

**Minutes of the meeting of the CLLS Professional Rules & Regulation Committee (the Committee) held on Thursday 12 September 2019 at 4:00pm**

**Location:** Freshfields Bruckhaus Deringer LLP, 65 Fleet Street, EC4Y 1HS

**Present:**

Jonathan Kembery (Freshfields Bruckhaus Deringer LLP) (Chair) (**JAK**)

Raymond Cohen (Linklaters LLP) (Co-Vice Chair) (**RMC**)

Jo Riddick (Macfarlanes LLP) (**JR**)

Iain Miller (Kingsley Napley LLP) (**IM**)

Fergal Cathie (Clyde & Co LLP) (**FC**)

Tracey Butcher (Mayer Brown) (**TB**)

Sonya Foulds (Cleary Gottlieb Steen and Hamilton LLP) (**SF**)

Sarah Boland (Freshfields Bruckhaus Deringer LLP) (Committee Secretary) (**SB**)

**Apologies:**

Clare Wilson (Herbert Smith LLP) (Co-Vice Chair) (**CW**)

Mike Pretty (DLA Piper UK LLP) (**MP**)

Annette Fritze-Shanks (Allen & Overy LLP) (**AFS**)

Julia Adams (Slaughter and May) (**JA**)

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**1. Minutes and matters arising**

1.1 The previous meeting's minutes were accepted as approved.

**2. Update on SRA quarterly meeting**

2.1 JK reported back from the quarterly meeting with the SRA. The discussion included the following:

- (a) The next symposium on 23 October 2019;
- (b) SQE 1 pilot had gone well and good feedback had been received. A questionnaire regarding SQE2 was to be distributed;
- (c) The review of the AML risk assessment process undertaken so far had identified that 13% had sent the wrong documentation, 69% had sent documentation which post-dated the date of the request and 57% had used the standard form template. A second round review of 12 further firms (following the visits which had previously taken place of 30 firms) who have regulatory managers was due to take place; and

- (d) There had been a marked increase in the numbers of reports to the SRA relating to sexual harassment – there had been 40 reported cases this year to be compared to 30 cases reported in the previous four years.

2.2 ACTION: it was suggested that two members of the Committee may wish to volunteer to attend the next SRA quarterly meeting.

### **3. Governance of the Committee**

3.1 RMC reported on the governance review which had taken place. The review had identified six areas – namely (1) role and value, (2), scope, (3) membership and composition, (4) Chair person, (5) conduct of meetings, and (6) relationships with other bodies.

3.2 A detailed summary of the output of the review had been circulated to members of the Committee.

3.3 The Chair took the opportunity to thank CW and RMC for their work on this.

3.4 ACTION: JAK and FC to create terms of reference for the Committee.

### **4. Summary of the Handbook meeting**

4.1 The Chair thanked Herbert Smith Freehills LLP for their work putting the note together.

4.2 ACTION: The Committee would look to engage on the Overseas Practice Rules.

### **5. DAC6**

5.1 There was a brief discussion with respect to how firms were addressing the implementation of DAC6 with views that this appeared to be an issue which the respective tax teams within firms were leading.

### **6. Ireland**

6.1 Further guidance was expected in November 2019 but essentially it was understood that the position remained that it was not possible to practise in Ireland through a UK LLP – to practise required an established presence which needed to be more than a nominal presence (for example, with a principal solicitor established for more than six months).

### **7. AOB**

7.1 There being no further business, the Chair brought the meeting to an end.