

Mackrell
Turner
Garrett



WHAT TO DO IF THE AUTHORITIES RAID YOUR PREMISES...

Dawn raids are becoming an increasingly common way for investigators to search the premises of a business or any of its officers or employees, and seize any item they believe will assist their investigation. If there is an unexpected knock on the door of either your home or place of work, usually during the early hours of the morning, it is crucial that you follow these steps¹ overleaf.



4600 Lawyers
92 Firms
60 Countries

MACKRELL
INTERNATIONAL
www.mackrell.net

1. Identify the Lead Investigator, take their details and direct the investigators away from the main reception area and into an empty room. Minimise your contact to that one person. It is likely the first contact will be the receptionist.
2. Immediately contact your 'Dawn Raid Team'² (DRT) and inform them that the investigators have arrived at the premises. They will advise you on how quickly they will be able to reach you. Pass details of who will be attending to the investigator.
3. The investigator may agree to wait a short time for the arrival of a member of the DRT. However they are under no obligation to wait for a lawyer.
4. Do not allow any member of the investigation team to freely wander around unaccompanied. Ensure they are supervised at all times.
5. On arrival, a member of the DRT should:
 - a. Ask to see the search warrant and a copy to ensure that the date and the details of the premises are correct. It is important to highlight the scope of any warrant;
 - b. Ensure that the **scope** and relevance of the warrant is adhered to – i.e. personal banking documents cannot be seized or obtained if they are not named in the warrant; and
 - c. Make notes of what documents / files / items are specifically requested and seized.
6. In most cases, the investigators will search for and potentially seize the following items:
 - a. Mobile phones;
 - b. Computers / laptops / tablets;
 - c. Electronic storage devices;
 - d. Relevant paperwork such as banking material and invoices.

7. **Privileged Material** – The DRT will highlight to the lead investigator at an early stage whether any 'relevant' material under the scope of the warrant may be Legally Privileged i.e.:
 - a. Confidential communication between client and lawyer containing advice;
 - b. Material that exists for the purpose of contemplated or pending litigation.

Such material may exist in any of the items listed at paragraph 6.

8. Usually the investigator will have been authorised by a court warrant to enter and search the premises so do not try and obstruct them from doing so, as this in itself could be a criminal offence. It may also be an offence to attempt to conceal or destroy any material. It is a matter for your DRT to put across any arguments concerning their presence – not you. It is a good idea to brief all the members of your team to cooperate with the investigation. This might mean assisting with photocopying documents and carrying out other administrative tasks.

Remain calm and do not volunteer any information to the investigators. Your lawyers are there to protect your interests and will work hard to ensure that minimum disruption is caused to the business, its operation and the individuals present.

For more information please contact:



Maya Paurana
Solicitor

T: 00 44 (0) 207 240 0521
E: Maya.Paurana@mackrell.com

¹ To be considered in line with The Dawn Raid Manual.

² DRT will be pre-arranged and will consist of a member of senior management, in-house counsel (if relevant) and external counsel from Mackrell Turner Garrett.