



## Leonard Smith QC

*Year of Call: 1986*

*Year of Silk: 2008*



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**A specialist criminal defence advocate with particular expertise in serious fraud and complex financial crime. Extensive experience in several jurisdictions, defending in all forms of complex and grave cases. Advising and appearing for CEOs and professionals in all type of large scale financial crime.**

Equally at home in the largest and most complicated of SFO frauds or in heavyweight Old Bailey murders.

Ranked as a leading silk in the 2019 edition of Chambers & Partners: "Totally committed to the client's cause... He has a remarkable skill of digesting voluminous material and working out the real issues in the case. Added to this he is a reassuring presence for the client."

"A criminal defence silk who commands respect for the pains he takes with this preparation, and for the persuasive advocacy he delivers in court. He regularly handles cases involving allegations of mortgage fraud, breach of sanctions and overseas corruption... Regularly instructed by both corporations and individuals, and has a strong record of acting in cases with a global reach." (Chambers & Partners 2018)

"Very industrious and someone with superb technical knowledge. He is prepared for most eventualities and is definitely a great courtroom advocate." (Chambers & Partners 2017)

"A great tactician who is very hard-working and passionate about achieving the right result for the client." (Chambers & Partners 2016)

"He is in some of the best cases in the country, his strategy is second to none, he knows the law inside out and he works extremely hard." (Chambers & Partners 2015)

Ranked in Chambers & Partners 2013 as leading practitioner in Criminal Fraud. The same publication describes him as "hard-working, meticulous and extremely bright", "good with clients", and valued for his "hands-on approach from beginning to end."

### **FRAUD & FINANCIAL CRIME:**

2014 fraud cases

#### **(R v David Purdie and eight others)**

March 2014- Retained for the main defendant in the North East Property Mortgage Fraud- an enormous and politically sensitive prosecution affecting the homes of hundreds of people in the North East. More than 1000 mortgages were obtained by companies said to be controlled by client in what is alleged to be one of the UK's largest ever mortgage cases.

<http://www.loantalk.co.uk/newsstory?id=736&type=newsfeature&title=>

<http://www.chroniclelive.co.uk/north-east-news/evening-chronicle-news/2011/02/04/fallen-tycoon-david-purdie-in-court-again-72703-28113617/>

<http://blogs.mirror.co.uk/investigations/2009/04/police-raid-north-east-propert.html>

<http://www.standard.co.uk/business/chelsea-drops-into-the-red-on-buytolets-fraud-damage-6790836.html>

<http://news.bbc.co.uk/1/hi/england/7972188.stm>

<http://news.bbc.co.uk/1/hi/business/8213504.stm>

<http://www.thetimes.co.uk/tto/public/sitesearch.do?querystring=Newcastle>

<http://www.thisismoney.co.uk/money/article-1365391/Southern-Pacific-Mortgage-Loans-Reckless-UK-lending-Lehman-arm.html>

## **R v K and others , Manchester Crown Court**

January 2014- Defending CEO in multi handed mortgage fraud.

### 2013 fraud cases

**R v H and others-** Building construction Fraud- Birmingham Crown Court- September 2013.

**R v Silva-** Ponzi Fraud – over 12 year period - **June 2013 - Southwark Crown Court**

**R v Howley and others-** Sheffield Crown Court defending accountant charged with financial offences.

**R v Giovanni Di Stefano - January 2013 - Southwark Crown Court**

The trial of the famous international " lawyer" and businessman charged with 22 counts of fraud between 2004 and 2012. The Recorder of Westminster described the case in which evidence was given for the prosecution by Judges and QCs, as " ..extremely complex and unique in its scope " .

These are just a few of the articles from round the world concerning this extraordinary case-

[http://www.washingtonpost.com/world/europe/unqualified-lawyer-whose-clients-included-saddam-hussein-jailed-for-fraud/2013/03/28/6915543a-97ae-11e2-b5b4-b63027b499de\\_story.html](http://www.washingtonpost.com/world/europe/unqualified-lawyer-whose-clients-included-saddam-hussein-jailed-for-fraud/2013/03/28/6915543a-97ae-11e2-b5b4-b63027b499de_story.html)

<http://www.dailymail.co.uk/news/article-2300544/Giovanni-di-Stefano-jailed-14-years-The-conman-just-stop-pretending-hes-lawyer.html>

<http://www.independent.co.uk/news/uk/crime/devils-advocate-who-pretended-to-be-a-lawyer-is-found-guilty-of-fraud-8551921.html>

<http://www.dailyrecord.co.uk/news/crime/former-dundee-football-club-director-1788161>

<http://news.sky.com/story/1070544/devils-advocate-di-stefano-guilty-of-fraud>

<http://www.telegraph.co.uk/news/uknews/crime/9835433/Giovanni-di-Stefano-the-Devils-advocate-1m-conman.html>

<http://www.independent.co.uk/news/uk/crime/bogus-lawyer-giovanni-di-stefano-jailed-for-14-years-8553223.html>

<http://www.lccsa.org.uk/news.asp?ItemID=47635&rcid=15&pcid=2&cid=15>

<http://www.express.co.uk/news/uk/387561/Devil-s-advocate-Giovanni-Di-Stefano-facing-jail>

<http://www.foxnews.com/world/2013/03/28/unqualified-lawyer-whose-clients-included-saddam-hussein-jailed-for-fraud/>

<http://www.news.com.au/world-news/europe/fake-devils-advocate-lawyer-found-guilty-of-passing-as-real-lawyer/story-fnh81p7g-1226608122022>

<http://blog.cps.gov.uk/2013/03/bogus-lawyer-giovanni-di-stefano-convicted-.html>

<http://bbb-news.com/blog/tag/giovanni-di-stefano/>

## 2012 fraud cases

### **Operation Duma – R v H and others – Birmingham Crown Court.**

Appeared in large scale confiscation hearings for one of seven defendants who operated six companies within a long running 'missing trader' conspiracy, buying and selling mobile telephones.

<http://rnn.cabinetoffice.gov.uk/Press-Releases/Payback-time-for-Birmingham-VAT-fraudsters-68469.aspx>

### **R v D. Hirst and three others - Bradford. July-August 2012**

SFO prosecution- Defended solicitor in Conspiracy to defraud trial arising out of Ponzi Fraud carried out against UK citizens in Mallorca 2006-2008. The solicitor was alleged to have used his position to facilitate the transfer of investment related funds from Spain to the UKClient unanimously acquitted of all charges.

<http://www.bbc.co.uk/news/uk-england-humber-19437177>

<http://www.dailymail.co.uk/news/article-2188084/Lavish-life-couple-stung-expats-10m-Ponzi-fraudster-blew-c>

### **Operation VEX - R v Van Laarhoven, Ghori and others - Kingston Crown Court - Jan to June 2012**

Instructed for second defendant in long awaited major £80 million MTIC trial arising out of the dealings of FCIB Bank in Europe and Dubai. After a 5-month trial, accountant client was unanimously acquitted by a jury of all charges.

<http://squaremileneews.blogspot.co.uk/2012/02/five-businessmen-accused-of-80m.html>

### **R v Littlewood**

Instructed for the defence in the largest prosecution for Insider Trading brought to date. The client R v Littlewood were involved in continuous insider trading over a 3 year period. Client and husband carried out numerous insider deals over long indictment period.

Some media reports –

<http://www.dailymail.co.uk/news/article-1352841/Banker-jailed-tipping-barrister-wife-2m-insider-trading-scam.html>

<http://www.telegraph.co.uk/finance/newsbysector/banksandfinance/8298676/Banker-Christian-Littlewood-gets-longest-jail-sentence-for-millions-in-insider-trades.html>

2011 fraud cases

**F Ltd and others** – Summer 2011

Instructed for CEO in Carbon Trading Bribery Act Investigation arising out of transactions involving UN sanctions in North Africa. This case involved breaches of UN Sanctions allegedly promoted and carried out by CEO of large National company and his partners. Advice covered all stages of response and tactical negotiations with government instrumentalities and media.

**R v Ferrigan and others** - Jan to July 2011

In 2011, successfully appeared for one of six solicitors charged in £50 million SFO mortgage fraud trial at Southwark Crown Court. Client was a senior solicitor, charged with carrying out complex mortgage transactions in which banks and building societies were defrauded of vast sums as indicated above. Client acquitted after 5 month trial. Mr Smith QC was instructed by Mr Stephen Lickrish of Stephen Lickrish & Associates and led Mr Gerard Hillman.

See the following press reports –

<http://www.solicitorsfirm.com/three-former-solicitors-acquitted-of-mortgage-fraud/>

<http://www.lawgazette.co.uk/news/solicitors-acquitted-mortgage-fraud>

<http://www.sfo.gov.uk/press-room/latest-press-releases/press-releases-2011/two-jailed-for-50-million-mortgage-fraud.aspx>

**Operation Fastback - R v Warrington and 5 others** – Newcastle Crown Court

Instructed as for defendant in £300 million MTIC trial - Holland- Dubai-- ( telephones.) –Defendant acquitted. Said by Customs to be the largest VAT fraud in UK history.

<http://www.dailymail.co.uk/news/article-2048361/Ex-policeman-Nigel-Cranswick-admits-300m-mobile-phone-scam.html>

**R v Fraser and Brook** – 2008 to 2010 - The Imperial Consolidated case- Blackfriars Crown Court.

Achieved the acquittal, after a 160 day trial, of his CEO client in The Imperial Consolidated Group case, one of the largest alleged investment fraud trials yet prosecuted by the SFO. Has defended accountants, solicitors, portfolio providers and company directors and has regularly advised persons under investigation

The successful defence in one of the largest and most complex international investment frauds ever prosecuted by the SFO. Led for the Chief Executive Officer of an international group of 108 companies across 5 continents and 34 countries - and who was fully acquitted after 27 interlocutory and then a trial lasting 160 days.- CAT 1- 500,000 pages.

This was an alleged PONZI fraud of enormous dimensions - £250 million was allegedly defrauded from US celebrity investors, wealthy investors throughout the world and also famous large scale financial institutions throughout the world's major tax havens. More than 25 expert witnesses gave evidence during the trial in areas as diverse as Securities exchanges, Mining valuations, Administrators and Receivers obligations and alleged negligence, Customs Bond houses, US and Caribbean Regulatory Requirements, US Constitutional law, FBI and CIA investigations, Osama Bin Laden, Japanese banking industry policies and procedures, Insurance and banking bond regulations. During the trial, evidence was also heard from more than a dozen of the world's leading chartered accountants. Truly, this case stretched established LSC boundaries of what is a "complex category - one super fraud" and it is difficult to imagine one being tried again of this size, length and complexity.

See-among numerous other world wide media reports-

<http://www.guardian.co.uk/business/2010/jul/05/serious-fraud-office-moneyinvestments>

[http://www.federalcriminaldefenseblog.com/2010/07/articles/ponzi-schemes/acquittals-in-ponzi-prosecution-across-the-pond-jury-acquits-imperial-consolidated-execs-fraser-and-brook/?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+FederalCriminalDefenseBlog+\(Federal+Criminal+Defense+Blog\)](http://www.federalcriminaldefenseblog.com/2010/07/articles/ponzi-schemes/acquittals-in-ponzi-prosecution-across-the-pond-jury-acquits-imperial-consolidated-execs-fraser-and-brook/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+FederalCriminalDefenseBlog+(Federal+Criminal+Defense+Blog))

<http://www.telegraph.co.uk/finance/newsbysector/banksandfinance/7873682/SFO-suffers-fresh-blow-as-Imperial-directors-cleared.html>

<http://www.telegraph.co.uk/news/uknews/crime/7873608/Company-executive-faces-jail-over-150-million-Ponzi-scheme.html>

<http://www.ft.com/cms/s/0/ea7b57e4-8862-11df-aade-00144feabdc0.html>

<http://www.thisislondon.co.uk/standard/article-23853200-bosses-cleared-of-fraud-as-pound-20m-trials-collapse.do>

<http://www.newstatesman.com/banking-and-insurance/2010/07/executives-acquitted>

<http://www.ifaonline.co.uk/ifaonline/news/1720888/sfo-trial-collapses-gbp150m-fraud>

<http://www.talktalk.co.uk/money/guardian/news/2010/07/6/two-acquitted-in-trial-over-alleged-163150m-ponzi-scheme.html?page=1>

<http://www.sfo.gov.uk/press-room/latest-press-releases/press-releases-2010/imperial-consolidated-group-fraud-conclusion-of-case.aspx>

<http://www.thisislincolnshire.co.uk/news/Company-directors-year-fraud-case-collapses/article-2382713-detail/article.html>

<http://citywire.co.uk/wealth-manager/imperial-consolidated-director-pleads-guilty-to-fraud-charge/a411999>

## **R v Murden & others** – Leeds Crown Court

Instructed in a multi-million pound pan-European MTIC fraud involving the sale of luxury motor vehicles acquired in Europe, imported to the UK and sold, creating and evading a VAT charge on the first sale in a fraudulent supply chain and causing HMRC to be deceived into making over £11million worth of VAT

repayments. The case generated over 134,000 pages of prosecution evidence and involved 11 other defendants. A four month trial was fixed for September 13th but collapsed after 4 days resulting in a non-custodial sentence for Murden. Mr Smith QC led Mr Mark Harries and was instructed by Mr Hamraj Kang of Kangs Solicitors.

### General Crime:

Has appeared in over 40 murder trials and also in appellate jurisdictions including the Judicial Committee of the Privy Council (3 Appeals) and in the House of Lords (R v H and C), and the High Court of Australia.

Advised in the News of the World phone hacking case

### **Recent significant General Crime cases:**

#### Sexual Offences

Has a long history of defending contested sexual cases including alleged historical sexual abuse cases, cases involving multiple complainants of all ages and recently, in sexual grooming cases in complex investigations attracting wide publicity.

In **R v Ahmed and others** (Snarebrook Crown Court) defended alleged ring leader of sexual grooming gang in eight week trial.

Advised in Operation Central, the investigation into alleged widespread organised sexual abuse in Rotherham.

#### Immigration offences

In 2016, appeared for alleged main defendant in three month trial concerning international immigration offending between mainland China and the UK.

#### Drugs Offences

**R v Safder and Others– Luton CC:** A case concerning one of the largest ever importations of high purity heroin into Europe has concluded at Luton Crown Court. An international drug smuggling gang centred in Pakistan, crammed over 230 kilos of 80% pure heroin into an imported Jaguar which was seized by the NCA in December 2013.

After a four week trial, only defendant acquitted by the jury. Instructed by Stephen Lickrish and Associates of Manchester.

Media reports –

<http://news.sky.com/story/1350375/pair-stuffed-car-with-heroin-worth-37m>

[http://www.dailymail.co.uk/news/article-2787012/Men-tried-smuggle-heroin-worth-40million-stuffing-bumpers-wheel-arches-seats-engine-Jaguar-jailed.html?ITO=1490&ns\\_mchannel=rss&ns\\_campaign=1490](http://www.dailymail.co.uk/news/article-2787012/Men-tried-smuggle-heroin-worth-40million-stuffing-bumpers-wheel-arches-seats-engine-Jaguar-jailed.html?ITO=1490&ns_mchannel=rss&ns_campaign=1490)

<http://www.itv.com/news/anglia/update/2014-10-09/luton-two-men-found-guilty-of-trying-to-bring-37million-worth-of-heroin-into-the-uk-in-battered-jaguar/>

<http://www.telegraph.co.uk/news/uknews/crime/11107179/Heroin-worth-37m-smuggled-into-Britain-in-bumpers-dashboard-and-engine-of-battered-Jaguar-X-Type.html>

[http://www.google.co.uk/search?client=safari&rls=en&q=21+years+sentence+for+heroin+Luton+Heroin+trial+in+luton&oe=UTF-8&gfe\\_rd=cr&gws\\_rd=cr&hl=en&sa=X&as\\_q=&spell=1&ei=89c2VN77J6zY7AaJvIH4Bw&ved=0CBEQBSgA](http://www.google.co.uk/search?client=safari&rls=en&q=21+years+sentence+for+heroin+Luton+Heroin+trial+in+luton&oe=UTF-8&gfe_rd=cr&gws_rd=cr&hl=en&sa=X&as_q=&spell=1&ei=89c2VN77J6zY7AaJvIH4Bw&ved=0CBEQBSgA)

**R v Salami and others** - Winchester Crown Court –Jan 2012

Appeared for the main defendant in major class A drug supply trial.

#### Murder cases

A specialist with extensive experience. In 2016, achieved the acquittal of (HD) in the first post Jogee joint enterprise murder trial at the Central Criminal Court.

R v Townsend - Central Criminal Court - Defendant charged with murder of cousin –acquitted after trial of murder.

R –v- Manai & 1 other – Central Criminal Court - Acting for a defendant charged with one other in a double murder. Police called to a flat where two mutilated bodies discovered having suffered brutal slaying using knives and steam iron, believed to be classic revenge killings by Southern Italian nationals. Case built upon compilation of forensic, telephonic, csi, cctv and post mortem analysis, and complicated by a cut-throat defence. Mr Smith QC led Mr Grahame James and was instructed by Mr Sachin Rajput of Desoysa & Fernando solicitors.

#### Solicitor Referees;

Pam Reddy – Hodge, Jones and Allen . [PReddy@hja.net](mailto:PReddy@hja.net)

Stephen Lickrish –Stephe Lickrish and Partners -[S.Lickrish@stephenlickrish.co.uk](mailto:S.Lickrish@stephenlickrish.co.uk)

Aziz Rahman – Rahman Ravelli - [aziz.rahman@rahmanravelli.co.uk](mailto:aziz.rahman@rahmanravelli.co.uk)

Faraquain Shah –Alexander Solicitors - [faz.shah@hotmail.co.uk](mailto:faz.shah@hotmail.co.uk)

Mark Davies – Frisby & Co - [mark.davies@frisbysolicitors.co.uk](mailto:mark.davies@frisbysolicitors.co.uk)

Harry Khan – Mohammed Hussain Solicitors - [mohammehussai@btconnect.com](mailto:mohammehussai@btconnect.com)

Hamraj Kang - Kangs Solicitors [hkang@kangssolicitors.co.uk](mailto:hkang@kangssolicitors.co.uk)