

City of London Law Society

Corporate Crime Committee

Minutes of Meeting 17 September 2024

(Held via Microsoft Teams)

Attendees:

Louise Hodges (Chair)	Hannah Laming
Neill Blundell (Vice-Chair)	Jeremy Summers
Phil Taylor (Secretary to the Committee)	Jonathan Cotton
Andrew Katzen	Matthew Getz
Barry Vitou	Matthew Nunan
Christopher David	Pamela Reddy
Daren Allen	Rosanne Kay
Eoin O'Shea	Ruby Hamid
Elizabeth Head	Sarah Wallace
Elly Proudlock	Tom Epps
Eve Giles	

1. The Chair **welcomed** the attendees.
2. **Apologies** were received from Davina Given, Susannah Cogman, Alistair Graham, Jonathan Pickworth, Laura Ford, Matthew Rous, Kevin Hart, Virginia Salter.
3. **Minutes of the previous meeting** had been circulated, and amendments were invited within 24 hours. There was discussion related a number of ongoing points.

On the point of guest speakers, the Chair updated the Members that an invitation had not yet been extended to Dr Penny Dunbabin at the Home Office pending publication of the guidance on the failure to prevent fraud, which has been further delayed. Members discussed the potential timetable for publication of the guidance, subsequent implementation of the new offence, and to what extent the previous draft seen by the Committee may have been amended.

The Chair noted that since the last meeting, identities of the new Law Officers are now known and some may be invited as guests to future Committee meetings (beginning with the Attorney General), although contact has not yet been made directly with them pending an update from the CLLS as to their correspondence. A Member suggested the Solicitor General as a potential guest, and another Member proposed former Lord Chancellor David Gauke.

- *The Secretary to note these suggestions and all Members to continue to consider suitable future guests and send any suggestions to the Secretary and Chair.*

4. **CLLS / Committee business**

- a. The Secretary reminded the Members of the need for further help in the Law Reform, AML and Events **subcommittees**.

The Chair reminded the Members of the pending **new membership** round, noted that a number of expressions of interest had been received already and announced the resignation of five Members. The Secretary confirmed that a membership notice would be published on the CLLS website in due course and that potential new members should be encouraged to respond to this notice. Names of proposed new members would be presented to the Committee at the next formal meeting for ratification. The Chair again stressed the desire to increase diversity among the Membership. It was confirmed that incoming members would only be eligible if their firm has corporate membership or if the member joins individually.

- b. The Secretary gave an update on the performance and recent content of the Committee's **LinkedIn page** and explained that, following a series of posts spotlighting specific Members, he would like to begin posting more engaging content relating to current issues.

- *Members to contact the Secretary with suggested content for the page.*

- c. The Vice-Chair gave a brief update on the activities of the working group set up to pursue the **work-life balance/culture workstream**. A draft paper has been prepared and is aimed to be finalised before the next Committee meeting. The Chair suggested that the working group liaises with Kevin Hart regarding coordination with other CLLS specialist committees.
- d. The Chair noted potential topics for **discussion with the SFO's General Counsel** on 1st October: input into the project to revise the SFO's corporate cooperation guidance; secondment opportunities at the SFO; whistleblowing and treatment of assisting offenders; and disclosure.

The Chair reminded Members of the **meeting scheduled for 10th December** at which the resident judge at Southwark Crown Court would be a guest. There was discussion of potential topics for this meeting, which could include the handling of fraud cases (including where assisting offenders are involved), the practice at Southwark Crown Court, the new Economic Crime Court in Fleet Street (including allocation of cases and recruitment of judges), and sentencing (including the proposal to increase magistrates' custodial sentencing powers).

- *Members to contact the Secretary / Chair with further suggested topics for the above meetings. The Secretary also to request proposed talking points from the guests.*

5. Updated paper on the SFO

The Chair led a discussion on whether the Committee should be preparing a new paper looking at the SFO, given it has been one year since the appointment of the new Director, and there has been some debate in the market driven by events such as the IEA's paper which proposed replacing the SFO and Labour's Manifesto promise of an 'enhanced fraud strategy'. The Chair drew attention to the CLLS's paper published on 19th April 2023 and asked if there could be value in updating it now.

There was general agreement that it would be positive for the Committee (and CLLS as a whole) to be seen to be talking about the priorities of the SFO and how it should be funded, as an effective SFO is a good thing for the Membership on every level. A Member opined that the new failure to prevent fraud offence could be seen as a "game changer" and this could be a useful hook for a new paper; another Member mentioned that although the broad messages of an updated paper may be similar, it would nevertheless be worthwhile repeating those messages whenever the right opportunity arises. Other points were raised around the role of agencies such as the City of London Police, NCA and NECC.

The Chair asked the Law Reform subcommittee to take charge of this workstream, with the addition of any other Members who are interested.

- *The Secretary to: liaise with the Law Reform subcommittee to ensure this workstream is taken forward effectively; and make enquiries with relevant government contacts as to progress on the enhanced fraud strategy.*

6. Subcommittee business

- a. **Law Reform / Legal Practice:** There were no updates.
- b. **AML / Sanctions:** There were no updates.
- c. **Disclosure:** There were no updates.
- d. **Events:**

- i. A Member updated the Committee on a proposal to hold an event focussed on senior associates working in the white collar crime space, involving discussion and networking opportunities. This is likely to take place on 14th, 15th or 16th January 2025. There was general agreement that this was a very positive idea. An invite will be circulated to Members in due course for forward circulation to relevant lawyers in Members' firms.

7. No points were raised by Members on the standing item of **Investigation and Interview Practices (including tech)**.

8. The Chair reminded Members of the additional meeting scheduled for 1st October, with full details to be circulated shortly. There being **no further business**, the Chair called a close to the meeting with thanks to the Members for their contributions.