

## **WHEN ARBITRATION MEETS CRIMINAL LAW: FRAUD, EVIDENCE AND THE LIMITS OF PRIVATE JUSTICE**

**Date: 17 November 2026, Tuesday**

**Time: 4.30PM to 5.30PM (SGT)**

**Location: Zoom**

**Please log on by 4:25 PM**

**Registration for online attendance (Zoom):**

**[https://smu-sg.zoom.us/webinar/register/WN\\_ERqNYCLcTtWWoRcfh2amlw](https://smu-sg.zoom.us/webinar/register/WN_ERqNYCLcTtWWoRcfh2amlw)**

**Registration closes 13 November 2026**

This lecture will examine the practical challenges that arise when fraud, corruption or other potentially criminal or regulatory wrongdoing emerges in an international arbitration. It will explore how a commercial dispute can develop into allegations of fraudulent inducement, dishonest performance, suspicious payments, falsified documents or interference with evidence and witnesses, and consider the boundaries of the arbitral tribunal's role in addressing such conduct, including issues of jurisdiction, arbitrability and illegality.

The discussion will address the evidential and professional responsibilities of counsel and tribunals, including proving fraud through documentary and circumstantial evidence, adverse inferences, evidential red flags, privilege and self-incrimination, and the position of witnesses facing parallel criminal or regulatory proceedings. It will also consider the interaction between arbitration, national courts, prosecutors and regulators, including questions of confidentiality, disclosure and the reporting of suspected wrongdoing.

Finally, the lecture will consider interim measures, preservation of evidence and assets, third-party material, and the particular challenges that allegations of fraud or illegality may create at the challenge and enforcement stages. Taking a practical, case-based approach, the session will use a developing hypothetical to examine these issues from the perspectives of claimant's counsel, respondent's counsel and the arbitral tribunal.

### **Speaker**



**Ian Whitehurst FCIArb** is an English barrister and international arbitrator with over 30 years' experience in complex fraud, financial crime, regulatory and cross-border disputes. He is a Fellow of the Chartered Institute of Arbitrators and has acted both as counsel in international arbitration and arbitrator. He is listed as an arbitrator with HKIAC and DIAC and holds honorary academic appointments at the Universities of Aberdeen and Nottingham. He is also an Associate Member of 33 Chambers. His particular interest lies in disputes where international arbitration intersects with allegations of fraud, financial misconduct, criminal or regulatory investigations, asset recovery and enforcement.

### **Moderator**



**Yuying ZHANG** is a Senior Research Associate with the Singapore International Dispute Resolution Academy. Her research areas focus on international dispute resolution, namely international commercial arbitration, mediation and investor-State dispute settlement.

She is part of the research team involved in a recent law reform project on the International Arbitration Act (IAA) commissioned by the Singapore Ministry of Law in light of the IAA's 30th anniversary.

She has also presented at various events, such as the 6th UNCITRAL Inter-sessional Meeting and academic conferences like the 115th Society of International Scholars and the 31st ANZSIL. She is an accredited Level 1 mediator with the Singapore International Mediation Institute and has trained foreign lawyers and government officials in countries like Brunei, Vietnam, and Samoa. Additionally, she teaches mediation and arbitration as an Adjunct Teaching Mentor at the Yong Pung How School of Law, Singapore Management University.