

Kevin Dent

YEAR OF CALL: 1991



Kevin has built up a wealth of experience over 20 years and is a heavy weight in cases involving fraud, business crime and serious crime. Kevin also has extensive expertise in Regulatory and Professional Discipline cases.

Overview

Kevin has built up a wealth of experience over 20 years in fraud and serious crime and is often instructed as leading counsel. The core of Kevin's practice is fraud, revenue evasion, money laundering, and healthcare frauds. Kevin is often instructed in multi-million-pound fraud cases involving large volumes of complex material calling upon Kevin's keen eye for detail.

In addition to criminal fraud, Kevin is also instructed in civil VAT Tribunal cases concerning MTIC evasion of VAT.

Kevin has an established practice within the field of professional regulation and discipline, with a particular emphasis on cases involving probity concerns and fraud. In these Kevin draws upon considerable experience in acting in criminal cases concerning medical professionals.

Kevin is a committed advocate who relishes complex and tough cases and those where cross-examination may be critical to the outcome.

Additional information

Direct Public Access

Kevin accepts Direct Public Access instructions.

Professional Panel Appointments

Appointed to the 'A' Panel of Serious Fraud Office (SFO) advocates.

Level 4 advocate on the Crown Prosecution Service (CPS) Unified Prosecution List.

Level 4 advocate on the CPS specialist Central Fraud Group Panel.

Level 4 advocate on the CPS specialist Counter-Terrorism panel.

Level 4 advocate on the CPS serious crime group panel.

Kevin is experienced in all aspects of asset recovery and is a Level 4 advocate on the specialist Proceeds of Crime Panel.

Appointed to Band 'C' (10 years call and above) on the General Dental Council's (GDC) panel of advocates.

Professional Memberships

Fraud Lawyers Association.

Association of Regulatory & Disciplinary Lawyers'.

Asset Recovery, Civil Fraud & Confiscation

Kevin's fraud casework invariably demands expertise in all aspects of asset recovery. Kevin has been instructed in complex contested confiscation cases, including those involving assumptions, hidden assets, and multiple jurisdictions. He has obtained orders up to £600,000 and has extensive experience in both CJA 1988 and POCA 2002 cases.

Kevin considers asset recovery to be an inherent part of the overall case strategy and has considerable experience in the Administrative Court; drafting and applying for restraint orders, hearings to decide the interests of third parties, certificates of inadequacy, intervening in ancillary relief proceedings, appointing receivers, and applying for orders of sale. Kevin has experience of contested cash forfeiture proceedings, including appeal hearings in the Crown Court.

Business Crime

Medical professionals

Kevin's practice has a particular focus on frauds concerning medical professionals and has been instructed as leading counsel case in cases concerning fraudulent claiming by dentists, and as leading counsel in respect of a GP for claims made under the QOF scheme of bonuses for doctors. Other cases have concerned midwifery and optometry. Consequently, Kevin has considerable experience in adducing expert medical-legal evidence, analysing patient records, liaising with parallel regulatory proceedings, understanding NHS regulations and dealing with patient confidentiality issues.

Business Crime:

Kevin is admitted to Panel A of the Serious Fraud Office (SFO) list of advocate and appointed to the Central Fraud Group specialist Fraud Panel at Level 4. Kevin regularly receives instructions in relation to serious fraud. He enjoys the challenge of grappling with the financial details in order to provide clear strategic case management advice, and in explaining complex cases to juries in simple but powerful

terms.

Through this work Kevin is experienced in analysing audit trails, dealing with computer security issues, and understanding the systemic weaknesses within companies that can undermine cases.

Money Laundering

Kevin enjoys a heavy practice in money laundering cases involving up to £14 million of criminal property.

Corruption and Procurement

Kevin has a strong interest in corruption and bribery cases and was instructed as leading counsel in a case alleging a corrupt disposition of land to a developer, and as leading counsel in a £600,000 procurement fraud. He has provided private pre-charge advice to individuals under investigation for procurement fraud.

Crime

Kevin is a Level 4 prosecutor on the general CPS Unified Prosecution list of advocates, reflecting his ability and experience both prosecuting and defending across a breadth of areas.

Importations of Drugs

Kevin has many years' experience in cases concerning large-scale importations of drugs; including cases involving £13 million's worth of ecstasy tablets and £2 million's worth of heroin.

Through both of these areas of work, Kevin has considerable experience in:

Evidence obtained from other jurisdictions.

Mass-spectrometry.

Cell-site analysis.

ANPR evidence.

Covert surveillance and RIPA.

Refrigeration devices.

Tachographs and Satnav devices.

Schedules of events, telephone attribution, and I2 charts.

Multi-handed cases.

Conspiracies, both statutory and under common law.

Kevin has also considerable experience in other areas including;

Offences against children: He is versed in calling child witnesses through video link and liaising with intermediaries and social services. Kevin has been instructed in a number of child cruelty cases. He is also familiar with the protocols involved in indecent-image cases.

Driving including Death by Dangerous: He is familiar with collision reconstruction reports, calculations of speed, and toxicology.

Professional Discipline & Regulatory

Kevin has an established practice within the field of professional discipline and regulatory. He has a particular emphasis on cases involving probity and fraud. In these Kevin draws upon considerable experience in acting in criminal cases concerning medical professionals.

Kevin has a wide variety of experience in the field of regulation of medical professionals, including cases involving:

Multiple patients;

Serious allegations of misconduct where erasure from registration is a real possibility;

Fraud and probity;

Cases where a patient has subsequently died with the resulting complexity arising from the death;

Reviews of decisions to refer to professional conduct committees;

Disputed hearsay applications where key witnesses are absent;

Interim hearings, full and resumed hearings.

Kevin is appointed to the General Dental Council's (GDC) panel of advocates and has considerable experience in dental cases.

Kevin relies upon meticulous attention to detail and draws upon his considerable experience as an advocate in the field of healthcare fraud in criminal cases. For instance, Kevin is well versed with the kind of issues that arise for GPs from QOF and dentists from NHS claiming regulations.

As a barrister with extensive experience in criminal law, Kevin places a high premium on advocacy and has considerable experience of cross-examining medical professionals. Notwithstanding a calm and positive manner in hearings, Kevin has a particular reputation for relentless and extensive cross-examination as and when required.

Kevin has presented seminars on matters such as:

Fraud in the context of professional regulation;

Sanctions in cases of serious dishonesty;

Abuse of process in regulatory cases;

Dental fraud within the field of professional regulation;

The 'dishonesty test' within the context of professional regulation.

Cases of Note

Recent on-going criminal cases:

Recent or on-going criminal cases include a boiler room fraud targeting investors in coloured diamonds, a 13-handed vishing/courier fraud, two dental frauds concerning claims to the NHS (£500,000 and £800,000 alleged), a £1.8million money laundering, an 8-handed alcohol smuggling involving evasion of £2 million in duty, and a £200,000 fraud by a cashier within an NHS hospital.

Recent fraud cases

Cases in recent years have included; a fraud between employees in a computer games and PR companies, a fraud within a Housing Association, a £1.6 million investment scam in Cyprus, as well as a number of large-scale excise frauds.

Operation Easton (2013)

Currently instructed to prosecute 8 defendants charged with conspiracy to make false representation in respect of prolific 'courier' frauds involving the targeting of the elderly and vulnerable, persuading victims to part with bank cards by pretending to be from the fraud department of their banks. These cases concern over 400 instances of the fraud and losses of over £500,000 to victims.

R v M & A (2012)

Instructed as leading counsel in a 6-week NHS dental fraud trial where dentists had fraudulently claimed Units of Dental Activity for private work in order to avoid monies being clawed-back for under-achievement of the contracted target. The evidence concerned areas of expertise including; the system for claiming, varieties of dental restorations, demarcations between NHS and private dentistry, relaxation of rules concerning the mixing of private and NHS work, orthodontics, and professional codes governing dentistry.

R v K and others (2012)

Successfully prosecuted a 7-handed case of fraud on a Housing Association, involving diverting fraudulent compensation claims into the bank accounts of accomplices. The 4-week trial involved cross-examining a defence witness in Uganda via live-link about the details of the various transactions in order to expose a false 'confession' which potentially exonerated all of the defendants.

R v G and others (2011)

Instructed as leading counsel in a 5-week multiple identity Housing Benefit fraud case brought by a Local Authority. The trial led to a landmark ruling by the Court of Appeal concerning the trial judge's decision to bring in verdicts under S.46 of the CJA 2003 after the jury had been discharged following jury tampering.

R v S and others (2012)

Instructed by the Central Fraud Group in a 7-handed cigarette smuggling case involving loss to the Revenue of over £1.2 million.

R v A and others (2012)

Instructed in a 4-week cigarette smuggling trial involving 13 million cigarettes and evasion of

£2.8 million in Revenue.

R v B and others (2011)

Instructed as leading counsel in a case brought by NHS Protect alleging that contracts worth £600,000 had been procured to a firm of contractors on a corrupt basis.

R v N and others (2010)

Acted as leading counsel in a 5-handed case concerning £230,000's worth of benefits fraudulently obtained by members of a family of travellers.

R v G and G (2010)

Prosecution counsel in a CPS case alleging tax fraud by an HMRC employee.

R v P (2010)

Instructed in a £1.6 million property-investment fraud where the defendant targeted friends and family for investment in non-existent properties in Cyprus.

R v G (2009)

Acted as leading counsel in a 12-week trial in a NHS Protect prosecution alleging that a GP had fraudulently obtained bonuses under the Quality and Outcomes Framework, and had falsified patient records. This was the first prosecution brought in respect of QOF.

R v M (2009)

Instructed in an importation of a £13million consignment of ecstasy, said to be the largest ever single haul.

R v D and others (2008)

Instructed as leading counsel in a 7-handed identity fraud and benefit fraud brought by the DWP focusing on members of a Chinese community.

R v B (2008)

Prosecution counsel in a joint DWP/RCPO investigation into multiple identity fraud concerning

HMRC tax credits and DWP maternity grants.

R v P and H (2008)

Lead counsel in a 5-week 2 handed trial alleging that an NHS Director had corruptly conspired to defraud an NHS Trust in the sale of a derelict hospital site to a favoured developer causing around £6 million in lost profit.

R v O and others (2008)

Lead counsel in a 6-handed 8-week trial brought by the DWP alleging that a number of staff members at Harlesden Jobcentre were creating fictitious benefit claims and fraudulently diverting payments into bank accounts.

R v F (2007)

Prosecution counsel in an NHS case where a student midwife had altered computer records to show her to be of sufficient experience to qualify as a midwife.

R v P (2007)

Fraud involving falsely claiming to be an optometrist in order to make fraudulent claims to the NHS for conducting thousands of eye-tests.

R v L and others (2007)

Instructed as leading counsel in a 5-handed conspiracy to defraud case brought by the DWP in respect of a large-scale giro cheque fraud involving corruption within London sorting offices.

R v T and T (2006)

Instructed as leading counsel in an 8-week 2-handed DWP trial of an ageing rock star and his wife for multiple benefit frauds.

R v S and M (2006)

Prosecution counsel in an importation of £1.3 million's worth of heroin concealed within a horse box. The defendants were sentenced to 16 and 14 years imprisonment.

R v T and others (2005-10)

Counsel in a series of RCPO surveillance-led multiple-handed money laundering cases targeting drugs-related crime.