BCLP. Client Intelligent

INVESTIGATIONS

OVERVIEW

Our Global Investigations practice is a truly integrated, cross-practice, global team that undertakes independent internal investigations and represents corporates, financial institutions and senior individuals in their dealings with regulators and civil and criminal authorities. In particular this includes advising and vigorously defending our clients who are subject to actual or threatened enforcement, disciplinary and criminal proceedings.

Many of our team have spent time working as regulators and prosecutors, bringing deep experience and understanding of their key priorities, personnel, and approaches to decision-making at the relevant authorities. In each case we work closely with our clients to develop a tailored defense strategy, designed to maximize the prospects of achieving the agreed objectives and securing the optimal outcome.

Our clients routinely praise our cross-practice approach to ensure that the risks they face in relation to a specific issue are properly anticipated and managed in the most effective manner. Increasingly, when problems are encountered they need to be assessed holistically to identify the key areas of risk which may include a series of different regulators in multiple jurisdictions. Our teams are equipped to anticipate those areas of risk and to work seamlessly across areas of focus and offices to deliver the best available solutions for our clients.

CLIENT REPRESENTATION

We routinely represent clients in relation to investigations and proceedings pursued by:

- the UK FCA (Financial Conduct Authority;
- PRA (Prudential Regulation Authority);
- SFO (Serious Fraud Office);
- HMRC (HM Revenue & Customs);
- CMA (Competition and Markets Authority);
- the US DOJ (Department of Justice);

- SEC (Securities And Exchange Commission);
- CFTC (Commodity Futures Trading Commission); and
- Fed (Federal Reserve Bank of New York).

As well as a range of other international regulators and prosecutors in relation to allegations of fraud, bribery and corruption, insider dealing, market abuse, loss of sensitive data, money laundering, breach of regulatory rules and listing rules, breach of financial or trade sanctions, cartel investigations, employment issues,a range of other types of misconduct.

The Global Investigations areas of focus include White Collar, Antitrust, Data Privacy, Financial Regulation, Securities Regulation, Utilities Regulation, Employment, Health & Safety, Tax and Product Liability. Our teams work together across the US, UK, France, Belgium, Germany, Abu Dhabi, Dubai, Singapore and Hong Kong SAR.

Investigations are challenging and the BCLP Global Investigations team understands the complexities and works closely with clients to design and implement tailored strategies and solutions to the significant issues that they face.

MEET THE TEAM

Lee Marshall

Global Department Leader – Litigation & Investigations, San Francisco

lee.marshall@bclplaw.com
+1 415 675 3444

Graham Shear

EMEA Regional Leader – Litigations & Investigations and Co-Global Practice Group Leader – Business and Commercial Disputes, London

graham.shear@bclplaw.com
+44 (0) 20 3400 4191

RELATED PRACTICE AREAS

- Antitrust
- Business & Commercial Disputes
- Financial Regulation Compliance & Investigations
- Health & Safety
- Planning & Zoning

- Tax & Private Client
- Anti-Money Laundering Compliance
- Special Investigations

AREAS OF FOCUS

- False Claims Act
- Sensitive Investigations
- White collar/Corporate Crime

RELATED INSIGHTS

Insights
Oct 04, 2024

Without Prejudice Privilege

The High Court has reaffirmed the strength of protection given to parties seeking to resolve a dispute through reliance on the 'without prejudice' rule during negotiations. In FW Aviation (Holdings) 1 Limited v Vietjet Aviation Joint Stock Company, the Court confirms the extraordinary nature of the 'unambiguous impropriety' exception and clarifies the ways in which 'without prejudice privilege' can be waived. Clare Reeve Curatola and Sanjay Lohano outline the nature and scope of the rule, providing practical tips for commercial parties looking to rely on this privilege whilst negotiating the settlement of a dispute.

News
Sep 19, 2024

Cross-Office Team Helps Secure Major Jury Trial Win for Monsanto

Events
Aug 26, 2024

BCLP to host forensic investigations and AI e-discovery seminar in Tokyo

News
Aug 13, 2024

Senior FTC lawyer joins BCLP's Antitrust & Competition Practice

Insights
Jul 24, 2024

Inadequately Reasoned Arbitral Award Not Enforced by Hong Kong Court

In the case of A v B & ors [2024] HKCFI 751 (date of reasons for decision: 13 March 2024) the Hong Kong court set aside an order granted to enforce an arbitral award dated 25 August 2022 made by the sole arbitrator in an arbitration at the International Center for Dispute Resolution, under the Rules for International Commercial Arbitration of the American Arbitration Association ("Arbitration"), on the grounds that the Arbitrator had failed to give reasons for her decisions on key issues.

Insights
Jul 02, 2024

Foreign illegality in fraud proceeds arising from underground currency exchange arrangements

This note considers the current state of the law in Hong Kong with respect to foreign illegality and whether it can set aside defences of bona fide purchaser for value without notice or change of position, in the context of fraud schemes where the fraud proceeds in one way or another were transferred to the recipient by way of currency exchange arrangements.

Insights
Jun 26, 2024

The Hong Kong Court Dismisses Challenge to Remove Arbitrators on Ground of Apparent Bias

In P v D [2024] HKCFI 1123 (judgment date: 30 April 2024), the Hong Kong Court of First Instance dismissed an application, pursuant to section 26 of the Arbitration Ordinance, by the challenging party ("P") to remove two arbitrators ("Impugned Arbitrators") in an HKIAC administered arbitration governed by the UNCITRAL Arbitration Rules, pursuant to section 26 of the Arbitration Ordinance (Cap. 609).

Insights
May 01, 2024

Former traders Tom Hayes and Carlo Palombos' LIBOR and EURIBOR convictions upheld by the Court of Appeal

News
Apr 10, 2024

BCLP adds top-tier trial lawyer in Seattle, continuing momentum of strategic hires and growth in Pacific Northwest

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