

Competition Section Engagement Programme 2018 - 2019





Foreword

Welcome to the Law Society's Competition Section 2018/2019 engagement programme.

The Competition Section promotes knowledge and awareness of competition law developments and addresses current issues and challenges facing competition law practitioners. The Section Advisory Committee's role is to provide expert practitioner input, guiding the Law Society on identifying issues, generating content and a wide variety of events, to ensure the engagement programme is both relevant and practical.

The Section takes guidance from both the Section Advisory Committee and the wider membership through surveys, and on-line discussions groups and events.

With this in mind, the committee is keen to engage with the wider competition community and to hear from you, our members, to assist us in designing our events and selecting seminar topics.

Please get in touch by emailing competitionsection@lawsociety.org.uk to give us your thoughts, seek our support or just to connect.

This brochure will provide an overview of the plans for the year but is subject to change so please refer to our website for the latest updates.

Richard Eccles

Chair of the Competition Section Advisory Committee

Our programme for this year

Below is the planned programme of Competition Section support from 1 November 2018 to 31 October 2019. (Note the programme is subject to change and still in development). All the items below are inclusive to Competition Section membership except those marked with a * which are discounted to Section members

Month	Name of product	Topic/Theme	Speaker/s
13/11/18	Competition Section seminar	UK national security law and merger control	<ul style="list-style-type: none"> Davina Garrod, Akin Gump Strauss Hauer and Feld LLP Alan Webster, BEIS
28/11/18	*Competition Section annual dinner and awards	Horsfall Turner Essay competition	<ul style="list-style-type: none"> Keynote: Professor Richard Whish
04/12/18	Competition Section seminar	Update on recent pharmaceutical competition cases	<ul style="list-style-type: none"> Cameron Firth, Macfarlanes Tom Sebastian, Monckton Chambers
12/02/19	Competition Section seminar	Data issues and merger control	<ul style="list-style-type: none"> Stephen Whitfield, Partner, Travers Smith LLP Lorenzo Coppi, Executive Vice President, Compass Lexecon
23/02/19	Competition Section webinar	Competition litigation reviewing 2018's key developments	<ul style="list-style-type: none"> Scott Campbell, Hausfeld Anna Morfey, Hausfeld
12/03/19	Competition Section seminar	UK mergers update	<ul style="list-style-type: none"> Colin Raftery, CMA
09/04/19	Competition Section seminar	Competition in the digital economy report	<ul style="list-style-type: none"> Professor Philip Marsden

09/05/19	*Competition Section annual conference	Various	<ul style="list-style-type: none"> Keynote: Dr Andrea Coscelli, CMA
11/06/19	Competition Section seminar	President's update	<ul style="list-style-type: none"> Professor Richard Whish
10/09/19	Competition Section seminar	CPD for Irish PC holders covering 2hrs Irish regulatory requirement	<ul style="list-style-type: none"> Speakers from Mason Hayes & Curran
08/10/19	Competition Section seminar	TBC	<ul style="list-style-type: none"> TBC
OnDemand recordings			
28/11/18	Competition Section annual dinner and awards	Podcast of keynote speech on Brexit and the future of competition law	<ul style="list-style-type: none"> Professor Richard Whish
23/02/19	Competition Section webinar	Competition litigation reviewing 2018's key developments	<ul style="list-style-type: none"> Scott Campbell, Hausfeld Anna Morfey, Hausfeld
21/11/18	Competition Section webinar	The interface between public procurement and competition law	<ul style="list-style-type: none"> Graeme Young, CMS UK Totis Kotsonis, Eversheds Sutherland
05/09/18	Competition Section webinar	Understanding full functionality in joint ventures	<ul style="list-style-type: none"> Matt Evans, Jones Day James Marshall, Bryan Cave Leighton Paisner
14/05/18	Competition Section webinar	Innovation theories of harm and horizontal mergers	<ul style="list-style-type: none"> Adrian Majumdar, RBB Economics
20/01/18	Competition Section webinar	Legal privilege in competition law and the potential implications of Brexit	<ul style="list-style-type: none"> Patrick Boylan, Simmons & Simmons Chris Owen, Simmons & Simmons

Keep track of your professional learning

Keeping track of your training can seem like one more task on a solicitor's to-do list. To support you with this we have created a training tracker to list the minimum Solicitors Regulation Authority (SRA) continuing competency codes covered by our Competition Section programme to help you update your training record.

What we've covered

The table below lists the SRA codes covered between 1 November 2017 and 31 October 2018. We will update this grid throughout the year, as the 2018-19 programme develops.

When	Name of product	Product type	SRA codes
November 2017	Competition Section seminar: FCA enforcement	Inclusive	A2
January 2018	Competition Section webinar: Brexit and the implications on legal privilege	Inclusive	A2
February 2018	Competition Section seminar: Selective distribution - after Coty	Inclusive	A2
March 2018	Competition Section seminar: UK mergers update	Inclusive	A2
April 2018	Competition Section seminar: Associates' career event	Inclusive	A2
May 2018	Competition Section webinar: Innovation theories of harm in horizontal mergers	Inclusive	A2
May 2018	Competition Section annual conference	Discounted	A2
June 2018	Competition Section seminar: CPD for Irish Practising Certificate holders	Inclusive	A2
July 2018	Competition Section seminar: In-house compliance	Inclusive	A2, B1
September 2018	Competition Section webinar: Understanding full functionality in joint ventures	Inclusive	A2
October 2018	Competition Section seminar: State aid post-Brexit	Inclusive	A2
November 2018	Competition Section webinar: The interface between public procurement and competition law	Inclusive	A2, A5, B1



Events

Over the next year the Section will host a range of events on issues that matter to competition lawyers. Details of these events will be published on our website:

www.lawsociety.org.uk/competition/events

Competition Section seminar: The impact of data on merger control

When: Tuesday 12 February 2019, 18:00 - 20:15

Venues: The Law Society, 113 Chancery Lane, London WC2A 1PL

Cost: Free for Section members, £35 + VAT for members working for NFP
From £75 + VAT for non-members

CPD

competencies: A2

This seminar will survey EU merger control cases involving data issues and ask whether or not the European Commission has now developed a legal and economic framework for assessment of those cases going forward.

It will provide insight on:

- key EU merger control cases that involved data
- orthodox horizontal, vertical and conglomerate theories of harm as applied to the supply or use of data
- other non-coordinated effects - access to 'commercially sensitive information'
- the role of data privacy legislation
- is there now a consistent and clear legal and economic framework for assessment of future EU merger cases?

Learning objectives

By attending this seminar, attendees will gain a better understanding of:

- recent EU control cases that involved data and their outcomes
- theories of harm relevant to data
- the current European Commission framework for assessment of EU merger cases

Speakers

- Stephen Whitfield, partner at Travers Smith LLP
- Lorenzo Coppi, executive vice-president at Compass Lexecon

Competition Section seminar: UK Mergers update

When: Tuesday 12 March 2019, 18:00 - 20:15

Venues: The Law Society, 113 Chancery Lane, London WC2A 1PL

Cost: Free for Section members, £35 + VAT for members working for NFP
From £75 + VAT for non-members

CPD

competencies: A2

This seminar will provide an overview of substantive and procedural developments in UK merger control in 2018 and a look ahead to the challenges ahead in 2019, providing insight into what's at the forefront of the CMA's thinking in what is likely to be a pivotal year in UK merger control.

The seminar will cover:

- an analysis of the most significant Phase 1 and Phase 2 cases in 2018
- an overview of key trends in substantive assessment in 2018
- an update on recent procedural infringements
- current thinking on likely policy developments in 2019, and
- the latest position on arrangements in relation to the UK's exit from the EU.

Speaker: Colin Raftery, senior director of Mergers, Competition and Markets Authority



Colin Raftery is senior director of Mergers at the Competition and Markets Authority (CMA), where he leads the CMA's team on a variety of merger cases and policy initiatives. Prior to joining the CMA, Mr. Raftery advised on all aspects of EU and UK competition law at Freshfields Bruckhaus Deringer in London and, before that, at Cleary Gottlieb Steen & Hamilton in Brussels and Washington DC. Mr. Raftery holds an undergraduate degree in law from the University of Edinburgh and postgraduate degrees in law from the College of Europe, Bruges, and the University of Chicago.

Competition Section seminar: Competition in the digital economy

When: Tuesday 9 April March 2019, 18:00 - 20:15

Venues: The Law Society, 113 Chancery Lane, London WC2A 1PL

Cost: Free for Section members, £35 + VAT for members working for NFP
From £75 + VAT for non-members

CPD

competencies: A2

The programme for this seminar is still in development

Speaker: Philip Marsden, deputy chair, Bank of England, Enforcement Decision Making Committee, HM Treasury, Digital Competition Experts Panel, Professor, College of Europe, Bruges

Dr Philip Marsden is deputy chair of the Bank of England's Enforcement Decision Making Committee, and a case decisionmaker at the Financial Conduct Authority, the Payment Systems Regulator and OFGEM. In September, 2018, the Chancellor appointed Philip to the Treasury's Digital Competition Experts Panel. In November 2018, Philip also affiliated with Charles River Associates International as a senior advisor on policy and strategy issues.

For ten years until October 2018, Philip held various roles at the UK competition authority, first as member of the Board of the Office of Fair Trading, then as Inquiry Chair and senior director, Case Decision Groups, at the Competition and Markets Authority, where he decided on Phase II mergers, market investigations and antitrust cases, post-Statement of Objections. He was also a Board member of the Channel Islands Competition and Regulatory Authorities.

Philip is also Professor of Law and Economics at the College of Europe, Bruges, teaching the core LL.M. competition course and is co-founder and general editor of the European Competition Journal, and the Oxford Competition Law case reporter series. His research interests include innovation incentives, comparative competition law and online markets. He has for many years been Counsel to the fifty-CEO Board of the Consumer Goods Forum, and advised governments on competition issues under the auspices of the ICN, OECD, UN, ADB, EBRD, World Bank and IMF.

A competition official and prosecutor early on in his career, for the last 30 years Philip has also acted as independent counsel, specialising in advice to firms in the fast-moving consumer goods and high technology sectors, and to governments on competition agency effectiveness and decision-making. He has also been senior research Fellow at the British Institute of International and Comparative Law, and director of its Competition Law Forum. In private practice he worked at major law firms in Toronto, Tokyo and London.

Philip earned his doctorate in law from the University of Oxford. He is also a keen distance runner and rower. His wife and children are all artists, but he still likes to think he can be creative too, if it leads to more efficient and effective decision-making and enforcement.

Competition Section annual conference: 2019

When: Thursday 9 May 2019, 8:30 - 17:30

Venues: The Law Society, 113 Chancery Lane, London WC2A 1PL

Cost: £300 for Section members, £195 + VAT for members working for NFP
From £345 + VAT for non-members

CPD competencies: A2

The annual Competition Section conference is an established fixture in the competition law calendar. This event draws on speakers from the UK and overseas and includes leading practitioners, regulators and economic experts.

Uniquely, this is the only competition law conference designed by competition law specialists, offering all those with an interest in this highly visible area of law an opportunity to network with experienced practitioners in private practice and in-house, competition authority officials, regulators and representatives from the judiciary in a relaxing atmosphere at the Law Society.

We are delighted to announce that this year's keynote address will be given by Dr Andrea Coscelli, the chief executive of the Competition and Markets Authority (CMA).

- | | |
|---------------|---|
| 08:45 - 09:15 | <i>Registration and refreshments</i> |
| 09:15 - 09:20 | Welcome and introduction
Chair: Matt Evans, partner, Jones Day and vice-chair, Competition Section Committee |
| 09:20 - 09:50 | Keynote address
Speaker: Andrea Coscelli, chief executive, Competition and Markets Authority (CMA) |
| 09:50 - 11:00 | Plenary panel 1 - Merger control
Chair: Nigel Seay, head of competition, Travers Smith and member, Competition Section Committee |
| 11:00 - 11:20 | <i>Refreshments, networking and exhibition</i> |
| 11:20 - 12:30 | Plenary panel 2 - Competition litigation
Chair: Omar Shah, partner, Morgan Lewis and member, Competition Section Committee

Speakers: Kelyn Bacon QC, Brick Court Chambers
Stephen Kon, senior consultant, Macfarlanes LLP |
| 12:30 - 12:40 | How the Law Society is advocating for competition practitioners
Speaker: Einat Sohar, relationship manager (City), The Law Society |
| 12:40 - 13:40 | <i>Lunch, networking and exhibition</i> |

- 13:40 - 14:50 **Plenary panel 3 - Artificial intelligence**
Chair: Becket McGrath, partner, Cooley LLP and member, Competition Section Committee
Speaker: Sarah Long, partner, Euclid Law
- 14:50 - 16:00 **Plenary panel 4 - Sectoral regulation**
Chair: Isabel Taylor, partner, Slaughter and May and member, Competition Section Committee
- 16:00 - 16:20 *Refreshments, networking and exhibition*
- 16:20 - 17:30 **Plenary panel 5 - Antitrust enforcement**
Chair: James Marshall, partner, antitrust & competition, Bryan Cave Leighton Paisner LLP and member, Competition Section Committee
Speaker: Belinda Bagge, legal director, competition and regulatory law, BT Group plc
- 17:30 - 17:35 **Closing remarks**
Chair: Matt Evans, partner, Jones Day and vice-chair, Competition Section Committee

Competition Section: Spring drinks reception

- When:** Thursday 9 May 2019 17:30 - 19:00
Venues: The Law Society, 113 Chancery Lane, London WC2A 1PL
Cost: Free for Section members, £35 + VAT for members working for NFP
From £75 + VAT for non-members

Registration for the Competition Section annual conference includes an invitation to the post-event spring drinks reception. This informal gathering offers the chance to network with competition law practitioners, fellow delegates, speakers and Competition Section Committee members in a relaxed environment.

Competition Section seminar: The Competition Section president's update

When: Tuesday 11 June 2019, 18:00 - 20:15

Venues: The Law Society, 113 Chancery Lane, London WC2A 1PL

Cost: Free for Section members, £35 + VAT for members working for NFP
From £75 + VAT for non-members

CPD

competencies: A2

More information to follow shortly

Speaker: Professor Richard Whish

Professor Whish is president of the Competition Section and an Emeritus professor of law at King's College London. In 2014 he was appointed QC Honoris Causa.

He was a non-executive director of the Office of Fair Trading in the UK from 2003 to 2009, and a non-executive director of the Singaporean Energy Markets Authority from 2005 to 2011.

He is the co-author with David Bailey of Competition Law, 9th edition 2018 (OUP) and the author of many other books, articles case-notes and book reviews on aspects of international competition law and policy. He is also a member of the Brexit Competition Law working group.

Competition Section seminar: CPD for Irish PC holders

When: Tuesday 10 September 2019, 18:00 - 20:15

Venues: The Law Society, 113 Chancery Lane, London WC2A 1PL

Cost: Free for Section members, £35 + VAT for members working for NFP
From £75 + VAT for non-members

CPD

competencies: A2

This two-hour seminar will cover essential CPD requirements for Irish PC holders, with a particular focus on the regulatory element of Irish professional development.

The Competition Section of the Law Society is conscious that a large number of UK-based solicitors now hold Irish Practising Certificates and/or are admitted to the Roll of Solicitors in Ireland. Accordingly, those solicitors who hold Practising Certificates are required to comply with specific Irish CPD requirements.

In order to assist those solicitors, and in response to various requests from the Competition Section's membership, the Section will run a two-hour seminar, covering the required two hours of regulatory matter training for Irish practicing certificate holders.

The event will be held at the Law Society and facilitated by Irish law firm Mason Hayes & Curran.

Speakers: Mason Hayes & Curran – exact speaker names to be confirmed closer to the event.

Competition Section Annual dinner and awards

When: Thursday 21 or 28 November 2019 (TBC), 18:30 - 22:30
Venues: The Law Society, 113 Chancery Lane, London WC2A 1PL
Cost: From £130

The Law Society's Competition Section is pleased to announce that its formal annual dinner and Horsfall Turner Essay prize awards presentations will take place in the Law Society's Hall. This event provides an excellent opportunity to meet solicitors and other professionals working in the competition law field, as well as to entertain clients and valued contacts.

The evening will start with a reception at 18:30 in the Reading Room followed by dinner at 19:30 in the Common Room.

Dress code for this event is black tie.

For more information on the Horsfall Turner Essay Prize please visit our website

Below is a photograph of the 2018 dinner with keynote Professor Richard Whish. To hear the speech or see more images of the dinner visit the Competition Section web site.



Webinars

Section members benefit from free access to four topical webinars per year, access to all previous recordings and a 20% discount on other Law Society webinars.

www.lawsociety.org.uk/competition

Competition Section: Competition litigation reviewing 2018's key developments (OnDemand)

When: OnDemand (recorded 23 January 2019)

Cost: Free for section members, £54 to non-members

This webinar will provide an overview of the key developments in English competition litigation from 2018, including the *Iiyama*, *Vattenfall*, *BritNed* and *Mastercard* cartel cases.

It will also consider jurisdiction issues, governing law, damages assessments and procedural law.

By attending this webinar you will gain:

- an understanding of the latest trends in decision making at the English High Court and beyond
- awareness of the key developments from 2018's competition cartel cases
- practitioner tips for success
- an insight on potential future strategies for 2019

Speakers:

- Scott Campbell, partner, Hausfeld
- Anna Morfey, partner, Hausfeld

Scott is a partner and qualified solicitor at Hausfeld and focuses on representing organisations with disputes arising out of breaches of competition law. He has over a decade's experience of litigating competition disputes in the English High Court, the Court of Appeal and the Competition Appeal Tribunal.

Whist recognising that litigating disputes is often the only sensible way forward, Scott is also adept at resolving disputes out of court, often by way of mediation. Scott has acted on various large cartel cases such as *Marine Hoses*, *Paraffin Wax*, *Copper Fittings*, *Air Cargo & Carbon & Graphite Products*.

Anna is a partner and solicitor-advocate, with extensive litigation experience in both the English and EU courts. Anna has represented clients in a number of the highest-profile competition claims, including cartels such as *Gas Insulated Switchgear (National Grid v ABB & others)*, *Marine Hoses*, *Carbon and Graphite*, *Elevators and Escalators*, *Industrial Bags and Smart Card Chips*, and is currently representing claimants in actions against the *Bearings and Foam cartels*.

Competition Section: The interface between public procurement and competition law (OnDemand)

When: OnDemand (recorded 21 November 2018)

Cost: Free for section members, £54 to non-members

There are many factors relating to competition law that need to be considered when advising on public procurement.

Whether you work in-house or for a law firm, this webinar will help you understand how to avoid competition law breaches and foresee the difficulties that can arise with public procurement.

This webinar covers:

- bid rigging - a public procurement law perspective
- joint bidding - a 'by object' restriction?
- information sharing in the context of a public procurement
- state aid and public procurement
- the definition of an 'understanding' in the context of public purchasing

By attending this webinar, you will gain a better understanding of:

- how competition law issues can arise in the context of public purchasing
- how to mitigate competition law risks in the context of a public procurement

Speakers:

- Graeme Young, partner, CMS UK
- Totis Kotsonis, partner, Eversheds Sutherland

Graeme Young is a partner specialising in all aspects of EU and UK competition law. This includes advising on compliance issues, provision of dawn raids, supply and distribution agreements, joint ventures and strategic commercial agreements, and merger control. He has also advised on a number of competition law investigations under the Competition Act and competition litigation before the courts (in Scotland and in England and Wales). Graeme has specific experience in the regulated utilities sectors, including airports and aviation and other transport sectors.

Dr Totis Kotsonis is a competition and EU law partner recognised for his particular expertise in public procurement, state aid and regulatory law, including aviation, rail and energy regulation.

Totis leads the firm's procurement, state aid and EU regulatory practice, which spans all major sectors, including aerospace and defence, transport, energy and infrastructure. He advises on both compliance and contentious matters, including in relation to litigation in national courts and the CJEU.

Totis has been recognised in legal directories for his 'unparalleled knowledge' and 'stellar reputation for his work in relation to state aid rules, EU procurement law and sector and utility regulation', and for combining 'impressive legal knowledge with excellent judgement and pragmatism, offering multinational clients a wealth of insight into areas including utilities and energy'.

Amongst other accolades, Totis is listed as a top tier of procurement experts in Chambers UK 2018 while the latest edition of international legal directory Who's Who Legal lists Totis as the highest ranking 'thought leader' for government contracts in Europe, the Middle East and the Africa region.

Competition Section: Understanding full functionality in joint ventures (OnDemand)

When: OnDemand (recorded 5 September 2018)

Cost: Free for section members, £54 to non-members

How independent must a joint venture (JV) be from its parents? What does the European Commission mean when it talks about a real estate JV lacking an autonomous, long-term business activity in the market?

The European Commission's guidance on what constitutes a 'full-function' JV can be difficult to interpret. The issue often arises in the real estate and infrastructure sectors, where companies with significant global and EU-wide revenues make joint investments.

The webinar covers:

- what full-functionality means in practice
- the relevance of the Austria Asphalt case decision
- the relevance of HeidelbergCement / Schwenk / Cemex in market concentration.

Speakers:

- Matt Evans, Antitrust and Competition partner, Jones Day LLP
- James Marshall, Antitrust and Competition partner, Bryan Cave Leighton Paisner LLP

Matt Evans advises on both merger control and behavioural competition law matters. On transactions, he represents clients before the Competition and Markets Authority and European Commission to obtain regulatory clearance for mergers and acquisitions and joint ventures. On the behavioural side, Matt advises on investigations into anticompetitive agreements and practices, including cartels and supply arrangements, market investigations, abuses of dominant positions, state aid, and EU free movement issues. He has extensive experience advising clients on the merger control aspects of real estate joint ventures. More generally, he works with clients in a range of sectors, including real estate, energy, healthcare, telecoms, technology, music and fast-moving consumer goods.

James Marshall advises on all aspects of competition law and sector regulation, including mergers, investigations, commercial agreements, behavioural issues, compliance and risk. He has experience of conduct regulation and competition issues in infrastructure and financial sectors. James also has extensive experience of advising on merger control for real estate and infrastructure joint ventures. He has also worked with major global businesses across the UK, Europe, Australia and the wider Asia-Pacific region. James recently spent six months working with the UK Competition and Markets Authority, helping develop policy and guidance for the UK competition regime.

Competition Section: Innovation theories of harm and horizontal mergers (OnDemand)

When: OnDemand (recorded 14 May 2018)

Cost: Free for section members, £54 to non-members

This webinar examines the lively debate on how horizontal mergers can have an impact on innovation.

It explains innovation theories of harm, i.e. those that go beyond a concern that a merger would impact on price and quality but restrict the degree of innovation, irrespective of their impact on price and quality. These theories have been advocated by economists working at DG Competition in recent academic papers.

The webinar will cover:

- Pure innovation theories of harm
- Rebuttals to such theories
- Implications for merger policy
- By attending this webinar, you will gain:
- An update on this topical debate
- A framework for assessing innovation effects in horizontal mergers

Speaker: Adrian Majumdar, Partner, RBB Economics

Dr Adrian Majumdar is a partner at RBB Economics. Prior to taking his post at RBB in April 2004, Adrian was the deputy director of Economics at the UK competition authority, the Office of Fair Trading (OFT), now part of the CMA.

Adrian has published widely on nearly all aspects of competition economics and is a co-author of the textbook, UK Merger Control, 2016. Adrian is on the Advisory Board of the British Institute of International and Comparative Law (BIICL) Competition Law Forum. Adrian is also a non-governmental advisor for the UK to the International Competition Network and has acted as an expert for the OECD on competition matters. Adrian lectures for King's College London, where he is a course director of the Postgraduate Diploma/Masters in Economics for Competition Law, attended by staff from numerous international competition authorities. Adrian completed his undergraduate studies at Cambridge University and his PhD at the Centre for Competition Policy at the University of East Anglia.

Adrian has advised on some of the leading competition law cases in Europe, including Intel (for AMD) and Post Danmark II. Working on competition matters since 1995, Adrian has a wealth of experience covering horizontal and vertical mergers, abuse investigations, cartels, vertical agreements, market inquiries and investigations, regulation, litigation matters and compliance advice. He has advised numerous companies before the European Commission and national competition authorities around the world, covering a wide range of industries. Adrian has also provided expert testimony for the UK Ministry of Justice and the Law Society of England and Wales and has experience of being cross examined and hot tubbing before the UK Competition Appeal Tribunal.

Competition Section: Legal privilege in competition law and the potential implications of Brexit (OnDemand)

When: OnDemand (recorded 20 Jan 2018)

Cost: Free for section members, £54 to non-members

This webinar looks at the ramifications Brexit will create for English qualified lawyers, especially competition solicitors.

The UK's exit from the European Union will have ramifications for legal professional privilege across the continent, and especially for lawyers qualified in England and Wales.

The Commission has a general power to examine all documents. A narrow exemption was provided by *AM&S Europe Ltd v Commission* (Case 155/79 [1982] ECR 1575) ('AM&S').

However, the *AM&S* case suggests that the clients of English qualified lawyers will be unable to assert legal professional privilege arising from communication with those lawyers against the Commission should the UK cease to be an EEA member state post-Brexit.

This webinar will look at the ramifications this will create for English qualified lawyers, especially competition solicitors.

Topics to be covered include:

- general principles of legal privilege in competition law cases
- recent cases of interest to competition lawyers
- situations where privilege can be lost
- the position of EEA qualified lawyers continuing to practice in the UK
- the impact on lawyers in other member states
- practical steps to take to prepare for Brexit.

Speakers:

- Patrick Boylan, partner, Simmons & Simmons
- Chris Owen, managing associate, Simmons & Simmons

Patrick is a partner and solicitor advocate (All Higher Courts) in the dispute resolution group in London. He is a commercial dispute resolution specialist with a particular focus on contentious competition matters, cross-border disputes, investigations and arbitration. He is also an expert on privilege.

Chris is a managing associate in the commercial litigation group in London. He is also a qualified solicitor advocate in England & Wales for all civil courts. He practices across a wide spectrum of commercial litigation disputes with a particular focus on competition litigation, energy and infrastructure matters and jurisdiction disputes.

Member Offer

Horsfall Turner essay prize

The Horsfall Turner essay prize is a prestigious award presented to the best essay submission by a trainee solicitor on a given topic every year. It is designed to encourage young lawyers to engage with competition and European law.

The first prize is £1,000 plus one (or two) highly commended prize/s of £250. All winners are invited as guests to the Competition Section's Annual Dinner, where their prizes are presented by the keynote speaker.



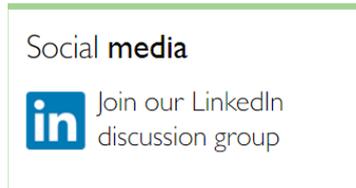
Please visit our website to read the 2018 winner's essay or see photos of the night.

Previous winners are below but more winner can be found on our web site:			
Year	Question	Winners	Keynote speaker
2018	The judgment of the Court of Justice in the Coty case changes nothing for the selective distribution model. Discuss.	<p><u>First prize:</u></p> <ul style="list-style-type: none"> • Helena Connors, Bristows LLP <p><u>Highly commended:</u></p> <ul style="list-style-type: none"> • Patrick Todd, Herbert Smith Freehills 	Professor Richard Whish, president of the Competition Section and an Emeritus professor of law at King's College London
2017	What challenges does the digital economy present for the development of antitrust law	<p><u>First prize</u></p> <ul style="list-style-type: none"> • Anne Eckenroth, Herbert Smith Freehills LLP <p><u>Highly commended prizes:</u></p> <ul style="list-style-type: none"> • Emile Abdul-Wahab at Ashurst LLP 	Professor Carl Baudenbacher, president of the EFTA Court

2016	What changes, if any, do you think should be made to UK competition legislation, and to the way it is enforced, in the event of a UK exit from both the European Union and the EEA	<p><u>First prize</u></p> <ul style="list-style-type: none"> Ms Katherine Zinser, Slaughter & May <p><u>Highly commended prizes:</u></p> <ul style="list-style-type: none"> Mr Adam Bruell, Hogan Lovells International LLP Ms Chloe Kite, DLA Piper 	Dr Andrea Coscelli, acting chief executive of the Competition and Markets Authority.
2015	'Brexit: what would it mean for the UK competition law landscape	<p><u>First prize:</u></p> <ul style="list-style-type: none"> Ms Jasminde Chaytor, Berwin Leighton Paisner <p><u>Highly commended:</u></p> <ul style="list-style-type: none"> Mr Ali Sadek, Freshfields Ms Laura K. Elliott, Cooley (UK) LLP 	Judge Ian S. Forrester of European Union General Court
2014	Object or effect: where do competition authorities need to draw the line?"	<p><u>First prize:</u></p> <ul style="list-style-type: none"> Aoife Monaghan, Linklaters LLP <p><u>Highly commended:</u></p> <ul style="list-style-type: none"> John Kwan, Cleary Gottlieb Steen & Hamilton LLP Daniel Schwarz, Clifford Chance 	Lord David Currie, chairman, Competition and Markets Authority
2013	Will the UK Government's proposed opt-out regime for collective damages actions facilitate redress for victims of competition law infringements to any significant extent?	<p><u>First prize:</u></p> <ul style="list-style-type: none"> Daniel Carall-Green, Slaughter & May 	Philip Lowe, non-executive director of the Competition and Markets Authority and director general for energy, European Commission

LinkedIn

The Competition Section enables members to learn and debate developments in a private environment. Increase your competition legal network and join our LinkedIn group.



Website

Our Competition Section website contains details of all the Section's competition law events and is searchable - please go to www.lawsociety.org.uk/competition.

The Law Society has continuously highlighted the implications of Brexit for Competition law practitioners - [see our Brexit web page](#)

Committee

Thank you to our committee members

This programme of engagement was created in close consultation with the Competition Section Advisory Committee to ensure it is relevant and timely.

The committee meets up to five times a year to discuss the key issues facing the competition legal community. They advise the Law Society on how it can best support its members that work internationally in fields such as general competition law, abuse of dominance, cartels, litigation, merger control, sectoral regulation, market and sector investigations, state aid, public procurement and Brexit. We look at a wide range of markets from international broadband supply to consumer goods and beyond.

The Advisory Committee is chair Richard Eccles, partner and solicitor at Bird and Bird LLP, vice chair is Matt Evans, partner and solicitor Jones Day. Jonathan Goldsmith is the EU Council member. The Law Society thanks all of the committee members, for their commitment, time and contribution.

Committee Member	Organisation	Role
Chair: Richard Eccles	Bird & Bird LLP	Partner
Vice-chair: Matt Evans:	Jones Day	Partner
Frances Barr	Competition and Markets Authority	Procedural officer
Carole Begent	Payment Systems Regulator	Head of Legal
Alastair Chapman	Freshfields Bruckhaus Deringer	Partner
Niall Collins	Mason Hayes & Curran	Head of Competition and Anti-trust team
Cameron Firth	MacFarlanes	Partner
Davina Garrod	Akin Gump	Partner
Jonathan Goldsmith		Consultant
Keith Jones	Baker & McKenzie LLP	Partner
Sarah Jordan	Kirkland & Ellis International LLP	Partner
James Marshall	Bryan Cave Leighton Paisner LLP	Partner
Becket McGrath:	Cooley (UK) LLP	Partner
Maria Ouli	JP Morgan	Senior Competition lawyer & Anti-Corruption officer
André Pretorius	Herbert Smith Freehills LLP	Partner
Nigel Seay	Travers Smith LLP	Head of Competition
Omar Shah	Morgan, Lewis & Bockius LLP	Partner
Stephen Smith	Bristows LLP	Partner
Isabel Taylor	Slaughter and May	Partner
Graeme Young	CMS Cameron McKenna	Partner