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RED LION CHAMBERS

**Deferred Prosecution Agreements:**  
how effective have they been as an  
enforcement tool in the UK and what  
role will they play in the future?

# Your panellists



**Ruby Hamid**  
Ashurst

Ruby is a Partner at Ashurst and specialises in global investigations, white collar crime, compliance and risk management. Her technical expertise in bribery and corruption, money laundering, serious fraud and tax evasion supports her practice.

Ruby advises clients across a broad spectrum of regulatory and criminal issues. She is a former prosecutor and spent 13 years at the independent Bar. She spent a decade leading investigations and prosecutions for the FCA, the National Crime Agency, HMRC, the CPS Specialist Fraud and Serious Crime Units, the FRC and the Environment Agency. She was Panel Counsel for the SFO, General Medical Counsel and the Office of Rail Regulation.

She has particular expertise in the financial sector and in oil, gas and mining and infrastructure.



**Neil Donovan**  
Ashurst

Neil is a Senior Associate at Ashurst and specialises in global criminal and regulatory investigations. Neil acts for financial institutions and corporates across a range of sectors (including energy and natural resources, transportation, manufacturing, consumer goods and telecommunications).

Neil has particular expertise in corporate crime matters and has completed a secondment to the Serious Fraud Office. He has acted for clients on multi-jurisdictional investigations related to allegations of bribery and corruption, money laundering, tax evasion, and accounting fraud.

A key part of Neil's practice is advising clients on the application of the UK sanctions and anti-money laundering regimes. He also regularly advises on these risks in the context of corporate transactions and on the implementation of financial crime compliance programmes.



**Charlie Patrick**  
Forensic Rick Alliance

Charlie is a Partner at FRA and Chartered Accountant with almost 25 years' experience working in forensic accounting, investigations and compliance.

Charlie has extensive experience as a forensic accountant and investigator, working for UK based and global businesses across a range of industries ranging from retailers to banks. He has wide international experience with over seven years working outside of the UK.

Anti-bribery and corruption investigations and compliance has been a key focus for Charlie for nearly two decades. He has run numerous risk reviews and assessments of company anti-bribery and anti-fraud procedures and controls, including as part of proposed M&A transactions. He has led over 75 investigations into allegations of fraud and misdemeanour in the UK, across Europe and globally and has provided anti-bribery and anti-fraud training in over a dozen countries.



**Rebecca Chalkley**  
Red Lion Chambers

Rebecca specialises in financial crime and regulation (financial, medical and environmental). She has over 20 years experience of financial and commercial wrongdoing, including fraud, money laundering, bribery and corruption and market abuse. Her expertise includes Insider Dealing, Bribery & Corruption (international and domestic), legal professional privilege, money laundering and Tax Fraud (direct and indirect), fraudulent trading, financial vehicles and the full spectrum of frauds and market abuse.

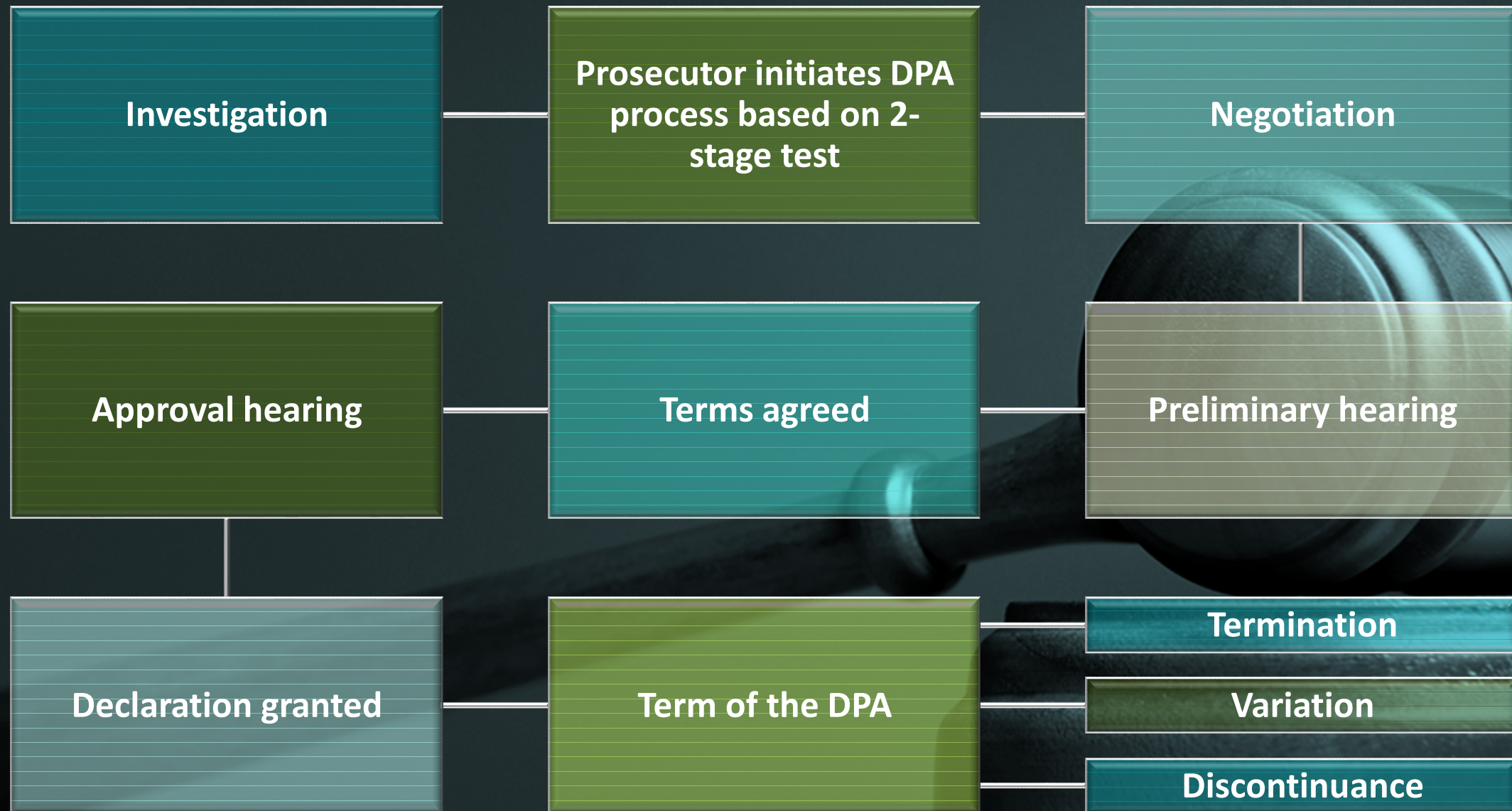
Rebecca has been instructed in various cases that have resulted in DPAs, including what is understood to be the largest to date.

She regularly advises and acts in both Private and Public Prosecutions. She has been instructed in some of the largest Private and Public Prosecutions that have appeared in the UK courts.

# DPAs agreed to date

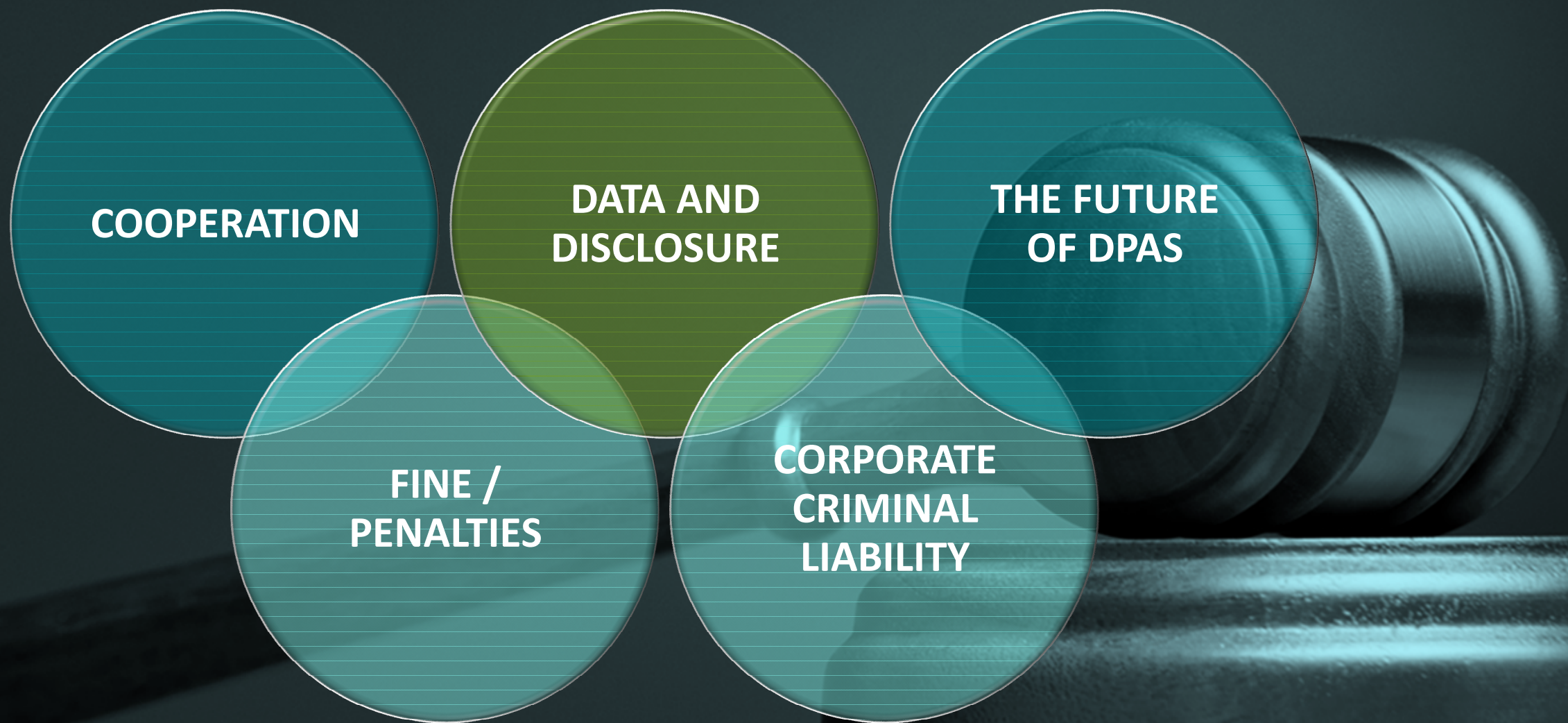
| YEAR | COMPANY              | CONDUCT                              | OVERSEAS CRIMINALITY                                    | TOTAL UK PENALTIES  |
|------|----------------------|--------------------------------------|---|---|
| 2015 | STANDARD BANK PLC    | Bribery                              | Yes – USA   | US \$37 million – including a 1/3 discount for guilty plea and self-reporting                 |
| 2016 | SARCLAD LTD          | Corruption and bribery               | No  | £6.55 million – including a 50% discount for admissions before possible guilty plea           |
| 2017 | ROLLS-ROYCE          | Corruption, concealment and bribery  | Yes – USA, Brazil, Kazakhstan and Thailand              | £497.25 million - including a 50% discount for “ <i>extraordinary cooperation</i> ”           |
| 2017 | TESCO                | False accounting practices           | No  | £235 million - including a 50% discount for “ <i>the exemplary standard of co-operation</i> ” |
| 2019 | SERCO GEOGRAFIX LTD  | Fraud and false accounting practices | No  | £22.9 million - including a 50% discount for level of cooperation provided                    |
| 2019 | GÜRALP SYSTEMS LTD   | Corruption and bribery               | Yes - USA   | N/A – would have had 50% discount   |
| 2020 | AIRBUS SE            | Bribery                              | Yes – USA, France and 14 other jurisdictions            | €991 million - including a 50% discount for “ <i>exemplary cooperation and remediation</i> ”  |
| 2020 | G4S                  | Fraud                                | No  | £44.4 million - including a 40% discount for level of cooperation provided                    |
| 2020 | AIRLINE SERVICES LTD | Bribery                              | No  | £2.98 million - including a 50% discount to reflect the level of cooperation provided         |
| 2021 | AMEC FOSTER WHEELER  | Bribery                              | Yes - Nigeria, Saudi Arabia, Malaysia, India and Brazil | £103 million  |

# DPA process refresh



# Key themes

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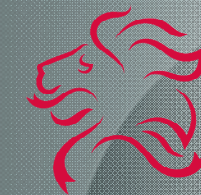
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## Key Contacts



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