

Felicity Gerry

Called 1994

Murder and manslaughter

Felicity Gerry has been instructed to appear alone in several cases of Attempted Murder. She is a forthright advocate able to deal with advocacy in the most serious of cases. She has also been led in a number of complex murder cases including 2 double murders. Her experience in murder cases has included the following:

International Extradition

Disclosure of sensitive material

Foreign confession evidence to police and civilians

Bad character applications including against a co-defendant and against a deceased

Complex medical evidence in relation to “shaken babies”

Psychiatric and psychological evidence on the issues of diminished responsibility, provocation and intoxication

Expert evidence as to pathology, blood spatter analysis, firearms examination, scene preservation and enhanced CCTV footage

Her instructions in attempted murder have tended to arise out of long term domestic violence often involving issues of propensity, compellability and reluctant and absent witnesses

PUBLICATIONS

Joint editor and contributor to “The Law of Corporate Manslaughter” due for publication in 2010 by Wildy, Simmonds and Hill Publishing

Recorded podcast in 2009 for CPDCast.com “Expert evidence in criminal proceedings” [insert link]

NOTABLE CASES

R v Roy Warrington and others 2008

Instructed by ManderCruckshank Solicitors, Coalville

Defence in a joint enterprise murder involving issues of diminished responsibility and the interrelationship with intoxication following the decision in R v Clive Wood (2009) 1 WLR 496. In this case there was also a wealth of expert evidence in relation to the pathology and blood spatter analysis which went to the issues of individual participation. Felicity also dealt with a defence application for the disclosure of confidential medical records of a co-defendant which was made and determined and a bad character application against a co-defendant which raised issues of the interrelationship between s101 and s104 CJA 2003 which was successful

R v Craig Redhead 2008

Instructed by Black and Co Solicitors, Hinckley

Defence in a murder of a 12 week old baby involving issues of causation with complex and disputed medical evidence as to intracranial bleeding, retinal haemorrhaging and multiple bodily fractures where there was evidence of old subdural and spinal haematoma consistent with several days to weeks duration and with it areas of recent brain bleeding, recent ischemia, at least 2 spots of old ischemia, traumatic damage of the axons of more than 48 hours duration and evidence of “respirator” brain. There was also a history of drug use by the defendants and other potential medical complications arising from parental conduct. The defendant made assertions as to the care of the child by the co-defendant raising issues not just as to causation but also bad character

R v Richard Gannon 2007

Instructed by CPS Northampton

Led by Frances Oldham QC

Prosecution of a stabbing involving psychiatric evidence in relation to the defendant's mental disorder arising from anxiety and depression, bad character of the deceased, self defence and defence of another.

R v Dudley (Leayen Davi) 2006 2 Cr App R (s)77

Instructed by CPS Leicester

Led in the trial by Michael Pert QC (now HHJ Pert QC) and in the retrial and the Court of Appeal by Frances Oldham QC

Involuntary manslaughter.

50 mile police pursuit resulting in the death of 2 police officers involving reconstruction evidence and issues of transferred malice

R v Osran Samuel [2005] EWCA Crim 704

Instructed by CPS Leicester

Led in the trial by Michael Pert QC (now HHJ Pert QC) and in the Court of Appeal by Frances Oldham QC

Prosecution of a gang related murder by shooting involving international extradition, abuse of process, admissibility of foreign confession said to have been obtained by oppression, disclosure of sensitive material and admissibility of hearsay evidence

Terrorism and domestic extremism

In 2009 Felicity Gerry prosecuted Operation Investor, a substantial investigation which involved a series of offences against a Lincolnshire farmer designed to interfere with an animal research contract. The Operation was investigated, in part, by the National Domestic Extremism Team and involved the following issues:

Statutory interpretation on the scope of section 145 Serious Organised Crime and Police Act 2005

Image Analysis
Low Copy Number DNA evidence
Telephone traffic and cell site analysis
Hex Dump analysis of mobile telephones
High Tech IT evidence in relation to computer analysis and recovery of shredding software
Fingerprint evidence
Legality of a search
Disclosure
Special measures and anonymity

Felicity has also defended in substantial cases of international conspiracy to import illegal immigrants and people trafficking which, whilst not terrorism charges are investigated in the same way and by the same police teams

PUBLICATIONS

Recorded podcast in 2009 for CPDCast.com “Expert evidence in criminal proceedings” [insert link]

NOTABLE CASES

R v Lewis Pogson (Part of Operation Investor) 2010 **Instructed by CPS Lincoln**

Prosecution of a circumstantial evidence case involving blackmail, theft and damage running into 6 figures where the defendant raised alibi which was rebutted by image analysis, telephone and computer evidence as well as evidence of the defendant’s bad character and association with SHAC, an organisation dedicated to interfering with an animal research organisation known as Huntingdon Life Sciences

R v Steel and others 2009 (Part of Operation Investor) **Instructed by CPS Lincoln**

Prosecution of the first tort based SOCA offence arising out of a multi-handed conspiracy to trespass with the intention of interfering with a contract with an animal research organisation where the complainant was granted special measures and a publicity restriction to protect his identity

R v Victoria Waterhouse Taylor 2009
Instructed by CPS Lincoln

3 week trial of a defendant linked to Steel and others (above) where image analysis led to an admission of presence. Evidence included website captures which could be linked to telephones recovered during the course of the enquiry. Felicity was instructed at an early stage, held several useful and lengthy conferences before trial and managed vast quantities of used and unused material

R v Munaf Surti 2007

Instructed as leading counsel by ZMS Solicitors, Leicester

Leading the Defence in Operation Coptine, an 8 week trial where the Defendant was alleged to have taken part in an international conspiracy to facilitate illegal immigration involving issues of admissibility of hearsay overseas evidence from a co-conspirator being tried separately in South Africa and corruption in the South African Passport office. Case involved over 32,000 pages of evidence (for more details see Felicity's experience of financial crime)

R v Benjamin 2006

Instructed by Emery Johnson Solicitors, Leicester

Defence of a woman for people trafficking by forcing eastern European women in to prostitution requiring extensive cross examination through both Lithuanian and Albanian interpreters

Causing death by driving

Felicity Gerry has been instructed in a number of cases of death by driving on behalf of the prosecution and the defence. She is sensitive to the needs of families involved in these often highly emotional cases but at the same time has an understanding of, and an ability to present complex collision investigation evidence and is experienced in cross examining experts such as IT consultants dealing with programming of vehicles,

sequence of traffic lights and content of motorway gantries.

PUBLICATIONS

Recorded podcast in 2009 for CPDCast.com “Expert evidence in criminal proceedings” [insert link]

NOTABLE CASES

R v James Hammond 2009

Instructed by Moss Solicitors, Loughborough

Defence of a teenager for death of a friend by dangerous driving where there were issues of abuse of process arising from adverse publicity on a condolence website. The defendant was alleged to have deliberately run a red light. Expert evidence produced by the defence led the prosecution expert to agree that for some period of time at the junction in question, traffic lights in all directions would be on amber at the same time.

R v Shafiq Member 2006

Instructed by CPS Leicester

Prosecution of a youth for death by dangerous driving by running a red light where the deceased, a cyclist, was dragged beneath the vehicle for several metres. As is common in these types of cases, the issue was the difference between dangerous and careless driving

R v Dudley (Leayen Davi) 2006 2 Cr App R (s)77

Instructed by CPS Leicester

Led in the trial by Michael Pert QC (now HHJ Pert QC) and in the retrial and the Court of Appeal by Frances Oldham QC

Involuntary manslaughter by driving.

50 mile police pursuit resulting in the death of 2 police officers involving reconstruction evidence and issues of transferred malice

Violence and public disorder

Felicity Gerry has appeared in numerous cases involving violence and public disorder.

These have encompassed:

- **Causing grievous Bodily Harm with intent**
- **Armed Robbery**
- **Gang related punishment rapes, beatings and torture**
- **Racially Aggravated Football Violence**

Felicity is therefore experienced in dealing with:

- **Medical evidence as to causation of injury**
- **DNA and blood spatter evidence**
- **Multi defendant cases**
- **Facial mapping , CCTV recordings and other evidence of identification**

PUBLICATIONS

Recorded podcast in 2009 for CPDcast.com “Expert evidence in criminal proceedings” [insert link]

NOTABLE CASES

R v Amin Ali 2009

Instructed by CPS Leicester

Prosecution of brutal hammer attack by man assessed as a danger to women. Victim

taken from Leicester to Birmingham and held for hours whilst being beaten with fists, feet and weapons. Expert evidence included blood spatter analysis and pathological evidence as to causation.

[add

link

www.thisisleicestershire.co.uk/news/Man-hammer-attack-partner]

R v Eric Oware 2009

Instructed by ZMS Solicitors, Leicester

Defence of a series of armed robberies of commercial premises involving issues of facial mapping and cell site analysis

R v Neil Bohonis 2008

Instructed by Copleys Solicitors, Huntingdon

Defence of a glassing in a public house involving psychiatric evidence as to the ability of the defendant to form the requisite intent due to anxiety, depression and intoxication

R v Anthony Jems Wilson and 3 others 2003

Instructed by CPS Leicester

Prosecution of 4 defendants for rape and torture of a prostitute who was taken from the street to a flat and subjected to anal penetration and serious violence using pliers and a drill as a punishment for non-payment of a debt .

R v Norman 2002

Instructed by ManderCruickshank Solicitors, Coalville

Racially aggravated conspiracy to commit violent disorder arising out of a clash between rival football teams involving complex telephone traffic evidence. Defendant acquitted despite having chosen not to give evidence

Domestic Violence

Felicity has a long history of appearing in cases involving domestic violence and other allegations made within the home between spouses. This has necessitated an understanding of the following legal and factual issues:

Special measures for witnesses

Compellability of witnesses

Child witness evidence

Delayed complaint and other hearsay evidence

Bad character arising from a long term violent relationship

Disclosure in family and criminal proceedings

PUBLICATIONS

Recorded podcast in 2009 for CPDCast.com “Disclosure in family and criminal proceedings” [insert link]

NOTABLE CASES

R v Amin Ali 2009

Instructed by CPS Leicester

Prosecution of brutal hammer attack by man assessed as a danger to women. Victim taken from Leicester to Birmingham and held for hours whilst being beaten with fists, feet and weapons. Expert evidence included blood spatter analysis and pathological evidence as to causation.

[add

link

www.thisisleicestershire.co.uk/news/Man-hammer-attack-partner]

R v Nicholas Hemmersley 2008

Instructed by Black and Co Solicitors, Hinckley

Defence of a husband for affray and possessing an imitation firearm with intent to cause fear of violence arising out of a domestic incident where the defendant’s wife

and teenage children had hidden in a cupboard when he armed himself with a metre-long sword and said he would "chop them up". When specialist firearms police officers attended a siege occurred during which the defendant aimed a replica AK47 assault rifle at them from a window and was almost shot. Expert evidence included firearms examination and psychiatric assessment

R v Abdirashid Abdilahi CA 2007 (unreported)

Instructed by ZMS Solicitors, Leicester

Defence of a Somalian man alleged to have assaulted and threatened to kill his wife involving issues of intoxication by use of "Chat". Felicity successfully argued for the defendant's immediate release on appeal as a result of an indication given by the trial judge which had not be followed by the Recorder on retrial

R v B [date]

Instructed by Bains Solicitors, Wellingborough

Defence of a step father with mental health problems for historic sexual and violent offences where special arrangements were made to allow him to effectively participate in the trial.

R v Robert Truscott 2004

Instructed by CPS Leicester

Prosecution of a man for attempted murder of his girlfriend by strangulation. The defendant had been released from a four-year sentence for an earlier, almost identical, attack on the same woman. On that occasion he also set fire to her home. The victim forgave him and when he was released, they resumed their relationship - but within two months he tried to strangle her again, saying: "I'm going to do it properly this time."

Rape and Sexual Offences

Felicity Gerry's criminal practice covers a particular specialism in sexual offences. Listed as a "Rape Specialist" advocate, she is very experienced in complex and lengthy trials concerning recent or historic sexual crime, often appearing against Queen's Counsel. Felicity is the co-author of "The Sexual Offences Handbook" published in 2009. Felicity is a memorable advocate, sensitive to the needs of the vulnerable but relishing the opportunity to cross examine the sinister and foolhardy.

PUBLICATIONS

Author of "**The Sexual Offences Handbook**" together with Catarina Sjölin of 36, Bedford Row. Published by Wildy, Simmonds and Hill Publishing 2009. This new guide deals with historic and recent sexual offences, providing a step-by-step approach to the relevant law, practice and procedure in relation to historic and recent sex crime, from the perspectives of both prosecution and the defence. Described by a South Eastern Circuit judge as "A first class practitioner text"
[Rebecca – please insert link to publisher]

Speaker in relation to sexual offences at the Asian Lawyers Society Conference 2009

Recorded podcasts for CPDcast.com on the following:
[The legal consequences of sex below](#)

[Vulnerable](#)

[Sexual Offences - Evidence of](#)

[Disclosure in Family and](#)

[Intoxicated Defendants and Complainants](#)

[Expert Evidence in Criminal Proceedings](#)

Articles published in Counsel and CBQ magazines under the following titles:

Under Age Sex and Rape

Drunken Sex and Rape

Inconsistent victims (admissibility of psychological evidence)

Bridging the Rape Gap (improving Rape prosecution statistics)

Vulnerable Defendants—ensuring their effective participation in the trial process

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NOTABLE CASES

R v Ishaq 2010 (trial and retrial)

Defence of a cold case gang rape from 2000 where a complex mix of DNA from more than one person was recovered, experts eventually agreed on questioning by Felicity on a voir dire after 2½ days of legal argument that the possibility of a person other than the defendant being responsible could not be excluded as the computer had given an indication of components present in a partial profile which had initially been discounted by the FSS. At least 1 of those components indicated by the computer was not in the profile taken from Mr Ishaq in 2008 and could not be attributed to others implicated or convicted.

R v Kevin Crabb 2009

Instructed by CPS Lincoln

Prosecution of a headmaster for historic sexual offences on multiple complainants. The defendant was convicted after a trial in which he admitted, under cross examination by Felicity, a fetish for school girls' knickers

R v Michael Slawson 2009

Instructed by CPS Lincoln

Prosecution of a parish counsellor and school governor for historic rape of a girl aged between 9 and 11. The defendant was found guilty after trial of eight charges of rape, six of indecent assault and one of indecency with a child over a two and a half year period in the mid 1990s. Felicity was asked by the Court to provide a detailed schedule of available sentences for the court in relation to dangerous offenders convicted of offences committed under historic legislation

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R v Cezary Zalewski 2008**Instructed by Young Swistak Solicitors**

Defence of a series of rape and sexual offences in Nottinghamshire involving issues of inconsistency of witnesses versus propensity of the defendant to commit a non-consensual sexual offence arising from the other allegations on the same indictment

R v Newton 2007**Instructed by CPS Leicester**

Prosecution of a serial child sex attacker involving issues of propensity arising from trials in 2000 and 2003 (also prosecuted by Felicity). Defendant found guilty at a retrial after a successful prosecutor's appeal of a terminating ruling.

Child cruelty and indecent images

Felicity Gerry is particularly experienced in complex fatal and non-fatal child cruelty cases. For infant death see Felicity's entries on this website in relation to murder / manslaughter

Felicity is regularly instructed as leading counsel where there are multiple allegations of serious violence by parents in respect of their children where medical evidence is crucial. She has a good understanding of causation issues in serious infant injury and death and she is particularly good at dealing with issues of disclosure arising in relation to third party records

Many cases of child cruelty also involve allegations of sexual abuse. See Felicity's website entries in relation to sexual offences for her extensive experience in that field

Felicity also has a good understanding of technical issues arising in indecent images cases including those which involve evidence from internet service providers abroad. Felicity is the co-author of "The Sexual Offences Handbook" which deals with the legislation in relation to indecent, extreme and obscene images and publications

PUBLICATIONS

Author of “**The Sexual Offences Handbook**” together with Catarina Sjölin of 36, Bedford Row. Published by Wildy, Simmonds and Hill Publishing 2009. This new guide deals with historic and recent sexual offences, providing a step-by-step approach to the relevant law, practice and procedure in relation to historic and recent sex crime, from the perspectives of both prosecution and the defence. Described by a South Eastern Circuit judge as “A first class practitioner text”
[insert link]

NOTABLE CASES

R v Tollerton 2009

Instructed by CPS Lincoln

Trial heard by William Harbage QC sitting as a Recorder

Prosecution of Mother who left her 2 year old child home alone: case attracted international press interest. The toddler had been penned into the kitchen while the defendant went out for the weekend. The child was found alone, cold, hungry and distressed days later by neighbours when a flat below was flooded after he turned on a tap. The defendant was found guilty after a trial of two counts of child cruelty and one of perverting the course of justice where evidence of bad character was called from social workers who had witnessed earlier periods of neglect and gave evidence with reference to their notes made at the time

R v Nind and Hewitt 2008

Instructed by CPS Lincoln

Prosecution of child cruelty by violence and neglect of a 10 week old baby found to have multiple fractures, a genital laceration and bite injuries. Appeal related to interrelationship between IPP and Hospital Orders

R v Paul Riddle

Instructed by ZMS and then Shires Solicitors, Leicester

Defence of a father for cruelty by wilful assault and neglect where expert evidence demonstrated that the defendant was of such limited intelligence that he was incapable of being wilfully cruel

R v James Logan 2008

Instructed by CPS Lincoln

Prosecution for cruelty by way of willful assault by biting where expert dental evidence matched the bite on the girl's shoulder to Logan's teeth.

R v S 2005

Instructed by Mander Cruickshank Solicitors, Coalville

Leading counsel for the defence of a mother indicted for cruelty by way of repeated violence, extensive ill treatment and neglect of her 4 children one of whom was paraplegic. This case involved extensive third party records which, whilst supportive of the allegations, were not relied on by the prosecution. This enabled Felicity to successfully argue that the available evidence at trial was limited to mere neglect. The defendant received a community penalty

Financial crime

Felicity Gerry has regularly appeared in complex proceedings which give rise to issues surrounding confiscation including drug dealing, money laundering and other proceeds of crime offences. She appeared on behalf of the prosecution in an early legal argument on the potential scope of the Proceeds of Crime Act and in a fraud where the Defendant obtained substantial sums by setting up a fake investment bank. She has defended in large scale drugs conspiracies where issues have arisen in relation to

the apportionment of assets and was recently instructed to defend in an allegation of facilitating part of a multi million pound money laundering operation.

PUBLICATIONS

Paper on confiscation for CLT Conference, Manchester 2009.

NOTABLE CASES

Operation Praseodymium 2010 Complex Crime Unit, Nottingham

Prosecution of a high value police operation, involving counterfeit notes, £7.5m worth of stolen goods, cigarettes and alcohol where £100K duty avoided and drugs recovered at the home addresses of the defendants, at a “self storage” facility in Derbyshire and sold on eBay.

Operation Clawback 2009

Instructed to defend by Moss Solicitors, Loughborough

Prosecuted by David Farrell QC and Jonathan Kirk

Defence of one of 24 defendants in the largest money laundering prosecution so far in the UK. Over 15,000 pages of evidence were served in relation to a multi million pound money laundering operation which operated here and abroad. Felicity successfully negotiated a plea to an alternative offence of controlling criminal property by way of retention of documents which resulted in no confiscation proceedings against this defendant and a community penalty

R v Benjamin Cope 2009

Instructed by Moss Solicitors, Loughborough

Defence of a tax clerk for conspiracy to cheat the Revenue [add link]

www.thisisleicestershire.co.uk/news/Love-struck-tax-clerk

R v Munaf Surti 2007

Instructed by ZMS Solicitors, Leicester

Leading counsel for the defence of an international, multi million pound money laundering operation to import illegal immigrants into the UK from India via South Africa. The case contained a complex inter-relationship of evidence from here and abroad relating to the purchase of fraudulent identification, the completion and submission of dishonest documentation to the UK Home Office and the South African Office of Home Affairs and the transfer of funds through various bank accounts and Money Service bureaus. The trial lasted for 8 weeks and involved over 32,000 pages of evidence. Felicity's cross examination of the South African expert witness from the office of Home Affairs is particularly memorable and involved extra research on the history and reputation of that Government department

R v James Connal 2006

Instructed by CPS Lincoln

Prosecution for fraudulent trading, contrary to section 458 of the Companies Act 1985 where the defendant carried on a business known as "MBNA Equity Builders Ltd" for a fraudulent purpose namely the obtaining of funds from investors by falsely representing that "MBNA Equity Builders Ltd" was a genuine investment company offering genuine investment bonds. The defendant printed stationary, purchased lists of potential targets and created a call centre netting the initial 6 figure sums in a matter of months

Drugs

Felicity Gerry is usually instructed in cases involving drug dealing and related serious violence where there is some complex legal argument. She can also deal efficiently with schedules of evidence and issues which arise in relation to confiscation. In several cases of this type, she has dealt with sensitive issues including reduction of sentence where assistance was provided to the police

PUBLICATIONS

Paper on confiscation for CLT Conference, Manchester 2009.

NOTABLE CASES

R v Paul Knight 2009

Instructed by ZMS Solicitors, Leicester

Defence of violent robbery and possession of class A drugs with intent to supply where an application by the prosecution to offer no evidence in the absence of a witness was refused by the Recorder and legal argument ensued in relation to the defendant's legitimate expectation

R v Kenny Lam and others 2008

Instructed by Dodds and Partners, Leicester

Defence of conspiracy to cultivate cannabis where the defendant was a gardener for 2 houses in Sheffield and where the prosecution sought a 5 figure benefit figure in confiscation based on unexplained cash deposits in the defendant's bank account

R v Arjan Lamaj 2006

Instructed by Davis and Co Solicitors, Leicester

Defence of possession with intent to supply several kilos of cocaine with contested confiscation proceedings

R v Levi Crawshaw 2005

Instructed by CPS Leicester

Prosecution for Possession of criminal property from drug dealing with legal argument as to retrospectivity of legislation

Judicial Review

Felicity Gerry is commonly instructed to advise on judicial review challenging decisions made in relation to the charging of sexual offences. It is rare for it to be appropriate for the defence to seek a judicial review of a decision to prosecute but there are exceptional cases usually involving young offenders where Felicity has advised that such an application is appropriate. Equally, complainants in sexual offences, where a decision is taken not to prosecute, are likely to feel aggrieved. Decisions not to prosecute or to discontinue a prosecution are susceptible to judicial review and Felicity has found this is a growth area in recent times where fewer cases are being charged.

Felicity has also advised on review proceedings in relation to SOPOs and Notification Orders and appeals from the Magistrates and Youth Courts by way of case stated.

PUBLICATIONS

Author of **“The Sexual Offences Handbook”** together with Catarina Sjölin of 36, Bedford Row. Published by Wildy, Simmonds and Hill Publishing 2009. This new guide deals with historic and recent sexual offences, providing a step-by-step approach to the relevant law, practice and procedure in relation to historic and recent sex crime, from the perspectives of both prosecution and the defence. It also deals with judicial review in the context of sexual offending. Described by a South Eastern Circuit judge as “A first class practitioner text”

[Rebecca – please insert link to publisher]

Article published in Counsel magazine and podcast recorded for CPDCast.com dealing with judicial review of a decision to prosecute for rape a 15 year old boy for consensual sexual intercourse with his 12 year old girlfriend

Paper published in chambers newsletter in relation to international obligations

of States in relation to the prosecution of sexual offences

Mental Health

Felicity Gerry tends to specialise in criminal cases which are awkward and complicated. Consequently, she has extensive experience of criminal cases involving mental health issues from diminished responsibility in murder to sexual intercourse with a person with a mental disorder. Felicity is experienced in the use of intermediaries to assist both witnesses and defendants.

PUBLICATIONS

Speaker at the first National Deaf Services Conference, Nottingham 2008 under the title "Is the Criminal Justice System deaf to the needs of the vulnerable" hosted by Dr Manjit Gahir, Consultant Psychiatrist, Nottinghamshire Healthcare NHS Trust.

NOTABLE CASES

R v L 2009

Instructed by CPS Northampton

Rape of a woman with a mental disorder impeding choice. Expert evidence as to the complainant's ability to refuse. Intermediary used. Extensive third party medical, social, care and charity records dealt with. Defendant represented by Queen's Counsel

R v Taylor 2007

Instructed by CPS Cambridge

Prosecution of a care worker for sexually assaulting a 61 year old man with severe learning difficulties. Intermediary used.

R v O 2007

Instructed by CPS Luton

Prosecution for Rape of a child under 13 with learning difficulties where the child needed the assistance of an intermediary. This case had the additional complication that the medical professionals disagreed as to the findings on medical examination. Defendant represented by Queen's Counsel.

War crimes

Felicity Gerry has an interest in international law arising out of her general criminal practice, particularly in the fields of murder and sexual offending. She has written and spoken in relation to the 2008 UN Security Council Resolution that Rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide. The Resolution demands the immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians with immediate effect, the adoption of appropriate measures to protect civilians from all forms of sexual violence and the creation of a mechanism, through the International Courts for trying such atrocities as an International crime

Felicity has prosecuted in a murder involving extradition / deportation from Nigeria. She regularly deals with cases involving international jurisdiction for sexual offending. In the past she has appeared in family law cases where children have been abducted abroad

Felicity has family members in South Africa who provide employment training to disadvantaged youths on behalf of the ANC and are involved in the provision of accommodation for visiting impoverished football teams from neighbouring African countries

12th AREA OF PRACTICE: PUBLICATIONS

Please detail any publications that you have contributed to/written, and include publisher, title, year etc that relate to this area of practice

Organised and hosted "Iraq, Cambodia and beyond - fair trials in an international setting" Seminar, University of Exeter (October 2007)

Organising and speaking at the 36 Bedford Row 2009 International Law Seminar at SOAS

Paper published in chambers newsletter in relation to international obligations of States in relation to the prosecution of sexual offences

Agricultural and Environmental Law

Felicity has a niche practice in agricultural and wildlife crime which has grown out of her personal interest in rural pursuits. She has organised seminars on behalf of chambers in relation to agricultural and environmental law and negotiated Chambers' association with the Farming and Wildlife Advisory Group (FWAG) the UK's leading independent and dedicated provider of environmental and conservation advice to farmers

PUBLICATIONS

Paper published in chambers newsletter 2008 dealing with the criminal liability of farmers for Corporate manslaughter

NOTABLE CASES

R v Barry Smith 2009

Instructed by Copleys Solicitors, Huntingdon

Defence of a farmer for shooting a trespasser.

R v Steel and others 2009

Instructed by CPS Lincoln

Multi-handed conspiracy to trespass with the intention of interfering with a contract between a farmer and an animal research organisation where the complainant farmer was granted special measures and a publicity restriction to protect his identity

R v John Metcalf 2006

Instructed by Emery Johnson Solicitors, Leicester in a 3 week trial in Norwich

Defence of a taxidermist in relation to allegations of conspiracy to import / purchase / sell protected species and international egg collecting. Much of the indictment was quashed after legal argument where Felicity successfully submitted that for some counts the Court had no jurisdiction and for others there was a derogation in the European Regulations which afforded the Defendant a complete Defence. The co-Defendant was privately funded owner of a stately home so the trial attracted a good deal of press interest.

Corporate Manslaughter and Homicide

Felicity Gerry has appeared in many criminal cases involving crucial and complex expert evidence of the type that is likely to arise in cases concerning corporate manslaughter. She is particularly experienced in cases of arson involving expert evidence from fire investigators and scientists as to the cause of the blaze

Felicity has presented papers in series of seminars together with the OU entitled “Death and Safety” in 2008 and 2009 dealing with the law, practice and procedure in relation to Corporate manslaughter. This has involved extensive research into past cases involving systemic failure particularly on behalf of Sam Mains who has appeared in massive corporate killing cases. She brings to those lectures and would bring to any such proceedings her wealth of knowledge and experience in criminal practice and procedure. For example, evidence of bad character is admissible against a corporation. Since guilt or innocence in a Corporate Manslaughter trial turns on systemic failure or otherwise, the character of the corporation in question will be one of the main features of the trial

PUBLICATIONS

Joint editor and contributor to “The Law of Corporate Manslaughter” due for publication in 2010 by Wildy, Simmonds and Hill Publishing

Recorded podcast in 2009 for CPDCast.com “Expert evidence in criminal proceedings” [insert link]

Paper published in chambers newsletter 2008 dealing with the criminal liability of farmers for Corporate manslaughter

NOTABLE CASES

R v Ryan Dobson 2008

Instructed by CPS Lincoln

Prosecution of arson at domestic premises with scientific evidence of the chemical composition of smoke captured from the defendant’s clothing matched to recovered materials from the charred premises which rebutted the defence of alibi. Also involved a “Cinderella test” which is where scientists match the internal wear on a shoe with other shoes belonging to the defendant

R v Parrish 2004

Instructed by Black and Co Solicitors, Hinckley

Defence of a lorry driver for death by dangerous driving on the M1 involving issues of sleep apnoea and consideration of systemic failure by the defendant's employer and by the Highways Authority in relation to exit layout during roadworks