



New Park Court

Geraldine Kelly

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## Geraldine Kelly

Year of call 1996

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

Geraldine Kelly is an experienced and extremely able criminal practitioner, who manages a well-balanced practice, consisting of both defence and prosecution work, covering all aspects of criminal law. She delivers reliable and sound advice to her clients.

Appearing in the Crown Court on a daily basis has developed her special aptitude for dealing with witnesses, including vulnerable adults, children and experts. Her impressive hard work and attention to detail have allowed her to deal with cases involving voluminous and complex evidence.

## Regulatory Offences

### Representative Cases

- *Operation Flip [Leeds Crown Court] (2017)*

Defended company director accused of various offences within the Consumer Protection from Unfair Trading Regulations 2008, involving the intimidation / deception of elderly / vulnerable customers. The case involved a substantial amount of financial and computer evidence.

- *Operation Verbatim [Leeds Crown Court] (2018)*

Defended company director accused of gross negligence manslaughter and fraud, when a baby died in a cot built by him in the course of his business. He then started up a new company and sold a bed, misrepresenting that it had been made to British Standards. This case also involved Health and safety at

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work practises. The case involved a large volume of computer evidence, namely IP access of email addresses. Defendant pleaded guilty to section 3 Health and Safety at Work Act 1974 after the prosecution case had closed. This was accepted by the prosecution.

## Rape & Sexual Offences

### Representative Cases

- *Operation Dalesway [Bradford Crown Court]*

Currently instructed for the defence in a grooming case involving 10 defendants.

- *R v H [Leeds Crown Court] (2018)*

Defended a male accused of 4 stranger rapes and a sexual assault in Wakefield. Each rape involved taking advantage of a lone, vulnerable, drunk female in town. *The case involved CCTV footage and required an in depth understanding of Y-STR/DNA evidence.*

- *R v K [Leeds Crown Court] (2018)*

Defended an 85 year old male, of good character, accused of sexual assault on a train. The issue was whether the act was sexual. He was acquitted.

- *R v B [Bradford Crown Court] (2017)*

Defended a Hungarian male who was accused of breaking into a female's home, wearing a mask and armed with two knives that he threatened her with, whilst raping her 4 times. He then forced her to wash, strip the bed and washed down surfaces he touched before locking her in her home and leaving with the bedding. He lied in interview and said he had not been inside the house but was detected by his DNA being found in the house and he was observed on CCTV footage entering and leaving the home, and apparently in possession of a knife. His defence was consent. He was acquitted. The case required consideration of a large volume of call data and many hours of CCTV footage.

- *R v C [Bradford Crown Court] (2017)*

Successfully defended 18 year old with ADHD and learning disability for rape of a female under 13. Defence was that it did not happen. *This case required careful and sensitive handling of a vulnerable defendant.*

- *R v H [York Crown Court] (2017)*

Successfully defended a student accused of raping his pregnant girlfriend. Defendant had Aspergers and his girlfriend was autistic, a complaint witness was also autistic. This required carefully handling of a vulnerable defendant and witnesses.

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- *R v F [Leeds Crown Court] (2016)*  
Defended male accused of sexual assault of child age 6. Case involved section 28 Youth Justice and Criminal Evidence Act 1999 pre-recorded cross-examination.
- *Operation Kellerabbey [Bradford Crown Court] (2015)*  
Defended one of 15 young male defendants in a child sex exploitation case where the defendants were jointly charged with multiple offences of rape of a female under 16.
- *R v P & P [Sheffield Crown Court] (2014-2015)*  
Prosecuted 2 Slovakian brothers accused of sexually abusing 3 child complainants.
- *R v S [Hull Crown Court] (2013)*  
Prosecuted a historical sex case concerning buggery. The complainant had, since the offences, committed many offences and in conjunction with the defendant. The defendant was convicted.
- *R v H [Leeds Crown Court] (2013)*  
Successfully defended a client charged with rape of a female at a party. This case involved the prosecution relying on the defendant's many inconsistent accounts given in police interviews to demonstrate him as an incredible witness. An expert was called on his behalf to give evidence about the defendant's poor memory following a brain injury, to account for his tendency to give inconsistent accounts.
- *R v B [York Crown Court] (2005)*  
Successfully defended a male accused of oral, vaginal and anal rape, when the defence was sleepwalking (automatism).

## Fraud & Dishonesty Offences

### Representative Cases

- *R v G [Leeds Crown Court] (2018)*  
Defended male charged with conspiracy to commit fraud with 5 others, relating to obtaining credit at builders' merchants, obtaining goods and then not paying for them. The indictment covered a period of and involved £170,000 + of credit obtained.
- *R v B [Grimsby Crown Court] (2017)*  
Prosecuted a female who was the treasurer of a charity for fraud, abusing a position of trust. The case involved a large volume of accounting data, work diaries and receipts.
- *Operation Isobar [Hull Crown Court] (2016)*  
Prosecuted case involving a conspiracy to burgle, 6 defendants and over 25 burglaries.

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- *R v B & Others [Bradford Crown Court] (2009)*

Prosecuted 11 defendants charged with conspiracy to steal by making fraudulent money transfers and using stolen cheques.

## Violent Offences

### Representative Cases

- *R v G [Sheffield Crown Court] (2018)*

Defended a man (led) accused of murder, he had stabbed a female in the neck during a sexual role play game. The prosecution accepted a plea to manslaughter.

- *R v W [Leeds Crown Court] (2018)*

Prosecuted a man accused of attempted murder and arson with intent, he set the home of a mother and her two children on fire, whilst they slept, in a revenge attack.

- *R v A [Bradford Crown Court] (2018)*

Defended an 18 year old male, Syrian refugee, accused of attempted murder, who entered a mosque, armed with a knife and attacked another male from behind, who had been in prayer, by cutting his throat. The prosecution accepted a plea to wounding with intent, following psychiatric reports relating to the mental illness of the defendant. Defendant was given a hospital order.

- *R v P [Bradford Crown Court] (2018)*

Defended (led) a young mother, charged with murder, who threw her baby son out of a 6<sup>th</sup> floor flat window. The prosecution accepted manslaughter on the basis of diminished responsibility following the serviced of psychiatric reports. Defendant was given a hospital order.

- *R v E [Leeds Crown Court] (2018)*

Defended a male accused of section 18 wounding with intent, stabbing another young male (age 17 at the time of the hearing) but 16 at the time of the offence.

- *R v P [York Crown Court] (2017)*

Child cruelty – defended boyfriend accused of assaulting toddler son of girlfriend. Defendant diagnosed with autism and had learning disability.

- *R v T [York Crown Court] (2017)*

Section 18, causing grievous bodily harm with intent (OAPA 1861) and child cruelty – defended father of baby discovered to have brain injury following alleged assault.



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- *R v S [Hull Crown Court] (2016)*  
Prosecuted (junior alone) a male charged with the murder of two adults.
- *R v B [Leeds Crown Court] (2015)*  
Defended (led) young male, jointly charged with 4 others with murder and violent disorder.
- *R v S [Leeds Crown Court] (2015)*  
Defended (led) young male jointly charged with 2 others with manslaughter.
- *R v C [Derby Crown Court] (2015)*  
Defended a female jointly charged with a male accused of causing child to suffer serious physical harm, contrary to section 5 of the Domestic Crime Victims Act 2004.
- *Operation Cherry [York Crown Court] (2014-2015)*  
Prosecuted 6 males accused of conspiracy to rob G4S staff when transporting / collecting cash from Banks in the York Area.

## Drugs & POCA Offences

### Representative Cases

- *Operation Flip [Leeds Crown Court] (2017)*  
POCA proceedings of around £1,000,00.
- *Operation Kaitlyn [Burnley Crown Court] (2014-2015)*  
Defended one of 6 males, in a case involving a joint West Yorkshire/Lancashire operation for conspiracy to supply class A controlled drugs and possession of prohibited firearms. The voluminous evidence included surveillance, cell site data, telephone traffic data and ANPR data.
- *R v K [Hull Crown Court] (2012)*  
Following prosecuting and securing the conviction of the defendant for production of cannabis after a trial, the POCA proceedings involved the confiscation of nearly £1 million of assets. Resisted an abuse of process argument from the defence.

## Court Martial

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## Representative Cases

- *R v M [Catterick Court Martial Centre] (2017)*  
Defended soldier charged with AWOL.
- *R v KGN J-L [Catterick Court Martial Centre] (2016)*  
Defended KGN charged with desertion.
- *R v C [Colchester Court Martial Centre] (2014)*  
Defended soldier accused of sexual assault, assault, conduct prejudicial to good order and discipline and disgraceful conduct of a cruel and indecent kind.
- *[Catterick Court Martial Centre] (2013)*  
Defended soldier accused of domestic violence.

## What the directories say

"Very hardworking and an excellent advocate."  
*Legal 500 (2018)*

"A tenacious and highly experienced barrister."  
*Legal 500 (2017)*

"Prosecutes and defends in cases involving sexual offences, fraud and proceeds of crime, among other areas."  
*Legal 500 (2015)*

## Appointments & Memberships

CPS Grade 4 Prosecutor

Prosecution Rape Panel

Qualified Advocacy Trainer

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## Vulnerable Witness Training Facilitator

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