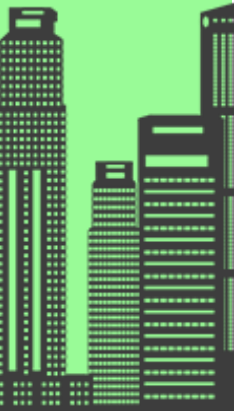


Practical Approaches to Handling Investigations

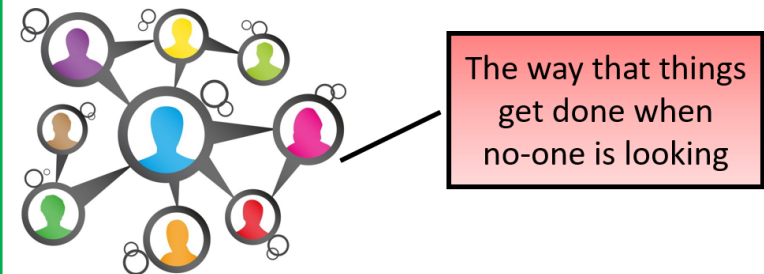
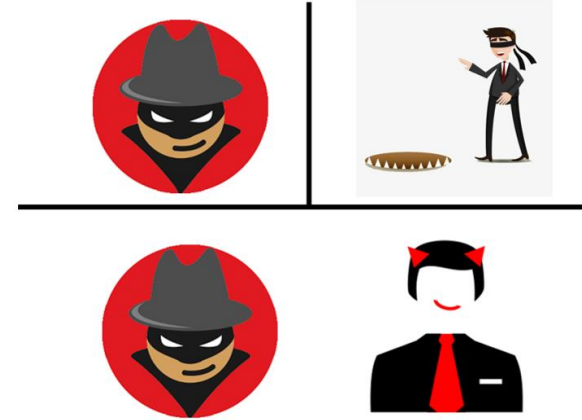
**Bob
Pointer**



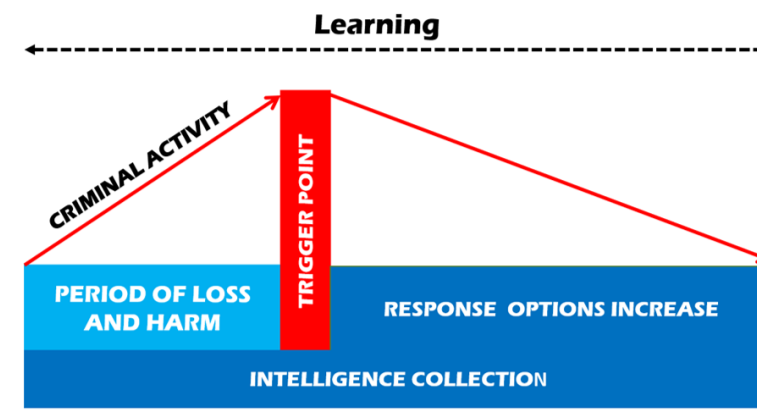
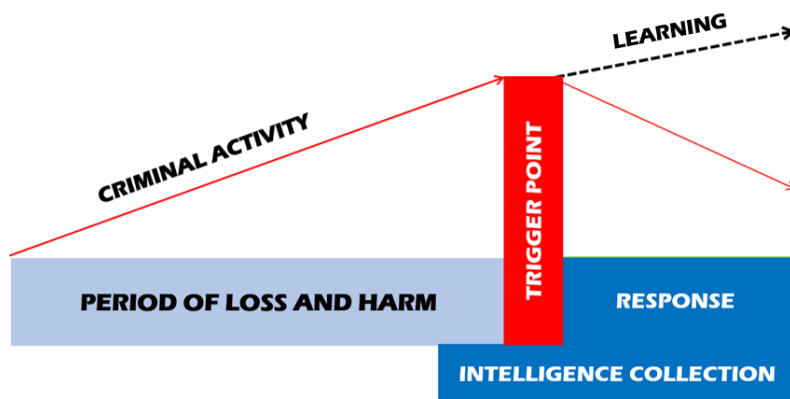
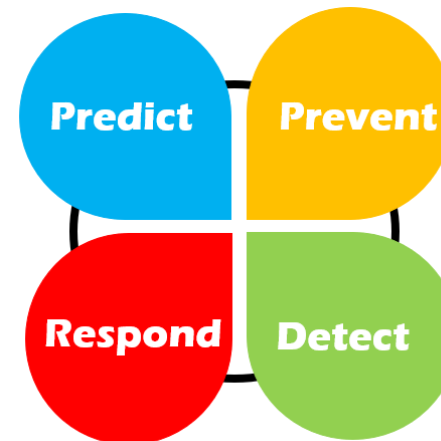
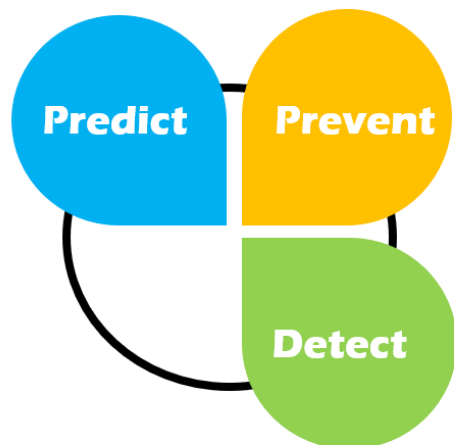
Pan Asia Pharmaceutical and Medical Device Congress 2018



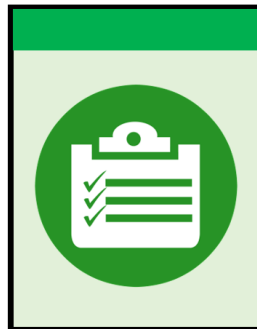
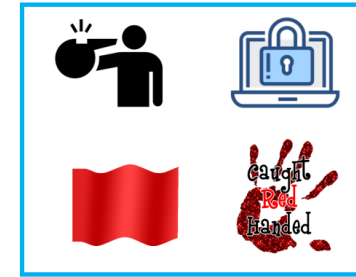
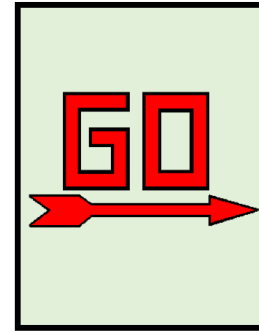
Recap



Recap

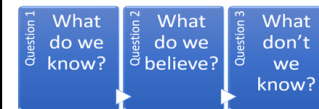


Recap

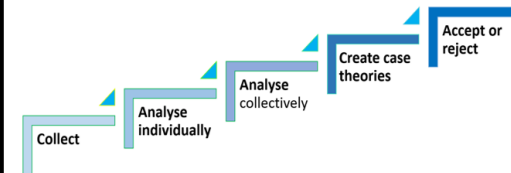


Critical decisions

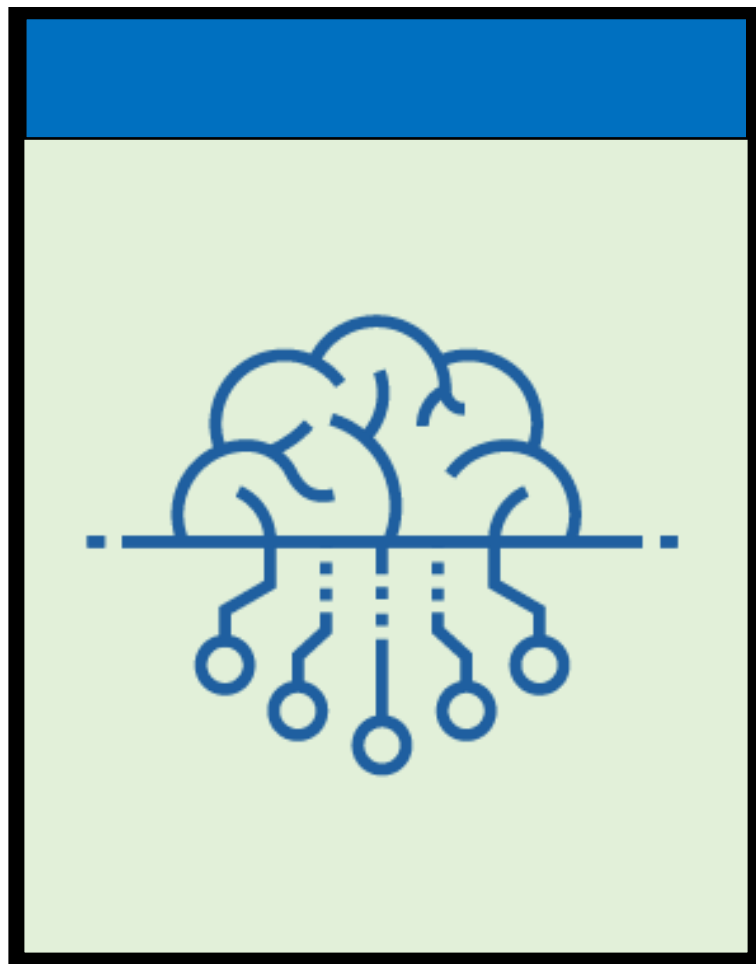
Decisions made in circumstances which present a high level of **risk** and **uncertainty**



The Problem
• Facts • Information
What is known identifying what is needed
System 1 response
• Feelings • Hunches • Instinct • Intuition
Emotional response
System 2 response
• Issues • Problems • Difficulties
Rational response
Informed response
• Evidence based • Verification focused • Impartial evaluation



Square 5 – Predication



An Informed position

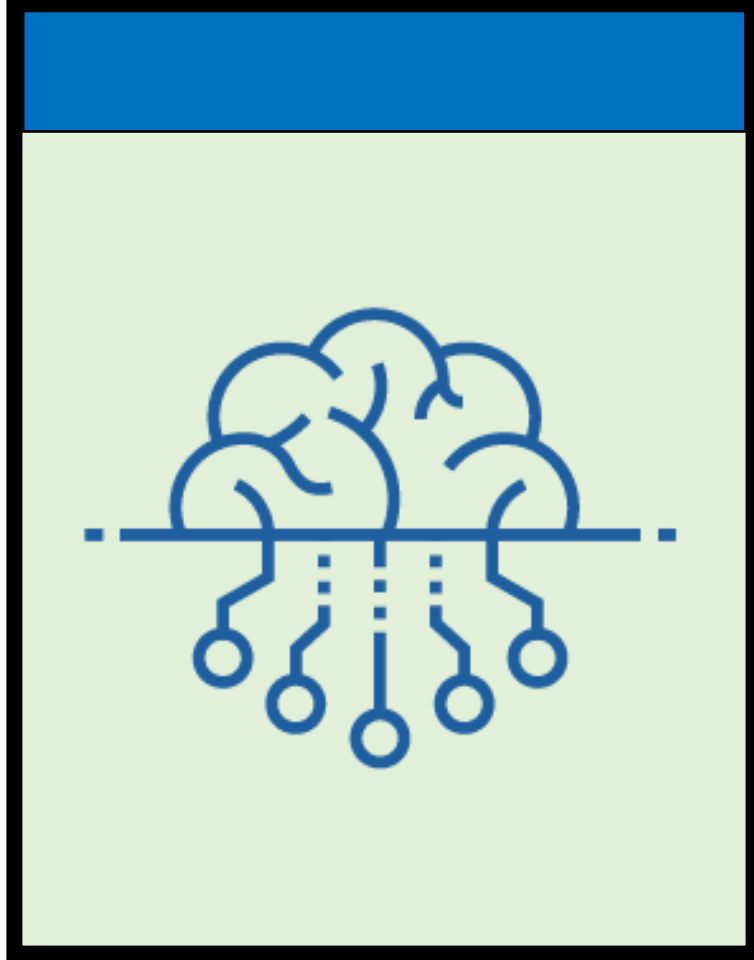
What do
we now
know?

What do
we now
believe?

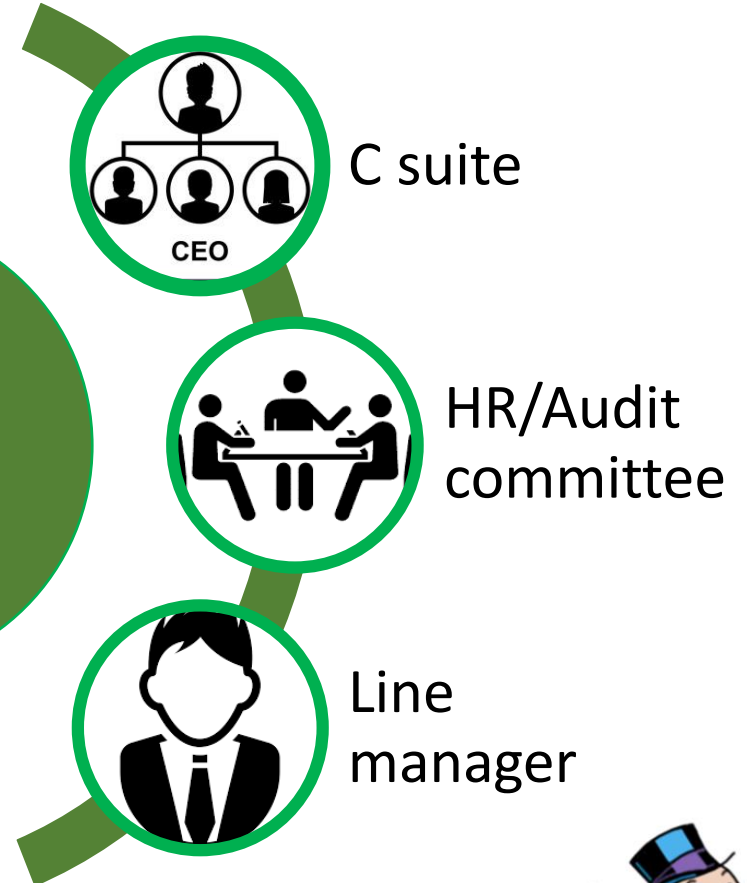
What is
still
unknown?



Square 5 – Predication

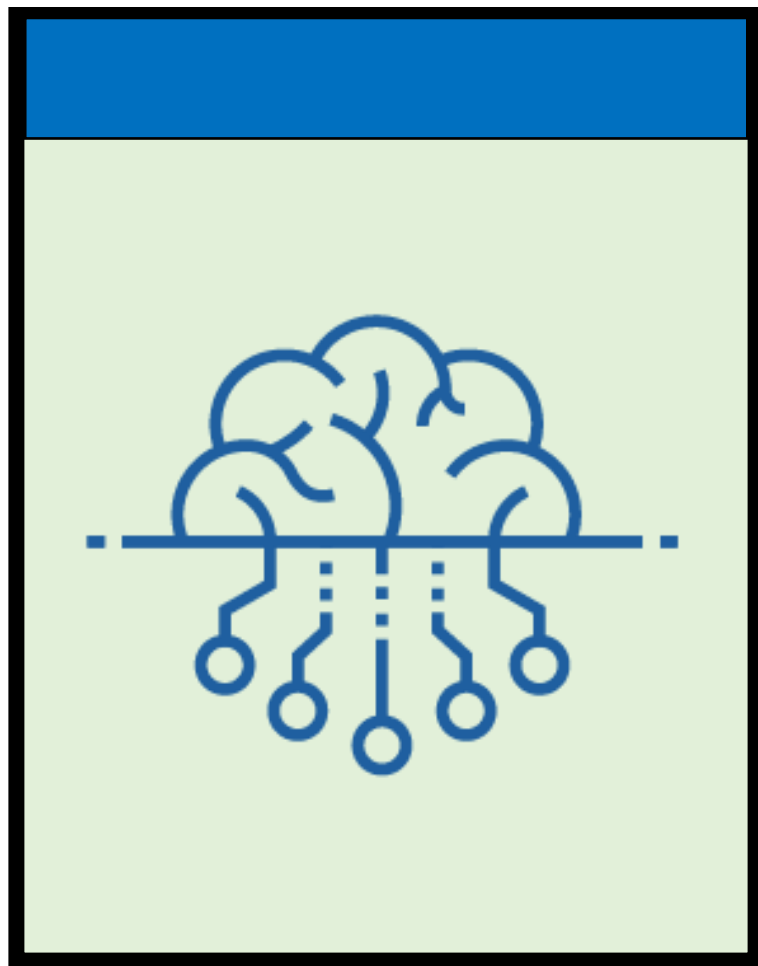


Who
should be
informed
Internally?



FRAUDOPOLY

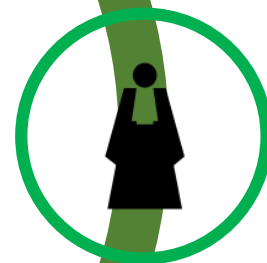
Square 5 – Predication



Who
should be
informed
Externally?



Law
Enforcement



Legal
counsel

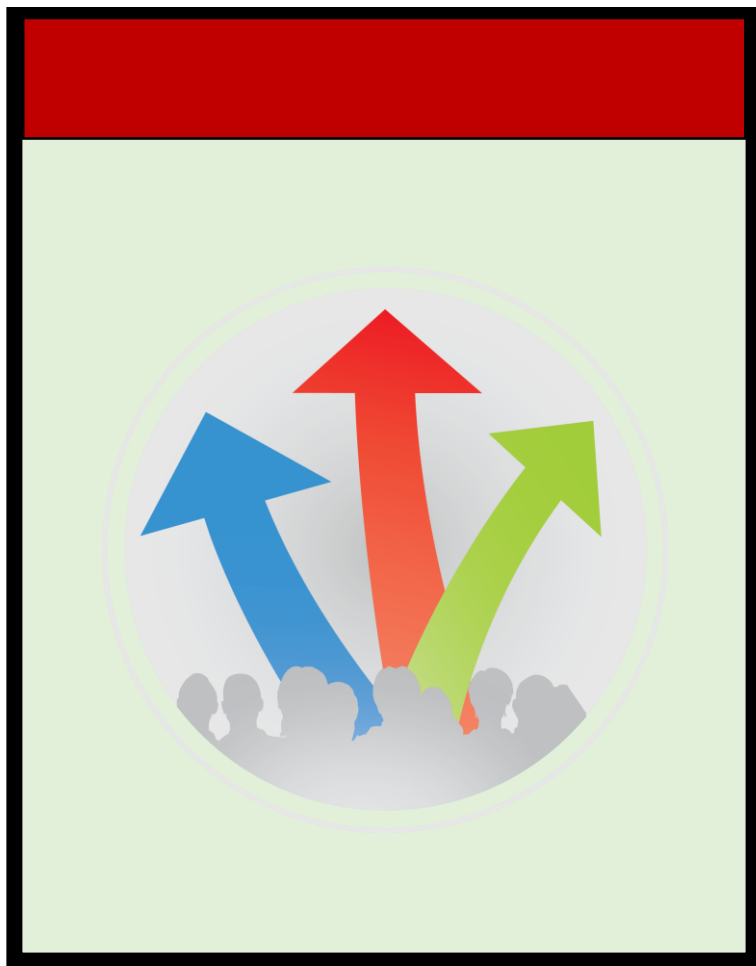


Regulator



FRAUDOPOLY

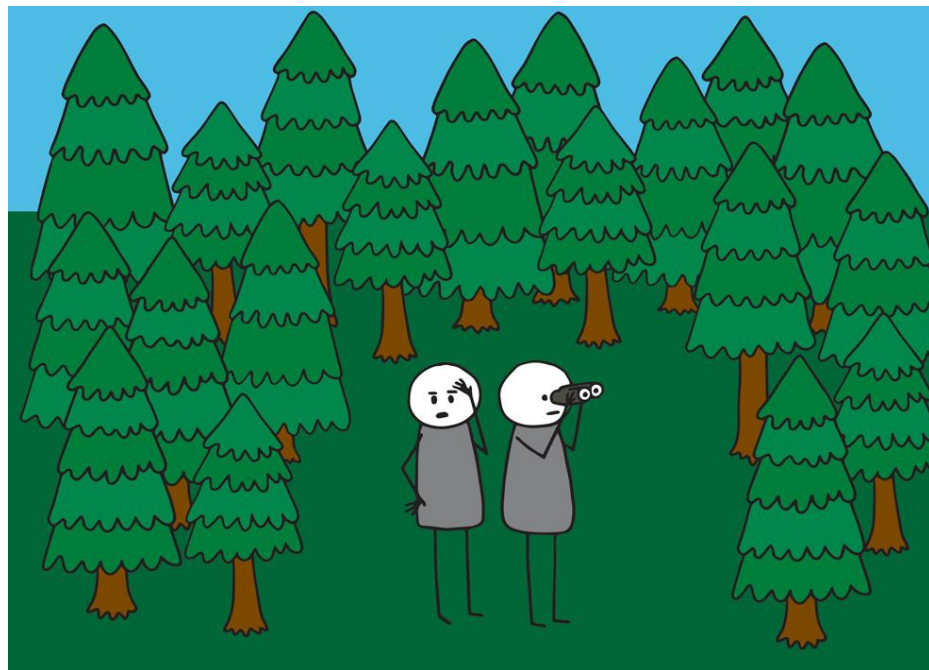
Square 6 – Direction



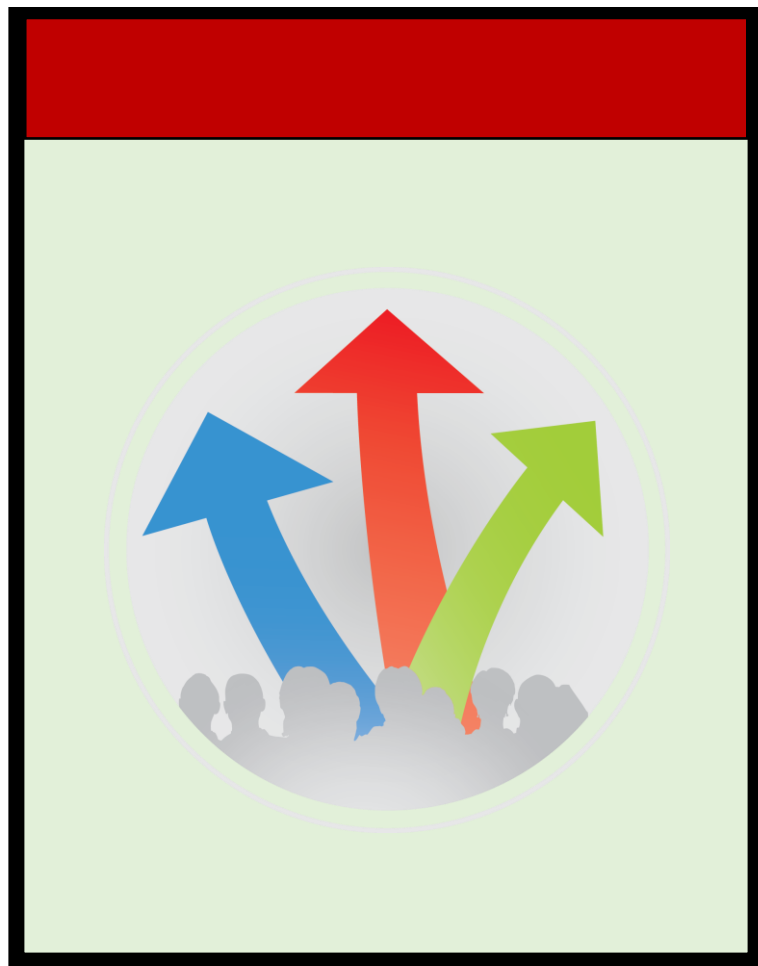
“SFO’s low productivity and conviction rates compared to its New York counterparts is due to a lack of focus – in whole or in part – in some SFO investigations.

Unfocused investigations are a matter of grave concern”.

Jennifer De Grazia



Square 6 – Direction



What do we want
the end to look like?

FINISH



FRAUDOPOLY

Square 6 – Direction

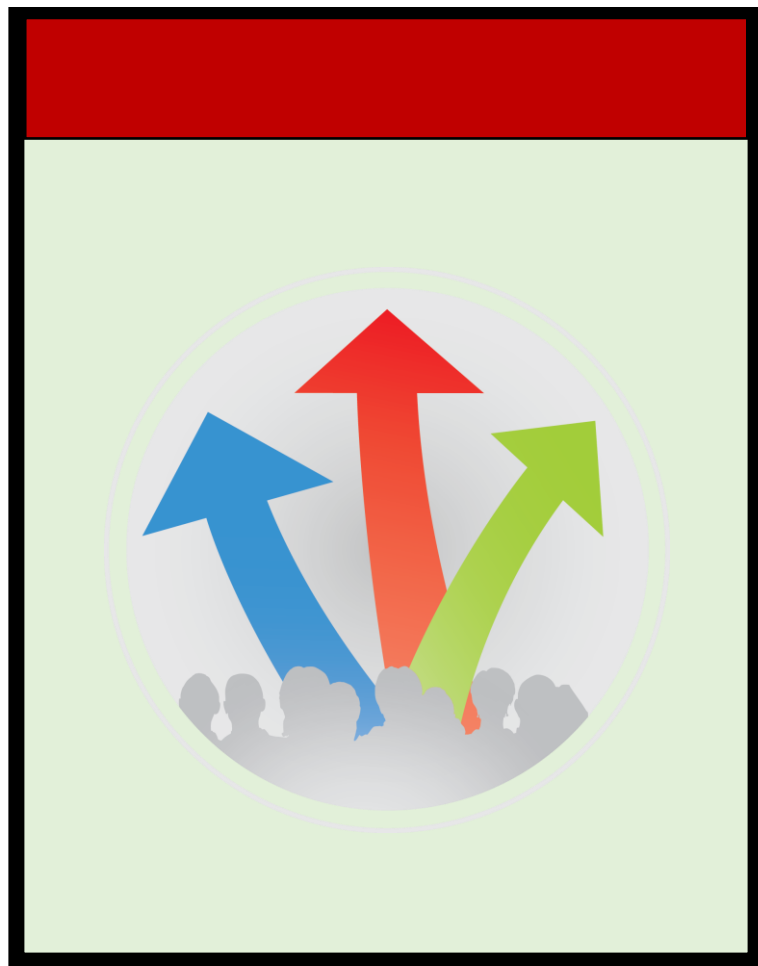
Standards of proof

Points to prove,

Policy and procedure
Disciplinary procedures
Civil process
Criminal law



Square 6 – Direction



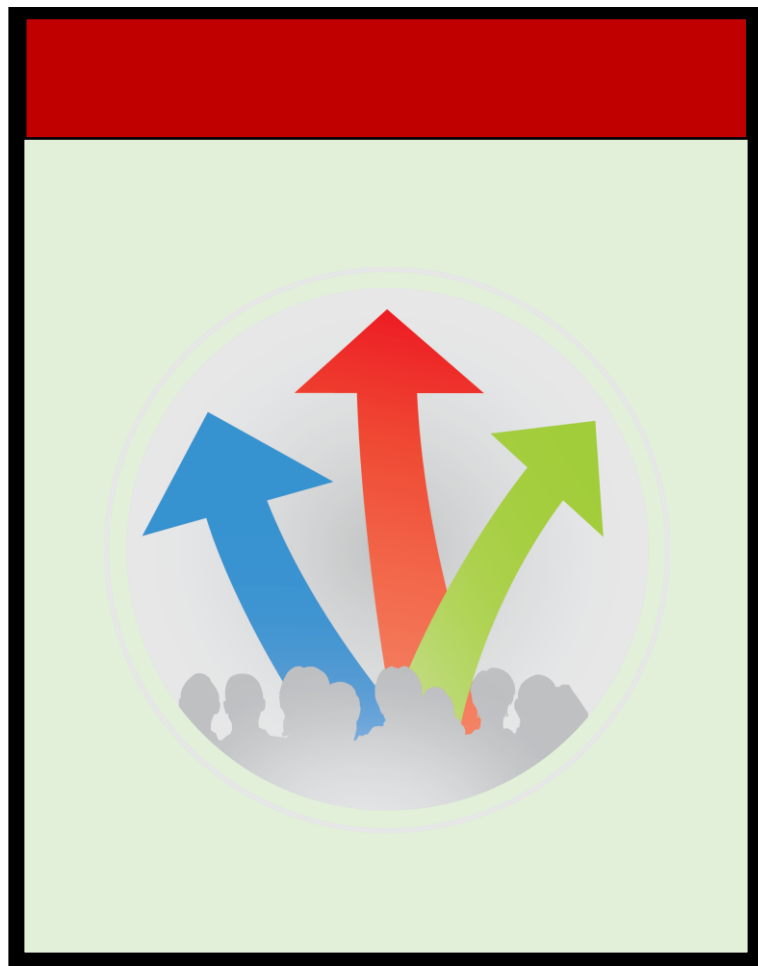
How do we get there?

FINISH



FRAUDOPOLY

Square 6 – Direction

☐

What resources are needed?

☐

Will there be any public relations issue?

☐

What are the timescales, is it current or historic?

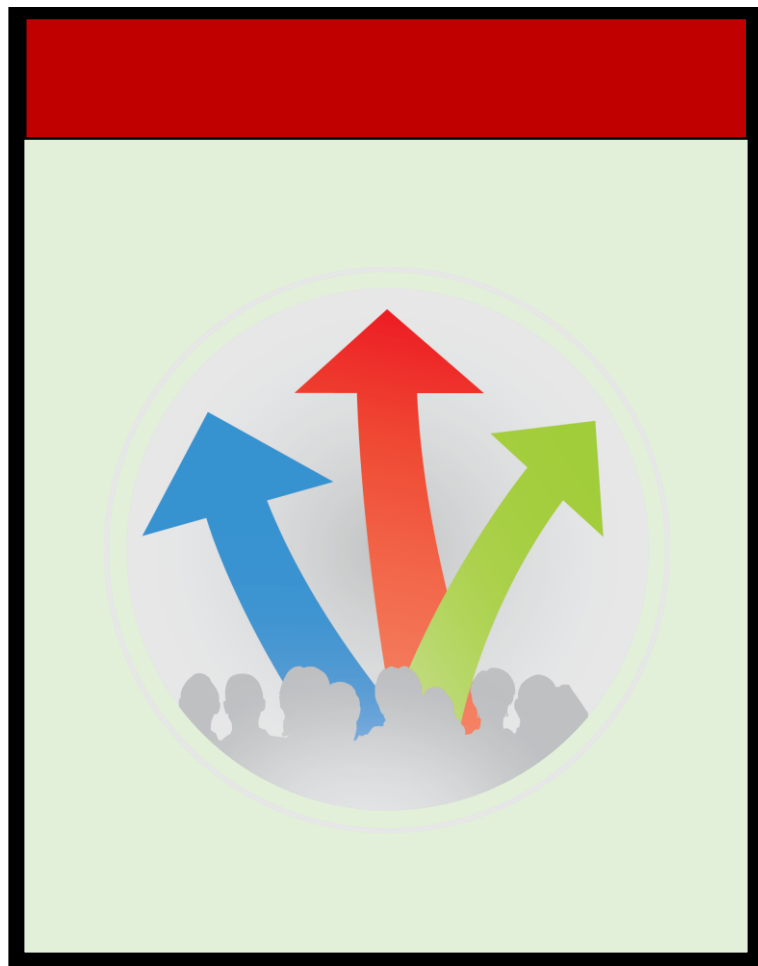
☐

Is the enquiry cost effective?



FRAUDOPOLY

Square 6 – Direction



Open and transparent
Allows early explanation



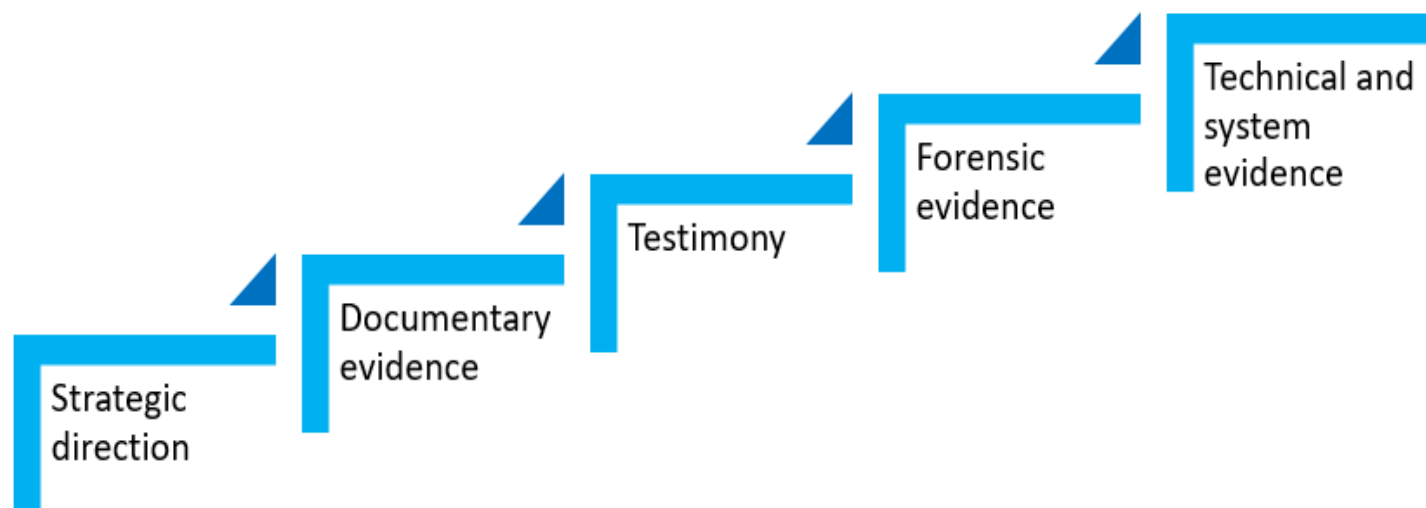
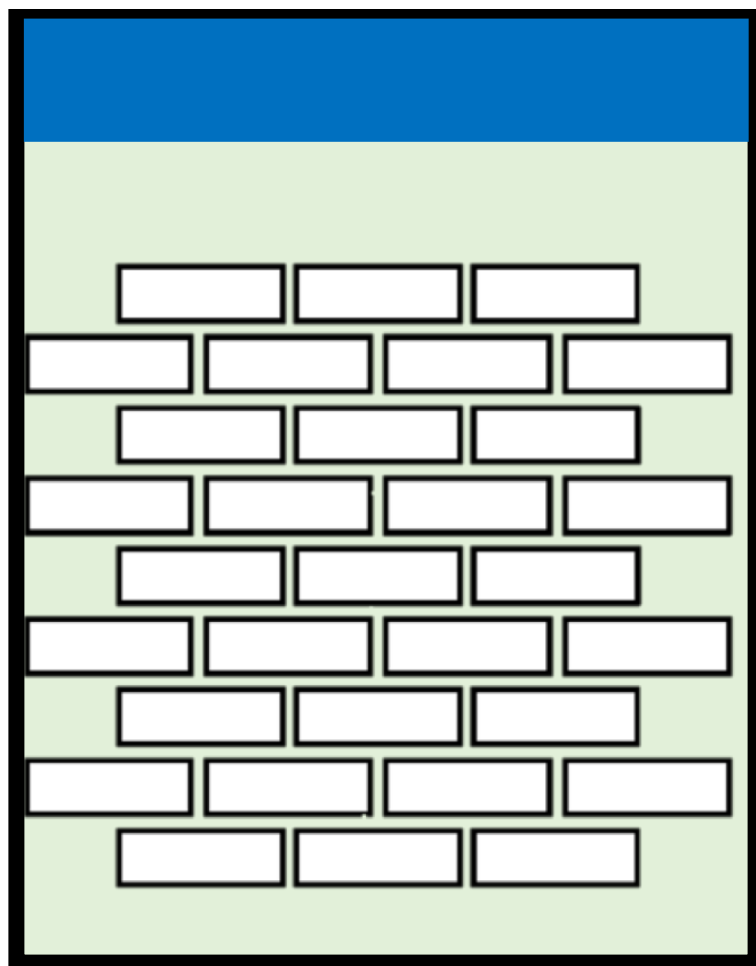
Prevents subject reputation issues
Prevents Loss/destruction of
information



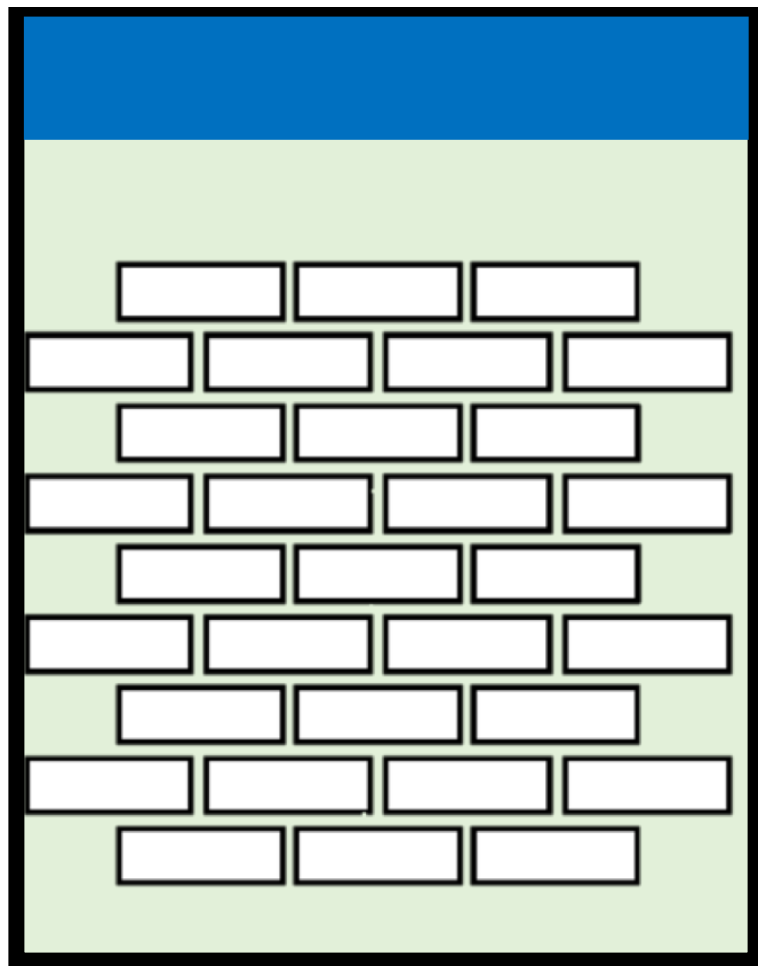
Subject reputation issues
Loss/destruction of
information

Public and staff perception
Reputational issues

Square 7 – Building a case



Square 7 – Building a case



What is the internet?



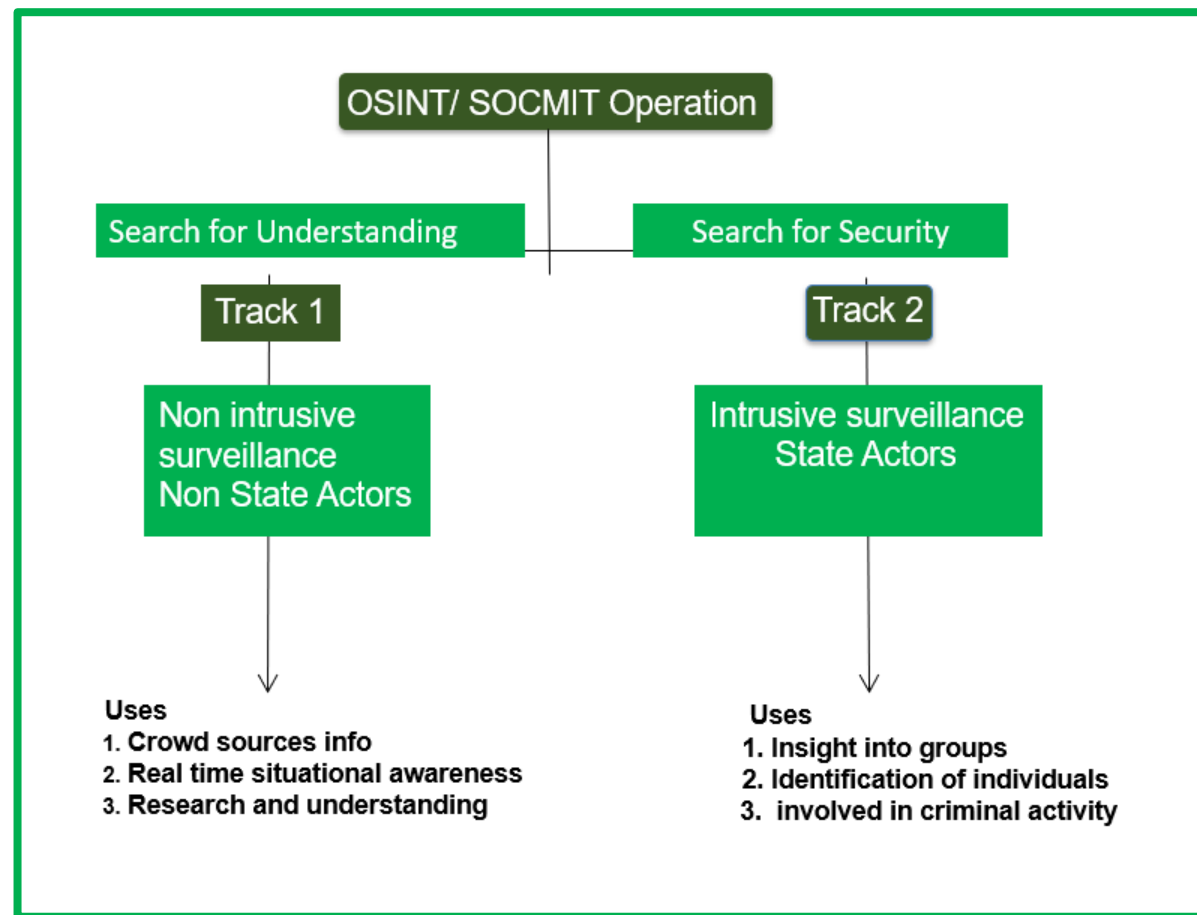
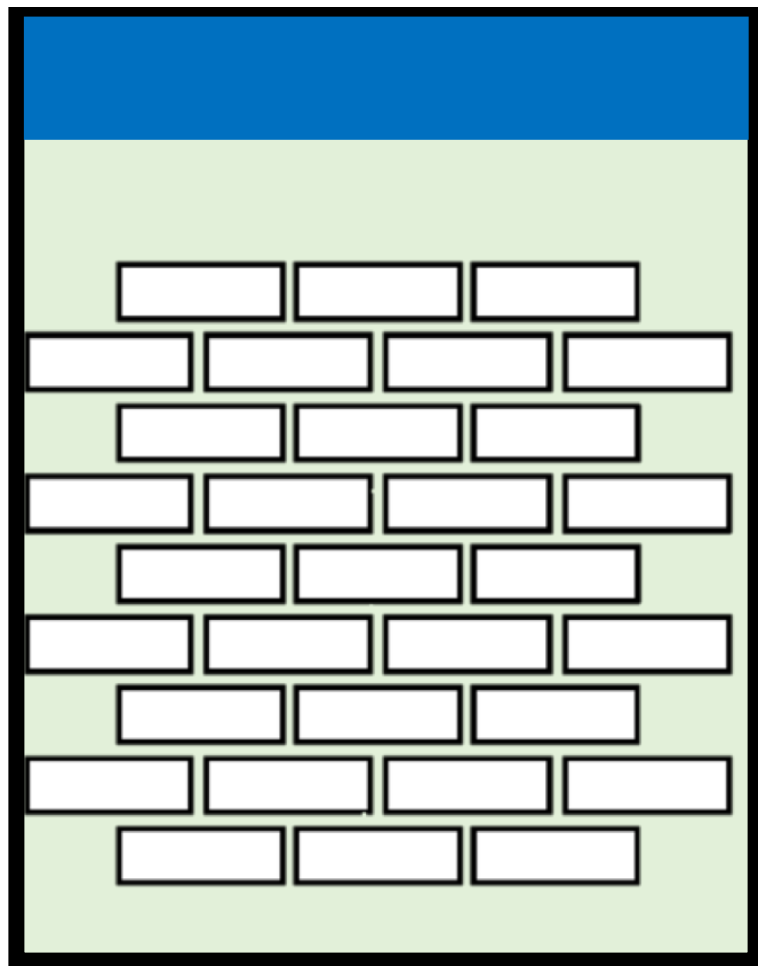
Public Place?

Private Place?

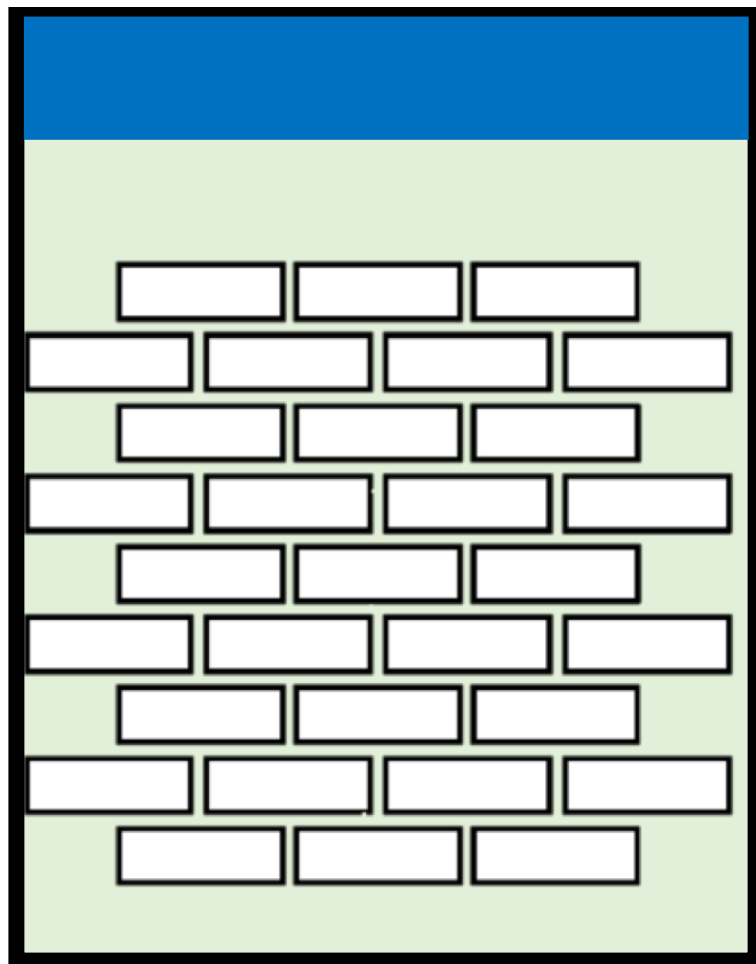
Something Else?

Right to privacy ?

Square 7 – Building a case



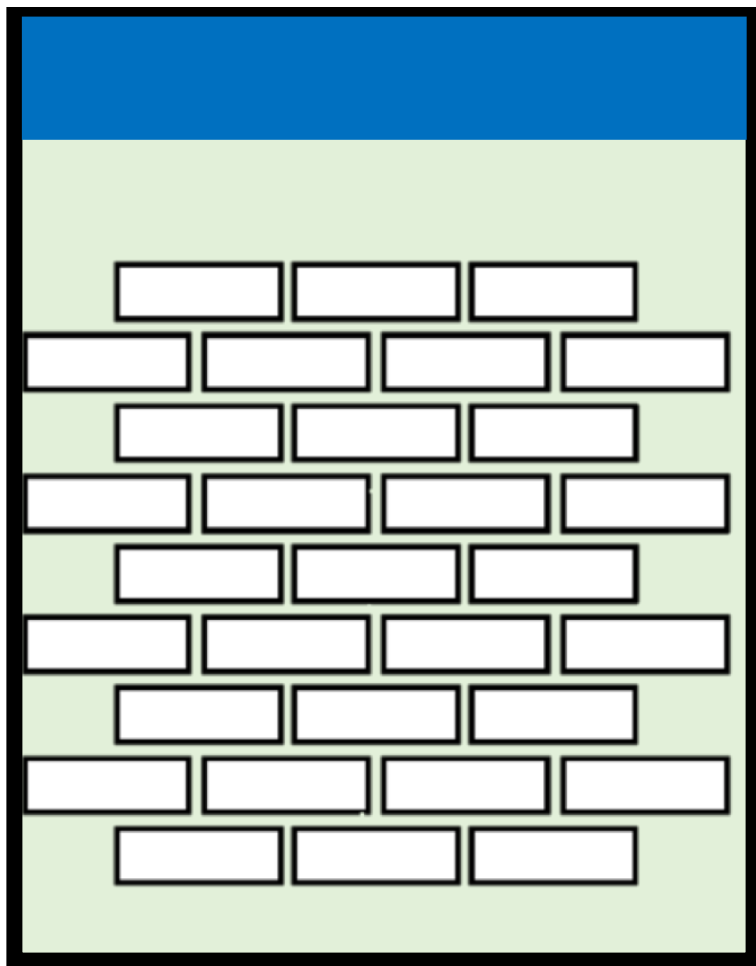
Square 7 – Building a case



Evidence integrity

Creating a chain of evidence which protects and preserves the integrity of documents and other tangible objects.

Square 7 – Building a case



What is the truth?

A statement proven capable to be accepted as true.

What is a fact?

In law, a question of **fact** (also known as a point of fact) is a question which must be answered by reference to **facts** and **evidence**, and **inferences** arising from those **facts**.

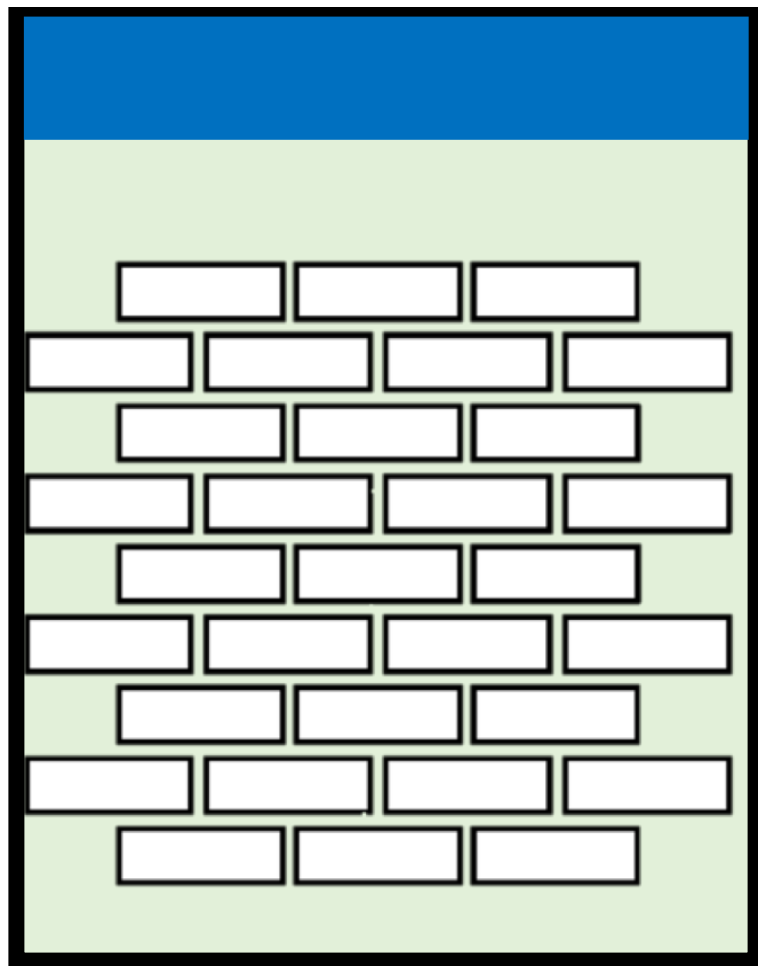
What is evidence?

Evidence in its broadest sense includes everything that is used to determine or demonstrate the truth of an assertion.

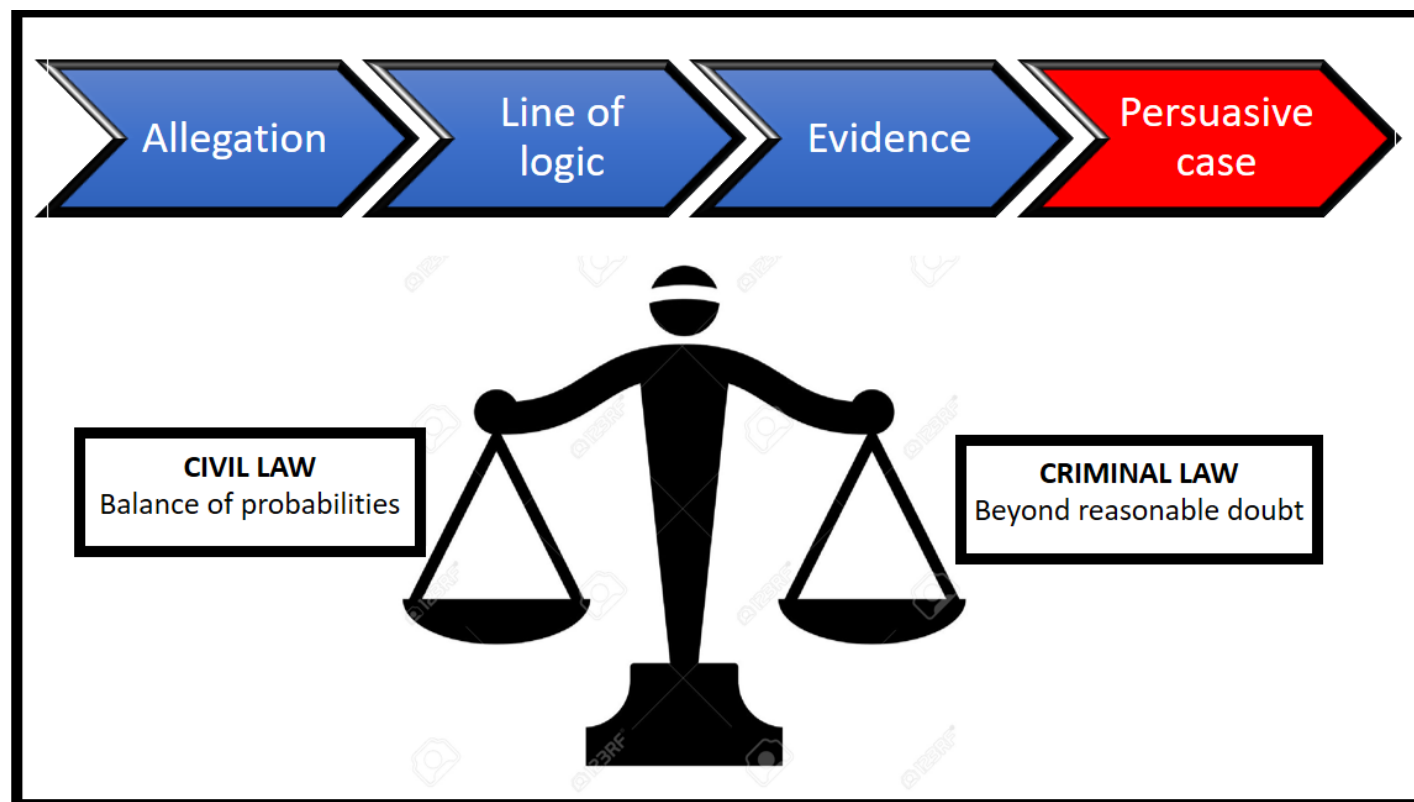
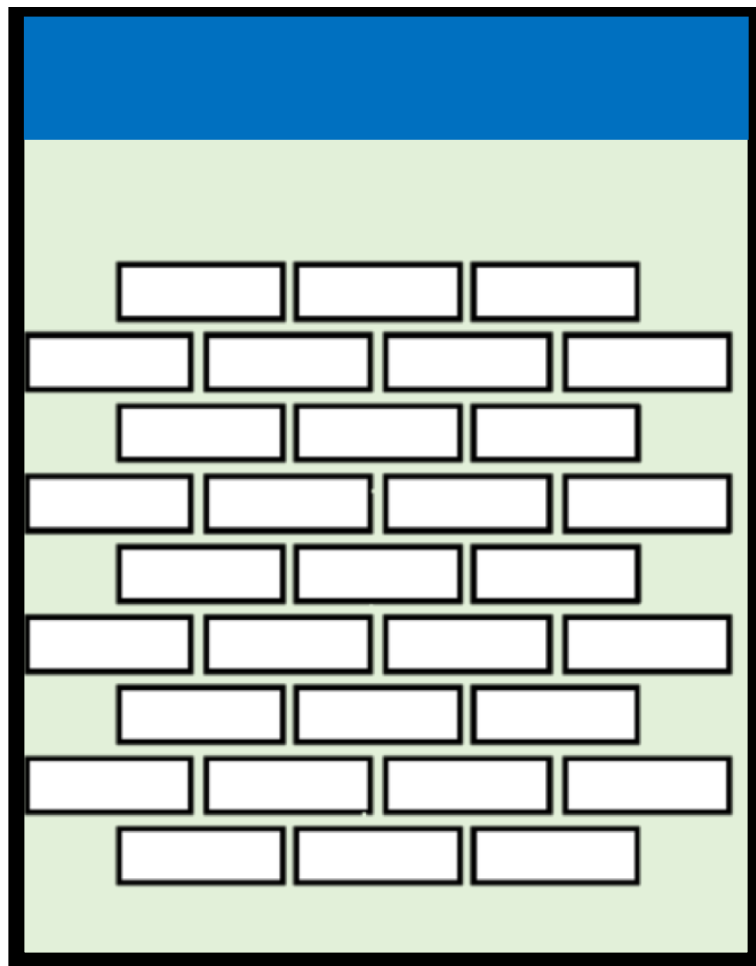
Evidence is source information which has been verified. The more its is verified the stronger it becomes.



Square 7 – Building a case



Square 7 – Building a case



Square 8– Interviews



“Interviews represent the most basic and human element of any investigation.

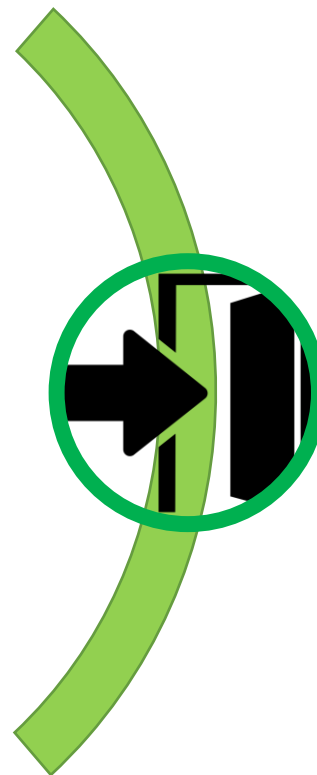
Diligent interviewers constantly search for a complete and truthful telling of events”.



Square 9– Finalisation



**First
level
disposal**



No
further
action

Square 9– Finalisation



**First
level
disposal**



Informal and
formal
resolution



Negotiated exit



Square 9– Finalisation



**First
level
disposal**



Civil remedy



Criminal action

Square 10– Learning



Organisational

Process strengths and weaknesses.

Procedural and policy issues.

Operational

What went well?

What needs improving.

Personal

What have I learnt?

Do I have any development needs?



FRAUDOPOLY

Square 10– Learning



Who/what were the principal enablers that allowed this event to be perpetrated?

Who else could be at risk from this or a similar event?

What could have been done to remove or reduce the risk from this event?

How can the lessons learnt be used to prevent others from becoming a victim of a similar event?

