

Sarah Wood

YEAR OF CALL: 1996



"She has a forensic eye for detail"

LEGAL 500 2020

Overview

Sarah is Joint Head of the Business Crime Team at 5SAH and is ranked in both Chambers & Partners and Legal 500 for her confiscation and asset recovery work.

"An incredibly gifted, very intelligent person who is very capable in financial crime and POCA work."

Chambers and Partners 2020.

She is an experienced and highly accomplished practitioner who specialises in criminal and family matters involving high-value assets and complex financial arrangements. In her criminal work, she is a well-respected jury advocate known for her experience of prosecuting and defending lengthy, complex, high-value fraud and money laundering cases. Sarah has a loyal following of leading solicitors and is regularly instructed to defend in cases brought by the SFO, the FCA and the CPS Specialist Fraud Division. She is renowned for her ability to master substantial and multifaceted issues.

Sarah has experience in all aspects of the financial proceedings that follow a divorce or separation; her knowledge and experience of international asset-tracing and complex offshore trust arrangements gained through her criminal work give her a distinct advantage in this area of work.

She is one of a handful of counsel at the Bar with experience of dealing with cases where there are contemporaneous proceedings in the criminal and family courts in relation to the same assets and is therefore able to advise clients and appear in all aspects of both sets of proceedings.

Sarah regularly writes and speaks on all areas of her work.

Professional panel appointments

Appointed advocate on the Crown Prosecution Service (CPS) list of advocates: Level 3.

Appointed to the CPS Specialist Fraud Panel.

Band C (10 years' call and above) appointed advocate for the General Dental Council (GDC).

Additional Information

Direct Public Access

Sarah accepts Direct Public Access instructions.

Professional Memberships

Criminal Bar Association.

Fraud Lawyers Association.

Proceeds of Crime Lawyers Association.

Family Law Bar Association.

Founding Committee member of the Cybercrime Practitioners Association.

Asset Recovery, Civil Fraud & Confiscation

“Recommended for confiscation orders in relation to fraud and matrimonial work”

Legal 500 2020.

Sarah is one of a handful of barristers with experience of dealing with cases where there are contemporaneous family financial proceedings and criminal POCA claims. She has the knowledge and understanding to be able to advise and represent clients in both sets of proceedings, including as an interested party pursuant to POCA s10A. This ensures consistency and an all-encompassing overview of the case.

Sarah frequently appears in both the High Court and the Family Court in this area of work and is regularly instructed to act on behalf of the CPS as the intervener in the family proceedings. She is currently instructed in this capacity in a number of high-profile cases by the CPS. In addition, Sarah presently has a number of instructions from family solicitors and direct access clients where she has been asked to advise a party in financial remedy proceedings about the implications of a potential confiscation order against the other party to those proceedings. She regularly presents seminars on the interplay between the two sets of proceedings.

“In line with her expertise in family financial disputes, she displays particular knowledge when it

comes to contemporaneous confiscation and family ancillary relief proceedings.”

Chambers and Partners 2020.

Sarah has a detailed knowledge of restraint, confiscation and enforcement proceedings with experience in this area in the Appellate Courts, the High Court and the Crown Court. She is frequently instructed in complex POCA s22 applications and has extensive experience of POCA orders in relation to cryptocurrencies.

Sarah has experience of the disclosure issues that arise when there are related criminal and civil fraud proceedings running contemporaneously. She has lectured on injunctive relief in civil proceedings.

Business Crime

"She's a delight to work with and a determined counsel who is at ease in long and complicated cases."

Chambers and Partners 2020.

Sarah has specialised in complex fraud and financial crime since 2000. She is widely recognised and highly regarded for her work in this area having prosecuted and defended in several important cases brought by the SFO, the FCA and the CPS Specialist Fraud Division. She is on the CPS list of specialist counsel to prosecute fraud cases and is regularly instructed by the CPS Specialist Fraud Division to advise pre-charge. As both leading counsel and led junior, Sarah is known for her diligence and meticulous preparation of these cases. She is adept at handling cases involving a large volume of paperwork and is quickly able to identify the critical issues for both a jury and a client. Sarah's knowledge and experience includes cases involving Ponzi frauds, fraud on the revenue, money laundering, fraudulent trading and fraud within both the construction and education industries.

Sarah has represented disqualified directors and also has particular experience of successfully

defending clients in prosecutions for specific and technical offences brought under the Financial Services and Markets Act 2000 and Companies Act 2006.

Sarah is regularly instructed to advise on complex disclosure issues, having advised the SFO, the Metropolitan and City of London Police Forces, the Attorneys General of Jersey and the Isle of Man and the OFT on disclosure problems and legal professional privilege.

Sarah speaks and writes regularly on her areas of expertise and is the author of the chapter '*Fraudulent Trading and other frauds on creditors*' in Butterworths "*Fraud: Law, Practice and Procedure*".

Criminal Defence

Sarah is frequently instructed on behalf of Defendants in all areas of serious crime, particularly those with a financial or regulatory element.

As a founding member of the committee of the Cybercrime Practitioners Association, Sarah has a keen interest in cases involving cybercrime. She is currently instructed to both prosecute and advise in cases involving offences under the Computer Misuse Act 1980.

Sarah also has particular experience of dealing with motoring matters and regularly receives direct access instructions in this field. In recent cases she has successfully defended clients charged with allowing a vehicle to be used with no insurance and those who were at risk of losing their licences under the totting up procedure.

Criminal Prosecutions

Sarah has been instructed in private prosecution matters for a number of years, having begun prosecuting cases brought on behalf of the RSPCA. She now regularly undertakes private prosecution work (both prosecuting and defending) and is able to advise about all aspects of this area. She has related experience in the Divisional Court and before costs judges specifically in

connection with private prosecution cases.

Extradition & International

Sarah has been instructed on behalf of both the Attorney General of Jersey and of the Isle of Man to advise on and prepare prosecutions concerning allegations of fraud and money laundering. In doing so, she has worked with the prosecuting authorities and the police in both jurisdictions to ensure that the cases were ready for trial. She has gained a deep knowledge and understanding of the applicable laws of those jurisdictions in relation to disclosure and evidence, as well as the offences themselves.

Sarah has also been instructed to advise the Attorney General of Jersey in connection with disclosure issues surrounding legal professional privilege.

Family, Children & International Family

Sarah is frequently instructed to advise on and appear in all aspects of the financial proceedings that follow a divorce or separation. She has a proven knowledge of complex trust arrangements, TOLATA claims and the impact of bankruptcy in relation to one of the parties to the proceedings. She has also appeared in cases brought by the mortgagee where the beneficial interest of the mortgagor is in issue. She is known for her approachable manner and attention to detail.

Sarah has extensive experience of dealing with cases where there are contemporaneous family financial proceedings and criminal POCA claims.

Sarah has recently lectured on the interplay between family financial proceedings and the bankruptcy of a party to those proceedings.

Professional Discipline & Regulatory

Sarah has successfully represented dentists before the GDC and is an appointed advocate for

the GDC. She has also represented pharmacists before the GPhC, nurses in the NMC and medical students appearing before the fitness to practise committee whilst at university.

Sarah has extensive experience of advising and representing accountants at all stages of proceedings before the ACCA.

Sarah also regularly advises clients in respect of their compliance with FCA obligations. She has a detailed knowledge of the FCA handbook and associated guidance.

Cases of Note

CHILD & FAMILY CASES

A v A (with the CPS intervening)

Sarah was instructed on behalf of the CPS to intervene in family proceedings ahead of confiscation proceedings in order to ensure that the matrimonial assets were distributed in accordance with MCA 1973 section 25 principles rather than as a means of avoiding a confiscation order.

P v P (with the CPS intervening)

Sarah was instructed on behalf of the CPS to intervene in family proceedings where one party was seeking to vary a periodical payments order pending the confiscation proceedings against the other party.

Athwal v Athwal

Sarah was instructed via the Bar Pro Bono unit to represent Mrs Athwal in her financial remedies proceedings. There was an overlap with previous criminal proceedings as Mrs Athwal's mother-in-law (Bachan Kaur Athwal) and brother-in-law had been convicted in a high profile trial of the honour killing of her sister-in-law, Surjit Athwal. Bachan Kaur Athwal was an intervener in the family proceedings. Following a lengthy final hearing, Sarah successfully obtained a 100% award of the equity in the FMH for Mrs Athwal by relying upon conduct and general equitable principles.

M v M (with the CPS intervening)

Sarah was involved in prosecuting one of the parties to these proceedings in a significant high value money laundering case. She was then instructed to appear on behalf of the CPS in the complex family proceedings in the High Court in order to ensure the preservation of assets that were the subject of a restraint and subsequent confiscation order.

K v K (with the CPS intervening)

Sarah was instructed on behalf of the husband in this case who was the subject of a confiscation order the CPS were seeking to enforce by way of a receivership order. A three day hearing took place in the family proceedings in order to establish the wife's knowledge of the husband's criminality at the time.

ASSET RECOVERY, CIVIL FRAUD AND CONFISCATION

R v Cracknell

Complex and contested POCA section 22 application in relation to the Defendant's beneficial interest in a former matrimonial home. Involved detailed submissions in relation to tainted gifts, trusts and the interplay between POCA and family financial proceedings.

R v Bashir

POCA section 22 application involving submissions in respect of the fairness of increasing the available amount in circumstances where the Court had previously already done so.

R v Choudhury

Instructed to represent Mr Choudhury both at trial for offences of mortgage fraud and then subsequently in the lengthy and complicated confiscation proceedings. The confiscation proceedings involved questions about the realisation of shares in a major public company in Bangladesh, the role of the trustee in bankruptcy and whether Mr Choudhury's wife ought to be a party pursuant to POCA section 10A.

R v Hayes (2016)

Instructed to represent the wife of convicted Libor trader Tom Hayes in respect of a POCA 2002 section 10A application [Cooke J's judgement of 14th March 2016 refers].

BUSINESS CRIME

R v Ablitt & Others

Led junior instructed to represent Mr Ablitt in a complicated £20 million PONZI fraud. Leave to appeal conviction granted.

R v Benstead & Others (2015)

Allegations of fraudulent trading and false accounting arising out of the collapse of the company Crown Currency Exchange (note: this was the first trial at Southwark Crown Court involving the use of ipads in place of physical jury bundles).

R v Cano-Uribe & Others (2014)

10 handed fraud committed by employees of the company 'A4e'.

R v Sanganee (2014)

Land bank fraud.

R v Choudhury (2013)

High value mortgage fraud by one of Crimestoppers 'most wanted fraudsters'.

R v Meghrabi (2013)

Multi-million pound money laundering operation through bureaux de change.

R v Cole & Another (2012)

Cheating the revenue by an accountant and employee of HMRC.

R v Harris & Others (2010)

Conspiracy to defraud by directors of a building company

R v Ariana & Others (2010)

FSMA offences and conspiracy to defraud in connection with the operation of a Hedge fund

R v Smallman & Others [2010] EWCA Crim 548

One of a series of seven nationwide prosecutions against different defendants alleging fraud arising out of the collapse of the Government ILA scheme.

R v De Rome & Others (2009)

SFO prosecution for a \$30 million Ponzi fraud.

R v Cushnie & Clough [2005] EWCA Crim 962

SFO prosecution arising out of the multimillion pound collapse of the Versailles Group.

CRIME

R v Dixon

Prosecution of a defendant who hacked the websites of British Airways and others using DDOS attacks.

R v Hassan & others

Large-scale money laundering of the proceeds of an identity fraud.

R v Oguntoye & others

Multi-million pound money laundering of the proceeds of several international diversion frauds

R v Percival & others

Money laundering allegation arising out of an attempt to have a restraint order lifted.

R v Gudelivicius (2015)

Human trafficking and servitude offences.

R v George (2014)

Death by dangerous driving.

R v Chopra & Others

Large scale trademark offence conspiracy and associated money laundering.

Accreditation

