

CEP Magazine – July 2018 How much is "adequate"?

by Sally March

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With all the focus on the General Data Protection Regulation and Brexit, let's not overlook two other developments that could have a big impact on compliance programs.

One of the first jury trials to test the "adequate procedures" defence under the UK Bribery Act found the company guilty as charged. On the surface, it seemed a surprising result, given that the company was very small and had no international operations. Skansen Interiors Ltd was a design firm that worked out of a small, open-plan office. When a customer's employee offered information that gave Skansen an advantage in a tender, that tipster was given two payments of £10,000. Skansen's managing director and commercial director knowingly approved false invoices for the payments, and when they were queried by the accounts team, they instructed the team to reallocate the expenses. When a third payment was requested, the (new) CEO made inquiries and put a stop to it.

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