

## **Aziz Rahman gives Thomson Reuters' Regulatory Intelligence his views on the Supreme Court restricting the SFO's use of Section 2 notices**

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9 Feb 2021 Azizur Rahman.

### **Thomson Reuters asked Rahman Ravelli's Aziz Rahman for his opinions on the Supreme Court restricting the Serious Fraud Office's (SFO's) use of Section 2 notices,**

In R (on the application of KBR, Inc) v Director of the Serious Fraud Office, the Supreme Court made it clear that the SFO was not able to use section 2 of the Criminal Justice Act 1987 to force a foreign company to hand over documentation that is held abroad.

Aziz outlined to Thomson Reuters' Regulatory Intelligence the importance of the case. He explained that the Supreme Court's decision is a reversal of a previous High Court judgement.

Aziz also emphasised that the judgement is a clear indicator that the SFO does not have extraterritorial reach when demanding documents as part of its investigations.

In light of the judgement, he advised banks to carry out checks to ensure that any section 2 notice has been issued legitimately. If there are any issues surrounding the issue of such a notice, they should be challenged robustly.

Aziz's comments can be read on Thomson Reuters Regulatory Intelligence.  
(Subscription required)

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Aziz Rahman is Senior Partner at Rahman Ravelli and its founder. His ability to coordinate national, international and multi-agency defences has led to success in some of the most significant corporate crime cases of this century and top rankings in international legal guides. He is recognised worldwide as one of the most capable legal experts regarding top-level, high-value commercial and financial disputes.

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