

Guidance to businesses on the Bribery Act 2010

The Bribery Act – What it means to you

The introduction of the Bribery Act 2010 imposed additional challenges on business. As well as new offences and sentence limits. One such change was an offence of, “*Failure of commercial organisations to prevent bribery*” which imposes penalties on the organisation. Additionally the maximum sentence was raised from 7 to 10 years imprisonment including the introduction of unlimited fines. Importantly, ignorance of the Act would not be a defence for any commercial organisation or individual, but organisations that can sufficiently demonstrate they have adequate procedures in place to prevent bribery are able to rely on a legislated defence.

The Role of the Overseas Anti Corruption Unit

The City of London Police, Overseas Anti Corruption Unit (OACU) has a global remit to investigate allegations of UK companies and individuals involved in Bribery in developing countries overseas. However, another role of the unit is engagement with commercial organisations. We recognise the importance of these partnerships/relationships and are eager to assist in regard to clarifying questions about the Act, its practicable application and offering crime prevention advice.

What should you do?

It’s important that you are fully aware of the Act and the impact any breach could have on your organisation and individual culpability. Nobody knows your business or understands what the potential risks are to your organisation better than you. So make sure that you seek advice so you can implement the appropriate risk based governance for your company.

How can we help?

The City of London police have commissioned a short crime prevention video entitled “***Consequences begin at home***” It has been designed to be used by companies as part of ongoing internal training for their staff. It doesn’t talk about the law, but instead demonstrates the impact that a corruption investigation could have on companies and individuals who ignore the Act and break the law.

In the future we will follow the video up with a helpful “reporting template” on how you can report any Bribery & Corruption suspicions, as well as details of the training packages offered by The Academy; our Economic Crime Directorate’s training facility. The packages include anti-corruption, counter-fraud and bribery courses, all of which can be tailored to suit individual company needs.

Commander Steve Head said:

Many of you may have heard it said that corruption is a ‘victimless crime’; I can assure you it isn’t. It differs from most other crimes in that most of the victims are abroad and are often unaware of the offence. But, the corrosive effect that this type of offence can have on society and on the rule of law cannot be underestimated. We regularly engage with our International partners and colleagues assisting them in the pursuit of offenders.

The consequences on individuals within the UK are also significant so please take the time to watch/use the video. We would welcome any feedback you have, so we can provide further meaningful crime prevention material or advice that will assist you in the future.

Commercial reputations take many years of hard work to establish, but can literally be lost overnight through lack of adequate procedures and governance, please don’t be that company.

For further information or guidance on the Bribery Act then call The Overseas Anti Corruption Unit (OACU) on 020 7601 6865 or email mark.lugton@cityoflondon.police.uk. For further information on The Academy and the courses available call, 020 7601 6846 or email denise.derbyshire@cityoflondon.pnn.police.uk