

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

Minutes of a meeting of the 23 April 2019 at Reed Smith, The Broadgate Tower, 20 Primrose Street, London, EC2A 2RS

### **Present:**

Eoin O'Shea (Chair): *Reed Smith LLP*

Alistair Graham: *Mayer Brown LLP*

Barry Vitou: *Greenberg Traurig LLP*

Davina Given: *RPC*

Eve Giles: *Allen & Overy*

Jonathan Pickworth: *White & Case LLP*

Judith Seddon: *Ropes & Gray*

Louise Hodges: *Kingsley Napley*

Michelle de Kluyver: *Addleshaw Goddard*

Rodney Warren: *Rodney Warren & Co*

Roger Best: *Clifford Chance*

Stephen Gentle: *Simmons & Simmons*

Susannah Cogman: *Herbert Smith Freehills LLP*

Neil Blundell: *Macfarlanes* (by telephone)

Sacha Haber-Kelly: *Gibson Dunn & Crutcher UK LLP* (by telephone)

### **In attendance:**

Catherine Lewis: *Reed Smith*

David Hobart: *CLLS*

### **Apologies:**

Nick Benwell: *Simmons & Simmons*

Matt Getz: *Bois Schiller Flexner LLP*

## **1. Commander Karen Baxter (National Coordinator for Economic Crime)**

The Chair welcomed Commander Baxter to the meeting. Numerous topics were discussed in a free-flowing discussion. It was noted that the area of financial crime was a fast-growing area. It was recognised that the multi-jurisdictional aspect of financial crime created complexities for enforcement authorities.

The following matters were discussed with Commander Baxter:

- The importance of corporation between agencies (national and foreign) and the private sector;
- Continued use of Unexplained Wealth Orders;
- Focus on stopping the flow of money obtained by illicit means.

## **2. Apologies for absence**

The Chair mentioned apologies received for non-attendance.

## **3. Minutes of last meeting**

The Minutes of the last meeting (12 March 2019) were approved. The Chair directed that the Minutes be filed on the CLLS website 24 hours after the meeting, subject to Committee members sending any final comments on the draft.

## **4. Practice / Legal updates**

Although the Barclays trial and the recent discharge of the jury was mentioned the reporting restrictions on the case were noted and there was no discussion of the case.

## **5. Pre-Interview Disclosure & Interview Practices – Consultation**

The Chair noted that there had been discussions with the SFO and that the Committee was also dealing with the Law Society. The benefits of a joined-up approach across Committees and the Law Society was agreed. It was agreed that the Committee should write to the SFO in support of the position of the Law Society, to keep the dialogue open and to focus on what change the Committee see as important and why there is also a benefit to the SFO.

## **6. Privilege-Waivers and SFO approach to cooperation**

See item 5 above.

## **7. Upcoming consultations / legislation**

The consultation on the transposition of the Fifth Money Laundering Directive is now open.

The Law Commission is reviewing the confiscation regime under the Proceedings of Crime Act 2002 and its report is anticipated September 2019.

There was a discussion around the evidence submitted in response to the 2017 Corporate liability for economic crime and the timing of any further Government action.

## **8. External Guest Speakers**

It was agreed that Sara Lawson, General Counsel for the SFO would be approached.

## **9. AOB**

There was no further business and the meeting was adjourned.