

**City of London Law Society – Corporate Crime and Corruption Committee**

Minutes of a meeting of the 13 March 2018 at Reed Smith, The Broadgate Tower, 20  
Primrose Street, London, EC2A 2RS

**Present:**

Alistair Graham: *Mayer Brown*  
Barry Vitou: *Pinsent Masons*  
Craig Weston: *Irwin Mitchell* (for Sarah Wallace)  
Daren Allen: *Dentons UKMEA*  
Eoin O'Shea: *Reed Smith* (Chair)  
Matthew Getz: *Boies, Schiller & Flexner*  
Omar Qureshi: *CMS Cameron McKenna*  
Simon Joyston-Bechal: *Turnstone Law*  
Sam Eastwood: *Norton Rose*  
Susannah Cogman: *Herbert Smith Freehills*  
Stephen Gentle: *Simmons & Simmons*  
Tony Woodcock: *Stephenson Harwood*

**In attendance:**

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

**Apologies:**

Andrew Keltie: *Baker & Mckenzie*  
Angela Pearson: *Ashurst*  
Arnondo Chakrabarti: *Allen & Overy*  
Barry Donnelly: *Macfarlanes*  
Caroline Wojtylak: *Skadden, Arps, Slate, Meagher & Flom*  
David Corker: *Corker Binning*  
Davina Given: *RPC*  
David Hobart: *CLLS*  
Louise Delahunty: *Cooley*  
Luke Tolaini: *Clifford Chance*  
Jeremy Summers: *Osborne Clarke*  
Jonathan Pickworth: *White & Case*  
Marcus Thompson: *Kirkland & Ellis*  
Nick Benwell: *Simmons & Simmons*  
Rodney Warren: *Warren's Law and Advocacy*  
Roger Best: *Clifford Chance*  
Ryan Junck: *Skadden, Arps, Slate, Meagher & Flom*

Sarah Wallace: *Irwin Mitchell*

Satinder Dogra: *Linklaters*

Satnam Tumani: *Kirkland & Ellis*

## **1. Apologies**

The Chair gave apologies for those who were not able to attend the meeting.

## **2. Minutes of the last meeting**

The Minutes of the last meeting (30 January 2018) were approved. The Chair directed for the Minutes be filed on the CLLS website 24 hours after the meeting, providing Committee members not present with additional time to send any final comments on the draft.

## **3. Practice / Legal updates**

Omar Qureshi gave the committee an interesting update on the case of *R v Skansken Interiors*.

This was the first contested trial of the issue of the “adequate procedures” defence under Section 7 of the Bribery Act since the Act came into force in 2011. The Committee discussed the case in detail, the jury’s verdict and the Judge’s ultimate sentence of an absolute discharge.

The Committee also discussed the case of *Bilta v RBS* wherein the High Court considered the scope of litigation privilege in the context of tax investigations. The Court of Appeal decision of *R v Jukes* was also discussed.

## **4. S.2 interview practices**

The Chair explained that s.2 interview practice was a standing agenda item and he encouraged those in attendance to share (on an anonymous basis) any recent experiences of s.2 interviews and in particular any poor practices by investigators.

The Committee discussed the SFO writing to the parent of a group of companies in an attempt to require an overseas subsidiary to provide information. The Committee considered the extraterritorial scope of s.2.

## **5. Guest Speakers:**

The Chair confirmed that Simon York of HMRC was scheduled to attend the Committee meeting on 11 September 2018. The Chair thanked Jeremy Summers for his introduction.

## **6. AOB**

Kevin Hart highlighted to the Committee that the CLLS Data Protection Committee was advertising for members.

Sam Eastwood talked about a professional supporters network initiated by Transparency International. SE mentioned an event at UCL Law School and said he would send details to the Chair to circulate to the Committee. SE also mentioned a report to be published on 22 August 2018 in Global Witness titled “Wolves of Wall St – review of 1mdb scandal”.

The Committee also discussed the Law Commission consultation paper to be issued in May/June 2018 regarding the SAR regime.