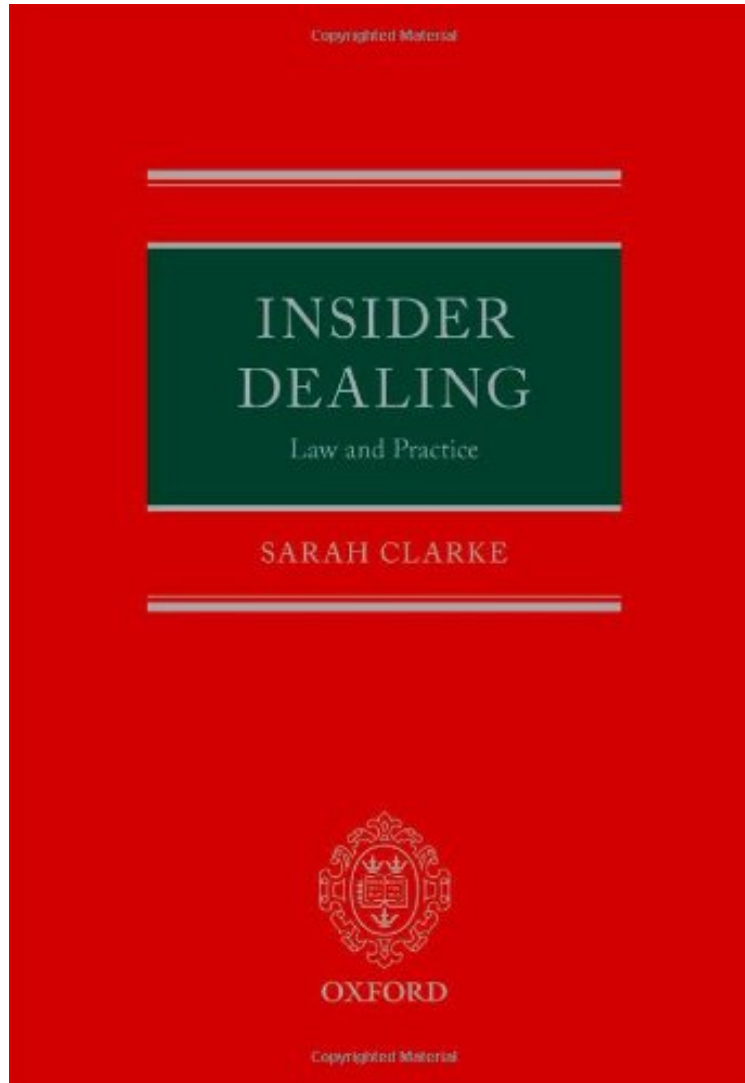


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Insider Dealing: Law and Practice

Sarah Clarke

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Sarah Clarke : Insider Dealing: Law and Practice before purchasing it in order to gauge whether or not it would be worth my time, and all praised Insider Dealing: Law and Practice:

0 of 0 people found the following review helpful. Indispensable....By Phillip Taylor MBE
INDISPENSABLE FOR PRACTITIONERS: A THOROUGH, PRACTICAL STRAIGHTFORWARD GUIDE TO INSIDER DEALING
LEGISLATION An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers
Insider dealing -- and some of its more notorious perpetrators -- has become the stuff of legend, not to mention shock and awe. In writing this comprehensive guide to insider dealing legislation, author Sarah Clarke has created a legal text

that is not only useful, practical and authoritative, but also a rather fascinating explication of illustrative case law, including some extremely high profile cases which, in their day, were world famous. For example, does anyone remember the case of Ivan Boesky back in the eighties? As an insider dealer (risk arbitrageur as he preferred to be known) with an army of paid informants, he amassed millions by betting on inside information on corporate takeovers. He was eventually caught when one of his informants informed on him -- but not before enjoying a life of wealth, eminence and respectability. Invited to speak at a Commencement (graduation) Ceremony at the University of California at Berkeley's School of Business -- of all places -- he extolled the virtues of greed. The character of Gordon (greed is good) Gekko played by Michael Douglas in the film Wall Street is based on Boesky's villainous and energetic exploits. But enough said here, except to remark that insider dealing has emerged in recent decades as a difficult crime to convict, (either in its civil jurisdiction or as a criminal offence) as well as difficult for its victims to come to terms with. Anyone involved in the financial services industry, particularly its legal advisers will therefore be grateful for the launch of this new book from the Oxford University Press, which, as explained in the preface, is aimed at practitioners, firms and individuals coming into contact with insider dealing investigations and proceedings. This book, adds the author aims to provide lawyers, compliance specialists as well as judges and tribunal panel members with a route map through the practice and procedure of an insider dealing investigation and persecution or civil action for market abuse. The author has certainly written and compiled this book from an especially advantageous background, namely six years as a technical specialist and In-House Counsel within the Financial Services Authority (FSA) now the Financial Conduct Authority (FCA). Also drawing upon advice and comment from other experts in this field, she presents the full spectrum of issues pertaining to insider dealing, from historical perspectives, and relevant legislation to defences, prosecution, penalties, sentencing, investigation, the enforcement process and much more. Those doing further research into this subject will appreciate the extensive footnoting throughout this text, together with the extensive tables of cases legislation and useful index at the back. This, says Clarke is the text book she herself would have liked to have read seven years ago when no such text existed at the time -- and as instances of insider dealing seem to have become more frequent and more serious, this book should be considered a must-have purchase for the professional practitioners library. The law is stated as at 1 July 2013.

Insider Dealing: Law and Practice is the first work to offer a detailed treatment of the rapidly developing law and practice relating to the complex area of insider dealing. Since *R v McQuoid and Melbourne*, and *R v Uberoi*, there has been a steady increase in the volume and severity of insider dealing prosecutions and civil market abuse proceedings. This text provides a detailed analytical critique of the recent cases and developments, including treatment of the background to this area, all cases, and the first ever sentencing guidelines for insider dealing. Written by a leading practitioner with unparalleled experience in both private practice and at the FSA, it offers a clearly structured, and practical treatment of the area, collecting together all key legislation and materials, and offering an easily accessible road map through the practice and procedure of an insider dealing investigation and prosecution or civil action.

Clarke has created a legal text that is not only useful, practical and authoritative, but also a rather fascinating explication of illustrative case law... his book should be considered a must-have purchase for the professional practitioner's library. * Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers * This is a remarkably clear exposition of a dark corner of the City of London. Clarke's book will be bought by lawyers, accountants and academics, but its avoidance of legal jargon taught this layman what insider dealing is, why its detection is important and what is being done about it. * Stephen Halliday, Times Higher Education * Clear, concise, comprehensive and practical. The coverage of cases and rulings at first instance is not readily available elsewhere. * Tony Shaw * This is a book which should be purchased by all Chambers and law firms who undertake work in insider dealing cases. ... this is a book written by a practitioner for practitioners. it combines diligence with a lightness of touch, and is highly recommended. * Jonathan Fisher QC, Archbold * Insider Dealing: Law and Practicer is an excellent, and much welcomed, commentary on insider dealing from a person with unparalleled experience in this field. The text is as useful for those who are new to the topic as it is for those with substantial expertise. It serves as a good introduction to insider dealing law and gives a practical overview of how insider dealing operates within our legal system. ... Insider Dealing: Law and Practicer is a thorough, well considered practitioner's text and should find its way into the hands of any purporting to have an interest in the financial markets. * Colin Wells, Criminal Law and Justice Weekly * About the Author Sarah Clarke, Barrister, Serjeants' Inn Chambers Sarah Clarke is a barrister at Serjeant's Inn Chambers. She was previously a Technical Specialist and In-House Counsel in the Financial Services Authority's Enforcement Division, where she led teams and advised on investigations, evidence, powers and regulatory law and procedure.