

City of London Law Society

Corporate Crime Committee

Minutes of Meeting 18 July 2023

(Held as a hybrid meeting)

Attendees (in-person):

Louise Hodges (Chair)

Johanna Walsh

Jonathan Cotton

Satnam Tumani

Judith Seddon

Susannah Cogman

Jonathan Pickworth

Neill Blundell

Phil Taylor (Secretary to the Committee)

Attendees (online):

Tom Epps

1. **The Chair** welcomed the members.
2. **Apologies** were received from Andrew Katzen, Davina Girven, Pamela Reddy, Rosanne Kay, Simon Joyston-Bechal, Matt Getz, Hannah Laming, Nick Benwell, Rita Mitchell, Matt Rous, Daren Allen, Ryan Junck, Sarah Wallace, and Kevin Hart (CLLS).
3. **Minutes of the previous meeting** were circulated, and amendments invited within 24 hours. Neill Blundell requested that his apologies be recorded for the previous meeting.

A number of **matters arising** from the minutes were noted by the Chair, and duly discussed:

- Two Members (Judith Seddon and Satnam Tumani) have volunteered to join the proposed **events sub-committee**, and a number of Members had offered the use of their offices for events (Nick Benwell, Pamela Reddy and Judith Seddon).
- On the topic of **Committee membership**, a number of expressions of interest from new potential members have been received. The CLLS will be advertising for members over the

summer, with a view to potential new members being discussed at the next meeting. The Members agreed that a close eye should be kept on ensuring gender balance and diversity in Committee membership. The CLLS is keen for younger members to join its committees. To that end, Members should bear in the mind the possibility of sending a substitute to meetings as a good way of involving more junior colleagues. This should be used sparingly, but is a good way to ensure a good number of people in attendance and range of views at the meetings as well.

- *The Chair to circulate the current membership list in order for Members to assess where gaps may lie; and to send an email to Members on the subject of membership, including the “3 strikes and you are out” policy and ability to have a substitute.*
- The Chair reminded those interested in becoming **Vice Chair** to identify themselves. It is an elected post and probably voted on at the next Committee meeting. It does not need ratification from the CLLS centrally.

4. CLLS business

- Kevin Hart being absent, the planned item of business updating on the CLLS’s yearly activities was postponed.
- The Chair delivered a report outlining the meeting with the Shadow Attorney General and Shadow Solicitor-General which took place on 27 June 2023. Delegates who attended on behalf of the Committee were the Chair, Eoin O’Shea, Matt Getz and Andrew Katzen. A report will be circulated, but is yet to be finalised by all of the attendees. Topics discussed included the background to the document, resourcing and the future of the SFO, US/UK differences and similarities, DPAs and funding, and corporate criminal liability. The Chair explained that the Shadow Attorney General had been re-invited to attend a future Committee meeting; Members agreed an invitation should also be extended to the Shadow Solicitor-General.
 - *The Chair to circulate a written report on the meeting within the next 2 weeks.*
 - *Invitation to be extended to the Shadow Solicitor-General.*
- The Secretary noted that nine responses have been received to the Members’ survey to date, with the results inconclusive so far although they indicate that there were varying views on

the times and frequency of meetings. The Chair encouraged any Members who have not yet responded to do so.

- *Members to respond to the online survey as soon as possible.*

5. Practice / Legal Updates:

- a. There was discussion around the appointment of the new Director of the Serious Fraud Office, including his experience and record as well as his potential to bring about positive changes to the SFO.
- b. The Secretary noted that the CLLS has no objection to a collaborative online version of the legal updates tracker document to be created, provided no personal data is included.
 - *The Secretary to create an online tracker document and details to be shared with Members before the next Committee meeting.*
- c. A number of points were discussed in relation to sub-committee business or interests.
 - **AML/Sanctions:** Member Susannah Cogman provided a very helpful overview of the government's programme of sanctions on legal services, including the government's position on issuing a General Licence ("GL"). She noted that the proposed GL would not address broader areas of legal advice which would likely also be relevant for clients. The Law Society's position is that an amendment to the law is needed to supplement the current GL. The Committee agreed to provide written support for the Law Society's position. A Member queried whether any other CLLS specialist committees are also carrying out work in this area.
 - *Susannah Cogman to circulate via the Secretary a link to the Law Society's briefing on this issue; and draft proposed wording to be ratified by the Committee.*
 - *The Secretary to follow up with the CLLS as to whether any other CLLS specialist committees are involved in current sanctions issues.*
 - **Disclosure:** A subcommittee has been formed with Hannah Laming, Barry Vitou, David Corker, Andrew Katzen. The Chair and Hannah Laming will be attending a virtual roundtable with the Attorney General's Office on 19 July, in relation to consultation on AGOs guidelines on document heavy cases. The CLLS has been invited to attend a meeting

hosted by Sara Lawson KC (SFO General Counsel) and members of the Fraud Lawyers Association (FLA) to discuss disclosure in criminal cases and the ideas for reform of that regime. Members concluded we should participate whilst noting that the new Director is due to take up post in September.

6. There was a short discussion as to Members' recent experiences with the SFO in relation to **Pre-interview Disclosure & Interview Practices.**

7. **Future External Guest Speakers**

- The Chair noted that the office of the Director of the SFO's would be contacted shortly to attempt to secure the Director as a guest speaker after he had taken up his post.
- A Member suggested the Lord Chancellor as a future guest.
- A Member noted that the proposed list of speakers recently circulated did not include anyone from the Financial Conduct Authority.
 - *The Chair to invite the new SFO director to join a Committee meeting*

8. **Any other business:**

- a. Current Future Committee meeting dates were noted as: 19th September; 31st October; 12th December although these are subject to the survey results which are still being gathered.

The Chair called a close to the meeting with thanks to the Members for their contributions. In particular thanks to Jo Walsh and Mishcon de Reya for hosting the meeting and providing a drinks reception for those in attendance.