

## **ANTI BRIBERY POLICY**

### **1. WHAT IS THE PURPOSE OF THIS POLICY?**

It is our policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate and to implementing and enforcing effective systems to counter bribery.

The purpose of this policy is to:

- set out both Chambers responsibilities and yours; and
- provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues.

### **2. WHO IS COVERED BY THIS POLICY?**

This policy applies to Chambers and all staff.

Every individual to whom this policy applies should ensure that the obligations contained in this policy will be communicated clearly to third parties and, wherever reasonably appropriate, should seek to put contractual provisions in place with those third parties to ensure compliance. "Third party" includes any individual or organisation you come into contact with during the course of your work, and includes anyone providing services to Chambers or any of its subsidiaries directly related to obtaining, retaining, or facilitating business or handling business matters, and therefore includes actual and potential clients, investors, brokers, suppliers, consultants, distributors, representatives, business contacts, agents, advisers, and government and public bodies, officials, politicians and political parties.

Training on this policy forms part of the induction process for all new joiners. All existing members of staff and members will receive regular, relevant training on how to understand, implement and comply with this policy.

Our zero-tolerance approach to bribery and corruption must be communicated to all clients, suppliers, contractors and business partners at the outset of our business relationship with them and as appropriate thereafter.

### **3. WHAT IS COVERED?**

#### *Meaning of 'bribe'*

A bribe is a financial or other inducement or reward offered, promised, provided or received in order improperly to gain or retain any commercial, contractual, regulatory or personal advantage. For example, not only does it include an envelope of £50 notes; it would also cover the promise of a job to a relative of the person being bribed. A financial or other advantage offered to a foreign public official to obtain or retain a

business or other advantage may also constitute a bribe if it is not lawful under the written law of that jurisdiction.

#### *Facilitation Payments*

We do not make and do not accept, and you should not make and you should not accept, facilitation payments or "kickbacks" of any kind.

If you are asked to make a payment either on your own or on our behalf, you should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. You should always ask for a receipt which details the reason for the payment. If you have any suspicions, concerns or queries regarding a payment, you should raise these with the Senior Clerk or the Chief Executive.

If you are confronted with a situation involving a facilitation payment, you should seek guidance if at all possible, from the Senior Clerk or the Chief Executive.

#### *Prohibited Transactions*

In addition to facilitation payments, this policy forbids other types of improper conduct, specifically:

- Soliciting a financial or other advantage for your own benefit;
- Offering or promising to provide any financial or other advantage to improperly influence decisions affecting your or our business or for the personal gain of an individual;
- Allowing or facilitating the uncompensated use of our services, facilities or property without the prior written approval of the Chief Executive; and
- Accepting loans, loan guarantees or other extensions of credit (except from lending institutions at prevailing rates or where it is appropriate in the normal course of business to do so).

It also prohibits the receipt or use of referral fees. The payment of a referral fee for the purpose of procuring professional instructions is forbidden under the Bar Council's Code of Conduct and (whether or not it is disclosed to the lay client) is potentially both a civil wrong and a criminal offence. Detailed guidance is provided in the Bar Council's "Guidance on the Prohibition of Referral Fees", to which you should adhere at all times.

#### **4. WHAT ARE THE RULES ON GIFTS, ENTERTAINMENT AND HOSPITALITY?**

This part of the policy provides guidance and rules related to gifts, entertainment and hospitality.

Gifts and hospitality given or received must never play a part in corporate decision making. Chambers recognises that, under certain circumstances, it may be advisable

to give gifts to establish a good business relationship or it may be impractical or culturally insensitive to decline or fail to exchange a gift of nominal value.

Regardless of circumstance, no gift or hospitality may ever be solicited, offered, promised, given or received for the purpose of improperly influencing decisions affecting you or our business or for the personal gain of an individual. In addition, all gifts and hospitality given or received must be legal under all applicable laws, and cash gifts may never be given to or received from any third party.

To avoid any perception of impropriety, gifts and hospitality must be modest in value and frequency. You should also be sensitive to the timing of a gift or hospitality when deciding if it is appropriate.

Assuming that the gift you are considering giving is reasonable in value and frequency, start by asking yourself the following four questions:

- Did the proposed recipient suggest or hint at wanting a gift?
- If you give this gift and the recipient does not do something specific afterward, will you be upset or disappointed?
- Is the value of the gift, actual or perceived, high enough to create an appearance of impropriety?
- Is there any detail about the gift that if made public would prove embarrassing to you or Chambers?

If you answered “yes” to one or more of these simple questions, do not give the gift.

There is no reason why you should make these decisions alone. Do not be afraid to ask the Senior Clerk or the Chief Executive if you are unsure.

## 5. **WHAT ABOUT DONATIONS?**

Chambers does not make contributions to political parties. As charitable donations may sometimes be used as a cover for bribery, we only make charitable donations that are legal and ethical under local laws and practices. No donation must be offered or made for Chambers without the prior approval of the Chief Executive.

## 6. **WHAT DO I NEED TO DO RELATING TO THIRD PARTY DUE DILIGENCE?**

We require staff to conduct reasonable due diligence before entering into a relationship with a third party, and to monitor that relationship once formed. We suggest you do the same. You need to know whom you are dealing with and need to take steps to ensure that they are conducting business on our behalf ethically and in accordance with the principles of this policy. This is likely to include, as a minimum, background checks on the third party, and an annual review of that third party’s activities.

**7. WHAT ARE MY RESPONSIBILITIES?**

You must ensure that you read, understand and comply with this policy. In particular, you must avoid any activity that may lead to a breach of this policy, and you must notify the Senior Clerk or the Chief Executive as soon as possible if you believe or suspect that a breach of this policy has occurred, or may occur in the future. For example, if a client or potential client offers you something to gain a business advantage with us, or indicates to you that a gift or payment is required to secure their business, you should report it.

**8. WHAT HAPPENS IF I BREACH THIS POLICY?**

A breach of this policy may result in suspension and expulsion from Chambers. It may also lead to criminal prosecution, unlimited fines, imprisonment and/or civil litigation. Please note that your actions may also subject Chambers to criminal and civil liability.

Bribery and corruption offences are punishable for individuals by up to ten years' imprisonment and if Chambers is found to have taken part in corruption, it could face an unlimited fine and significant damage to our reputation. We therefore take our responsibilities very seriously.

We will never tolerate any retaliatory act against you for reporting suspected legal, ethical, or policy breaches in good faith, even if you turn out to be mistaken. If you believe that you have suffered any such treatment, you should inform the Chief Executive immediately. If the matter is not remedied you should raise it formally using the Grievance Procedure.