

‘Landmark’ freezing order made in £8m

The injunction was granted in the High Court last year

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A London subsidiary of an international mining company has obtained what it claims to be the first worldwide freezing order over the assets of “persons unknown”, who are accused of committing an £8 million internet fraud.

Judge Waksman, QC, granted the injunction in October last year in the High Court, but the lawyers for the unidentified resources business released details this week.

According to the London law firm Cooke Young & Keidan, the unique order will compel 35 banks in at least 19 jurisdictions to freeze the assets of alleged fraudsters and the stolen funds.

The order is also being used to reveal the names of the alleged perpetrators. The lawyers say they have uncovered nine so far and maintain that more will follow.

It is understood that the order is the first of its kind to be obtained against unidentified individuals and entities to freeze financial assets. Lawyers for the company point out that previous injunctions against persons unknown have related to trespass or online libel cases, but not cases of fraud.

In a statement, the law firms said that “given the increasingly global nature of online fraud and the global importance of London as a pre-eminent financial centre, this is a powerful new tool in fighting sophisticated international fraud, developed by the commercial court”.

Philip Young, the partner at Cooke Young & Keidan, which is leading the action, described the granting of the order as “fascinating and groundbreaking”. He said that “online crime of this kind is becoming increasingly common and it is not always easy to identify the perpetrators in order to serve an injunction upon them and to take effective steps to secure assets.

“This is an excellent example of the commercial court being both innovative and modern in combating a global threat and, as the UK looks outward to the world post-Brexit, in developing its jurisprudence to promote London’s position as the leading jurisdiction of choice for effective dispute resolution globally.”