



## Alisdair Smith

Expertise in criminal cases, particularly in respect of allegations of serious sexual offences.

**YEAR OF CALL 1981**

### Education

LLB(Hons) – UCL

### Appointments

South Eastern Circuit, CBA Grade 4 (including Rape and Serious Sexual Offences) Approved Counsel to the CPS – London and South Eastern Circuit

### Overview of Practice

Alisdair Smith is a highly experienced advocate in all areas of crime especially serious sexual offences (including multi-complainant cases), murder and serious violence, serious drug offences, money laundering, proceeds of crime and fraud including as leading junior counsel and in multi-defendant cases. He has been involved in many cases involving vulnerable adults and children both prosecuting and defending. He has extensive experience relating to obtaining and considering third party disclosure and issues relating to public interest immunity both in sexual offences and other serious crime.

Alisdair's work has included defending in large scale drug dealing/importation and fraud both as leading junior and junior counsel. He has appeared regularly for the prosecution against leading counsel.

Alisdair regularly advises on charging decisions in allegations of serious sexual offending. He also conducts local authority prosecutions in regulatory fields and as well as appellate proceedings.

### Practice Areas

#### **Criminal Defence and Prosecution**

- **Fraud & Financial Regulation**

Alisdair has conducted fraud cases both for the prosecution and defence.

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- [Asset Recovery, Restraint and Confiscation](#)

Alisdair has represented the Prosecution and Defence in significant confiscation cases, including for outside authorities including the Department for Business Innovation and Skills and local authorities. He is experienced in dealing with confiscation proceedings out of regulatory prosecutions.

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- [Business Regulation](#)

Alisdair has dealt with local authority prosecutions dealing with business regulation and has defended in cases involving infringement of pesticide regulations

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## [Notable/Recent Cases](#)

- [View All](#)

*R v G* (x 3) (May 2017) – False imprisonment within the family over issue of forced marriage. Complainant “hostile” to prosecution.

*R v LMF* (March 2017) – Sexual assault and voyeurism by Police Officer on a woman befriended on dating web site.

*R v MD* (February 2017) – Historic sexual abuse of sister by, then, teenage boy – issue of whether the prosecution should be stayed in the light of MD’s caution at the time of the offences.

*R v RB* (December 2016) – Historic child sexual abuse of daughter dating back to the 1970’s.

*R v DT* (November 2016) – Allegations of sexual assaults on a teenage boy. Issues over the admissibility of previous acquittal.

*R v ZD* – Threats by young man to psychiatrists that he was going to carry out a massacre of school children. Significant history of planning and issues as to whether the psychiatrists “consented” to the threats being made.

*R v AO* – Further trial for historic sexual abuse of his child family member (see also April 12).

*R v CN* – Multiple complainant historic child abuse by care worker in local authority children’s homes.

*R v CM* (June 2016) – Historic child sexual abuse, some offences allegedly happening abroad, one, now, adult complainant living in America. Issues as to evidence obtained in USA.

*R v PD* (May 2016) – Further case of historic child abuse against defendant care worker in a local authority children’s home in the early 1980’s (June 15).

*R v IH* (April 2016) – Cruelty by mother deliberately burning her young children.

*R v JC* (November 2015) – Rape of air stewardess by 65 year old businessman who laced her drink with “MDMA”.

*R v TR* (November 2015) – Historic sexual abuse of daughter by Detective Chief Superintendent of Regional Crime Squad.

*R v BS* (August 2015) – Historic and recent child sexual abuse within the family with significant bad character issues arising out of earlier failures to prosecute. One particularly young and vulnerable complainant.

*R v PD* (June 2015) – Historic child sexual abuse in local authority children’s home by care worker in the 1970’s with significant bad character issues from previous trial in the 1990’s.

*R v SK* – Multiple complaint historic sexual allegations in Sri Lankan family.

*R v LA* (April 2015) – Theft and Fraud by Care Worker against vulnerable adults with autism, proved by reference to individual accounting records, as all lacked financial capacity.

*R v KG and Ors.* (January 2015) – Kidnap, False Imprisonment, s18 and firearms.

*R v RC* (December 2014) – Theft and money laundering by solicitor.

*R v SM* (November 2014) – Allegations of sexual abuse against foster child by foster parent against background of dispute between foster parents and natural mother of children. Very vulnerable complainant.

*R v AS* (June 2014) – Money Laundering and Fraud.

*R v RG* – S. 18 (May 2014) – Biting ear of Police Officer.

*R v DK* (March 2013) – Historic sexual abuse going back to the 1970's.

*R v B O'S* (January 2013) – Fraud and Perverting the Course of Justice arising from forged documents submitted in the course of confiscation proceedings, subsequently contested confiscation proceedings and appeal to the Court of Appeal seeking leave to call fresh evidence.

*R v AW* (January 2013) – Allegation of racially aggravated assault on a nurse by mother of very elderly parent suffering from dementia against leading counsel for the defendant.

*R v JJ* (July 2012) – Solicitor in possession of indecent images of children.

*R v EW & DW* (July 2012) – Historic family child sexual abuse involving issues of abuse of process relating to the age of the Defendants at the time of the offence and whether or not they could rely on “doli incapax”.

*R v AO* (April 2012) – Multiple complainant sexual abuse

within the home (see also September 2017).

*R v CG* (January) – Multiple complainant child sexual abuse amongst Colombian community in London.

*R v PB* (November 2011) – Defendant accused of blinding domestic partner and then on subsequent occasions raping her in a relationship with long history of domestic violence. Extremely vulnerable complainant.

*R v LC* (September 2011) – Single punch manslaughter.

*R v SI & Ors* (May 2011) – Multiple Defendant “smash and grab” raid foiled by “Supergran”.

*R v PT* (April 2011) – Multiple victim historic rape and sexual abuse.

*R v SP* (March 2011) – Multiple allegations of arson – Prosecution counsel. “Abuse of Process” issues relating to Judge stopping earlier trial because of allegations of incompetence by earlier counsel. Defended by Leading Counsel at trial and in Court of Appeal.

*R v SJ* (January 2011) – Junior prosecution counsel in domestic murder.

*R v CP* (December 2010) – Rape – issues over admissibility of multiple previous acquittals for serious sexual offences.

*R v PM* (December 2010) – Historic sexual offences against very young child involving issue of admission of previous acquittal.

*R v HC* (March 10) – Leading junior counsel in prosecution of foster father for multi victim historic and current sexual and physical assaults (including rape of 5 year old) where the social services involvement was subject to Serious Case Review.

*R v L & Ors* – Complex multi-defendant historic family sexual abuse case (as leading junior for the defence).

*R v M* – Defence counsel in fraud arising from breach of pesticide regulations.

*R v MT* – First prosecution of domestic trafficking for exploitation.

*R v O'N* – Prosecution of mother for attempting to poison infant children.

*R v A & Ors* – Junior prosecution counsel in five defendant murder.

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