

Anti-Corruption and Anti-Bribery Policy

Objective

Justice Education Society (JES) is committed to the highest ethical standards and to open and fair business conduct in all of its projects worldwide. General work conduct standards are outlined in our *Code of Conduct*. In addition, employees, consultants, volunteers, directors, and officers shall not, directly or indirectly, give, offer, promise, authorize or agree to give or offer a loan, payment, reward, advantage, gift, favour or benefit of any kind, however characterized, to a foreign public official, political party, party official or candidate, or to any person or organization, for the benefit of a foreign public official, political party, party official or candidate, or any person or organization, in contravention of the *Canadian Corruption of Foreign Public Officials Act*, SC 1998, c. 34, as amended.

Through compliance with this *Anti-Corruption and Anti-Bribery Policy*, we uphold our high moral and ethical principles and demonstrate a commitment to best practices with respect to anti-corruption behaviour in all areas of our work.

Any link to bribery and corruption would be damaging to our reputation and would undermine the trust built with beneficiaries, partners, donors and the public. We must provide a clear message to our staff, stakeholders and partners that bribery and corruption is not tolerated and that the organization has effective measures in place to guide, prevent and deal with any corruption and bribery issues.

Application

This Policy applies to all employees, consultants, volunteers, directors, and officers of the Justice Education Society (JES). JES expects all employees, consultants, volunteers, directors and officers to know and follow this Anti-Corruption and Anti-Bribery Policy.

Failure to comply with this Policy may be grounds for disciplinary action, up to and including termination of employment for just cause or other business relationships.

Definitions

Corruption is the misuse of public power for private profit, or the misuse of entrusted power for private gain

Bribery is giving or receiving money, free trips, meals, or other gifts or an inducement of any kind in exchange for information, new business, to facilitate or damage implementation of ongoing business, or to influence official policy or actions. An *inducement* is something which helps to bring about an action or desired result.

Bribery and corruption can take the form of:

- Cash payments
- Phony jobs or “consulting” relationships
- Kickbacks
- Political contributions
- Charitable contributions
- Social benefits
- Gifts, hospitality, and reimbursement of expenses

Facilitating Payment is a small, unofficial payment made to expedite routine governmental action that does not involve obtaining, retaining or directing business, such as processing work orders or other administrative requests.

Government Official is any official of a governmental entity, a public international organization, a regional development bank or other multilateral organization, or indigenous representative. For purposes of this Policy, government-owned companies and their instrumentalities are considered to be governmental entities, and their employees, officers, directors, agents, consultants and contractors are considered to be government officials.

Kickback is a payment of any part of a contract amount made to an employee or agent of a contracting party by another contracting party, directly or by use of other techniques such as subcontracts, purchase orders or consulting agreements, to channel payments to a government official, politician, contracting party or its employees or agents, or their relatives or business associates.

Policy

JES has a zero-tolerance approach to bribery and corruption. You are strictly prohibited from offering, paying, promising, authorizing or receiving any bribe, facilitating payment, kickback or other thing of value to or from any government official or government employee, directly, or indirectly through a third party, to secure any contract, concession or other improper advantage for JES.

You must understand and comply with this Policy, and, when in doubt, seek interpretation and guidance from your supervisor or the CEO.

Following are definitions of specific behaviour that we expressly prohibit:

- 1. *Misuse of Authority:*** You may not use JES resources, property, personnel, facilities, equipment, time, or funds for personal financial gain or to gain favorable political or legal treatment.
- 2. *Bribery:*** You will not provide to or accept from any government official or another person or organization, any gift, gratuity, money, or other form of compensation or benefit when it is intended to influence official acts or receive special consideration or benefit.
- 3. *Financial Records:*** Our financial books and records must correctly record both quantitative and qualitative aspects of a transaction. Quantitative aspects refer to the amount of the transaction. Qualitative aspects include the written description of the transaction and the accounts that are credited or debited for the transaction. You must ensure that there is a reasonable relationship between the substance of a transaction and how it is described in JES's books and records.
- 4. *Gifts:*** It is prohibited to give or receive inducements, including gifts and entertainment, to or from government officials on a scale that might be perceived as creating an obligation on that official.

Gifts may not be given or accepted with the intention or expectation of influencing a party to obtain or retain business or a business advantage, or as a reward for the provision or retention of business or a business advantage, or in exchange for favors or benefits. Detailed information about gift giving and receiving may be found in JES' Conflict of Interest Policy.

Reporting Procedure

JES is dedicated to the identification and rectification of malpractice. Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

No retaliation will be taken against whistleblowers for any disclosure made in good faith.

Employees must report any suspected malpractice, including by any employees, consultants, volunteers and officers of JES, to the CEO. The President of the Board needs to be contacted in the case of a suspected malpractice by the CEO and/or a Board Director.

When making a report, you are encouraged to provide as much specific information as possible including names, dates, places and events that took place, your perception of why the incident(s) may be a violation, and what action you recommend be taken. Reports should include as much detailed information as possible to allow proper investigation of your concerns.

Reports will be handled in a confidential manner. The action taken after a report is received will depend on the nature of the concern. Reports may or may not be investigated at the sole discretion of JES. If JES determines that an investigation is warranted, it will take appropriate measures to implement a prompt and thorough investigation. Every effort will be made to protect the reporter's identity (if provided) to the extent possible and subject to applicable law. Please note that it is possible that as a result of the information provided in a report, the reporter's identity may become known to JES during the course of the investigation.

All employees have a duty to co-operate in an investigation. If such a person fails to co-operate in an investigation, or if they provide false information in an investigation, JES will take corrective action commensurate with the severity of the offence (up to and including termination of employment or other business relationships).

JES may discipline any employee who makes a report under this Policy without a reasonable, good faith belief in the truth and accuracy of the information they provide and such discipline may result in the termination of the individual's employment.



Compliance

All employees, consultants, volunteers, directors, and officers must comply with this Policy and cooperate with any investigation initiated pursuant to this Policy. Adhering to this Policy is a condition of employment or other business relationships.

This policy should not be construed as preventing, limiting, or delaying JES from taking disciplinary action against any individual, up to and including termination of employment for cause, or other business relationships, in any circumstances where JES deems disciplinary action appropriate.

Questions about this Policy

If you have any questions, contact the CEO.