



JANE OSBORNE QC

CALLED: 2000

SILK: 2020

FINANCIAL CRIME

R v OS [2020]

Jane defended OS together with a junior. OS was charged, together with her husband and a number of business associates, with laundering £5million alleged to be the proceeds of credit card fraud. During Jane's cross examination of the financial analyst, the prosecution case where they alleged that the funds going through the bank account were criminal, was so undermined that, before the conclusion of cross examination, the Crown offered no evidence against all five defendants. This was only possible through detailed analysis of the movement of monies through the numerous bank accounts featuring in the case.

R v SS & 7 others [2019]

Jane acted for the prosecution against eight defence teams, most with QC and junior. The defendants were alleged to have been involved with "boiler room" fraud operations selling initially carbon credits and then diamonds. Those who invested lost a total of in excess of 10 million. There were multiple complainants who had lost money and financial evidence spanning over 30 bank accounts. The case involved complex legal arguments involving abuse of process and expert witnesses.

R v SR [2019]

SR had absconded from the UK a year prior to his trial. The trial proceeded in his absence, Jane having argued that he was deliberately absent for his trial, and that it was in the public interest for the trial to proceed. The argument was successful even when trial counsel withdrew. He was convicted and sentenced to eight years imprisonment, which he is now serving having been extradited from Greece.

Press links:

<https://www.dailymail.co.uk/news/article-8670823/Fraudster-run-eight-year-jail-term-2-4m-fraud-finally-bars.html>

<https://www.standard.co.uk/news/crime/conman-dubai-maldives-fraud-justice-jailed-a4534886.html>

R v AB (2018)

Jane was part of the team prosecuting five defendants for their part in a highly sophisticated VAT scam. Over the course of six years AB had, through his company, cheated the revenue of over £17 million pounds in VAT disguising this through purported trading chains with over 25 companies used for the purpose of the fraud. The trial lasted six months and the company director and his accountant were convicted. There were complex legal arguments involving conspiracies, non-conviction bad character and the admissibility of covert audio recordings obtained in breach of PACE

Press links:

<https://www.dailymail.co.uk/news/article-4802972/Scrap-metal-dealer-accused-17-5million-VAT-fraud.html>

R v SD and 4 others [2018]

Jane prosecuted this 3-week £2.5million boiler room fraud together with a junior. Of the six defendants originally charged, three pleaded guilty at the beginning of the trial, following service of the opening and the jury documents. Of those who were tried MN was the subject of extensive bad character applications by Jane, which resulted in the successful introduction of highly damaging material. He was a challenging witness to cross examine, impossible to control and adamant of his innocence, even in relation to his previous convictions. The jury were unconvinced however, and he was convicted. He was sentenced to a total of thirteen years imprisonment.

Press Links:

<https://www.itv.com/news/london/2018-09-14/fraudsters-jailed-for-2-4-million-fraudulent-carbon-credit-scheme>

R v DH & 4 others [2017]

Jane acted as lead counsel prosecuting seven defendants in this 5-week, £10million, land investment fraud. The defendants were responsible for contacting individuals and persuading them to invest in land that was worthless. The case relied upon numerous documents seized from their offices and recovered from their computer servers, and the prosecution also relied on recorded telephone calls, which the defence argued, unsuccessfully, were inadmissible. All of the defendants were convicted of offences connected to the fraud.

Press links:

<https://www.ftadviser.com/investments/2017/11/03/two-jailed-over-land-investment-fraud/>

<https://www.ftadviser.com/regulation/2016/11/28/men-behind-land-investment-fraud-jailed/>

R v MF & 4 others [2016]

Jane prosecuted five defendants (together with a junior) for their part in an investment fraud involving the sale of carbon credits to individuals. The individuals had cumulatively lost £2,500,000. As a number of participants in the fraud had already been convicted, all the defendants sought to shift the blame onto those already convicted, requiring Jane to make careful tactical decisions in cross examination. There were complex character arguments arising spontaneously in the defence case and concerning unproven allegations of similar misconduct pre-dating the operation of this fraud, and still to be prosecuted. The case was the subject of an unsuccessful appeal where Jane appeared in the Court of Appeal.

Press Links:

<https://www.eastlondonlines.co.uk/2016/11/bow-man-convicted-of-multi-million-pound-carbon-credits-fraud/>

R v JB & 6 others [2017]

This was the first of two trials linked to a £2.5 million investment fraud prosecuted by Jane. The fraud spanned a period of 18 months and involved two separate registered companies. Many of the witnesses involved in the case were elderly or otherwise vulnerable and had been conned out of their life savings; they gave evidence, in many cases remotely. The case involved complex company and financial evidence, with multiple companies involved in the fraud and over twenty different key bank accounts. Expert evidence in relation to carbon credits and SIPP investments was called. Following conviction there were contested confiscation proceedings, applications for serious crime prevention orders and successfully resisted appeals on conviction.

Press links:

<https://www.mirror.co.uk/news/uk-news/carbon-credit-investment-fraud-gang-9317279>

APPELLATE WORK

R v JFB & Others (2020)

Jane represented the respondent in a conjoined appeal against conviction involving four separate cases and seven defendants, lasting three days. All four cases were founded, at least in part, on the evidence of an expert witness who had subsequently been found to have no awareness of the responsibilities of an expert.

R v AB & SG (2020)

Representing the respondent in an appeal against conviction where the appellants had been convicted of cheating the revenue of £17million. It was successfully argued during the two day appeal hearing that it was not too late to make a substantive amendment to the indictment at the end of cross examination of the defendant, where his evidence changed the nature of the case against him. The court also ruled that evidence from a covert recording device installed in the rear of a police van and used to record two defendants following their arrest, and on route to the police station, was properly admitted in evidence.

Link to ruling:

[http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Crim/2020/1596.html&query=\(Bond\)+AND+\(Goble\)](http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Crim/2020/1596.html&query=(Bond)+AND+(Goble))

SEXUAL OFFENCES

R v MW [2020]

Jane defended MW who was charged with a violent rape. The trial was taking place some three years after the alleged events, despite the contemporaneous call by the complainant to the police. Through cross examination of the complainant, Jane revealed actions following the alleged rape, inconsistent with her evidence. By asking probing questions of the investigating officer, Jane was able to expose the weaknesses and insufficiencies in the investigation and the failure to follow lines of enquiry that could have supported the defendant's case. The defendant was acquitted.

R v TT [2020]

TT denied that he had raped the complainant, although she had fallen pregnant with his child at the age of 13, and TT was a close friend of the family some years older than the complainant. Jane successfully opposed s.41 applications and bad character applications made by the defence in an attempt to tar the character of the young complainant and her sister who was only 8 years old at the time of the offence.

R v RT [2018]

Jane defended RT who was charged with numerous sexual offences against the two children of his married lover. His lover was also his co-defendant. They were jointly charged with conspiring to rape the two children, who were 9 months old, and 4 years old at the time of the offences, and also with specific sexual offences against each of the two children. RT's co-defendant implicated him entirely in her evidence, requiring Jane to conduct very careful cross examination of her, in order to reveal why she would have a motive to lie and thereby implicate him in the commission of the offences.

R v ML [2017]:

Jane defended ML who was accused of historic sexual activity with a 14 year old boy at a time when the defendant would have been 38. The defendant had a learning disability and an IQ of 51 but was fit to stand trial. The intermediary service declined to assist saying that his difficulties were "too complex". The complainant had his own vulnerabilities although, by the time of the trial, was an adult. Jane cross-examined the vulnerable complainant sensitively but forcefully in order to put the defendant's instructions. Jane successfully presented the expert evidence on the defendant so that the jury were aware of his particular difficulties and also ensured that all questioning of him was fair. The defendant was acquitted of some of the allegations and the prosecution did not pursue further those counts that the jury could not decide on.

SERIOUS VIOLENCE

R v MR [2021]

Jane is instructed to defend MR who is charged with causing GBH with intent to his 6 week old son. MR's son suffered a bleed to his brain whilst in the care of MR. The case centres on complex medical evidence from neuro-radiologists, ophthalmologists, haematologists and paediatricians, with expert witnesses instructed by both the prosecution and the defence.

R v MH [2017]

Jane prosecuted MH who was a vulnerable 18 year old with psychiatric and psychological issues and was charged with the attempted murder and rape of a 15 year old. Having raped her and attempted to strangle her, he stabbed her multiple times and left her for dead in a secluded part of a graveyard. The complainant was young at the time of giving evidence and also vulnerable, with a history of self-harm and confession witnesses were giving evidence against their friend (the defendant) and Jane had to exercise great care and sensitivity in adducing their evidence. The defendant was convicted and sentenced to an extended sentence of 17 years.

R v SB & 3 others [2016]

Jane prosecuted four men for attempted murder, possession of a firearm and robbery after a shotgun was discharged in the car park of IKEA in broad daylight. The case involved analysis of complex cell site evidence showing that the defendants were in contact with one another and travelled together prior to the incident and the examination of hostile witnesses who, due to involvement with gangs and drug dealing were reluctant to give evidence. Jane also presented and challenged expert evidence relating to the transfer of DNA from clothing to firearm.

SERIOUS ORGANISED CRIME

R v MS & 7 others [2017]:

Jane prosecuted (together with a junior) eight members of an Organised Crime Group, for conspiracy to commit a series of at least 122 burglaries and thefts, targeted at high value motor vehicles. Once stolen, the identities of the vehicles were changed and the vehicles sold. The voluminous evidence was presented with the assistance of a detailed graphics bundle setting out clearly each individual offence and the evidence to connect each defendant to it. Bad character applications were made in relation to defendants who had identical offending in their past. Four no case to answer submissions were successfully resisted. Cross-examination of the second defendant was particularly challenging, when she sought to exonerate the first defendant who had not given evidence. All the defendants were convicted and the primary defendants received significant custodial sentences of between 6 and 7 ½ years.

Press links:

<https://www.dailymail.co.uk/news/article-4410012/Gone-60-Seconds-gang-jailed-46-years.html>

R v TP & MR [2018]:

Jane advised pre-charge in relation to this prosecution under the little used provisions of the Serious Crime Act 2007. MR had supplied trade vehicles to an organised crime group to assist them in the commission of their crimes and was therefore charged with assisting the commission of those offences. TP was charged with laundering money from the organised crime group and transferring some of those funds to MR. After a two week trial they were both convicted and sentenced to imprisonment.

Press link:

<https://www.dailymail.co.uk/news/article-5982429/Gangsters-girlfriend-25-helped-laundry-profits-2-5m.html>

R v JL & LT [2017]

Jane prosecuted JL & LT for conspiracy to possess a firearm with intent to endanger life after they had arranged to purchase a functioning firearm and rounds of live ammunition from someone who was, unknown to them, an undercover police officer. Jane made a tactical decision to call someone who had previously been a co-defendant before the case against him was reviewed and charges dropped, as a witness, having assessed the value of his evidence to the case. Jane also successfully argued that a proposed defence expert witness did not have the necessary expertise to be an expert on the subject matter in issue, and later drafted a Respondent's notice for the Court of Appeal on this topic, which resulted in leave being refused.

Press links:

<https://www.bristolpost.co.uk/news/bristol-news/two-men-who-tried-buy-1826954>

R v JR & 7 others [2017]:

Jane was lead prosecution counsel in this 6 week trial of 8 defendants charged with conspiring to commit 12 separate armed robberies of Bookmakers shops over a 9 month period. The case revolved around complex telephone cell site and call evidence which had to be carefully presented to the jury in order to ensure that it was fully understood. Jane successfully resisted submissions of no case based on the construction of the indictment and the principles of conspiracy charges. She made submissions on the use of psychological evidence by one of the defendants and made submissions about entirely novel irregularities within the jury during retirement.

Press Links:

<https://www.standard.co.uk/news/crime/terrifying-moment-gang-threaten-betting-shop-staff-with-guns-and-sword-during-armed-robbery-at-ladbrokes-a3975011.html>