



Complex Environments



**SPECIALIST LEGAL ADVICE, EVIDENCE GATHERING & PRESERVATION
SERVICES IN COMPLEX AND HOSTILE ENVIRONMENTS**



HFW's Complex Environments Specialists undertake on-the-ground collection/preservation of critical evidence and investigations to support incident resolution, potential litigation, and intervention by authorities.

We act as evidence custodians and, backed by legal privilege, we support our clients in dealing with the threat of multi-jurisdictional disputes and investigations that often develop after incidents in complex or hostile environments.

HFW's Complex Environments Team

HFW is an international law firm with more than 700 lawyers based in 21 offices around the globe. For those countries where HFW does not have offices, our long history of acting in multi-jurisdictional disputes and transactions means that we have long-established and trusted partnerships with leading law-firms in those jurisdictions. We are a truly global firm.

Our **Complex Environments Team** provides legal advice and crisis management by handling major incidents and disputes for companies and their insurers arising in hostile and complex environments globally. This includes matters arising from major casualties, natural disasters, war, terrorism, political risks, detention, kidnap for ransom, special risks and other challenging events.

We are widely regarded as the leading law firm globally that responds to incidents in complex and hostile environments. We are trusted by many of the world's leading companies to handle and respond to incidents which pose an existential threat to the company's business, personnel, and reputation.

Exposure in complex and hostile environments

Hostile and complex environments present inherent physical challenges. Additionally, legal, regulatory and reputational risks are pervasive, and present real difficulties.

Incidents in hostile and complex environments commonly result in actual or threatened legal actions, including multi-jurisdictional litigation and arbitration.

The team advises on structuring and organising the response to an incident to protect our clients' interests in the short, medium and long term. This includes anticipating, identifying and mitigating liabilities and exposures potentially arising from the incident.

The team deals with contractual liability disputes, non-contractual tort claims from third parties who may be owed a duty of care – including volume claims arising from major incidents - employment and contractor liabilities for deployed personnel, and business interruption losses. This includes investigating and pursuing recovery actions from third party wrongdoers.

The team is often called upon to manage and mitigate actual or anticipated intervention by authorities, including in areas involving criminal, regulatory, health & safety, sanctions, and human rights violations.

The Complex Environments Specialists work in conjunction with HFW's Global Investigations and White Collar Defence Specialists in regulatory and criminal investigations.

In high-risk operating environments, companies are under increased scrutiny and pushed to demonstrate their adherence to standards and duties of care. This demands that evidence is collected and preserved to high evidential and chain of custody standards, to reduce exposure to legal risks.

Evidence Service

In response to this increased legal risk, companies need to comprehensively protect themselves following an incident in a hostile or complex environment.

Our evidence Specialists provide a front-line response to protect our clients' interests following an incident in a hostile or complex environment. Their expertise includes:

- **Immediate Response:** Following an incident, our Specialists can urgently deploy to the scene and conduct urgent real time on-the-ground investigations. This ensures that critical evidence is secured without delay, and we can provide advice to enable immediate decision making on incident resolution issues.

Our Specialists can be dispatched anywhere on behalf of a client, venturing into areas where other legal professionals might hesitate. Our Specialists can travel internationally, often at extremely short notice, and remain away for extended periods, tailoring their presence to meet our clients' specific requirements.

- **On-Site Evidence Collection and Preservation:** By urgently attending the scene of an incident, our Specialists can ensure that critical evidence is secured and preserved without delay. Once dispatched, our Specialists gather evidence on-site to protect our clients. Such evidence might include:

- **Physical evidence** – documents, security logs, photographs, hard/data drives, phones and other relevant evidential material;
- **Contemporaneous communications** – such as emails, texts, phone messages, social media, logs;
- **Witness statements** – all relevant witnesses can be interviewed to provide crucial first-hand accounts while memories are fresh. Given the transitory nature of many employees/contractors engaged in hostile and complex environments, it is often important to capture such evidence at an early stage;
- **Evidential standards** – we collect witness evidence in a manner which will be compliant with court requirements regarding witness evidence (ensuring its future utility in any adverse legal proceedings); and
- **Real-time evidence** – we can conduct urgent real-time on-the-ground investigations providing advice to enable immediate decision making on incident resolution issues.

Our Specialists' ability to collect / preserve evidence directly at the scene, coupled with meticulous preservation techniques, is invaluable to protecting our clients' interests following an incident.

- **Investigations:** Our Specialists can conduct thorough investigations into the specific circumstances and causation of an incident. By collecting / preserving evidence at an early stage and by analysing that evidence, we provide our clients with an increased

chance of understanding what happened, what their legal exposure might be, and how best to manage it.

Managing the incident in contemplation of litigation by creating audit trails and contemporaneously securing and preserving documents and witness evidence. Conducting after the event investigations / after action reviews to protect and safeguard our clients, so that they are well equipped to deal with future multi-jurisdictional legal disputes, government/regulatory/criminal investigations and interventions.

- **Engagement with Authorities:** our Specialists commonly engage with law enforcement, public prosecutors, public investigators, government agencies, diplomats and the military, when responding to an incident and have a repertoire of global contacts commensurate with a law firm that has been engaged in crisis management worldwide for over 125 years.

Who are our Specialists?

Our Specialists consist of experienced commercial litigators with extensive global litigation experience, technical experts, ex-military personnel with combat experience, former government employees, and media experts – all drawn from our global network.

Our Specialists are experienced at handling sensitive matters, where the careful handling of victims or witnesses is required. Many of our Specialists have undergone Trauma Risk Management (TRiM) training which allows them to be vigilant towards the psychological effects often experienced by those who have suffered a traumatic event (such as injury, kidnapping or detention). This training allows them to identify potential psychological issues and recommend further expert assistance, if required. This proactive approach can result in the lessening of harm to the individuals and, therefore, to the minimising of further legal exposures to clients (from psychological injury claims).

Legal privilege and our Specialists

Our Specialists undertake investigations with the protection of legal privilege / client-attorney privilege – a critical advantage over using a company employee or a third-party non-lawyer.

This ensures that certain evidence (for example, witness statements and expert evidence) can remain privileged and not subject to discovery / disclosure in future court proceedings.

Moreover, by collecting evidence early and under the protection of legal privilege / client-attorney privilege, we establish a strong foundation, as evidence custodians, to manage, develop and respond to all future issues and disputes.

Our Specialists are uniquely qualified to handle evidence collection to the standards required in complex litigation. They know what evidence is relevant, admissible, and legally significant. We can prioritise confidentiality, strategic control, and informed decision-making.

Our guidance protects our clients from inadvertently damaging their case by mishandling evidence or violating legal rules.

Utilising HFW's wider expertise

As we are a leading international law firm with a sector-focused approach, our Specialists can utilise HFW's industry-focussed expertise.

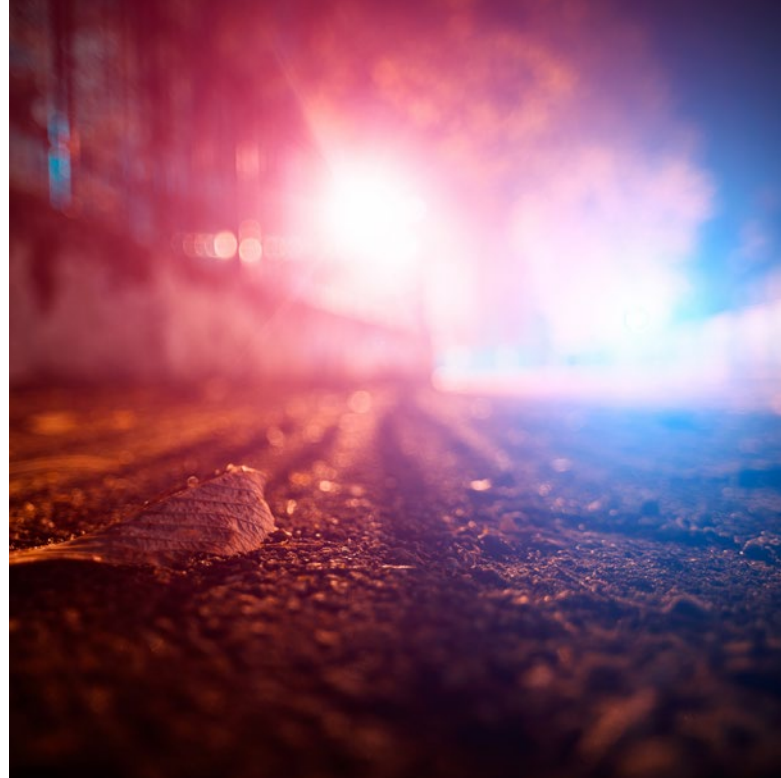
- We have focussed industry experience in key sectors such as Aerospace, Construction, Commodities, Extractives, Energy, Financial Services, Insurance, Logistics, Security, Shipping, Technology, Media & Telecom (TMT) and Travel.
- **Personal Injury** – we have specialists experienced in dealing with the full spectrum of harm faced by victims.
- **Sanctions** – we have a dedicated sanctions team whose work goes beyond sanctions and regulatory into bribery, terrorism, money laundering, licensing, government intervention, market access and export control.
- **Employment** – our employment specialists deal with employment and contractor issues arising out of incident.
- **Global Investigations** – we have a specialist team dealing with white collar crime and enforcement actions around the world, advising corporations and individuals on the full range of business crime and other misconduct.
- **Fraud and Insolvency** – we have specialists in high value, cross border matters, with a particular expertise where there is an overlap between fraud and insolvency.

Collaborative approach

Our Specialists are used to working within complex client / insurance structures and understand the complexities and competing objectives which often manifest following an incident.

Our Specialists are used to working alongside other stakeholders engaged following an incident. This can include the clients' executives, risk consultants / responders, in-house experts, public relations, brokers and insurers. We adopt a collaborative approach – working alongside the client and their experts to obtain the best result.

HFW's Complex Environments Evidence Service seeks to assist and protect our clients following incidents in hostile and complex environments. Our Specialists provide a front-line risk mitigation strategy which can be deployed on an urgent basis following such an incident. Our proactive approach helps safeguard clients against potential litigation and intervention by authorities.



For more information about our Complex Environments Team's specialist services, please contact:



RICHARD NEYLON

Partner & Head of Complex Environments

T +44 (0)20 7264 8100

M +44 (0)7786 266919

E richard.neylon@hfw.com



SIMON MAXWELL

Associate, London

T +44 (0)20 7264 8841

M +44 (0)7793 894783

E simon.maxwell@hfw.com



TUNDE ADESOKAN

Consultant, Lagos

M +44 (0)7879 486925

M +44 (0)703 306 0022

E tunde.adesokan@hfw.com



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