

Serena Gates

YEAR OF CALL: 2001

Serena's criminal practice is centred on serious and organised crime, fraud and sexual offences. Serena also has a busy regulatory and professional discipline practice. Serena is adept at getting to grips with complex expert reports and issues within a short time frame in order to cross-examine on complex and novel issues.

Overview

After graduating from Cambridge, Serena was called to the Bar in 2001 when she joined Chambers. Serena has built up a successful practice both prosecuting and defending in all types of crime including complex multi-handed cases and serious sexual offences. She has combined this with her wider international work for the United Nations and UK government departments. She also utilizes her extensive experience of HMG in the civil cases in which she is also instructed, for example advising in relation to judicial review.

Serena is a Grade 4 CPS Prosecutor on the approved list of Prosecuting Counsel for London. She is also on the Specialist panels for Fraud (Grade 4), Rape and Serious Sexual Offences, Serious Organised Crime (Grade 4) and Counter-Terrorism (Grade 4).

Serena has experience of prosecuting both recent and historical rape cases involving, on occasions, particularly vulnerable victims including young children and adults with learning

difficulties.

She has successfully prosecuted organised criminal networks and as a result of her international work has an in-depth understanding of international links and foreign justice systems.

Serena has particular experience dealing with disclosure issues in complex fraud and importation cases. She has successfully drafted robust disclosure management documents and navigated case teams through delicate disclosure issues that have survived numerous challenges before the Courts.

Serena's practice also encompasses regulatory work and Serena has frequently appeared in Tribunals on behalf of the General Dental Council (GDC).

In addition, Serena has appeared in Courts' Martial proceedings on behalf of defendants including defending a soldier accused of attempted murder.

Additional Information

In addition to her practice in chambers, Serena undertakes work for the United Nations investigating violations of international humanitarian law and human rights abuses with a focus on sexual and gender-based violence.

Serena also undertakes work for the Foreign and Commonwealth Office and other government departments providing advice and technical expertise in building and assessing security and justice capacity building programmes around the world. She has frequently deployed to conflict affected and fragile states in order to build capacity within Justice systems in support of wider stabilisation objectives.

Serena has been a Member of the Chambers Pupillage Committee for a number of years and firmly believes in the development of the Junior Bar. She combines energy and intellectual rigour with a practical approach to getting things done.

Professional Appointments

Grade 4 Crown Prosecution Service (CPS) Prosecutor on the approved list of Prosecuting Counsel for London.

CPS Specialist panel for Fraud.

CPS Specialist list for Rape and Serious Sexual Offences.

CPS Specialist list for Serious Organised Crime.

CPS Specialist list for Counter-Terrorism.

Band C (10 years' call +) advocate on the General Dental Council's (GDC) list of approved barristers.

Senior Deployable Civilian Expert for the UK Stabilisation Unit.

UN Women Panel of experts for investigating violations of International Humanitarian Law and human rights.

Professional Memberships

Middle Temple.

South Eastern Circuit.

Association of Regulatory and Disciplinary Lawyers.

Business Crime

Serena has significant experience of cases involving white-collar crime, large-scale financial corruption and fraud.

Crime

Serena's criminal practice is centred on serious and organised crime, fraud and sexual offences. Cases in which Serena has been instructed have often involved complex issues of disclosure, necessitating visits to outside agencies to review sensitive material.

Serena's experience prosecuting for the UKBA and revenue and Customs Division of the CPS has provided her with extensive experience dealing with sophisticated drug importation networks and gangs centred on fraudulent importation of other commodities.

Much of the violent crime cases in which Serena has been instructed, whether as a led junior or alone, have involved gang-related violence in London and the South East.

Serena's experience working in a legal context in conflict zones abroad also gives her a unique insight into the workings of criminal and terrorist networks operating abroad and attempting to launder money and traffic people and illicit material into the UK.

Serena has also represented defendants at Courts Martial hearings including representing a soldier accused of attempted murder.

Judicial Review & Public Law

Serena undertakes a range of civil work and has advised in relation to claims brought against Government departments for matters such as unlawful detention. She has also been instructed to advise in relation to applications for judicial review.

Her wider experience working for UK Government departments and in particular foreign jurisdictions gives her a competitive edge when it comes to understanding the policy and practical workings of public bodies.

Personal Injury & Professional Negligence

Since starting out at the bar, Serena has undertaken various aspects of civil work in order to

complement her wider practice. She is often instructed to advise and undertaken fast-track trials in relation to personal injury matters.

Professional Discipline & Regulatory

Serena has frequently been instructed by the General Dental Council to appear in cases before the PCC, and IOC. Serena is adept at getting to grips with complex expert reports and issues within a short time frame in order to cross-examine on complex and novel issues.

Cases of Note

R v Maltman and others

Serena was instructed to prosecute an organized criminal network operating in the South East of England who were responsible for smelting over £1.4 million of scrap gold, stolen in a large number of domestic burglaries, and laundering the proceeds through the family jewellery business. All defendants were convicted and sentenced to significant custodial terms. The case was reported in the national press and is on our news pages.

R v Roger Smith

Serena was instructed as junior alone on behalf of a defendant charged with multiple counts of Making or Having an Explosive Substance in addition to Possession of a Document for Terrorist Purposes. The defendant was found in possession of a large number of chemicals including controlled substances and 2kg of gunpowder in addition to other items that were alleged to be right wing paraphernalia. He was also found to have a copy of the Anarchists' Cookbook. A robust defence was advanced as the defendant had a explanation for the legitimate use of each of the items found. He was however convicted of the alleged conduct with the exception of one count of Possession of a Document or Record for Terrorist Purposes, of which he was acquitted.

R v Strauss, Singh, Hussain and Chana (Chelmsford Crown Court)

Serena was instructed as junior counsel in a £14 million money laundering prosecution and presented much of the evidence in the case. The defence case was that the funds were the

legitimate proceeds of trade in under bond alcohol. Serena was involved in the case from the PCMH and the prosecution team successfully defeated a dismissal application and various disclosure challenges.

R v Tetley (Snaresbrook Crown Court)

Serena successfully prosecuted a defendant accused of rape and repeated sexual assault of a woman with learning difficulties. Following advice from counsel, the victim was assisted by the use of an intermediary.

R v Shaw (Courts' Martial)

Serena was instructed as the leading junior representing a soldier accused of the attempted murder of a fellow soldier in Cyprus. The victim was left severely brain damaged in the incident. Serena mounted a number of successful challenges to aspects of the prosecution evidence, much of which was obtained from abroad. As a result of the revised evidential position, the prosecution eventually accepted a plea to a s.18 OAPA offence and the defendant's sentence was limited to 9 years.

R v Batliwala and Others (Operation Bypass, Isleworth Crown Court)

Serena was instructed at short notice mid trial to address various disclosure challenges that were mounted by the defendants in this multi handed drug and cigarette importation trial. As a result of her work, the trial survived various challenges mounted by the defence teams prior to half time.

R v McNeil (Canterbury Crown Court)

Serena successfully prosecuted a defendant accused of historical and recent familial sexual abuse spanning over a 20 year period. As with many of the rape and sexual offences cases Serena has prosecuted, there was extensive third party material to be dealt with. The defendant was convicted and sentenced to 19 years.

Operation Tangelo II (Southwark Crown Court)

Serena was an integral member of the disclosure team devising strategy and reviewing HMRC material in relation to a multi-million pound Excise and VAT Fraud.

R v Farzand Naseem (Croydon Crown Court)

Serena was instructed as junior defence counsel in £8.25 million fraud. The defendant was accused of defrauding a variety of corporate institutions by assuming the identity of different corporate clients. Extensive expert evidence was called relating to the defendant's psychiatric condition.

R v Smith, Lawton, Watkinson, Smith and Smith (Manchester Crown Court)

Serena was instructed as Junior prosecuting counsel in large-scale cigarette importation case involving counterfeit cigarettes shipped from China to the United States and then on to the UK. Serena was also instructed by the Asset Forfeiture Division in the consequent confiscation proceedings relating to this case.

Accreditation

