

CROSS PARTY GROUP: INTERNATIONAL DEVELOPMENT – ANNUAL GENERAL MEETING

17 JUNE 2014

COMMITTEE ROOM 4, SCOTTISH PARLIAMENT

5.30PM – 7PM

Attendees:

Sarah Boyack MSP, Siobhan McMahon MSP, Clare Adamson MSP, Fiona Trafton, Katie Dearden, Manuela Coletti, Cathy Crawford, Carol Morton, Rebecca Marek, Phakhawan Gibson, David Stevenson, Hamish Goldie-Scot, Murray Tyrrell, Agnes N Holmes, Janey Andrews, Philippa Bonella, Anthony Olowoyeye, Keith Bohannon, Esther Kamonji, Frances Rayner, Jeni Mackay, Martyna Napierska, Euan Fraser, David Kenvyn, Ghassan Abdullah, Neil Fleming, Kirsty McMahon, Amy Harrison, Andy Bevan, Claudia Pisani, Jonathan Ssentamu.

Apologies:

Patrick Harvie MSP, Bruce Crawford MSP, Jamie McGrigor MSP, Jackie Baillie MSP, Benjamin Carey, Pat Bryden, Jim Copland, Roger Leakey, James MacLean, Margaret Neal, Carol Clarke, Julie Hepburn, John M Francis, Elaine Mullan, Claire Telfer.

Welcome and Introduction

Sarah Boyack MSP opened the meeting and thanked everyone for attending the Annual General Meeting of the Cross Party Group on International Development. Sarah thanked members for their involvement in the 2013/14 session and expressed the view that the Group had had a busy year, covering a number of topical and pressing issues relating to international development. Sarah also acknowledged Patrick Harvie MSP's apologies (Deputy Convenor) who was unable to attend due to a prior commitment.

Annual General Meeting – Business

Appointment of Office Bearers

David Stevenson (University of Edinburgh) nominated Sarah Boyack MSP as convenor and this was seconded by Gillian Wilson (NIDOS) and Sarah Boyack was elected unopposed. Siobhan McMahon MSP nominated Patrick Harvie MSP as Vice Convenor and this was seconded by Carol Morton (Palcrafts) and Patrick Harvie was elected unopposed. Rebecca Marek (Scottish Youth Parliament) nominated Siobhan McMahon MSP as Treasurer and this was seconded by Anthony Olowoyeye (individual member) and Siobhan McMahon was elected unopposed.

No Secretariat was elected to post. It was agreed at the meeting for the Group to run as before with individual meetings being organised through the help of members/speakers, i.e. drafting invites, any briefings, etc.

Annual Report and Minutes

Sarah asked members to review the draft minutes of the 18 March 2014 meeting, which were emailed in advance of the AGM, and it was agreed that they were an accurate record of the meeting. Sarah also asked members to review the Annual Return form for 2013/14, which was also emailed to members in advance of the AGM. Sarah advised members that the Draft Annual Report would be updated following a few changes to the membership list and stated that the changes would be made accordingly, and reflected on the website.

Financial Report

Sarah and Siobhan McMahon MSP provided a financial report to the Group and the up to date bank balance is £704 (as of 18 June 2014). Sarah advised that the remaining balance in the account is used for catering purposes at meetings and there would be no subscriptions to the Group for the 2014/15 period.

2014/15 Programme

A number of suggestions were made for consideration for the forthcoming programme and a note was taken of the topics. Suggestions were put forth by the Edinburgh World Justice Festival, International Justice Mission, ImpactAIDS and SEAD. It was also suggested to hold a meeting on the topic of Land Reform (speaker to be decided upon). Sarah informed members that the programme would be considered by the Office Bearers and communicated to the group in due course.

Presentation by Hamish-Goldie Scot, Engineering Outcomes

Hamish Goldie-Scot provided a brief introduction on the issue of corruption in international development, highlighting that there are no 'neat solutions', and every corrupt act has its victims – ultimately always including the poorest people in society. Hamish also highlighted that anti-corruption is also big business and he is of the opinion that often conventional methods of tackling corruption are not effective.

1. Definition of Terms

Hamish highlighted the importance of understanding the legal distinctions between a:

- Bribe (inducement to act improperly);
- Facilitation Payment (inducement to act properly);
- Extortion (Threat to inflict damage, or withhold a service);
- Fraud (deliberate deception in order to gain a financial or other advantage);
- False accounting (falsification or destruction of financial records); and
- Money laundering (hiding the criminal origin of funds).

The UK Bribery Act

The UK Bribery Act provides a strong legal framework to combat bribery and Hamish explained that under the Act there are two general offences and two specific offences:

- General offences – offering a bribe, requesting a bribe;
- Specific offences – bribing a foreign public official and failure by a commercial organisation to prevent bribery.

2. Anti-Corruption Narrative and Common Misconceptions

Hamish outlined the following narratives typically underpinning official anti-corruption policies:

- Significant progress is being made in tackling corruption;
- Zero tolerance of corruption;
- Discretion in procurement drives corruption;
- Procurement best practice should be based on mistrust;
- All forms of corruption are equally bad; and
- Tackling corruption is a pre-requisite for transition out of poverty.

Hamish explained why he is of the opinion that each of these concepts is fundamentally flawed, outlining his understanding of how corruption has increased significantly in the past 15 years and is a serious challenge facing governments and countries across the world.

3. Mapping and Addressing the Risks

Hamish highlighted that it is imperative to look at the big picture when trying to make sense of the problem of corruption and the multiplicity of different views as to the its fundamental causes, including:

- Lack of trust?;
- Poor supervision?;
- Weak laws?;
- Procurement processes?; and
- Lack of training?

He suggested that an effective way of managing corruption is by viewing each corruption risk in terms of a related management shortcoming, and mapping all such risks in terms of shortcomings in drivers of performance. He categorised these overlapping drivers as relating to:

- Capacity: needed to make performance possible;
- Accountability: needed to make performance happen;
- Trust: needed for performance to flourish; and
- institutional and regulatory Setting : needed for performance to be sustained.

4. Other tools and resources

Hamish provided examples of tools and resources that can be used to recognise and manage corruption risks, including:

- BS 10500; Specification for an anti-bribery management system;
- ISO 10845; International standard for construction procurement; and
- Many practical resources freely available online through the Global Infrastructure Anti-Corruption Centre.

Hamish concluded his presentation and welcomed any questions or discussion.

Question and Answer session

A range of questions were asked following the presentation. Please note that it is not the intention of the minutes to record a verbatim account.

Anthony Olowoyeye raised the point that in some cases a police officer in some countries, for example, may view a bribe as an 'entitlement'.

Cathy Crawford highlighted the challenge of building up trust.

Gillian Wilson stated that NIDOS previously tried to run a UK Bribery Act course and may seek to organise in the future. Highlighted that it can be difficult for organisations working in a challenging external environment.

Sarah Boyack raised the issue of tax avoidance and ineffective record keeping by some national governments.

David Kenvyn provided an insight into what was perceived as corruption in apartheid South Africa – such as families not being able to receive funds from abroad to assist with legal fees.

Andrew Bevan raised the point about laws not being upheld and the need for good governance.

Philippa Bonella made the point that it is challenging when civic society is being squeezed.

Jonathan Ssentamu provided an anecdotal example of money being provided to build a school in Malawi and it took years to build. Challenging when the corruption is at the top and imperative for that to be addressed.

AOCB:

Sarah closed the meeting and thanked Hamish in particular and all attendees for a stimulating presentation and discussion.

Forthcoming meetings of the CPG:

- 30th September 2014
- 8th October 2014
- 18th November 2014
- 20th January 2015

- 24th March 2015
- 23rd June 2015 (AGM)

All meetings are held in the Scottish Parliament and commence at 5.30pm until 7pm (except the 8th October, which is 1pm – 2.30pm)