



Felicia Davy

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Felicia is a skilled and versatile advocate who specialises in serious fraud, business crime and regulatory offences, including cases brought by the SFO, SOCA, FCA and HMRC.

She has considerable experience in dealing with international conspiracies with multi-jurisdictional issues, MTIC frauds, money laundering and insider dealing, and advises on all aspects of confiscation, restraint and POCA proceedings. Felicia has been appointed to a number of specialist panels and is frequently instructed on behalf of a number of specialist government departments and regulatory bodies.

Felicia has appeared before the Divisional and Appellate Courts in a number of key appeals in relation to abuse of process, confiscation and bribery. She has also appeared before regulatory tribunals representing individuals facing disciplinary offences and before the Companies Court on behalf of liquidators in cases where suspected fraudulent conduct and/or breaches of the Insolvency Act are alleged. Felicia also advises individual and corporate clients concerning discrete issues such as directors' disqualification and regulatory compliance.

Felicia's wide range of work has given her experience in a number of areas of:

- Law ranging from the deployment of complex legal argument; abuse of process; the applicability of local and foreign domestic laws; RIPA; autrefois acquit; bad character; PII; LPP; non-disclosure; human rights.
- Forensic and expert evidence including cell site analysis and call data; forensic, footwear tread pattern; DNA; blood distribution and splatter evidence; firearms evidence; CCTV continuity and psychiatric expert evidence.
- Corporate and financial structures including international and multiple off-shore or jurisdictional bank accounts and entities.

She is adept at preparing and presenting cases involving voluminous and complex financial material.

Crime

Felicia prosecutes and defends individual and corporate clients at the highest level, dealing with the most serious and complex criminal cases. She is committed to achieving the best possible outcome in each and every case, providing clear advice on all aspects of case strategy from the outset.

Sexual Offences

As a specialist CPS rape and serious sexual offences advocate, Felicia has significant experience prosecuting and defending the most serious and sensitive sexual cases. These include multi-complainant cases often alleging historic sexual abuse and those involving very young or vulnerable witnesses.

Felicia has undertaken specialist training in the use of intermediaries and is skilled in the handling of vulnerable witnesses of all ages in court.

- **R v Talbot-Bailey (2016)** Prosecuted a 5-child (ages 6-14) complainant case involving allegations of child rape and child cruelty. Case involved extensive use of intermediary.
- **R v Stannard and Stannard (2016)** Junior prosecution counsel in a 6-complainant case involving historic sexual offences and child cruelty dating back to the 50s, 60s and 70s. Case involved use of intermediary.
- **R v Joseph and Joseph (2015)** Junior prosecution counsel in a 9-complainant case involving historic allegations of rape, unlawful sexual intercourse and child cruelty.
- **R v SH (2015-6)** Successfully defended multiple counts of rape, sexual penetration and sexual assault.
- **R v FC (2014-15)** Prosecuted doctor charged with sexually assaulting male patients suffering from erectile dysfunction and related complaints.

Organised Crime

Felicia has extensive experience of cases involving alleged organised crime groups (OCG) in relation to drugs importation and supply; immigration conspiracies on a commercial scale and for the trafficking of females; international money laundering; and conspiracies to steal and to rob. In 2012, she was appointed a Specialist Serious and Organised Crime advocate.

- **R v JI and others (2015-2016)** Successfully defended as leading junior the alleged main protagonist in a complex sham marriage conspiracy concerning Slovakian females trafficked into the UK to marry non-EU males living in the Rochdale area who sought leave to remain.
- **R v Sanchez and others (2015-2016)** (Special Casework prosecution). Defended alleged OCG member of a Manchester drugs gang which supplied Class A drugs across south east England.
- **R v HSM (2008-2012)** (SOCA prosecution). Defence junior in trilogy of cases: conspiracy to import cocaine and heroin; associated money laundering and mortgage fraud.
- **R v M and others (2009-2011)** (SOCA prosecution). Successfully defended complex, multi-

handed money laundering conspiracies involving the theft and subsequent conversion/laundrying of £15m stolen from a German bank by international OCG.

Homicide

Over the past 10 years, Felicia has been instructed to defend or assist in a number of high profile murder cases, frequently involving complex evidential issues. In addition, Felicia is frequently instructed in multi-handed gang-related cases involving cut-throat defences, kidnap, false imprisonment and torture. Significant cases in that period include:

- **R v SO** Successfully defended D charged with stabbing his father in law to death in front of his wife: expert psychiatric evidence on diminished responsibility and loss of control. (Def Jnr)
- **R v Aulakh and others** Husband alleged to have arranged and taken part in his wife's murder. (Def Jnr)
- **R v Bhayani, Kutner, Eastham and others** Murder of a wealthy business woman whose body was dismembered and found in the boot of a lock up in south west London. (Jnr alone)
- **R v Kulkonovs** Cut throat murder involving significant expert forensic issues. (Def Jnr)
- **R v A and others** Successfully defended husband alleged to have killed and set fire to his wife's body. Sole and decisive hearsay evidence excluded. (Def jnr)
- **R v L** Successfully defended D alleged to have bludgeoned his partner to death before setting fire to her body whilst her two children slept upstairs. (Def jnr)
- **R v B** Successfully defended youth charged with murder allegedly by stabbing the deceased twice before seeking to dispose of the knife. (Def jnr).

Road Traffic

Felicia has acted in a number of cases concerning allegations of death by dangerous driving, frequently involving technical expert evidence and difficult tactical decisions.

Slavery & Human Trafficking

- **R v C (2017)** Prosecuted allegations of modern day slavery (servitude and forced labour).
- **R v JI and others (2015-16)** Successful defence as leading junior of alleged main orchestrator of a complex sham marriage conspiracy concerning Slovakian females trafficked into the UK in a mail order type system to marry non-EU males living in the Rochdale area seeking leave to remain.

Fraud, Corruption and Business Crime

Felicia has a wealth of experience both prosecuting and defending cases concerning serious fraud where a mastery of the facts and attention to detail are key. She is adept at preparing and presenting cases involving voluminous and complex financial material; complex corporate structures; multiple off-shore or jurisdictional bank accounts and entities through which alleged fraudulent funds are

passed. Felicia is used to working closely with the entire case team in such cases, providing ongoing advice on all aspects of case presentation and management.

Since 2009 Felicia has been appointed to the SFO's specialist panel of advocates and more recently to the CPS specialist Fraud Panel.

Given the nature of her practice, almost all the cases in which she is instructed involve POCA related issues, including restraint, cash seizure and/or complex confiscation proceedings.

- **R v BP (2017)** Currently instructed in complex VAT and tax fraud arising out of the sale of novel psychoactive substances or "legal highs" involving legal argument on the interpretation of the Money Laundering Regulations 2007 and "high value dealers". (Def Jnr)
- **R v J and others (2013-2015)** (SFO Pros. Jnr) Multi-handed conspiracy to make corrupt payments to Nigerian Tax officials on behalf of multinational company providing manpower to the gas/oil industry worldwide. Appeal on a point of law (meaning of corruptly for the purpose of s.1 Prevention of Corruption Act 1906) [2014] 1 Cr App R 21.
- **R v SD and others (2012-2014)** (Operation Savate): Successful defence in one of the largest CIS/construction VAT frauds. (Def Jnr).
- **R v JM and others (2012)** Successfully defended complex allegations of insider dealing/money laundering brought by the FCA: legal argument as to jurisdictional ambit of insider dealing legislation. (Jnr alone prosecuted by QC/Jnr)
- **R v MKN and others (2011-2012)** (Operation Inertia) – Defence junior in one of the largest HMRC VAT/MTIC frauds with alleged loss to the Revenue of over £120m.
- **R v Bajwa and others (2011)** Guideline confiscation case as to the interpretation of the lifestyle provisions under POCA. Successful appeal to CACD resulting in multi-million pound confiscation order being quashed: [2011] EWCA Crim 1093 (Def Jnr).

Professional Disciplinary & Regulatory

Felicia has considerable experience across a broad range of regulatory tribunals including the Police Disciplinary Tribunal, Nursing and Midwifery Council (3 month secondment), General Medical Council, Bar Standards Board, FCA Regulatory and Disciplinary Committee, Disclosure and Barring Service (Upper Tribunal, Administrative Appeals Chambers) and First Tier Tax Tribunal. She is frequently instructed to advise regulated individuals and corporate clients in respect of pending investigations and/or proceedings in which parallel regulatory and criminal proceedings may be brought (e.g. parallel disciplinary/criminal offences and, in the context of FCA investigations, potential FSMA offences, Insider Dealing, other FCA regulatory breaches and civil settlements).

- **NMC v AS (2014)** Successfully defended Registrant charged with misconduct (allegedly assaulted elderly, vulnerable patient suffering with advanced Alzheimer's disease and forcefully administering medication to patient whilst not under her care).

- **DPS v DI B (2013)** Successfully defended senior police officer charged with gross misconduct following IPCC led re-investigation into officer's handling of a criminal investigation of six TSG officers charged with assault and misconduct in public office following which all were acquitted in a high profile crown court trial.
- **Re PC RW and others (2012)** Successfully defended officer charged with gross misconduct. Police disciplinary proceedings brought following ACC led investigation. Involved significant legal arguments as to abuse of process, non-disclosure and admissibility of evidence.

Other Specialisms

Local Authority Enforcement

Felicia is frequently instructed for and against local authorities across the full range of criminal and regulatory breaches, e.g. health and safety offences/breaches; food safety/hygiene (including a number of high profile prosecutions e.g. Starbucks; TGI Fridays); licensing, trading standards; planning enforcement; Environmental Act offences and civil breaches; Education Act offences; injunctions to prevent nuisance and annoyance (including the first 'dog' IPNA (formerly ASBO)); housing and council tax benefit fraud; homeless housing fraud; resulting applications under the Proceeds of Crime Act 2002.

- **R v Dewgate Limited and others (2013)** Advised RB Greenwich and successfully prosecuted Higher Education College and company providing work placement training for breaching the Control of Asbestos Regulations and offences under the Health and Safety at Work Act 1974.
- **Operation Bronze (2012-13)** Advised local authority case team (investigators, lawyers and senior management) pre and post charge in multiple cases concerning the fraudulent obtaining of homeless accommodation and the alleged misconduct in public office by council employees complicit in the frauds requiring a review of the internal systems and controls.

Education

LLB (Law with German)

BVC

Memberships

Criminal Bar Association

South Eastern Circuit

Association of Regulatory & Disciplinary Lawyers (ARDL)

Health and Safety Lawyers' Association (HSLA)

Middle Temple

Awards

Diplock Scholar, Middle Temple

Blackstone Entrance Exhibitioner, Middle Temple