

Ian Whitehurst

(Door Tenant) Guernica 37

Called:

England and Wales (1994)

Northern Ireland (2020)

Kazakhstan (2022)

Admitted to the List of Counsel at the International Criminal Court

Admitted to the List of Counsel (Defence/Victims) at the Kosovo Special Chambers

Qualified to accept Public Access instructions

Introduction

Ian has over 25 years experience at the Bar specialising in serious organised crime, financial crime, confiscation and asset recovery as well as cyber crime. He prosecutes and defends and has substantial experience in cases involving complex international tax fraud, asset recovery in multiple jurisdictions, covert surveillance, interception of communications and cross jurisdictional investigations. He has been ranked now for several years in the leading legal directories as a Leading Counsel in the areas of crime, financial crime, confiscation, business crime and regulatory work.

He regularly appears as Leading Counsel and has advised overseas individuals and companies as well as previously acting for the Prosecution in a corruption case involving the Attorney General of a U.K. dependent territory. Ian is an experienced trial advocate and regularly appears in the appellate courts and regulatory tribunals across several jurisdictions.

In addition to his professional practice, Ian lectures to graduate students in the UK and Overseas as well as law enforcement agencies, law societies, prosecutorial authorities and defence lawyers on financial crime, serious organised crime, asset recovery and cyber related offending.



Due to his expertise and interest in cyber crime and its impact on international criminal law, Ian is regularly in demand to advise and lecture on these areas.

Ian also practises from Exchange Chambers, Liverpool.

Current work

R v T – advising pre charge for the defence in relation to a production order application concerning the electronic servers of a law firm where the partners are accused of a £44 million property based fraud in the Caribbean

R v W – acting as Leading Counsel for the main defendant in a large scale engineering fraud committed across several European jurisdictions

R v H – acting as Leading Counsel for the defence in a large scale nationwide drugs conspiracy involving covert surveillance and extensive telephony evidence

R v MH – acting as Leading Counsel for the main defendant in a £100m money laundering conspiracy involving the use of encrypted mobile telecommunication devices

R v D – acting as Sole Counsel for the main Defendant in an international conspiracy to import, manufacture and export Class A and B drugs



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R v N – acting as Sole Counsel representing Defendant accused of involvement in international tobacco smuggling case

R v P – acting as Led Counsel in confiscation proceedings where the Defendant is alleged to have laundered over £1/2 million through crypto currency

R v S – acting as Sole Counsel representing a Defendant accused of acting as a “broker” on behalf of an organised crime laundering the proceeds of their illicit drugs business through the purchase of crypto currencies

Re Company – advising company in ongoing arbitration proceedings against a public body arising from a successful defence to enforcement proceedings

Re X – advising a senior teaching professional in ongoing regulatory proceedings

Re Z – instructed to advise pre charge former politician accused of corruption

Education

University of Hull (LLB Hons) 1993

Inns of Court School of Law (1994)

Memberships

Honourable Society of Inner Temple

Criminal Bar Association

Revenue Bar Association

International Technology Law Association

Private Prosecutors’ Association

Northern Circuit

New York County Bar Association

California Arbitration

New York City Bar Association

Silicone Valley Arbitration & Mediation Centre

Appointments and Awards

Professional Appointments:

Admitted to the List of Counsel at the International Criminal Court

Admitted to the List of Counsel (Defence/Victims) at the Kosovo Special Chambers

Specialist Serious Crime Group Panel (Level 4) (CPS)

Specialist Proceeds of Crime Panel (Level 4) (CPS)

General Crime Panel (Level 4) (CPS)

Specialist Fraud Panel (Level 3) (CPS)

Specialist Regulatory Panel Advocate (List B)

Disclosure Counsel for Serious Fraud Office (SFO)

Licensed Advocate Isle of Man

Arbitrator appointments

Ian is listed as an arbitrator with the following arbitral institutions:

Hong Kong Maritime Arbitration Group [supporting member]

The Centre of Arbitration in Mexico [CAM].

Arbitration Ireland

The Arbitration Institute of The Stockholm Chamber of Commerce

The Madrid International Arbitration Centre

The Vienna International Centre

The London Arbitration Centre

Danish Institute of Arbitration

EBA Mediation and Arbitration Centre – Georgia

Ljubljana Arbitration Centre, Slovenia

Maldives International Arbitration Centre [secondary list]

Libyan Centre for International Arbitration



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Academic Appointments:

Honorary Assistant Professor at Nottingham University (2023 -)

Associate Lecturer at John Moores University, Liverpool & Northumbria [2020 – present]

Guest lecturer at the Universities of Nottingham, Ulster & Galway [2021 – present]

Visiting Lecturer at the University of Lancaster [2019

Guest Lectures:

Cyber Law & Commercial Arbitration [Aberdeen University, scheduled for May 2022]

International Criminal Law - Dalhousie University, Nova Scotia, Canada [January 2022]

Cyber Crime in the U.K. – Cranfield University [February 2022]

Cyber Crime & Data Regulation: Comparative Analysis with the UK & US – Brooklyn Law School, NY [February 2022]

Ransomware & Economic Terrorism – Chartered Institute of Information Security [February 2022]

Cyber Crime – New York County Bar Association [December 2021]

Awards:

Chief Constable of Merseyside's Commendation for Prosecuting Organised Crime

Publications

Why you should never, ever pay a ransom | SCMagazine | UK

Better days will return | COUNSEL | The Magazine of the Bar of England and Wales (counselmagazine.co.uk)

Gambling an 'easy target' for UK Government after coronavirus pandemic, say barristers (gamblinginsider.com)

Part 6 Proceeds of Crime Act 2002 – the forgotten provision | Police Professional |

Unexplained Wealth Orders – A lost opportunity or a time to reboot? Police Professional

HMRC's use of criminal prosecution for fraud or illegal activity

Taking care of business: Private Prosecutions in a digital age Investigatory Powers Act and the new oversight regime

Pension Liberation Fraud: New Kid on the Block

A Practical Guide to POCA & Unused Material: a defence perspective

Is a cheque book better than a defence statement

Law & Democracy

A Taxing Time Ahead The Reality Behind The Rhetoric

Expertise

Serious Organised Crime

Financial Crime

Asset Recovery and Confiscation

Cyber Crime and Regulatory Law

Recent Cases

R v A – Led Counsel for the defence in the lead Encro-Chat case at first instance and on appeal

R v K – Sole Counsel for the Prosecution in a case involving a phishing scam and laundering the proceeds of their criminality through the purchase of crypto currency (confiscation proceedings ongoing)

R v O – Led Counsel for main defendant and leader of organised crime group who was involved in extensive drugs supply and in conducting a gang war over drugs territories



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R v G – Sole Counsel representing Defendant facing allegations of causing death by dangerous driving

R v Y – Led Counsel representing Defendant accused of murder on a joint enterprise basis

Re X – acting as part of the defence team seeking to challenge a conviction in the US Supreme Court relating to the third party doctrine and the extraction of data for use in collateral criminal investigations

Re ZZ – acting as part of the defence team advising a dual UK national allegedly subject to unlawful rendition in Africa

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