

(UK)ACFE

Association to Combat Fraud in Europe



FIGHTING FINANCIAL CRIME IN EUROPE: PRACTICAL ASPECTS OF A PAN EUROPEAN CRIMINAL LAW

Organisers:

**Centre for European Legal Studies, University of Cambridge
UK Association to Combat Fraud in Europe**

Languages:

English

This conference will examine the legal aspects of co-operation between OLAF and national anti fraud agencies and between national anti fraud agencies within the EU; consider the law and administrative practices and procedural guarantees relating to OLAF investigations and the effectiveness of EU instruments, formal and informal co-operative arrangements, partnerships and networks currently available to combat economic crime, particularly fraud affecting the EU's financial interests.

The objective of the conference is to stimulate debate on the practical working relationships between OLAF and national investigation agencies; the range and effectiveness of strategies for combating economic crime collectively and in partnership with third countries; addressing the international nature of criminal finance and profit and the hitherto untapped resources of the private sector.

This project has been funded with support from the European Commission.

Monday 21st September 2009

08.30 Arrival and registration of participants: CELS, Faculty of Law, 10 West Road, Cambridge CB3 9DZ

09.15 Welcome and introduction to the Programme

Professor Dr. John Spencer, Director, Centre for European Legal Studies.

09.30 Keynote address - Protecting the Community's financial interests

Dr Franz Bruner, Director of OLAF

(Explanation of the work of OLAF within the EU)

Session 1: Investigating fraud in the EU

Chair: Richard Alderman, Director SFO

10.00 Investigating VAT fraud in the EU

Anthony Inglese, CB, Solicitor to HM Revenue & Customs

10.30 Investigating Frauds on Community resources

Dr Lothar Kuhl, OLAF

11.00 Discussion

11.15 – 11.30 Coffee break

Session 2: what works and what doesn't

Chair: Professor Mike Levi

11.30 Criminal Fraud investigations

Vivian Robinson QC, General Counsel, SFO

(Practical examples from the SFO, including current plea negotiation policy and procedural safeguards)

12.00 Administrative investigations by OLAF

Constantin Stefanou, Helen Xanthaki & Simone White, Institute of Advanced Legal Studies

(practical and legal safeguards for defence during investigations)

12.30 Discussion

13.00 – 14.15 Lunch at the Faculty of Law

Session 3: Moves towards pan European investigations

Chair: Ros Wright, CB, QC

14.15 EU initiatives and framework decisions

Professor Dr. John Spencer

(recognition of judgements, review of European arrest warrants, anything else in the pipeline)

14.45 The new European Evidence Warrant: Panel Discussion

Kenny Bowie, Home Office, Professor Dr John Spencer & Tricia Howse, ACFE

(Open forum on how mutual legal assistance arrangements for criminal investigations and prosecutions will change)

15.15 Discussion

15.45 – 16.15 Tea break

Session 4 : The Defence Perspective

Chair: Professor Alan Dashwood, Cambridge University

16.15 Securing defence rights in European criminal investigations

Monty Raphael, Peters & Peters

(The European Parliament's proposals for reforming OLAF's investigation powers, rights of the suspect in Europe generally.)

16.45 The defunct Framework decision on Defence Rights – prospects for revival ?

Professor Valsamis Mitsilegas, Queen Mary College London

17.15 Panel Discussion on defence rights

17.45 Close of first day

1900 for 1930 Conference Dinner at Emmanuel College

Tuesday 22nd September 2009

Session 5: National and International anti fraud strategies

Chair: Mike Bowron, QPM, Commissioner of City of London Police

09.00 UK National Fraud Programme

Sandra Quinn, National Fraud Agency

(Current focus of NFA, the potential for enlisting the private sector in financial crime prevention and co-ordinated action against financial criminals)

09.30 Intelligence led investigations

Det. Supt David Clarke, City of London Police

(Progress and plans for National Fraud Reporting Centre and its Fraud Intelligence unit, including interface with Europol)

10.00 Asset tracing and confiscation investigations

Lorna Harris, former Head of International Co-operation Unit, Crown Office.

(Scottish experience of the use of civil proceedings to recover criminal assets and the mutual enforcement of administrative penalties within the EU. Council decision 2007/845/JHA of 6 December 2007 of concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or other property related to, crime.)

10.30 Discussion

11.00 – 11.30 Coffee break

Session 6: Mutual Legal assistance and Third Countries

Chair: Francesco di Angelis

11.30 Investigations outside Europe – MLA and third countries

Charlie Monteith SFO

(evidence gathering outside Europe – SFO experiences)

12.00 Eastern European experiences with Third country MLA

Dr Maria Gavouneli, Asst. Professor of International Law, University of Athens

(Experiences of frontline member states with bordering third countries)

12.30 Discussion

12.45 Conclusion of Conference - Prof Spencer.

13.00 – 14.30 Final Lunch and **CLOSE OF CONFERENCE.**