

Kitty St Aubyn



Call: 2010

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Details of practice

Since joining chambers in 2012, Kitty has developed a successful practice across chambers' areas of expertise with a particular focus on criminal, regulatory, licensing and coronial law. Following her role as an advocate to the General Optical Council, Kitty is currently instructed by the regulatory department of Blake Morgan to conduct investigations on behalf of the Nursing and Midwifery Council.

Crime

Kitty appears on behalf of the defence and Crown in all criminal courts. She specialises in serious, complex matters, from acting for a senior trader accused of LIBOR manipulation to representing a foreign national accused of multi-million pound money laundering.

Kitty has wide experience in all aspects of criminal law. In addition to her practice in financial and corporate crime, she regularly represents clients charged with general criminal offences. She has experience representing youths, as well as litigating sensitive issues relating to mental ill health and fitness to plead.

Proceeds of crime

Kitty is experienced in confiscation, civil recovery and restraint proceedings both as a led junior and alone. She has acted for both individuals and government departments in proceeds of crime and related hearings.

Kitty acted alone in successfully challenging the court's power to make a confiscation order in the Court of Appeal, then appearing in the Supreme Court in **Guraj** [2016] UKSC 65.

Regulatory and professional discipline

Kitty is experienced in both presenting and defending in regulatory, health and safety and professional discipline proceedings.

She has acted for local government prosecutors including the London Fire and Emergency Planning Authority and regularly acts for Transport for London in prosecutions and appeals.

Kitty acts for companies and individuals facing allegations of a range of breaches of health and safety and environmental regulations. Most recently, Kitty successfully defended a company facing charges relating to conduct spanning 10 years, where the management was accused, at sentence, of deliberately avoiding their duty.

From 2017-2019, Kitty spent four months on secondment as an advocate to the General Optical Council. She is currently instructed on behalf of both Registrants and Regulators in other healthcare regulatory proceedings

Licensing

Kitty regularly advises and acts on behalf of operators of licensed premises, local authorities and interested parties in Licensing Act 2003 proceedings. She has acted for a leading independent bookshop establishing new licensed premises and advised a restaurant franchise on potential liability under the Health Act 2006.

Inquests

Kitty regularly represents interested persons in inquests, acting for both authorities and families. She is experienced in inquests, including those to which the state's Article 2 obligations under the European Convention on Human Rights is arguably breached. She advises on potential liability arising from coronial proceedings, and on both public and civil law remedies available following inquests.

Education/professional qualifications

BA (Cantab): English Literature (First class)
Graduate Diploma in Law, City University
Bar Vocational Course
Queen Mother Scholarship, Middle Temple, 2008-9 and 2009-10

Other information

Professional development

Kitty has recently been invited to contribute to Smith, Owen and Bodnar on Asset Recovery Criminal Confiscation, and Civil Recovery, Oxford University Press. She regularly delivers seminars on emerging areas of law to a range of stakeholders from Unexplained Wealth Orders to training regulatory prosecutors in the conduct of investigations.

Experience

In 2010-2011 Kitty was based in the Caribbean as a legal assistant on the Special Investigations and Prosecution Team investigating the former Prime Minister of the Turks and Caicos Islands, Michael Misick and members of his cabinet for corruption in a team led by Helen Garlick and Andrew Mitchell QC.

Immediately prior to commencing pupillage, Kitty worked as a legal researcher at BCL Burton Copeland, providing assistance to the partners across a range of the firm's work focussing in particular on compliance advice on the Bribery Act 2012, as well as assisting on the first edition of the Serious Fraud Office 2011 publication **Serious Economic Crime: a boardroom guide to prevention and compliance**.

On graduating Kitty was a publicly funded researcher and adviser to the opposition front bench in the House of Lords, reporting directly to the leader of the opposition, advising on the processing of legislation through the Lords, drafting speeches and amendments. She then worked at the Advertising Association as project manager of the industry committee proposing the new framework of the self-regulation of online advertising for the Advertising Standards Authority, as well as representing the interests of the UK advertising industry to DCMS and Ofcom and the EU parliamentary forum on new media in Brussels.

Notable cases

Crime

R v M and others (2016)

Instructed for the defence in the third trial relating to alleged manipulation of the LIBOR rate

R v Guraj

[2015] 1 WLR 4149

Appeared alone in the Court of Appeal, successfully appealing against a confiscation order on procedural grounds

R v B (2015)

Represented a defendant on life licence charged with burglary and blackmail

R v C (2014)

Represented the former editor of a national newspaper accused of phone hacking

Ahmed v Revenue and Customs

[2013] EWHC (Admin)

Represented a company director in cash forfeiture proceedings, successfully arguing disproportionality under the European Convention on Human Rights

R v A (2012)

Represented a company director accused of defrauding the public revenue in a trial of the fact after a contested finding of unfitness to plead