



## A Seat with an Expert Series: Phil Beckett

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In our *Seat with an Expert* video series, A&M Disputes and Investigations practitioners highlight key trends and developments in global disputes, investigations and compliance, forensic technology, and cybersecurity and provide expert analysis and insights into key issues affecting companies worldwide.

In this video, Global Practice Leader of A&M's Forensic Technology Services, Phil Beckett, provides insights into this key issue:

- What should companies be aware of when considering eDiscovery and digital investigations today?

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### Transcript:

What should companies be aware of when considering eDiscovery and digital investigations today?

The first thing that jumps to mind is how technology changed during the pandemic when everyone moved to working from home. The industry took a ten-year leap forward in its use of technology, using collaborative software like Slack and Teams and Zoom to do everything they used to do in the office. Not only did they add new technologies, but the data was then spread across the world rather than being contained within a secured office environment.

Therefore, there was a lot more data out there in a lot more different platforms that need to be considered when you undertake any disclosure or regulatory responses. There are changes here in the law when you're looking at how to undertake disclosure in UK litigation with the Disclosure Pilot being made permanent. It is something that everyone needs to be aware of and everyone needs

to take seriously.

It is important you consider discovery early on in the process and that you consult experts at appropriate points to ensure that data is handled in the right way. The final thing people need to be aware of is how regulators are reacting to today's environment. They are both looking at it from a technology perspective, whether undertaking remote raids or other remote views where previously they just turned up on site and you need to be aware of that. And secondly, there can be a lot more activity both with the Biden administration and regulators here in Europe and the UK, especially on this issue.

People need to be aware of how they respond, what they need to do, what they don't need to do, and make sure they follow the appropriate lawyers and technology experts as they go through it.

Technology is evolving, and how people use it is evolving even more. You need to make sure you stay up to speed with how the technology is being used, how you deal with it in case of a contentious environment and act appropriately. Thank you.

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**Authors:**

Phil Beckett