



CORPORATE LIABILITY AND COMPLIANCE

SEMINAR DRAFT PROGRAM

6 NOVEMBER 2014



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THE UNIVERSITY
OF QUEENSLAND
AUSTRALIA

TC Beirne School of Law



TRANSPARENCY
INTERNATIONAL
AUSTRALIA



BASEL INSTITUTE ON
GOVERNANCE

WELCOME

The TC Beirne School of Law proudly presents Corporate Liability and Compliance, the November offering in its Continuing Professional Development seminar series.

Held in conjunction with the Basel Institute on Governance and Transparency International – Australia, this one-day seminar addresses the past, present and future of corporate criminal liability law ahead of the G20 Summit in Brisbane.

Switzerland's Gemma Aiolfi shares her extensive experience in compliance, integrity risk management and collective action, whilst Sydney's Jane Ellis contributes a local perspective as a director of one of Australia's leading anti-corruption NGOs.

Together, the facilitators review key common and civil law approaches to corporate accountability for crime and reflect on the likely development of this area of regulation. The implications for multinational companies, their board members and employees are considered from a transnational perspective. Through group work and discussion, participants engage with the challenges of implementing effective systems for compliance.

The seminar is timed to coincide with the launch of *Corruption, Asset Recovery and the Protection of Property in Public International Law: The Human Rights of Bad Guys* (Cambridge University Press, 2014) by UQ's own Dr Radha Ivory.

This event is accredited for CPD purposes by the Queensland Bar Association (Code: UQ141106).

Participants will accrue 1 CPD point per hour of attendance in the non-allocated strand unless otherwise advised.

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Professional Development Seminar, 6 November 2014

Customs House, 399 Queen Street, Brisbane, Queensland

08:00 - 08:15	Registration
08:15 - 08:20	Welcome and introductions
08:20 - 09:00	Models of corporate criminal liability and their relevance to Australian companies <i>Gemma Aiolfi Jane Ellis Radha Ivory</i> This session reviews the history of corporate criminal liability law, and the key models for assigning guilt to legal persons, as relevant to Australian companies.
09:00 - 09:45	Corporate criminal liability principles in the US and UK <i>Gemma Aiolfi</i> This session considers the key common law developments in corporate criminal liability standards, focusing on the US Sentencing Commission Guidelines Manual, recent deferred and non-prosecution agreements, and the UK Corporate Manslaughter and Corporate Homicide Act 2007 and Bribery Act 2010.
09:45 - 10:15	Corporate criminal liability under Australia's Criminal Code <i>Jane Ellis</i> This session explores Australia's well-developed but, as yet, untested federal principles on corporate criminal liability. The Commonwealth law will become more significant as federal agencies respond to international pressure to increase enforcement of anti-foreign bribery legislation.
10:15 - 10:45	Morning tea
10:45 - 11:15	Civil Law approaches to corporate criminal liability <i>Gemma Aiolfi</i> This session traces the evolution of corporate criminal liability standards in civil law jurisdictions, using the examples of Switzerland, Germany, and Brazil.
11:15 - 12:00	The future of corporate liability rules <i>Gemma Aiolfi Radha Ivory</i> This session looks at the scope of corporate liability today and its likely future development. Human rights, privacy, and environmental standards are an increasing concern to consumers and regulators, along with economic crimes, like corruption.

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12:00 - 13:00	Lunch
13:00 - 14:00	Developing an effective compliance programme <i>Gemma Aiolfi Jane Ellis</i> What does it mean for companies to diligently prevent, detect, investigate, and respond to misconduct. This session reviews best practice in compliance, acknowledging the practical challenges and identifying possible responses.
14:00 - 15:50	Examples of dilemmas and good practice: group exercises and discussion
15:50 - 16:00	Summary and close
17:00 - 19:00	Official book launch: <i>The Human Rights of Bad Guys</i>