

# Fraud Newsletter No. 90

April 2024



## CASES

[\*R \(MCML Ltd & Anor\) v Southwark Crown Ct\*](#) [2024] EWHC 861 (Admin): Challenge to issue of search warrants dismissed.

## SENTENCING & CONFISCATION

[\*Haden & Ors\*](#) [2024] EWCA Crim 344: Guidance on app. of 2 year limit for completing confiscation & equity & prop interest (linked appeal: [\*Luxton\*](#) [2024] EWCA Crim 340)

[\*Miscellaneous amendments 2023 to sentencing guidelines\*](#): (extensive amendments to fraud guidelines) in force 1 Apr 24

## BILLS, STATUTES & Sis

[\*ECCTA: Economic Crime and Corporate Transparency Act 2023 \(Financial Penalty\) Regulations 2024\*](#): in force 2 May 24

[\*Changes to bodies granted investigatory powers under POCA 2002\*](#): HO order under s.453 POCA 02

[\*Proceeds of Crime Act 2002 \(Search, Recovery of Cryptoassets and Investigations: Codes of Practice\) Regulations 2024\*](#). SI 2024/551: in force 26 Apr 24

[\*Certain information orders: Code of Practice\*](#)

[\*Officers acting under Schedule 1 ATCSA 01: Code of Practice\*](#)

## GUIDANCE, CIRCULARS, REPORTS AND CONSULTATIONS

[\*HMCPSP Report Disclosure Serious Fraud Office\*](#): HMCPSP: 30 Apr 24

[\*Independent Review of Disclosure and Fraud Offences: preliminary findings\*](#): HO 24 Apr 24

[\*Mapping the global geography of cybercrime with the World Cybercrime Index\*](#): PLOS ONE 10 Apr 24. [Top 10 in order - Russia, Ukraine, China, USA, Nigeria, Romania, N. Korea, UK, Brazil, India.]

[\*Luxury on the Surface: Social Media Influencers and Financial Crime\*](#); RUSI: 18 Apr 24

## NEWS

### Post Office Horizon IT Inquiry:

Recordings, transcripts, reports, evidence and key documents etc available on the [POHITI website](#).

### CPS:

[\*Members of Britain's biggest benefit fraud gang convicted\*](#): 10 Apr 24

### FCA:

[\*Individual charged with investment fraud over unauthorised multimillion pound 'Kube Trading' scheme\*](#): 23 Apr 24

[\*FCA secures £1.6m for investors from alleged unlawful investment schemes\*](#): 5 Apr 24

[\*Former site manager found guilty of insider trading\*](#): Bus. Desk: 2 Apr. 24 (sentencing 26 Apr)

### Gambling Commission:

[\*Bet365 to pay £582,120 for regulatory failures\*](#) – re AML & social responsibility: 4 Apr 24.

### Insolvency Service:

[\*Ex-England and Liverpool footballer John Barnes banned as company director\*](#): 24 Apr 24

[\*More than 800 company directors banned for abusing Covid support scheme\*](#): 12 Apr 24



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## NCA:

[Gold and art worth millions and linked to crime is forfeited](#): 30 Apr 24

[European police chiefs call for end-to-end encryption roll out to include public protection measures](#): 21 Apr 24

[UK arrest in €645 million international investment scam](#): 12 Apr 24

[Rabbi to return £2.35m to charities after investigation by National Crime Agency](#): Guard: 5 Apr. 24

## SFO:

[Four Plead Not Guilty to Patisserie Valerie Accounting Fraud: Bloomberg](#): 26 Apr 24

[Interview with Director \(podcast\)](#): Interviewed by former DPP Lord Macdonald: 23 Apr 24

[SFO Strategy 2024-2029](#): Focus on AI, Covert Intel & whistleblowers.

[Jailed bankers ruling could hit key loan rate, warn founders](#) – CA's "deep misunderstanding" of Euribor rules alleged: BBC News: 20 Apr 24

[Former MoD official jailed for taking £70k in kickbacks following SFO investigation](#): 12 Apr 24

## HOME:

[HMRC investigates health technology company linked to Tories](#): The Times (Paywall): 29 Apr 24: [re Babylon Healthcare, valued at \$4.2B Oct 21: in administration Aug 24.]

[The Thief, the fraudster and £3b of missing pensions](#) - S. Times (Paywall): ST investigation into Brite Advisory Group funds also under review in US and Australia: 28 Apr 24

[HSBC successfully fights off £240m legal challenge over Disney film tax scheme](#): City AM: 27 Apr 24.

[Balance of £1.3B case on behalf of 177 investors settled mid-trial without admissions of wrongdoing or liability]: Judgment: [Upham & Ors v HSBC](#): [2024] EWHC 849 (Comm)

[Suspended sentence for ex-solicitor convicted of fraud](#): Law Soc. Gaz. 19 Apr 24

[Peter Murrell charged with embezzlement in SNP probe](#): BBC News 18 Apr 24

[Stay safe from a cruel summer: be alert to ticket fraud ahead of this summer's top events](#): Action Fraud; 16 Apr 24

[Hedge Fund Founder Sanjay Shah at Heart of Trial Over £1.4 B Tax Scam](#): Bloomberg UK: 15 Apr 24.

[Eurojust Assists UK in Cracking Down on Benefit System Fraud](#): OCCRP 12 Apr 24

[Lawyers admit charging for extra hours they have not worked](#) Times (paywall) 11 Apr 24; [Padding timesheets 'endemic', say lawyers](#) - Rollonfriday: 28 Mar 24

[Universal Credit: Gang guilty of large £53.9m benefit fraud](#) on an "industrial scale": BBC News: 10 Apr 24

[City of London Police reveals more than £612 m lost to investment fraud in UK last year](#) - one victim lost £11.9m: cryptocurrency the most common commodity: CoP: 8 Apr 24

[For sale: The mansion seized from £70m postal fraud scammer](#): BBC News 3 Apr 24

## EU:

[Investigation 'Resilient Crime': 22 arrests in raid against criminal organisation suspected of €600 million fraud involving NextGenerationEU funds](#): EPPO: 4 Apr 24

## US:

[Biotech CEO Sentenced for \\$28M COVID-19](#)



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[Securities Fraud Scheme and Obstruction of Related Investigation](#); DOJ; 12 Apr 24

[Sam Bankman-Fried appeals FTX fraud convictions and 25-year prison sentence](#); Guard: 11 Apr 24

[Ohtani interpreter charged with stealing over \\$16m from baseball star](#); BBC: 11 Apr 24.

[Joe Lewis: How one of Britain's richest people broke insider trading laws](#) – fined \$5m: Broad Bay Ltd fined \$44m: BBC News: 4 Apr 24

[Head of legal and compliance for multibillion-dollar cryptocurrency pyramid scheme OneCoin sentenced to four years in prison](#): IRS: 3 Apr 24

[Trump posts \\$175m bond in New York fraud case](#): BBC News: 2 Apr 24

[Trader Trafigura Pleads Guilty to a Decade of Oil Bribery in Brazil](#): Bloomberg: 29 Mar 24

## **ABROAD:**

[Truong My Lan: Vietnamese billionaire sentenced to death for \\$44bn fraud](#): 6 tonnes of documents; 85 others tried; 2,700 witnesses; 210 lawyers. Original investigations part of massive “Blazing Furnaces” anti-corruption campaign BBC: 11 Apr 24

[KPMG Fined Record \\$25m in Exam-Cheating Scandal](#): Wall St Jo: 10 Apr 24.

[Panama Papers trial begins with denials eight years after historic tax evasion exposé](#): ICIJ: 8 Apr 24

