



HOUSE OF LORDS

SELECT COMMITTEE ON THE BRIBERY ACT 2010

Call for Evidence

The Select Committee on the Bribery Act 2010 was appointed by the House of Lords on 17 May 2018 to consider the Bribery Act 2010. It has to report by 31 March 2019.

The task of the Committee is to carry out post-legislative scrutiny of the Act itself, its operation and its enforcement, and to make recommendations to the Government. The Committee has been specifically instructed to include in its remit consideration of Deferred Prosecution Agreements (DPAs) as they affect bribery.

This is a public call for written evidence to be submitted to the Committee.

The Committee is happy to receive submissions on any issues related to the Bribery Act 2010, but would particularly welcome submissions on the questions listed below. You need not address every question.

The Committee is looking to hear from as many people and organisations as possible. If you think someone you know would have views to contribute, please do pass this on to them.

Instructions on how to submit evidence are set out at the end.

If you have any queries please contact the staff of the Committee:

<https://www.parliament.uk/business/committees/committees-a-z/lords-select/bribery-act-2010/contact-us/>

The deadline for submissions is Tuesday 31 July 2018.

Questions

Deterrence

1. Is the Bribery Act 2010 deterring bribery in the UK and abroad?

Enforcement

2. Is the Bribery Act 2010 being adequately enforced? If not, how could enforcement be improved? Do the Serious Fraud Office and the Crown Prosecution Service have the right approach and the resources they need to investigate and prosecute bribery offences effectively?

Guidance

3. Is the statutory guidance on the Bribery Act 2010 sufficient, clear and well-understood by the companies and individuals who have to deal with it? Should alternative approaches be considered?

Challenges

4. How have businesses sought to implement compliance programmes which address the six principles set out in the Ministry of Justice's guidance on the Bribery Act 2010? What challenges have businesses faced in seeking to implement their compliance programmes? Are there any areas which have been particularly difficult to address?
5. What impact has the Bribery Act 2010 had on small and medium enterprises (SMEs) in particular?
6. Is the Act having unintended consequences?

Deferred Prosecution Agreements

7. Has the introduction of Deferred Prosecution Agreements (DPAs) been a positive development in relation to offences under the Bribery Act 2010? Have DPAs been used appropriately and consistently? Has their use reduced the likelihood that culpable individuals will be prosecuted for offences under the Act?

International aspects

8. How does the Bribery Act 2010 compare with anti-corruption legislation in other countries? Are there lessons which could be learned from other countries?
9. What impact has the Bribery Act 2010 had on UK businesses and individuals operating abroad?

How to submit evidence

Written evidence should be submitted online using the written submission form available at: <http://www.parliament.uk/bribery-act-2010/>. If you do not have access to a computer you may submit a paper copy to:

Clerk to the Select Committee on the Bribery Act 2010
Committee Office, House of Lords, London SW1A 0PW

The deadline for submission of written evidence is Tuesday 31 July 2018.

Short, concise submissions are preferred. Submissions longer than 6 pages should include a one-page summary. Paragraphs should be numbered. Submissions should be dated, with a note of the author's name, and of whether the author is acting in an individual or corporate capacity. Submissions with a university or college address should make clear whether they are submitted in an individual capacity or on behalf the university or college. All submissions made through the written submission form will be acknowledged automatically by email.

Submissions become the property of the Committee which will decide whether to accept them as evidence. Evidence may be published by the Committee at any stage. It will normally appear on the Committee's website and will be deposited in the Parliamentary Archives. Once you have received acknowledgement that your submission has been accepted as evidence, you may publicise or publish it yourself, but in doing so you must indicate that it was prepared for the Committee. If you publish your evidence separately, you should be aware that you will be legally responsible for its content.

In certain circumstances the Committee may be prepared to accept submissions but not to publish them, in whole or in part. If you would like to submit evidence on this basis you should first discuss this with the Clerk to the Committee.

You should be careful not to comment on individual cases currently before a court of law, or matters in respect of which court proceedings are imminent. If you anticipate such issues arising, you should discuss with the Clerk to the Committee how this might affect your submission.

Personal contact details supplied to the Committee will be removed from submissions before publication but will be retained by the Committee staff for specific purposes relating to the Committee's work, such as seeking additional information.

Certain individuals and organisations may be invited to appear in person before the Committee to give oral evidence. Oral evidence is usually given in public at Westminster and broadcast in audio and online. Persons invited to give oral evidence will be notified separately of the procedure to be followed and the topics likely to be discussed.

Substantive communications to the Committee about the inquiry should be addressed through the Clerk, whether or not they are intended to constitute formal evidence to the Committee.

This is a public call for evidence. Please bring it to the attention of other groups and individuals who may not have received a copy direct.

You can follow the progress of the inquiry at <http://www.parliament.uk/bribery-act-2010/>.

20 June 2018