

Report on ‘C5 Conference: Fraud, Asset Tracing & Recovery’

Geneva, March 2016

The modern day fraudster is no respecter of international borders. Consequently, civil fraud is a practice area in which cases routinely concern multiple jurisdictions – with all the attendant challenges that this entails. So, it was particularly useful for a junior barrister such as myself to have been able to attend the C5 Fraud Conference 2016 in Geneva where, over a couple of balmy days in March, fraud lawyers from a whole host of jurisdictions (across North America, Europe, the CIS, and Asia) convened.

The venue was the well-appointed Grand Hotel Kempinski, overlooking the waterfront. On the first morning, Robert Hunter (partner at Edmonds Marshall McMahon) opened the conference with a keynote address which challenged the assembled delegates to apply the lessons learned from disasters in other walks of life to the management of legal teams in fraud cases. It was an engaging and memorable address – certainly the detailed explanations of various aircraft disasters had not lost any of their vividness by the time my plane was taxiing for take-off on my flight back to London!

The two days of lectures and presentations which followed were well-structured into various themes, ranging from the use of technology in fraud and asset recovery to corruption in sport. There was much to be learned from the talks given by those based in foreign jurisdictions, especially as regards the availability and nature of interim remedies where they practice as well as enforcement-related issues. In addition, the English barristers and solicitors who gave talks offered

either informative analyses of the state of the law regarding a discrete topical issue (e.g., Mona Vaswani of Allen & Overy on freezing injunctions covering trust assets) or concise overviews of their specialist practice area.

The schedule ensured that there was plenty of networking opportunities over breakfast, coffees, lunch, dinner and drinks at the hotel bar in the evening. Indeed, both in and outside the lecture rooms, the C5 Geneva Fraud Conference was a lively affair.

Above all, the conference proved to be a great forum for socialising with foreign practitioners. Interesting as the talks were, I found that it was in the many conversations with my fellow attendees that a real insight into civil fraud practice in other countries could be gained. Also, being fraud specialists, many of them had entertaining war stories to share! Of course, when speaking with those less familiar with the English legal system, I – along with the other members of the Bar in attendance – took time and care to explain the role and function of a barrister.

I found the conference both worthwhile from a career perspective and very enjoyable. I am most grateful for the generous assistance of the Bar Council and COMBAR in providing the grant to support my attendance at this event.

Marc Delehanty
Littleton Chambers