

City of London Law Society – Corporate Crime and Corruption Committee

Minutes of a meeting of the 26 May 2020, carried out remotely, via video-conference
8:30 – 9:30

Present:

Eoin O'Shea (Chair): *Reed Smith*
Barry Vitou: *Greenberg Traurig*
David Corker: *Corker Binning*
Matthew Getz: *Boies Schiller Flexner*
Roger Best: *Clifford Chance*
Daren Allen: *Dentons*
Susannah Cogman: *Herbert Smith Freehills*
Andrew Katzen: *Hickman & Rose*
Michelle de Kluyver: *Addleshaw Goddard*
Judith Seddon: *Ropes & Gray*
Simon Joytson-Bechal: *Turnstone Law*
Jonathan Pickworth: *White & Case*
Sarah Wallace: *Constantine Law*
Louise Delahunty: *McCann Fitzgerald*

In attendance:

Kevin Hart: *CLLS*
David Hobart: *CLLS*
Conor Shevlin: *Reed Smith*

Apologies:

1. Apologies for absence

The Chair mentioned apologies received for non-attendance from several members.

2. Minutes of last meeting

No amendments were proposed to the minutes of the last meeting (21 April 2020) by those in attendance. The Chair directed that the approved minutes be filed on the CLLS website 24 hours after the meeting.

3. Discussion regarding judge alone trials for fraud offences

David Corker presented to the Committee on the topic of replacing jury trials with judge-alone trials for fraud offences.

The Committee discussed the benefits associated with adopting judge-run trials for fraud offences and the potential pros and cons.

The Committee agreed that Mr Corker would prepare a paper on the topic and present it to the Committee, following which the Committee would decide whether to establish a working group.

4. Pre-Interview Disclosure & Interview Practices

The issue will remain on the Committee's agenda and the Chair will re-engage with the SFO.

5. Practice/Legal Updates

Committee members discussed arrangements for police station interviews. It was noted by one member that there appeared to be limited uptake of personal protective equipment (PPE).

The Committee also discussed recent remote hearings before the Business and Property Courts. The Chair described a case management conference in a civil fraud trial that had used Skype for Business with limited success.

With reference to a recently recommenced criminal fraud trial, Committee members discussed social distancing arrangements put in place to allow trials to proceed safely, including the provision of courtrooms for jury deliberation.

6. Upcoming Legislation and Consultations

Committee members discussed the progress of the "economic crime levy".

7. External Guest Speakers

The Chair noted that he had sent an invitation to Professor Michael Levi of Cardiff University and confirmed that he had followed-up on the invitations sent to Sir Nick Green of the Law Commission and Lisa Osofsky of the SFO.

8. AOB

Kevin Hart asked Committee members to provide any responses to Edward Sparrow's email on Brexit and international disputes at their earliest convenience.

26 May 2020