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IAN WHITEHURST

FRAUD, CONFISCATION AND FINANCIAL REGULATION - 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

"Ian is a real fighter, but smart with it too."
Chambers UK Bar Guide [2018]

"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]

"A brave and streetwise advocate."
Legal 500 [2017] – Crime – Tier 1

"Highly experienced in serious organised crime cases."
Legal 500 [2016] - Crime - Tier 1

PRACTICE

Ian has extensive experience in all matters relating to fraud and other financial misconduct in particular MTIC Vat Fraud, Direct and Indirect Tax Fraud, Money Laundering and False Accounting.

He also has a detailed knowledge of all aspects of confiscation law and has advised individuals, companies and prosecuting authorities (the Police, the CPS, SFO and BIS) in this area as well as lecturing and writing articles in this field.

From a regulatory perspective, Ian is experienced in advising companies and individuals on issues of compliance, money laundering regulations and fiduciary duties of directors and the consequences arising for directors through disqualification.

Recent and Relevant Cases of Note

FRAUD

R v JA - instructed to defend in regulatory prosecution relating to the sale of television boxes pre programmed to circumvent copyright law.

R v HP – instructed as Leading Junior Counsel to represent a defendant involved in a £33 million MTIC fraud.

R v MM – instructed as Junior Counsel to represent a defendant accused of involvement in an £8 million indirect tax fraud

R v AM – instructed to represent a company and its director of allegations concerning false accounting arising from a trading standards investigation into the misuse of a government backed energy saving scheme. Defendant was acquitted.

R v ML – instructed to represent a defendant accused of large scale conspiracy to defraud car finance companies. Defendant was acquitted.

FINANCIAL REGULATION

Re CO – instructed to represent a financial professional in relation to a historical investigation conducted by the Financial Ombudsman concerning allegations of pension mis-selling.

Re X – instructed to advise several off shore based financial professionals in relation to money laundering compliance issues and the impact upon their business of provisions in the Criminal Finances Act

Re Z – instructed to advise a company and its directors in relation to ongoing tax investigation and compliance issues relating to allegations surrounding them of overseas investment fraud.

CONFISCATION

R v DD - instructed to represent an intervening third party in contested confiscation proceedings arising out of a large scale drugs conspiracy in the Crown Court.

R v SP – instructed to represent a defendant in relation to historical confiscation proceedings whereby the prosecution have returned to the original confiscation order and are now seeking more money from the defendant due to his changed personal circumstances.

R v AT – representing a former solicitor in confiscation proceedings arising from his conviction for stealing clients monies and addressing third party issues in relation to the overall available amount recoverable from the defendant.

R v DM – instructed to prosecute a large scale hidden assets confiscation case arising from a multi handed drugs conspiracy which involved the sale of in excess of £2 million worth of drugs.

R v RF – instructed to represent a defendant in his restraint and confiscation proceedings arising from the Vantis tax avoidance litigation.

R v WG – instructed as Led Junior for the defence in a £250 million investment fraud arising from the Imperial Consolidated prosecution.