



ASTRAEA

Civil Fraud

OVERVIEW

Astraea's multidisciplinary team of lawyers, investigators and forensic accountants has expertise in civil fraud-related investigations, litigation, asset-tracing and recovery.

We undertake investigations into allegations or instances of known or suspected fraud (including asset misappropriation schemes and financial statement fraud). Where internal fraud is identified, we advise clients on appropriate action, which can include disciplinary proceedings and terminations, as well as initiating legal proceedings and complying with any disclosure obligations. We also help clients after the event, to improve their counter-fraud controls.

Astraea is also instructed by individuals and companies in relation to large cross-border civil fraud and complex asset-tracing and recovery cases.

Astraea's multi-disciplinary team has experience representing clients in some of the world's largest civil fraud cases, including in the Malaysian Sovereign Wealth Fund (1MDB) scandal involving the embezzlement and global diversion of USD 5.6 billion from the fund. We have been instructed in significant international tracing and enforcement cases (including in relation to a USD 1 billion Moldovan bank fraud), and are seen as a leading firm in the investigation and litigation of digital currency fraud.



OUR FOCUS AREAS

Asset Tracing and Recovery

Our team of forensic investigators and legal experts assist clients in locating and recovering assets that have been fraudulently obtained or misappropriated. This involves using legal tools such as worldwide freezing orders (often referred to as “Mareva injunctions”), disclosure orders, and other mechanisms to trace and secure assets before they can be dissipated.

Injunctions and Emergency Relief

In cases of civil fraud, we are able to seek urgent court orders to prevent further harm. This includes obtaining freezing orders to prevent the disposal of assets, search orders to preserve evidence, and Norwich Pharmacal orders to obtain information from third parties that can help identify wrongdoers or trace assets.

Corporate and Director Liability

We act for and against company directors in relation to civil fraud cases. This may involve claims in relation to breaches of a director’s fiduciary duties, or allegations of fraud by false representation, or fraudulent misrepresentation.

We also advise on “lifting the corporate veil” to pursue personal assets of those responsible for the fraud.

Negotiating Settlements and Restitution Agreements

In some cases, resolving fraud disputes through negotiated settlements can be more practical than lengthy litigation. We assist in negotiating settlements that may involve restitution agreements, whereby the wrongdoer agrees to return assets or compensate the victim. We also provide advice on structuring these agreements to ensure they are enforceable.

Fraud Prevention and Compliance

Beyond reacting to fraud, we also provide proactive advice to clients on implementing anti-fraud measures and compliance processes. This includes advising on internal controls, employee training, and corporate governance practices designed to prevent fraud. We can also help design whistleblower programs and other mechanisms to detect and report fraudulent activity early.

REPRESENTATIVE EXPERIENCE

Multi-Jurisdiction Asset Tracing

Acting for client in claims to recover assets in four jurisdictions, involving multiple asset and evidence preservation orders.

Defence of Multi-Jurisdiction Claims

Acting for UAE resident Indian clients in defence of multiple claims alleging extractions from trust monies.

Recognition of DIFC Judgments

Acting for the successful claimant venture capital company in obtaining and then gaining recognition in the UK of a Dubai International Financial Centre (DIFC) judgment against its fraudulent former CEO.