



JUSTICE CENTER

Anti-fraud, bribery and corruption policy

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Introduction

1. **Justice Center** complies with applicable legislation, including Iraqi PENAL CODE NO (111) 1969.
2. **Justice Center** is committed to conducting business fairly, openly and honestly and in accordance with the highest ethical and legal standards.

Purpose

1. The purpose of this policy is to set out **Justice Center's** stance on fraud, bribery and corruption and its approach to preventing, detecting, reporting and investigating fraud, bribery and corruption.

Scope

2. This policy applies to **Justice Center** staff, including its overseas branches and all separate legal entities owned and controlled by **Justice Center**.
3. This policy is applicable to, and must be followed by, all staff including consultants and contractors. Failure to comply could result in disciplinary action, including dismissal.
4. **Justice Center** requires all those receiving **Justice Center** funds or representing **Justice Center** including its suppliers, grant recipients, partners, contractors and agents, to act in accordance with this policy.

Policy

Policy Statement

5. **Justice Center** has a 'zero tolerance' policy towards fraud, bribery and corruption. This means that **Justice Center**
 - a) does not accept any level of fraud, bribery or corruption within the organization or by any other individual or organization **Justice Center** funds or representing **Justice Center** and
 - b) will always seek to take disciplinary and/or legal action against those found to have perpetrated, be involved in, or assisted with fraudulent or other improper activities in any of its operations.
6. **Justice Center** is committed to developing an anti-fraud culture and keeping the opportunities for fraud, bribery and corruption to the absolute minimum.
7. **Justice Center** requires all staff to act honestly and with integrity at all times and to safeguard the resources for which they are responsible.

Risk and internal control systems

8. **Justice Center** will seek to assess the nature and extent of its exposure to the risks of internal and external fraud, bribery and corruption. It will regularly review these risks, using information on actual or suspected instances of fraud, bribery and corruption to inform its review.
9. **Justice Center** will seek to put in place efficient and effective systems, procedures and internal controls to: encourage an anti-fraud culture; prevent and detect fraud, bribery and corruption; and reduce the risks to an acceptable level.
10. **Justice Center** will seek to equip its staff with the skills, knowledge and expertise to manage its fraud risk effectively. It will provide adequate training to make staff aware of the risks of fraud, bribery and corruption, and of their responsibilities in preventing, detecting, and reporting it.
11. **Justice Center** will make all those receiving **Justice Center** funds or representing **Justice Center**, including its suppliers, grant recipients, partners, contractors and agents aware of this policy.
12. **Justice Center** will work with relevant stakeholders, including comparable organizations, relevant regulators and government organizations to tackle fraud.
13. **Justice Center** will regularly review and evaluate the effectiveness of its systems, procedures and internal controls for managing the risk of fraud. It will do this through risk management and assurance processes and audit arrangements.

Reporting - internal

14. All staff must immediately report any suspected or actual instances of fraud, bribery or corruption. This includes offers to pay bribes, solicitation of bribes and demands to make facilitation payments. Failure to report could result in disciplinary action.
15. Reports should be made to an appropriate manager or to the Counter Fraud Team. If staff are not comfortable reporting their concerns to these people, Raising Concerns sets out who else staff can report to.
16. **Justice Center** also requires all those receiving **Justice Center** funds or representing **Justice Center**, including its suppliers, grant recipients, partners, contractors and agents, to report to any suspected or actual instances of fraud, bribery or corruption involving [**Justice Center** assets or staff. Reports should be made to the Counter Fraud Team via [insert charity email address].

17. **Justice Center** will not penalize anyone for raising a concern in good faith, even if it turns out to be unfounded. Any member of staff who harasses or victimizes someone for raising a concern in good faith will themselves be subject to disciplinary action.
18. **Justice Center** will maintain a system for recording: all reports of actual or suspected fraud, bribery and corruption; the action taken; and the outcome of any investigation. It will use this information to inform its review of the risks and the effectiveness of its controls.

Reporting – external

19. **Justice Center** will fully meet its obligations to report fraud, bribery and corruption to third parties. The Fraud Response Plan sets out: the parties that suspected or actual fraud, bribery or corruption must be reported to; the nature and timing of the disclosure required; and who is responsible for making the report.

Investigation

20. **Justice Center** will take all reports of actual or suspected fraud, bribery and corruption seriously, and investigate proportionately and appropriately as set out in this policy and the Fraud Response Plan.
21. The Fraud Response Plan sets out responsibilities for investigating fraud, bribery and corruption, the procedures for investigating, action to be taken and external reporting.
22. **Justice Center** will always seek to take disciplinary and/or legal action against those found to have perpetrated or assisted with fraudulent or other improper activities in any of its operations. For staff, this may include dismissal. It will also seek to recover any assets lost through fraud.

Approval of losses

23. All losses as the result of fraud must be recorded on the [loss register](#) and approved in compliance with **Justice Center's** [delegated authorities](#).

Specific risk mitigation measures

24. To manage the exposure to bribery and corruption, all gifts and hospitality received by staff and given to Public Officials must be approved in line with the delegated authorities and recorded on the Gifts and Hospitality Register.

25. Conflicts of interest are known to increase the risk of fraud. Therefore all staff who have an interest in an actual or potential supplier (whether personally, or through family members, close friends or associates) must report that conflict of interest to their manager.

Responsibilities

26. The **Principal Fraud Officer** is the owner **Justice Center's** counter fraud work and the counter fraud champion on the Executive Board.
27. The **Head of Counter Fraud** is responsible for creating and implementing **Justice Center's** counter fraud strategy and for managing the counter fraud function.
28. The **Counter Fraud Team** is responsible for recording all instances of actual or suspected fraud, bribery and corruption, ensuring that they are investigated proportionately and appropriately, and reported to external parties. They are also responsible for providing advice and training to staff on preventing, detecting and investigating fraud. This includes investigating cases where specialist input is required due to the complex nature of the case.
29. **Country Directors** are responsible for ensuring that their staff are aware of and support this policy and that all incidents of fraud, bribery or corruption are reported. They are also responsible for ensuring that all incidents of fraud, bribery or corruption in their country are managed and investigated in line with this policy. They should liaise with and support the Counter Fraud Team in doing this.
30. **Managers receiving reports** of fraud, bribery and corruption are responsible for reporting them to the Counter Fraud Team, and agreeing with them how the case will be managed and who will be responsible for investigation.
31. **All staff** are responsible for complying with this policy.

Definitions

32. **Fraud** is knowingly making an untrue or misleading representation with the intention of making a gain for oneself or another or causing a loss, or risk of loss, to another.
33. **Bribery** is giving or offering someone a financial or other advantage to encourage that person to perform their functions or activities improperly, or to reward someone for having already done so.

34. A **facilitation payment** is a type of bribe. An example is an unofficial payment or other advantage given to a public official to undertake or speed up the performance of their normal duties.
35. **Corruption** is the misuse of entrusted power for personal gain. This would include dishonest or fraudulent behavior by those in positions of power, such as managers or government officials. It would include offering, giving and receiving bribes to influence the actions of someone in a position of power or influence, and the diversion of funds for private gain.
36. A **conflict of interest** is where an individual has private interests that may or actually do influence the decisions that they make as an employee or representative of an organization.

