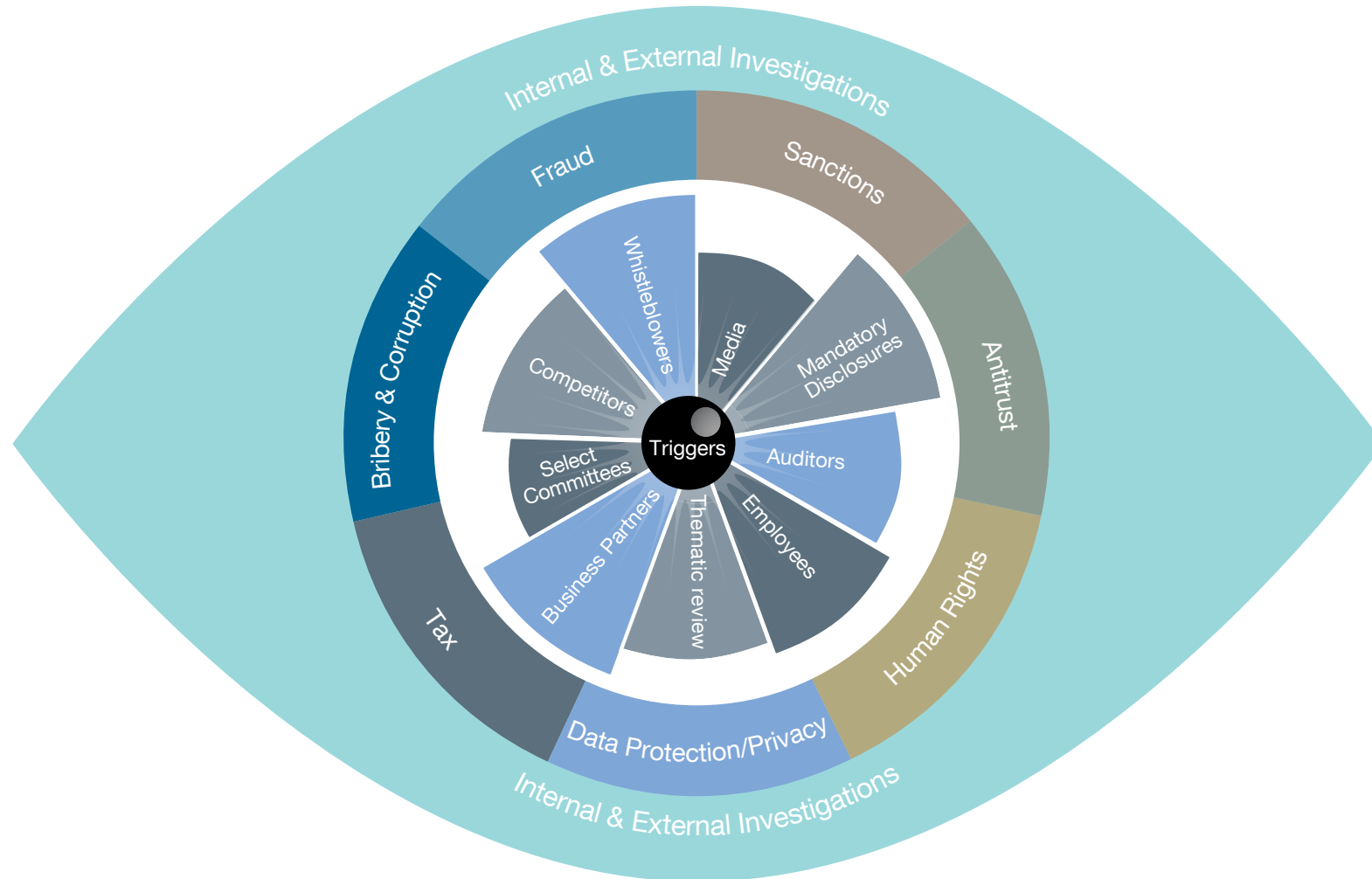


ALLEN & OVERY

Investigations – a fact of corporate life



Investigations – a fact of corporate life

Trigger event

Escalate internally

Appoint investigation team and allocate roles and reporting lines

- Legal/Compliance
- HR
- Operations/IT
- Communications
- NEDs

Primary issues

- Reporting obligations – regulators, the market, the police/authorities
- Notifications – counterparties, auditors, lenders, insurers
- Securing data and assets
- Managing employees
- Whistleblowers: legislative protection/company policies
- Potential suspects: withdrawal of access to systems and authorisations: supervision
- Generally: communication
- External support
 - External lawyers
 - Specialist subject expertise
 - PIs
 - PR/Media
 - Accountants
- Potential litigation/arbitration

Structuring the investigation

- Secure legal privilege and minimise document creation
- Plan scope including scoping interviews
- Manage and review documents
 - DPA issues
 - LPP issues
- Interview witnesses
 - Protocols
 - Separate representation
 - Warnings
 - Confidentiality
- Keep reporting obligations under review

Drafting factual report

Response to findings

- Reporting obligations
- Regulators/authorities
- Updating notices and procedures
- Systems and controls updates