

Farheen Ishtiaq

Associate | Qualified: 2016



Farheen is a solicitor at Fulcrum, specialising in white-collar defence and global investigations.

This includes advising on compliance and regulatory matters, risk management and anti-bribery and corruption. She also has notable experience of high-profile cross-jurisdictional dispute resolution matters, sports arbitration, and advising on matters that have a criminal and civil crossover, including fraud and tax offences. Farheen's financial services practice includes advising on anti-money laundering processes and conducting in-person and remote compliance training workshops for global banking institutions.

Prior to joining Fulcrum Chambers, Farheen spent four years in the financial crime team at a boutique firm, where she advised on regulatory and compliance matters, including restraint and extradition cases. Farheen also advised two high-profile professional athletes on sports arbitration proceedings in the Anti-Doping Tribunal, including preparing judicial review proceedings against licence suspension and acted in high-profile US extradition proceedings, in a joint operation by the National Crime Agency and the US Department of Justice.

She has undertaken two client secondments in the fraud team at a leading insurance provider and in the global restructuring division at a top five UK banking institution.

Farheen completed her graduate and postgraduate studies at Nottingham Law School.

Experience

White Collar Defence & Advisory

Farheen advises and acts for multinational clients and senior individuals across a wide range of

white-collar crime and regulatory matters, including bribery and corruption, money laundering, FCA investigations, and sanctions.

Recent highlights include:

- ENRC in relation to the SFO's long-running investigation of alleged bribery and corruption in Africa.
- Advising on a criminal investigation into alleged conspiracies to defraud a Caribbean Government and issuing judicial review proceedings in respect of defective practices.
- Advising on a high-profile cross-jurisdictional claim relating to a billion-pound shareholder dispute between a London stock-exchange listed company and a high net worth Russian individual, including the preparation of an associated criminal complaint for offences under the Fraud Act 2006.
- Acting for the sole Director and shareholder of a multimillion-pound company in preparing a criminal complaint of fraud and financial mis-selling against a top 5 banking corporation.
- Defending extradition proceedings against a Pakistani national accused of masterminding a global narcotics empire following a high-profile extradition request from the United States of America, following a joint investigation by the United States Drug Enforcement Administration ("DEA") and UK National Crime Agency ("NCA").
- Preparing a challenge against an arrest warrant following allegations of jointly committed large scale evasion of Value Added Tax totalling \$189 million. The case followed a huge operation by Frankfurt prosecutors which included 400 search warrants and numerous arrests, spanning 12 European countries.
- Advising on an Appeal against conviction and sentence for money laundering in the Criminal Division of the Court of Appeal.

Bribery & Corruption

Farheen has experience in advising clients on some of the largest SFO bribery and corruption investigations, including ENRC. She has advised clients in section 2 interviews and also advises clients on cross-jurisdictional compliance and regulatory issues and judicial review proceedings.

Significant recent experience includes:

- Advising ENRC in relation to the SFO's long-running investigation into alleged bribery and corruption in Africa.
- Advising on a criminal investigation into alleged conspiracies to defraud a Caribbean Government and issuing judicial review proceedings in respect of defective practices.
- Advising a client in respect of an interview conducted under section 2 of the Criminal Justice Act 1987 in respect of suspected offences in the renewables sector.

Extradition & Interpol

Farheen advises clients on extradition (including under the European Arrest Warrant) requests and INTERPOL Red Notices for a wide range of offences and validity challenges against warrants and MLA requests.

Significant experience includes:

- Defending extradition proceedings against a Pakistani national accused of masterminding a global narcotics empire following a high-profile extradition request from the United States of America, following a joint investigation by the United States Drug Enforcement Administration (“DEA”) and UK National Crime Agency (“NCA”).
- Defending an Application for an Injunction on the grounds of Public Interest Immunity issued by The Metropolitan Police Service and NCA over information inadvertently disclosed to legal representatives during the extradition process. Preparing and issuing an Appeal to the Court of Appeal in respect of the same.
- Defending a high-profile extradition request made to the United States by Germany and preparing a challenge against the arrest warrant following allegations of jointly committed large scale evasion of Value Added Tax totalling \$189 million.

Fraud

Farheen 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.

Significant highlights include:

- Acting for the sole Director and shareholder of a multimillion-pound company in preparing a criminal complaint of fraud and financial mis-selling against a top 5 banking corporation.
- Advising on a high-profile cross-jurisdictional claim relating to a billion-pound shareholder dispute between a London stock-exchange listed company and a high net worth Russian individual, including the preparation of an associated criminal complaint for offences under the Fraud Act 2006.

Judicial Review

Farheen advises multinational clients and international governments as well as individuals on judicial review, particularly in the context of decisions made by Government agencies and regulators in the context of investigations.

Significant experience includes:

- Advising on a criminal investigation into alleged conspiracies to defraud a Caribbean Government and issuing judicial review proceedings in respect of defective practices.
- Issuing judicial review proceedings against a defective search warrant issued by The Metropolitan Police Service in extradition proceedings.
- Issuing a challenge by way of judicial review against licence suspension for two high-profile professional athletes in the UK Anti-Doping Tribunal.

Money Laundering

Farheen advises clients on regulatory investigations and prosecutions and the development of anti-

money laundering strategies, training and guidance. She advises on all aspects of both regulated and non-regulated sector compliance and where a suspected breach may have occurred, on conducting internal investigations and remediation.

Significant recent experience includes:

- Devising and delivering money laundering and compliance training to c. 100 employees across the Financial Investigations and Suspicious Activity Reporting functions of a leading global banking institution.
- Advising a US law firm on its UK investment banker client's status as a regulated entity and obligations under the money laundering regime and due diligence requirements, including beneficial ownership structures.
- Advising a leading beverage manufacturer in respect of its on-boarding procedures relating specifically to new on and off trade customers in a high-risk jurisdiction.
- Drafting the money laundering policy for a leading manufacturer, including due diligence and reporting requirements.
- Advising on the restructuring of the global compliance function of a multinational corporation.

Investigations

Farheen is experienced in conducting internal and regulatory investigations across a wide range of sectors, including face to face and remote interviews.

Significant experience includes:

- Representing ENRC in relation to the SFO's long-running investigation of alleged bribery and corruption in Africa.
- An internal investigation for a multinational client in relation to payment processes.

Tax Investigations

Farheen carries out internal investigations in relation to tax offences and advises on a range of tax issues, including HMRC investigations such as VAT fraud, seizures and forfeiture of cash and assets.

Significant experience includes:

- Advising a publicly listed company in respect of an investigation by HMRC into offences including Conspiracy to Cheat the Public Revenue. Successfully objecting to HMRC's review of seized material on the grounds of Legal Professional Privilege.
- Advising a high net worth client on an investigation into offences including the Fraudulent Evasion of Value Added Tax, the Possession and Supply of Documentation for use in Frauds, Laundering the Proceeds of Crime and Cheating the Public Revenue.
- Advising a high net worth individual on an investigation into alleged criminal offences including tax evasion, money laundering and participating in the activities of an organised group contrary to the Serious Crime Act 2015.
- Preparing a challenge against an arrest warrant following allegations of jointly committed large scale evasion of Value Added Tax totalling \$189 million. The case followed a huge operation by

Frankfurt prosecutors which included 400 search warrants and numerous arrests, spanning 12 European countries.

Criminal & Regulatory Investigations

Farheen 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 and FCA.

Significant experience includes:

- ENRC in relation to the SFO's long-running investigation of alleged bribery and corruption in Africa.
- An internal investigation for a multinational client in relation to payment processes.

Compliance & ESG

Farheen 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 function transformation process, practices and policies, including in relation to anti-bribery and corruption, anti-money laundering and sanctions.
- 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.

Dispute Resolution

Farheen represents private clients and corporations in dispute resolutions proceedings, including allegations of fraud, money laundering, tax evasion, or other criminality. She has also advised high-profile athletes on sports regulations and compliance, arbitration proceedings and judicial review challenges to sanctions.

Significant experience includes:

- Acting for a major supercar dealer in proceedings in the UK Commercial Court following allegations of fraudulent misrepresentation.
- Advising on and issuing a freezing injunction, order for sale and contempt of court proceedings in respect of high value debt recovery proceeding.
- Advising two high-profile professional athletes on sports arbitration proceedings in the Anti-

Doping Tribunal for contravention of anti-doping regulations and launching a challenge by way of judicial review against licence suspension.

Sector Experience

Mining

Farheen has advised clients in the mining sector in relation to some of the largest SFO investigations in the sector, including ENRC. She advises on regulatory and compliance issues, including money laundering and bribery and corruption.

Oil & Gas

Farheen has advised clients in the mining sector in relation to regulatory and compliance issues, including money laundering and bribery and corruption. Recent significant experience includes assisting in advising and representing a multinational oil and gas client in a criminal investigation into allegations of fraud.

Extractives

Farheen has advised clients in the extractives sector in relation to some of the largest SFO investigations in the sector, including ENRC. She advises on regulatory and compliance issues, including money laundering and bribery and corruption.

Significant recent experience in the sector includes:

- ENRC in relation to the SFO's long-running investigation into alleged bribery and corruption in Africa.
- Advising on the restructuring of the global compliance function of a multinational corporation.

Financial Services

Farheen has experience in assisting both regulated and non-regulated businesses on a range of compliance issues, including anti-money laundering, anti-bribery and corruption, the Criminal Finances Act 2017 and FCA regulations.

Significant recent experience in the sector includes:

- Devising and delivering money laundering and compliance training to c. 100 employees across the Financial Investigations and Suspicious Activity Reporting functions of a leading global banking institution.
- Advising a US law firm on its UK investment banker client's status as a regulated entity and

obligations under the money laundering regime and due diligence requirements, including beneficial ownership structures.

- Advising a leading beverage manufacturer in respect of its on-boarding procedures relating specifically to new on and off trade customers in a high-risk jurisdiction.
- Drafting the money laundering policy for a leading manufacturer, including due diligence and reporting requirements.

Sport

Farheen has advised high profile athletes on sports regulations and compliance, arbitration proceedings and judicial review challenges to sanctions.

Significant experience includes:

- Advising two high-profile professional athletes on sports arbitration proceedings in the Anti-Doping Tribunal for contravention of anti-doping regulations and launching a challenge by way of judicial review against licence suspension.