



Global Compact
Network Australia

Allens > < Linklaters

2021 Australian Dialogue on Bribery and Corruption

Responsible business conduct through integrated risk management

9–10 August 2021

AGENDA

The Global Compact Network Australia, in collaboration with Allens, invites you to the 6th Australian Dialogue on Bribery and Corruption. This year's Dialogue, held face-to-face and virtually, will focus on *responsible business conduct through integrated risk management*.

The 'hardening' of soft law – such as the [United Nations Guiding Principles on Business and Human Rights](#) (UNGPs)– into legislative requirements like mandatory due diligence means that businesses are facing increasing expectations when it comes to responsible conduct. Global frameworks such as the [Sustainable Development Goal \(SDG\) 16](#) and [Principle 10](#) of the UN Global Compact direct businesses to work against corruption in all its forms. This is with the aim to create and maintain peaceful and inclusive societies where there is access to justice for all, and effective, accountable and inclusive institutions. Critically, SDG16 and its targets underpin the successful achievement of the entire [2030 Agenda for Sustainable Development](#). An inherent link between SDG 16, the broader SDG agenda, Principle 10 and the other Principles of the UN Global Compact, mean that to act on corruption, businesses also need to mitigate human rights and environmental risks.

Just as businesses take stock of the impact of the COVID-19 pandemic, activism and enforcement activities are highlighting the convergence of anti-bribery and corruption, human rights sanctions, and modern slavery issues. When bribery and corruption are viewed solely through a compliance and risk management lens, their intersection with other issues (such as human rights and environmental harms, and the potential for common solutions) can be obscured. This convergence highlights the importance of businesses implementing coherent adequate procedures across a range of compliance areas.

Building on last year's exploration of the intersections between anti-bribery and corruption and human rights agendas, the 2021 Dialogue offers practical insights into implementing a holistic approach to risk.

This event will be held under the Chatham House rule.



Day 1 Agenda

10:00am –
10:05am

Welcome, acknowledgement of Country and dialogue overview

Rachel Nicolson, Anti-Bribery and Corruption Workstream Chair, GCNA. Partner—
Disputes and Investigations, Allens

10:05am –
10:25am

Keynote address: Crystallising ESG obligations – the convergence of anti-corruption and other due diligence obligations

While anti-corruption obligations have been formalised in law for several decades, a growing number of Environmental, Social and Governance (ESG) obligations are being incorporated into domestic legislation. Drawing on the European Union’s proposal to introduce mandatory due diligence with respect to human rights and environment, this keynote addresses the question, what will this trend mean for the alignment between anti-corruption and human rights agendas?

Jonathan Drimmer, Partner – Litigation, Paul Hastings

Facilitator: Anita Ramasastry, Professor of Law, University of Washington. Member, United Nations Working Group on Business and Human Rights.

10:25am –
10:55am

The interconnectedness of corruption and human rights risks

The interconnectedness of corruption and human rights issues has increased in visibility during the pandemic, with opaque supply chains heightening the risk of human rights abuses and corruption. There is growing momentum, internationally, from business and institutions to acknowledge the intersections between anti-corruption and human rights agendas and to embed human rights in anti-corruption efforts. This session explores how human rights and corruption are mutually reinforcing and need to be addressed in parallel.

James Anderson, Lead Governance Specialist, The World Bank

Serena Lillywhite, Chief Executive Officer, Transparency International Australia

Annika Wythes, Pacific Regional Anti-Corruption Adviser, UN Office on Drugs and Crime

Facilitator: Anita Ramasastry, Professor of Law, University of Washington. Member, United Nations Working Group on Business and Human Rights.

10:55am –
11:40am

Stakeholder demand for an integrated risk and compliance approach

Stakeholder expectations are increasingly being framed through the lens of an ESG agenda. This session will talk to the evolving implementation of this agenda by key corporate stakeholders, including investors, particularly with respect to integrity (governance) and human rights (social). The role of the ESG agenda as a pressure point for an integrated approach is explored.

Jacki Johnson, Co-Chair, Australian Sustainable Finance Initiative. Non-Executive Director, Community First Credit Union. Co-Chair, UN Environment Programme Finance Initiative

David Lines, Global Chief Compliance Officer, QBE Insurance Group

Facilitator: Dean Mitchell, Partner—Forensic, KPMG Australia

11:40am –
11:55pm

Break

11:55am –
12:40pm

Practical insights into developing and implementing an integrated risk and compliance approach

Drawing on the experiences and insights of both sustainability and financial crime compliance teams, this session explores how businesses can work effectively across risk and compliance areas to implement statutory due diligence.

Ben Rix, Head of Anti-Bribery and Corruption, National Australia Bank

Sasha Courville, Executive, Social Impact, National Australia Bank

Meagan Pillinger, Corporate Governance and Compliance Manager, Fortescue Metals Group

Catherine Bozanich, Manager of Sustainability, Fortescue Metals Group

Facilitator: Rachel Nicolson, Anti-Bribery and Corruption Workstream Chair, GCNA. Partner—Disputes and Investigations, Allens

12:40pm –
1:25pm

Spotlight on culture: embedding ethical leadership and a holistic risk and compliance approach

This session examines the important role of ethical leadership and culture in achieving an ESG agenda and embedding a holistic approach to risk and compliance.

Steve Killelea AM, Founder and Chairperson, Institute for Economics and Peace

Debbie Goodin BEC FCA MAICD, Chair, Atlas Arteria Limited. Director and Chair, Audit and Risk Committee, APA Group. Director and Chair, Audit and Risk Committee, Australian Pacific Airports Corporation.

Facilitator: Dr Attracta Lagan, Co-Principal, Managing Values Pty Ltd

1:25pm –
1:30pm

Closing

Kylie Porter, Executive Director – Global Compact Network Australia

Rachel Nicolson, Anti-Bribery and Corruption Workstream Chair, GCNA. Partner—Disputes and Investigations, Allens



Day 2 Agenda

10:00am –
10:05am

Welcome, acknowledgement of Country and workshop overview

Rachel Nicolson, Anti-Bribery and Corruption Workstream Chair, GCNA. Partner—
Disputes and Investigations, Allens

10:05am –
10:25am

Reflections on AFP and CDPP best practice guidelines on self-reporting of foreign bribery

In 2017, the Australian Federal Police (AFP) and the Commonwealth Director of Public Prosecutions (CDPP) released best practice guidelines on self-reporting of foreign bribery and related offending by corporations. These guidelines recognise that a corporation's governance framework, compliance culture, and its remediation efforts, are all relevant factors in determining whether prosecuting a self-reporting corporation is in the public interest. This session will reflect on the application of the guidelines over the past three years to provide a regulatory perspective on how companies can promote good governance and strong compliance cultures, and how companies should respond to anti-bribery incidents.

Jeldee Robertson, Financial Crimes Specialist, Australian Federal Police

Facilitator: **Rachel Nicolson**, Anti-Bribery and Corruption Workstream Chair, GCNA. Partner—Disputes and Investigations, Allens

10:25am –
10:40am

Case study

A hypothetical case study will be presented, highlighting the need for adequate procedures to prevent bribery and mitigate human rights risks. This case study forms the basis of the workshop, giving participants practical insights into developing a holistic approach to compliance that addresses corruption, bribery and human rights.

Rachel Nicolson, Anti-Bribery and Corruption Workstream Chair, GCNA. Partner—
Disputes and Investigations, Allens

10:40am –
11:40am

Workshop part one: Evaluating adequate procedures and identifying gaps

Part one of the workshop will begin with an overview of 'gold standard' procedures to prevent bribery and the connections between these procedures.

Drawing on the hypothetical case study, specialists will lead breakout sessions where participants will evaluate the procedures in place, and gaps to be addressed. Participants will examine what types of measures will need to be put in place to establish 'gold standard' adequate procedures to prevent bribery.

James Campbell, Partner – Disputes and Investigations, Allens,



Workshop facilitators:

James Campbell, Partner – Disputes and Investigations, Allens

Cindy McNair, Managing Associate – Disputes and Investigations, Allens

Caroline Marshall, Managing Associate – Disputes and Investigations, Allens

Andrew Wilcock, Senior Associate – Disputes and Investigations, Allens

Victoria Eastwood, Senior Associate – Disputes and Investigations, Allens

Jessye Freeman, Senior Associate – Disputes and Investigations, Allens

11:40am –
11:55am

Networking Break

11:55am –
12:55pm

Workshop part two: Mapping out an incident response

Part two of the workshop continues to draw on the hypothetical case study, this time, to explore actions a company should take if procedures fail to prevent an incident. Breakout sessions led by specialists will support participants to map out an incident response that addresses both bribery and human rights issues, including best practice around self-reporting.

James Campbell, Partner – Disputes and Investigations, Allens

Workshop facilitators:

James Campbell, Partner – Disputes and Investigations, Allens

Cindy McNair, Managing Associate – Disputes and Investigations, Allens

Caroline Marshall, Managing Associate – Disputes and Investigations, Allens

Andrew Wilcock, Senior Associate – Disputes and Investigations, Allens

Victoria Eastwood, Senior Associate – Disputes and Investigations, Allens

Jessye Freeman, Senior Associate – Disputes and Investigations, Allens

12:55pm –
1:00pm

Closing

Kylie Porter, Executive Director, Global Compact Network Australia



About the Global Compact Network Australia

As a special initiative of the UN Secretary-General, the United Nations Global Compact is a call to companies everywhere to align their operations and strategies with ten universal principles in the areas of human rights, labour, environment and anti-corruption. Launched in 2000, the mandate of the UN Global Compact is to guide and support the global business community in advancing UN goals and values through responsible corporate practices. With more than 13,000 companies and 3,800 non-business signatories based in over 160 countries, and more than 69 Local Networks, it is the largest corporate sustainability initiative in the world.

Locally, the Global Compact Network Australia (GCNA) brings together signatories to the UN Global Compact, including more than 30 ASX 100 companies and other major corporates, non-profits and universities, to advance the private sector's contribution to sustainable development through the universal framework provided by the UN-mandated Sustainable Development Goals (SDGs) and the Ten Principles. We lead, enable and connect business and stakeholders to create a sustainable future by supporting businesses to act responsibly and helping them find opportunities to drive positive business outcomes.

www.unglobalcompact.org.au

About Allens

Allens is a leading international law firm with a long and proud heritage of shaping the future for our clients, our people and the communities in which we work.

From playing a pioneering role in the development of legislation and regulatory frameworks in the Asia region for almost 200 years, to acting on numerous 'firsts' across a range of industry and community issues, it is in our DNA to make a difference and help shape what our world looks like.

Over this time, we've grown in scale and reach, today offering clients a global network of 40 offices in 28 locations through our global alliance with Linklaters.

We are privileged to hold some of the world's longest ongoing client relationships, stretching back more than 170 years, and we're committed to bringing our talent, expertise and insights to continue solving their toughest problems and creating ways forward to help them thrive. New and exciting market entrants sit alongside these established companies in our client base, drawn to working with us through the innovative re-packaging of our services for the growing and fast paced start-up market.

www.allens.com.au

Note for Participants

Engagement. The Dialogue is convened as a safe space for all stakeholders, and participants are asked to adopt an approach of respectful engagement that builds understanding, capacity and cross-sector relationships and collaboration.