

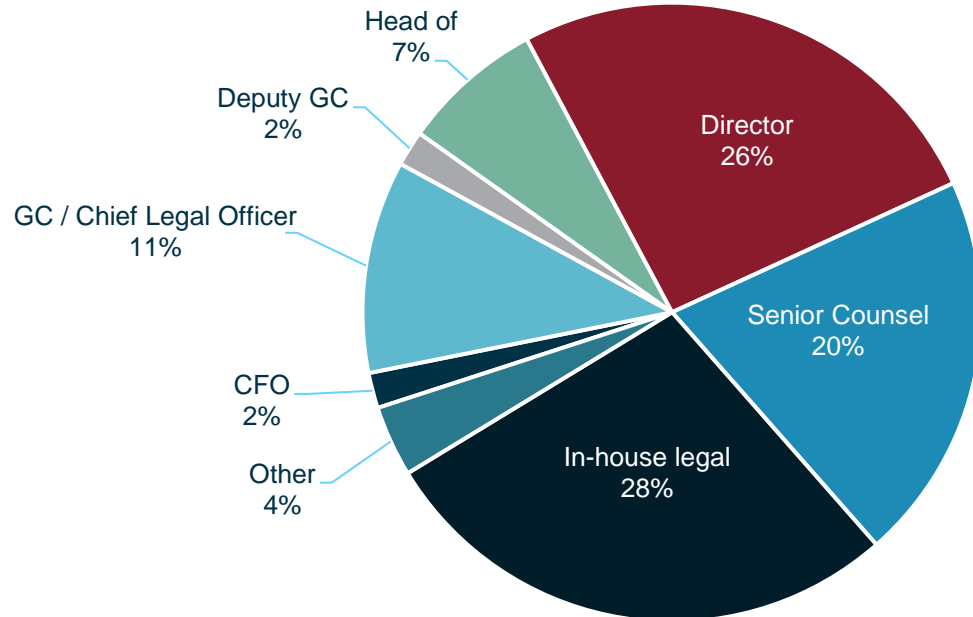


# Introduction

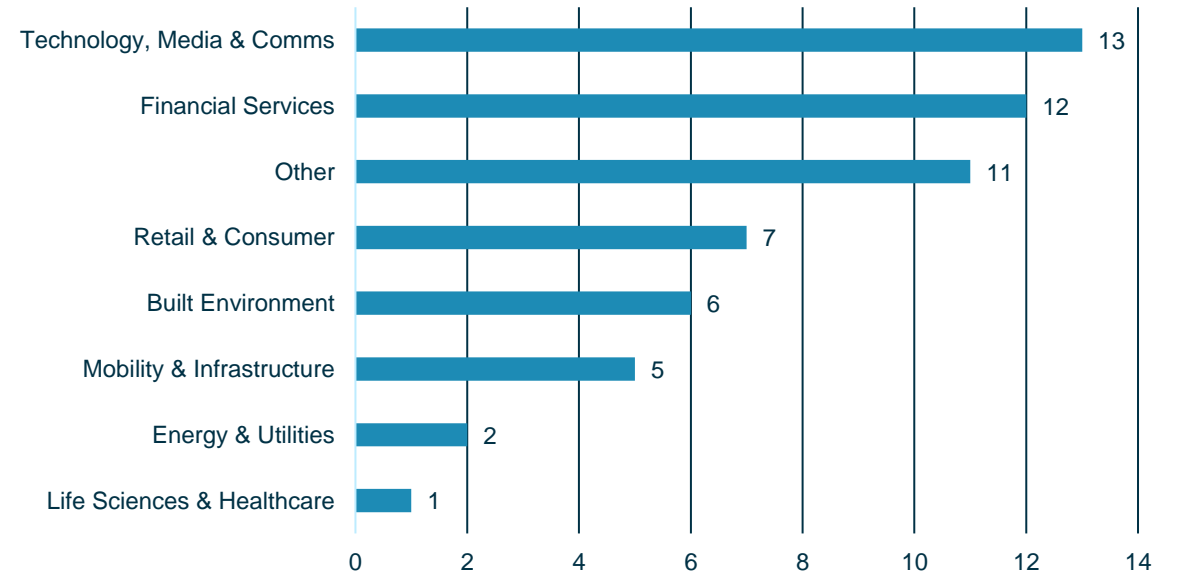
In preparation for [Osborne Clarke's Disputes Week 2024](#), our investigations practice conducted a survey which was sent to senior in-house legal, compliance and C-suite and director-level contacts, particularly those in investigation and / or litigation roles. The survey was completed by 57 respondents from various client sectors. This report presents the key findings of that survey.

The survey sought to identify the challenges faced by our clients when conducting investigations. Key findings also shaped an in-person roundtable event hosted by Osborne Clarke as part of Disputes Week 2024 which was attended by some key individuals with deep investigations experience.

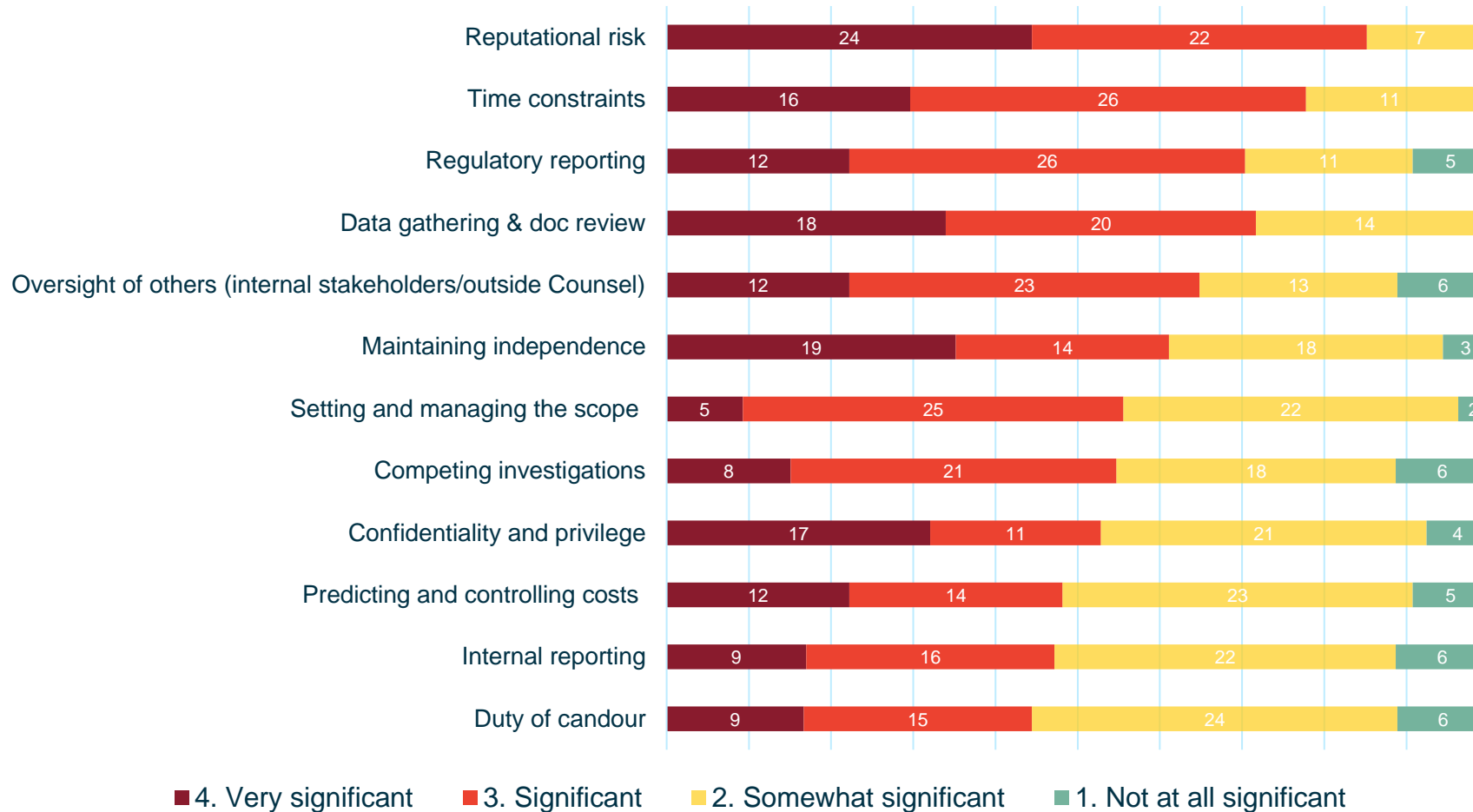
Respondents by Job Title



Respondents by sector



# Challenges for in-house legal ranked by significance

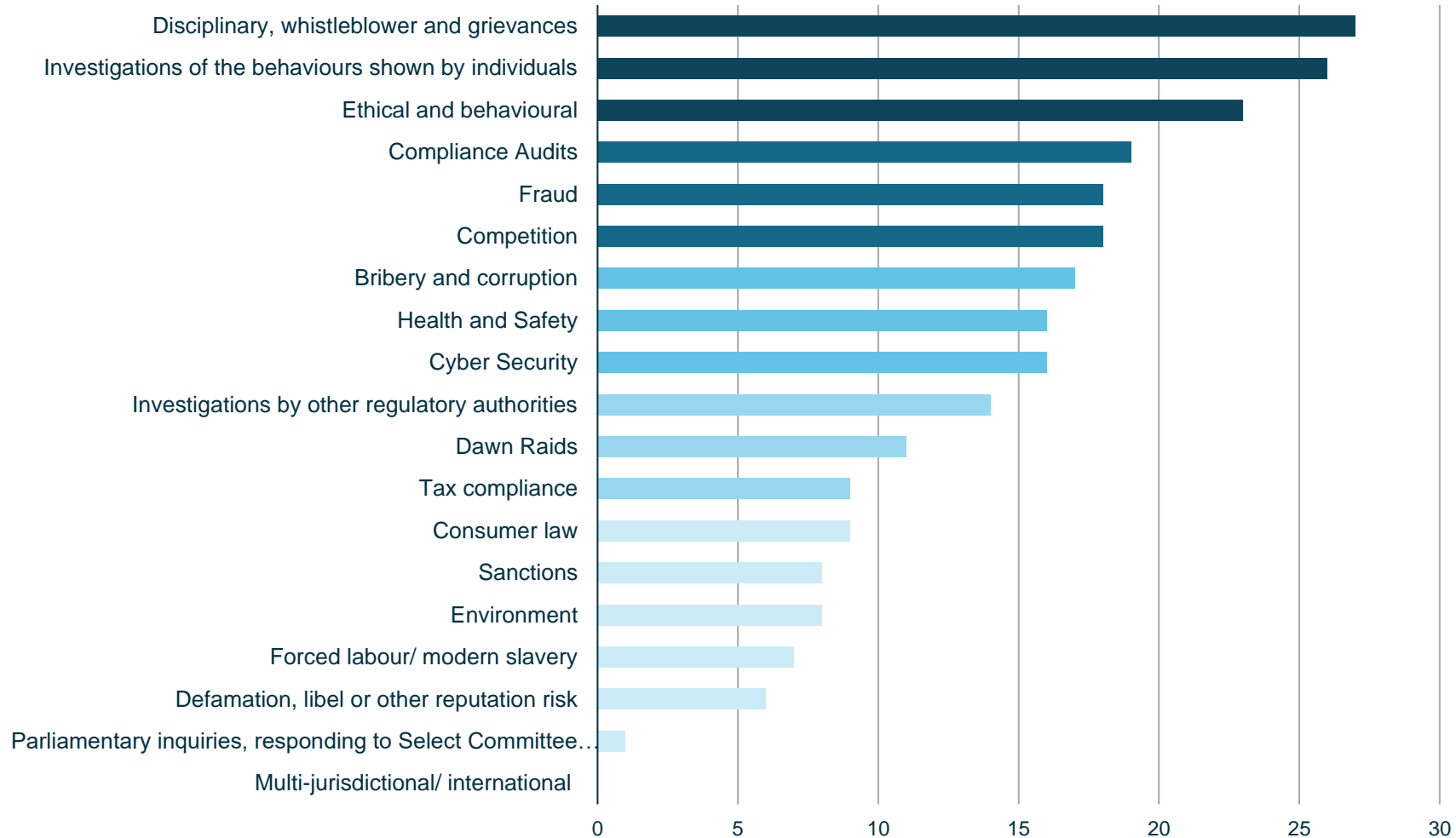


In the wake of significant high-profile examples over the last 12 months, including the Post Office horizon scandal, it is perhaps not surprising that reputational risk sits at the top of concerns for legal teams.

Time constraints faced in carrying out investigations also play into the challenge of understanding any mandatory or voluntary self-reporting requirements to regulators.

Further key themes can be connected to the evolving scale, breadth, complexity and volume of data involved in investigations.

# Most common types of investigations



Many sectors now have whistleblowing regimes and requirements and we have seen an increase in whistleblowing reports across the board in recent years.

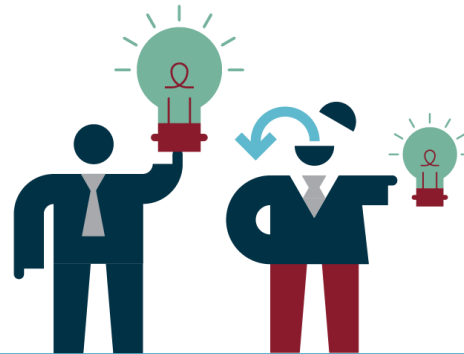
This is coupled with the focus on culture and conduct across all sectors and in light of movements such as #MeToo and Black Lives Matter.

Employees are feeling more comfortable to speak up and raise allegations of wrongdoing, leading to more grievances and investigations into individual misconduct.

# Themes from our roundtable discussion

## Key areas where businesses seek external legal support

- Specialist technical knowledge (or investigations skills)
- Advice on regulatory reporting requirements
- Managing multiple regulators including in different jurisdictions
- Movement of data
- Complex investigations



## Training needs

- The need for specific training for personnel and senior stakeholders outside the core team
- Deep dives into topics such as maintaining privilege

## Case management tools

- Many businesses do not have case management platforms and have to rely on Sharepoint and Outlook
- There is value to being able to access all information on one platform
- The value of project managers on investigations

## Looking forward – challenges on the horizon

With a continuing focus on corporate responsibility, transparency and ESG reporting requirements, we do not see the volume of investigations decreasing in the medium terms.

In house legal and investigations teams would be well advised to consider how ready they are for the challenge including future challenges including:

**Data** – an increasing volume on a range of devices, platforms and software, with added challenges of disappearing data not readily preserved upon notification of an issue.

**Regulatory requirements** – pressure from regulators, investors, shareholders and others to investigate and report are likely to increase even with any political messaging around cutting regulation

**Cross-jurisdictional investigations** – globalization is bound to add to the complexity of the investigations which businesses need to conduct

**Technology** – the use of technology is already coming under regulatory focus.

# Our Investigations team

Our international team supports our clients to carry out internal investigations on a wide range of compliance and ethical issues. We also help respond to investigations that are conducted by others. This includes investigations by regulatory and enforcement authorities, criminal investigations, inquests and inquiries. We bring decades of legal experience and can support you across a wide range of criminal, civil and ethical investigations, in the UK and worldwide.

We work on a huge range of issues that require investigation, from small, contained incidents to large, business or sector-wide problems that require significant resources. The subject matter of investigations we advise on varies significantly too. But whatever the subject matter and scale of the investigation, we know the importance of providing you with careful project management, scoping, analysis of documentary and witness evidence, clear reports and recommendations, and holistic strategic advice.

Our experience informs a practical and proportionate approach, whether that is managing a relatively small issue in one jurisdiction or advising on complex, multi-jurisdictional investigations.



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## Our locations around the world

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Belgium: Brussels  
France: Paris  
Germany: Berlin, Cologne, Hamburg, Munich  
Italy: Busto Arsizio, Milan, Rome  
The Netherlands: Amsterdam  
Poland: Warsaw  
Spain: Barcelona, Madrid, Zaragoza  
Sweden: Stockholm  
UK: Bristol, London, Reading

### US

New York, San Francisco, Silicon Valley

### Asia

China: Shanghai  
India\*: Bangalore, Mumbai,  
New Delhi Singapore

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