

City of London Law Society – Corporate Crime and Corruption Committee

Minutes of a meeting of the Corporate Crime and Corruption Committee held at 8.30am on Tuesday 25 April 2017 at Reed Smith, The Broadgate Tower, 20 Primrose Street, London, EC2A 2RS

Present:

Eoin O'Shea: *Reed Smith* (Chair)
Alistair Graham: *Mayer Brown*
Angela Pearson: *Ashurst*
Jonathan Pickworth: *White & Case*
Nick Benwell: *Simmons & Simmons*
Rodney Warren: *Warren's Law and Advocacy*
Roger Best: *Clifford Chance*
Craig Weston: *Irwin Mitchell*
Sam Eastwood: *Norton Rose*
Simon Joyston-Bechal: *Turnstone Law*
Susannah Cogman: *Herbert Smith Freehills*

In attendance:

Laura-May Scott: *Reed Smith*
Kevin Hart: *CLLS*

Apologies:

Andrew Keltie: *Baker & McKenzie*
Arnono Chakrabarti: *Allen & Overy*
Barry Donnelly: *Macfarlanes*
Barry Vitou: *Pinsent Masons*
Caroline Wojtylak: *Skadden, Arps, Slate, Meagher & Flom*
Daren Allen: *Dentons UKMEA*
David Corker: *Corker Binning*
David Hobart: *CLLS*
Davina Given: *RPC*
Liz Thomas: *CLLS*
Louise Delahunty: *Cooley*
Luke Tolaini: *Clifford Chance*
Marcus Thompson: *Ropes & Gray*
Omar Qureshi: *CMS Cameron McKenna*
Ryan Junck: *Skadden, Arps, Slate, Meagher & Flom*
Sarah Wallace: *Irwin Mitchell*
Satinder Dogra: *Linklaters*
Satnam Tumani: *Kirkland & Ellis*
Stephen Gentle: *Simmons & Simmons*
Tony Woodcock: *Stephenson Harwood*

1. Minutes of the last meeting

The Minutes of the last meeting (14 March 2017) were approved. The Chair directed that the Minutes be filed on the CLLS website.

2. Consultation on Section 7 of the Bribery Act 2010 – Corporate Liability for Economic Crime (Call for Evidence deadline: 24 March 2017)

The Chair thanked Davina Given, Sarah Wallace and Roger Best for their work on the response to the call for evidence on Section 7 of the Bribery Act 2010.

The Chair confirmed that a draft of the response was shared with the Chair of the CLLS Regulatory Affairs Committee. When the final version was submitted to the Ministry of Justice, the Chair of the CLLS Regulatory Affairs Committee was blind copied to the email.

The members discussed the Criminal Finances Bill and what next steps the Government may take in relation to Section 7 of the Bribery Act 2010.

3. External guest speakers

The Chair confirmed that Dominic Grieve QC MP had confirmed his attendance as external guest speaker at the Committee meeting on 19 September 2017. The Chair requested good attendance from the Members of the Committee on 19 September.

The Chair confirmed that he had also written to Alison Saunders (*Director of Public Prosecutions*) and Sarah Pritchard (*Deputy Legal Director, National Crime Agency*). No responses had been received. The Chair said he would follow up with both.

There was a discussion about whether overseas prosecutors might speak, some would be at the IBA in June.

Sam Eastwood suggested that the committee draft a list of potential external speakers which people should contribute to. Sam said that Ben Morgan and Stuart Alford QC would be good speakers and may also be interested in becoming Committee Members.

4. Practice / Legal updates

The Committee discussed Section 2 SFO interviews. The Chair provided a brief overview of the Committee's correspondence with the SFO on this topic. The experience of the Committee Members in Section 2 interviews varied. Most Committee Members agreed that the approach and tone of Section 2 interviews were driven by the SFO case controller. The Chair suggested that Committee Members share experiences of Section 2 interviews in anonymised form (via email to the Chair was fine).

5. AOB

The Committee agreed to post a vacancy in June 2017. Kevin Hart agreed to prepare a vacancy and share it with the Chair.

There was a discussion regarding the Government's review of economic crime (run by Gavin Barlow, *Director Economic Crime at the Cabinet Office*) and Sam Eastwood mentioned an event being held in October 2017 (Finding a new approach to fighting economic crime).

Kevin Hart mentioned the CLLS AGM and Champagne Reception on Monday 12 June at 6.00pm at Tallow Chandlers' Hall, Dowgate Hill, EC4R 2SH, to which all members of CLLS are invited.

Rodney Warren confirmed that the Law Society Practice Note on SFO Section 2 Guidance was about to be published. Rodney thanked the Committee for looking at the draft.