

## Violet Smart



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Email: [v.smart@doughtystreet.co.uk](mailto:v.smart@doughtystreet.co.uk)

### **Profile**

Violet has a broad criminal practice, representing clients in the full range of offences, including drug supply, violence, driving and sexual offences. She is also experienced in representing youths in serious crime, including on multi-handed and joint enterprise bases, and has a track record of successful diversion for clients in the youth courts. She has undertaken vulnerable witness training and is often sought after to represent clients with learning and mental health difficulties and autism.

Prior to joining Doughty Street and during her pupillage, Violet assisted with a number of high-profile trials, with offences including human trafficking, firearms, murder and serious violence. She assisted in the case of R v F, the first trial in which Luke Shrimpton (NCA) and Dr Duncan Campbell were called to give evidence in respect of the reliability of Encrochat data obtained during Operation Venetic and maintains an up-to-date knowledge of developments in this area.

Violet is recognised for her attention to detail, tenacity, and client care. Her oral and written advocacy is praised by clients and she is often instructed to draft standalone applications to the courts and representations to the CPS. She is invested from the point of instruction and leaves no stone unturned in achieving the best result for the client.

Violet has experience both in providing advice on appeal and drafting successful appeals and is keen to develop her practice in the appellate courts with a particular interest in IPP sentences.

## **CASES**

### **Education**

BA Philosophy and Theology – University of Oxford

GDL/BPTC – BPP University

### **Related practice areas**

Criminal Law

Criminal Appeals

Extradition

## **Stalking and Communications Offences**

**R v AF** – represented client charged with five counts of malicious communications against his family who appeared as Crown witnesses. Messages spanned five months and included alleged death threats. Acquitted unanimously on all counts.

**R v AS** – represented client charged with malicious communications, comprising threats to make two masturbation videos public. Received a Band A fine after trial.

**R v NM** – represented a mother of five accused of harassment with fear of violence. The harassment spanned a period of months and involved threats left on the victim's young child's phone. Sentenced of 3 years custody reduced to 2 years on appeal.

**R v JS** – represented client charged with harassment of his (estranged) wife. Crown offer no evidence following service of representations. Post-acquittal restraining order also successfully opposed.

**R v DB** – represented client charged with stalking and 2x common assault. Following a successful half time submission, the client was acquitted of stalking and 1x common assault. Sentenced to a community order on the remaining common assault.

## **General Criminal Offences**

Violet regularly represents clients charged with public order, violence, theft and drugs offences.

**R v EO** – represented client charged with s4 public order, having allegedly abused two National Rail staff who appeared as the Crown's witnesses. The client was acquitted following trial.

**R v ED** – represented client with severe mental health issues detained under s2 MHA charged with assault EW and possession of offensive weapon. Received absolute discharge.

**R v KS** – kidnap and robbery. Currently instructed.

**R v PH** – violent disorder, 5-handed. Currently instructed.

**R v CM** – represented client charged with possession of a dog dangerously out of control causing injury (XL Bully). Trial issue was ID. Client was convicted following over 4 hours deliberation.

**R v KN** – theft and fraud, spanning a 15 count indictment. Currently instructed.

**R v AK** – fraud relating to Covid loans. Currently instructed.

## Sexual Offences

Violet acts in the full range of sexual offences from first appearance to sentence.

**R v LF** – represented client charged with rape and stalking against ex-partner. Following service of s.28 questions and detailed preparation of the case, including instruction of an expert urologist, the crown offered no evidence on both counts ahead of trial.

**R v BD** – represented client charged with following a woman into her block of flats and sexually assaulting her. Following pleas of guilty on the day of trial, sentenced to 18 weeks custody. SHPO successfully opposed.

**R v DK** – distribution of indecent images of Category A and C. Currently instructed.

**R v PC** – possession of indecent images of Category A, B and C, including multiple moving images. Currently instructed.

**R v IK** – represented client charged with sexual assault. It was alleged he had followed two girls at night and sexually touched one of them. Unanimously acquitted.

## Driving Offences and Applications

Violet is experienced in the full range of driving offences and regularly represents clients at trial for driving offences, sentence and standalone applications such as exceptional hardship or licensing appeals.

**R v ZH** – successful taxi licence appeal for client who had his license revoked following a guilty plea for failing to carry a passenger with an assistance dog, contrary to the Equalities Act.

**R v VS** – successful exceptional hardship application for client with caring responsibilities for mother who had totted up 12 points following driving 50mph in a 40 zone.

**R v DH** – successful exceptional hardship application for client with elderly parent following totting up 12 points for four speeding offences.

**R v JN** – successful early return of licence application for client banned for 5 years following his seventh drug drive/ no insurance/ drive without a licence offence.

**R v JB** – represented client accused of 7 counts of blue badge fraud after having used a relative's blue badge over a period of weeks to secure free parking. Following guilty pleas, she was sentenced to a conditional discharge.

**R v DF** – successful application to lift a driving ban pending appeal following a totting ban.

## Youth Court

Violet is experienced in youth court work and regularly represents young people charged with serious crimes. She is a member of the Youth Justice Legal Centre and completes regular refreshers and training in this area.

**R v BP** – represented young person charged with possession of a blade, consisting of a lock knife. The Crown and the YJS were unwilling to support an out of court disposal. Following a guilty plea, secured a conditional discharge.

**R v MM** – represented a young person charged with possession of a blade. Despite repeated efforts and adjournments, the police would not offer a caution. Following a guilty plea, secured an absolute discharge.

**R v PL** – represented a young person charged on a joint enterprise basis with 2x kidnap, possession of a blade, TWOC, driving without a licence/ insurance, possession of cannabis. The client turned 18 during the trial. Following trial, he was sentenced to an intensive YRO.

**R v KW** – represented a 17-year old charged with possession of indecent images, including over 2000 category A images and videos. He had already received a caution for the same behaviour a year prior. Following guilty pleas, he avoided custody and received an intensive YRO.

**R v AA** – represented a 14 year old charged with robbery alongside his 21 year old brother. Following pleas, he received a referral order.

**R v CR** – represented a 16 year old during eight separate breach proceedings, each relating to a distinct breach of Crown Court bail, where she was awaiting trial for a serious s18, possession of a blade (zombie knife) and racially aggravated assault. Secured bail on each occasion.

**R v GB** – 15 year old charged with S18 GBH and possession of an offensive weapon. Currently instructed.

**R v DO** – 15 year old charged with S18 GBH and possession of a bladed article. Currently instructed.

## Regulatory and Professional Discipline

Violet has appeared as a case presenter on behalf of regulatory bodies. She is also keen to expand her practice into regulatory defence.

**GOC v MS** – registration appeal. The applicant had disclosed a recent criminal conviction leading the registrar to refuse his registration.

**GOC v TH** – registration appeal. Currently instructed.

**GOC v TR** – substantial order review. The registrant optometrist had been suspended following criminal convictions related to the stalking and harassment of his ex-wife. Outcome – order allowed to lapse.

**NMC v GM** – interim order. The registrant nurse had been charged with stealing medication from the Trust, to satisfy her opioid addiction for which she accepted a criminal caution. Outcome – Interim conditions of practice order.

**NMC v GP** – interim order. The registrant nurse was said to have continuously, across three separate employers, prescribed to patients despite holding a non-prescribing role. Outcome – interim conditions of practice order.

**NMC v HJ** – interim order. The registrant nurse was said to have, on repeated occasions, used discriminatory language towards colleagues and patients, including intentional misgendering and belittling. Outcome – interim suspension order.

**NMC v RA** – substantial order review. The registrant nurse had received a one year suspension for serious failings in care for vulnerable patients, including failure to attend and document appointments. There had been no engagement with the regulator. Outcome – further 6 month suspension.

**NMC v YB** – interim order review. The registrant nurse was accused of falsifying patient records, subquality care and other attitudinal concerns when confronted with her dishonesty. Outcome – suspension ordered to continue.

**NMC v XR** – currently instructed.

**GDC v RL** – currently instructed.

## Extradition

**Germany v MJ** – the RP was wanted on an accusation warrant from Germany, alleging rape. He raised Article 8 and issues of racial discrimination.

**Romania v AM** – the RP was wanted on a conviction warrant from Romania. He raised Article 8.

**Germany v KD** – the RP is wanted on an accusation warrant from Germany alleging aggravated domestic burglary. Currently instructed.