

City of London Law Society – Corporate Crime and Corruption Committee

Minutes of a meeting of the 24 April 2018 at Reed Smith, The Broadgate Tower, 20 Primrose Street, London, EC2A 2RS

Present:

Eoin O'Shea: *Reed Smith (Chair)*
Alistair Graham: *Mayer Brown*
Barry Vitou: *Greenberg Traurig*
David Corker: *Corker Binning*
David Hobart: *CLLS*
Jeremy Summers: *Osborne Clarke*
Jonathan Pickworth: *White & Case*
Rodney Warren: *Warren's Law and Advocacy*
Sarah Wallace: *Irwin Mitchell*
Marcus Thompson: *Kirkland & Ellis*
Davina Given: *RPC*

Apologies:

Andrew Keltie: *Baker & McKenzie*
Angela Pearson: *Ashurst*
Arondo Chakrabarti: *Allen & Overy*
Barry Donnelly: *Macfarlanes*
Caroline Wojtylak: *Skadden, Arps, Slate, Meagher & Flom*
Daren Allen: *Dentons UKMEA*
Louise Delahunty: *Cooley*
Jeremy Summers: *Osborne Clarke*
Matthew Getz: *Boies, Schiller & Flexner*
Omar Qureshi: *CMS Cameron McKenna*
Nick Benwell: *Simmons & Simmons*
Roger Best: *Clifford Chance*
Ryan Junck: *Skadden, Arps, Slate, Meagher & Flom*
Sam Eastwood: *Norton Rose*
Satinder Dogra: *Linklaters*
Satnam Tumani: *Kirkland & Ellis*
Simon Joyston-Bechal: *Turnstone Law*
Susannah Cogman: *Herbert Smith Freehills*
Stephen Gentle: *Simmons & Simmons*
Tony Woodcock: *Stephenson Harwood*

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 (13 March 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

The Chair noted that there have been some interesting court decisions regarding legal professional privilege recently, in particular R v Jukes and R (AL) v Serious Fraud Office (referred to as XYZ). The Committee discussed the XYZ case at length, including the various options that might be open to the applicant to obtain the material it seeks.

The discussion moved on to the recording of internal investigation interviews.

There was a discussion of the SFO and its future.

The Committee discussed the issue of jurisdiction and the extra-territorial application of Section 2, and the risk that a Section 2 interview can become an interview under caution.

4. Law Society Submission to the first strand of the Treasury Select Committee's investigation into Economic Crime

The Law Society may give evidence to the Parliamentary Treasury Committee about economic crime reforms. The Chair has not committed the Committee to participation but suggested reviewing the Law Society's paper and contributing if the Committee is so inclined.

5. S.2 interview practices

Section 2 interview practices were discussed as part of the practice / legal updates discussion above.

6. Guest Speakers:

The Chair confirmed that Simon York of HMRC is scheduled to attend the Committee meeting on 11 September 2018.

7. Membership

The Chair noted that CLLS policy is to require reasonably regular attendance at meetings. The Chair recognised that membership is voluntary and people frequently have good reasons for non-attendance but there are members whose record suggests that the Committee is no longer a priority. He would explore this issue further with individual members.