

Our Ref: FOI2014-25

Date: May 2014

Subject: Bribery Act (2010)

This request asked:

With respect to the offence of failure of a commercial organisation to prevent bribery (Section 7, Bribery Act 2010):

- 1. How many prosecutions have there been for the specific section 7 offence since the Act came into force?*
- 2. How many convictions have been secured for the specific section 7 offence since the Act came into force?*
- 3. How many investigations of section 7 offences have resulted in DPAs?*

1 & 2. There have not been any SFO prosecutions (and thus no convictions either) for an offence under section 7 Bribery Act 2010.

3. Deferred Prosecution Agreements (DPAs) have been in force under the Crime and Courts Act 2013 since 24 February 2014. No DPAs have yet been agreed.

The Bribery Act (2010) came into force on 1 July 2011 and does not have retrospective effect. The vast majority of cases investigated by the Serious Fraud Office involve conduct that pre-dates the Bribery Act. As you will appreciate, these tend to be lengthy and complex investigations. That said, the SFO is presently investigating a number of cases for potential offences under the Act and other cases will also be developed with a view to being taken on for investigation.

The Director of the SFO remains clear in his view that decisions as to whether or not to prosecute will be taken solely by reference to the Code for Crown Prosecutors and the Joint Prosecution Guidance of the Director of the SFO and the Director of Public Prosecutions on the Bribery Act 2010.
