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NATIONAL CRIME AGENCY

Serious and organised crime is a threat to the national security and costs the UK more than J24 billion a year. But for too long, too many serious and organised criminals have been able to remain one step ahead and out of law enforcement's reach.

Serious and organised crime uses bribery and corruption to evade arrest and prosecution, conduct crime and, in particular, to launder the financial proceeds. Law enforcement estimates that a significant percentage of organised crime groups in the UK are engaged in bribery and corruption. Threat assessments show that organised criminals and groups will seek to develop corrupt relationships in areas where they see greatest risk or opportunity. Targets include law enforcement agencies, government and local authorities, and the private sector. Organised criminals target law enforcement and border agencies and seeks to develop corrupt relationships in government and local authorities to gain access to data, facilitate claims for benefits and procure public contracts. The private sector, particularly the regulated financial sector, is targeted for the purposes of fraud, and to launder the proceeds of crime. The Bribery Act 2010 made major reforms to the law in this area, creating offences for offering, promising or giving a bribe, and requesting, agreeing to receive or accepting a bribe. It also included two offences on commercial bribery: bribery of a foreign public official to obtain or retain business for commercial advantage, and corporate liability for failing to prevent bribery on behalf of a commercial organisation [1]. Recent research suggests that one in twenty people from the UK have paid a bribe in the last twelve months 77. This is a higher recorded rate than before. The current response to bribery and corruption needs to be improved at both the policy and operational level.

Policy on bribery and corruption is currently split across Whitehall and, while good areas of work exist, there is no single Department that is responsible. The Home Office will now take a new lead role in coordinating all domestic bribery and corruption policy, working with the Cabinet Office and DFID to align this with

work on corruption overseas. This allocation of responsibilities is consistent with Home Office work on tackling corruption in the police in conjunction with the College of Policing, Her Majesty's Inspectorate of Constabulary and the Independent Police Complaints Commission (IPCC). Blockages in routine intelligence sharing between agencies, fragmentation of the operational response and the lack of an effective reporting mechanism for suspicions of bribery and corruption have all hampered the fight against corruption.

The NCA will lead on the assessment of bribery and corruption by organised crime and produce regular reporting on this theme. The NCA will also support investigations into corruption affecting law enforcement agencies and others, for example prisons, where staff are at higher risk of corruption given their proximity to criminals. They will do this through intelligence, threat assessments and, where required, operational support [2].

The Economic Crime Command (ECC) in the NCA will oversee the law enforcement response to bribery and corruption more broadly. Where organised criminals are involved, the NCA may either take action itself or coordinate other agencies to ensure that a proportionate operational response is in place. The NCA will work closely with other law enforcement partners including:

- the Serious Fraud Office, which remains the lead agency for investigating large and complex cases of corporate bribery and corruption, and enforcing the Bribery Act in respect of overseas corruption by British businesses;
- the City of London Police, which investigates cases of domestic bribery and corruption and its Anti-Corruption Unit, funded by DFID, which investigates UK citizens and companies involved in stronger system of vetting for police officers to be used in bribery or corruption in DFID-funded developing countries; and
- the Proceeds of Corruption Unit in the Metropolitan Police Service, which investigates corrupt politically-exposed persons (individuals who have been entrusted with a prominent public position or are a close relative of such a person) who have laundered proceeds of corruption into the UK.

On 12 February 2013, the Home Secretary announced a range of measures to improve standards of professional behaviour in policing, including that the IPCC will be equipped to deal with all serious and sensitive allegations against the police, and that the

College of Policing will publish a new Integrity Code of Practice and establish a stronger system of vetting for police officers to be used in decisions on recruitment and promotion.

The procedures for reporting bribery and corruption also need to be made easier and much more widely known. Polling suggests that over 92% of people living in the UK would report corruption if they were aware of it but only 30% know how to do so. We believe that there are strong benefits in creating a new single reporting mechanism and will examine the best way to do this and agree a way forward.

We need to not only target serious and organised criminals but also support those who seek to help us identify and disrupt serious and organised criminality. In July, we announced a review of the support that is available to those who report suspected illegal activity. BIS, the Ministry of Justice and the Home Office will consider the case for incentivising whistle blowing, including the provision of financial incentives to support whistle blowing in cases of fraud, bribery and corruption. As part of this work we will examine what lessons can be drawn from the successful 'Qui Tam'79 provisions in the US where individuals who whistle-blow and work with prosecutors and law enforcement can receive a share of financial penalties levied against a company guilty of fraud against the government.

Reference list

1. <http://nca.police.uk/>
2. www.gov.uk/government/organisations/serious-organised-crime-agency