



### Contact lawyers immediately

- Make sure receptionists have numbers of lawyers to call in the event of a dawn raid
- Tell the lawyers the location of the premises being raided, how many officials have arrived and which authority they are from (if known)



### Inspect the authorisation or warrant

- Check that the authorisation or warrant correctly identifies the business name and address and the officials' names
- Check the identity of the authority and the scope of the investigation, eg type of products, time period and alleged conduct
- If not clear from the authorisation, ask for an explanation of the alleged conduct



### Ask officials to wait for lawyers to arrive

- Confirm to the lead official that you intend to cooperate fully
- Ask officials to wait until lawyers arrive – they may wait a short time but can, and frequently do, start the raid without lawyers
- Move officials into an empty meeting room
- If officials do not wait for lawyers, ask that no copies are made, no substantive questions asked and no inspection of in-house lawyer offices or other offices where privileged material is likely to be kept occurs in their absence



### Coordinate internally

- Appoint a key contact for officials
- Organise an internal dawn raid team (to include senior IT staff and enough employees to act as shadows to each official)
- Brief the team to make detailed notes of the officials' actions and not to reveal the raid to anybody outside the office
- Hold regular debriefs with the team to find out what officials have observed / found



### Cooperate

- Do not obstruct the officials or destroy or conceal documents as it is an offence to obstruct a raid which can result in the company/employees being fined
- Ask officials to raise any issues or concerns with you as soon as possible
- Try to keep a co-operative atmosphere but be firm with officials



### Shadow the officials

- Ensure that each official is observed at all times throughout the raid
- Make notes of what the officials are looking for (eg search terms), what they have found, what dates / names they are focusing on, where there are issues regarding legal privilege or relevance of documents
- Two extra copies should be made of each document / electronic file the officials download, copy or see



### Answer questions honestly but not expansively

- Officials usually ask questions. You are obliged to answer questions of fact, eg the where to find a document or what an abbreviation means
- Ask for any substantive questions to be left until the end of the raid when a lawyer is present - when answering questions, be honest but not expansive; if questions are vague, ask for clarification; if you do not know the answer to a question, say so
- If in doubt, ask how the question is relevant to the investigation and if questions cannot be answered on the spot, offer to follow up after the raid
- Keep notes of all questions asked and answers given



### Protect legally privileged and irrelevant information

- Make sure that the officials do not see legally privileged information or information outside the scope of the investigation
- If there is disagreement about legal privilege or relevance of a document, ask for it to be placed in a sealed envelope for resolution at a later stage by lawyers



### At the end of the day...

- Ask for a receipt of any documents or files which the officials take away
- Check whether the officials will return the next day and follow all reasonable procedures they request, eg sealing of rooms and filing cabinets
- Make sure you have contact details for the officials



### After the officials have left

- Debrief all employees involved and remind them to keep the raid confidential
- Any incorrect information given to officials should be rectified as soon as possible and any outstanding questions answered
- Review all questions asked and answered and documents viewed, copied or downloaded
- Formulate an action plan on how to address issues identified during the raid