

# Rick Holland

Call to Bar: 1994



Rick joined Lincoln House in 1994 having been a solicitor with the Crown Prosecution Service for nine-years.

For the most part, his work is criminal, both prosecution and defence, on occasions as Leading Counsel, in relation to offences of murder, attempted murder, serious sexual assault, organised crime gang activity, evasion of duty, VAT fraud, serious violence, firearms, child neglect, commercial and mortgage fraud, money laundering, large scale drug importation (particularly involving the deployment of undercover officers and participating informants), large scale car ringing, conspiracy to defraud and related trading standard offences, election fraud.

He has extensive experience of inquests particularly death in custody cases and recently, unlawful killing/murder committed by British nationals abroad and he appears regularly before the MPTS on behalf of the GMC.

Rick undertakes other regulatory work on behalf of the Information Commissioner's Office and has spoken at seminars to investigative and legal members of the ICO in respect of law and practice applicable to the Data Protection Act 1998.

He has defended in many cases involving misconduct in public office and related data protection prosecutions on behalf of serving police officers and others.

In terms of disciplinary work, he represents members of the Police Federation and has conducted lectures to the Greater Manchester Police and members of outside forces in relation to:- The deployment of C.H.I.S (Covert Human Intelligence Sources) , Ex parte PII Applications, non-disclosure of intelligence sources and the provision of texts for informants, Covert police investigation and the deployment of dedicated undercover police officers (including in the context of participating and non-participating CHISs).

He has also lectured on behalf of White Paper to a wide range of law enforcement organisations in relation to issues of disclosure, public interest immunity, RIPA and the CPIA regime and spoken on the topic of phone intercepts.

## Contact details:

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## Practice areas:

Business Crime & Financial Regulation  
Criminal Law  
Inquests  
Professional Discipline  
Regulatory

## Professional appointments:

Member of the Criminal Bar Association  
Manchester Medico - Legal Association

He is recognised as having a particular expertise in confiscation matters and has lectured to other barristers, solicitors and the police on the Proceeds of Crime Act 2002.

## NOTABLE CASES

### Murder

**R v Synott (and Others)** – Junior Counsel/Prosecution – Gangland execution, conspiracy to murder, difficult disclosure and evidential issues.

**R v Spencer (and Others)** – One of the defendants convicted in Synott and others became “a supergrass”. New batch of defendants charged with conspiracy to murder. Numerous disclosure issues.

### Drug Related Cases

“Operation Field”, “Operation Desert” I and “Operation Desert II” – Prosecution – Drug Trafficking cases

**R v Butt** – Defence – Money laundering charge relating to the delivery of £100,000 in cash to another individual at Manchester Airport. Revenue and Customs investigation.

**R v E.W.P** (“Operation Gately”) – Prosecution – Long-term covert infiltration of large-scale drug suppliers.

**R v T.R.** (and 10 others) – Leading Counsel on behalf of the Prosecution – Defendants charged with conspiracy to defraud (£400,000) plus kidnap, false imprisonment and assault. Fallout between two criminal gangs. “Technical expert” from one gang was kidnapped and falsely imprisoned for a lengthy period pending payment of a ransom. Well-planned fraud executed at a number of garages: significant amount of money generated.

**R v C, N and W** – Prosecution – Large-scale importation. Relevant misconduct occurring both in the UK and abroad. Use, in evidence, of phone intercepts obtained by foreign authorities.

**R v N** – Defence – Importation of Class A drugs from Pakistan by alleged female courier.

**R v A.I** – Accountant charged with large-scale conspiracy to supply Class A drugs.

**R v P.N** – Leading Counsel for the Defence – Large-scale cultivation of cannabis and money laundering activities of offenders that have taken place in Norfolk and London.

**R v M.F.D** (and Others) – Defence – Large-scale drug importation of heroin weaved into rugs imported from Afghanistan.

### Sexual Offences

**R v C** – Prosecution – Historic sex abuse - 25-30 years earlier - part of the evidence related to false memory syndrome. Experts called on either side.

**R v L** – Prosecution – Historic sex abuse: serious sexual offences committed against two different girls with a significant gap in time.

**R v G** – Defence – Historic rapes alleged by two different girls.

R v Tanby – Prosecution – Rape of student. Difficult forensic issues. Plus a number of historic sex cases (defence).

## Election Fraud

R v M.K (and Others) – Leading Counsel for the Defence – Election fraud.

R v S.M – Defence – Election fraud.

## Fraud

R v RB – Conspiracy to handle stolen motor vehicles: value £450,000 sophisticated method employed concerning import and export of motor vehicles.

R v M.B – Large scale counterfeiting and related money laundering offences & resultant POCA.

R v Y.M – Defence – Alleged ‘high end’ car theft/ fraud. High profile witness entailing bad character issues. Disclosure hearings to obtain police intelligence.

R v G.W – Defence – Solicitor charged with mortgage fraud.

R v J.B – Defence – Professional charged with high value mortgage fraud against background of alleged police misconduct. Complex disclosure issues/S.8 disclosure hearings.

## Organised Crime Group Violence

R v N.K – Defence – S.18 Wounding, violent disorder arising out of Organised Crime Gang activity. Disclosure hearings to obtain intelligence as to criminal activities of complainant (leader of opposing faction).

R v A.Y (and Others) – Junior Counsel for the Defence – Conspiracy to pervert course of justice relating to attempts made by individuals to persuade supergrass not to give evidence in a murder trial.

“Operation Lantern” – Leading Counsel for the Prosecution – Two 3-month long cases as leading Counsel prosecuting 20 defendants from 2 contingents involved in serious street violence with Organised Crime Gang background. Intelligence & disclosure issues

R v K.B – Prosecution – Attempted murder (shooting) of doorman by group recruited for that purpose. Numerous historic sex prosecutions.

R v MA – Defence – Assisting an offender. Part of Dale Cregan trial.

## Data Protection & Misconduct in Public Office

R v J.P – Defence – Professional charged with misconduct in public office & related data protection offences. S.8 disclosure applications throughout case (4-5 weeks).

R v K.M – Professional charged with misconduct in public office & related data protection offences. Extensive disclosure issues/hearings (ex-parte & inter partes).

R v D & K – Prosecution – Defendants charged with conspiracy to commit misconduct in public office, intelligence supplied by police employee to known criminals.

R v R – Leading Counsel for the Prosecution – Misconduct in public office by serving police officer supplying unauthorised information to car recovery companies.

## Reported Cases

R v McGarry (1998) – Decision on the use of prepared statements and adverse inferences under s.34 Crime and Disorder Act 1994.

R v Wigan Justices ex-parte Johnson and Stone (1999) – Extent of prosecution duty to serve video and audio tapes of undercover police officers in contact with those under investigation: criteria to be followed.

R v Greenwood (2004) EWCA Crim 1388, [2004] 6 Archbold News Liverpool Crown Court and CCA – Confession by defendant three-years after the murder of a young girl. Body found in the River Ribble in Preston. Expert psychological evidence called on both sides in the absence of the jury and thereafter in the presence of the jury concerning the admissibility of a confession.

## Personal

Rick is married with two children and, in his spare time, enjoys English Cricket Board Coach (Level 2), martial arts, football, cricket, theatre, walking and travel.

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