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ARTICLE

Surge in dawn raid activity signals stricter antitrust scrutiny



PART OF OUR REPORT

Global antitrust enforcement report

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2024 saw a continued trend of heightened dawn raid activity by antitrust authorities across the globe. Of the 31 jurisdictions surveyed, 24 (77%) confirmed that the regulator had carried out dawn raids during the course of 2024, conducting in total more than 70 raids.

Within Europe, the European Commission (EC) carried out unannounced antitrust inspections in several member states at the premises of companies active in various sectors, including new replacement tires, financial derivatives, and data center construction. The inspections were conducted in conjunction with relevant national antitrust authorities. In the U.K., the Competition and Markets Authority (CMA) launched an investigation into suspected bid-rigging in relation to a government fund for improving the condition of school buildings, carrying out unannounced inspections at several business premises in December 2024. In October 2024, the EU and the U.K. government announced the conclusion of technical negotiations for a future competition cooperation agreement that is expected to allow the EC, EU member state antitrust authorities, and the CMA to cooperate directly in antitrust investigations.

In the U.K., provisions in the Digital Markets, Competition and Consumers Act 2024 (DMCC), [the new U.K. consumer, antitrust and digital markets regime](#), which took effect on January 1, 2025, provide the CMA with greater evidence-gathering powers. These include the ability to obtain any information stored electronically and accessible from business and domestic premises (e.g., in the cloud) during dawn raids executed under a warrant, “seize and sift” powers when carrying out dawn raids at domestic premises, and the power to require companies and individuals to produce documents and information held outside the U.K. (clarifying an issue that was recently subject to appeal before the U.K. courts).

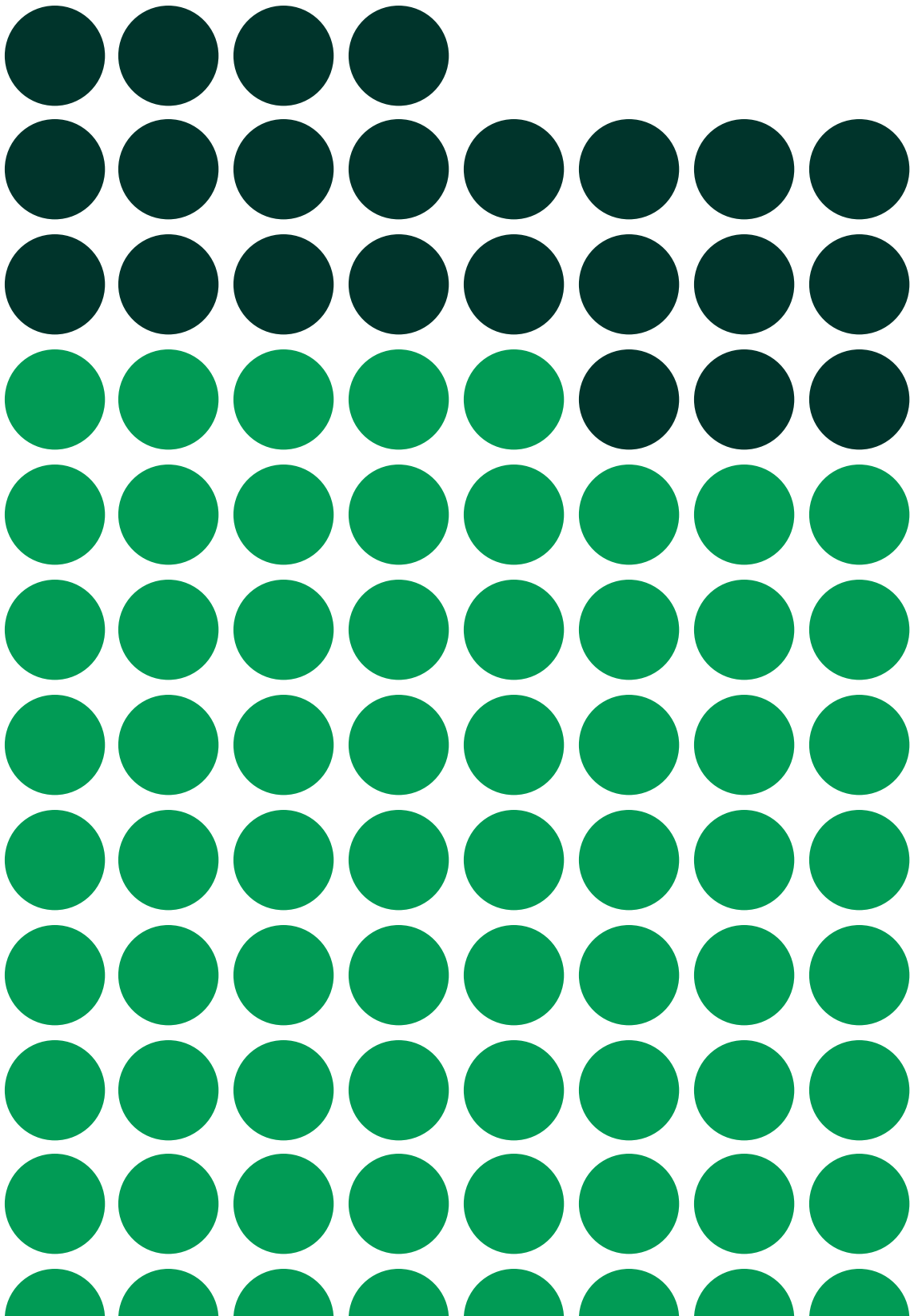
Obstruction of antitrust inspections also triggered several enforcement actions in 2024. In June 2024, the EC fined a fragrance manufacturer EUR15.9 million for obstructing a dawn raid in 2023; during the inspection, a senior employee intentionally deleted WhatsApp messages exchanged with a competitor containing business-related information, which was subsequently detected by the EC's forensic experts after the mobile phone was submitted for review. In October 2024, the French antitrust authority fined a charcuterie company EUR900,000 for providing inaccurate information about the whereabouts of the group head during the preliminary phase of dawn raids carried out in 2023.

Obstructing a dawn raid can also lead to sanctions for individuals. In August 2024, the Hong Kong Competition Commission sought its first-ever criminal prosecution of an individual for failing to comply with its investigative powers. The individual allegedly attempted to delete documents and information from computers during inspections of the offices of cleaning service companies suspected of a price-fixing cartel. In February 2025, the individual was convicted and sentenced to imprisonment for two months.

2024 also saw significant penalties for procedural breaches during later stages of antitrust investigations. The Polish antitrust authority fined a technology company USD1.5m for providing false and misleading information during its investigation into the company's sales practices (which ultimately ended in commitments). Similarly, the French antitrust authority imposed an additional fine of EUR75,000 on one of the participants in the pre-cast concrete products cartel for obstructing the investigation, as the company had provided incorrect information in response to a request for information and only corrected this error after the statement of objections had been sent. Finally, and unusually, the Slovak Antimonopoly Office fined a third-party hosting and domain services firm EUR60,000 for refusing to hand over emails that had been deleted by a medical hazardous waste company under investigation by the authority.

77% of regulators conducted dawn raids in 2024

● Yes ● No





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