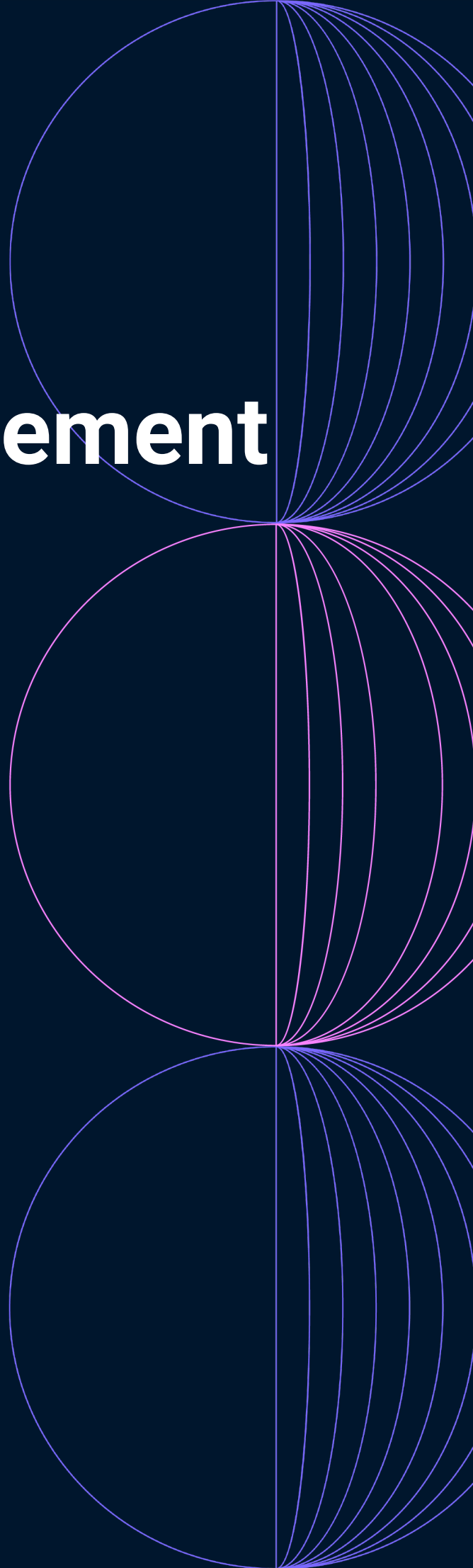


PANORAMIC NEXT

# Crisis Management

SINGAPORE

LEXOLOGY



# Crisis Management

2025

Contributing Editor

**Christa Band**

Linklaters LLP

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Through a series of interviews with expert legal practitioners, *Crisis Management* explores the key factors that businesses must consider when a crisis strikes, and how best to resolve it. Our global panel share their experiences of successfully navigating myriad crises and offer practical advice for preventing crises from arising in the first place.

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# Singapore

[Shashi Nathan](#), [Amarjit Kaur](#), [Jeremy Pereira](#), [Jayna Tan](#)

[Withers LLP](#)

## Summary

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### Q&A

The word 'crisis' carries with it the notion of the sudden and unexpected. What can a business do in advance of a crisis striking to ensure that it is best prepared to navigate it?

Some crises affect a business in unpredictable ways; others arise from well-recognised, though unwelcome, risks. What key themes underlie the risk management analysis in your jurisdiction? How might this analysis evolve over time, in light of any emerging or potential future risks?

In a crisis, stakeholder expectations of a continuing narrative and explanation are high and the interests of various groups are not necessarily aligned. How does a business meet varying expectations of what to say and when to say it? How does a business maintain an open narrative while best minimising legal risk?

Many crises are critical because they involve the potential for widespread civil liability and many claimants. What challenges arise in the resolution of multi-party claims and how does a defendant determine its strategy to meet them?

Alongside managing the crisis is the imperative to maintain 'business as usual'. How can lawyers help to establish what went wrong and minimise the impact of those issues on the underlying business?

### THE INSIDE TRACK

What traits, skills and experience do you think are critical for a lawyer advising on crisis management?

In your opinion, what expertise, attitudes, behaviours and practices characterise an effective legal team charged with crisis management?

What do you personally find most rewarding and most challenging about advising in this area?

## Profiles

### ABOUT

Shashi Nathan is the joint managing partner of Withers KhattarWong and a partner heading the criminal litigation practice. He is a leading practitioner in the Singapore Criminal Bar, where he often conducts high-profile cases in both the trial and appellate courts. His cases involve offences of murder, drug trafficking and kidnapping. Shashi is listed as a lead counsel under the Supreme Court's list of Assigned Counsel for Capital Cases, and he has defended numerous clients charged with capital offences. He is one of the most sought-after defence lawyers in Singapore.

His white collar work includes advising and defending institutions as well as individual clients on Singapore's regulatory and compliance framework. Shashi is, in particular, familiar with the Securities and Futures Act and the Prevention of Corruption Act. He regularly advises clients on areas including fraud, corruption, insider trading, market manipulation and tax fraud, as well as a wide spectrum of legislation dealing with corporate malfeasance.

Shashi has been cited in *Who's Who Legal* as both a top-tier 'Global Leader' and 'National Leader' in business crime defence globally and in Singapore since 2020. He has also been listed in the *Benchmark Litigation Asia Pacific Guide* as a 'Litigation Star' and in *Doyle's Guide* as a 'preeminent' criminal defence lawyer since 2020.

Shashi has been consistently nominated by in-house counsel and industry peers as one of the world's leading white-collar crime practitioners in the expert guides since 2016. He is also ranked in the 2022 *Doyle's Guide* as one of the leading white collar crime and regulatory investigations lawyers.

Shashi is actively involved with the work of the Singapore Academy of Law, where he is regularly invited as a panellist and speaker for legal conferences. He is currently serving as the Chair of the Criminal Legal Aid Scheme. Previously, he served as the Chair of the Criminal Justice Chapter of the Professional Affairs Committee. Shashi is also the immediate past chair of the Criminal Practice Committee of the Law Society. He also occasionally guest lectures at the Faculties of Law of both the National University of Singapore and the Singapore Management University.

Amarjit Kaur is a partner in the litigation and arbitration team at Withers KhattarWong and head of the employment practice in Singapore. In addition to employment, she specialises in crisis management and strategic global mobility. Amarjit is a commercial disputes lawyer who has acted in high-value and complex litigation and international arbitration matters. Amarjit advises clients across the spectrum of contentious and non-contentious employment issues. She has steered companies, founders and senior executives through complex employment issues arising out of investigations, reduction in force exercises, business transfers, employment incentives in the cryptocurrency era, enforcement of restrictive covenants and M&As. Amarjit also regularly advises C-suite executives on negotiating optimal employment and exit packages and how to navigate challenging employment landscapes.

From complying with employment laws to managing cross-cultural communication and adaptation, Amarjit is a trusted business adviser for companies and professionals seeking

to succeed across all industry sectors, including technology, financial services and healthcare.

Amarjit's deep experience in crisis management has seen her represent Fortune 500 companies, founders, and ultra-high-net-worth individuals in shareholder, employment, corporate insolvency and large-scale professional negligence or liability disputes. She has a track record of effectively navigating major and complex reputational threatening crises, including handling high-profile media and digital reputation cases. Amarjit has also established a reputation for being a tenacious and thorough expert in investigations, specialising in corporate investigations and whistleblowing. What sets Amarjit apart is her ability to instil confidence in her clients when the stakes are high.

Amarjit is a frontrunner in training and performing cultural assessments on #MeToo and diversity, equity and inclusion (DEI) issues. As the global head of Withers' DEI Group, Amarjit leads a global working group to proactively spearhead DEI initiatives and facilitate positive change. These include mentoring schemes for aspiring solicitors in the UK, generating awareness of LGBTQ+ rights and promoting education on key issues. Amarjit also serves as a board member of Club Heal, a mental health charity in Singapore.

Amarjit is a respected authority on strategic global mobility and frequently advises employers and senior professionals on effective strategies for international expansion and relocation.

Amarjit has been recognised as a Litigation Star in the Benchmark Asia Pacific Guides and as a distinguished lawyer in the Asialaw Guides since 2021 in the area of labour and employment law. She has also been consistently noted for her expertise in *The Legal 500: Asia Pacific Guide* and *Chambers Asia Pacific Guide*. She has been listed as a recommended lawyer in *Doyle's Guide* for leading employment and labour lawyers in Singapore since 2020. In 2017, she was recognised by *the Singapore Business Review* as one of Singapore's most influential lawyers aged 40 and under.

A thought leader and recognised authority in the employment space, Amarjit has a deep understanding of the latest trends and developments in the industry. She is regularly sought out by the media for her expert insights and commentary on both employment matters and current issues. Forward-thinking and innovative, she is constantly pushing boundaries in her field and is regularly featured in leading media platforms including the BBC, *The Straits Times*, *Business Times* and CNA.

Jeremy Pereira is a special counsel in the criminal litigation team at Withers KhattarWong. He specialises in criminal law, with a focus on white-collar, financial crime and investigations. He has been recognised by *The Legal 500* as a key lawyer often engaged in internal investigations for both corporates and individuals. He has considerable experience leading cases which involve cheating, invoice financing fraud, domestic and cross-border corruption, ship-bunkering offences, casino crime, remote gambling offences, money-laundering, confiscation of proceeds of crime, and various offences under the Securities and Futures Act. In pre-emptive instances, he has been engaged to advise on compliance with local laws or to investigate suspected wrongdoings. On many other occasions, he defends individuals and organisations accused of committing crimes.

He is equally competent in the defence of blue-collar offences encompassing harm caused to property and persons, substance abuse, sexual misconduct, violent crimes, and strives for the best attainable outcome in all matters. Jeremy is also on the Supreme Court's list of

assigned lawyers for capital cases and has been involved in a number of murder trials, drug trials and appeals. He has also acted for clients in the military courts and before various disciplinary tribunals. He is passionate about educating others in the law and devotes part of his time to teaching criminal law at the Singapore University of Social Sciences and military law at the Officer Cadet School at SAFTI.

Jayna Tan is a senior associate in the litigation and dispute resolution team at Withers KhattarWong, with a focus on employment matters. Jayna undertook her practice training with Withers KhattarWong and was called to the Singapore Bar in 2018. She is part of the Withers employment team that has acted in high-value and complex litigation and dispute matters, representing a wide variety of companies and ultra-high-net-worth individuals in employment disputes. Jayna has advised clients across the spectrum of contentious and non-contentious employment issues, including guiding companies and executives through complex employment issues arising out of investigations, restructuring and reduction in force exercises, business transfers, wrongful dismissal, whistle-blower complaints, workplace harassment, enforcement of restrictive covenants, and M&As.

In 2022, Jayna was named as part of the team that attained its Tier 2 ranking in *The Legal 500's* annual rankings for labour and employment.

Prior to focusing on employment matters, Jayna also assisted with litigation and advisory matters for insurance companies and the Motor Insurance Bureau involving insurance coverage, fraud and recovery.

## Q&A

### **THE WORD 'CRISIS' CARRIES WITH IT THE NOTION OF THE SUDDEN AND UNEXPECTED. WHAT CAN A BUSINESS DO IN ADVANCE OF A CRISIS STRIKING TO ENSURE THAT IT IS BEST PREPARED TO NAVIGATE IT?**

Although crises often arise unexpectedly, businesses can significantly improve their ability to respond effectively by preparing for potential disruptions. The key to effective crisis management lies in recognising that crises, while unpredictable, are not inevitable. Businesses that anticipate risks, plan ahead and foster a culture of resilience are better positioned to navigate crises when they arise.

The first step is to identify and understand the types of risks that a business might face. Risks can come from a variety of sources and can have varying levels of impact. Broadly, businesses may face the following categories of risks:

- Operational risks – these include disruptions to business operations, such as supply chain interruptions, equipment failures, or human error. For example, natural disasters or logistical failures could impact the availability of goods and services, affecting revenue and customer satisfaction.
- Financial risks – these include risks related to liquidity, market fluctuations, or financial instability. A sudden decline in market conditions, exposure to currency fluctuations, or the collapse of key financial partners can lead to financial crises.
- Reputational risks – a business's public image and customer trust are vital. Reputational crises could arise from public scandals, unethical practices, or poor

handling of a sensitive issue (eg, a data breach, consumer safety concerns or negative press).

- Legal and compliance risks – non-compliance with laws or regulations, especially in heavily regulated industries, can lead to costly legal battles or even the suspension of business operations. This includes breaches of data protection laws, regulatory violations and failure to meet industry standards.
- Cybersecurity risks – as businesses increasingly rely on digital infrastructure, cyberattacks and data breaches have become a major concern. Hackers may target sensitive information, causing operational paralysis, financial losses or reputational damage.
- Strategic risks – these are risks related to the company's long-term strategy, such as failing to innovate, overextending resources or making poor business decisions. Strategic risks could also include market disruptions caused by competitors or emerging technologies that render the company's offerings obsolete.
- Environmental and social risks – issues such as climate change, natural disasters and shifts in societal expectations (eg, ESG concerns) can pose long-term risks to businesses. Businesses may also face crises arising from social responsibility or activism related to human rights, environmental practices or diversity.

Once the potential risks have been identified, the business must implement a comprehensive risk management framework that considers the likelihood of each risk occurring and its potential impact on the business. This framework should be tailored to the business's unique operations, industry and geography. The business should consider the likelihood of each potential crisis scenario under each possible business risk and model for different responses and approaches to address each scenario, including holding statements, chain of command and viable strategies. Below are specific strategies and tactics to prepare for a crisis.

Having a robust crisis management plan (CMP) is a central part of this framework. A CMP is a formal, written plan that outlines procedures for responding to a variety of crises. This plan should be flexible and capable of addressing different types of crises, ranging from cybersecurity breaches to regulatory investigations.

Within the CMP, businesses should establish a crisis management team (CMT), consisting of key personnel with expertise in legal, communications, operations, IT and executive leadership. This team should be empowered to take quick, decisive actions when a crisis occurs. By assigning specific roles and responsibilities ahead of time, the business ensures that no critical aspect of the response is overlooked during a crisis.

Business continuity planning is also critical in preparing for crises, especially operational disruptions. This includes identifying the essential functions of the business and creating contingency plans for how to continue or rapidly restore operations. These plans may involve arrangements for remote work, temporary supply chain solutions, and backup IT systems. Ensuring the resilience of technological infrastructure and data security is paramount, especially with the rise of cyber threats.

Communication protocols are crucial in times of crisis. Businesses must establish predetermined lines of communication to engage with various stakeholders, such as employees, customers, investors, regulators, and the Singapore media. Crisis communication plans should include designated spokespersons, prepared statements, and clear guidelines on what can and cannot be disclosed. Transparent, consistent, and timely communication helps to maintain trust, mitigate misinformation, and manage reputational damage.

A key element of crisis preparedness is regular crisis simulation exercises. These drills replicate realistic crisis scenarios, testing the readiness of the crisis management team and identifying weaknesses in the response plan. These exercises should be comprehensive, involving all key departments and stakeholders, and should be reviewed regularly to ensure they remain effective and up-to-date.

Additionally, businesses should foster a culture of resilience where employees are empowered to act when they detect potential risks. Regular training sessions that educate employees on crisis preparedness, the importance of identifying early warning signs, and the business's crisis management procedures can significantly reduce the likelihood of escalation.

Boards of directors also play a critical role in crisis preparedness. Effective board oversight ensures that risk management is not siloed within the business but integrated into strategic decision-making. Boards should receive regular updates on risk assessments and be involved in scenario planning, particularly for reputational, strategic and compliance-related risks.

Insurance can also be a useful risk transfer mechanism. Businesses should review their insurance coverage to ensure they are adequately protected in the event of cyberattacks, director and officer liability, data breaches or catastrophic operational failures. Working closely with insurers and brokers as part of crisis planning can help align expectations in the event a claim arises.

Finally, businesses should continuously monitor their risk environment and adapt their strategies as new risks emerge. Emerging risks such as the rise of artificial intelligence, new regulatory frameworks, and evolving social and environmental concerns should be incorporated into ongoing risk assessments. By remaining vigilant and adaptable, businesses can not only prepare for foreseeable crises but also respond effectively to unforeseen challenges.

In conclusion, while crises may be unexpected, preparation is not. By identifying potential risks, establishing a comprehensive crisis management plan, setting up clear communication protocols and fostering a resilient organisational culture, businesses can improve their capacity to respond swiftly and effectively to any crisis, regardless of its nature or origin. These efforts not only help mitigate the immediate impact of a crisis but also position the business for recovery and long-term success.

**SOME CRISES AFFECT A BUSINESS IN UNPREDICTABLE WAYS; OTHERS ARISE FROM WELL-RECOGNISED, THOUGH UNWELCOME, RISKS. WHAT KEY THEMES UNDERLIE THE RISK MANAGEMENT ANALYSIS IN YOUR JURISDICTION? HOW MIGHT THIS ANALYSIS EVOLVE OVER TIME, IN LIGHT OF ANY EMERGING OR POTENTIAL FUTURE RISKS?**



In Singapore, the primary risks businesses face often stem from regulatory compliance issues, cybersecurity threats, data breaches, operational failures and reputational risks. The regulatory landscape in Singapore is evolving rapidly, particularly with the introduction of new data protection laws such as the Personal Data Protection Act (PDPA), which imposes strict requirements on businesses regarding data management. Businesses are also increasingly vulnerable to cyberattacks, as the digitalisation of business operations accelerates. We have also seen businesses in Singapore increasingly facing two additional and newer types of risks that have emerged in recent times – geopolitical and corporate governance risks. For instance, we saw the operations of the world's largest chipmaker in Singapore come into scrutiny as it got caught in the cross hairs of geopolitical contestation in early 2025. A few weeks later, one of Singapore's largest homegrown real estate conglomerates also faced a reputational crisis over allegations of corporate governance lapses between its board members and senior management.

Beyond these, businesses in highly regulated sectors such as fintech and healthcare must contend with increasingly complex licensing and compliance requirements, as well as heightened regulatory scrutiny. Meanwhile, those with significant carbon footprints are beginning to respond to Singapore's growing ESG compliance regime, such as carbon tax obligations and sustainability reporting frameworks, which are likely to introduce new sources of liability and reputational risk.

The analysis of these risks typically begins with a focus on the statutory and regulatory obligations of businesses, with particular emphasis on industry-specific compliance matters. However, the scope of this analysis must extend to identify emerging trends in technology, society, and business operations. For instance, the increasing focus on sustainability and environmental, social and governance (ESG) concerns is likely to play a larger role in crisis management analysis going forward.

With advancements in technology and increased global connectivity, the risk landscape is evolving rapidly. Singapore's proactive stance in terms of technological innovation may expose businesses to new cyber risks. Future analysis should, therefore, factor in evolving regulatory frameworks, such as those related to artificial intelligence, machine learning, and climate risk, which are expected to become central to risk management in the coming years.

**IN A CRISIS, STAKEHOLDER EXPECTATIONS OF A CONTINUING NARRATIVE AND EXPLANATION ARE HIGH AND THE INTERESTS OF VARIOUS GROUPS ARE NOT NECESSARILY ALIGNED. HOW DOES A BUSINESS MEET VARYING EXPECTATIONS OF WHAT TO SAY AND WHEN TO SAY IT? HOW DOES A BUSINESS MAINTAIN AN OPEN NARRATIVE WHILE BEST MINIMISING LEGAL RISK?**

Businesses should prioritise having a strong team of crisis management professionals, which would typically include media relations and crisis communication teams, legal advisers and business leaders who would be in a good position to assess the situation and strategise on possible and preferred approaches. It's also important to set out clear responsibilities of each of these sets of professionals to be able to drive fast execution and to avoid chaos or acting at cross purposes.

Businesses must first map out the different stakeholders, assess the competing interests at play and identify the risks that arise in managing each interest. To the extent possible, businesses should also try to identify common overlapping interests between the various

stakeholders to be able to focus on this in communications. An approach geared towards spotlighting common ground can be helpful in delicate and sensitive crises. Businesses must prepare baseline communications that they will and can share publicly so that all stakeholders are privy to that messaging. There may then be more nuanced or detailed messaging to share with different stakeholders, and this should be done in private settings – for example, townhalls and closed-door meetings – so that those cannot be quoted or attributed to anyone from the company. That way, the risks coming out of differentiated communication are managed.

Even then, while it is always optimal to work towards a win-win solution, at times a practical approach may be necessary. Businesses may need to take calculated risks in managing stakeholders to minimise fallout to the extent possible, oftentimes by prioritising the interests of more significant stakeholders at the expense of others. Businesses, therefore, need to be prepared to take strategic risks to avert or manage crises.

A business may need to assess the risks with reference to its ongoing priorities. For instance, a startup applying for a regulatory license may prioritise its communications and accountability in regard to the relevant regulatory authorities over management of internal stakeholders and even customers, for a season. All of this is necessary to help businesses achieve their long-term and short-term goals in a manner that manages risks effectively.

Internally, escalation protocols should be clearly set out within the CMP. These protocols should identify thresholds or triggers for alerting senior leadership or external advisers, ensuring that serious developments are assessed quickly and that appropriate legal, communications and business responses are coordinated.

### **MANY CRISES ARE CRITICAL BECAUSE THEY INVOLVE THE POTENTIAL FOR WIDESPREAD CIVIL LIABILITY AND MANY CLAIMANTS. WHAT CHALLENGES ARISE IN THE RESOLUTION OF MULTI-PARTY CLAIMS AND HOW DOES A DEFENDANT DETERMINE ITS STRATEGY TO MEET THEM?**

A critical risk that will need to be addressed from the outset is the immediate adverse impact that multi-party claims pose to businesses' professional reputation. It should be noted that even if legal proceedings are not initiated, the news of potential multi-party claims alone is enough to cause shock waves through the market, and often causes irreparable damage to a business's reputation and image, affecting investor and consumer confidence. Once proceedings are initiated, the level of scrutiny only increases.

In Singapore, parties can seek collective redress via representative proceedings, whereby one or more persons representing a 'class' of persons are entitled to bring or defend an action on behalf of that class.

It is generally ideal for businesses to intervene at the earliest possible opportunity to resolve crises before the number of claimants increases – it sometimes takes only one claimant to vocalise their claims before others come forward, echoing similar complaints. For this reason, businesses should devote sufficient resources to investigating all risks and potential crises, as tackling them at the root often ends up being the most effective solution.

### **ALONGSIDE MANAGING THE CRISIS IS THE IMPERATIVE TO MAINTAIN 'BUSINESS AS USUAL'. HOW CAN LAWYERS HELP TO ESTABLISH WHAT WENT WRONG AND MINIMISE THE IMPACT OF THOSE ISSUES ON THE UNDERLYING BUSINESS?**

Lawyers typically serve as the 'fresh set of eyes' when approaching a business crisis, which allows us to trace the crisis to its origin point, processing and reviewing the evidence with a view to determining the underlying causal factors.

This often entails conducting a thorough review of documentary evidence, gathering evidence through interviews with relevant stakeholders and witnesses, and conducting a broad-ranging assessment of all factors which led up to the occurrence of the crisis.

Lawyers can then provide advice on how to remediate the situation, as well as advise businesses on putting in place the proper measures to prevent the recurrence of such crises. In crisis investigations, it is also important to consider legal professional privilege. By involving external counsel at an early stage, businesses may be able to preserve privilege over sensitive communications and findings, particularly where litigation is contemplated. This can provide businesses with a safe environment to assess risks candidly and strategise for both internal remediation and external defence.

To the extent that crises have resulted in loss and harm already suffered by the business, whether in the form of reputational harm, legal liability or other losses, lawyers are well placed to advise on the best avenue or avenues for seeking recourse and/or defending the business to minimise exposure.

It is also important for lawyers to be willing to proactively work with other experts, including crisis managers or communications professionals, during such situations as they complement the work of the lawyers by developing and amplifying narratives to distance the crisis or issue from the daily operations of the business. This working relationship must be seamless, built on trust and a good rapport. It is, therefore, advisable for legal firms and teams to cultivate a set of communications and crisis experts they are comfortable working with and can call upon when needed.

## The Inside Track

### **WHAT TRAITS, SKILLS AND EXPERIENCE DO YOU THINK ARE CRITICAL FOR A LAWYER ADVISING ON CRISIS MANAGEMENT?**

A crisis management lawyer must possess a combination of legal expertise, strategic thinking and the ability to remain calm under pressure. They should have a deep understanding of the regulatory landscape and be adept at liaising with stakeholders across various sectors.

Crisis management lawyers should also have experience in litigation and dispute resolution, particularly in multi-party scenarios, and be skilled in providing timely, clear, and practical advice. As crises often end up being multidimensional and involve many stakeholders, it is useful for the lawyer to be able to have a breadth of networks, knowledge, and to be able to think laterally across many disciplines.

### **IN YOUR OPINION, WHAT EXPERTISE, ATTITUDES, BEHAVIOURS AND PRACTICES CHARACTERISE AN EFFECTIVE LEGAL TEAM CHARGED WITH CRISIS MANAGEMENT?**

An effective legal team in crisis management must demonstrate adaptability, quick decision-making and the ability to manage complex, multifaceted issues simultaneously.

The team should exhibit resilience, working collaboratively to address legal, business and reputational risks.

Communication, both internally and externally, must be transparent and proactive. Team members should maintain a calm and composed demeanour, focusing on resolving the crisis while minimising long-term damage. The team must trust one another to share information, make decisions and work towards a common goal rather than pursuing one-upmanship. This ability to work collaboratively with the crisis response team and other stakeholders sets apart the legal teams who are adept at crisis management.

#### **WHAT DO YOU PERSONALLY FIND MOST REWARDING AND MOST CHALLENGING ABOUT ADVISING IN THIS AREA?**

The most rewarding aspect is helping businesses navigate through high-stakes situations and emerge with their operations and reputations intact. Seeing a crisis resolve in a manner that preserves the company's reputation and continuity is highly fulfilling.

The most challenging part is managing the unpredictability of crises. It requires continuous adaptation, constant monitoring of developments, a set of steel-like nerves and the ability to adjust strategies in real-time while balancing the interests of multiple stakeholders. The key is to be able to pivot fast, while staying calm and collected.

## withers

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**Shashi Nathan**

**Amarjit Kaur**

**Jeremy Pereira**

**Jayna Tan**

shashi.nathan@withersworldwide.com

amarjit.kaur@withersworldwide.com

jeremy.pereira@withersworldwide.com

jayna.tan@withersworldwide.com

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Withers LLP

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