

FAQs DAWN RAIDS

EVENT	PERSON	ACTION
Inspectors arrive in reception	Reception	<p>Refer to Reception Dawn Raid Emergency Checklist</p> <p>Check and note identifications. Call management and in-house counsel. Show inspectors into meeting room – look after them</p> <p>Do not offer information</p>
	Management/ in-house counsel	<p>Refer to Dawn Raid Emergency Checklist</p> <p>Inform external lawyers. If no in-house counsel, ask inspectors if they will wait for external lawyer to arrive</p> <p>Check authorisations. Is there a warrant or other powers to enter? Is it a Search Order? Check scope. Take copies</p> <p>Organise in-house team(s): main point of contact; chaperones/notetakers; IT specialists; logistics; comms; management crisis committee</p> <p>Do not leave inspectors alone</p> <p>Contact other senior management, head office and other company premises (parallel raids?) – unless inspectors specify not</p> <p>Communicate with the business – what’s happening and how to behave</p> <p>Brief external comms team</p>
Inspectors want information – documents/IT/oral	Management/ in-house counsel	<p>Must comply unless HMRC tax inspection under Finance Act 2008 (inspectors may look only at statutory records, premises and assets)</p> <p>Involve IT specialists</p> <p>Power to question varies</p> <p>Take copies of all documents seized, copied or seen by inspectors</p> <p>Ensure that inspectors do not see legally privileged information</p>
Inspectors want to take copies	Any employee	<p>Must comply</p> <p>Keep a copy of everything copied (or taken away) by inspectors (or at least a list)</p>
Can inspectors see legal advice?	Management/ relevant employee	<p>Generally legal advice is protected so inspectors cannot see it. In some competition inspections, in-house legal advice may not be protected. If disagreement with inspectors about privilege, put document aside for later dealing</p>
Inspectors about to leave	Management/ in-house counsel/ external lawyers	<p>Agree a minute of the inspection (persons questioned, offices visited, documents copied), before inspectors leave</p> <p>Check you have a complete copy of all documents/records taken away by inspectors</p> <p>Agree whether inspectors are to return - if so, agree timings, arrangements and access to areas in the meantime (rooms sealed?)</p>
After the raid	Management/ in-house counsel/ external lawyers	<p>Debrief all involved</p> <p>Review questions asked and answered and documents copied. Rectify any incorrect information or answers given as soon as possible</p> <p>Consider further audit of relevant activities</p> <p>Do not unnecessarily generate information which may become disclosable. Ensure that any analysis or review is protected by privilege</p> <p>Consider media position</p> <p>Consider notifying insurers and auditors (and regulators where appropriate)</p> <p>Consider HR issues</p> <p>Plan next steps – specific to each type of raid</p>

KEY CONTACTS

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