

U.S., U.K. Government Officials and In-House Practitioners Discuss Expectations, Effective Compliance Tips at Recent WWCD Panel Discussion

On Wednesday, June 22, 2022, the [Women's White Collar Defense Association](#) (WWCDA) was pleased to present the second panel in its 2022 Global Enforcement & Compliance Series – *Effective Compliance Programs and Value in Global Resolutions*. The panel was organized by WWCDA Programs Committee Co-Chairs Amanda Raad, partner at Ropes & Gray, and Hartley West, partner at Dechert. The panel was presented in-person simultaneously at Ropes & Gray's offices in London and Washington, D.C. and livestreamed via Zoom.

The stellar compliance-focused panel featured representatives from the U.S. Department of Justice (DOJ) and the U.K. Serious Fraud Office (SFO), as well as in-house compliance professionals in a lively discussion of some of the most pressing compliance issues of the moment. The panel was moderated by Raad and included Lauren Kootman, Assistant Chief of the DOJ Fraud Section's Corporate Enforcement, Compliance & Policy Unit; Vanessa Sisti, DOJ Assistant Chief on detail to SFO; Sara Chouraqui, Joint Head of Fraud, Bribery and Corruption at SFO; Terri Segura, Vice President, Global Compliance Investigations at Zimmer Biomet; and Michaela Ahlberg, Compliance & Ethics Specialist at Getinge.

After an introduction by Kootman to the work done by the DOJ's Corporate Enforcement, Compliance & Policy Unit, the panelists discussed a number of topics, including the commonalities of the SFO and DOJ and the nuances of effective compliance programs. Key points raised from the discussion include:

1. The SFO's approach to the evaluation and elements of compliance. Based on her experience at both the DOJ and SFO, Sisti shared how the approaches generally align, while noting differences in disclosure processes and the availability of the compliance defense to companies in the U.K. and not in the U.S.
2. Compliance certifications, which were discussed by Assistant Attorney General Kenneth A. Polite, Jr. at the WWCDA's first panel discussion *Views From the Top* in March. Kootman added that they are meant to empower rather than to entrap chief compliance officers, observing that an effective compliance program does not need to prevent every wrongful act. Ahlberg related that in her experience negotiating with the DOJ, she felt that compliance was the most important role, underscoring how settlements can indeed empower compliance. However, she also added that real change will not come from the compliance function but from the organization itself, so the power can be rather useless if not used in the right way.
3. How companies can improve their compliance programs. Segura suggested taking advantage of information on compliance health and well-being that is gathered through the internal investigation process, yet often overlooked. Kootman also recommended incorporating risk assessments into compliance program presentations, noting they are critical to demonstrating that a company understands its risk profile enough to mitigate risk.

4. Innovation and continuous improvement, which the panelists agreed are components of ensuring effective compliance.

To close the session, each panelist offered a favorite compliance tip, including Raad who offered this reassuring advice: don't be afraid to try new things and to fail.

Disclaimer: The panelists were not operating as official representatives of their respective agencies or companies. All views expressed during the panel were the personal views of the individual panelists.

WWCDA's 2022 Global Enforcement & Compliance Series will continue with *Monitorship Trends and Best Practices* in September and *The Penalty Phase: Changes and Challenges* in December.

To learn more about WWCDA and additional events, please visit wwcda.org.

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Founded in 1999, with the goal of addressing the large gender gap in white collar law and compliance, the Women's White Collar Defense Association (WWCDA) promotes the common business and professional interests of women attorneys and other professionals who specialize in the representation of corporations and individuals facing government enforcement actions, internal investigations, compliance and ethics matters.

WWCDA promotes diversity in the legal profession, facilitates networking and business development, and provides educational programming. WWCDA initiatives facilitate women connecting, collaborating, and advancing in white collar defense around the world.

The WWCDA has grown to more than 2,500 members in 45 chapters throughout North America, Europe, Latin America and Asia Pacific. WWCDA Chapters are located in Washington, D.C., New York, Boston, Philadelphia, Chicago, Los Angeles, San Francisco, Atlanta, New Orleans, Dallas, Houston, Indianapolis, Pittsburgh, Denver, Phoenix, San Diego, Seattle, Connecticut, Florida, New Jersey, North Carolina, Tennessee/Alabama, Michigan, Minnesota, Missouri, Ohio, Oregon/Idaho, Puerto Rico, London, Ireland, France, The Netherlands, Switzerland, Italy, Germany, Toronto, Vancouver, Québec, Brazil, Peru, Hong Kong, Japan, Australia, India, and Spain.