

# Francesca Levett

YEAR OF CALL: 1997



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## Overview

Francesca is a criminal practitioner who has developed a significant practice in complex fraud, confiscation and regulatory work over the last twenty-one years, whilst maintaining her expertise in cases involving serious sexual, violence and drugs offences. Francesca both defends and prosecutes, and also undertakes work on behalf of a number of local authorities in pursuing the

more complex regulatory prosecutions.

## *Other Information*

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### **Direct Public Access**

Francesca accepts Direct Public Access instructions.

## *Professional Panel Appointments*

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Grade 3 appointed advocate on the Crown Prosecution Service (CPS) Unified Prosecution List.

Appointed to the rape panel of approved CPS advocates.

Appointed to the Specialist lists for Fraud (Grade 3) and POCA (Grade 2).

Band C (10 years' call and above) appointed advocate for the General Dental Council (GDC).

## *Professional Memberships*

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Criminal Bar Association.

Proceeds of Crime Lawyers Association.

## *Asset Recovery, Civil Fraud & Confiscation*

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Francesca has undertaken a considerable amount of forfeiture and confiscation work for the defence and the prosecution. She has assisted local authorities in developing financial investigations and has recently succeeded in achieving the largest confiscation award for a private prosecutor under POCA. Undertaking so many confiscation procedures on behalf of the prosecution has greatly assisted Francesca in offering the best advice to her defence clients, in order to foresee and overcome potential difficulties in a timely fashion, so as to bring about a fair and just conclusion.

## *Business Crime*

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Francesca has been instructed in a number of high profile fraud trials, and has also undertaken a secondment with a leading white-collar criminal firm in London to assist them in the preparation of a complex fraud and kidnap case.

Preliminary legal arguments have been met with success while Francesca has argued alongside leading silks. In one particularly high profile case, Francesca's representations contributed to the staying of all charges whilst the prosecution were publicly condemned for their 'scandalous and contumelious conduct'.

## *Criminal Defence*

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Francesca is instructed to defend and prosecute throughout London and the South East. She has developed a practice that promotes her ability to identify and address complex legal argument, whilst remaining focussed and robust during witness handling.

Francesca takes an active role in effective case management and encourages client conferences throughout the proceedings to maximise prospects of success. She has gained significant experience in lengthy and multi-handed cases, together with appellate work, having been instructed by leading defence solicitors in relation to referrals from the Criminal Cases Review Commission.

Francesca was recently led in a high profile Appeal that seeks to extend the parameters of duress to

overcome the need for an objective 'imminent risk' of death or serious injury for defendants that suffer from battered woman syndrome.

Francesca was also instructed in a complex conspiracy that seeks to link over 60 separate serious offences in a number of counties, by reference to cell-site evidence, DNA, fingerprints, ANPR, satellite navigation coordinates and intercepted letters and dialogue.

Francesca was instructed to represent the first mate of a vessel that collided with another in the Dover strait, resulting in the death of the other vessel's captain and a charge of manslaughter. For the first time in a criminal trial, we used a simulator that reconstructed the incident using the GPS co-ordinates of all vessels within the area, to enable the judge, jury and counsel to experience the accident from the same perspective as the defendant, using specialist equipment in Warsash, Hampshire.

### **Sexual Offences**

Francesca both prosecutes and defends cases involving sexual allegations, from rape to historical abuse, and specialises in breach of trust cases. The emotive nature of such accusations is dealt with sensitively, but robustly, and Francesca is well versed in dealing with child witnesses and young defendants. One of Francesca's most controversial cases involved a 12 year old male defendant who, with one other, was facing serious charges against other children they had held at knifepoint.

## *Criminal Prosecutions*

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# *Cases of Note*

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## **RECENT CASES**

### **GC v R**

Led junior for the Appellant in a CCRC referral that seeks to broaden the defence of duress, so that the immediacy of a threat can be considered on a more subjective footing when dealing with a defendant who is suffering from post traumatic stress disorder, a more specifically, the sub-category of battered woman syndrome. R v SH and DL Conspiracy case that seeks to link over 60 substantive offences by reference to cell-site evidence, DNA, fingerprints, ANPR, satellite navigation coordinates and undercover dialogue.

### **R v JJ (2013)**

Defence counsel in a significant fraud and money laundering case at the Central Criminal Court.

### **R v DK (2013)**

Historical sexual abuse by a grandfather against granddaughters.

### **R v MI & SA (2012-2013)**

Conspiracy to convert proceeds of crime, whereby hundreds of cars were stolen to order, then cloned into former insurance write-offs for profit.

## **OTHER CASES**

### **LBC v Shanahan [2010] EWCA Crim 98**

The applicability of more than one change in circumstances and the effect on entitlement in relation to benefit fraud  
London Borough of Croydon v Pinch a Pound (UK) Ltd [2011] 1 WLR 1189  
Due diligence case relevant to test purchases undertaken by the local authority

### **R v IN, RH and other**

Defending first defendant on a nine-handed mail-dumping fraud that resulted in pleas to reduced charges and a confiscation order representing a fifth of the sum identified as realisable assets.

### **R v MM, SM, GC, and others**

Successful application to stay proceedings in this six handed fraud centring upon fraudulent contracts against the Prudential following persistent non-disclosure on the part of the prosecution

**R v A(G) and others**

Successful application to quash indictment in this mobile phone 'carousel' fraud involving a multi-million pound evasion of VAT following the Bondhouse/Optigen decision.