

Insights

NEW SFO CORPORATE GUIDANCE ON COOPERATION - AND WHAT IS UNCOOPERATIVE

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The UK Serious Fraud Office has today published their new [Corporate Guidance on cooperation](#).

The guidance outlines the SFO's key considerations when deciding whether or not to charge a corporate or invite it to DPA negotiations. In short, corporates are encouraged to **self-report promptly and cooperate fully**. So far, nothing new.

What is [new-er](#) is the clear statement of what conduct the SFO considered uncooperative:

"A corporate "forum shopping" by unreasonably reporting offending to another jurisdiction for strategic reasons.

Seeking to exploit differences between international law enforcement agencies or legal systems. If there are legitimate reasons for differences of approach (e.g. a "blocking statute") they should be communicated to us. - Attempts to obfuscate the involvement of individuals, minimise and/or withhold the full extent of the suspected offending. - Tactically delaying providing information or material.

Seeking to overload our investigation by providing unnecessarily large amounts of material that may hinder the effectiveness of the investigation. A corporate should inform us beforehand of its proposals for providing material and the expected volume of material."

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