

Lissack and Horlick on Bribery by Richard Lissack QC and Fiona Horlick QC
Foreword

Bribery and corruption are a direct threat to commerce and good governance wherever they occur, but indirectly their impact is far more insidious.

Just as the conduct is cross border, so increasingly is the global coordinated response. The sustained work of the United Nations and the Organisation of Economic Cooperation and Development through their respective Charters and affiliate conventions and guidance has set international standards which signatory nations have increasingly imported into their domestic laws. One such nation is the United Kingdom which through its *Bribery Act 2010* (the Act) has introduced a long arm statute of real force which is a very effective tool in the international fight against bribery and corruption.

The coming into force of the Act was the driver for the First Edition of this work.

The Second Edition reflected the highly significant attendant change in UK law with the introduction of Deferred Prosecution Agreements (DPAs) in the *Crime and Courts Act 2013*. DPAs are now at the heart of the armoury at the disposal of UK law enforcement agencies when it comes to policing corporate bribery and corruption, particularly when Section 7 of the Act is engaged. All that my predecessor Lord Thomas of Cwmgiedd wrote of in his Foreword to the Second Edition in August 2014 has come to pass.

I am delighted to provide the Foreword to this, the Third Edition of *Lissack and Horlick*, now a leading work in the field of bribery and corruption. It provides an authoritative and accessible synthesis of the law and practice in this area, calling selectively on specialist contributors from around the world to add their perspectives to this work.

In my view the Third Edition takes this work to a new level. Whilst hitherto the book was helpfully focussed on criminality and law enforcement, especially in the UK, this Third Edition considerably expands the reach and scope of the work. Without losing focus on the Act and DPAs this Edition has been extensively rewritten and updated, embracing the interaction between bribery and corruption on the one hand, and on the other, the law of Legal Professional Privilege (Chapter 16), Commercial Litigation and Arbitration (Chapter 18), Behavioural Science (Chapter 8), Unexplained Wealth Orders and Asset Freezing Orders (Chapter 11) and Sanctions and Multilateral Development Banks (Chapter 20). This Edition also significantly expands upon previous analyses of the developing state of the law in jurisdictions across the United States, Europe, Canada, Latin America, Australasia and the Caribbean, notably China, Hong Kong, Singapore, South Korea and India, large parts of the African Continent, the Gulf States and other jurisdictions in which Shar'iah law applies (Chapters 21 – 32).

This Third Edition will enhance the book's position as the practitioners 'go-to' work in the field of bribery and corruption, as it secures its place at the forefront of legal textbooks informing those concerned with combatting the scourge of international corruption in the UK and globally.

The Lord Burnett of Maldon
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