



# Sam Thomas

Call 2011

Sam Thomas' practice encompasses advice and advocacy in relation to Financial Crime, Regulatory Law, Inquiries, and Cyber Law.

He is ranked as a leading junior barrister in Chambers & Partners and the Legal 500.

## Financial Crime:

Sam has a particular expertise in defending cases of complex and high profile money laundering, often with an international aspect. Sam combines his criminal law experience with his regulatory knowledge to provide a 360 degree service to his clients.

Sam has written extensively in relation to anti-money laundering (AML) regulation and guidance. He is the contributory editor of Simon's Taxes, the leading reference service on UK direct tax. Sam has co-written the AML chapters for this publication.

On a privately funded basis, Sam has acted as a led Junior and a Junior alone in complex confiscation and cash forfeiture hearings.

## Crime

As an advocate, Sam has appeared for the prosecution and the defence in the most serious criminal cases. These cases have included:

- Murder;
- Unlawful act manslaughter;
- Robbery;
- Sexual Offences; and
- International Drug Conspiracies.

He is a CPS Grade 3 prosecutor and has acted for the Crown as a led Junior and Junior acting alone.

Sam has acted for high-net-worth individuals charged with Road Traffic Offences. Sam again uses his regulatory knowledge to advise on the *'fit and proper'* implications following criminal investigation and charge.

## Regulatory:

Sam's regulatory practice includes financial regulation, healthcare and sports.

He is on the Committee of the Association of Regulatory and Disciplinary Lawyers (ARDL), and is the head of the ARDL Sports Law Practice Group.

### **Financial Regulation:**

Sam is regularly instructed by the Pensions Regulator in the first tier and upper tribunals.

He has been instructed to advise both in a civil and criminal context.

### **Healthcare:**

Sam regularly appears for both registrants and the regulator in healthcare disciplinary proceedings. He has appeared before the following healthcare regulators:

- General Dental Council;
- General Optical Council;
- General Medical Council;
- Nursing and Midwifery Council;
- The UK Council for Psychotherapy.

In a healthcare disciplinary setting, Sam has appeared in a variety of case ranging from attempted murder and rape, to complex clinical cases involving the cross-examination of multiple experts.

### **Inquiries & Inquests:**

Sam has acted as Junior Disclosure Counsel for the Solicitor to the Hillsborough Inquest and the Independent Inquiry into Child Sexual Abuse.

He has acted as Independent Disclosure Counsel for investigations by HMRC and the Department of Justice, and is conversant with issues of Data Protection and Legal Professional Privilege in this jurisdiction and abroad.

Sam has represented individuals, companies and insurers at Coroners' Inquests, in particular Article 2 inquests involving the Health and Safety at Work Act.

### **Cyber Law:**

Sam is the co-author of Cyber Security Law and Practice (Lexis Nexis); and Blockchain and Cryptocurrency: International Legal and Regulatory Challenges (Bloomsbury Professional).

He has a wealth of knowledge in relation to the criminal, civil and regulatory aspects of cyber law, including:

- Information Management and Personal Data Breaches
- Data Handling including transfer overseas
- Cryptocurrency
- Blockchain and Non-Fungible Tokens (NFTs)
- Employment disputes and the misuse of confidential information.

Sam sits on the Bar Council IT Panel, and writes a quarterly Cyber Law column in Counsel Magazine.

## Practice Areas

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### Fraud

Sam has a particular expertise in defending cases of complex and high profile money laundering, often with an international aspect. Sam combines his criminal law experience with his regulatory knowledge to provide a 360 degree service to his clients.

Sam has written extensively in relation to anti-money laundering (AML) regulation and guidance. He is the contributory editor of Simon's Taxes, the leading reference service on UK direct tax. Sam has co-written the AML chapters for this publication.

On a privately funded basis, Sam has acted as a led Junior and a Junior alone in complex confiscation and cash forfeiture hearings.

### Crime

As an advocate, Sam has appeared for the prosecution and the defence in the most serious criminal cases. These cases have included:

- Murder;
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Sam has acted for high-net-worth individuals charged with Road Traffic Offences. Sam again uses his regulatory knowledge to advise on the *'fit and proper'* implications following criminal investigation and charge.

### Appeals

On a direct access basis, Sam has drafted grounds of appeal against conviction and sentence, and applications to the Court of Appeal, in relation to a number of serious offences, including: unlawful act manslaughter; rape; historic sexual abuse; and conspiracy to supply controlled substances of class-a. Sam has also advised in relation to confiscation proceedings.

*In Loake v Director of Public Prosecutions [2018] 2 W.L.R. 1159*, Sam successfully argued that a conviction for harassment should be overturned following a preliminary ruling in the Crown Court. In doing so, Sam caused the law of insanity to be redefined, with the Administrative Court overturning decisions that had previously been in place for 30 years.

In *Tan [2017] EWCA Crim 493*, a case in relation to a conviction for harassment causing serious alarm or distress, Sam was granted leave to appeal following a successful application to the Full Court.

In relation to regulatory appeals, Sam has experience in advising on appeal to the Administrative Court and the First Tier Tribunal.

The appeal of ancillary orders is Sam's speciality. He has experience in challenging the imposition of driving disqualifications; criminal behaviour orders; sexual harm prevention orders; football banning notices; and restraining orders.

## Coroner's Inquests

Sam has acted as Junior Disclosure Counsel for the Solicitor to the Hillsborough Inquest and the Independent Inquiry into Child Sexual Abuse.

He has acted as Independent Disclosure Counsel for investigations by HMRC and the Department of Justice, and is conversant with issues of Data Protection and Legal Professional Privilege in this jurisdiction and abroad.

Sam has represented individuals, companies and insurers at Coroners' Inquests, in particular Article 2 inquests involving the Health and Safety at Work Act.

## Regulatory

Sam represents and advises professionals and regulators, primarily in the healthcare sector, in respect of disciplinary proceedings and NHS Performers List disputes. He regularly appears before the following healthcare regulators:

- General Dental Council;
- General Optical Council;
- General Medical Council;
- Nursing and Midwifery Council;
- The UK Council for Psychotherapy.

In a healthcare disciplinary setting, Sam has appeared in a variety of case ranging from attempted murder and rape, to complex clinical cases involving the cross-examination of multiple experts.

When representing Registrants, Sam has successfully defended those alleged to have committed misconduct including: negligent clinical performance; poor record keeping; inappropriate sexual conduct; and acts of dishonesty. Sam is adept at utilising expert evidence within his written and oral advocacy.

NHS Performers List disputes are a growing area within Sam's practice. He regularly provides written representations for Performers List Decision Panels (PLDP), and has appeared in person before the PDLP when appropriate. Sam has also represented NHS contractors, both individuals and companies, in relation to alleged breaches of mandatory and additional services contracts.

In relation to regulatory appeals, Sam has experience in advising on appeal to the Administrative Court and the First Tier Tribunal.

Sam was seconded to an insurer of healthcare professionals where he provided advice on statutory and regulatory interpretation, judicial review of regulators decisions, and potential appeals.

He is a member of The Association of Regulatory and Disciplinary Lawyers, and has contributed to ARDL

publications.

## Cyber Security

Sam is the co-author of Cyber Security Law and Practice (Lexis Nexis); and Blockchain and Cryptocurrency: International Legal and Regulatory Challenges (Bloomsbury Professional).

He has a wealth of knowledge in relation to the criminal, civil and regulatory aspects of cyber law, including:

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## Publications

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- Specialist Advisor to the House of Lords Select Committee on the Fraud Act 2006 and Digital Fraud

## Memberships

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- Association of Regulatory & Disciplinary Lawyers
- Bar Council Information Technology Panel
- Criminal Bar Association
- Young Fraud Lawyers' Association
- Health & Safety Lawyers Association

## Directory Quotes

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- "Working with Sam is easy. He's highly knowledgeable, approachable and has the ability to foresee issues and arguments early on and provide detailed, sound advice." **Chambers & Partners, 2022**
- "A robust cross-examiner and a formidable advocate who presents in a clear and persuasive manner and always with the right level of charm and charisma." **Legal 500, 2021**
- "A very hard-working, sensible, pragmatic barrister and a safe pair of hands." **Chambers & Partners, 2021**
- "One of his greatest strengths is his advocacy skills. He is both articulate and persuasive and his delivery is accurately pitched to suit the tribunal he is addressing." **Legal 500, 2020**