

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

Minutes of a meeting of the 12 October 2021, carried out remotely, via video-conference  
8:30 – 9:30

### **Present:**

Eoin O'Shea (Chair): *CMS*

Andrew Katzen: *Hickman & Rose*

Michelle de Kluuver: *Addleshaw Goddard*

Tom Epps: *Cooley*

Rosanne Kay: *Reed Smith*

Louise Hodges: *Kingsley Napley*

Roger Best: *Clifford Chance*

Susannah Cogman: *Herbert Smith Freehills*

Davina Given: *RPC*

Jeremy Summers: *Osborne Clarke*

Darren Allen: *Shoosmiths*

Hannah Lamming: *Peters & Peters*

Jonathan Cotton: *Slaughter & May*

Sarah Wallace: *Constantine Law*

David Corker: *Corker Binning*

Sacha Harber-Kelly: *Gibson Dunn*

### **In attendance:**

Amy Wilkinson (Secretary): *CMS*

David Hobart: *CLLS*

Kevin Hart: *CLLS*

### **1. Minutes and apologies**

The Chair noted apologies from members and reminded members that the minutes of the previous meeting had been circulated and invited comments. Subject to any comments, the minutes would be finalised and filed within 24 hours.

### **2. Pre-Interview Disclosure & Interview Practices**

Members discussed recent experiences, including the SFO's approach to conducting remote interviews. Members discussed the impact of remote interviews on clients and the expectations of certain authorities in terms of remote participation of legal advisers. Members also discussed

their experiences of being invited by the SFO to make representations prior to charging (or proactively seeking to do so).

In terms of pre-interview disclosure, the Chair confirmed that he had been in contact with the SFO and was hopeful that progress would be made.

### **3. Future meeting format**

The Chair canvassed views on whether or not future meetings should return to in person meetings, with the potential to join remotely. The majority of members present indicated they would like to return to in person meetings and it was agreed that this would be accommodated going forward, subject to any further restrictions being imposed.

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

Members discussed recent cases including the sentencing decisions in the Petrofac matter and its potential implications, as well as the FCA's prosecution of NatWest for breaches of the Money Laundering Regulations 2007.

### **5. Consultations and legislation**

The Chair confirmed that there was a consultation open on the draft legislation regarding the economic crime levy. An update was given on the CLLS' discussions with the Law Society regarding proposed technical submissions.

The Chair noted that the Law Commission's options paper on corporate criminal liability was due to be published before Christmas.

The Chair also noted the open consultation regarding amendments to the Money Laundering Regulations, albeit noted that he did not propose the Committee put in their own response.

### **6. Future guest speakers**

The Chair invited suggestions for future guest speakers from members.

### **7. Membership**

The Chair asked members to consider any potential applicants with an appropriate degree of seniority, experience and reputation and directed members to the application procedure on the CLLS website.

### **8. AOB**

Members discussed recent experiences dealing with D&O insurers and their conditions for covering legal fees associated with fraud investigations. Kevin Hart agreed to raise the issue with the Insurance Law Committee.

**12 October 2021**