

City of London Law Society – Corporate Crime and Corruption Committee

Minutes of a meeting of the 24 November 2020, carried out remotely, via video-conference
8:30 – 9:40

Present:

Eoin O'Shea (Chair): *CMS*
David Corker: *Corker Binning*
Roger Best: *Clifford Chance*
Susannah Cogman: *Herbert Smith Freehills*
Andrew Katzen: *Hickman & Rose*
Michelle de Kluyver: *Addleshaw Goddard*
Simon Joytson-Bechal: *Turnstone Law*
Louise Delahunty: *McCann Fitzgerald*
Hannah Laming: *Peters & Peters*
Jeremy Summers: *Osborne Clarke*
Eve Giles: *Allen & Overy*
Pamela Reddy: *Norton Rose Fulbright*
Tom Epps: *Cooley*
Sacha Harber-Kelly: *Gibson Dunn*
Louise Hodges: *Kingsely Napley*
Alistair Graham: *Mayer Brown*
Jonathan Pickworth: *White & Case*
Jonathon Cotton: *Slaughter & May*
Neill Blundell: *Macfarlanes*
Darren Allen: *Dentons*
Nick Benwell: *Simmons & Simmons*
Judith Seddon: *Ropes & Gray*
Tony Woodcock: *SH Legal*
Matthew Getz: *Boies Schiller Flexner*
Sarah Wallace: *Constantine Law*

In attendance:

Edward Sparrow: *Chair, City of London Law Society*
David Hobart: *CLLS*
Amy Wilkinson (Secretary): *CMS*

Guest speakers/attendees (attended for part):

Sir Nicholas Green: *Chair of the Law Commission*

Professor Penney Lewis: *Commissioner for Criminal Law, Law Commission*

Robert Kaye: *Lawyer, Law Commission*

David Allan: *Lawyer, Law Commission*

Professor Sarah Green: *Law Commission*

1. External Guest Speakers (Law Commission)

The Chair introduced the guest speakers from the Law Commission.

Sir Nicholas Green introduced his colleagues and provided a brief background to their current project on corporate criminal liability.

Professor Penney Lewis explained the scope of the project, which will result in an options report being provided to Government by the end of 2021. Robert Kaye and David Allan, lawyers working on the project, provided further detail on the project's terms of reference and questions that will be considered during the process.

There followed a detailed discussion. Members of the committee provided their views on the current state of the law in respect of corporate criminal liability and offered some considerations for the Law Commission to take into account as part of their project.

The Chair again thanked the external speakers for joining the meeting and offered the Committee's assistance with the project going forward. Professor Lewis said they may come back to discuss various points next year.

The external speakers then left the meeting.

2. External Guest Speakers

The Chair reminded members that Lisa Osofsky (Director) and Sarah Lawson QC (GC) of the SFO would attend the 15 December 2020 meeting and encouraged members to attend.

3. Membership

The Chair confirmed the membership application process was open until the end of the year, following which there would be discussions about potential new members. Current members were encouraged to nominate contacts with appropriate reputation, seniority and experience.

4. Schedule for meetings in 2021

The Chair noted that meetings for 2021 would be scheduled shortly and asked members if they had any preference for alternative arrangements. No preference for a change in the existing arrangements was expressed, so the Chair proposed that meetings would be schedule

for 2021 on the basis of a meeting every six weeks on Tuesday morning at 8.30am. Proposed dates for meetings in 2021 to be circulated prior to the next meeting.

5. AOB

Edward Sparrow, Chair of the CLLS, expressed his thanks to the Chair for his work on behalf of the Society this year.

6. Minutes

Draft minutes of the previous two meetings were circulated. The Chair noted the 48-hour grace period for any proposed amendments before the minutes were finalised.

24 November 2020