

Serious and Corporate Crime

Discover how developing case law and legislation affects the investigation, prosecution and defence of corporate crime



Tuesday 30 March 2010
Central London



Chaired by:

MICHAEL BOWES QC
Outer Temple Chambers

NFA perspectives:

MATTHEW ALLEN and
STEVEN WILSON
National Fraud Authority

Expert speakers include:

PAUL BRINKWORTH
Serious Fraud Office

SIMON FARRELL QC
3 Raymond Buildings

ALUN JONES QC
Great James Street Chambers

ALEX BAILIN
Matrix Chambers

MICHAEL O'KANE
Peters & Peters

PETER BURRELL
Herbert Smith LLP

Our eminent panel, including legal experts and prosecuting authorities, will offer practical insights on:

- The status of the **Bribery Bill** and the impact the changes will have on businesses
- Trends in the investigation of **insider dealing** and the recent case law
- The latest investigations into **cartels** and the **criminal penalties** companies can face
- **Emerging types of fraud** and the implementation of the **Fraud Review**
- The key cases in **asset recovery, confiscation** and **money laundering**

"This day really did reflect the cutting edge of Serious and Corporate Crime."

C. Mortimore, Department for Business, delegate at Serious and Corporate Crime 2009

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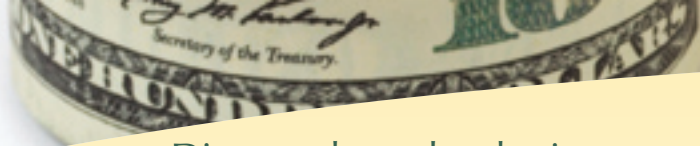
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WHO ARE THE SPEAKERS?

ALEX BAILIN is a barrister at Matrix Chambers specialising in crime, fraud, public law and human rights. He is ranked by the legal directories in five areas. He represented Railtrack plc and its Chief Executive in the corporate manslaughter prosecution arising from the Hatfield rail crash. He is frequently instructed in corruption and financial services investigations. He was previously a derivatives trader in the City.

MICHAEL BOWES QC'S practice covers the areas of commercial crime (prosecution and defence) including acting for the SFO and the FSA, financial regulatory and other disciplinary work (including acting for the Council of Lloyd's), health and safety at work and other serious crime. He was called to the Bar in 1980, was made a Recorder in 2000 and took silk in 2001. He is listed as a 'leader at the Bar' for Banking and Finance, Fraud (Crime) and Crime in Legal 500 (2009), Financial Services and Fraud (Crime) in Chambers UK (2009) and Fraud (Crime) in Legal Experts (2008).

PAUL BRINKWORTH is a criminal barrister who worked in private practice for 11 years before joining the Serious Fraud Office in 2001. Paul has led a number of investigations and prosecutions of serious and complex fraud including 'boiler room', corporate and procurement frauds as well as cases of domestic and international corruption.

PETER BURRELL has conducted a large number of corruption investigations, including providing advice in relation to possible criminal liability, civil litigation and civil recovery options and the investigatory tools available. In addition Peter has experience in managing and co-ordinating teams of lawyers conducting investigations in a number of jurisdictions. He has also advised various clients on both contentious and non-contentious aspects of the UK anti-money laundering regime.

SIMON FARRELL QC is a specialist practitioner in the areas of commercial fraud, money laundering, restraint, receivership, confiscation and asset recovery.

ALUN JONES QC is a specialist in criminal and administrative law, including commercial crime, extradition, mutual assistance, international criminal law and judicial review. In 2005, he founded and became Head of Great James Street Chambers, London. Alun Jones practises in serious and complex fraud, both trial and advisory work, primarily for the defence. He has defended as leading counsel in several major Serious Fraud Office prosecutions.

MICHAEL O'KANE is the Head of Peters & Peters Criminal Fraud and Regulatory Department. Since the criminalisation of cartel conduct in the UK in 2003, Michael has acted for over 40 senior executives facing potential liability for collusive conduct in the UK and overseas. He has been involved in advising in respect of cartels in the fruit importation, orange juice, DRAM, rubber chemicals, car glass, supermarkets, construction and cargo fuel surcharge markets. He acted for the Managing Director of Dunlop Oil and Marine Ltd, the first person charged with the cartel offence in the UK in the Marine Hoses case. He is currently also acting for two of the four British Airways senior executives in the first contested UK prosecution. He is also author of 'The Law of Criminal Cartels Practice and Procedure' published in September 2009 by OUP.

Why attend this conference?

The recession has led to increased investigation and exposure of serious and corporate crime. You must be up to date with the latest legislative and case law developments, and understand what these changes really mean in practice.

Butterworths® Serious and Corporate Crime conference brings together a leading panel of criminal law experts who will guide you through the practical impact of the latest developments. Chaired by **Michael Bowes QC** of **Outer Temple Chambers**, with contributions from **Simon Farrell QC** of **3 Raymond Buildings** and **Alun Jones QC** of **Great James Street Chambers**, you will be updated on the latest developments in topical areas of corporate crime such as extradition, bribery, the Fraud Act and FSA investigations.

You will have the chance to network with delegates from a range of backgrounds and get your questions answered by the expert speaker faculty. Anyone involved in the prosecution or defence of crimes committed in a corporate environment will benefit from this comprehensive one day event.

Who you will meet

Network and share ideas with those concerned with the prosecution, defence or investigation of corporate crime. Past attendees at Serious and Corporate Crime include:

18 Red Lion Court • Allen & Overy LLP • Attorney General's Office • Baker Tilly LLP • BCL Burton Copeland • Byrne and Partners • Capita Group Place • Corker Binning Solicitors • Crown Prosecution Service • Deloitte LLP • DLA Piper UK LLP • Doughty Street Chambers • Goldsmith Chambers • Guardian Newspapers • Herbert Smith LLP • Horwath Clark Whitehill • International Association of Prosecutors • Irwin Mitchell LLP • Kent Police College • Kirkland & Ellis LLP • Metropolitan Police • Ministry of Defence • Momenta Holdings Ltd • Office of Fair Trading • Revenue & Customs Prosecution Office • Serious Fraud Office • SJ Berwin • Slaughter & May • Tfl • The Khan Partnership • Weil Gotshal & Manges • White & Case LLP

Hear what our Serious and Corporate Crime 2009 delegates said:

"As ever stimulating and bang up to date"

K. Badger, SFO

"Very informative, in all aspects, with excellent speakers"

A. Picken, The Khan Partnership LLP

PROGRAMME – Tuesday 30 March 2010

08.45 Registration and coffee

09.20 **Chair's opening remarks**

MICHAEL BOWES QC, *Outer Temple Chambers*

09.30 **The new law on corruption and bribery**

- The current status of the Bribery Bill and the 2010 timetable
- Meeting the obligations under the OECD's convention
- The offence of "negligently failing to prevent bribery"
- The impact on business

PETER BURRELL, *Partner, Herbert Smith LLP*

10.10 **Competition, cartels and criminal law**

- The criminal penalties available for cartels
- The powers of the OFT and other regulators
- The leniency programme
- Minimising the negative consequences of an investigation

MICHAEL O'KANE, *Partner and Head of Fraud and Regulatory Department, Peters & Peters*

11.00 Coffee

11.15 **Extradition and mutual legal assistance**

- Extradition and MLA update
- Search warrants and production orders
- Human rights considerations
- Cross-border issues to be aware of

ALUN JONES QC, *Great James Street Chambers*

11.55 **Corporate fraud and the Fraud Act 2006**

Topics to be discussed include:

- New and emerging types of fraud
- Fraudulent trading and insolvency: the civil and criminal overlap
- Plea negotiation in fraud cases: the Attorney-General's Guidance a year on
- The aims and remit of the National Fraud Authority and the National Fraud Strategy

Panellists will include:

MATTHEW ALLEN, *Head of Deterrents, National Fraud Authority*

STEVEN WILSON, *Officer in the Deterrents team, National Fraud Authority*

12.45 Lunch

13.45 **Prosecuting corporate crime**

- The latest developments in investigations
- Self-reporting to the SFO – a user's guide
- Plea discussions and disclosure
- Corporate relationships and working with the City

PAUL BRINKWORTH, *Case Manager, Serious Fraud Office*

14.30 **FSA prosecutions**

- Insider dealing and market abuse – the latest trends in investigation and enforcement
- Fining organisations as an alternative to criminal prosecution

MICHAEL BOWES QC, *Outer Temple Chambers*

15.10 Tea

15.25 **Corporate manslaughter and corporate criminal liability**

- The new law and what it means for businesses in practice
- Duty of care – the issues

ALEX BAILIN, *Matrix Chambers*

16.10 **Asset recovery and confiscation update**

- Asset recovery and confiscation – the latest developments and case law
- Money laundering update including the definition of criminal and recoverable property

SIMON FARRELL QC, *3 Raymond Buildings*

16.50 **Chair's closing remarks**

17.00 Close of conference

Exclusive offer for conference attendees!

15% discount on **Kingsley Napley: Serious Fraud, Investigation and Trial**, Fourth edition, when order is received by 30th March 2010.

Please contact ailsa.hardy@lexisnexis.co.uk for further details.

Registration

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Serious and Corporate Crime

Tuesday 30 March 2010 • Central London

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- Commercial Judicial Review and Regulatory Proceedings**, 18 February 2010, London
- Inquest Law**, 25 March 2010, London
- Jackson Review of the Costs of Civil Litigation** (evening seminar), March 2010, London
- Professional Discipline and Regulation**, April 2010, London
- Asset Recovery and Confiscation**, April 2010, London and Edinburgh

For more information visit www.conferencesandtraining.com

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Administration

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FEE
Your one-day fee includes attendance, refreshments, lunch and course documentation. Full payment, including VAT must be received prior to the conference. Please post a cheque for the full amount with your completed registration form or complete the credit card payment details. Once payment has been received a VAT invoice/receipt will be issued.

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- Please call me to discuss my requirements in more detail.

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A refund of fees will be made only for cancellations received in writing at least 14 days before the event (less a 25% cancellation fee to cover administration costs). No refunds will be made for cancellations received within 14 days of the event and failure to attend after confirming a booking will be subject to the same terms. We regret that the transfer of a booking to another event cannot be made but a substitute delegate will be accepted at any time before the event.

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