

**Control Risks**

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## Essentials of managing a complex cross border investigation

Kanupriya Jain, Control Risks  
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Control Risks (Middle East) Limited | PO Box 506669 | DIFC Al Fattan Currency House, Tower 2, Level 26 | Sheikh Zayed Road Dubai | United Arab Emirates  
+971 43723 000 | [dubai@controlrisks.com](mailto:dubai@controlrisks.com)

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► *“the future is meaningful and mutually beneficial co-operation. Notwithstanding the current political turmoil caused by Brexit, criminal justice and law enforcement remains high on the agenda for the UK. In this increasingly ‘shrinking’ and technologically sophisticated world, we believe further cooperation and interest from multiple authorities is inevitable for a company that uncovers cross-border crime issues. An equally sophisticated and coordinated response is required by the company and its legal teams. ~ Lisa Osofsky*



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► What we will cover today?




INCIDENT PLAN INVESTIGATE REPORT REMEDIATE

01 02 03 04 05

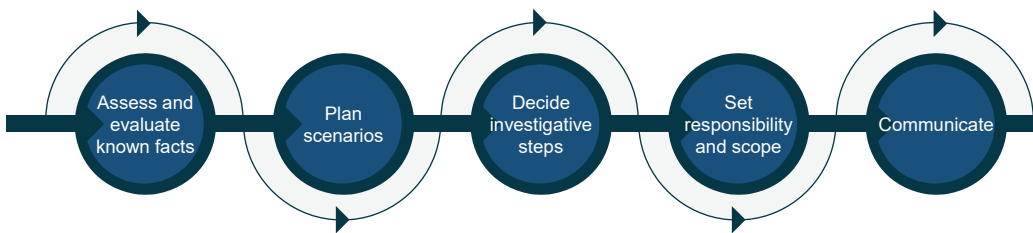
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► Plan



Assess and evaluate known facts Plan scenarios Decide investigative steps Set responsibility and scope Communicate

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► Scoping & executing the data collection

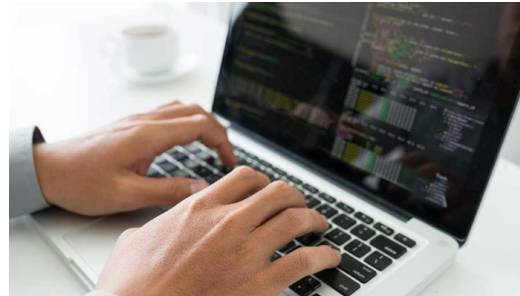


Sources of data

People

Forensic collection

Triage information collected



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► Collecting relevant materials

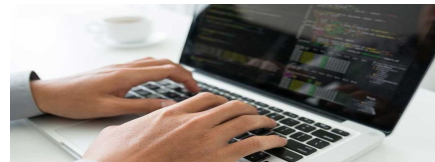
Data Sources	Data Types
Electronic Data	Structured Data
	Semi-Structured Data
Paper Documents	Unstructured Data

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## ► IT Forensics Challenges

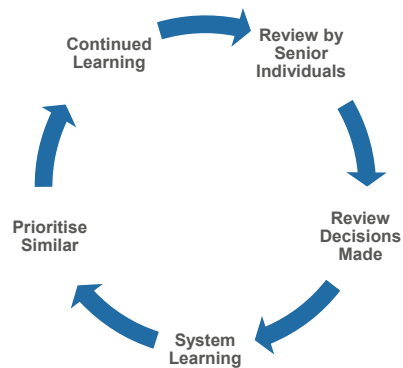
What are the challenges that you might face?



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## ► Technology Assisted Review & Machine Learning




- Skilled reviewers train the system
- Hone the population of responsive and non-responsive documents
- Massive reduction in documents to review
- Regulators approve
- Language recognition

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## ▶ Report and Remediate


**REGULATOR CONSIDERATIONS**

**MULTI-JURISDICTIONAL CONSIDERATIONS**

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## ▶ Report and Remediate

**Following through with remedial measures**

- ▶ Risk mitigation, procedural and substantive policies, procedures and action plans
- ▶ Socialisation, training and record keeping on policies and personal liability
- ▶ Local focus – language, local risks and appropriate thresholds

**Culture & Tone**

- ▶ Tone from where?
- ▶ Compliance status and reporting

**Importance of 'getting ahead of the curve'**

- ▶ Internal threats
- ▶ External risk assessment: market, country, competitor, political, product and sector risks
- ▶ Listen to customers, investors, regulators, employees, wider market
- ▶ Proactive analytics - If you have data, you have to use it
- ▶ Periodic review and gap analysis

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▶ Closing an investigation

▶ Reporting strategy and style

▶ Fines and reparation

▶ DPA/ monitorship/ declination

▶ Restoring reputation

▶ Culture of compliance

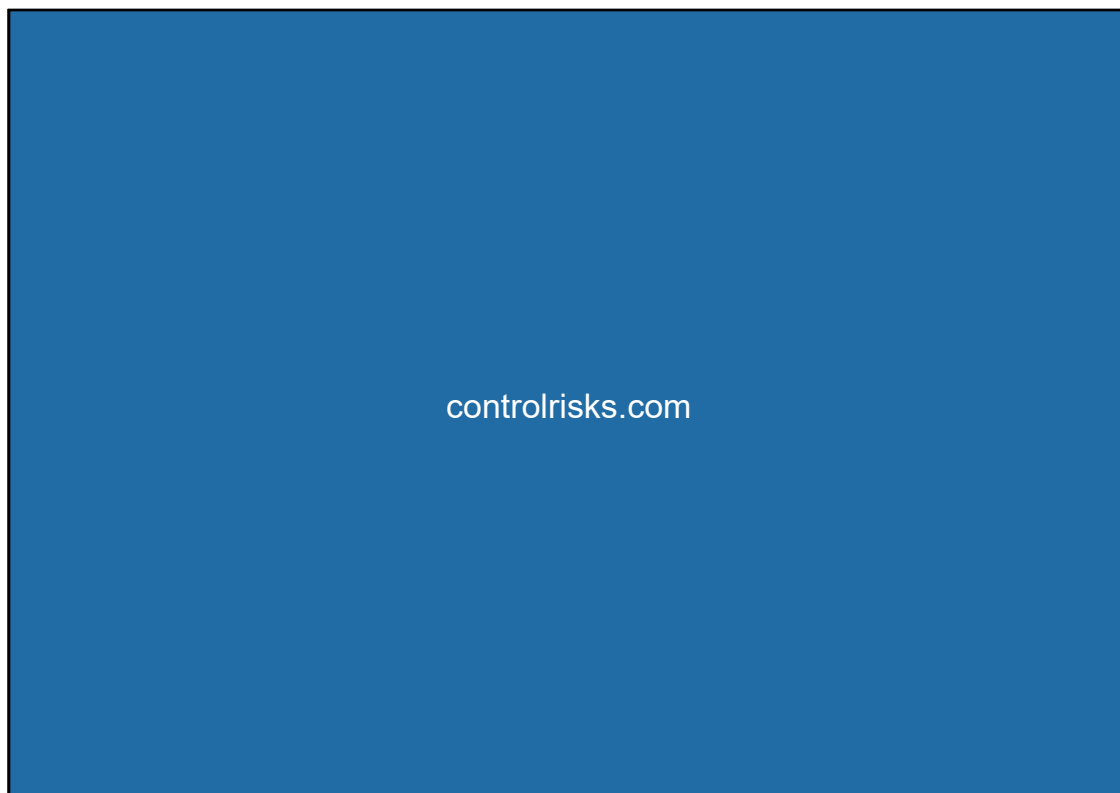
▶ Proactive review

▶ Market exit

Avoid the same issue from repeating and avoid any situation from turning into a crisis!

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