



New Park Court

Chris Smith

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## Chris Smith

Year of call 1997

For enquiries please call +44 (0)113 243 3277 or email

Chris Smith is a very well-known and highly-respected member of the North Eastern Circuit. He regularly appears in the more serious and complex cases on Circuit; dealing, as a led or leading junior, with those accused of the most serious crimes.

Chris is a member of the Executive Committee of the North Eastern Circuit and a long-standing member of the Circuit's charity fund-raising committee.

In 2016 he was appointed to the position of Recorder and is now authorised to try Class 2 offences such as rape.

## Overview

Chris regularly acts for both prosecution and defence over a broad range of offences. His current caseload involves offences as diverse as serious violence (including homicide), multiple rape, complex fraud and the wholesale manufacturing and supply of controlled drugs. Chris has also developed a particular expertise in respect of fraud and money-laundering and has significant experience of complex confiscation proceedings. He has been instructed in cases involving the Regional Asset Recovery Team, the Serious Organised Crime Agency and National Crime Agency and has, for many years, received instructions from the Central Confiscation Unit in London.

He is a grade 4 prosecutor and a member of the Rape and Serious Sexual Offences and Proceeds of Crime Panels. Chris is regularly instructed (as a leading or led junior and to prosecute alone) by the North and West

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Yorkshire CPS Complex Case Unit. He has amassed a wealth of experience in relation to multi-defendant cases prosecuting cases involving allegations of murder, fraud and immigration fraud. He has recently prosecuted two very significant cases involving conspiracy to engage in modern-day slavery.

He is particularly noted for his skill and abilities in cases involving vulnerable witnesses and defendants. He has particular skills in relation to the digital presentation of evidence.

His recent caseload has also seen him working on matters with extra-jurisdictional dimensions involving European Arrest Warrants and the law on extradition.

He has made appearances before the Divisional Court in respect of both Judicial Review and Case Stated proceedings and continues to make regular appearances before the Criminal Division of the Court of Appeal in respect of appeals against conviction and sentence.

## Prosecution

### Representative Cases

- *R v S & M - Murder*

Newcastle CC – Murder – Led Junior – Instructed at short notice to undertake significant disclosure work. Solely responsible for prosecuting a contested ‘Newton Hearing’ post-trial focussing on the question of an extra-jurisdictional previous conviction for homicide.

- *R v GR & Others - Murder*

Teesside CC – Murder – Led Junior – Instructed to prosecute a number of men charged with robbery and one charged with an associated murder. Factually complex case involving cell-site evidence and expert evidence on footwear markings.

- *Operation Planestoke I & II - Murder*

Leeds CC – Murder – Led Junior – Prosecuting a total of thirteen individuals across two sets of proceedings arising out of a joint enterprise murder. Organised crime / revenge attack. Complex issues relating to DNA, disputed cell-site evidence and a need to synthesise a host of different types of evidence into presentational form. Closely involved in the development of the electronic presentation of evidence. Extradition issues relating to one Defendant who had fled abroad.

- *R v LM & Others - Murder*

Sheffield CC – Murder – Led Junior – Prosecuting two adults and three juveniles accused of murdering a man in a dispute arising from a ‘love triangle’. Complex issues associated with critical material obtained from a mobile telephone using cutting-edge digital evidence recovery techniques.

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- *R v LR - Manslaughter*  
Sheffield CC – Manslaughter – Led Junior – Alleged victim of domestic violence responsible for the death of her former partner. Crime scene interpretation issues.
- *R v KD - Manslaughter*  
Leeds CC – Manslaughter – Junior alone – Revenge attack upon a disabled man leading to protracted and painful death. Appeal against 8½ sentence dismissed.
- *Operation Bellum - Conspiracy to Defraud*  
Bradford CC – Conspiracy to Defraud – Leading Junior – Complex eleven-handed identity fraud involving two corrupt bank managers and an accomplice witness. Successful appeal by the prosecution against a terminating ruling. Defence appeals against conviction unsuccessful. Confiscation proceedings involving more than £2m.
- *Operation Babbage - Immigration Offences*  
Conspiracy to Facilitate Breaches of Immigration Law (Sheffield CC) – Leading Junior – Prosecuting eight individuals charged with running, or involvement in, a sham marriage scheme. The case, which attracted national media interest, featured a highly-vulnerable accomplice witness.
- *Operation Cudgegong - Immigration Fraud*  
Southwark CC – Immigration Fraud – Led Junior – Prosecuting ten individuals charged with breaching immigration law by way of a sophisticated fraud involving a OISC registered immigration advisor. Multiple accomplice witnesses giving evidence from outside of the jurisdiction. More than 25,000 pages of evidence.
- *Operation Nosemay - Modern-Day Slavery*  
Bradford CC – Modern-Day Slavery – Junior alone – Defendant part of a widespread conspiracy to exploit vulnerable men trafficked from Poland. Sentence increased by the Court of Appeal – *R. v. DZ* [2017] EWCA Crim 758.
- *Operation Angelstoke - Modern-Day Slavery*  
Leeds CC – Modern-Day Slavery – Leading Junior – Eight defendants convicted of exploiting men and women trafficked from Slovakia and forced to work on building sites here in the United Kingdom.
- *R v LN & Another - Robbery*  
Bradford CC – Robbery – Convicted robber subject to IPP targeting lone females. Life imprisonment imposed upon conviction.
- *R v SAQ - Rape and Violence*  
Newcastle CC – Rape and Violence – D convicted of multiple rapes and violent assaults upon his partner.
- *R v N & N - Confiscation proceedings*  
Leeds CC – Specifically instructed prior to trial because of my experience in confiscation proceedings.



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Prosecuted a man for the systematic defrauding of the commercial music industry. Complex and prolonged fully contested confiscation proceedings involving 'corporate veil', hidden assets, assets held abroad, post-*Waya* 'A1P1' issues, and third-party restraint. Financial Investigator given a public commendation owing to complexity and protracted nature of the case.

## Defence

### Representative Cases

- *R v ZK & Others - GBH with intent*  
Leeds CC – GBH w/intent – Representing one of seven defendants accused of organised vigilante violence involving the use of swords / machetes and firearms. Defendant unanimously acquitted.
- *R v P - AOABH*  
Leeds CC – AOABH – Representing a young man of good character accused of assaulting another male outside a nightclub. Case stayed at half-time owing to the incompetence and dishonesty of the Officer-in-the-Case as exposed in cross-examination.
- *R v GBB & Others - Violent Disorder*  
Sheffield CC – Violent Disorder – Representing one of the so-called 'Rotherham Twelve' accused of violent disorder against members of the Far Right – Case abandoned by the prosecution after legal argument.
- *R v FR - Conspiracy to supply*  
Teesside CC – Conspiracy to Supply Class A Drugs / Money laundering. Representing one of ten defendants accused of involvement in the systematic and wholesale supply of a range of controlled drugs. Nine week trial – partial acquittals.
- *R v KE - Supplying drugs*  
York CC – Supplying Cocaine – Case stayed owing to successful argument that the prosecution amounted to an abuse of the process of the Court owing to lost evidence and substantial disclosure errors.
- *R v F - Rape*  
York CC – Rape. 21-year-old man of good character accused of raping a 14 year old girl who sexualised behaviour (consuming flavoured sexual lubricant) prior to the offence necessitated a s.41 application. Defendant acquitted.
- *R v MCC - Rape*  
Teesside CC – Rape – Convicted sexual predator accused of raping a vulnerable female he had met seconds earlier in an alleyway. Defendant acquitted

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- *R v KDG & Another - Rape*  
Leeds CC – Rape – Teenage defendant accused of jointly raping with his friend a vulnerable female in a ‘threesome’. Defendant acquitted.
- *R v LET - 'Lifestyle' Case*  
Leeds CC – ‘Lifestyle’ Case – Services specifically sought to represent a man whose ‘particular benefit’ from drug dealing was approximately £3,000 but where the assumptions led to a lifestyle-based assessment of benefit approaching £400,000. Assets valued at almost £200k were at risk; defendant later ordered to pay just over £40k.

## Administrative Court / Divisional Court

### Representative Cases

- *Maher v DPP (2006) 170 J.P. 441; (2006) J.P.N. 780*  
Application of the hearsay provisions to the contemporaneous record of a lost note of an offending vehicle’s registration details; s.114(1)(d) CJA 2003.
- *R v Bradford Crown Court ex parte Parker [2007] R.T.R. 30; [2007] A.C.D. 44; (2007) 104(5) L.S.G. 31*  
Judicial review of a refusal by a Circuit Judge to state a case following an appeal heard in the Crown Court. Complex issues of law, including whether or not the Sec. of State for the Dept. of Transport had acted *ultra vires*.
- *S v DPP [2008] 1 W.L.R. 2847; [2008] A.C.D. 46*  
Animal-rights activist – Harassment by online publication of material printed and retained by the police and later shown (when no longer available online) to the complainant, novus actus interveniens, third-party causation, statutory time-bar to summary proceedings.

## Inquests

Chris has experience of representing interested parties in the course of inquests.

### Representative Cases

- *Re: AA (Jamieson Inquest)*  
Representing the driver of a vehicle which struck another vehicle on the M1 at high-speed killing the other driver. Expert evidence touching upon crash-site reconstruction, reaction times and the possible impact of

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adverse weather conditions. Conclusion: Accidental Death (short-form).

- *Re: HL (Middleton Inquest)*

Representing the family of the deceased during an inquest touching upon serious police failings as a possible factor in the death of a vulnerable adult threatening suicide. Expert evidence on mental health issues. Technical evidence on the police radio system. Scope of inquest significantly widened mid-hearing as a result of submissions. Conclusion: Death by Misadventure (narrative).

## What the directories say

'Noted for his extensive experience in money laundering and fraud matters.'

*Legal 500 2018 (Crime)*

"Very experienced in fraud and money laundering cases."

*Legal 500 2017 (Crime)*

"An expert in serious and complex financial crime cases."

*Legal 500 2016 (Crime)*

Has "the knack of finding the right authority at the right moment."

*Legal 500 2015 (Crime)*

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## Appointments & Memberships

Recorder (2016)

CPS Level 4 Prosecutor

CPS Specialist POCA Panel (Level 4)

Approved for CPS RASSO cases

Authorised Pupil Supervisor

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Accredited Advocacy Trainer

North Eastern Circuit (Member of the Executive since 2008)

Hardwicke Scholar – Called 1997 (Lincolns Inn)

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