



European Criminal Law Association (UK)

EUROPEAN CRIMINAL LAW ASSOCIATION

LATE AFTERNOON SEMINAR

Tuesday 4th December 2018
5.30pm – 7.00 pm

At the Institute of Advanced Legal Studies, Charles Clore House,
Russell Square, London WC1

European Investigation Orders and European Supervision Order

The European Investigation Order (EIO) entered into force in UK on 31st July 2017. It replaces the Mutual Legal Assistance method of securing evidence located in one Member State for use in another Member State. How effectively has it functioned since entry into force? Have difficulties arisen from the fact that Ireland did not opt in to the EIO? This Seminar will address these and other issues relating to this Directive. The seminar will also address the European Supervision Order and will give a brief introduction to the latest proposal from the Commission on the European Production and Preservation Orders for electronic evidence in criminal matters.

In the chair:

HH Judge Michael Hopmeier, Southwark Crown Court

Speakers :

Frank Cassidy, Eurojust

Dr Andrea Ryan, University of Limerick

Mike Drury CMG, BCL LLP

Please register your attendance with IALS.events@sas.ac.uk

Chairman & Speakers:

Michael Hopmeier is a full-time Circuit Judge sitting at Southwark Crown Court. He is Honorary Visiting Professor of Law, City, University of London and Honorary Professor of Law, University of the West Indies, Kingston, Jamaica. He is a Bencher of Middle Temple and holds degrees from Oxford and London Universities. Since 2008 Michael has been a lecturer and tutor at the Judicial College and continues training Judges in confiscation. In 2017 he was appointed Director of the Long and Complex Trials Course for Judges in England and Wales. In 2015 he was appointed to a restricted expert group on Improving Mutual Recognition of freezing and confiscation orders, EU Brussels. Michael travels extensively giving Seminars and training Judges abroad and in the UK on issues relating to confiscation and fighting economic crime. Michael is a joint Editor of Millington and Sutherland Williams on "The Proceeds of Crime" (5th Edition) published by OUP in February 2018. He is author of a "Guide to Restraint and Confiscation" published by the Judicial College, UK in January 2018. He is author of a "Guide to Restraint and Confiscation" published by the Judicial College, UK in February 2017. He is a Committee member of the Wadham College (Oxford) Law Society and a Committee member European Criminal Law Association (ECLA UK). He is a joint Editor of the Journal of Law, Governance and Society published by the University of the West Indies.

Mr Francis Cassidy has been National Member for Ireland at Eurojust since 2014. Prior to this Mr Cassidy had a long and varied career in the Irish Civil Service, spanning more than thirty years. He qualified as a solicitor in 1989 and worked in a variety of sections dealing with a wide range of criminal prosecutions and civil matters, including judicial review, injunctions and extradition. He served as Head of the District Court Section from 1994 to 1997. The Criminal Assets Bureau (CAB) was established in Ireland in 1996 in response to the increase in organised crime in Ireland, as well as the murder of Irish investigative journalist Veronica Guerin. Mr Cassidy was appointed its first solicitor, as Head of Unit with responsibility for providing all necessary solicitor/legal services to this pioneering agency. From 2002 to 2006, Mr Cassidy returned to the office of the Director of Public Prosecutions, serving as Head of the Superior Court Section, as well as Acting Chief Prosecution Solicitor. In undertaking these roles, his responsibility included devising the overall policy in Ireland for outgoing European arrest warrants and the mutual recognition of freezing and confiscation orders. In 2006, Mr Cassidy rejoined the CAB on a six-year secondment as Bureau Legal Officer, with overall responsibility for legal policy and operations. In that capacity, he sought to encourage the mutual recognition of non-conviction-based orders within the European Union, delivering a number of international presentations in support of this initiative.

Dr Andrea Ryan is Co- Director of the Centre for Crime, Justice and Victim Studies at the School of Law, University of Limerick. Her research expertise lies in the areas of EU criminal justice, the European Convention on Human Rights, criminal evidence, comparative criminal procedure, criminal law and sentencing. She has published widely in these areas, including a book with Routledge, *Towards a System of European Criminal Justice -The Problem of Admissibility of Evidence*. She is a Committee Member of ECLA UK, and frequently participates in Workshops and Conferences on European criminal justice. She has acted as national rapporteur for Ireland on a number of cross- jurisdictional studies funded by the European Commission, including a study in 2011 on the prospects for the creation of a European public prosecutor. She is currently working on a project funded by the European Commission led by the Centre for European Constitutional Law, Athens entitled "Developing Directive - compatible practices for the identification, assessment and referral of victims".

Mike Drury is a partner BCL LLP having retired as Director for Legal Affairs at GCHQ, having been appointed GCHQ's first full-time legal adviser in 1996. He was called to the Bar in 1982 and subsequently admitted as a solicitor at the time of his move to GCHQ. Prior to that he was a tax lawyer in the City, prosecuting for HM Customs & Excise and the Serious Fraud Office where he had the conduct of some of the most notable cases in the late 1980s and early 1990s.

Michael's practice is diverse, ranging from extradition (where he has successfully represented senior Ministers and others in former Soviet Union states, defeating extradition claims and securing the removal of and preventing the issue of Red Notices) to representing individuals in regulatory proceedings brought by the FCA (in LIBOR and other matters); acting in criminal investigations by the SFO (including for corporates and individuals in bribery and corruption cases, and in LIBOR); acting in investigations by the Information Commissioner's Office (in the spin off from NCA investigations into 'blagging'); and representing individuals in arenas as wide ranging as the Metropolitan Police investigation into the alleged involvement of British officials in the transfer of individuals to Libya under the regime of Colonel Muammar Gaddafi to fraud investigations by a variety of police forces in England and Wales. Michael has published articles about Government investigations in 'The International Comparative Legal Guide: Corporate Investigations 2017' and provided the England and Wales Chapter of the 'Getting the Deal Through' publication 'Government Investigations 2017' (both co-authored with Chris Whalley).