

Bribery and Corruption: Investigations and Negotiations across Jurisdictions

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Aziz Rahman, founder of Rahman Ravelli, has outlined the current issues involved in bribery and corruption investigations in a chapter he has contributed to an international legal guide.

His chapter, "Bribery and Corruption: Investigations and Negotiations across Jurisdictions", is one of the opening sections of the International Comparative Legal Guide to Corporate Investigations 2019. It is the second year he has been asked to author a chapter for the Guide.

In this year's Guide, he explains how 2018 saw the first company convicted in the UK for the offence, under Section 7 of the Bribery Act 2010, of failing to prevent bribery. This, he argues, is a case that underlines the importance of companies having proper preventative measures in place; as having adequate procedures is the only defence to a Section 7 offence.

Aziz's chapter also refers to recent case law to examine the powers that the Serious Fraud Office (SFO) has, under Section 2 of the Criminal Justice Act, to compel individuals and organisations to produce information and to order individuals to attend an interview. He also highlights the clarification that a 2018 case brought to the issue of legal privilege, in relation to in-house advice prepared prior to any court proceedings.

As 2018 saw the SFO appoint Lisa Osofsky as its new Director, he considers her wish for greater SFO cooperation with other law enforcement agencies and regulatory bodies and for more use of technology to gather data and intelligence.

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The chapter emphasises the importance of a well thought-out, properly-conducted internal investigation if bribery is suspected. It also makes clear the possible benefits of such an investigation: more lenient treatment from the authorities if the wrongdoing is self-reported or the ability to devise a credible, intelligently-argued response to any allegations.

With deferred prosecution agreements now part of the UK's legal landscape, the chapter explains the importance of knowing how and when to cooperate with the authorities and the value of making changes to working practices to prevent any problems being repeated.

The full chapter can be read [here](#).

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