



Helena Prieto González

Partner

Madrid

helena.prieto@garrigues.com

Abogado colegiado nº 124142

I. Colegio de la Abogacía de Madrid

Hermosilla, 3

28001 Madrid (Spain)

Tel: +34 91 514 52 00

Fax: +34 91 399 24 08

Criminal Law and Internal Investigations

Helena Prieto is a partner in the Criminal Law practice and practices in the areas of criminal litigation, extradition, internal investigations and compliance. She is a public prosecutor on leave of absence. She represents the interests of companies and individuals, acting for the defense and for the prosecution in highly complex criminal matters, particularly those with a marked economic component and multi-jurisdictional nature. Her areas of expertise include market abuse, financial and tax fraud, money laundering and cryptocurrencies, cybercrime, NFT fraud and business corruption. Helena has advised listed companies subject to FCPA provisions and supervision by the SEC. As head of the internal investigations unit, she has led multiple cross-border investigations at multinational companies falling within the jurisdiction of the DOJ. She has participated in the design and implementation of corporate compliance programs at companies operating in various jurisdictions. She holds a Degree in Law and Business Administration from Universidad Pontificia de Comillas (ICADE E-3). Recognized by Chambers and Legal 500.

Experience

Helena Prieto is a partner in the Criminal Law practice with over 20 years' experience in this field.

After a period working in the M&A Department of Bankers Trust/Deutsche Bank, she joined the Spanish Public Prosecution Service in 2003 and has worked in the prosecution offices of both Barcelona and Madrid. She joined the Prosecutor General's Office in 2008 and worked in the cabinets of three Prosecutor Generals, providing technical advice to the Prosecutor General and participating in the drafting of the Circulars, Instructions and Advice Notes comprising the Public Prosecution Service's legal corpus, particularly regarding the criminal liability of legal entities.

She has represented companies and individuals in highly complex criminal proceedings with a marked economic component and multi-jurisdictional nature, including

- False accounting and scams involving investments in listed companies
- Market abuse
- Financial and tax fraud

- Money laundering and cryptocurrencies
- Cybercrime
- NFT fraud
- Business corruption

She also provides ongoing advice on criminal matters to listed companies subject to FCPA provisions and supervision by the SEC.

Helena has participated in multiple extradition proceedings, representing the interests of different States in extradition requests made to the Spanish authorities as well as defending individuals whose extradition has been requested.

As head of the internal investigations unit, she has led many of the most complex internal investigations conducted in Spain, advising listed companies in cross-border investigations falling within the jurisdiction of the DOJ.

She has participated in the design, implementation and review of corporate compliance programs of companies operating in multiple jurisdictions, advising companies subject to enforcement proceedings by the World Bank and the Inter-American Development Bank (IDB) on the review of their corporate compliance systems.

Fluent in English and German.

Academic background

- Degree in Law and Business Administration, Universidad Pontificia de Comillas (ICADE E-3). Finance major.
- Exchange program, Universität Tübingen (Germany).
- Master's Degree in Economic Criminal Law, KPMG/Universidad Rey Juan Carlos (Madrid).
- Doctorate, Universidad de Barcelona (UB). Thesis: "La manipulación operativa del mercado de valores: cuando desafiar las leyes de la física merece 'la pena'" (Trade-based manipulation: when defying the laws of physics is worth the price).
- Postgraduate Certificate of Research Proficiency (DEA), Universidad de Barcelona: Criminal liability of legal entities.

Teaching activity

- Director of the Executive Program in Corporate Compliance, Centro de Estudios Garrigues.
- Postgraduate Expert in Corporate Compliance course, Universidad de Barcelona (UB).
- Centro de Estudios Jurídicos. Public prosecutor training.
- School of Legal Practice, UCM.
- Master's Degree in Economic Criminal Law, Universidad Rey Juan Carlos (Madrid).

Memberships

Madrid Bar Association.

Distinctions

- Chambers and Partners Europe: Dispute Resolution: Corporate Crime, Corporate Compliance. “She’s very quick at reacting to matters and has a brilliant imaginative brain.”
- Legal 500: White Collar Crime. Leading Individual.

Publications

- “Las investigaciones internas: el Attorney Privilege y el Work Product Privilege” (Internal investigations: Attorney Privilege and Work Product Privilege). Las investigaciones internas en compliance penal. Factores clave para su eficacia, Fortuny Cendra, M. (ed.). Aranzadi Thomson Reuters, Pamplona, 2021.
- “Qué puede saber el chófer de un consejero delegado que merezca la pena: la reforma de la LO 1/2019” (Compelling Facts a Driver Can Learn About a CEO: Reform of Organic Law 1/2019). La información con relevancia penal y el cumplimiento normativo, Peinado Gracia, J.I. Cátedra Garrigues, Universidad Pontificia de Comillas, Madrid, 2021.
- “Cross-Border Internal Investigations in Spain: The Legal and Practical Landscape.” The Anti-Corruption Report, 2020.
- “La cooperación público-privada en la prevención, detección y persecución de los delitos empresariales: las investigaciones internas” (Public-Private Cooperation in the Prevention, Detection and Prosecution of Business Crime: Internal Investigations). Estudios Jurídicos en homenaje a José Manuel Maza Martín, Gómez-Jara Díez, C. (Coord.) Aranzadi Thomson Reuters, Pamplona, 2018.
- “Los delitos contra el mercado y los consumidores” (Market and Consumer Offenses). Código penal. Comentarios y jurisprudencia, Del Moral García, A. (ed.). Comares, Granada, 2018.
- “Responsabilidad penal de las personas jurídicas en el derecho comparado. Especial referencia a los programas de cumplimiento” (Criminal Liability of Legal Entities in Comparative Law. Special Reference to Compliance Programs). Memento Experto Compliance Penal, Juanes Peces, A. (Ed.). Lefebvre, Madrid. 2017.