

# W O M E N I N I N V E S T I G A T I O N S

Every March, the world observes International Women's Day to highlight women's equality and empowerment. Here at Global Investigations Review, we thought it presented the perfect occasion to put the spotlight on women in the field of investigations.

When thinking about high-powered women in investigations, several names immediately spring to mind. In the United State, Leslie Caldwell leads the Department of Justice's criminal division, while Mary Jo White is the chair of the Securities and Exchange Commission. President Obama recently nominated Loretta Lynch to become the next US attorney general.

In other countries, too, we find women occupying senior positions in public service.

In France, Éliane Houlette was recently appointed the country's new special financial prosecutor, nicknamed the "super-prosecutor". In the United Kingdom, the Financial Conduct Authority's (FCA) former head of enforcement and financial crime, Tracey McDermott, is now the director of supervision and authorisations, and also sits on the organisation's board.

Of course, there are far more examples out there of hard-working women in the field of investigations, which is why GIR is pleased to acknowledge them in our first 'Women in Investigations' special.

Here GIR profiles lawyers, government prosecutors, barristers, forensic accountants and various in-house counsel, all of whom can serve as inspirations to current and future generations of investigations professionals. This magazine carries shortened profiles due to space constraints but the full versions can be accessed on the GIR website.

We've searched near and far, from São Paulo to Shanghai, Oslo to Johannesburg, Washington, DC to Sydney, to find the 100 individuals that have come to be included in this list, drawn up to demonstrate the wide variety of talented women that form part of the worldwide investigations community.

In this special issue, readers can get to know the FCA's current acting head of enforcement and market oversight, Georgiana Philippou; Marianne Djupesland, head of the anti-corruption team at Økokrim, Norway's national authority for investigation and prosecution of economic and environmental crime, and Daniëlle Goudriaan, the new national coordinating prosecutor for corruption in the Netherlands.

We speak to established private practitioners, including former prosecutor Nancy Kestenbaum at Covington & Burling, and Mini Vandepol, who heads Baker & McKenzie's global compliance group. Among the emerging women in investigations GIR chose to profile we find Leila Babaeva at Miller & Chevalier, Erica Sellin Sarubbi of Brazil's Trench Rossi e Watanabe Advogados, and Tiana Zhang of Kirkland & Ellis.

We also highlight in-house lawyers from global financial institutions such as Barclays and Nomura, and get the forensic accountant perspective from individuals at EY and PwC.

GIR set out to discover what it is that makes these individuals tick, what achievements they are most proud of, and what keeps them busy in their respective jurisdictions. They tell us how they got into this area of law: for many, a combination of their curious nature and a particular knack for solving complex puzzles put them on the investigations track. Others told us of how proud they have been to have represented their countries in public service, and of the personal fulfilment it brought to be part of investigations into misconduct that was at the heart of the 2008 financial crisis.

But we also discussed what affects individuals' practices the most: the continuing development of the international investigations landscape. They tell us why evidence gathering by foreign lawyers in Switzerland can be problematic; we find out that practitioners in New York and Australia face similar burdens in dealing with a hotchpotch of domestic regulators all looking into similar conduct; and how Brazilian lawyers, in the midst of a snowballing corruption investigation, face "a bumpy road ahead" in attempting to change locals' mindsets for the better. Meanwhile, in the United Kingdom, lawyers speak of their concerns regarding future enforcement by the Serious Fraud Office following its tough talk on cooperation in deferred prosecution agreements and legal privilege in investigations.

We also looked into the question of gender and what it means to be a woman in the investigations field. Lawyers speak of the importance of getting enough support from partners at work and partners at home, to successfully balance the often hectic lifestyle as an investigations professional with a fulfilling family life. We hear encouraging examples of offices where there are many women in leadership positions, and of the many female and male role models that have helped shape these professionals' careers.

Individuals GIR spoke to mentioned that while progress is being made, unconscious bias persists in seemingly innocent decisions: in partnerships dominated by men, who unconsciously champion and promote individuals in their image, or when working parents' professional progress stalls, simply because fewer working hours are spent in the office in full view of senior management. Some mentioned statistics that show women tend to leave Big Law after having their second child, and talked of potential flexible policies that might help prevent the outflow of such talented professionals in the future. We discuss how the issue should be tackled: for example, among the 100 individuals, we find those people in favour, and others against quotas in the workplace, and we hear about individual experiences with such policies so far. We're told employers need to be "creative" about gender equality, and that the abolition of double standards – for example allowing both male and female parents leave to spend time with their families – will go a long way towards creating a more equal workplace. However, if there's one common thread, it is that on top of gender equality, overall diversity should be embraced and promoted further.

Lastly, we also set out to discover more about the women outside of their profession, and can happily report that among our 100, we have a former prosecutor with a penchant for figure skating, one whose children call her "The Enforcer", an individual who is fascinated by lighthouses, and a lawyer who can perform the folk dances of over a dozen countries.

*\* Those marked with an asterisk are members of the Global Investigations Review editorial board.*



## Helen Marshall

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Partner at Akin Gump Strauss Hauer  
& Feld  
London

**I was lucky to start my career at one of the best criminal law firms in London** – Kingsley Napley – and I very quickly came to realise that it takes everyone; police, investigators, defence lawyers, prosecutors, the court administrators and the judiciary, to play their part in helping to deliver the fairness and integrity that should be at the heart of the criminal justice system. I was hooked...

During my career I have been a defence lawyer, a prosecutor (at HM Customs and Excise), a court administrator (clerk at Bow Street Magistrates Court in London), and a regulator. For almost 10 years I was an enforcement head of department and the head of forensic investigations at the Financial Conduct Authority (formerly the SIB and the FSA).

Since I left the FCA in 2004 I have specialised in financial services enforcement and investigation work.

**The work is complex, high profile and pressured.** We have the privilege of being trusted by our clients to help them when the stakes are high and I love that we are so often able to make a significant difference to the outcome. I have a fabulous team around me and great partners and colleagues in the office and the wider firm.

**Challenges: delivering competent, focused and strategic advice to clients who are in great need of it, but who, in the heat of an investigation, may sometimes find it difficult to hear.** You need to demonstrate your knowledge, show commercial awareness and be candid to gain their trust.

**I'm very proud of having built a successful team of financial services regulatory lawyers at Akin Gump.**

**The biggest talking point: the increasing cross-border nature of investigations, and an overlap between multiple investigating agencies with regulatory, criminal and civil powers.** There is wider cooperation between the agencies, but also increasing competition between them for media headlines or political approval, which can make it very difficult to advise clients on how to best resolve a set of circumstances or to predict the eventual outcome.

**So many people have been inspiring; in my working life I've always had good role models and mentors;** (and some less good!). I believe you can learn something from everyone you work with: good or bad. In my personal life, family and close friends.

**The best workplaces offer all employees access to the same opportunities and the same rewards, rather than particular gender-based initiatives or targets.** I'm in favour of making sure there are robust arrangements in place so the opportunities are there and can be taken up by anyone.

**To women at the start of their careers I would give the same advice I would give to everyone;** find something you really enjoy, work hard and see where it takes you. Be true to your values along the way.

**I'm an independent member of the City of London Police Committee** – responsible for strategic oversight of the City of London Police force; and so my photograph appears on a poster on the walls of every police station in the City of London!