

Corporate crime enforcement trends

Company / Individual	Date	Jurisdiction	Offence	Sentence	Comments
Tesco Stores Limited	10 April 2017	UK	<p>The SFO entered into a deferred prosecution agreement (DPA) with Tesco Stores Limited regarding historic accounting practices. The DPA relates only to potential criminality of Tesco Stores Ltd. Tesco plc will take a total exceptional charge of £235m in respect of the DPA of £129m, the expected costs of an FCA compensation scheme of £85m, and related costs. The DPA deal only relates to the potential criminal liability of Tesco Stores Ltd and does not address whether liability of any sort attaches to Tesco or any current or former employee or agent of Tesco or Tesco Stores.</p> <p>Sources: Tesco plc RNS announcement 28/03/2017; SFO, 10/04/2017.</p>	Financial penalty: £129m	
Rolls Royce PLC	17 January 2017	UK, US, Brazil	<p>Rolls Royce agreed to pay a total sum £671m following agreements with three authorities. The SFO's deferred prosecution agreement (DPA) related to offences under s.1 of the Criminal Law Act 1977, s.7 of the Bribery Act 2010, and s.17(1)(a) of the Theft Act 1968. The conduct covered by the UK DPA took place across seven jurisdictions: Indonesia, Thailand, India, Russia, Nigeria, China and Malaysia.</p> <p>Rolls Royce also reached agreements with the US Department of Justice and Brazil's Ministério Público Federal.</p> <p>Sources: SFO, Fieldfisher alerter: Co-operation not confession unlocks 50% DPA discount</p>	<p>Settlement (UK): £497.25m plus interest and costs £13m</p> <p>US DOJ: \$170m</p> <p>Brazilian authorities: \$25m</p>	This is the third use of a DPA by the SFO.

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XYZ Ltd	8 July 2016	UK	<p>XYZ Ltd (a company not named due to ongoing legal proceedings in relation to the company's former employees) has agreed to pay over £6m in a deferred prosecution agreement (DPA) relating to offences under s.1 of the Criminal Law Act 1977 and s.7 of the Bribery Act 2010 between 2004 and 2012. The financial order is comprised of £6,201,085 disgorgement of gross profits and a £352,000 financial penalty. Costs were not pursued due to the financial position of the company.</p> <p>Sources: SFO, Fieldfisher alert</p>	Financial order: £6,553,085	This is the second use of a DPA by the SFO.
Braid Group	5 April 2016	Scotland	<p>Freight and logistics company Braid Logistics (UK) Ltd self-reported breaches of the Bribery Act 2010 relating to freight forwarding contracts in 2012.</p> <p>Source: COPFS</p>	Civil Recovery Settlement: £2.2m (COPFS)	
Sweett Group	19 February 2016	UK	<p>Sweett Group plc was sentenced after pleading guilty to a charge of failing to prevent an act of bribery, contrary to s.7(1)(b) of the Bribery Act 2010, and ordered to pay £2.25m. The SFO investigation uncovered that its subsidiary, Cyril Sweett International Ltd, had made corrupt payments to Khaled Al Badie, the vice chairman of the board and chairman of the Real Estate and Investment Committee of AAI to secure the award of a contract with AAI for the building of the Rotana Hotel in Abu Dhabi.</p> <p>Sources: SFO press release</p>	Fine: £1.4m plus £851,152.23 in confiscation plus £95,031.97 in costs.	SFO's first conviction of a corporate for offences under s.7 of Bribery Act 2010.

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Smith & Ouzman Limited	8 January 2016 12 February 2015	UK	<p>Smith & Ouzman Ltd was found guilty of making almost £400,000 of corrupt payments to secure contracts in Kenya and Mauritania. Smith and Ouzman Ltd, a printing firm based in England, which specialises in security documents such as ballot papers and certificates, was convicted of three counts of corruptly agreeing to make payments, contrary to section 1(1) of the Prevention of Corruption Act 1906.</p> <p>Two former directors were also found guilty of corruptly agreeing to make payments.</p> <p>Sources: Fieldfisher alerter; SFO press release</p>	<p>Fine: £1,316,799 plus £881,158 to satisfy a confiscation order plus £25,000 in costs.</p> <p>Sentences: Christopher Smith sentenced to 18 months' imprisonment, suspended for two years, plus 250 hours unpaid work and three month curfew. Confiscation order of £4,500 plus costs of £75,000.</p> <p>Nicholas Smith sentenced to 3 years' imprisonment. Confiscation order of £18,693 imposed plus costs of £75,000.</p> <p>Sources: SFO, 12/02/2015, 08/01/2016</p>	SFO's first conviction of a corporate for offences involving bribery of foreign public officials.
Standard Bank plc (now known as ICBC Standard Bank plc)	30 November 2015	UK	<p>In the first UK Deferred Prosecution Agreement (DPA), Standard Bank agreed to pay \$25.2million for failure to prevent bribery in Tanzania from 2012-13 contrary to s.7 of the Bribery Act 2010. The Bank was ordered to pay additional \$6m plus interest to the government of Tanzania in compensation as well as £330,000 in costs to the SFO.</p> <p>Sources: SFO; Fieldfisher alerter</p>	<p>Penalty: \$16.8million; Disgorgement of profit on transaction: \$8.4million; Compensation: \$6m plus interest in \$1,046,196.58; Costs: £330,000</p>	This was the first application for a DPA and the first use of s.7 of Bribery Act by the SFO.

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			<p>In a separate case, Standard Bank agreed to pay \$4.2m to settle charges with the SEC that it failed to disclose certain payments in connection with debt issued by the Government in Tanzania in 2013.</p> <p>Source: SEC</p>		
Alstom SA	13 November 2015	US	<p>Alstom SA pleaded guilty in December 2014 and agreed to pay \$772m fine to resolve charges related to bribery in countries around the world, including Indonesia, Saudi Arabia, Egypt and the Bahamas, in breach of the FCPA. The sentence was approved by the court in November 2015.</p> <p>In addition, Alstom Network Schweiz AG, a Swiss subsidiary, pleaded guilty to a criminal information charging it with conspiracy to violate the anti-bribery provisions of the FCPA. Two U.S. subsidiaries, Alstom Power Inc. and Alstom Grid Inc., entered into deferred prosecution agreements with the DOJ.</p> <p>Sources: Fieldfisher alert; DOJ press release 22/12/2014; DOJ press release 13/11/2015</p>	Penalty: \$772,290,000 (DOJ)	This is the largest foreign bribery penalty from the DOJ.
Brand-Rex Limited	25 September 2015	Scotland	<p>Brand-Rex Limited self-reported to the Crown Office a contravention of s.7 of the Bribery Act 2010 after it discovered it had benefited from unlawful conduct by a third party. The settlement was based on the gross profit of the company related to the misuse of an incentive scheme.</p> <p>Source: COPFS press release</p>	Civil recovery settlement: £212,800	This is the first concluded settlement for a contravention of s.7 of the Bribery Act 2010.

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Magnus Peterson (Weaving Capital)	23 January 2015	UK	<p>Over a 6 year period, investors were misled into putting \$780m into the Weaving Macro Fund, which was marketed as low risk. When investors began to request their money back, there were no real assets to fund any repayments. Weaving Capital (UK) Ltd went into administration in March 2009.</p> <p>The trial against Magnus Peterson, former head of Weaving, began in Southwark Crown Court on 14 October 2014. He was convicted on 19 January 2015 for eight counts of fraud, forgery, false accounting and fraudulent trading.</p> <p>Sources: SFO press release; SFO press on sentence</p>	Sentence: 13 years' imprisonment	This case had initially been dropped by the SFO in September 2011, citing there was not a reasonable prospect of conviction. The case was re-opened in July 2012 following a review of the High Court civil judgment by Mrs Justice Proudman on 30 May 2012
International Tubular Services Ltd	17 December 2014	Scotland	<p>International Tubular Services Ltd (ITS) self-reported that it had benefited from corrupt payments made by a former Kazakhstan-based employee to secure additional contractual work. ITS self-reported the discovery in November 2013 under the self-reporting initiative launched by COPFS in 2011 when the Bribery Act came into force.</p> <p>Source: COPFS press release</p>	Civil Recovery Settlement: £172,000	
Christopher Ronnie (JJB), David Ball, David Barrington	15 December 2014	UK	<p>Three individuals convicted as part of an investigation into JJB. The SFO investigation centred on Mr Ronnie's failure to declare his interest in contracts entered into by JJB Sports with Fashion and Sport Ltd, as well as attempts by owners of Fashion and Sport Ltd to destroy</p>	Sentences: Mr Ronnie: 4 years' imprisonment; disqualified from acting as a director for 8 years.	

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			<p>evidence.</p> <p>Christopher Ronnie, former CEO of JJB, convicted of three offences of fraud (contrary to s.1(1) and s.3 of Fraud Act 2006) and two offences of furnishing false information contrary to s.17(1)(b) of the Theft Act 1968.</p> <p>David Ball and David Barrington, beneficial owners of Fashion and Sport Ltd, both convicted of attempting to pervert the course of justice, in relation to attempts to destroy digital material and to mislead the SFO.</p> <p>Source: SFO press release</p>	<p>Mr Ball: 18 months' imprisonment</p> <p>Mr Barrington: 18 months' imprisonment</p> <p>Source: SFO press release, 15/12/2014</p>	
Gary West, Stuart Stone, James Whale (Sustainable Growth Group/Sustainable AgroEnergy)	8 December 2014	UK	<p>Three individuals connected with Sustainable AgroEnergy plc have been convicted of conspiracy to commit fraud, conspiracy to furnish false information, fraudulent trading and Bribery Act 2010 offences.</p> <p>Gary West (former director and chief commercial officer) was convicted of offences under s.2 of the Bribery Act, s.1 Criminal Law Act 1977, s.993 Companies Act 2006.</p> <p>Stuart Stone (an IFA) was convicted of offences under s.1 Bribery Act, s.1 Criminal Law Act 1977.</p> <p>James Whale (former director, CEO of chairman of Sustainable Growth Group) was convicted of conspiracy to commit fraud and fraudulent trading.</p>	<p>Sentences:</p> <p>Mr West: 13 years' imprisonment (4 years for bribery, concurrently); disqualified from acting as a director for 15 years.</p> <p>Mr Stone: 6 years' imprisonment (6 years for bribery, concurrently); disqualified from acting as a director for 10 years.</p> <p>Mr Whale: 9 years' imprisonment; disqualified from acting as a director for 15 years.</p> <p>Sources: SFO press release;</p>	First Bribery Act conviction by the SFO.

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			<p>A fourth defendant was acquitted by the jury of all charges.</p> <p>These were the first Bribery Act convictions to be secured by the SFO.</p> <p>Sources: SFO press release, 05/12/14; 14/8/13 (charges)</p>	FieldFisher alerter	
Dennis Kerrison (Innospec)	19 September 2014	UK	<p>Former chief executive of the Innospec business, Dennis Kerrison was found guilty of conspiracy to commit corruption in June 2014 relating to allegations of bribes paid to state officials in Indonesia between 2002 and 2008. This follows guilty pleas entered by former Innospec CEO Paul Jennings and sales and marketing director Dr David Turner in 2012 and Innospec pleading guilty in 2010. Former regional sales director of Innospec, Miltiades Papachristos was also found guilty at the same trial as Mr Kerrison.</p> <p>Mr Kerrison was sentenced to four years imprisonment which was reduced to three years following an appeal in September 2014.</p> <p>Source: SFO press release; SFO press release on sentencing; SFO v Papachristos and Kerrison [2014] EWCA Crim 1863</p>	Sentence: 4 years imprisonment, reduced to 3 years on appeal; costs decision pending (SFO)	The SFO investigated Innospec over the course of 6 years and charges were brought against the company and four individuals.
Miltiades ("Miltos") Papachristos (Innospec)	19 September 2014	UK	<p>Miltos Papachristos, former regional sales director of Innospec, was charged with conspiracy to corrupt relating to contracts for Tetraethyl lead in Indonesia. He was found guilty in June 2014, alongside Dennis Kerrison. This followed guilty</p>	Sentence: 18 months imprisonment; costs decision pending (SFO)	

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			<p>pleas entered by former Innospec CEO Paul Jennings and sales and marketing director Dr David Turner in 2012 and the company pleading guilty in 2010.</p> <p>Mr Papachristos was sentenced to 18 months imprisonment.</p> <p>Source: SFO press release; SFO press release on sentencing; SFO v Papachristos and Kerrison [2014] EWCA Crim 1863</p>		
Paul Jennings (Innospec)	4 August 2014	UK	<p>Former chief executive of Innospec, Paul Jennings, appeared before Westminster Magistrates' Court in October 2011 on charges surrounding alleged corrupt payments to gain public contracts in Indonesia and Iraq.</p> <p>On 30 July 2012 in Southwark Crown Court, he pleaded guilty to the charge of conspiracy to corrupt Iraqi public officials by making payments as inducements to ensure tests on MMT (a competitor product) concluded with an unfavourable assessment. His sentencing was delayed until August 2014 whilst trials relating to Miltiades Papachristos and Dennis Kerrison took place; they were found guilty in June 2014.</p> <p>Sources: SFO press release (11 June 2012); SFO press release (30 July 2012); SFO (18 June 2014); SFO press release on sentencing</p>	Sentence: 2 years imprisonment; £5000 towards prosecution costs (SFO)	
Dr David Turner (Innospec)	4 August 2014	UK	<p>Dr David Turner appeared before Westminster Magistrates' Court in 2011 charged with alleged offences of conspiring to make corrupt payments</p>	Sentence: 16 month suspended sentence, 300 hours unpaid work;	Concerning Dr Turner's sentencing, HHJ Goymer said he narrowly escaped

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			<p>to public officials in Indonesia and Iraq to secure contracts for Innospec Ltd for the supply of its products. He was also charged with conspiring to defraud a competitor company by bribing Iraqi officials to provide unfavourable test results on its product.</p> <p><i>Source: Fieldfisher alert</i></p> <p>Dr Turner appeared at Southwark Crown Court on 17 January 2012 where he pleaded guilty to three counts of conspiracy to corrupt. Sentencing was adjourned until August 2014 whilst the trials against Miltiades Papachristos and Dennis Kerrison took place; they were found guilty in June 2014.</p> <p><i>Source: Fieldfisher newflash; SFO press release on sentencing</i></p>	£10,000 towards prosecution costs (SFO)	going to prison due to his cooperation with authorities.
Bruce Hall (Alba/Alcoa)	July 2014	UK	<p>Bruce Hall, former CEO of Aluminium Bahrain ("Alba"), was charged with corruption offences under s.1 Criminal Law Act 1977 and s.1 Prevention of Corruption Act 1906, relating to contracts for the supply of goods and services to Alba in February 2012 by the SFO.</p> <p>He pleaded guilty in June 2012 to one charge of conspiracy to corrupt and was sentenced to 16 months imprisonment on 22 July 2014. Mr Hall was also ordered to pay a confiscation order of £3m, prosecution costs of £100,000 and compensation to Alba of £500,000. The court heard how Mr Hall received £2.9m in corrupt</p>	Sentence: 16 months imprisonment; confiscation order of £3,070,106.03; pay compensation to Alba of £500,010; and pay £100,000 in costs (SFO)	

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			<p>payments from a member of the Bahraini royal family.</p> <p>Mr Hall had been a prosecution witness in the trial of Victor Dahdaleh, which was aborted in December 2013.</p> <p>Sources: Fieldfisher alert; SFO</p>		
Besso Limited	March 2014	UK	<p>The Financial Conduct Authority (FCA) fined Besso Limited £315,000 for a failure to take reasonable care to establish and maintain effective systems and controls for countering the risks of bribery and corruption.</p> <p>Besso agreed to a settlement at an early state of the FCA investigation and therefore qualified for a 30% discount. Were it not for this discount, the financial penalty would have been £450,000.</p> <p>Source: FCA</p>	Penalty: £315,000 (FCA)	
JLT Specialty Limited	December 2013	UK	<p>JLTSL was found to have failed to conduct proper due diligence before entering into a relationship with partners in other countries who helped JLTSL secure new business. JLTSL also did not adequately assess the potential risk of new insurance business secured through its existing overseas introducers.</p> <p>JLTSL's penalty was increased because of its failure to respond adequately either to the numerous warnings the FCA had given to the industry generally or to JLTSL specifically. The fine of £1,876,000 follows JLTSL's agreement to</p>	Penalty: £1,876,000 (FCA)	

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			<p>settle at an early stage of the investigation. As a result, it qualifies for a 30% reduction on the original penalty of £2,684,013.</p> <p>JLTSL's failure to manage risks breached FCA's principle on management and control.</p> <p>Source: FCA</p>		
Victor Dahdaleh (Alba/Alcoa)	December 2013	UK	<p>SFO arrested and charged Victor Dahdaleh with corruption and money laundering offences relating to contracts for the supply of aluminium to Bahrain in 2011.</p> <p>He was alleged to have made payments of bribes to officials of Aluminium Bahrain ("Alba") in connection with contracts with US company Alcoa for supplies of alumina shipped to Bahrain from Australia. Arrest followed investigation by SFO in cooperation with City of London Police, US Department of Justice and Swiss authorities. Charges are under s1 Prevention of Corruption Act 1906, s1 Criminal Law Act 1977 and ss 329(1) and 327(1) of the Proceeds of Crime Act 2002</p> <p>Source: Fieldfisher newsflash</p>	Sentence: None – Victor Dahdaleh found not guilty	<p>The case against Dahdaleh ended on 10 December 2013. The SFO concluded there was no realistic prospect of conviction in this case and offered no evidence against him.</p> <p>Source: SFO case progress.</p> <p>The US DOJ and SEC both charged Alcoa with violating FCPA in January 2014, resulting in fines totalling \$384m.</p> <p>Sources: DOJ and SEC</p>
Total SA	May 2013	US	<p>French oil company Total SA paid a total of \$398m to the US government to resolve charges related to violations of the FCPA in relation to oil and gas contracts in Iran.</p> <p>French enforcement authorities announced they had requested that Total, the chairman and CEO and two other individuals be referred to the</p>	Penalty: \$245.2m (DOJ) and \$153m (SEC)	One of the highest combined FCPA penalties.

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			Criminal Court for violations of French law. <i>Source: US Department of Justice press release</i>		
Yang Li	April 2013	UK	Yang Li, a student at the University of Bath, pleaded guilty to bribery under s1 of the Bribery Act 2010 and possession of an imitation firearm on 23 April 2013. Mr Li attempted to bribe his tutor with £5,000 in order to receive a pass mark for his dissertation. Mr Li also had an imitation fire arm with him. <i>Source: BBC</i>	Sentence: 12 months imprisonment, ordered £4,880 in costs (Avon and Somerset Constabulary)	This is the third prosecution under the Bribery Act 2010.
Mawia Mushtaq	December 2012	UK	Mawia Mushtaq, a taxi driver, was found guilty of bribery in December 2012. Mr Mushtaq was said to have offered a licensing officer of Oldham council bribes of £200 or £300 in exchange for a 'pass' on a private taxi licence test (having failed previously). <i>Source: Manchester Evening News</i>	Sentence: two months imprisonment (suspended for 12 months) and two month curfew from 6pm to 6am. (Greater Manchester Police and CPS)	This is the second prosecution under the Bribery Act 2010; Oldham Council is one of the first local authorities to use the new legislation.
Abbot Group Limited	November 2012	Scotland	Abbot Group Limited admitted that it had benefited from corrupt payments made in connection with a contract entered into by one of its overseas subsidiaries and an overseas oil and gas company. The payments came to light in May 2011 and Abbot self-reported the results to the Crown Office and Procurator Fiscal Service in July 2012. <i>Source: Trace International copy of COPFS press release</i>	Civil recovery order: £5.6m (COPFS)	Abbot is the first company to enter into a civil settlement under Scotland's self-reporting initiative since it was introduced in 2011.
Oxford Publishing Ltd	July 2012	UK	OPL, a subsidiary of Oxford University Press, became aware of irregular tendering practices	Civil recovery order: £1,895,435 (SFO)	Notable enforcement action as the company

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			<p>involving its education business in East Africa and launched an investigation. OUP voluntarily reported concerns relating to contracts entered into by subsidiaries incorporated in Tanzania and Kenya. The SFO took action in the High Court (via s.276 of the Proceeds of Crime Act 2002) which resulted in an order that OPL pay £1.9m. OPL will also pay the SFO costs: £12,500. In addition, OUP offered to contribute £2m to not-for-profit organisations for teacher training and other educational purposes in sub-Saharan Africa, a reflection on the seriousness with which OUP views the events.</p> <p>Sources: SFO press release; Fieldfisher newsflash</p>		operates in the charitable and educational sector. OUP is a department of Oxford University, which operates as a charity.
Munir Patel	<p>May 2012</p> <p>October 2011</p>	UK	<p>Munir Patel, court clerk, was convicted of receiving a bribe of £500 for promising to influence the outcome of a motoring offence trial. Arrested in a sting operation and initially charged on 4 August 2011. Prior to July 2011, he had received bribes on over 50 occasions before. Charges for misconduct and bribery. His sentence for misconduct was subsequently reduced by the Court of Appeal in May 2012.</p> <p>Source: Fieldfisher newsflash</p>	Sentence: 6 years for misconduct (later reduced to 4 years); 3 years for bribery (sentences run concurrently) (CPS)	First prosecution under the Bribery Act 2010.
BAE Systems	<p>March 2012</p> <p>December</p>	UK	<p>BAE fined after admitting it had failed to keep adequate accounting records in relation to a defence contract in Tanzania. Offence under s221 of Companies Act 1985.</p> <p>March 2012: SFO, Government of Tanzania, BAE</p>	<p>Penalty: £29.5m</p> <p>Fine: £500,000 (SFO)</p>	UK court agreed the settlement in December 2010; £29.5m to be paid for benefit of people of Tanzania.

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	2010		<p>Systems and the Department for International Development signed a Memorandum of Understanding enabling £29.5m plus accrued interest to be paid by BAE for educational projects in Tanzania.</p> <p><i>Source: SFO press release</i></p> <p><i>December 2010: Company fined £500,000 by SFO and ordered to pay £225,000 costs. This follows a settlement by BAE as part of a global agreement reached earlier this year with SFO and US DOJ – see entry below in March 2010.</i></p> <p><i>Sources: SFO press release; R v BAE Systems plc</i></p>		
James McGeown William Marks John Symington Carol Kealey	February 2012	UK	<p>An investigation into the corruption of civil servants concluded at Belfast Crown Court in February 2012 with all four defendants admitting their involvement in payments to show favour for the tendering and continuing of CCTV contracts in Northern Ireland. James McGeown, owner of VIS Security Solutions Ltd, obtained contracts worth a total of £16.2 million whilst he was paying bribes. William Marks was the Deputy Senior Commercial Officer for the Ministry of Defence (MOD) in Northern Ireland and John Symington was a Senior Quantity Surveyor for the MOD. Carol Kealey is the sister of William Marks.</p> <p><i>Source: SFO press release</i></p>	<p>Sentence: James McGeown: 3 years imprisonment (suspended) and disqualified from being a director; William Marks: 2 years imprisonment (suspended); John Symington: 9 months imprisonment (suspended); Carol Kealey: conditional discharge.</p> <p>Confiscation orders were made against McGeown and Symington of £1 million and £24,550 respectively, payable within six months.</p>	

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				Source: SFO press release	
Mabey & Johnson Ltd	January 2012 February 2011 September 2009	UK	<p><i>January 2012:</i> The SFO took action in the High Court, under Pt 5 of the Proceeds of Crime Act, which resulted in an order for the shareholder of Mabey & Johnson, Mabey Engineering (Holdings) Ltd, to pay £130,000 in recognition of sums it received through share dividends derived from contracts won through unlawful conduct.</p> <p>Source: Fieldfisher newsflash</p> <p><i>February 2011:</i> Former directors and sales manager of Mabey & Johnson sentenced for providing kickbacks to the Iraqi government of Saddam Hussein</p> <p>Sources: SFO press release and Fieldfisher newsflash</p> <p><i>September 2009:</i> Mabey & Johnson Ltd was fined in relation to offences overseas corruption in Jamaica and Ghana and breaching UN sanctions relating to the Iraq "Oil for Food" programme, following a guilty plea in July 2009</p> <p>Source: SFO press release</p>	<p>M&J settlement with shareholder: £131,201 (SFO, Jan 2012)</p> <p>Sentences for former directors: C Forsyth: 21 months imprisonment, D Mabey: 8 months imprisonment, R Gledhill: 8 months suspended sentence (Feb 2011)</p> <p>Fine: £6.6m (SFO, Sept 2009)</p>	<p>First prosecution of a UK company for these offences.</p> <p>First claim against shareholders of a company.</p> <p>Case shows multiple claims arising from same corrupt activity – against the company, individuals, and shareholders.</p>
Siemens	December 2011 December 2008	US, Germany	<p><i>December 2011:</i> Eight former senior executives and agents of Siemens AG and its subsidiaries were been charged for allegedly engaging in a decade-long scheme to bribe senior Argentine government officials to secure, implement and enforce a \$1bn contract.</p> <p>Source: US Department of Justice press release</p>	<p>Combined settlement: \$1.6bn</p> <p>Made up of: \$450m (DoJ), \$350m (SEC), \$856m (Munich Public Prosecutor's Office)</p>	<p>Individual directors/executives are being pursued.</p> <p>Highest FCPA enforcement action to date.</p>

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			<p><i>December 2008:</i> Company pleaded guilty to violations of FCPA's internal controls and books and records provisions. Corruption involved more than \$1.4bn in bribes to government officials in Asia, Africa, Europe, the Middle East and the Americas.</p> <p><i>Source:</i> US Department of Justice press release</p>		
Aon Ltd	December 2011	US	<p><i>December 2011:</i> Aon entered into an agreement with the Department of Justice to pay \$1.76m penalty to resolve violations of FCPA. Aon's UK subsidiary administered certain training and education funds in connection with its reinsurance business with Costa Rica's state-owned insurance company.</p> <p><i>Source:</i> Department of Justice press release</p>	<p>Penalty: \$1.76m (DOJ)</p> <p>Settlement: \$14.5m (SEC)</p>	<p>A number of factors, included Aon's prior financial penalty by the FSA, led to a substantially reduced monetary penalty by the DOJ in December 2011.</p>
	January 2009	UK	<p><i>January 2009:</i> Aon fined for failure to take reasonable care to establish and maintain effective systems and controls to counter the risks of bribery and corruption associated with making payments to overseas firms and individuals (a breach of Principle 3 of FSA's Principles for Business/s. 206 of FSMA). As a result of Aon Ltd's weak control environment, the firm made various suspicious payments, amounting to approximately \$7 million, to a number of overseas firms and individuals.</p> <p><i>Source:</i> FSA press release</p>	<p>Fine: £5.25m (FSA)</p>	<p>Aon cooperated fully with the FSA and agreed to settle at an early stage of the FSA's investigation. The firm qualified for a 30% discount under the FSA's settlement discount scheme. Without the discount the fine would have been £7.5 million.</p>
Ousama Naaman	December	US	Former agent for Innospec Ousama Naaman was	Sentence: 30 months in	

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(Innospec)	2011		sentenced and fined for his participation in conspiracy to defraud the UN Oil for Food Program and bribe former Iraqi government officials in connection with the sale of tetraethyl lead. <i>Source: Department of Justice press release</i>	prison, \$250,000 fine (DOJ)	
Macmillan Publishers Limited	July 2011	UK	Macmillan Publishers Limited to pay over £11m in recognition of sums it received which were generated through unlawful conduct related to its Education Division in East and West Africa. Civil recovery order made under Part 5 of Proceeds of Crime Act. <i>Sources: SFO press release; Fieldfisher newsflash</i>	Civil recovery order: £11,263,852 (SFO)	
Willis Limited	July 2011	UK	FSA fined Willis Limited £6.895 million for anti-bribery and corruption systems and controls failings (breaches of Principle 3 of the FSA's Principles for Business and Rule SYSC 3.2.6 R of the FSA's Senior Management Arrangements, Systems and Controls Handbook/s.206 of FSMA). <i>Source: FSA press release</i>	Penalty: £6.895 million (FSA)	Record fine. No requirement to prove that a corrupt payment was made.
Armor Holdings Inc	July 2011	US	Armor was charged for violations of the FCPA. Armor accepted responsibility for its subsidiary's payment of more than \$200,000 in commissions to a third-party sales agent, a portion was passed on to a UN procurement official to induce the award of two UN contracts to Armor. The contracts were for sale of \$6m of body armour.	Penalty: \$10.29 million (DOJ) Settlement: \$5.69 million (SEC)	Armor Holdings was acquired by BAE Systems in 2007 (after the conduct took place). Armor began investigating the conduct based on a whistleblower tip in 2007.

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			Armor also admitted to keeping \$4.4m in additional payments to agents and other third parties from its books and records. <i>Source: US Department of Justice press release</i>		
BAE Systems plc	May 2011	US	BAE Systems plc entered into civil settlement with the US Department of State for alleged violations of US Arms Export Control Act (AECA) and International Traffic in Arms Regulations (ITAR) <i>Source: US Department of State press release</i>	Settlement: \$79m (Department of State)	Department of State settlement in connection with these violations that were subject of the company's settlement with the DOJ.
DePuy International / Johnson & Johnson	April 2011 April 2010	UK	<i>April 2011:</i> SFO obtained civil recovery order under the Proceeds of Crime Act against DePuy International. In 2006, parent company Johnson & Johnson began an internal investigation into non-compliance of company rules in connection with sale of orthopaedic products in Greece between 1998 and 2006. J&J reported their findings to the DOJ and SEC. SFO launched investigation into DePuy in October 2007. <i>Source: SFO press release</i> <i>April 2010:</i> Former DePuy executive Robert Dougall pleaded guilty to s.1 of the Prevention of Corruption Act 1906 after admitting his involvement in £4.5m corrupt payments to medical professionals within the Greek state healthcare system. <i>Source: SFO press release</i>	Civil recovery order: £4.829 million plus costs (SFO) Sentence: 12 months imprisonment, suspended for two years on appeal (SFO)	Johnson and Johnson fined by DOJ \$21.4m and SEC \$48.6m. Greek authorities froze assets of DePuy in Greece worth €5.785m. <i>Source: US Department of Justice press release</i>
M W Kellogg	February	UK	The company, M.W. Kellogg Limited (MWKL),	Civil recovery order:	

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	2011		ordered, under Part 5 of the Proceeds of Crime Act 2002, to pay just over £7 million in recognition of sums it is due to receive which were generated through the criminal activity of third parties. <i>Sources: SFO press release and Fieldfisher Newsflash</i>	£7.028m (SFO)	
Alcatel-Lucent S.A.	December 2010	US	Alcatel-Lucent's 3 subsidiaries paid millions of dollars in improper payments to foreign officials for the purpose of obtaining and retaining business in Costa Rica, Honduras, Malaysia and Taiwan. Alcatel-Lucent admitted that the company earned approximately \$48.1 million in profits as a result of these improper payments. <i>Source: US Department of Justice press release</i>	Penalty: \$92m (DOJ) Settlement: \$45m (SEC)	Settlement finalised in June 2011 in Miami federal court.
Julian Messent	October 2010	UK	Director of PWS International sentenced after pleading guilty (under s.1 of the Prevention of Corruption Act 1906) to two counts of making or authorising corrupt payment of almost \$2million to Costa Rican officials in the state insurance company, Instituto Nacional de Seguros and the national electricity and telecoms provider Instituto Costarricense de Electricidad <i>Source: SFO press release</i>	Sentence: 21 months imprisonment; £100,000 compensation.	The judge said that the offences justified a 4-5 year prison sentence but was reduced to 21 months taking into account early guilty plea and good character. Messent appealed to the Court of Appeal in March 2011 but was dismissed. <i>Source: R v Messent, [2011] EWCA Crim 644</i>
Snamprogetti Netherlands BV, Saipem and ENI SpA.	July 2010	US	Snamprogetti Netherlands agreed to pay a \$365m penalty to resolve charges relating to the FCPA and bribes paid to Nigerian officials to gain	Penalty: \$240m (DOJ) and \$125m (SEC).	One of the largest combined FCPA fines.

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			<p>engineering, procurement and construction contracts. The contracts were valued at more than \$6bn. Snamprogetti and its current parent company Saipem and former parent company ENI SpA agreed to ensure their compliance programmes satisfied certain standards and agreed to cooperate in ongoing investigations.</p> <p>Related to KBR case (below)</p> <p>Source: US Department of Justice press release</p>		
Innospec	March 2010	UK	<p>Innospec Ltd entered guilty plea of bribing employees of Indonesian state owned refinery and other government officials (totalling £5.6m/\$8m) between 2002 and 2006 in relation to supply of Tetraethyl Lead. Offence contrary to s1 of Criminal Law Act 1977 and s.1 of Prevention of Corruption Act 1906.</p> <p>Source: SFO press release</p>	<p>Settlement: \$12.7 million (£8.3m) (SFO)</p>	<p>Judge said the fine was wholly inadequate but did not want to make company insolvent.</p> <p>Source: R v Innospec</p> <p>Global settlement with SEC totalling \$40.2m</p> <p>Source: SEC press release</p> <p>A number of executives who worked for Innospec were also found guilty of conspiracy to corrupt – see entries for Ousama Naaman (former agent), Dennis Kerrison (a former CEO), Miltiades Papachristos (former regional sales director), Dr David Turner (former sales</p>

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					and marketing director) and Paul Jennings (a former CEO).
BAE Systems plc	March 2010	US	BAE Systems pleaded guilty to conspiring to defraud the US by impairing and impeding its lawful functions, to make false statements about its FCPA compliance program, and to violate AECA and ITAR. Related to business conducted in Saudi Arabia, Hungary and Czech Republic. <i>Source: US Department of Justice press release</i>	Penalty: \$400m (DOJ)	One of the largest criminal fines in the history of DOJ's ongoing effort to combat overseas corruption in international business and enforce U.S. export control laws
AMEC	October 2009	UK	AMEC made referral to the SFO in March 2008 following an internal investigation. SFO obtained civil recovery order in relation to over £5.5m (\$9m) of "irregular receipts" the company took in relation to the construction of the Incheon Bridge, Korea. Offence under s.221 Companies Act 1985. <i>Source: SFO press release</i>	Civil recovery order: £4,943,648 (SFO)	Second prosecution of this kind in the past year.
KBR (Halliburton)	February 2009 September 2008	US	KBR pleaded guilty to payment of bribes in Nigeria. \$182m paid to agents to be used, in part, to pay the bribes. <i>Source: US Department of Justice press release</i> <i>September 2008:</i> Albert Stanley, former chairman and CEO of KBR pleaded guilty to conspiring to violate the FCPA for his participation in the bribery scheme. <i>Sources: SEC press release & Stanley plea agreement</i>	Fine total: \$579m (made up of \$402m criminal; £177m civil fines) Sentence: 7 years in prison and restitution of \$10.8m	KBR chairman faced seven year sentence and \$10.8m fine. One of the largest FCPA fines.
Balfour Beatty	October	UK	Company failed to keep accurate records,	Civil recovery order:	SFO uses powers under

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	2008		payment irregularities. Charged with offence under s.221 Companies Act 1985 <i>Source: SFO press release</i>	£2.25m (SFO)	Proceeds of Crime Act for the first time.
Philip Gray	August 2006	UK	Middle manager of Mars Inc responsible for maintenance of production lines was sentenced for conspiring with four others to defraud Mars and to corruptly receiving cash and gifts as an inducement to show favour to Ironfirm Ltd (t/a Excel Engineering), a company which provided maintenance services to Mars. <i>Source: SFO press release</i>	Sentence: Four years imprisonment	