

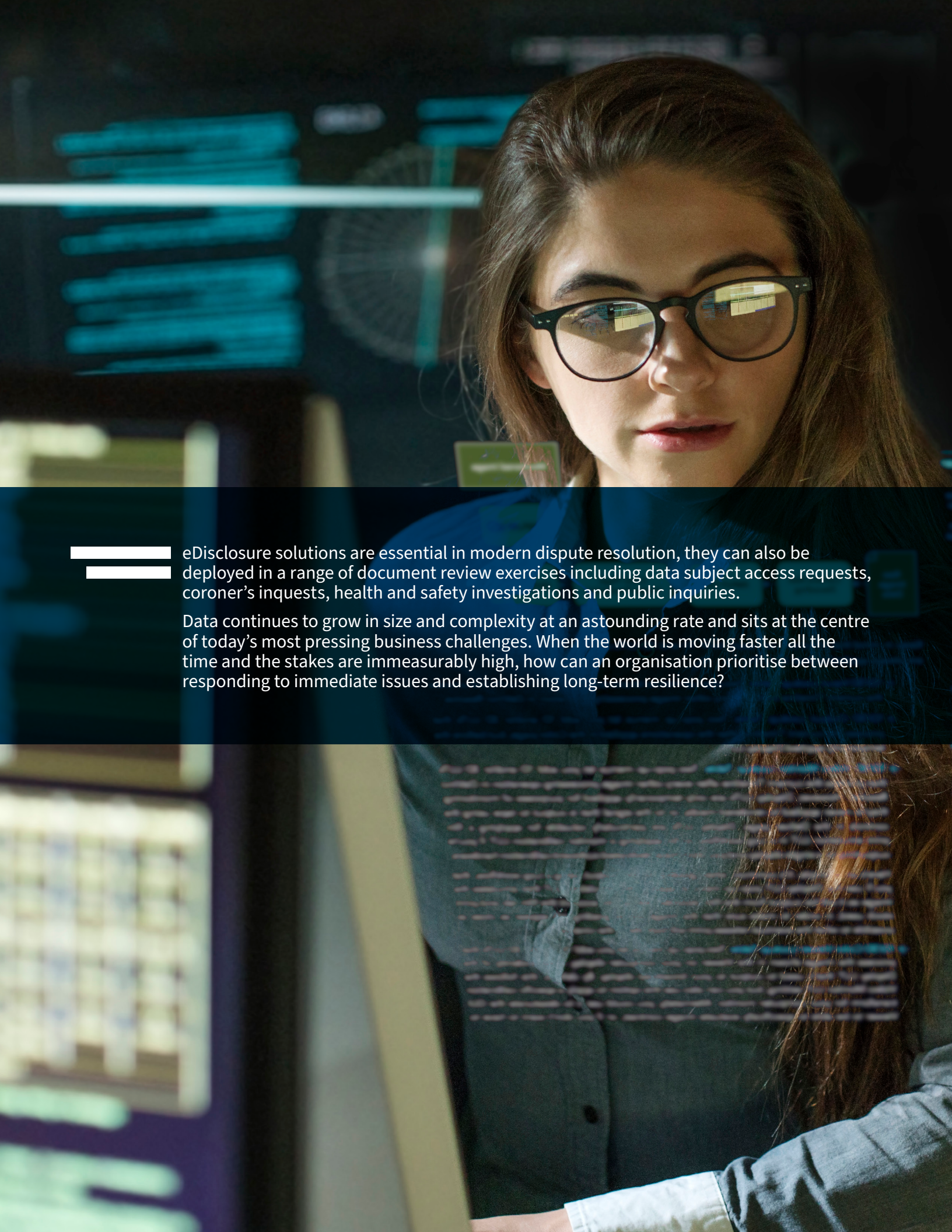


Digital Investigations, Document Review and eDisclosure for the UK Public Sector



EXPERTS WITH IMPACT™

Crown
Commercial
Service
Supplier



■■■■■ eDisclosure solutions are essential in modern dispute resolution, they can also be
■■■■■ deployed in a range of document review exercises including data subject access requests,
coroner's inquests, health and safety investigations and public inquiries.

Data continues to grow in size and complexity at an astounding rate and sits at the centre of today's most pressing business challenges. When the world is moving faster all the time and the stakes are immeasurably high, how can an organisation prioritise between responding to immediate issues and establishing long-term resilience?



FTI Consulting on Crown Commercial Service (CSS) eDisclosure Framework

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CCS eDisclosure and Review Services 2 Framework (RM6336) includes a total of 13 suppliers across four Lots ranging from small-scale eDisclosure through to large scale, including SECRET/TOP SECRET document classifications. Of the 13 suppliers, FTI Consulting are one of only three to earn a place on all four Lots.

The CSS conducted a procurement exercise for the second incarnation of this framework in early 2023. The CSS supports the public sector to achieve maximum commercial value when procuring common goods and services. In 2021/22, CCS helped the public sector achieve commercial benefits equal to £2.8 billion — supporting world-class public services that offer best value for taxpayers. To find out more about CCS, visit www.crowncommercial.gov.uk.

Chambers AND PARTNERS

CHAMBERS AND PARTNERS

FTI Consulting are the longest-ranked eDisclosure service provider on Chambers and Partners' eDisclosure rankings in their Litigation Support Guide. For six years running, we have received the highest, Band 1, ranking in their guide.

Chambers and Partners calculates their rankings by reviewing submissions and conducting independent research that includes contacting lawyers and clients and analysing reference feedback, client satisfaction, reputation in the market and peer knowledge.

WWL

WHO'S WHO LEGAL

FTI Consulting are recognised as a "leading firm," with two of our UK-based leaders, recognised as a Global Elite Thought Leader, which is Who's Who Legal's highest level of recognition.

FTI Consulting had 14 digital forensic experts recognised in Who's Who Legal: Investigations 2023 list for their skills in eDisclosure, digital forensics, asset tracing and investigations.



Disputes and Litigation

We are experienced at supporting public sector organisations through dispute resolution. We have strategic consulting experts to support rules such as PD31B and the new PD57AD in the Business and Property Courts.

The demands of these matters are difficult for even the most sophisticated legal teams. With a mixture of former lawyers, in-house eDisclosure managers, project managers and technical specialists, we provide a full range of solutions and services, including outsourced document review, to help you with eDisclosure.

eDisclosure Consulting and Services

Data volumes and variety are growing every day, making eDisclosure more time-consuming, complex and costly. FTI Consulting's Technology experts help our clients reduce data volumes and thereby reduce discovery costs by remediating redundant and trivial information, collecting only what's necessary, culling data in early case assessment and utilising analytics for smarter reviews. We do this with defensibility as a top priority through our proven out-of-the-box and customised workflows and use of best-of-breed technology.

Every matter is supported by our experienced and trained case management team, with a dedicated project manager who has at least a decade of experience in UK eDisclosure to maintain the highest degree of quality and service throughout.

Managed Document Review

We can provide fully trained and experienced document reviewers for all types of document review projects, ranging from personal information extraction for data subject access requests, relevance and privilege review for litigation, all the way through to investigative review services. Our teams can manage the entire eDisclosure process through our transparent pricing model for managed services. These services can be delivered independently or as a supplement to existing legal teams.



Forensic Collections

Our team has extensive experience in digital forensics and physical and remote data collections. We have the agility and expertise to respond promptly with custom solutions and established processes to enable a defensible collection, transfer and review of data, no matter the circumstances. Using custom and industry-standard tools, our data collection specialists maintain the forensic integrity, defensibility and security of data throughout, supported by full chain of custody tracking.

The team has the scale to handle any size of collection exercise and includes experts who have held roles within the UK government, law enforcement agencies and other public sector bodies and follow best practices around evidence handling up to criminal standards.

Predictive Coding and Technology-Assisted Review

With the need of the public sector to demonstrate value for money, combined with the evolving landscape in UK litigation, such as PD57AD stating technology-assisted review (TAR) should be considered, our experts support clients on their journey to adopt advanced analytics, predictive coding and other TAR functionality. Our experts can help clients leverage TAR across the spectrum of culling irrelevant documents, identifying key facts, enabling review quality control and prioritising documents in review to save time, reduce document sets and streamline costs.

Independent Advisory and Expert Services

With experts certified in all major eDisclosure software, we are regularly called upon to serve as independent, third-party advisors. We can evaluate eDisclosure processes and results to provide expert opinions on the accuracy, reliability and defensibility of the workflows used by other parties.

Chat, Collaboration and Proprietary Data Sources

We have an eDisclosure R&D lab that specialises in being able to identify, collect, transform, present and analyse modern data sources, including data in Microsoft Teams, SharePoint, custom sites and proprietary business-specific platforms. Our digital forensics team are also well-versed in collecting data from mobile devices as well as handling the myriad of different apps used.



Coroner's Inquests, Independent Panels and Public Inquiries

Unlike litigation, inquests and independent inquiries, including public inquiries don't have set rules for electronic document disclosure. We are experienced in providing eDisclosure consulting for these types of investigations to help parties navigate technical complexity and come to an agreed-upon approach.

Fortunately, organisations are not regularly subject to these types of investigations, but when they occur, FTI Consulting's Technology experts have hands-on experience managing these exercises from working with internal and external counsel, as well as IT organisations, to plan and execute a defensible data collection, review and disclosure exercise.

Bespoke and Proprietary IT Systems

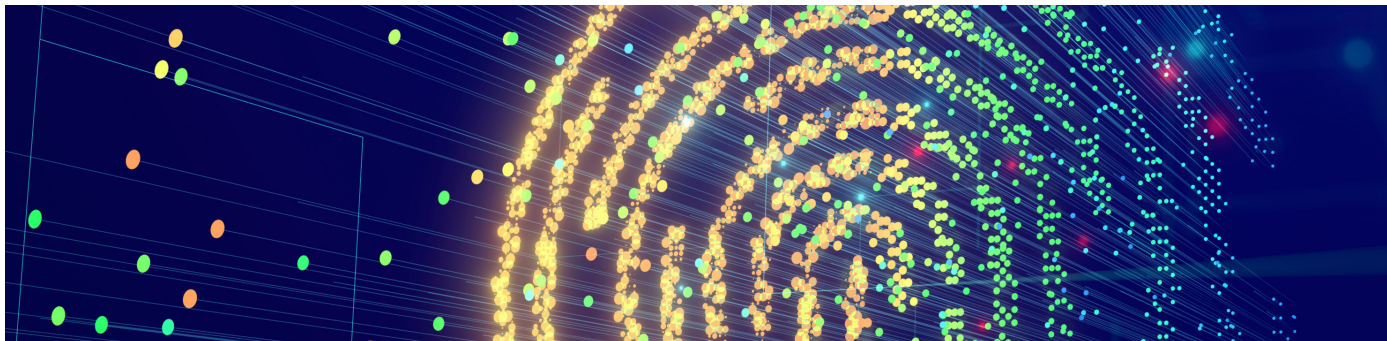
Particularly in coroner's inquests, the ability to identify and gather information from very industry-specific systems is essential. This could include patient records and communication systems as well as documents and policies from intranets and internal content management systems.

Defining Workflow and Disclosure Protocols

As there are no set "rules" for many of these types of investigations, it is essential that parties collaborate to establish various protocols, particularly around the exchange of documents. With increasing volume and variety in data sources, our Technology experts can advise on proportionate, defensible and efficient processes.

Data-Driven Response Negotiation

Requests for information from inquests and public inquiries (in the form of Rule 9s) are often made without awareness of the volume of data impacted, the effort required to fully comply, and the utility of the data that may be returned. We have experience in quickly triaging requests and can provide an independent opinion on the feasibility of meeting the request in the desired time frame to support our clients in negotiating achievable timelines or more targeted requests.



Criminal Investigations

Criminal Procedures Experience

Many of our team have experience providing services to law enforcement, or have come from former law enforcement agencies and are familiar with processes such as scheduling of used and unused materials. We are familiar with MG6 schedules and have our own technology to generate descriptions using electronic metadata that can be refined by the reviewer to save time and ensure consistency. We understand the requirement for the descriptions to be sufficient such that assessment can be made as to whether the item may undermine the prosecution or assist the defence. Where relevant, we can identify sensitive material for an MG6D schedule for which you would perform a final review and log your reason to justify its sensitivity.

Professional Standards and High-Tech Crime Units

We have particular experience supporting both of these teams with conducting investigations, including experience supporting a major, historic and document-heavy internal investigation involving gathering data from hard copy archives, emails and tape recordings and interacting with HOLMES.

Expert Witness

Many members of our senior team have experience giving evidence in both civil and criminal hearings. Our team includes experts who have held roles within the UK government, law enforcement agencies and other public sector bodies, and given expert testimony many times.

Digital Investigations and Evidence Handling

We have a dedicated digital forensic lab that has additional access control requirements to our main facilities, including biometric access, and a further-accessed controlled evidence store. Our evidence management systems are based on those used in law enforcement — the *ACPO Good Practice Guide for Digital Evidence*. We have access to a full range of industry-leading hardware and software for evidence capture and analysis, including Relativity, Reveal, EnCase, FTK, Nuix and Cellebrite.

Why FTI Consulting's Technology Team for the Public Sector

FTI Consulting's Technology team solves data-related business challenges, with expertise in legal and regulatory matters. Clients rely on us to root out fraud, maintain regulatory compliance, reduce legal and IT costs, protect sensitive materials, quickly find facts and harness organisations' data to create business value.

We Deliver:

Expert Teams

Because no two environments are the same, our team of experts, including, data scientists, digital forensic investigators, information governance, privacy and security experts, compliance specialists, eDisclosure practitioners and software developers combine to gather requirements, problem solve and develop a wide variety of analytics solutions to deliver concrete improvements with demonstrable value for organisations.

Advanced Technology

FTI Consulting's Technology experts can leverage our clients' existing infrastructure and enhance it with leading-edge technology, including forensic tools, machine learning, artificial intelligence, visual analytics, blockchain and robotics, to cost-effectively connect disparate data for critical business needs.

Custom Solutions

FTI Consulting's Technology team specialises in developing bespoke solutions that fit each client's unique needs. No matter the industry, existing IT infrastructure or client pain point, our experts deliver practical solutions to meet critical business challenges.

Crown Commercial Service Supplier

As one of 13 suppliers across four Lots on RM6336, we are also one of only three suppliers awarded a place on all four Lots demonstrating CCS's assessment of our capability to handle eDisclosure engagements of all sizes and security requirements.

Infrastructure and Security

As a preferred Relativity partner, our consultants are experts in RelativityOne, the premier and most up-to-date version of their software. We maintain a robust technology stack and hold ISO 27001 and Cyber Essentials Plus accreditations.

White-Glove Case Management

Our case management and client service teams work collaboratively with clients to understand their comprehensive needs and provide strategic guidance and workflows that meet those needs in the most streamlined ways. We manage all aspects of the case, including creating data plans, automating processes and tracking activities, so we can provide clients with updates and insights in real time. These teams span the globe to enable a follow-the-sun approach for time-sensitive matters and ensure clients are supported every step of the way.

TECHNICAL SOLUTIONS SPOTLIGHT FOR THE PUBLIC SECTOR

Emerging data sources chat, social media, collaboration and cloud-based apps

These systems are here to stay, with more on the way. Legal teams must handle and accommodate new collaboration platforms from eDisclosure perspectives. Future legal matters and investigations will be heavily weighted in these new data sources, and organisations must be able to extract actionable information from them. Through a dedicated research and development lab, FTI Consulting provides expert services and proprietary technology that pull data from these digital sources, visually organise it and integrate it into defensible eDisclosure workflows.

When you partner with us, we help you develop a strategic and economic approach to collecting, processing, analysing and reviewing the full spectrum of your emerging data sources. You can view this data alongside more traditional electronically stored information to quickly understand and act upon the content for legal matters, investigations or regulatory responses. We utilise defensible tools and methodologies to ensure that even the most complex new data source is handled in a forensically sound manner.

Multilayered review and redaction workflows for multiple review teams and disclosure purposes

We have created solutions to enable multiple groups to review documents whilst maintaining appropriate levels of segregation depending on how aligned the objectives of those groups are with your objectives. This can save costs and improve security by removing the need for multiple and external copies of documents to be circulated, and bespoke access controls ensure only the information that needs to be seen is presented.

We have workflows that allow the same document to be reviewed for different purposes, e.g. for privilege, as well as litigation relevance and responsiveness to a Rule 9 public inquiry. We have also created custom tooling to enable multiple redaction “layers” so that different documents can be exported with different redactions depending on the purposes of the export.

Standalone and offline or behind-the-firewall eDisclosure environments

In addition to being able to offer transactional, software as a service-based eDisclosure services, we can help organisations deploy private eDisclosure solutions. With experience in supporting two public sector organisations in deploying in-house eDisclosure capabilities for long-term cost savings as well as having deployed more than 20 “portable” standalone eDisclosure environments for organisations that require a fully offline platform for security purposes, we are able to help organisations scope, design, implement and maintain customised eDisclosure environments.

We have dedicated eDisclosure infrastructure engineers and solution architects who can be deployed to these projects to help design, build and manage custom environments. Our software engineering team is also familiar with building integration tooling, allowing our eDisclosure systems to integrate with an organisation’s IT systems in order to automate the data extraction process. We recently were recognised by Smarsh for our role in helping a large global bank integrate their in-house eDisclosure systems with their back-office IT systems.

FTI Consulting's Public Sector Team



Jon Chan

Senior Managing Director, eDisclosure Lead for the Public Sector
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Jon is FTI Consulting's Technology partner with oversight for UK public sector matters. He has more than a decade of experience working on a range of major public sector investigations, including two major IT disputes that involved hundreds of millions of documents, a high-security "behind-the-firewall" eDisclosure solution deployment and presentation of evidence at trial. Jon also helped a government agency implement an in-house eDisclosure capability, including software selection, implementation and workflow design. Jon has also provided eDisclosure services to three recent, document-heavy public inquiries, working on behalf of the "main" core participant that has included working closely with the inquiry to define disclosure specifications.

Jon leads a dedicated eDisclosure innovation and software development team, which is the largest of its type in the UK. This team has developed custom solutions around redactions and multiparty review and exchange protocols for public inquiries.



Laura Kippin

Managing Director, Delivery Lead for the Public Sector
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Laura is the senior delivery lead for UK public sector matters. She has substantial hands-on experience across all areas of the eDisclosure Reference Model, ranging from deep digital forensics experience at a boutique specialising in supporting law enforcement high-tech crime units, to working on complex eDisclosure matters at a Big 4 professional services firm. Most recently before joining FTI Consulting, Laura led the eDisclosure team for the UK arm of a global eDisclosure service provider. She has experience in managing large-scale eDisclosure exercises, from data identification and collection through to trial presentation, and has given evidence relating to digital forensics and eDisclosure in trial.



Craig Earnshaw

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Craig provides strategic advice to clients across all areas of FTI's Technology offering and provides specific counsel to clients in the areas of European Union-based evidence collection and disclosure, computer-based forensics and electronic data hosting for litigation and regulatory inquiries.

His engagement experience over his almost 25 years focused solely on electronic evidence and complex data matters includes multi-jurisdictional investigations and regulatory inquiries relating to anti-competitive behaviour, cartels, price-fixing, and merger clearance in addition to fraud, bribery and corruption investigations, and intellectual property theft.



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EXPERTS WITH IMPACT™

FTI Consulting is an independent global business advisory firm dedicated to helping organisations manage change, mitigate risk and resolve disputes: financial, legal, operational, political & regulatory, reputational and transactional. FTI Consulting professionals, located in all major business centres throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges and opportunities.

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