tax treatment of charity fundraising expenses (Friends of the Earth v HMRC)
- representing HMRC in various very substantial VAT appeals (involving hundreds of millions of pounds)
- representing the FRC in regulatory proceedings concerning the collapse of Worthington Nicholls Group plc, and the transfer of the Threshers Wine Rack pension scheme
- advising Barclays Wealth in relation to its regulatory compliance obligations

Nick has appeared at every level of the domestic court, tribunal and coronial system, from the magistrates and First-tier Tribunal to the Supreme Court. He has acted in a large number of reported cases, and is regularly brought into cases at the appeal stage.

His early years of practice were spent in the criminal courts, and he remains well placed to advise on cases at the interface between criminal and civil law. Many of his cases have an international dimension and he is accustomed to working with foreign lawyers and as part of multi-disciplinary teams.

His clients include Government departments and agencies, the Security and Intelligence services, HMRC, the SFO, the National Crime Agency, multinational corporations and financial institutions, national sports bodies, and Magic Circle and other leading firms of solicitors.

Expertise

Public Law

Nick is regarded as one of the country's leading public law barristers, regularly acting in the some of the most complex, important and high-profile cases in the field.

His practice covers the full range of public and regulatory law matters, including (by way of example) human rights and civil liberties, constitutional law, national security and counter-terrorism, public procurement, criminal justice and penal law, EU law, discrimination, public international law, tax, nationality, immigration and asylum law and professional discipline.

His cases are often at the cutting edge of legal developments, and he has appeared in many reported cases and at all levels of the domestic court and tribunal system up to and including the Supreme Court.

He is one of only a handful of members of both the Attorney General's "*A panel*" of counsel and of the Equality and Human Rights Commission's "*A panel*" of counsel.



Notable Public Law cases

R (Roehrig) v SoS for the Home Department [2023] EWHC 31 (Admin)

Judicial review claim concerning the citizenship status of British-born children of EU citizens.

R (KA and 6 others) v SoS for the Home Department, SoS for Foreign, Commonwealth and Development Affairs and SoS for Defence [2023] ACD 1

Representing HM Government in challenge concerning Operation Pitting, the evacuation of Afghanistan in August 2021, and its subsequent policy towards those remaining in Afghanistan.

R (SoS for Justice) v Parole Board [2022] 1 WLR 4270, [2022] ACD 81

Leading authority concerning the nature of the public protection test.

R (Project for the Registration of Children as British Citizens and O (a child)) v SoS for the Home Department [2022] 2 WLR 343

Supreme Court case concerning the fees charged to children to register as British citizens. The leading case on principles of statutory construction.

R (Good Law Project, Dale Vince, Ecotricity New Ventures Ltd and others) v Prime Minister and SoS for Health and Social Care (2021)

Representing the Prime Minister and Health Secretary in challenge to the Government's Covid-19 mass asymptomatic testing programme, known as 'Operation Moonshot', and the procurement exercise relating to it.

R (Dickins) v Parole Board [2021] 1 WLR 4126, [2021] ACD 83

Judicial review concerning the Parole Board's powers to reconsider its decisions where previously unavailable evidence has come to light.

R (G-A-Y Group Ltd) v SoS for Health and Social Care (2020)

Judicial review of the hospitality curfew imposed in response to the Covid-19 pandemic.

R (Marie McCourt) v Parole Board of England and Wales [2020] EWHC 2320, [2020] ACD 127



Challenge to the Parole Board's decision to release Ian Simms, who murdered Helen McCourt in 1988 and who has refused to reveal the location of her remains; also concerning the standing of victims to bring judicial review claims.

R (National Farmers Union) v SoS for the Environment, Food and Rural Affairs [2020] EWHC 1192 (Admin), [2021] Env LR 1

Judicial review of the decision to prevent badger culling in Derbyshire in 2019, involving allegations that the Prime Minister and his fiancée had improperly interfered in the decision-making process.

SoS for the Home Department v Devani [2020] 1 WLR 2613, [2020] Imm AR 1183

Concerning the circumstances in which the courts are permitted to reject a foreign government's assurances of good treatment following extradition; and the slip rule in the tribunal jurisdiction.

R (Al-Enein) v SoS for the Home Department [2020] 1 WLR 1349, [2020] Imm AR 553, [2020] INLR 365

Court of Appeal decision relating to the vires of the Secretary of State's good character policy for naturalisation applications; and clarification of the JCWI constitutional law principle.

SoS for the Home Department v JS (Uganda) [2020] 1 WLR 43, [2020] Imm AR 258, [2020] INLR 67, The Times, 10 January 2020

Court of Appeal case concerning the meaning and applicability of the Refugee Convention and the circumstances in which refugee status can be cancelled or withdrawn.

SoS for the Home Department v QT [2019] EWHC 2583 (Admin)

Representing the Home Secretary in review of the decision to impose terrorism prevention and investigation measures (TPIM) on QT, a member of Al-Muhajiroun (ALM).

Belhaj & Boudchar v Rt Hon Jack Straw, Sir Mark Allen CMG, MI6, MI5, Attorney General, Foreign & Commonwealth Office, Home Office (2018)

Representing all 7 defendants in claim involving allegations of British government and intelligence agency complicity in kidnap, extraordinary rendition and torture of the former leader of the Libyan Islamic Fighting Group and his pregnant wife.



Inquests & Inquiries

Nick is recognised as one of the country's leading inquests and inquiries specialists.

Public Inquiries

Nick is regularly sought after for his expertise in representing bodies and individuals centrally involved in public inquiries.

He is currently representing the Cabinet Office, the Prime Minister and No.10 Downing Street in the UK Covid-19 Inquiry, the Department for Levelling Up, Housing and Communities in the Grenfell Tower Inquiry and the Department for Business, Energy and Industrial Strategy in the Post Office Horizon IT Inquiry.

Inquests

Nick has a busy coronial practice, where he is sought after by insured parties and central government in high-profile and sensitive inquests. His broad public law expertise and criminal law background mean he is ideally placed to provide his clients with whole-case advice and representation.

Notable Inquests & Inquiries cases

Covid Inquiry

Representing the Cabinet Office, including the Prime Minister and No.10 Downing Street.

Grenfell Tower Inquiry

Representing the Department for Levelling Up, Housing and Communities.

Post Office Horizon Inquiry

Representing the Department for Business, Energy and Industrial Strategy.

Royal Papworth Hospital inquests

Representing OCS Group UK Ltd in the inquests following a fatal bacterial outbreak in the water system at the Royal Papworth Hospital in Cambridge, a world leading transplant centre.

Smart Motorways inquests

Representing National Highways and the Secretary of State for Transport in high-profile inquests concerning a series of deaths following vehicle breakdowns on newly rolled-out Smart Motorways.

Representing one of the country's top schools following the suicide of a pupil.

Representing the world's leading private flight services operator following the death of an employee crushed by new hangar doors at London Luton Airport.

Health & Safety

Nick's early years of practice were spent in the criminal courts, where he developed a deep understanding of criminal practice and procedure. During this time, he acted in some of the very biggest criminal cases, including (for example) the first international corruption case prosecuted by the SFO and the VAT fraud prosecution representing the culmination of the largest criminal investigation ever conducted by HMRC. He also defended in a number of health & safety and environmental prosecutions.

Nick continues to accept instructions to advise and act in a small number of suitable criminal cases involving alleged health & safety or environmental offending, where his knowledge and experience of the interface between criminal and civil law is a particular advantage for his clients.

Environmental Law

Nick's early years of practice were spent in the criminal courts, where he developed a deep understanding of criminal practice and procedure. During this time, he acted in some of the very biggest criminal cases, including (for example) the first international corruption case prosecuted by the SFO and the VAT fraud prosecution representing the culmination of the largest criminal investigation ever conducted by HMRC. He also defended in a number of health & safety and environmental prosecutions.

Nick continues to accept instructions to advise and act in a small number of suitable criminal cases involving alleged health & safety or environmental offending, where his knowledge and experience of the interface between criminal and civil law is a particular advantage for his clients.

Nick's public law practice also takes in environmental law issues, including where issues under the Aarhus Convention arise.

Appointments

- Junior Counsel to the Crown – Attorney General's "A panel"
- Equality & Human Rights Commission – "A panel"



Memberships

- Constitutional & Administrative Law Bar Association (ALBA)
- Association of Regulatory and Disciplinary Lawyers (ARDL)
- Defence Extradition Lawyers' Forum (DELF)
- Fraud Lawyers Association (FLA)
- Health & Safety Lawyers Association (HSLA)

Recommendations

- "He's conscientious, intellectual and good to deal with. He's very quick on the detail." **Chambers & Partners 2023**
- "His work ethic and manner with the client is incredibly impressive." **Chambers & Partners 2023**
- "Very quick turnaround, and pragmatic, sensible advice. Nicholas thinks through various unintended consequences and potential problems" **Legal 500 2023**
- "Utterly delightful and completely charming." **Legal 500 2022**
- "Nick is a determined and tactful advocate who can put a very unattractive case with calm and skill....A pleasure to work with" **Legal 500 2021**
- "A pleasure to work with." **Legal 500 2021**
- "Makes himself an invaluable part of the team." **Legal 500 2020**