

C/M/S/ Cameron McKenna

# Business Criminal Litigation in Poland

# Business Criminal Litigation (BCL)

All too often companies and individuals do not realise that they can be subject to criminal liability. This liability can be triggered from both inside and outside their business.

The Business Criminal Litigation (BCL) team operating at CMS Cameron McKenna's Warsaw office advises clients in every aspect of criminal law that they may encounter while doing business in Poland. In recent years, criminal law issues, including corruption-related charges, have been arising more and more frequently in international business. If not properly managed they can turn into crises that may threaten the good name of the company and its managers, undermine the employees' commitment, jeopardise

the company's credibility and client's trust, and even halt the company's business entirely.

In order to minimise such risks, our BCL lawyers provide training and advice to management board members and their employees, or other individuals. Experienced in a number of industry sectors (e.g. Financial Services, Lifesciences, Energy & Utilities), our lawyers act with expertise, creativity and utmost discretion, always keeping in mind the sensitive nature of criminal cases.

The BCL team is headed by Bartłomiej Jankowski, an advocate with 10 years' experience as a defence attorney, auxiliary prosecutor and counsel to witnesses.

Because not every good lawyer is a good criminal lawyer

## Our experience

Our BCL lawyers go beyond commercial advice and litigation in helping clients manage criminal law risks. At the same time, the team can apply criminal law in order to protect clients' businesses against potential illegal actions.

The BCL team has already successfully assisted companies and individuals in the following ways:

- Assisting companies from the Lifesciences sector in the process of disclosing sensitive documents requested as evidence by prosecutors in investigation
- Representing board members and employees acting as witnesses or defendants in criminal proceedings
- Assisting advisors to U.S. companies providing training on FCPA issues in relation to Polish law
- Conducting training for board members and employees on their rights and obligations when acting as witnesses, defendants and injured parties during criminal proceedings
- Developing anti-corruption compliance programmes
- Instructing Compliance Officers of companies from the Energy & Utilities and Lifesciences sectors on Polish provisions of law regarding criminal aspects of public procurement and other tender procedures

## Our team



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“With Bartłomiej Jankowski the firm contains another great name in the field. Clients point to his broad expertise, and believe that ‘he can support international businesses in all their disputes, whether commercial, civil or criminal’.”

*Chambers Europe 2008*

- Crisis management regarding crimes committed against companies from the Financial Services sector (e.g. credit fraud)
- Assisting board members in dealing with the National Labour Inspection in relation to alleged offences against workers' rights and other provisions of the Polish Labour Code
- Representing board members of Insurance sector companies regarding suspicions of criminal offences committed during their business activity

- Preventing criminal charges being raised against companies whose employees have circumvented their duties
- Acting in matters regarding the Polish Fiscal Criminal Code
- Acting as attorneys for defendants and injured parties in criminal proceedings related to intellectual property rights
- Providing assistance to companies and individuals facing corruption-related charges

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