

Ed Pearson

Senior Associate | Qualified: 2014



Ed Pearson is a solicitor at Fulcrum Chambers specialising in international corporate investigations and defence.

He has conducted internal investigations, designed compliance programmes, and acted as defence counsel in relation to a wide variety of white-collar crime and regulatory issues, including money laundering, bribery and corruption, tax evasion, sanctions breaches, accounting irregularities, and breaches of FCA regulations, amongst others.

He has significant experience representing senior individuals and multi-national corporations involving governmental agencies and regulatory bodies including the SFO, DoJ, FCA, and FRC.

Ed joined Fulcrum in 2018 after 6 years at Debevoise & Plimpton where he worked in both the London and Moscow offices.

Prior to his career in law, he spent 4 months working for a former Chancellor of the Exchequer. He is a Scholar of University College, Oxford where he gained an MA in Modern History.

Experience

White Collar Defence & Advisory

Ed advises and acts for multi-national clients and senior individuals across a wide range of white-collar crime and regulatory matters. He regularly provides advice relating to the implications of the UK Bribery Act, the Criminal Finances Act, money laundering, FCA regulations, and sanctions. He has also acted as defence counsel for clients under investigation by government agencies or regulators, including the SFO, DoJ, and FRC.

Recent highlights include:

- ENRC in relation to the SFO's long-running investigation of alleged bribery and corruption in Africa.
- A senior executive witness in the context of the SFO's Rio Tinto investigation.
- An internal investigation for a multinational client as part of the DoJ's on-going investigation into Huawei and breaches of sanctions on Iran; and advice (along with US co-counsel) in relation to client's interaction with the DoJ.
- An internal investigation for leading FinTech in relation to complex US\$1bn+ financial transactions.
- An internal investigation for an AIM client into concerns that there had been failures to prevent the facilitation of tax evasion under the Criminal Finance Act 2017.

Bribery & Corruption

Ed advises and acts for multinational clients as well as senior individuals on issues relating to bribery and corruption, including in relation to the Bribery Act.

Significant experience includes:

- ENRC in relation to the SFO's long-running investigation of alleged bribery and corruption in Africa.
- A senior executive witness in the context of the SFO's Rio Tinto investigation.
- Advice to a client in relation to allegations made by the Internal Audit and Investigations Group of the United Nations Office for Project Services.
- An internal investigation for a Fortune 500 company in Africa in relation to suspected corruption of public officials.

Contentious Regulatory

Ed advises banks, FinTechs, funds, brokers, NOMADs, other financial institutions and services firms, and senior individuals across a broad range of investigations and contentious regulatory issues including compliance and risk management.

Significant recent experience includes:

- A FinTech in relation to an FCA investigation.
- Advising a client in relation to the adequacy of their policies and procedures, including in relation to FCA principles and rules.
- Advising a listed asset management consultancy and fund manager on certain of its relationships in relation to the Criminal Finances Act 2017.
- An internal investigation for leading FinTech in relation to complex US\$1bn+ financial transactions.
- Conducting face-to-face and remote interactive training and workshops for the Financial Investigations and Suspicious Activity Reporting ("SAR") teams of one of Europe's largest banks.
- The financial director of a UK company, under administration, in investigations into potential

accounting irregularities by the Financial Reporting Council (FRC).

Extradition & Interpol

Ed advises clients on extradition (including under the European Arrest Warrant) requests and INTERPOL Red Notices. He has a particular interest in defending politically motivated Red Notices and extradition requests.

Fraud

Ed advises and represents companies and individuals across a spectrum of matters involving allegations of criminal fraud, including complex fraud, false accounting, and offences under the Fraud Act. He recently conducted an internal investigation for a client as part of the DoJ's investigation into Huawei, which involved a number of allegations of serious fraud.

Judicial Review

Ed advises multi-national clients as well as individuals on judicial review, particularly in the context of decisions made by Government agencies and regulators in the context of investigations. He is currently advising a client on a possible judicial review challenge relating to a government investigation.

Money Laundering

Ed advises regulated and non-regulated clients on all aspects of anti-money laundering legislation.

Recent significance experience includes:

- Advising a client as to whether a Suspicious Activity Report ("SAR") should be filed.
- Advising a FinTech in relation to the adequacy of their money laundering policies and procedures.
- Conducting face-to-face and remote interactive training and workshops for the Financial Investigations and SAR teams of one of Europe's largest banks.
- Designing an online anti-money laundering training programme for an AIM listed client.

Sanctions & Export Controls

Ed advises multinational clients on EU and UK sanctions, including providing advice in relation to specific transactions, designing and implementing compliance programmes, conducting internal investigations, and managing relationships with regulators.

Significant recent experience includes:

- An internal investigation for a multinational client as part of the DOJ's on-going investigation into Huawei and breaches of sanctions on Iran.

- Advice for a mining client on compliance steps it could take to mitigate any risk of sanctions violations by business partners.
- Advice for a mining client as the implications of UK, US, and EU sanctions on certain historic and contemplated transactions in Africa.

Tax Evasion & Fraud

Ed conducts investigations and provides advice in relation to the offence of failing to prevent the facilitation of tax evasion. He has also represented private companies and States in arbitrations where tax evasion and/or the underpayment of taxes have been central to the dispute.

Recent significant experience includes:

- An internal investigation for an AIM client into concerns that there had been failures to prevent the facilitation of tax evasion under the Criminal Finance Act 2017.
- Advising a listed asset management consultancy and fund manager on certain of its relationships in relation to the Criminal Finances Act 2017.
- Designing facilitation of tax evasion training for an AIM client.

Investigations

Ed has significant experience of conducting internal and regulatory investigations across a wide range of sectors.

Significant experience includes:

- Representing ENRC in relation to the SFO's long-running investigation of alleged bribery and corruption in Africa.
- Representing a senior executive witness in the context of the SFO's Rio Tinto investigation.
- An internal investigation for a multinational client as part of the DOJ's on-going investigation into Huawei and breaches of sanctions on Iran.
- Several internal investigations for a Fortune 500 client in relation to various allegations of bribery and corruption in Africa.
- An internal investigation for a leading FinTech in relation to complex US\$1bn+ financial transactions.
- An internal investigation for an AIM client into concerns that there had been failures to prevent the facilitation of tax evasion under the Criminal Finance Act 2017.

Ed also has an interest in the use of technology in investigations and has recently written and provided training on the topic of remote investigations.

Tax Investigations

Ed carries out internal investigations in relation to the offence of failing to prevent the facilitation of tax evasion.

Significant recent experience includes an internal investigation for an AIM client into concerns that there had been failures to prevent the facilitation of tax evasion.

He also regularly advises on compliance issues relation to the same offence.

Remote Investigations

Ed has an interest in the use of technology in internal investigations and the use of it to conduct remote investigations. He has experience of conducting internal investigations remotely either in whole or in part and has also written and delivered training on the topic.

Recent significant experience includes:

- A remote investigation into suspected bribery in Nigeria.
- An investigation into a consultant retained by a client in Zambia.
- Training the legal and compliance team of a large French multinational on conducting remote investigations.

Criminal & Regulatory Investigations

Ed has represented and defended multinational corporate clients as well as senior individuals in relation to investigations undertaken by a number of government agencies and regulators including the SFO, DoJ, FCA, and the FRC.

Significant experience includes:

- ENRC in relation to the SFO's long-running investigation of alleged bribery and corruption in Africa.
- A senior executive witness in the context of the SFO's Rio Tinto investigation.
- Representation and advice to a multi-national client in relation to the DoJ's on-going investigation into Huawei and breaches of sanctions on Iran.
- The financial director of a UK company, under administration, in investigations into potential accounting irregularities by the Financial Reporting Council (FRC).

Compliance & ESG

Ed advises multinational clients on the design and implementation of corporate governance and compliance programmes, including providing workshops and training to compliance teams, senior professionals, and business leaders.

Significant experience includes:

- Advising multiple clients on the adequacy of their compliance procedures following the introduction of the Bribery Act 2010.
- Advising an international mining company in respect of its ongoing compliance processes, practices and policies, including in relation to anti-bribery and corruption, and sanctions.
- Advising a FinTech in relation to the adequacy of their policies and procedures, including in

relation to FCA principles and rules.

- Conducting face-to-face and remote interactive training and workshops for the Financial Investigations and Suspicious Activity Reporting (“SAR”) teams of one of Europe’s largest banks.
- Designing anti-money laundering and facilitation of tax evasion training for an AIM client.
- Advising a listed asset management consultancy and fund manager on certain of its relationships in relation to the Criminal Finances Act 2017.
- A Fortune 500 company in relation to the acquisition of a mining interest in Africa.

Dispute Resolution

Ed has represented private clients and States across multiple jurisdictions in arbitrations governed by various substantive laws and conducted under the rules of the ICC, LCIA, ICSID, and UNCITRAL. Many of these disputes have contained allegations of fraud, money laundering, tax evasion, or other criminality. He has also advised on a broad range of international law issues.

Significant experience includes:

- The Russian Federation in respect of a number of claims (alleging expropriation and other breaches) commenced by various former subsidiaries of Yukos Oil under the Energy Charter Treaty and the UNCITRAL Rules.
- A Canadian mining group in a dispute with the government of an African country, concerning claims of breach of the tax stabilisation and other provisions of an agreement for the operation of a copper treatment facility, and an expropriation of certain of the mining company’s rights.
- Long-running concurrent Oil & Gas arbitrations (ICC and UNCITRAL rules) against a State entity involving complex expert engineering evidence and the interpretation of GSAs.
- Advice to a sovereign State on the enforcement of an interim arbitration award under the New York Convention against a foreign party. Application to the English High Court for an order requiring the disclosure of the worldwide assets of the same party as a precursor to enforcement proceedings. The filing of this application resulted in full payment of the interim award and withdrawal of the asset disclosure application.
- An Indian family in relation to the sale of an India-based leader in the manufacture of PVC and CPVC piping systems.

Sector Experience

Extractives

Ed has significant experience in the extractives sector, having represented mining and oil & gas companies, as well as senior executives, in relation to some of the largest SFO investigations in that sector, including ENRC and Rio Tinto. He also regularly advises clients on compliance issues, including in relation to money laundering, bribery and corruption, and sanctions. In addition to his white-collar work, Ed also has experience in representing extractives companies in arbitrations.

Significant experience in the sector includes:

- ENRC in relation to the SFO's long-running investigation into alleged bribery and corruption in Africa.
- A senior executive of Rio Tinto in relation to the SFO's investigation of that company.
- Advice for a mining client on compliance steps it could take to mitigate any risk of sanctions violations by business partners.
- Advice for a mining client as the implications of UK, US, and EU sanctions on certain historic and contemplated transactions in Africa.
- The Russian Federation in respect of a number of claims (alleging expropriation and other breaches) commenced by various former subsidiaries of Yukos Oil under the Energy Charter Treaty and the UNCITRAL Rules (experience gained from previous firm).

Mining

Ed has represented and acted for a number of large, global mining companies, as well as senior mining executives on a wide variety of matters ranging from SFO investigations into bribery and corruption, internal investigations, sanctions advice, and arbitration. He has particular experience of working with clients in the mining sector in Africa.

Significant experience includes:

- ENRC in relation to the SFO's long-running investigation into alleged bribery and corruption in Africa.
- A senior executive of Rio Tinto in relation to the SFO's investigation of that company.
- Advice for a mining client on compliance steps it could take to mitigate any risk of sanctions violations by business partners.
- Advice for a mining client as the implications of UK, US, and EU sanctions on certain historic and contemplated transactions in Africa.
- A Canadian mining group in a dispute with the government of an African country, concerning claims of breach of the tax stabilisation and other provisions of an agreement for the operation of a copper treatment facility, and an expropriation of certain of the mining company's rights.

Oil & Gas

Ed has acted for some of the world's largest oil companies as well as States in relation to various matters in the oil and gas sector including anti-corruption due diligence and investor-state arbitration.

Significant experience includes:

- Anti-corruption due diligence for one of the world's largest oil companies in relation to an acquisition.
- The Russian Federation in respect of a number of claims (alleging expropriation and other breaches) commenced by various former subsidiaries of Yukos Oil under the Energy Charter Treaty and the UNCITRAL Rules (experience gained from previous firm).

Financial Services

Ed advises banks, FinTechs, funds, brokers, NOMADs, other financial institutions and services firms, and senior individuals across a broad range of investigations and contentious regulatory issues including compliance and risk management.

Significant experience includes:

- A FinTech in relation to an FCA investigation.
- Advising a client in relation to the adequacy of their policies and procedures, including in relation to FCA principles and rules.
- An internal investigation for leading FinTech in relation to complex US\$1bn+ financial transactions.
- Advising a listed asset management consultancy and fund manager on certain of its relationships in relation to the Criminal Finances Act 2017.
- Conducting face-to-face and remote interactive training and workshops for the Financial Investigations and Suspicious Activity Reporting (“SAR”) teams of one of Europe’s largest banks.
- The financial director of a UK company, under administration, in investigations into potential accounting irregularities by the Financial Reporting Council (FRC).

Defence & Aerospace

Ed has acted for companies and senior individuals in relation to investigations and enforcement action by Government agencies and regulators.

Significant experience includes:

- The financial director of a UK company, under administration, in investigations into potential accounting irregularities by the Financial Reporting Council (FRC).