Background to discuss

- Competition authorities do not necessarily have enough resources to investigate all cases.
- It takes a lot of resources to investigate large scale cartel cases.
- We have to handle large scale cartel cases with limited resources.
- Are there any useful ways to handle such cases more efficiently with limited resources?
Possible ways to make investigations more efficient

- Efficient case selection and prioritization
- Careful selection of the investigation team
- Improving the capability of investigators
- Meeting the standard of proof for cartels more efficiently

Any other ways? (e.g. electronic management tools)

Efficient case selection and prioritization

Competition agencies often have a lot of information to suggest collusive conduct collected through various methods.

The decision of case selection and prioritization can be heavily influenced by the resources available:

- The type of evidence needed
- The complexity of issues to be resolved
Possible questions to participants:

1. Does your agency have any formal or informal criteria or tools for case selection and prioritization related to efficiency?
2. Are there any other investigation strategies designed to improve the efficiency of the investigation?
3. Does your agency have model investigation timeframes designed to improve efficiency?
4. Any other comments or opinions for investigation strategy?

Careful selection of the investigation team

1. How many staff should be allocated?
2. Establishing specialized roles, sector specific investigation teams
3. Early engagement by an agency’s lawyers and economists
4. Cooperation by other teams during the investigation process (e.g. dawn raids)
### Possible questions to participants:

- How many investigators are allocated to one cartel investigation team in your jurisdiction? Are there any specific characteristics in the composition of the team?
- Does your agency assign investigators with a specific role in the investigation? Do they improve the efficiency of the cartel investigation?
- Does your agency have systems to facilitate cooperation by other investigation teams during the investigation process (e.g. dawn raids)?
- Any other comments or opinions regarding the selection of investigators for investigation teams?

### Improving the capability of investigators

- Training courses to improve interview skills, etc.
- On the job training for newly appointed investigators
- Lectures by experts such as prosecutors, accountants, lawyers in the agency
- Others?
Possible questions to participants:

Please share examples of your agency’s training courses for improving interview skills, etc.

Please share examples of your agency’s ‘on the job’ training.

What training courses do you run that draw on lectures by experts (other than investigators)?

Any other comments for improving the capability of investigators?

Meeting the standard of proof for cartels more efficiently

Can we reduce the quantity/cost of evidence collection and still meet the standard of proof?

What are the necessary facts to the prove cartel?

When direct evidence does not exist, what kind of circumstantial evidence is needed?

Others?
Possible questions to participants:

Is your agency burdened by an excessively high standard of proof?

What are the necessary facts for proving a cartel in your jurisdiction? How important is direct evidence for proving cartel conduct? What circumstantial evidence has been successful?

Do you have any ideas/experiences that may reduce the burden of proving a cartel?

Any other comments on way to most efficiently meet the standard of proof for cartels?

Other ways to make investigations more efficient

Digital/Electronic management tools

Documentary evidence management (e.g. CT Summation Enterprise, Ringtail)

Project Planning (e.g. Microsoft Project)

Others?