

Sean Smith

Call 1994



Clerks' Details

 Kate Heald
 0113 203 1983

 Ian Spencer
 0113 203 1971

 Zoe Tinnion
 0113 518 2599

 Sara Baxter
 0113 203 1970

Education

- Nottingham Trent University (1989 – 1993) - Bachelor of Laws (LL.B.), 2:1
- The College of Law, London (1993 – 1994) - Postgraduate Diploma, Bar Vocational Studies (BVC)

Beyond the Bar

Rugby, Football, Cricket, Golf.
Also comedy and music gigs.

Criminal Overview

Sean has a strong criminal and regulatory practice. As a former managing partner of a leading criminal law firm in Yorkshire, Sean has amassed significant experience in high level criminal cases. A former solicitor advocate, Sean appreciates the needs and demands of solicitors from his first-hand experience. He understands the importance of early contact in order to establish a strong working relationship, and has excellent practical knowledge of all stages of a case. Sean is instructed in cases nationwide, and is happy to travel to where he is needed.

Sean has experience of the full range of criminal matters including:

- Fraud
- Money laundering
- Human trafficking
- Sexual offences
- Murder and manslaughter
- Drug conspiracies and importations
- Armed robbery, kidnap and all levels of serious assault
- Health and safety

Sean has particular experience dealing with all types of serious sexual offences including historic abuse and offences involving vulnerable witnesses. He has extensive expertise in the field of complex fraud and regularly undertakes lengthy trials in this area. He was sole junior in the largest cheque fraud investigation case in the UK. As a consequence of his work in this area, Sean has sound knowledge of POCA proceedings.

He has vast experience defending health and safety prosecutions involving deaths or accidents in the workplace and other breaches of

regulations.

Sean also has experience of defending in high profile Environment Agency prosecutions involving water pollution, waste transfer sites and permit cases. He has also defended Food Standards Agency cases on behalf of restaurants and fast food outlets and cases involving death at work brought by Health and Safety Executive.

He is recognised nationally for defence work against the RSPCA and Dangerous Dog cases up to High Court level.

Sean also has significant experience of liquor licensing matters.

He has experience of road traffic matters, not only of exceptional hardship and special reasons cases but also appearing in front of the traffic commissioner due to his knowledge of the road haulage industry, having previously held a HGV licence.

In 2018, Sean was one of the speakers at our annual flagship Local Government and Social Housing Seminar. His talk covered disclosure in criminal proceedings, and tactics therein.

Cases

R v AA - As a solicitor dealt with the case of R v AA. This was a fraud of over £100 million where an unregistered broker was securing finance for projects which did not exist.

R v JJ - a fraud case involving over £5million over a 3 year period. The defendant was mis-selling an investment scheme to professionals on the basis of investment in property abroad.

Additionally, he is instructed in another matter where he represents a former solicitor (who instructed Sean having researched his background) who is charged with the same charges under the Companies Act as Mr Kennedy. Given the strength of his CV both as a Barrister and Solicitor, Sean continues to be instructed in large company frauds.

Sean is also instructed in an 18 defendant case involving the fraudulent conduct of a business involving 5000 victims and total loss calculated to be between £30 -40 million pounds.

Sean's experience both as a Barrister and Solicitor are why he has been instructed in this case and his expertise and reputation is spreading everywhere.

R v H - Acquittal in armed robbery case. Knife point robbery in the complainant's home.

R v S - Client was cleared of 12 charges of rape and other sexual offences against his half sisters when they were younger.

R v A - Forgery case involving a will and required expert evidence of handwriting.

R v S - Possession of firearms with intent to cause fear in a city centre

R v R - Case involving sexual allegations by a religious instructor against those within his charge

R v W - Conspiracy case involving the supply production of Class A and Class B drugs. Large-scale operation involving many defendants who were producing drugs to supply throughout the North Yorkshire area.

R v K - Drugs case involving the purchase of machinery and appropriate chemicals by chemistry students who are able to manufacture and produce their own illicit psycho active substances. This involved an understanding of the chemical production process and the relatively new area of psycho active substances and their legality.

R v C - Historic sex case involving a parish priest against altarboys over a period of time when the Pope and the defendant was in charge of said altarboys.

R v B - This was a case of a number of sexual allegations spanning a substantial period of years involving grooming.

R v H - Case involving child cruelty. Represented the defendant with substantial emphasis on the medical evidence available submitted by the crown. Was involved in securing own expert assistance to evaluate the allegations against the defendant to properly advise thereafter.

R v AE - 9 week fraud trial in Bristol CC. Defendant was charged arising out of an investor fraud scheme. The Defendant claimed he had a new scientific procedure which produced large amounts of bio-gas and that he needed massive investment to build a commercial scale bio-reactor. He sold shares in his company via FCA regulated investment brokers before police investigated the case and brought charges. Cross examination was required of financial and Intellectual Property experts as well as sophisticated high net worth investors.

R v TW - Defended one of two Prison Officers alleged to have seriously assaulted a prisoner. The incident was partially captured on CCTV. Various prisoners and indeed other Prison Officers gave evidence against the defendants. The complexities in the case involved becoming familiar with Home Office approved restraint techniques and consideration of a vast amount of internal prison reports/memos and statements concerning the incident. An understanding of Prison procedures in response to various states of alert was also required.

R v E - Acquittal of LGBT individual who was accused of raping another individual within the LGBT community.

R v H - Evading duty on the importation of cigarettes and tobacco to the value of over £3million. Junior Counsel alone.

R v R - Acquiring/transferring criminal property (money laundering) to value of 1.6million. Represented the lead defendant in a multi handed case.

R v K - Conspiracy to defraud \$1.1million. This was a private prosecution brought by a Kazakhstan national and involved companies and accounts around the world ending up in Hong Kong and be effectively stolen from there. It involved witnesses from around Russia and Kazakhstan including high level officials of various insurance companies. It was described a highly sophisticated fraud involving cross border activities. Many legal issues were raised including jurisdiction/applications to stay/disclosure re private prosecution etc etc.

R v S - Junior. Multiple rape/false imprisonment Hungarian human trafficking/sex worker case

R v M - Led junior. Rape and murder of 18 month old child

R v B – Junior. Money laundering over 500k

R v N – Junior. Cheque fraud

R v W – Junior. Armed robbery

R v D – Importation of class A drugs from Holland

Recommendations

“A top level performer.”

The Legal 500 2022

“His strength is his ability to communicate with people at whatever level, putting them at ease and generating instant trust.”

The Legal 500 2021

“Calm, measured, and highly intelligent.”

The Legal 500 2020

“Sean always gets the best outcomes for my clients.”

“The client could not have asked for better judgment on the case. Sean went out of his way for the client, and his calm manner really helped put him at ease.”

A member of the judiciary recently praised Sean for his “outstanding advocacy” and “hard work” during a case.