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ALISON POPLÉ KC

"Excellent judgement, superb manner with clients, razor sharp intellect, no pomposity or ego despite her stellar reputation."

"Alison is extremely intelligent and analytical. She is a superb tactician."

Legal 500 2023

"Incisive and intelligent approach to the matter at hand"

Who's Who Legal 2022

"Clients value her sharp judgement, particularly when difficult decisions need to be made."

Chambers & Partners UK Bar 2022

"She has a fantastic reputation with judges"

Chambers & Partners High Net Worth Guide 2022

BIOGRAPHY

Alison Pople KC is widely recognised as a leading silk with particular specialisms in financial crime and regulation, corporate crime, global investigations, crime and professional discipline. Extremely highly regarded, she is routinely instructed as an advisor in high profile, serious and complex investigations and as a leading advocate in proceedings brought against both individual and corporate clients.

Alison is skilled in addressing the complex, multi-faceted and sensitive issues faced by high-profile persons, experienced professionals, politically exposed persons, or otherwise exposed individual clients. Her corporate clients have included large multinational corporations, private equity funds and highly niche SMEs.

Advisory: Alison advises on self-reporting issues and on strategy from the commencement of investigations by bodies such as the Serious Fraud Office, Financial Conduct Authority, Competition and Markets Authority, the Solicitors Regulation Authority, the Institute of Chartered Accountants in England and Wales, and the Financial Reporting Council. Alison is adept at steering an issue away from criminal, regulatory or disciplinary investigation by early and decisive strategic action.

She frequently advises clients within and outside the UK on issues and investigations with global reach. Alison works closely and collaboratively with lawyers in other jurisdictions to provide clients with a unified strategy.

Advocacy: Alison is recognised as a skilled and persuasive advocate in both jury and non-jury court proceedings, as well as professional discipline tribunals and other forums. She has over 25 years experience as an advocate, having acted in a number of significant and high-profile cases over many years.

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Areas of expertise:

Bribery and Corruption: Alison has acted in a significant number of Bribery Act 2010 and pre-Bribery Act investigations conducted by the SFO, including corporate investigations and contested UK criminal proceedings relating to domestic and international corruption. Alison acted in respect of an approved Deferred Prosecution Agreement reached with the SFO relating to corporate offences of failing to prevent bribery.

Fraud: Alison has advised and represented many clients investigated for or charged with Fraud Act 2006 offences and other associated offences by either the SFO or the CPS. She has also advised on the prosecution of Fraud Act matters.

Tax Evasion: Alison has represented individuals under investigation by HMRC, including high-net worth individuals with issues in multiple jurisdictions. She has been successful in avoiding criminal prosecution. Alison has also advised corporate clients on potential exposure and compliance procedures in relation to corporate offences of failure to prevent the facilitation of tax evasion contrary to the Criminal Finances Act 2017.

Insider Dealing: Alison has advised on a number of insider dealing investigations undertaken by the FCA, and represented clients in three separate criminal cases brought by the FCA.

Cartels: Alison successfully represented an individual charged with the criminal cartel offence by the OFT (now CMA) under the Enterprise Act 2002, as well as successfully avoiding prosecution for the cartel offence in two other separate cases. Alison is also experienced in advising clients subject to civil cartel investigations undertaken by the CMA.

Proceeds of Crime: Alison has wide-ranging experience advising and representing clients facing legal action or investigation under Proceeds of Crime Act 2002, including Part 2 (confiscation), Part 5 (civil recovery), Part 7 (money laundering) and Part 8 (investigations) as well as advising corporate clients and firms on all aspects of the Money Laundering Regulations.

Professional Discipline: Alison has acted for a wide range of professionals including solicitors, accountants, medical professionals and police officers under investigation by their professional supervisory bodies, both in tribunal proceedings and in an advisory capacity. She is skilled in preparing successful early representations to avoid proceedings.

Regulatory: Alison is experienced in addressing a broad spectrum of financial regulatory issues either as the main issue or ancillary to criminal investigations. She is adept at addressing niche regulatory issues raised by a particular business sector; examples of her prior advisory work include the regulation of medicines and healthcare products and the regulation of assessment of varying rates of landfill tax.

Health & Safety: Alison has experience of advising on health and safety investigations, including those involving fatalities.

Crime: Alison has experience of advising and representing clients in a number of high-profile criminal cases, including the 2014 phone-hacking trial.

Special Advocate: Alison also acts as a Special Advocate, instructed by the Attorney General in High Court, Administrative Court or SIAC proceedings.

WHAT OTHERS SAY

Legal 500 2022

"She is a joy to work with - empathetic, responsive, clever and strategic: the full package"

Chambers and Partners 2021

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"Has a very authoritative manner in court - she commands the jury and judges' attention every time she speaks."

Financial Crime & Financial Crime Corporates 2021 (Band 1)

"A very thorough and professional advocate."

"She is tremendous – very hard-working and a real details person."

"She is very thoughtful and has good judgment."

Crime

"Has a very authoritative manner in court – she commands the jury and judges' attention every time she speaks."

Chambers and Partners 2020 - High Net Worth Guide

Alison Pople KC handles white-collar investigation matters involving the SFO, FCA and HMRC. An interviewee states: *"She is very good for financial crime matters - she is a real standout individual."* One of her peers comments that she *"is brilliant. She is extremely able and has a very bright future ahead of her,"* while another highlights that *"she has an obsessive attention to detail; she is thorough and personable."*

Entries from previous years

2020 Financial Crime & Financial Crime: Corporates

"A fabulous lawyer who is very clear thinking and someone who really researches her cases"

"Extremely hard working and great with clients"

2020 Crime

"She is extremely hard working, excellent with the client and tactically very good.. she is brilliant, immensely respected"

Who's Who Legal - 2020

"Stands out as a leading silk"

"Top-notch silk"

Who's Who Legal UK Bar - Investigations 2020 - Silks

Alison Pople QC is a "top-notch silk" who comes highly recommended by peers for her deep experience in commercial criminal investigations.

Who's Who Legal UK Bar - Criminal Fraud 2020 - Silks

Alison Pople QC is renowned for her first-rate practice, which encompasses financial and corporate crimes including fraud, insider dealing, cartels and international corruption.

Who's Who Legal Business Crime Defence Corporates and Individuals 2020

Alison Pople QC is a "very safe pair of hands" and "stands out as a leading silk" in high-profile criminal and regulatory investigations.

Entries from previous years

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2019 Who's Who Legal Business Crime Defence Corporates and Individuals

Alison Pople QC is highlighted for her impressive advocacy skills, combined with profound knowledge in corporate and financial crime matters. One impressed source adds, "Clients absolutely love her".

Legal 500

"Incredibly hardworking and able to devastate the most difficult witnesses in cross-examination."

RECENT & CURRENT CASES

Alison's current and recent instructions include confidential advisory work to individuals, corporates and other institutions in a number of on-going criminal, regulatory and professional discipline and other investigations conducted by the SFO, FCA, CMA, NCA, HMRC, SRA, ICAEW, FRC as well as other professional bodies, including self-reporting issues. A number of these instructions involve advising on concurrent civil/criminal/professional discipline investigations and a number involve multiple jurisdictions and providing complimentary advice to other areas of legal specialism (e.g. mergers and acquisitions), or are wholly concerned with non-UK jurisdictions, including Gibraltar and Cyprus.

When an investigation proceeds to criminal/regulatory/disciplinary proceedings Alison conducts the advocacy as an experienced leading counsel including trial/tribunal and appellate proceedings. Alison also acts in proceedings to challenge aspects of an investigation.

Alison also advises on and conducts internal investigations, including interviewing relevant personnel and producing internal investigation reports.

Advisory Work

Alison regularly advises on pre-charge representations to a regulatory or prosecuting body. Recent highlights with a successful outcome include;

- Advising a multinational corporate subject to an SFO investigation into alleged historic overseas corruption offences.
- Advising a senior individual subject to preliminary ICAEW investigation arising from findings of the Electoral Commission.
- Advising a senior professional subject to a long running SFO investigation concerning alleged fraud in relation to public contracts.
- Advising a senior employee subject to a long running SFO investigation concerning alleged fraud in relation to public contracts.
- Advising a high-profile and high net-worth individual subject to criminal investigation by HMRC for alleged personal tax offences.

Some of Alison's other ongoing or recent advisory work includes:

- Advising a senior corporate figure subject to a long-running SFO investigation into suspected bribery, fraud and sanctions offences in a number of jurisdictions.
- Advised a UK corporate on reporting strategy and potential criminal exposure in relation to failure to prevent facilitation of UK tax evasion.
- Advised another separate UK corporate on reporting strategy and potential criminal exposure in relation to failure to prevent facilitation of foreign tax evasion.

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- Advised a former senior banking executive subject to the SFO investigation into alleged Libor 'lowballing'.
- Advised a multinational energy company about UK self-reporting issues (NCA and SFO) in relation to a proposed transaction involving POCA issues.
- Advising a senior bank employee in relation to criminal allegations of forgery and insider dealing in an English statute and common law derived jurisdiction.
- Advising a dual-listed corporate on self-report strategy and conduct in relation to potential criminal liability from breaches of specialist industry sector regulations, wider individual and corporate criminal liability and money laundering.
- Advising a corporate on its exposure to criminal liability under s7 Bribery Act 2010, Proceeds of Crime Act 2002 and associated self-reporting issues.
- Advising an employee of a UK based company subject to civil investigation by the CMA for suspected cartel infringements.

Court Work

A Deferred Prosecution Agreement approved by a UK court between Airline Services Ltd and the Serious Fraud Office, in respect of three offences of failure to prevent bribery.

The first successful challenge to an Unexplained Wealth Order since the introduction of legislation in 2018 via the Criminal Finances Act 2017. Alison represented one of three successful Respondents who secured the discharge of UWO' originally obtained by the NCA without notice.

Alison represented the Chief Operating Officer of Afren PLC, charged by the SFO alongside the company's former CEO with Fraud Act 2006 and money laundering offences.

Alison also represented the former Chief Financial Officer of FH Bertling Ltd in criminal proceedings brought by the SFO for corruption offences.

In addition, Alison's trial work in recent years includes;

- Representation of a former Managing Director of Deutsche Bank charged with insider dealing offences by the FCA, arising from Operation Tabernula, the largest and most complex investigation of insider dealing ever carried out by the financial regulator.
- Representation of a former manager of Swift Technical Group (an Oil and Gas Services Company) on foreign corruption charges brought by the SFO, who was acquitted following a nine-week trial.
- Representation of Andrew Coulson, the former editor of the *News of The World* newspaper, in the phone hacking trial (Operation Weeting and Operation Elveden).

Alison advises and represents clients in all ancillary issues to criminal investigations and proceedings, including challenges or potential challenges to aspects of a criminal investigation, such as a validity of a search warrant and the SFO's exercise of section 2 powers. She frequently advises on issues related to legal professional privilege arising out of investigations and proceedings. She has advised and represented clients facing wasted costs applications and has dealt with Company Director Disqualification Proceedings or Undertakings on a number of occasions.

Additionally, she acts as a Special Advocate, instructed by the Attorney General in High Court, Administrative Court or SIAC proceedings. The role of the Special Advocate exists in proceedings involving 'closed' evidence. Closed evidence may raise issues concerning national security. Individuals and their legal representatives are excluded from hearings where closed evidence is used. Special Advocates perform an important role by representing the interests of the excluded party in those hearings and subjecting the sensitive material to scrutiny, thereby promoting the fairness of the proceedings.

PREVIOUS CASES

Alison has acted as junior counsel in a number of significant and/or high profile cases. These include;

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- Successfully represented the former legal Director of Torex Retail plc. in an SFO prosecution for an offence conspiracy to defraud.
- (Operation Saturn) represented a defendant in large FSA prosecution for allegations of conspiracy to commit insider dealing.
- (Operation Tiger) represented a defendant in a linked FSA prosecution to Operation Saturn for allegations of conspiracy to commit insider dealing.
- Successfully represented a former non-executive director of Securrency in an SFO prosecution for conspiracy to corrupt a Vietnam public official.
- JJB Sports – advised the SFO in relation to the prosecution of former Chief Executive of JJB Sports plc. Christopher Ronnie on fraud and money laundering charges and former Chairman Sir David Jones on charges of misleading the market and forgery. Acted for the SFO during the preliminary stages of both proceedings.
- Operation Condor – successfully represented a former BA Executive in the first contested proceedings for a cartel offence brought by the OFT. The case collapsed before any evidence was called by the Prosecution.
- Independent Insurance – represented the former finance director charged with offences of conspiracy to defraud in an SFO prosecution of a complex and technical case.
- Operation Holbein – successfully defended a corporate client in the largest and most expensive SFO case arising from a cartel investigation which was prosecuted as conspiracy to defraud. The case collapsed in the Court of Appeal after extensive legal argument.
- Jubilee Line Extension case – successfully represented the first defendant in a trial brought by the Crown Prosecution Service alleging conspiracy to defraud and corruption which resulted in a collapse before verdicts after over 18 months.

In addition she has represented defendants in multiple HMRC tax and VAT evasion criminal proceedings, and acted for HMRC in the First Tier Tribunal. She has advised the SFO and represented defendants against the SFO in a number of other criminal cases including boiler room frauds and corruption cases.