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## IAN WHITEHURST

### CYBER CRIME - CV

**Year of Call:** 1994

#### **Contact**

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#### **Education**

University of Hull, LLB (Hons) (1993)

#### **Appointments**

Disclosure Counsel for Serious Fraud Office (SFO)  
Level 4 Prosecutor (Crown Prosecution Service)  
Specialist Rape Panel (Crown Prosecution Service)  
Licensed Advocate Isle of Man (2012)



### RECOMMENDATIONS

*"A very good performer. He is fearless and defendants love him. He will get stuck in but knows when not to lock horns with witnesses. A very good tactician."*

**Chambers UK Bar Guide [2017]**

*"Highly experienced in serious organised crime cases."*

**Legal 500 [2016] - Crime - Tier 1**

### PRACTICE

Ian has defended extensively in the field of cyber crime and has a particular flair for cases with a technical angle. He has previously successfully defended in the Filesoup case relating to online file sharing by way of BitTorrent as well as representing an individual facing a private prosecution from a large US multi national in relation to online trade mark offences.

### **Recent and Relevant Cases of Note**

R v JA (2017) – represented a defendant charged with money laundering offences arising from a trading standards prosecution into the sale of live streaming kodi boxes over the internet. The prosecution was predicated upon the commission of trade mark offences being committed via the sale of the boxes to customers which then allowed the prosecution to allege that the proceeds of the sales was criminal property. The defendant received a suspended sentence of imprisonment.

R v JL (2017) – representing a company and its director in relation to securing the return of property and goods seized by the police under a warrant after the prosecution indicated that charges would not be forthcoming. The complicating factor is that a third party may well initiate a private prosecution and this issue as well as the continued lawfulness of the detention of goods is subject to ongoing litigation.

R v TG (2016) – successfully represented a former employee accused of hacking into the email accounts of his former employer and stealing copyright protected material. The defendant was formally acquitted of all charges under the Computer Misuse Act.

R v GM (2016) – represented a defendant accused of selling malware over the internet commercially to bring down websites based here in the U.K. and the United States. The defendant was prosecuted by the National Crime Agency and received a suspended sentence of imprisonment.