

Philippa Eastwood



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Email: p.eastwood@doughtystreet.co.uk

Profile

Philippa is an established criminal defence advocate, regularly instructed in complex and significant cases. She is listed in both the Legal 500 and Chambers & Partners for her expertise. In representing those accused in diverse cases from murder to drug conspiracies and cheating the public revenue, she has built a reputation for meticulous case preparation, strategic thinking, and determined and incisive defending.

Philippa has particular expertise in financial crime and in Proceeds of Crime Act 2002 cases, including the restraint, recovery, forfeiture or confiscation of assets. She has conducted substantial and high-profile cases of fraud, money laundering and bribery and is ranked in the Legal 500 and Chambers & Partners for her specialism in fraud. She has gained recognition for her strength in marshalling and managing voluminous material, exacting case preparation, and intelligent and pithy advocacy. She has experience in representing both individual and corporate defendants. She is a sought-after advocate in POCA Appellate work and has acted as independent counsel for the SFO, considering material for the determination of Legal Professional Privilege.

What the Directories say

Legal 500 (General Crime): *"A clear, persuasive and effective advocate"*

Legal 500 (Fraud): *"Very client friendly and great to work with"*

Chambers & Partners (Financial Crime): *"Thorough, sensitive to client needs and extremely well prepared"*

Chambers & Partners (Financial Crime): *"She achieves wonderful results."*

Philippa is also a trustee of Cecily's Fund, a charity helping with the education of children and young adults in Zambia. She has tutored advocacy and criminal procedure in Tanzania as a delegate of the Bar Human Rights Committee.

Education

Kings College London, LLM [Distinction]

New College, Oxford University, BA, Philosophy, Politics & Economics [First Class]

Related practice areas

Criminal Law

Business Crime

Criminal Appeals

Regulatory and Financial Crime

Philippa specialises in financial crime and confiscation.

Recent and current cases in fraud and financial crime include:

- **R v M.** Represented a former UKIP councillor for fraudulent trading involving multi-millions of EU/Welsh government funding.
- **R v A Ltd.** Assisted a corporate defendant charged with a number of bribery offences which covered numerous jurisdictions. Prosecuted by the SFO, the case was the subject of an interlocutory appeal to the Court of Appeal on the interpretation and coverage of the 'old' bribery laws. Co-defendants consisted of company directors and managers. Involved in case preparation with a particular focus on disclosure and 'unused' digital material prior to, and during, trial.
- **R v B & Ors.** Represented the first defendant in a multi-handed HMRC Conspiracy to Cheat the Public Revenue of value £163mil involving investments in a carbon credit tax

scheme and a medical research scheme over the course of 5 months at Southwark CC. One of the recipient companies whose representative gave evidence at trial featured in the 'Panama Papers' (linked with HRH Prince of Wales). The defendant was the master-mind behind the sophisticated fraud involving an extensive network of international financial and corporate entities. He also was charged with Fraud by False Representation arising from his activities in relation to HMRC's civil investigation. Case papers were vast: used material was over 30,000 pages and unused material in the case amounted to over 4.5 million pages. The case was the subject of an Attorney-General's Reference.

- **R v B.** The defendant was charged with Fraudulent Evasion of Income tax. He was said to have under declared his income by approximately £1.2mil over a four year period, using offshore 'tax havens' and multiple offshore companies. The same defendant was also the subject of contempt of court proceedings for breaching his restraint order. He received undeclared funds from assets overseas into an undeclared bank account, and spent an average of £19,000 a month, far in excess of his restraint order living allowance of £4500pcm.
- **R v H.** The defendant, who had historical convictions for terrorist activity, was charged with a large-scale conspiracy to evade VAT. The Crown's case was premised on months of probe recordings from a covert listening device in a co-defendant's vehicle, as well as observation evidence arising from an investigation spanning years, and multiple jurisdictions. The case was the subject of numerous disclosure applications arising from the covert operation, and the Crown were eventually forced to offer no evidence due to the pressure of disclosure issues.
- **R v P & Ors.** Represented lead defendant charged with three separate allegations of conspiracy to cheat HMRC of value over £4mil. His consecutive trials were listed over 5 months at Southwark CC. He was said to have been the architect of dishonest film investment schemes designed for the purpose of tax evasion; making use of false accounting and a sham loan structure to dishonestly assist investors in their claims for sideways loss relief.
- **R v W & Ors.** Represented an Operations Manager facing allegations of conspiracy to defraud the Department for Work and Pensions arising from the delivery of a large welfare to work contract and the alleged misuse of significant public funds.
- **R v S.** Represented sole defendant in fraudulent trading charges in the construction industry where the alleged value of the defendant's criminal activity was in the region of

£3.5 million.

- **R v S & Ors.** Represented lead defendant in an organised crime group participating in a large-scale, highly sophisticated, nationwide ATM and counterfeit bank fraud. The cards recovered in the case were estimated to have a street value of £16mil.
- **R v S & Ors.** Represented 'an integral member' of this SFO-prosecuted international advance fee fraud, resulting in victims' losses of £12mil. Originally charged with an associated 'rent' or 'ramping' fraud, the case was of considerable complexity, with served evidence exceeding 65,000 pages. It boasted both a high-profile co-defendant and victims from different jurisdictions. The case required the instruction of experts in the field of land surveying, and included opaque accounting evidence.
- **R v H & Ors.** Represented the primary defendant in a multi-handed, multi-million pound, nationwide fraud trial arising from a property business franchise scheme. Significant issues of disclosure and investigative failings complicated an already complex case with over 100 witnesses and extensive cross-examination on behalf of the defendant.
- **R v T & Ors.** Represented a company director in a case arising out of fraud perpetrated on the Department for Education and Skills in respect of a distance learning scheme of value approximately £1million. The case was voluminous, factually complex and involved legal submissions on a number of areas including statistical analysis, extrapolation of evidence, disclosure, abuse of process. Confiscation proceedings were detailed and extensive.
- **R v K & Ors.** Represented Managing Director of a nationwide distance learning college alleged to have committed a fraud against the Department for Education and Skills.
- **R v G.** Defended former owner of a Solicitors' firm before the Solicitors Disciplinary Tribunal in a three week trial against allegations of serious professional misconduct including dishonesty.

Criminal Appeals

Philippa appears regularly in the Court of Appeal. She was a contributing author of *Taylor on Criminal Appeals (second edition)*.

In line with her recognised expertise, she advises in particular on matters of financial crime and confiscation.

Notable appearances in Court of Appeal include:

- **R v Gary Fulton.** Re: POCA 2002 and benefit from criminal conduct in money laundering in the course of employment in a Money Services Bureau
- **R v Edwards (Steadman).** CCRC referral of historic murder case involving alleged 'cell confessions'
- **R v Lang & Ors.** Guideline case on CJA 2003 'dangerousness' provisions;
- **Athwal & Athwal.** Guideline case on 'recent fabrication' and s120 CJA 2003.

Homicide and Related Grave Offences

Philippa has experience as led junior in notable murder cases.

Recent cases include:

- **R v LB.** Represented a defendant charged with Conspiracy to Murder. He and his co-defendants were said to have stabbed the victim over 18 times in a turf war between drug gangs. The defendants used knives one of their number had just purchased from the local Tesco and then boasted about their exploits on Facebook. With limited eye witnesses and CCTV footage, the case hinged on cell site analysis, text messaging.
- **R v DW.** Represented defendant in historic re-trial for murder after the original conviction was overturned on appeal. This was a complex case where killing was admitted, but involved issues of diminished responsibility, involuntary intoxication and loss of control arising from Alcohol Dependency Syndrome. The case was complicated by extensive bad character evidence and significant psychiatric analysis.
- **R v AL.** Represented defendant in murder trial where the victim had been subjected to over 30 stab wounds with a pair of scissors running defences of diminished responsibility and loss of control. The defendant suffered from hypoglycaemia which was influenced by both medication that he was taking for ADHD, and alcohol abuse. Experts in psychiatry and toxicology were relied on.

- **R v SA.** Honour Killing. The defendant and his mother were indicted for murdering his wife, as she was said to have undermined on the family's honour and reputation. This case is a leading Court of Appeal authority on the admissibility of evidence under s119 of the Criminal Justice Act.
- **R v AE.** Represented defendant on appeal following a Criminal Cases Review Commission referral against his historic conviction for murder. The case pertained to significant failures in disclosure regarding the informant status and police contact of a fellow prisoner whose allegation of a cell confession formed a significant limb of the Crown's case in the defendant's murder trial.

Other Serious Criminal Offences

Philippa has been instructed in serious and complex cases from offences of violence to high-level drug offences and offences of dishonesty as both led and sole counsel. A constant theme throughout the diversity of caseload is her committed and considered defending.

Recent cases include:

- **R v AS.** Represented defendant charged with Conspiracy to Supply Class A drugs and Possession of a Firearm. In the course of an undercover police operation into the wholesale supply of drugs, a search of a 'safe house' revealed not only 1kg of high purity cocaine, but a loaded firearm, with bullets which had been fired. Achieved an acquittal despite the defendant's DNA found on the firearm, and a search of his property revealing cutting agent in the kitchen.
- **R v FB.** Represented lead defendant alleged to have masterminded importation of over 200kg of cocaine. The case involved in-depth cell-site and telephone analysis linked with IP addresses used for email login in furtherance of the conspiracy.
- **R v AA.** Represented defendant indicted with conspiring to supply over 50kg heroin. The Crown's case was premised on months' of police observations and surveillance, as well as telephone cell site analysis.
- **R v BA.** Represented serving life prisoner who was prosecuted by the Counter-Terrorism Division for conspiring with a fellow prisoner to send explosive substances in the form of letter bombs with intent to cause grievous bodily harm.

- **R v DW.** The defendant was said to have headed up the cocaine arm of a organised crime group supplying drugs to the east of England.
- **R v TS.** Defendant charged with kidnap, false imprisonment and blackmail.

Inquiries and Inquests

Philippa also undertakes inquest work, most recently representing the driver of the vehicle involved in a fatal accident, in relation to controversial circumstances in which police negligence was said to have been a contributory factor to the death.

Courts Martial

Philippa undertakes work in Courts Martial and in Standing Civilian Courts.