

Consultant

Offices: London

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Education: University College London, LL.B (Hons) Law

Admitted: England and Wales, 1985

Languages spoken: German • French

Year joined: 2000



Overview

In addition to providing advice on charity governance and operational issues, Clive leads the philanthropy practice at Withers, advising both charities and donors in relation to tax-efficient giving and funding.

His practice extends beyond the domestic to the cross-border context and encompasses advice on venture philanthropy, social investment and the structuring of transactions involving charities and others so as to deliver maximum social benefit.

Clive chairs the STEP England and Wales Philanthropy Committee and the Community Foundation Network Professional Advisor Council; he is a member of the Philanthropy 'Steering Group' formerly chaired by Dame Stephanie Shirley, the Charity Law Association Standing Committee on Taxation and also of the working party set up by HM Revenue & Customs to review proposed changes to the Substantial Donor Rules.

Clive acted in two leading High Court cases concerning trustees' powers and duties: *Hillsdown Holdings plc v. Pensions Ombudsman (1996)*; and *Public Trustee and Anor v. Cooper and Ors (1999)* and has been acknowledged as a major contributor to the debate concerning the powers of trustees to adopt a socially responsible approach to the investment of their funds.

He is the firm's nominated officer for money laundering reporting purposes and, as chair of the STEP Anti-money Laundering Task Force, has been involved in discussions with HM Treasury, MEPs, the European Commission and the Financial Action Task Force of the OECD regarding the fight against money laundering and terrorist financing.

In the latter role, he was a recipient of an outstanding achievement award at the STEP 2007 Private Client Awards for his role in securing key amendments to the Money Laundering Regulations 2007 at draft stage. His combination of knowledge and experience in the fields of trust and charity law, on the one hand, and money laundering and terrorist financing issues, on the other, has been described as 'unique'.

Highlights

Clive is currently advising a number of foreign charitable bodies, including US and other foreign universities, in relation to English charity and related tax law issues. In recent years, much of his work has involved the establishment of US/UK dual qualified charity structures both for institutions and for donors exposed to both UK and US tax. He is standing English legal adviser to Geneva Global Inc and to its wholly owned subsidiary Geneva Global (Europe) Limited.

Publications and speaking engagements

Clive collaborated with German lawyers on the English chapter of a book entitled 'Handbuch des Internationalen Stiftungsrechts' (Zerb Verlag, 2007) and has been commissioned by Cambridge University Press (with Alison Paines) to edit a new book entitled 'The Law and Practice of International Charitable Giving'.

He is one of the editors of Sweet & Maxwell's 'Practical Trust Precedents' and 'Practical Will Precedents' and contributes chapters on governance to Tolley's 'Charities Manual'. In addition to writing for the national press, he regularly lectures (both within the UK and overseas) and contributes to leading technical publications on his areas of practice.

Recent engagements include:

- 'Seeking disclosure how to come clean in an increasingly transparent world' - Withers seminar (London, March 2011)
- 'The old world and the new: Recent tax and regulatory changes' - Withers seminars (Geneva & Zurich, February 2011)
- 'Charities Review of the Year' - Association of NHS Charities Review of the Year (London, January 2011)
- 'Potential legal and due diligence issues - 'How not to get lost in translation' - EAPG/Philanthropy Bridge Foundation Conference

(London, January 2011)

- 'Issues in international issues in philanthropy' - The Society of British Argentine Lawyers (London, November 2010)
- 'The role of charity trustee - a good deed or liability' Withers and Lord Northstreet roundtable (London, October 2010).
- 'GiftAid - Inform or Reform' - EAPG Roundtable (London, July 2010)
- 'Specific uses of charities in the onshore world' - 20th Oxford Offshore Symposium (Oxford, September 2010)
- 'Identifying Beneficial Owners in Trusts' - Law Society Anti-Money Laundering Conference (London, June 2010)
- 'Philanthropy as part of Wealth and Succession Planning' - CAF Philanthropy Foundation School (Heidelberg, May 2010).
- 'Governing and Managing your Philanthropy' - CAF Philanthropy Foundation School (Heidelberg, May 2010).
- 'Cross-border giving post Finance Act 2010' - EAPG Roundtable (London, April 2010).
- 'International Philanthropy' - Dixcart seminar (London, April 2010).
- 'Rationalisation of Trusts' - Association of NHS Charities Review of the Year (London, February 2010).
- 'Recent Tax Issues' - Association of NHS Charities Review of the Year (London, February 2010),
- 'Moneybox Live' - BBC Radio 4 (December 2009)
- 'Bridge or Barrier' - EAPG Roundtable (London, February 2010).
- 'Philanthropy and the Wealth Advisor' - EAPG Annual Conference (London, November 2009).
- 'Bridge or Barrier' - EAPG Roundtable (London, June 2009)
- The Shifting World of European Philanthropy - EAPG Roundtable (London, April 2009).
- 'The UK/US Dual Qualified Structure - What is it, why is it needed and how it works' - Ivy League Development Officers (New York, March, 2009).
- 'The Business of Philanthropy' - STEP Northern Ireland Branch (Belfast, March 2009).
- 'Money Laundering and Terrorist Financing' - Charities Internal Audit Network (London, January 2009)
- 'Removing the Obstacles to Cross-Border Giving' Tolleys Philanthropy and Social Investing Summit (London, December 2008).
- 'Looking Beyond the UK: High-Level Charitable Giving from the US, Europe and Offshore Jurisdictions' and 'Philanthropy and the Wealth Advisor: Integrating Philanthropy into your service to high-net-worth clients' - EAPG Annual Conference (London, November 2008)
- 'World Taxation Practice of Private Foundations and Philanthropy' - CAF Philanthropy School (Moscow, November 2008).
- 'Community Philanthropy' - Community Foundation for Greater Manchester (Manchester, October 2008).
- 'Transatlantic Giving' - STEP Philanthropy Symposium (London, September 2008).
- 'Specific Uses of Charities in the USA and England' - 18th Oxford Offshore Symposium (Oxford, September 2008)
- 'Setting Effective Policies for Customer Due Diligence' - Anti Money Laundering Compliance for Law Firms Conference (London, June, 2008).
- 'Effective structuring for Family Philanthropy' - Withers Family Office Roadshow (Zurich, Geneva and Milan, May 2008).
- 'Cross Border Giving' - Lexis Nexis Charity Taxes Conference (London, March 2008).
- 'Examining Money Laundering Policies for Charities' - Lexis Nexis Charity Taxes Conference (London, March 2008)

Memberships

- City of London Law Society
- Society of Trust and Estate Practitioners
- Charity Law Association

On a personal note

Clive was a member of the Finance and Services Committee and the Audit Committee of Tearfund (a national relief charity) for nine years. He is currently a trustee of a substantial grant-making charity, of the London Community Foundation and of Community Foundation Network and a working member of the Bluebell Railway. He is fascinated by language and history and, in his spare time, enjoys walking and reading.



