

Francis FitzGibbon QC

Year of Call: 1986

Year of Silk: 2010

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Profile

Francis has a wide-ranging and diverse practice, covering most areas of serious crime, from homicide to financial crimes, sex offences to terrorism, and high-profile appellate work. The latter includes acting for interveners in the Supreme Court case of **Jogee [2016] UKSC 8**, which radically changed the law of joint enterprise.

He accepts instructions, in London and nationally, to provide advice and advocacy for private and legally aided clients, as well as under the Bar's Public Access scheme. He also gives advice to professional clients in other jurisdictions.

Francis is Chair of the Criminal Bar Association.

What the Directories Say

Francis has been recognised as a leading barrister in Crime for many years. Comments include:



'A popular choice for matters involving financial crime regulation'

'Very talented'

'A charmer with the jury'

'Excellent'

'Provides a seamless service'

Publications/Seminars

Francis contributed to A Practitioner's Guide to the Law and Regulation of Financial Crime (Sweet & Maxwell 2nd edition due in 2016). He writes regularly for the **London Review of Books** (with **recent articles** on the reforms to legal aid and a miscarriage of justice in the USA).

He blogs on topical legal issues: **Nothing Like the Sun**. He can also be found on Twitter as **@ffgqc**.

Francis gives seminars at Doughty Street Chambers, in-house to solicitors, and in other venues, on subjects that include corporate homicide, aspects of criminal appeals, and the new contempt of Court laws. He has worked on numerous legal consultation exercises on behalf of the Criminal Bar Association and the Bar Council.



LEADING BARRISTER



Homicide

Francis's experience in homicide cases goes back many years. He has a special interest in cases with complex medical or psychiatric issues. Recent cases include:

Bell (Nottingham Crown Court, 2016): joint enterprise; 'one-punch'.

Bulman (Newcastle Crown Court, 2016): mother jointly accused with son of manslaughter of husband; intermediaries; cut-throat; psychiatric issues; acquitted.

Nelson (Luton Crown Court, 2015): drug-related murder; complex bad character issues.

Chowdhury (Central Criminal Court, 2015): diminished responsibility; battle between psychiatric experts.

Gibbons (Central Criminal Court 2015): whether depression can be a foundation for diminished responsibility.

Appeals

Francis is regularly instructed in high profile appeals, in the Supreme Court, Privy Council and Court of Appeal, and in applications to the Criminal Cases Review Commission. Cases include:

Jogee: [2016] UKSC 8 (Supreme Court) now the leading authority on liability in joint enterprise, decided by the Supreme Court in February 2016. Francis led a team instructed by JustForKids law, acting pro bono, as interveners.

Moss [2013] UKPC 3 (Privy Council): denial of natural justice in sentencing.

Morris: the 1997 'Clydach murders' of four members of the same family: application to the CCRC on the basis of fresh evidence and potential malpractice by investigators.



Green: the 'Freshwater Five': fishermen convicted of £ multi-million cocaine importation; application to the CCRC, again on basis of fresh evidence and malpractice. See the BBC news story & film [here](#).

Sexual Offences

Francis undertakes cases of serious sexual offences, including historic and 'cold cases' that have been re-investigated. Cases include:

R v P (Newcastle Crown Court 2015): grooming and rape of a child.

R v B (Newcastle Crown Court 2013): re-investigation of child rapes from the 1980s, with fresh DNA evidence.

Terrorism

Francis has been instructed to advise in high profile cases, notably Abdel Bari, extradited to the USA for multiple counts of murder arising from the Al Qaeda bombings of US Embassies in Kenya and Tanzania in 1998. The defence at his Federal trial in New York in 2015 required advice on several aspects of English law and procedure.

Financial Crime

Francis contributed to the Practitioner's Guide to the Law and Regulation of Financial Crime (Sweet & Maxwell 2011, 2nd edition due in 2016). He has given seminars on the Bribery Act on money laundering. Cases include several very high valuation confiscations.

Other Areas of Work

Francis has 13 years experience as an Immigration Judge and has in-depth knowledge of the law and procedure of asylum, deportation and asylum cases, with a particular interest in business immigration. He has advised individuals and companies in the UK and abroad.

Francis has also represented and advised solicitors and barristers before their professional disciplinary tribunals.

Education

Magdalen College, Oxford

Languages

French



Memberships

Chair of the Criminal Bar Association

European Criminal Bar Association

Southeastern Circuit

Northeastern Circuit (honorary member)