

RECENT ROLLS ROYCE BRIBERY CASE PROVIDES MANY LESSONS ABOUT COMPLIANCE - ABREU ADVOGADOS

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Companies need to take complaints seriously and have proper whistle-blowing procedures to quickly identify ‘bad behaviour’ – being able to conduct quick investigations is also key

At a time when there is a move towards international standards in compliance, there are many lessons that can be learnt from the recent Rolls Royce bribery case, says Jonathan Armstrong, partner at London-based Cordery.

Speaking at an event held by Abreu Advogados, Armstrong said: “Compliance is a global game now – there is a move towards looking at international standards, such as policies and procedures. The

modern approach is to focus on behaviours rather than laws."

He continued: "You wouldn't necessarily refer to the 'Portuguese law on bribery' for example. Instead, you'd say, 'it's a bad thing to pay people bribes'. We agree on these common standards of behaviour."

Armstrong highlighted lessons that could be learnt from the Rolls Royce bribery case, which resulted in the company having to pay £671 million in fines following claims it paid bribes to win export contracts. He stressed the need to "take complaints seriously and have proper whistle-blowing procedures that catch bad behavior quickly".

Businesses also must consider how they can monitor employees' use of modern technology and ensure they "do the right thing", Armstrong said. In this respect, educating employees and being able to quickly conduct investigations are key.

Armstrong added: "Globalisation is very important for corporations even if they don't do much business outside of their home jurisdiction. For Portugal and Spain, it's an indication of the direction of travel. We've seen Spain get tougher on compliance to meet international standards, and Portugal is part of that trend as well."

Meanwhile, Francisco Patrício, partner at Abreu Advogados said compliance can "no longer be seen as applicable only to banks and financial companies". He added that Portugal can "learn from other jurisdictions' legislation, follow their example, and prepare ourselves for the foreseen changes".