



GRESHAM COLLEGE

Corruption:-

“A Necessary Evil?”

**John Burbidge-King CEO
Interchange Solutions**

“A Prosecutor’s View”

**Charlie Monteith Senior Policy Adviser
The Serious Fraud Office**



Clause 1 – To bribe another

Legalese	English translation
<ul style="list-style-type: none">•To offer, promise or give a financial or other advantage•Intending to induce or reward•Improper performance of a relevant function	<ul style="list-style-type: none">•To offer an advantage (bribe) to someone•To induce (or to reward) misconduct:•A breach of faith/trust/impartiality
<ul style="list-style-type: none">•To offer, promise or give•A financial or other advantage•Knowing or believing acceptance•Is itself improper performance	<ul style="list-style-type: none">•To offer an advantage (bribe)•Knowing or believing•it would induce misconduct
<ul style="list-style-type: none">•Does not matter if person offered, promised or given the advantage is the same person who is to perform, or has performed the function•Does not matter if the advantage is offered, promised or given directly or through a third party	<ul style="list-style-type: none">•Person bribed can be different to person doing the job•Can bribe directly or via 3rd party

Clause 6 – Bribe a foreign public official

- To offer an advantage to a foreign public official (FPO)
- **With intent to influence** them in their role as a FPO
- and
- **With intent to...**
- Obtain or retain business or a business advantage
- **where it is not permitted nor required by written law** to be influenced by an offer, promise or gift

Foreign public official

- Any legislative, administrative or judicial position
- Any public function for that country or public agency/ enterprise
- Official or agent of a public international organisation

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Acme medical scanners

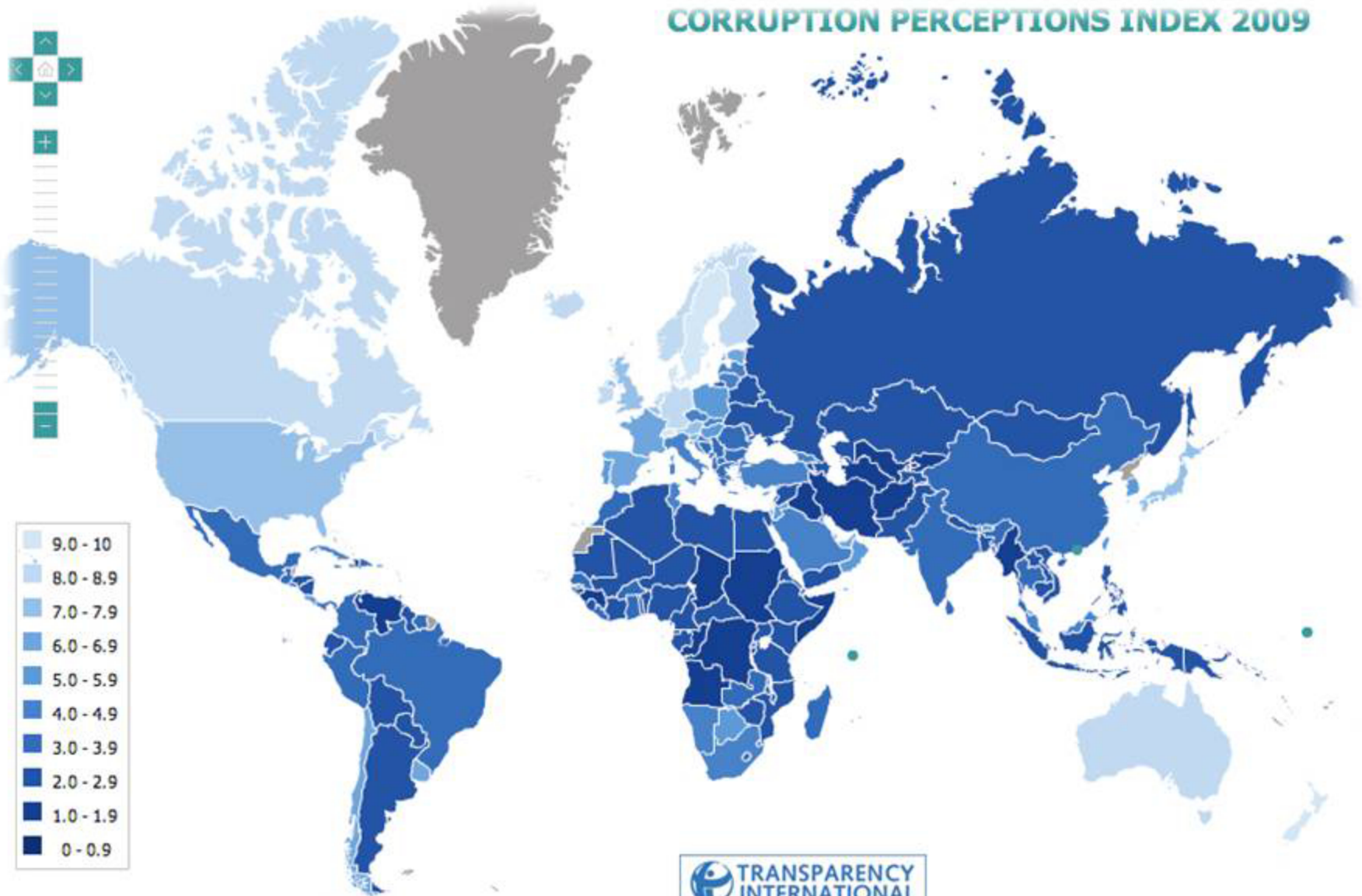


1. £500,000 each to UK NHS
2. 20% global market share
3. Export to Africa, Middle East and Karabia



Karabia

CORRUPTION PERCEPTIONS INDEX 2009



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Our man in Karabia



Mr Wulandari



Minister of Health



The bids

Acme



Amtech



End user prices Ex Works

£900,000 = £3.6m

€700,000 = €2.1m (£1.74m)

Commission

40% = £1.44 million

5% = €105,000

Net revenue to successful bidders

£2.16m

€1.99m (£1.64m)



Karabian Nights



Adequate procedures???

Policy matters

- Culture : Clear anti-corruption top down led culture
- Code of Ethic/Conduct
- Dynamic risk assessment/mitigation
- Gifts, facilitation, hospitality policy
- Outside advisors, intermediaries third party policies
- Political contributions & lobbyists policies
- Individual responsibility/accountability

Practice matters

- Anti-corruption training
- Practical support and assistance
- Proportionate checks & internal/external auditing
- Reporting helpline
- Rewards : positive affirmation
- Appropriate & consistent disciplinary process
- How, what 3rd parties are paid/ nature and extent of services
- History of remedial action in previous cases/self reporting.

The outcome

Acme



£10m



Amtech

