



Dan Santos-Costa

Call 2019

Dan Santos-Costa has a busy practice, specialising in criminal and regulatory law.

Dan regularly defends and prosecutes in the Crown Court and the Youth Court, where he is instructed on a broad spectrum of criminal offences, on both a private and publicly funded basis, including cases involving serious violence, fraud, serious sexual offences including rape, drug supply/production, weapons, robbery, burglary and road traffic offences. Dan has a particular interest in the upholding of human rights, including protest rights, especially in respect of climate justice. Dan is also experienced in representing vulnerable defendants.

Dan has a busy regulatory and professional disciplinary practice, and he regularly represents both regulators and individuals in professional misconduct proceedings. Dan is regularly instructed to appear in front of the Nursing and Midwifery Council Fitness to Practise Committee at both substantive and non-substantive hearings. Dan continues to deal with serious allegations of professional misconduct, including sexual and violent misconduct.

Dan also appears before misconduct panels on behalf of the Metropolitan Police Service, with experience of cases involving allegations of serious professional misconduct, including cases involving alleged sexual misconduct at work, fraud, and a case involving an alleged conspiracy to cause bodily harm to another.

Dan has a growing practice representing interested parties at Coroner's Inquests (including jury inquests), with particular experience of representing medical professionals.

Dan is on the List of Specialist Regulatory Advocates at Category B.

Additionally, Dan regularly appears in POCA proceedings. Dan has experience in applications for account freezing and forfeiture orders as well as the detention and forfeiture of cash.

Practice Areas

Criminal Defence

Dan's recent cases include:

- **R v SP** – Dan's client was unanimously acquitted of attempted sexual communication with a decoy child online on the basis of reasonable belief that the person was over the age of 16.

- **R v AG** – Dan represented a man charged with the rape of the complainant whilst she was asleep. Dan's client was acquitted unanimously by the jury.
- **R v BS & Anor** – Dan represented a defendant charged with a number of serious sexual offences, including rape, in a two-handed case prosecuted by King's Counsel. Dan's client, who had only recently turned 18 years old at the time of the alleged offending, was charged with four counts of rape, one count of assault by penetration, and one count of intentional strangulation. Following an eight day trial, Dan's client was unanimously acquitted by the jury of all six counts with which he was charged.
- **R v RG** – Multi-handed trial involving eight defendants in respect of two separate affrays. Following a five-week trial, Dan's client was acquitted by the jury.
- **R v VZ** – Dan's client was charged with domestic burglary after being found alone in the complainant's kitchen late one evening. The complainant denied knowing the defendant at all. Following Dan's cross-examination of the complainant, on the basis that the complainant was lying about his knowledge of the defendant, Dan made a successful half-time submission of no case to answer, and the defendant was acquitted.
- **R v CE** – Dan successfully represented a client who was unanimously acquitted of s.47 ABH against a police officer.
- **R v KS & Ors** – Dan's client was initially jointly charged on a 19-count indictment with offences including of s.18 GBH, assault occasioning ABH, possession with intent to supply Class A drugs, causing a person to engage in sexual activity without consent, and possession of a bladed article. Following an application to dismiss and lengthy negotiations with the prosecution, Dan persuaded the Crown to accept a plea only to the ABH.
- **R v RL & Anor** – Dan's client was unanimously acquitted of possession with intent to supply Class A drugs following a five-day trial.

Prosecution

Dan's recent cases include:

- **R v IA & Anor** – The defendant was convicted of two counts of being concerned in the supply of Class A drugs.
- **R v JH** – After an 8 day trial, the defendant was convicted of 2 counts of s.18 GBH, 1 count of ABH, 1 count of affray and 2 counts of assault by beating.
- **R v ND & Ors** – Dan was led junior in a five-week trial of four defendants for conspiracy to commit armed robberies using firearms. All four defendants were unanimously convicted by the jury after trial.
- **R v MS** – The defendant was unanimously convicted of s.18 GBH. The complainant suffered multiple fractures to his facial bones and required emergency surgery.
- **R v VZ** – The defendant was unanimously convicted of 7 counts of domestic burglary and 1 count of attempted burglary.
- **R v CR** – The defendant was unanimously convicted of one count of assault occasioning actual bodily harm and two counts of threatening with a bladed article in a private place. The allegations were domestic in nature and one of the victims was a thirteen-year-old.

Regulatory & Professional Discipline

Dan's recent cases include:

- **MPS v MC** – Dan acted for the MPS. MC faced several allegations pertaining her personal life in respect of a neighbour dispute in a case that was widely reported by regional and national papers. MC was dismissed without notice after the Panel found the majority of the charges proved.
- **NMC v MK** – Dan represented MK at a misconduct hearing. MK faced an allegation of sexual harassment at work. The Panel found none of the charges proved. MK was able to return to work and he maintained his clean professional record.
- **NMC v CA** – Dan represented CA at a misconduct hearing. CA faced multiple charges ultimately alleging sexual communication with a child outside of the workplace. Dan raised numerous legal arguments challenging the admissibility of evidence, together with a complex abuse of process argument in respect of the Registrant's Article 8 Rights and the proportionality of state infringement of those rights.
- **NMC v FM** – Dan represented FM at a lack of competency hearing before the Fitness to Practice Committee where FM faced 29 charges.
- **NMC v DA & DP** – Dan acted for the NMC at a fitness to practise hearing. Both DA and DP's fitness to practice was found to be impaired following serious allegations of misconduct (including dishonesty) were found proved by the Fitness to Practise Committee. Both were suspended.
- **NMC v SS** – Dan acted for the NMC at a fitness to practise hearing. SS's fitness to practise was found to be impaired following findings of fact in respect of allegations of sexual harassment towards colleagues. SS was subject to a striking off order.

Publications

- CPS Advocates Panel – Grade 2
- List of Specialist Regulatory Advocates – Category B

Memberships

- ADVOCATE
- Criminal Bar Association
- Honorable Society of Grays Inn

Education

- Bar Professional Training Course, University of Law
- LLB (Hons) Law, University of Exeter