White-collar crime: how to handle a crisis and scandal-proof your organisation

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Seminar

False Security

- « Something like that will never happen in our organisation! »
- « We are extremely well prepared! »
- « We can handle something like this without problem! »

Global root causes

The factors and failings that lead to investigations, regulatory scrutiny and/or litigation

- Lack of speak-up culture
- Lack of training and unclear policies
- Strong personalities
- Unclear allocation of responsi-bility
- Weak legal / compliance
- Highly technical areas
- Conflicts of interest
- Overlooking red flags
- Not questioning over-performance
- Unclear communica tion
- Language barriers
- Inadequate records

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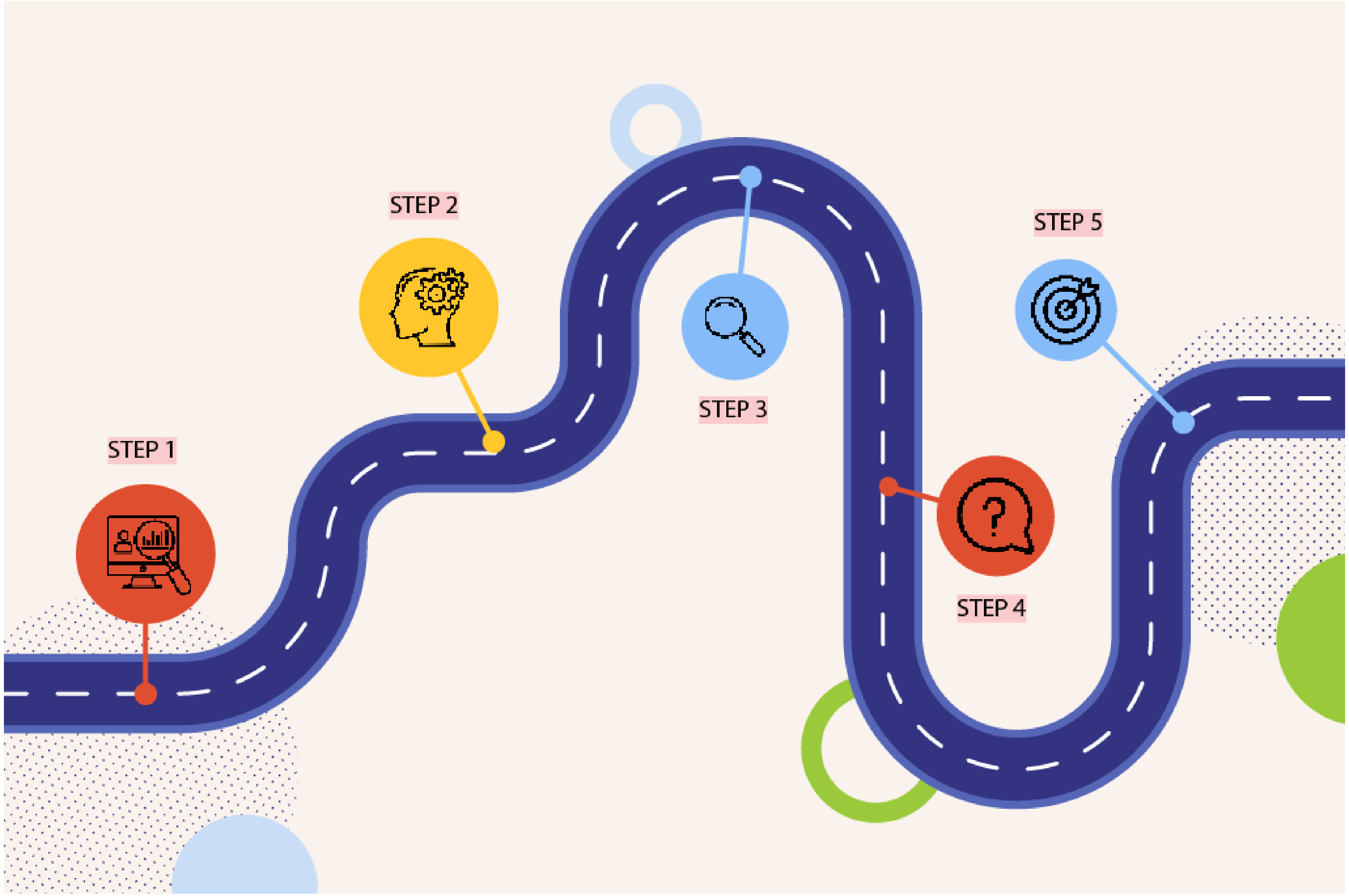
Agenda

- Part I – What can put you at risk today?
- Part II - The investigation journey
- Q&A and conclusion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STEP 3
STEP 4
STEP 5

Part I – What can put you at risk today?

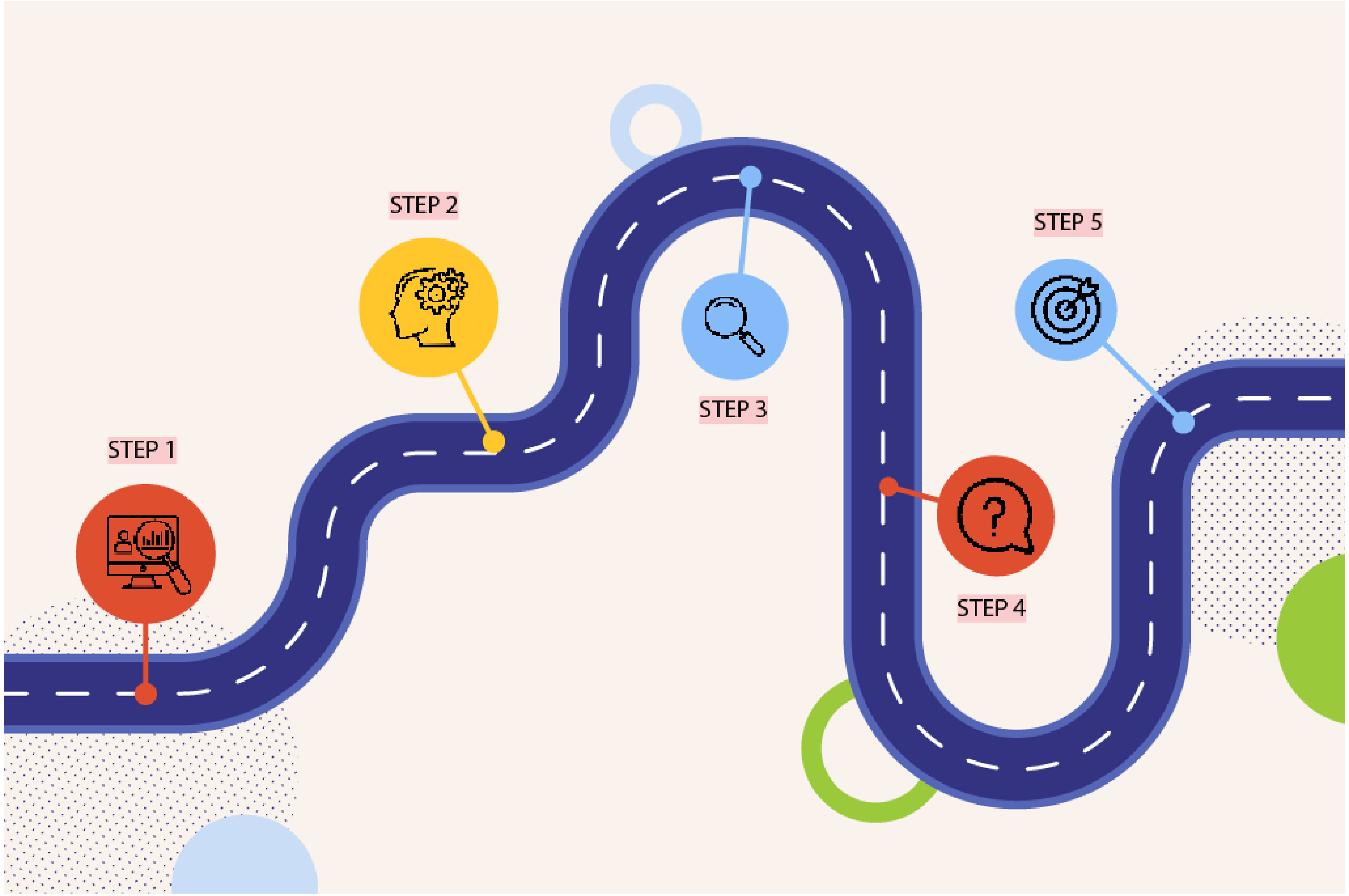
Where does the pressure come from?

- Increasing enforcement
- Constant sophistication of crimes
- Regulatory pressure
- Whistleblowing

Part I – What can put you at risk today?

What could it shed light on ?

- Money Laundering
- Corruption, Fraud, breach of sanctions
- Other crimes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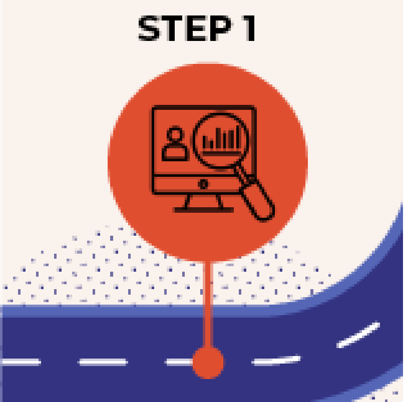
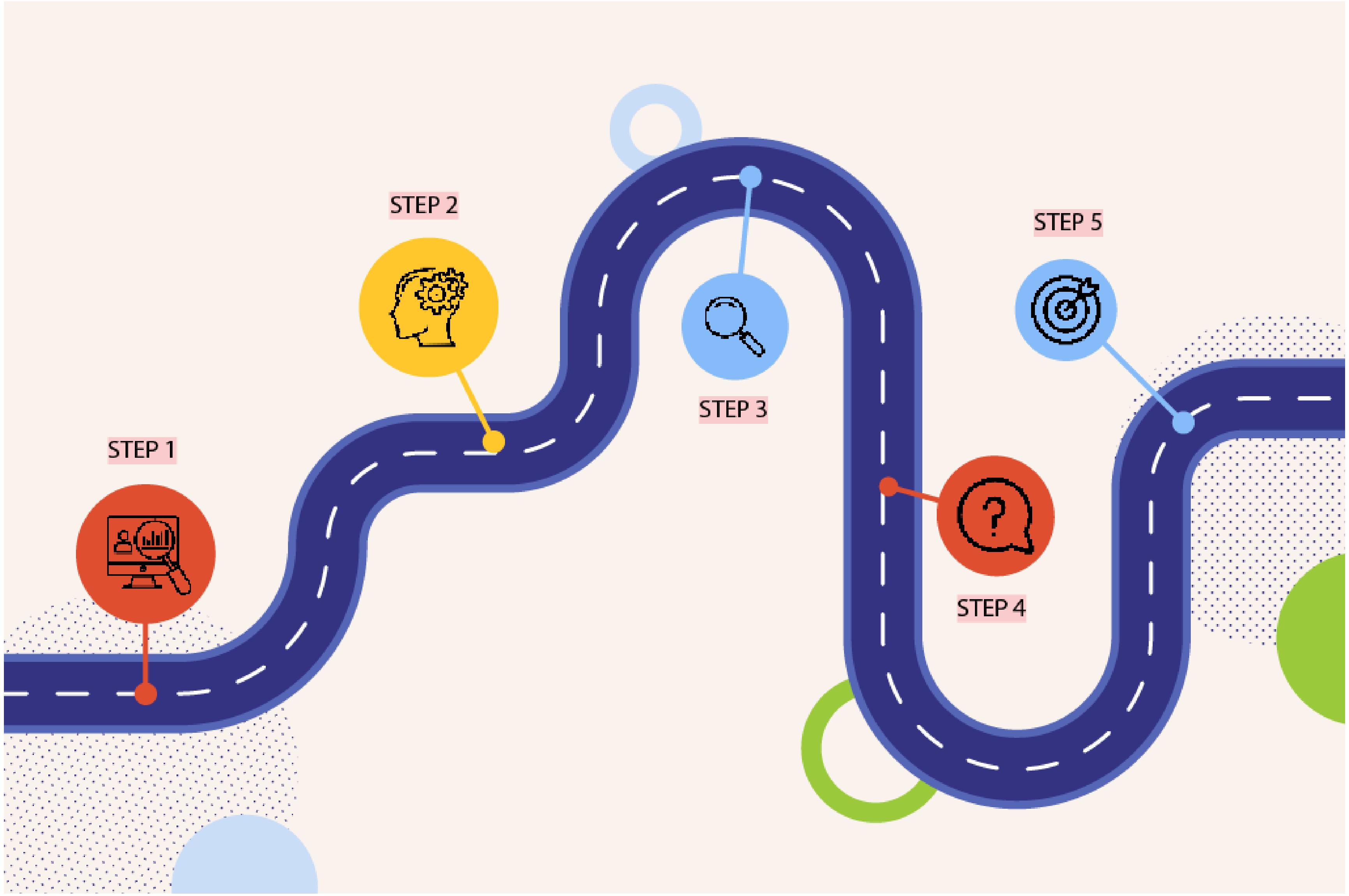
Part II - The investigation journey

Step 1: What triggers an investigation?

- A whistleblowing alert
- Dawn raids

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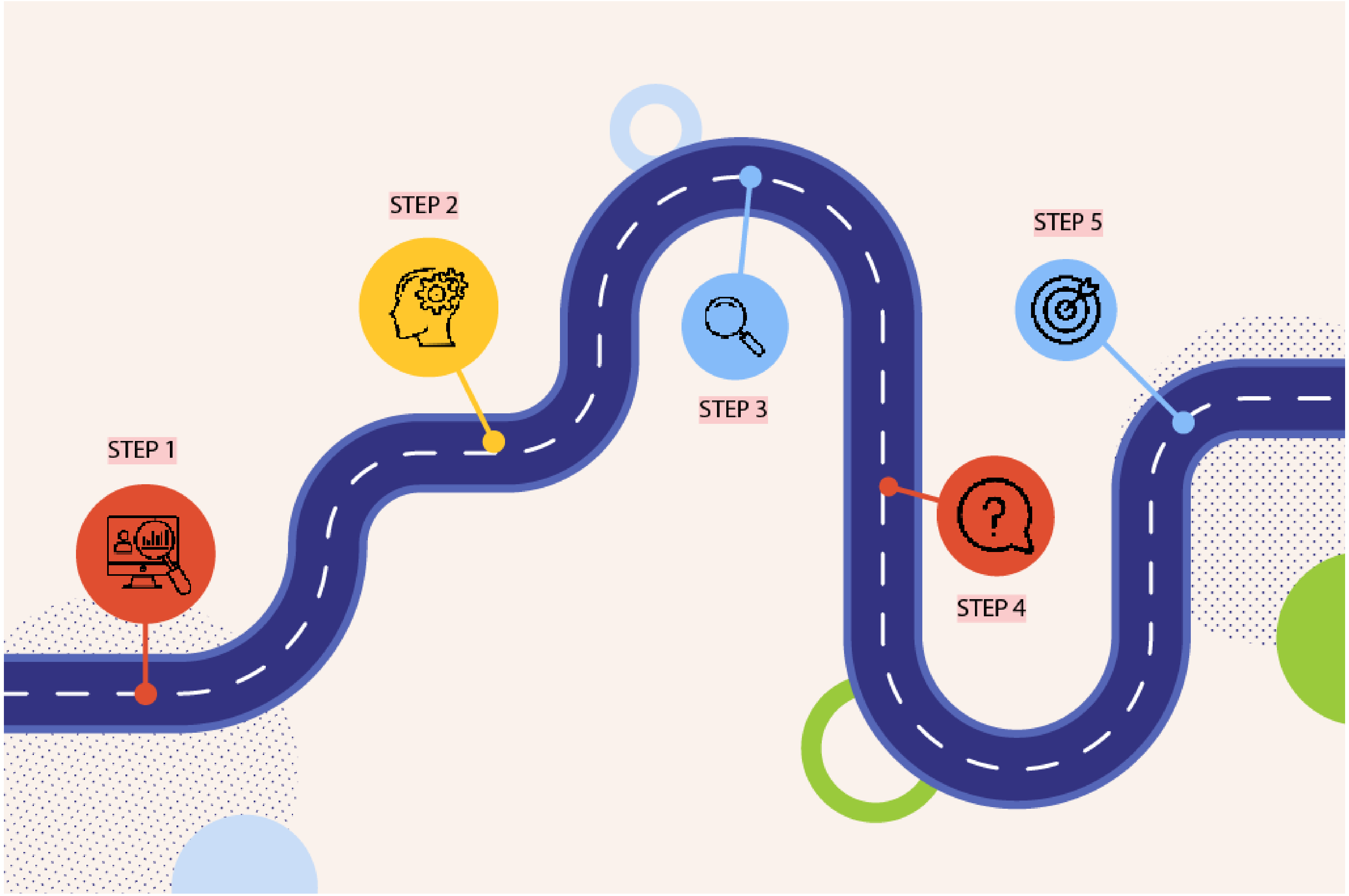
Part II - The investigation journey

Step 2: Where to start?

- Activate the crisis management team / war room

- Prepare communication and think about timing (enough facts?)
  - Mandatory communication
  - Strategic communication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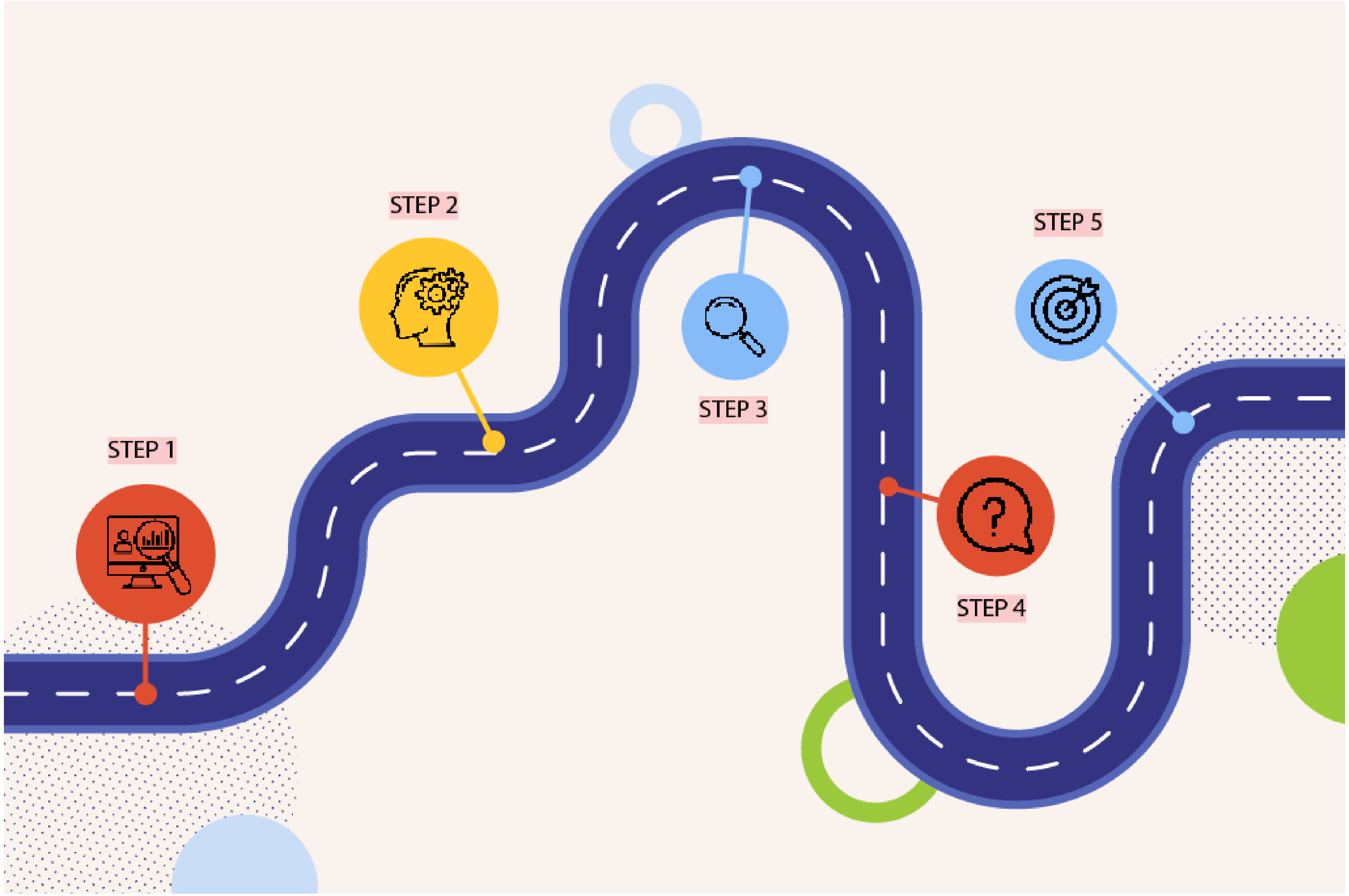
Part II - The investigation journey

Step 3: Establish the facts

- Critical steps of an investigation
- Decide on / adjust the legal strategy
- Be aware of legal risks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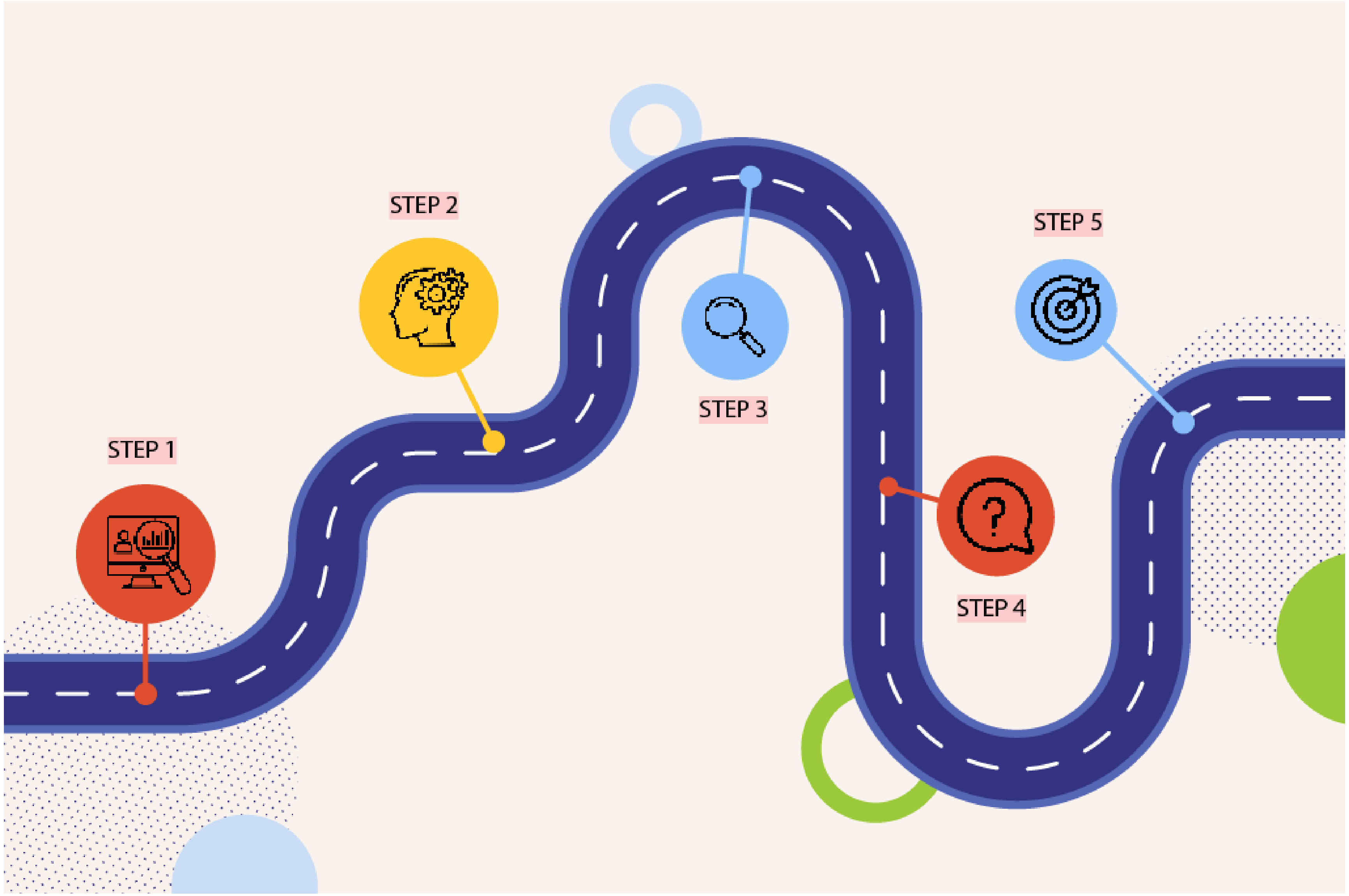
Part II - The investigation journey

Step 4: Anticipate the consequences

- Criminal sanctions
- Administrative sanctions
- Reputational risks and Impact on culture
- Civil damages
- Disciplinary consequences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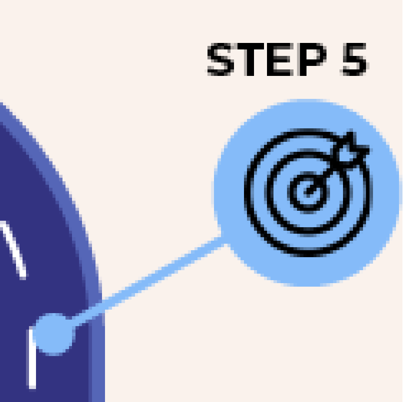
Part II - The investigation journey

Step 5: Lessons learnt

- The important of postmortem
- Assess the corporate culture and needs for changes
- Establish a remediation plan
- Regular risks assessments



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