

A conference presented by the IBA Anti-Corruption Committee

# 20th Annual IBA Anti-Corruption Conference

12–13 June 2024, OECD, Paris, France



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THURSDAY 13 JUNE • 1545 – 1645 • PANEL ELEVEN

## The IBA's survey of corruption's impact on the legal profession: results and next steps

### *Moderators*

**Mark Mendelsohn** *Paul Weiss Rifkind Wharton & Garrison, New York; Survey Officer, IBA Anti-Corruption Committee*

**James Parkinson** *Orrick Herrington & Sutcliffe, Washington, DC; Regional Representative North America, IBA Anti-Corruption Committee*

### *Panellist*

**Sara Carnegie** *Director, Legal Policy & Research Unit, International Bar Association, London; Member, IBA Diversity & Inclusion Council*

**George Artley** *Legal Manager, Legal Policy & Research Unit, International Bar Association, London*

[www.ibanet.org/conference-details/CONF2499](http://www.ibanet.org/conference-details/CONF2499)

## Findings from 2010 Survey:

1. **Roughly half of all respondents perceived corruption to be an issue** in the legal profession in both their home and in neighbouring jurisdictions.
2. **A significant number of lawyers were being approached to act as an agent or middleman** in a transaction that could reasonably be suspected to involve international corruption.
3. There was a **dangerous lack of awareness of international anti-corruption laws and instruments** among legal professionals.
4. Respondents **did not perceive their bar associations, law societies or law firms were actively engaging** their professionals on issues of international bribery and corruption.



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**ANTI-CORRUPTION STRATEGY  
FOR THE LEGAL PROFESSION**

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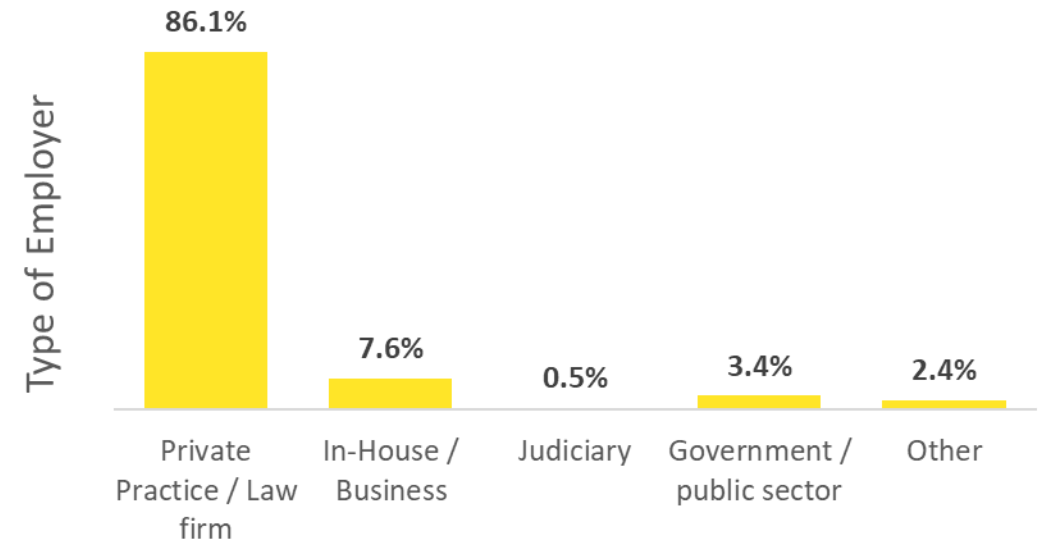
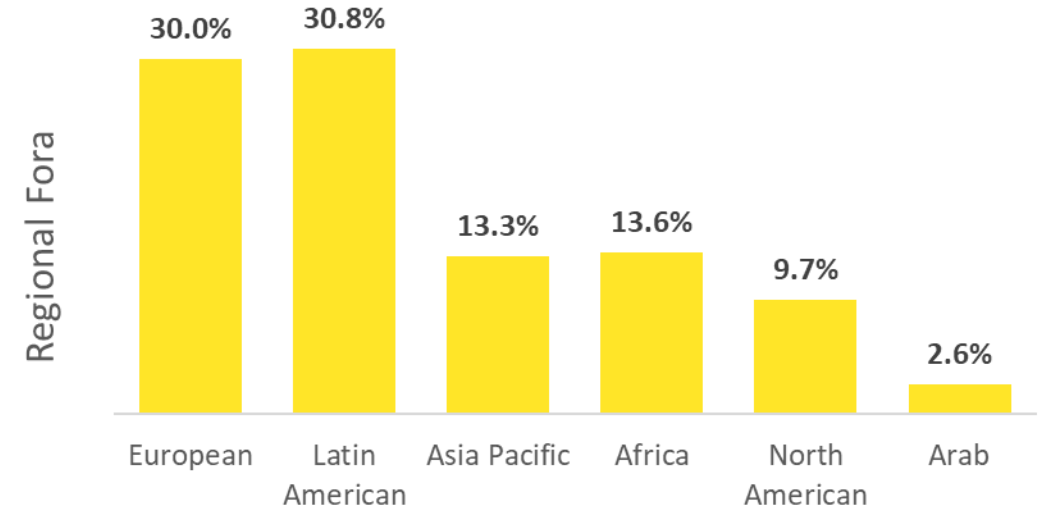
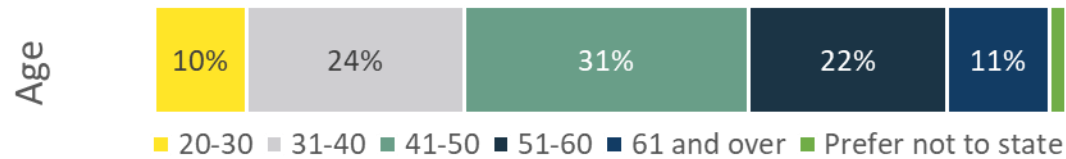
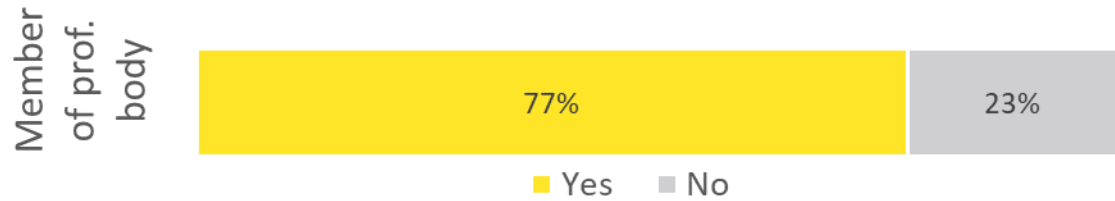
## **Risks and threats of corruption and the legal profession**

Survey 2010



# Demographics

- Survey live between 17<sup>th</sup> Nov 2023 and 5<sup>th</sup> Feb 2024
- 1,292 completed responses



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# Risk indices explained

## Risk Index Score (Current Status)

Range of -5 (lowest risk) to +5 (highest risk)

(Q8) To what extent, if any, is corruption a common issue faced by your profession (in the context of working with clients, judiciary, government officials or more broadly) in your jurisdiction?

(Q10) Is corruption – including demands for the payment of bribes – a material business issue for your clients?

(Q19) From your experience, please rate the likelihood of a typical professional in your line of work / jurisdiction reporting corruption (to the relevant law enforcement agency/government authority) when they become aware of it

## Risk Trajectory Score (Direction of Travel)

Range of -5 (decreasing risk trend) to +5 (increasing risk trend)

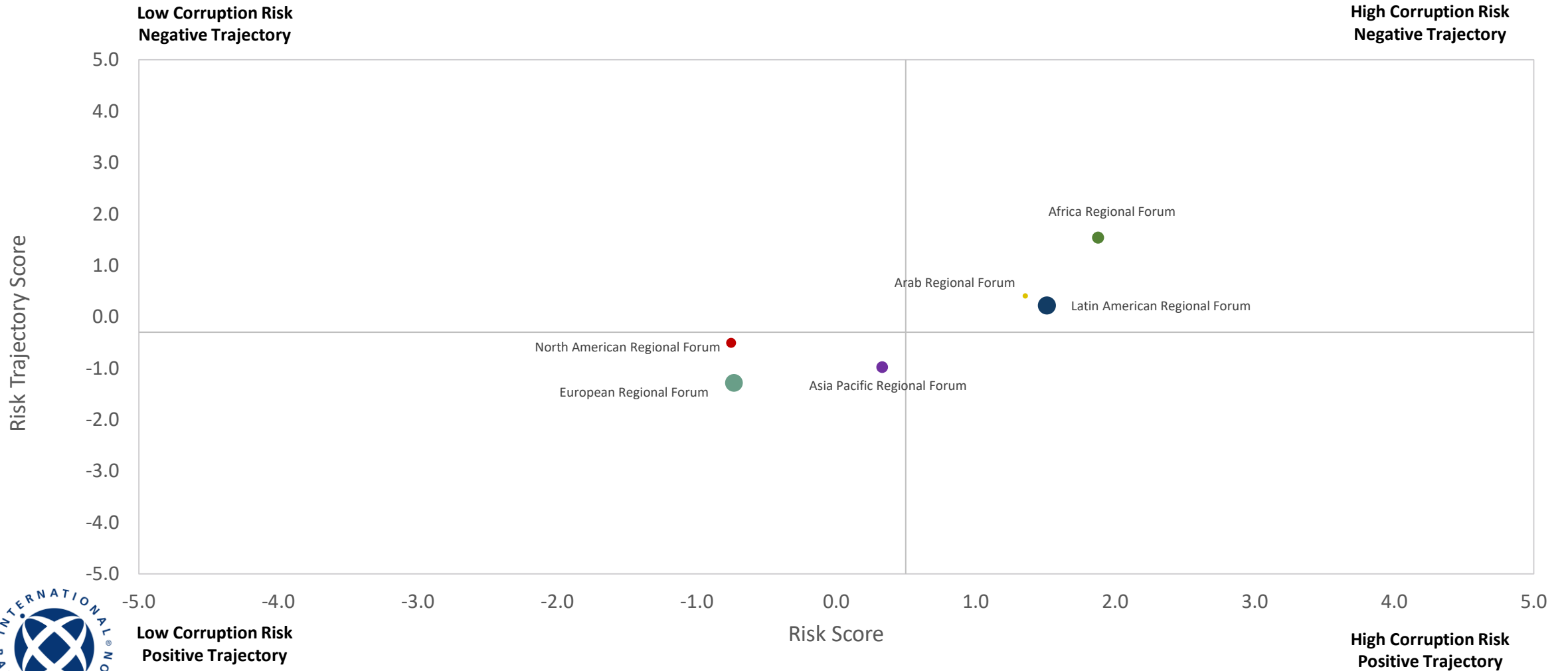
(Q9) Based on your professional experience, do you believe that - over the last ten years – the level of corruption in your jurisdiction has:

(Q25) Compared to five years ago, do you believe that the current compliance requirements that you must follow in your professional capacity, have reduced corruption and Money laundering in your jurisdiction?

(Q26) Compared to ten years ago, in your opinion, are the law and regulations related to preventing, detecting and prosecuting corruption in your jurisdiction more, or less effective?



# Global Risk Profile: Regional Fora



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 Larger circles denotes higher sample size

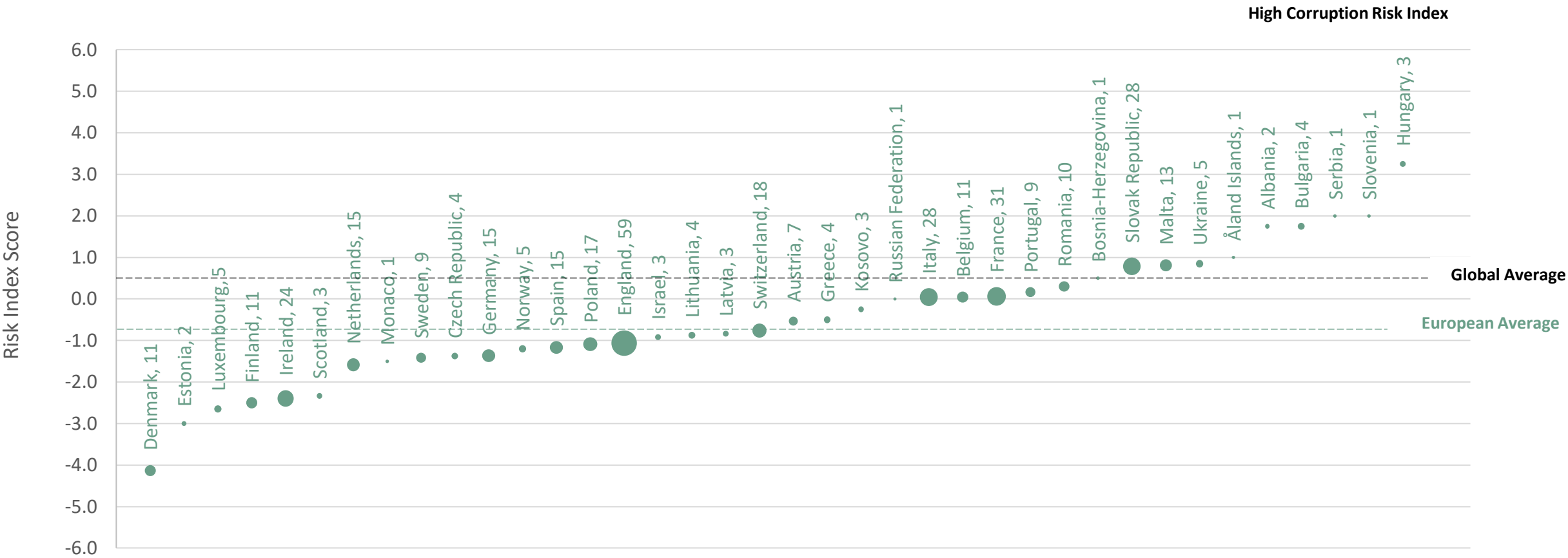
# Practice Area Risk Profile



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**Larger circles denotes higher sample size**

# European Regional Forum Risk Index

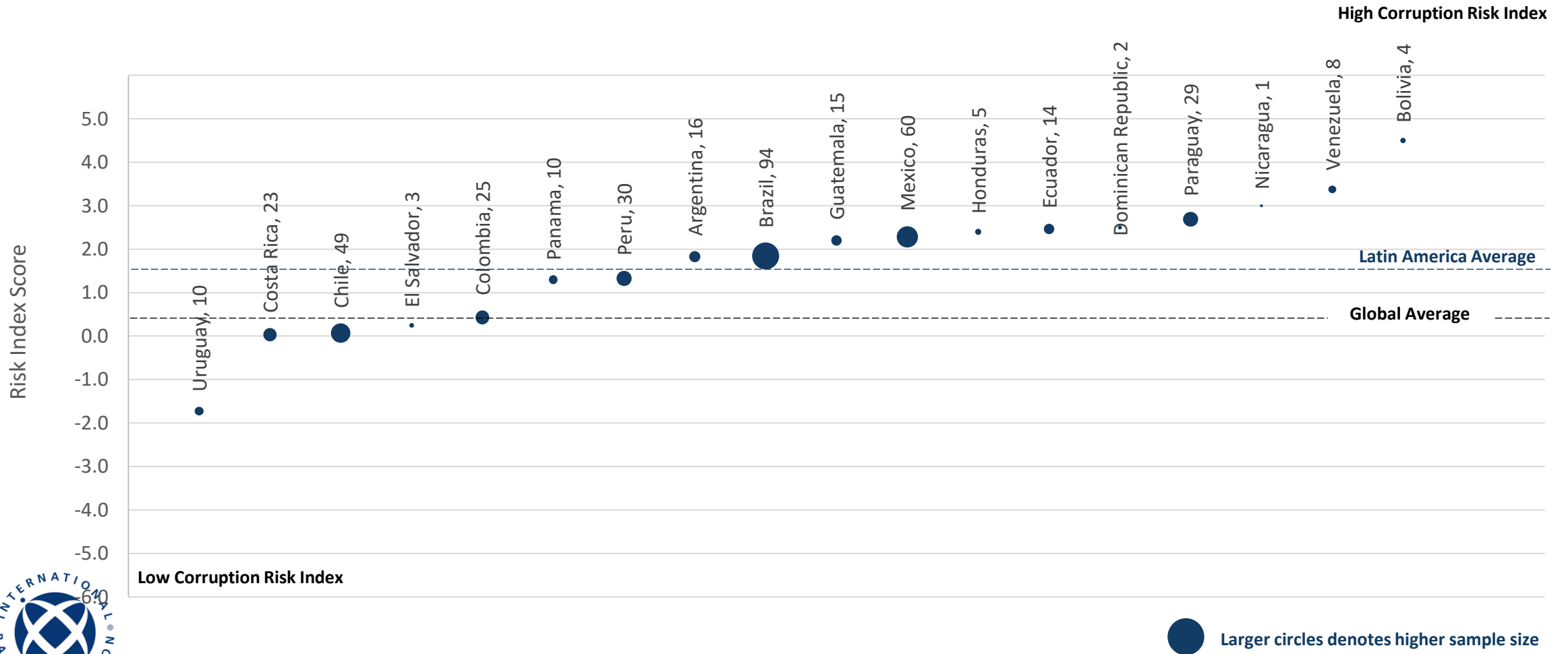


**Low Corruption Risk Index**

 Larger circles denotes higher sample size



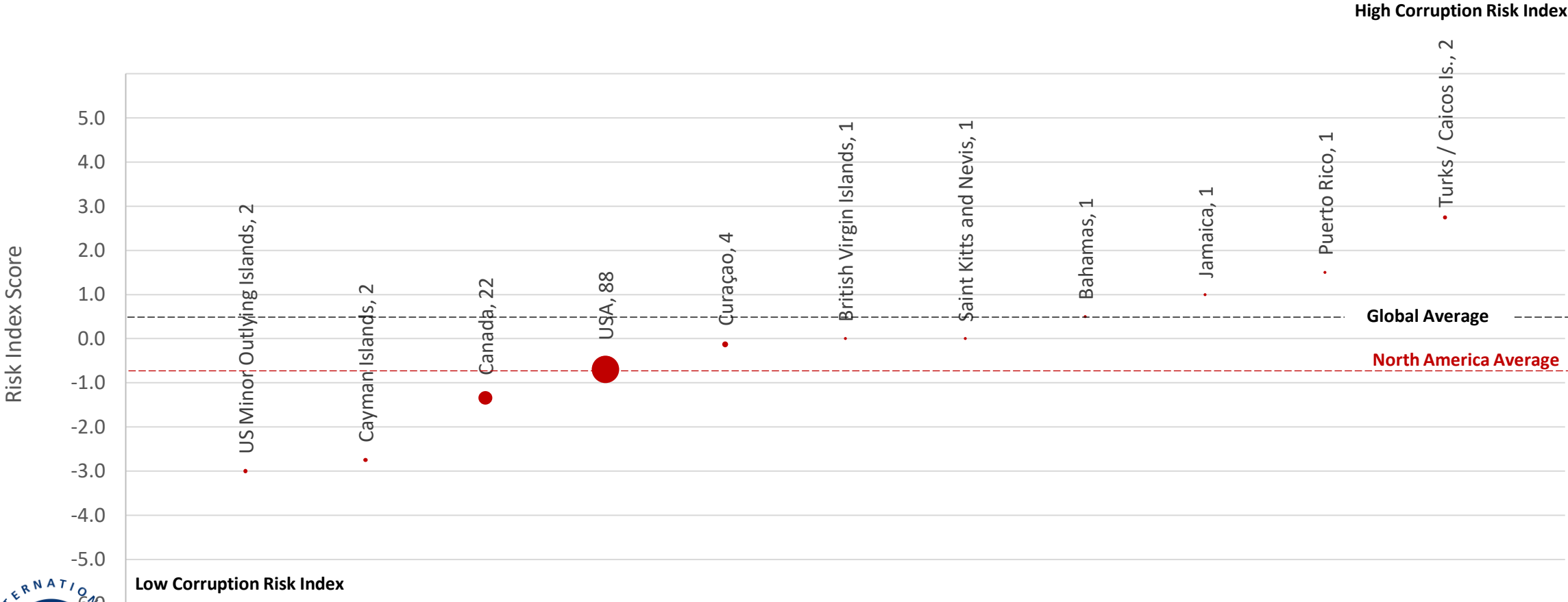
# Latin America Regional Forum Risk Index



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# North America Regional Forum Risk Index

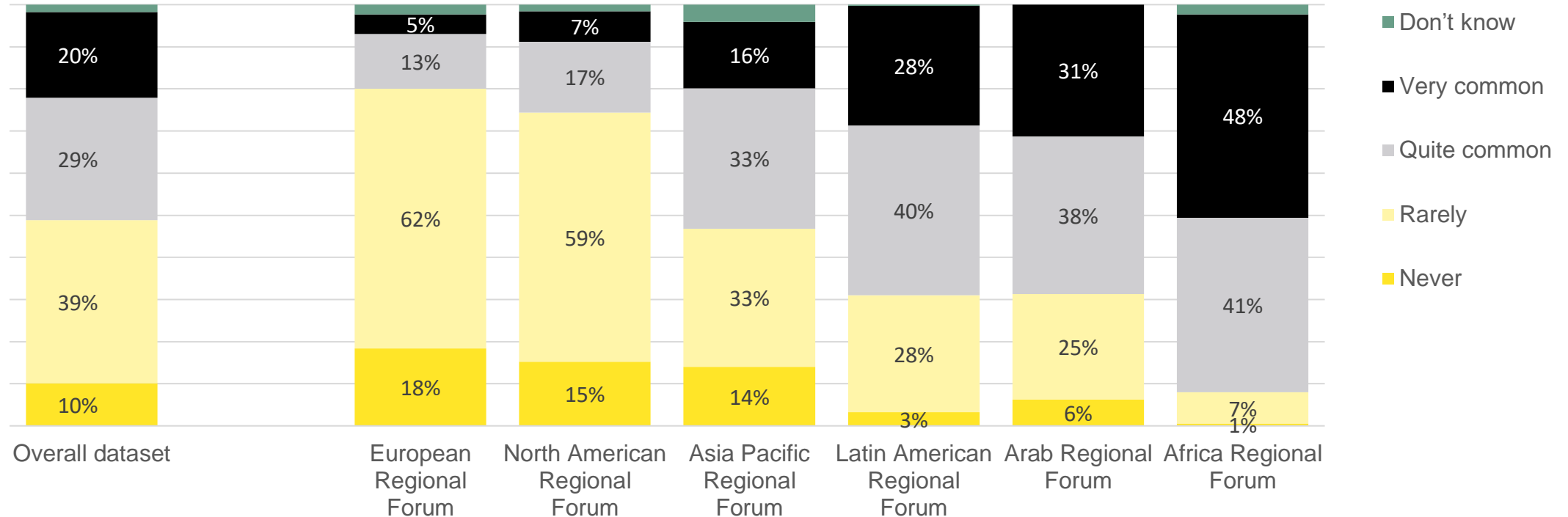


 Larger circles denotes higher sample size



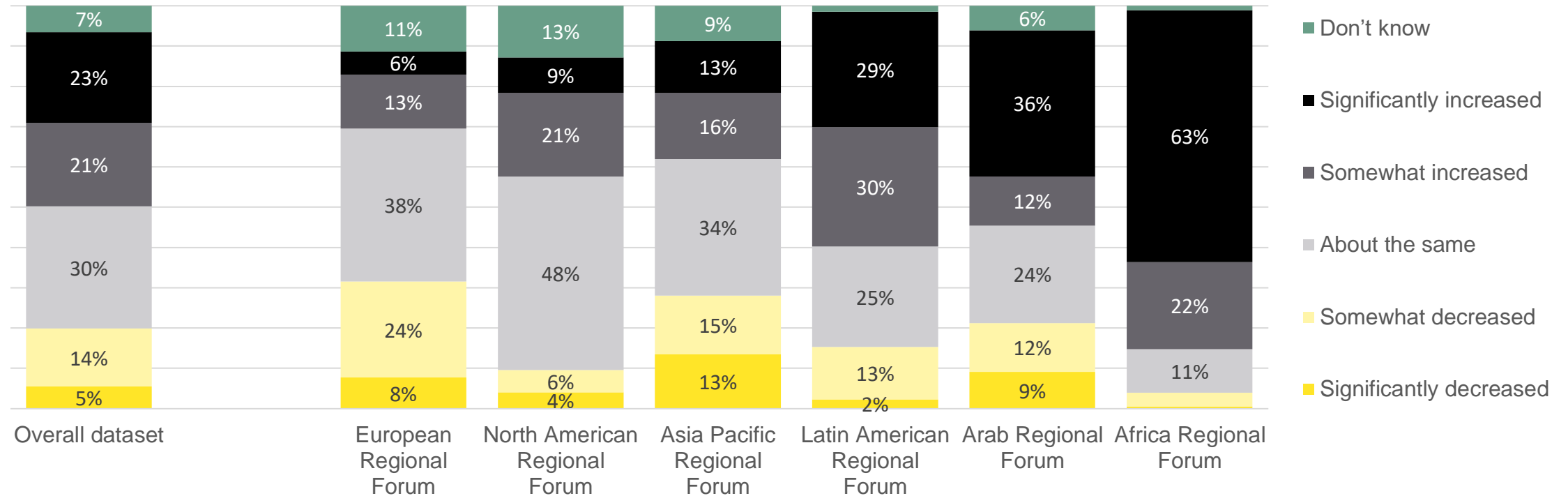
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# How common is corruption in our profession?



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# How have levels of corruption changed since 2014?

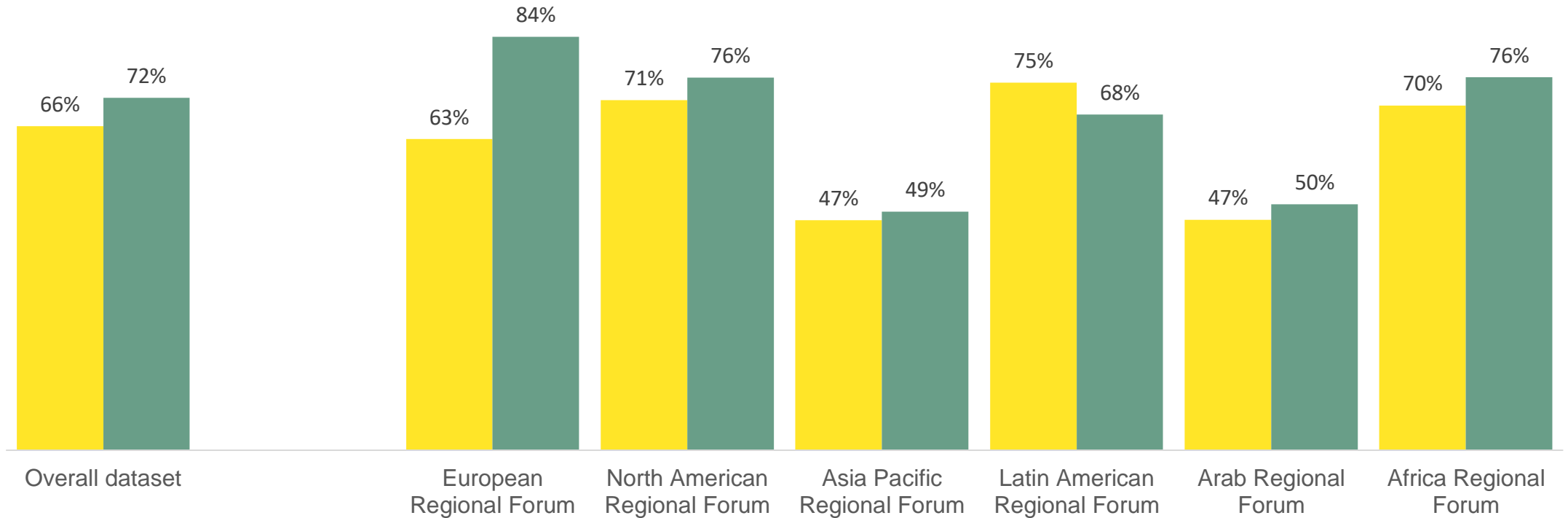


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# Have Lawyers Received Formal Training?

■ Yes – anti-corruption

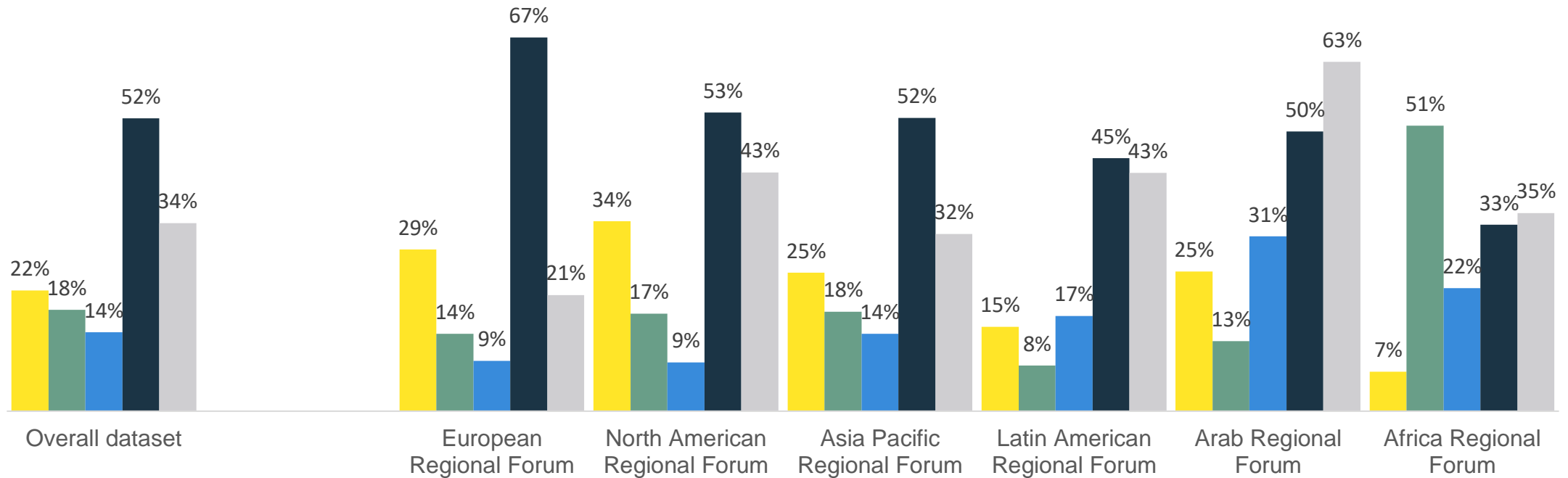
■ Yes – anti money laundering



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# Who Provides the Training?

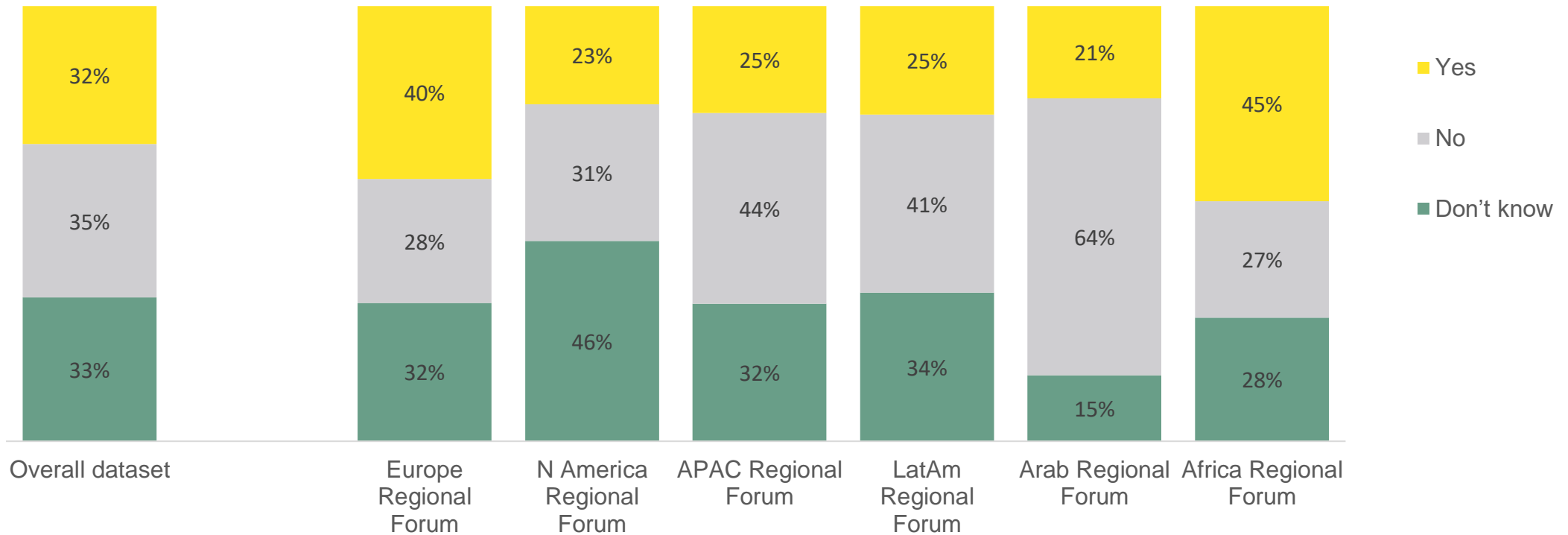
- Bar
- Law Society
- Regulator
- Law Firm
- Organisation



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# Law Society Guidelines

Do the Bar Association or Law Society guidelines in your jurisdiction address specifically the issue of international corruption, e.g., foreign bribery?



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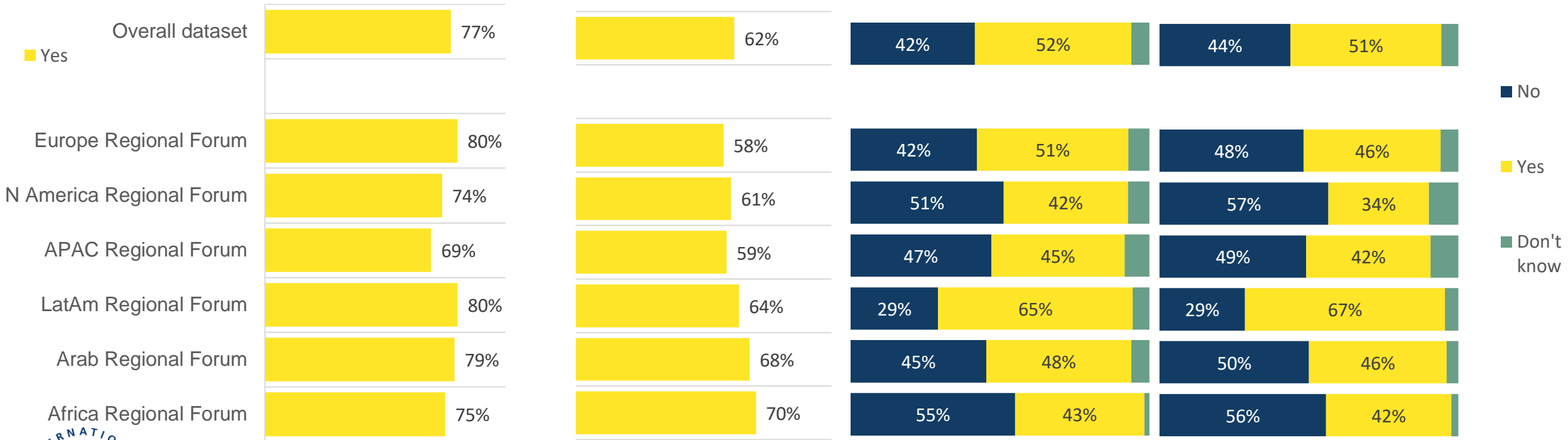
# Law Firm Anti-Corruption Policies & Certification

Does your firm / organisation have a clear and specific anti-corruption policy?

If you answered yes, is the policy publicly available and easily accessible?

Have you ever been required by a client to certify compliance with anti-corruption laws?

Have you ever been required by a client to produce the firm / organisation anti-corruption policy?



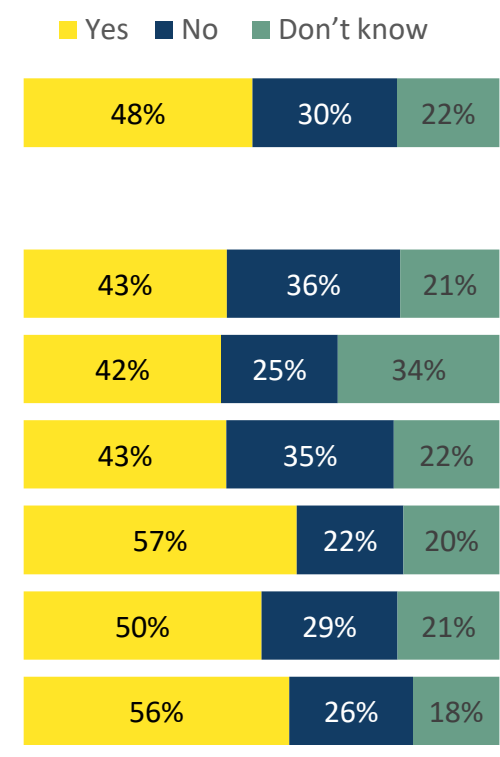
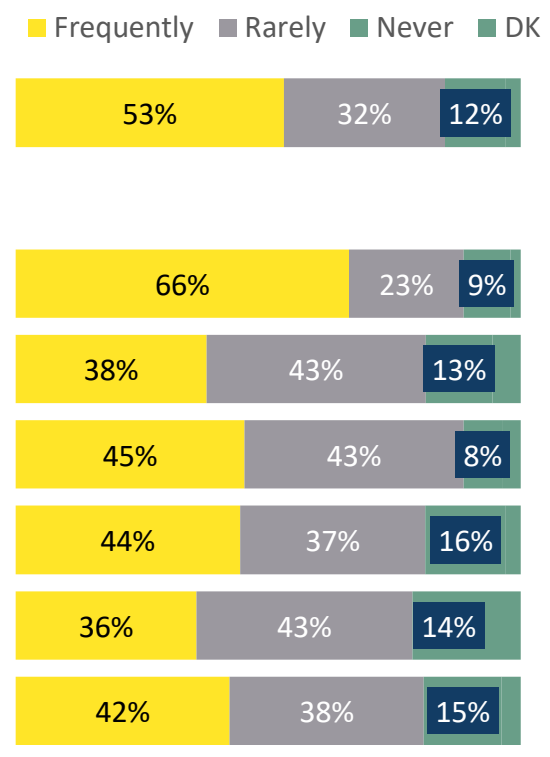
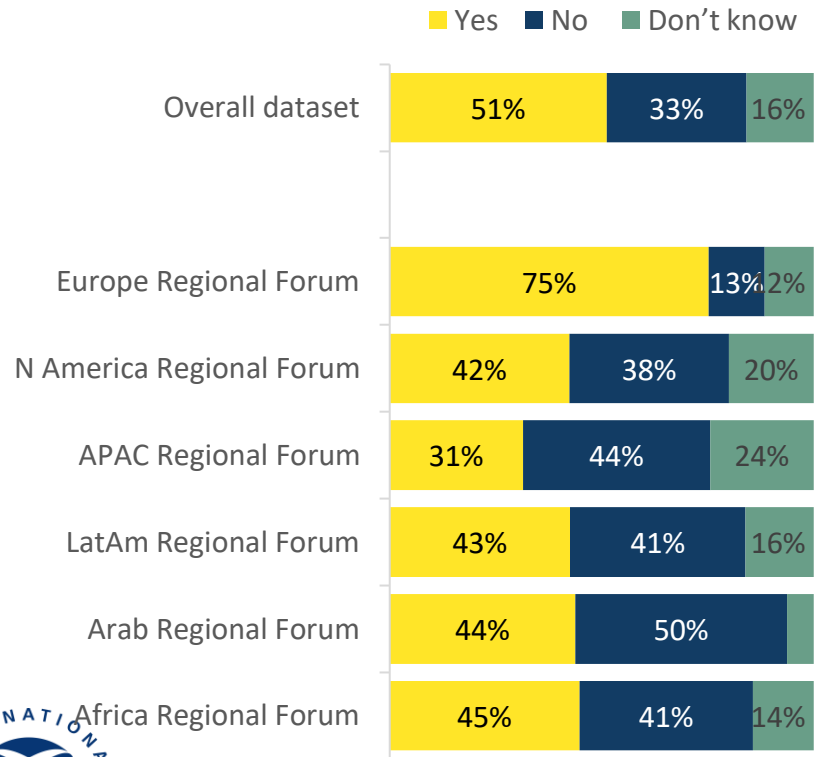
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# Beneficial Ownership Information Availability

Do you have access to beneficial ownership information in your jurisdiction?

If you answered yes, how often have you consulted beneficial ownership information in the last 12 months?

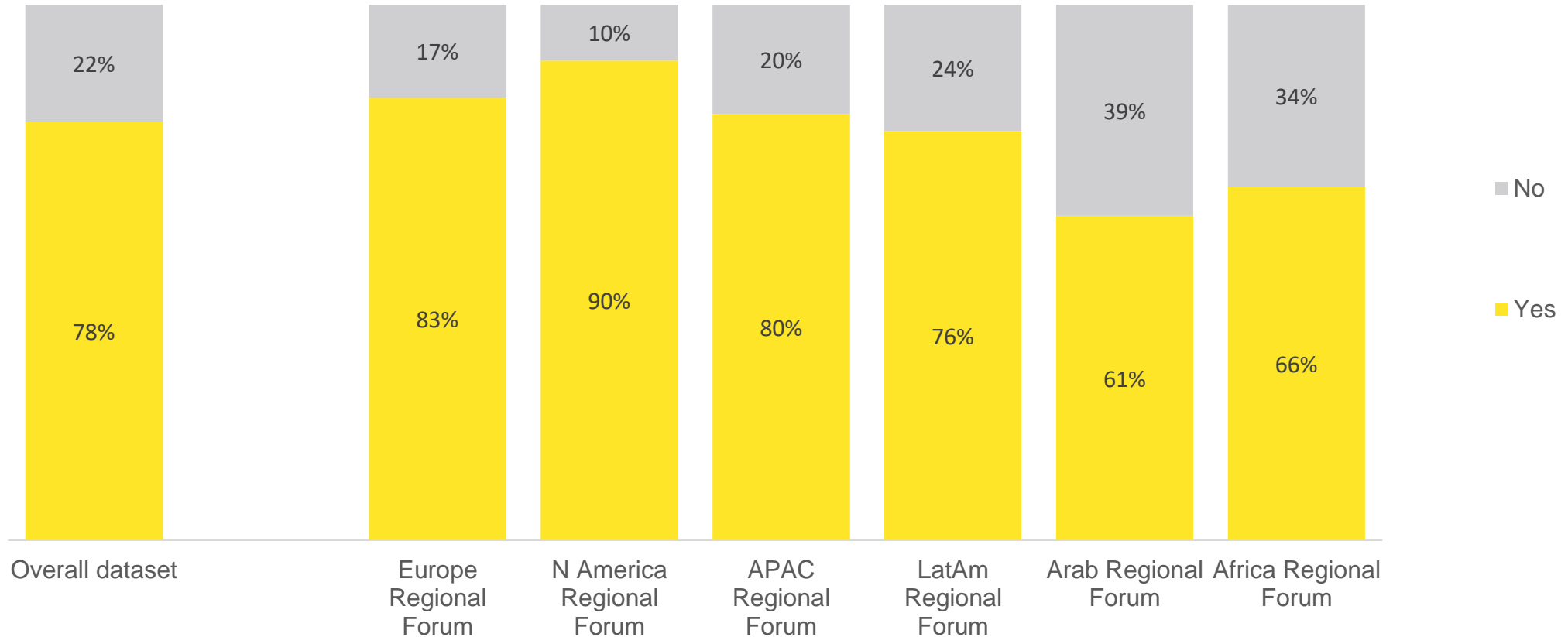
Do you believe that access to this information has assisted you in detecting corruption?



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# Awareness of relevant laws outside jurisdiction



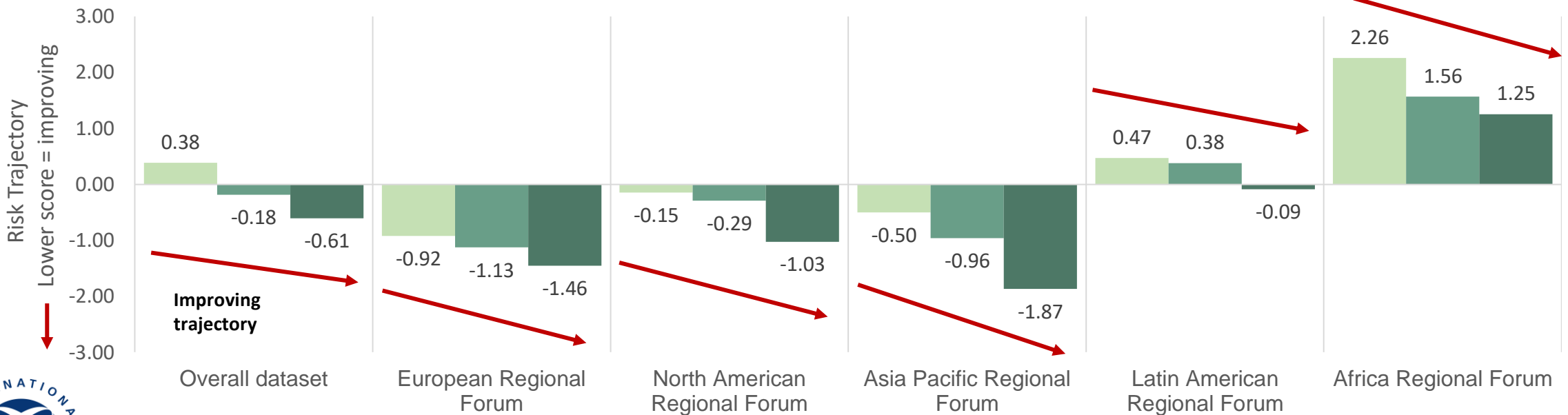
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# Impact of Safeguarding Tools on Risk Trajectory

## Safeguarding Tools – max +5 / min 0:

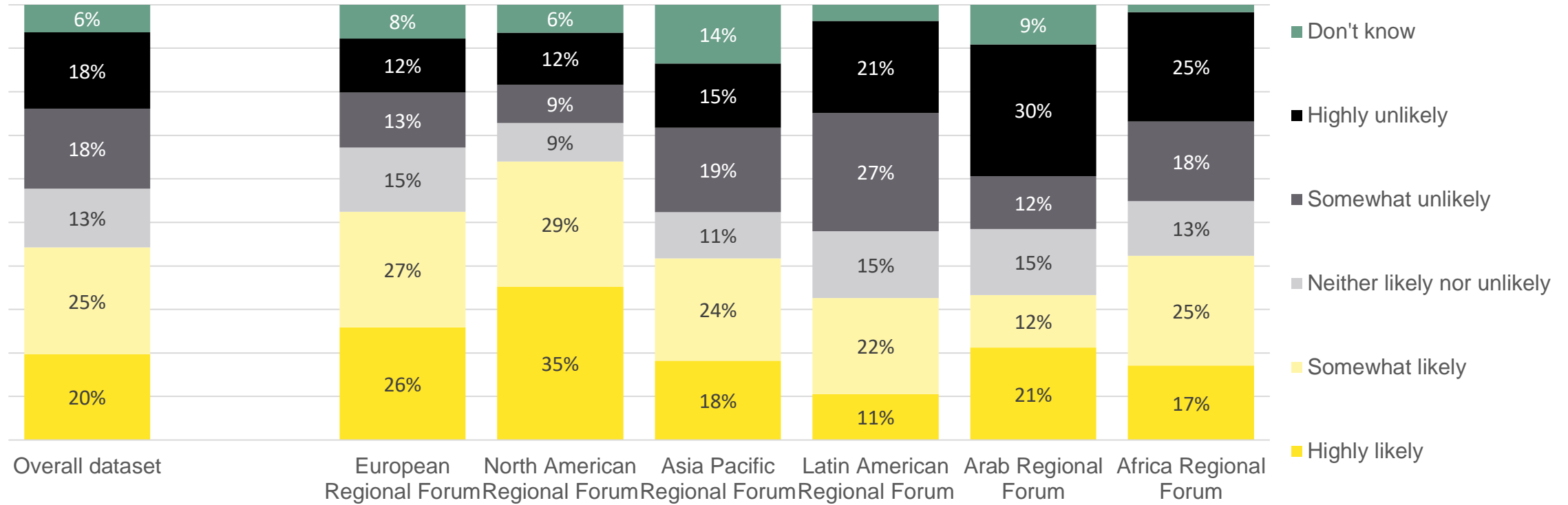
1. Anti-corruption policy in place
2. Beneficial ownership information available
3. Anti-corruption training received
4. Anti-money laundering training received
5. Bar/Law Society guidelines re: anti-corruption

■ 0-1 tools   ■ 2-3 tools   ■ 4-5 tools



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# Likelihood of Reporting?



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What does this Mean?  
What are our Next  
Steps?



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