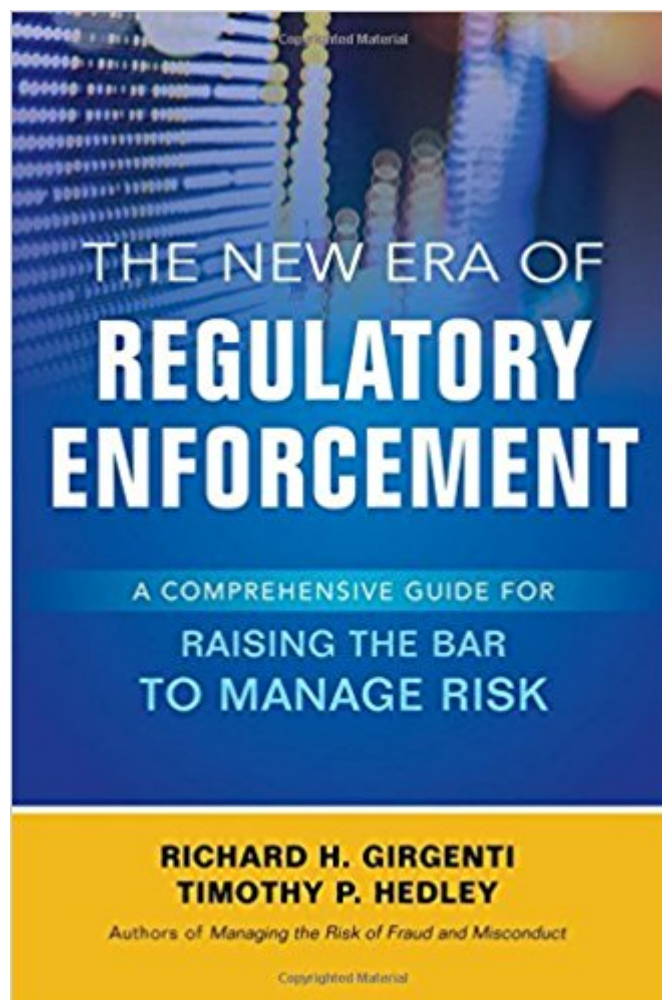




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# The New Era Of Regulatory Enforcement: A Comprehensive Guide For Raising The Bar To Manage Risk (Business Books)



## Synopsis

Mitigate risk and achieve high-level business performance in today's regulatory and enforcement environment. The outset of the 21st century has seen a relentless flow of events from the 9/11 terrorist attack to the 2008 financial recession that have given birth to a new regulatory and enforcement landscape. In today's global and digital world, this increasingly complex landscape has created unprecedented challenges and risks for businesses in all industries. The New Era of Regulatory Enforcement provides an overview of the challenges companies face in conducting business in this new environment. It discusses the government policies, strategies and tactics driving enforcement activity and outlines the most effective approaches for preventing, detecting, and responding to the risks presented. Authors Rich Girgenti and Tim Hedley--two highly experienced professionals at KPMG who daily work with organizations around the globe to help them understand and manage these challenges--draw upon their years of experience in both the private and public sector to provide an overview of the new regulatory and enforcement landscape and a framework for compliance. Assisted by a team of subject matter professionals, the book covers a broad range of topics including: bribery and corruption, money laundering and trade sanctions, market manipulation, financial reporting fraud, off-shore tax evasion, unfair and abusive consumer finance practices, and fraud and misconduct in the Healthcare and Life Sciences industries. Prudent and diligent organizations must take the necessary steps to preserve the hard-earned value of their companies. In doing so, they will not only help improve their chances for sustainable business success, but also create benefit for their employees, shareholders, customers, and the public at large.

## Book Information

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## Customer Reviews

"Essential guidance for understanding and navigating the current enforcement environment. The New Era of Regulatory Enforcement should be required reading for all corporate executives and others responsible for meeting the challenges in this new era."--Lanny A. Breuer, Vice Chair, Covington & Burling LLP, and former Assistant Attorney General for the Criminal Division at the U.S. Department of Justice

"A brilliant tour de force! Hedley and Girgenti offer readers insight into the dramatic changes in regulatory enforcement as well as the tools they need to manage this brave new world. It is an invaluable resource for executives, advisors, and scholars. The framework offered is compelling and actionable."--Batia Mishan Wiesenfeld, Ph.D., Andre J. L. Koo Professor of Management and Chair of the Department of Management and Organizations, Leonard N. Stern School of Business, New York University

"Corporate managers face a daunting task complying with the tectonic changes in the regulatory landscape over the past few years. This book provides a detailed road map for how to operate within the letter and spirit of the law."--Neil Weinberg, Reporter, Bloomberg News

"[This book] provides a solid backdrop (data) on current actions on the part of regulators (including financial impact), new laws and the framework for these laws, and how regulators are beginning to work more closely across borders to address global infractions. I would encourage all ethics and compliance professionals to read the book as the basis for evaluating the effectiveness of their existing program and to learn valuable new insights."--Ed Carr, CPA, Compliance Officer--Siemens Corporation

Richard H. Girgenti, J.D., has more than 40 years of experience investigating fraud and misconduct and helping clients manage their risk of these occurrences. Rich leads KPMG LLP's Forensic Services. He is a former KPMG board member, a veteran state prosecutor, and a previous Commissioner and Director of Criminal Justice for New York State. Timothy P. Hedley, Ph.D., has extensive experience in helping companies prevent, detect and respond to allegations of fraud and misconduct. He leads KPMG LLP's Fraud Risk Management Services. Tim is a frequent speaker on fraud risk topics and is a member of the NY State Society of CPAs and the AICPA.

In their previous book, *Managing the Risk of Fraud and Misconduct: Meeting the Challenge of a*

Global, Regulated, and Digital Environment, Girgenti and Hedley provided readers ranging from C-level officers to small business owners to business students with an eye-opening look at the breadth of the regulatory environment facing businesses. The New Era of Regulatory Enforcement: A Comprehensive Guide for Raising the Bar to Manage Risk not only addresses the massive changes in all areas of regulation since publication of their first book, it also expands its thorough treatment to many new topics, including market manipulation and insider trading, offshore tax evasion, and fraud and misconduct in healthcare and the life sciences. In my opinion, the most valuable contribution of this book is the framework for managing risk described in chapter 2. In each of the subsequent chapters, the authors use the framework's three major components " Preventative Controls, Detective Controls, and Responsive Controls " to organize their analysis of each functional area. This is very helpful to the reader who, for example, may possess an understanding of Financial Reporting Fraud (Chapter 7), but who may be clueless about the risks of Fraud and Misconduct in Life Sciences (Chapter 11). Using this framework as a unifying structure throughout the book makes it much easier for the reader to understand how to manage risk throughout a company's operations. In conclusion, I believe that this book should be required reading for all masters-level business students. Moreover, it is an essential reference for all practitioners who have compliance responsibilities.

For many, the world we live and work in is subject to an ever-increasing amount of regulation, with stiff penalties for non-compliance. Of course, some regulation is necessary and beneficial, yet it can pose great challenges and often significant risks for businesses; ignorance of the law is no excuse. This is a fairly specialist, focussed book that takes a U.S.-centric look at how businesses can adapt and comply to this new regulatory environment, considering the challenges, risks, benefits and underlying issues that may surround them. For those who do not have a U.S. company, there is still a lot to gain from this book; you might be doing business with a U.S. company and bound by many regulations or, in any case, a lot of regulations can exist in your home country and be in a similar form. Increasingly, regulation and enforcement does not operate in the vacuum of domestic boundaries and it can be quite easy to get caught up in another country's regulations. It is a thoughtful read, covering a wide range of issues from bribery and corruption through to money laundering, market manipulation, trade sanctions and corporate misconduct. Written in a language that a typical business executive can understand, there is no excuse for not getting a comprehensive, quality briefing on this subject, enabling the company in turn to react and change elements of its behaviour or procedure as required. The price of the book means it is going

to be out of reach for the general reader, who otherwise would have had the benefit of an enjoyable, informative read, yet for the business reader who needs this sort of stuff the price is irrelevant and it certainly feels as you will get your money's worth and then some! It cannot forecast everything, but it has a damn good attempt and will leave the reader much better informed and ready to react as a result.

"The outset of the 21st century has seen a relentless flow of events from the 9/11 terrorist attack to the 2008 financial recession that have given birth to a new regulatory and enforcement landscape. In today's global and digital world, this increasingly complex landscape has created unprecedented challenges and risks for businesses in all industries."The New Era of Regulatory Enforcement provides an overview of the challenges companies face in conducting business in this new environment. It discusses the government policies, strategies and tactics driving enforcement activity and outlines the most effective approaches for preventing, detecting, and responding to the risks presented."The stated audience for this book ranges "from members of corporate boards and C-suite executives to others within an organization who are responsible for compliance and risk" as well as individuals involved in internal or external audits and "others who may want to know more about the risks organizations face". They should add business students to that list, because this should be required reading at business schools across the country. Girgenti and Hedley provide an excellent framework for approaching risk management (preventive controls, detective controls, and responsive controls -- comparable to steering controls, concurrent controls, and feedback controls in corporate finance), and then explain how to apply that framework to a broad range of industries and topics, including money laundering, bribery and corruption, financial reporting fraud, tax evasion, unfair and abusive consumer financial practices, and misconduct in healthcare and life sciences. As other reviewers have noted, this is a US-centric approach, but the risk management framework provided is certainly not subject to geographic restrictions, and many of the cases discussed reach well beyond North America. I received an advance review copy of this book from the publisher in exchange for an honest review. •

This is a well written and thought out book that serves as an excellent desk reference for compliance specialists and lawyers. In an ever changing landscape of increasingly higher stakes regulatory enforcement, this book provides a reliable road map for critical thinking about the most common tools and statutes employed by regulators. More detailed than would be expected, it provides meaningful insight into risk management and resolution. Highly recommended.

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