



Sarah Selby

A broad practice encompassing the spectrum of criminal offences.

YEAR OF CALL 1998

Education

BA (Hons) Law, University of Cambridge (1st class)
Inns of Court School of Law

Awards

W.M. Tapp Postgraduate Scholarship
Kalisher Scholarship Essay Prize

Appointments

CPS Advocate Panel, Level 3
CPS Rape and Child Sexual Abuse List
CPS Specialist Fraud Panel, Level 3
CPS Serious Crime Panel, Level 3
Previously appointed to the Attorney General's Unified List of Prosecuting Advocates

Memberships

Criminal Bar Association
South Eastern Circuit

Overview of Practice

Sarah has a broad practice encompassing the spectrum of criminal offences (both prosecuting and defending), but with an emphasis on serious prosecution work: particularly large-scale and complex fraud cases; conspiracies to import, produce and supply controlled drugs; rape and other serious sexual offences; multi-handed violence / weapons offences; and driving offences resulting in death and serious injury. She is particularly adept at the detailed analysis and clear presentation of complex evidence, and is experienced in conducting sensitive cases involving young and otherwise vulnerable witnesses and defendants.

In addition to her CPS work (as a Level 3 advocate, an approved rape prosecutor, and on the specialist fraud and serious crime panels), Sarah is regularly instructed to advise on and prosecute cases for a number of other agencies, including: the Department for Work and Pensions, the Department for Business, Innovation and Skills, various local authorities, and the Royal Mail Legal Services Department. She is experienced in the areas of Insolvency Act offences; health and safety, food hygiene, and environmental offences; benefits frauds; Education Act cases; and other offences prosecuted by local authorities. Civil work includes cash forfeiture and condemnation proceedings. Sarah has spent two periods on full-time secondment to the (then) Revenue & Customs Prosecutions Office: conducting a large-scale review of the adequacy of disclosure in a series of

drugs, fraud and money laundering cases, which involved predominantly intelligence-led investigations and extensive PII issues.

Sarah's defence practice equally involves a wide range of serious crime, and she is regularly instructed in cases of particular complexity and sensitivity (including serious dishonesty, drugs, violence, sexual offences, and causing death by dangerous driving). She is experienced in representing young and vulnerable defendants, and in cases involving issues of fitness to plead / stand trial.

Practice Areas

- **Criminal Defence & Prosecution**

Fraud:

Sarah is regularly instructed to prosecute and defend high-value and complex fraud cases, which are often multi-handed, and require thorough and focused preparation. As a member of the CPS Specialist Fraud Panel Sarah has prosecuted many large-scale VAT and direct tax frauds, cases of duty evasion and cheating the revenue, dishonesty offences by persons in positions of trust, and money laundering offences. She is experienced in prosecuting substantial benefits frauds (formerly for the Department for Work and Pensions, now for the CPS), Insolvency Act offences (for the Department of Business, Innovation and Skills), and large-scale offending against the Royal Mail (for the Royal Mail Legal Services Department). Sarah is adept at the effective management and clear presentation of document heavy cases, dealing with the extensive disclosure exercises that are often involved, and conducting the substantial confiscation proceedings that result from such prosecutions.

For further details please see the Fraud & Financial Regulation section.

Sexual Offences:

Sarah both prosecutes and defends serious sexual offences, including rape, familial offences and historic allegations. As an approved prosecutor on the CPS Rape and Child Sexual Abuse List she has conducted cases of considerable gravity and sensitivity, often involving young and vulnerable witnesses (with the use of appropriate special measures, including intermediaries) and complex disclosure issues (including in relation to extensive third-party material).

Recent prosecutions include: a defendant charged with raping a 14 year old complainant who had made a number of similar allegations against other individuals (involving extensive Section 41 and non-defendant 'bad character' applications); a defendant who engineered a domestic setup in order to repeatedly breach a Sexual Offences Prevention Order (involving multiple issues surrounding his bad character); two high-profile defendants accused of raping a heavily intoxicated complainant (involving difficult issues of capacity and consent); and a number of cases involving large-scale brothel keeping (and the laundering of the significant proceeds thereof).

Sarah successfully appealed a conviction for sexual assault, in relation to the application of Section 41 of the YJCEA 1999 to previous (potentially false) allegations of rape by a complainant (*R v AM* [2009] EWCA Crim 618; [2010] Crim.L.R. 792).

Drugs / Violence:

Sarah has prosecuted and defended a number of large-scale conspiracies to import, produce and supply controlled drugs: often involving multiple defendants and detailed surveillance, telephone and electronic evidence. She is experienced in dealing with the complex disclosure and PII issues that arise in such cases. Recent successful prosecutions include: three defendants convicted of conspiring to supply Class A drugs with a street value of over £2.5 million (together with money laundering and identity fraud offences); and six defendants charged with conspiring to import

large consignments of Cannabis into the UK (involving extensive surveillance evidence and difficult issues surrounding disclosure and admissibility).

Sarah also regularly prosecutes and defends cases involving serious violence and weapons offences. Examples include: the prosecution of three defendants for the honey-trap robbery of an elderly victim; the prosecution of six defendants for conspiring to commit armed robberies on a series of commercial premises and cash-in-transit vehicles; the defence of an individual accused of conspiring to possess firearms with intent to endanger life; and the defence of an individual charged with possessing knives and other prohibited items in prison.

Sarah has conducted a number of cases involving allegations of child cruelty, assaults on young children and child abduction, offences of arson and criminal damage with intent to endanger life, and driving offences resulting in death and serious injury (often involving complex technical evidence). Recently Sarah successfully defended a carer charged with ill-treating or neglecting a person who lacked capacity, and an 'urban explorer' accused of participating in a wide-ranging conspiracy to damage property within subterranean premises.

– **Fraud & Financial Regulation**

Sarah is regularly instructed to prosecute and defend high-value and complex fraud cases, which are often multi-handed, and require thorough and focused preparation. As a member of the CPS Specialist Fraud Panel Sarah has prosecuted many large-scale VAT and direct tax frauds, cases of duty evasion and cheating the revenue, dishonesty offences by persons in positions of trust, and money laundering offences. She is experienced in prosecuting substantial benefits frauds (formerly for the Department for Work and Pensions, now for the CPS), Insolvency Act offences (for the Department of Business, Innovation and Skills), and

large-scale offending against the Royal Mail (for the Royal Mail Legal Services Department). Sarah is adept at the effective management and clear presentation of document heavy cases, dealing with the extensive disclosure exercises that are often involved, and conducting the substantial confiscation proceedings that result from such prosecutions.

Successful prosecutions include: three defendants who defrauded multiple elderly victims of over £1 million, by the sophisticated marketing and selling of overvalued investment products; the theft by an accountant of £1.2 million from a residents' association, involving a number of elderly and vulnerable victims; the highly organised fraudulent importation and distribution of large quantities of cigarettes by five defendants; a father and daughter who systematically defrauded HMRC of VAT, income tax and NIC in respect of their businesses; the theft by a postmaster of over £70,000 from the Royal Mail; the theft of over £200,000 by a woman who impersonated a vulnerable family member; and an MEP who fraudulently claimed over £100,000 in expenses from the European Parliament.

Successful defence cases include: a bank employee accused of defrauding an elderly customer of £100,000; and an NHS employee accused of defrauding her employers of over £400,000.

– **Asset Recovery, Restraint and Confiscation**

Sarah has extensive experience in the conduct of large-scale and high-value confiscation proceedings: both prosecuting and defending, but particularly as a result of her work as member of the Specialist Fraud Panel. She has an in-depth understanding of the legislative regime and case law, and is adept at addressing complex issues regarding the determination of benefit. Such proceedings have, in many cases that Sarah has prosecuted, resulted in the making of substantial confiscation orders, including in relation to hidden assets and tainted gifts.

Sarah has conducted enforcement proceedings in relation to confiscation orders, including a case in which a defendant petitioned for his own bankruptcy in an attempt to frustrate the enforcement of an order. After successfully opposing an application to stay those enforcement proceedings, Sarah was instructed by the Department for Business, Innovation and Skills in a subsequent application for Judicial Review of the court's decision: which involved an in-depth analysis of the effect of insolvency law on enforcement powers (and which was also successfully opposed).

Sarah is experienced in the conduct of cash forfeiture proceedings, often involving significant sums: both in the Magistrates' Court and on appeal to the Crown Court. She has also been instructed in condemnation proceedings.

- [Business Regulation](#)

Sarah has acted for a number of local authorities in the prosecution of regulatory offences, including: health and safety, food hygiene, noise nuisance, environmental, trade mark and planning offences. She has undertaken cases of considerable gravity and complexity within those spheres, often resulting in the imposition of significant penalties. Sarah also defends such cases.

Notable Cases

- [View All](#)

R v B (2017) – Defence of a carer charged with the ill-treatment / neglect of a person who lacked capacity, involving complex medical evidence.

R v F (2017) – Defence of a young woman with learning difficulties charged with encouraging or assisting an offence of child abduction.

R v Davies, Wilson & Ibrahim (2016) – Prosecution of a £1million conspiracy to defraud, involving the selling of overvalued investment products to numerous elderly victims.

R v G & Others (2016) – Defence of an individual charged with conspiring to possess firearms with intent to endanger life, involving allegations of gang and organised crime.

R v Skinner (2016) – Junior for the prosecution in respect of an MEP who fraudulently claimed over £100,000 in expenses from the European Parliament.

R v Jones, Jones & Oliver (2015) – Prosecution of defendants for wide-scale brothel keeping, cheating the Revenue in respect of £1.5 million of income, money laundering and mortgage fraud.

R v Enstone & Another (2015) – Defence of a young man charged with causing death and serious injury by dangerous driving, involving allegations of racing and complex technical evidence.

R v H (2015) – Prosecution of a rape case involving a 14-year-old complainant who had made a number of similar allegations against other individuals, involving extensive Section 41 and non-defendant 'bad character' applications.

R v Proshka, Beheluli & Topalli (2015) – Prosecution of offences of conspiracy to supply Class A drugs with a value of over £2.5 million, together with associated money laundering and identity fraud offences.

R v T (2015) – Prosecution of a defendant for causing death by careless driving, involving conflicting technical evidence and issues of causation (the deceased being a Jehovah's Witness who refused a blood transfusion).

R v Chambers & Others (2015) – Junior for the prosecution in a six-handed case of conspiracy to import large consignments of Cannabis into the UK.

R v Carlton & Others (2014) – Junior for the prosecution in an eleven-handed case of alleged prison mutiny within HMP Highdown.

R v Chowdhury, Chowdhury & Rai (2014) – Junior for the prosecution in a manslaughter case involving a violent attack that resulted in a drowning.

R v Lucie-Smith (2014) – Enforcement proceedings regarding a confiscation order against a company director, culminating in a successfully opposed application for Judicial Review.

R v D (2014) – Prosecution of a defendant who engineered a domestic setup in order to repeatedly breach a Sexual Offences Prevention Order, involving multiple issues surrounding his bad character.

R v Copsey (2014) – Prosecution of an accountant who stole £1.2 million from the residents of the block of flats within which he lived, involving a number of vulnerable victims.

R v A (2014) – Defence of an ‘urban explorer’ charged with a wide-ranging conspiracy to commit criminal damage; prosecution stayed as an abuse of process on the basis of *autrefois acquit* / *convict*.

R v J & H (2013) – Prosecution of defendants jointly charged with raping a highly intoxicated complainant, involving complex issues of capacity and consent.

R v Nadler & Others (2013) – Prosecution of three defendants who evaded £2 million in excise duty, regarding the fraudulent importation of a vast quantity of cigarettes.

R v A (2013) – Defence of a bank employee alleged to have defrauded an elderly customer of £100,000, involving contested computer evidence and expert witnesses.

R v Littleboy & Littleboy (2012) – Prosecution of a father and daughter who systematically defrauded HMRC of

VAT, income tax and NIC in respect of their businesses.

R v W (2012) – Prosecution of sexual offences against three complainants under the age of 10, involving complex recent complaint evidence.

R v Abbas & Others (2011) – Junior for the prosecution in a six-handed conspiracy to commit a series of armed robberies of commercial premises and cash-in-transit vehicles.

R Fongho & G (2011) – Junior for the prosecution regarding allegations of forgery and misconduct in a public office by a British diplomat, concerning the issuing of UK work permits.

R v A (2010) – Prosecution of sexual offences against complainants under the age of 13, involving an intermediary for an eight-year-old witness with speech and language difficulties.

R v Mazambi & Others (2010) – Junior for the prosecution in a fraud involving over £300,000 in grants obtained from national charities.

R v Biryah & Others (2009) – Junior for the prosecution in a £5 million tax fraud committed by labour supply companies.

R v Reed (2008) – Prosecution of the theft of £200,000 in breach of trust, involving the use of a speech therapist as an intermediary for a vulnerable elderly victim.

R v C (2006) – Junior for the prosecution in an historic rape case, involving abuse of process issues concerning the loss of evidence and the reliability of DNA techniques.

– **Reported Cases**

R v Foster & Others [2015] EWCA Crim 1824; [2016] 1 Cr.App.R.(S) 36 – Successful appeal against sentence in respect of the wide-scale forgery of documents by

employees implementing a Government funded back-to-work scheme.

R v AM [2009] EWCA Crim 618; [2010] Crim.L.R. 792 – Successful appeal against conviction regarding the application of Section 41 of the Youth Justice and Criminal Evidence Act 1999, in relation to previous (potentially false) allegations made by complainants in sex cases.

R v Smith (James William) [2006] EWCA Crim 1355 – Successfully opposed appeal against conviction concerning the detailed application of the bad character provisions of the Criminal Justice Act 2003.
