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Crime as a Cultural Problem

The Relevance of Perceptions of Corruption to Crime Prevention. A Comparative Cultural Study In the EU-Accession States Bulgaria and Romania, the EU-Candidate States Turkey and Croatia and the EU-States Germany, Greece and United Kingdom

Sappho Xenakis

**The Dog(s) that Didn't Bark:
Exploring Perceptions of Corruption in the UK**



Sixth Framework Programme of the European Commission
Specific Targeted Research Project



Email: crimeandculture@uni-konstanz.de | Project Website: www.uni-konstanz.de/crimeandculture/index.htm



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Dr. Sappho Xenakis has completed her DPhil on ‘International Norm Diffusion and the Development of Organised Crime Policy in Greece, 1989-2001’ in International Relations at St. Antony’s College, Oxford, where she ran a seminar group on Organised Crime and Corruption for postgraduates. She is a Research Associate on Organised Crime at the Hellenic Foundation for European and Foreign Policy (ELIAMEP), Athens, and was recently a Foreign Fellow of the Onassis Foundation and an ESRC Research Student.



Introduction: A Brief Overview of Corruption and Anti-Corruption Measures in the UK

Addressing perceptions of corruption in the UK is not an easy task; very little polling has been carried out on the subject, court trials have been minimal, whilst an obvious discourse on corruption – that is, UK-related corruption – has been largely absent from public debate. One could turn, by way of explanation for the apparent lack of interest in UK-based corruption, to the perceived dearth of corruption taking place within the UK, citing perhaps the scant cases of corruption brought to court and negligible known experiences of instances of petty corruption. Very few cases of corruption are reported to the British Audit Commission every year. Between 1995/6 and 2003, an average of 43 cases were reported each year (with annual losses averaging £262,000). An average of 21 people per year were prosecuted under the three pieces of legislation on corruption between 1993 and 2003. Between 1998-2003, the Serious Fraud Office prosecuted only seven cases where corruption was the charge.¹ Indeed, the UK is consistently perceived to experience relatively low levels of corruption in comparison with other states worldwide (e.g. scoring only 11th on Transparency International's Corruptions Perception Index in 2005 and 2006).²

The findings of other surveys paint a somewhat different picture, however. With regard to the UK construction industry, for example, a Transparency International (TI) survey of perceptions in 2006 found that 41% respondents said that they had been offered a bribe on at least one occasion.³ Research published in 1999 by a leading UK academic into corruption within British police organisations found it to be “pervasive, continuing and not bound by rank”.⁴ Additionally, the international consulting firm KPMG calculated that business fraud in the UK reached a 10-year high in 2005 (the biggest victim of which was believed to be the government), with 222 cases reaching court that year, involving a combined value of £942 million.⁵ In TI's 2006 Global Corruption Barometer Report, moreover, UK respondents expressed the view that political parties were the sector the most affected by corruption (out of a total of 14 sectors).⁶ What this random selection of findings points to is the necessity for

¹ Evidence provided by the British Audit Commission to the House of Lords and House of Commons Joint Committee on the Draft Corruption Bill, cited in the Committee's Report and Evidence Session, 2002-03, HL Paper 157, HC705, published 31 July 2003.

² For the TI Corruption Perceptions Index, see: <www.transparency.org/surveys/#cpi>.

³ See TI's CIOB Survey at: <www.ciob.org.uk/filegrab/CIOBCorruption.pdf?ref=283>.

⁴ Tim Newburn, 'Understanding and Preventing Police Corruption: Lessons from the Literature', *Police Research Series Paper 110* (Policing and Reducing Crime Unit, Home Office, 1999).

⁵ 'Reported Fraud at 10-Year High', *BBC News*, 30 January 2006:

<<http://news.bbc.co.uk/2/hi/business/4654616.stm>>.

⁶ See: <http://www.transparency.org/policy_research/surveys_indices/gcb/2006>.



a considerably more sceptical approach than conventional portrayals of the country's day-to-day experience with regard to corruption would allow.

As far as the UK's legal approach to the subject, British law rested until relatively recently on a combination of common law and statutes, known collectively as the 'Prevention of Corruption Acts' (1889 to 1916). Pressure for an updating of legislation gained momentum over the past decades, especially following a 'Cash for Questions' scandal in Parliament in the 1990s, after which the Prime Minister established a Committee on Standards in Public Life (commonly known as the Nolan Committee, after its chairman) which also recommended that the law on corruption be reviewed.

This review took place in 1997, when the British Law Commission published a consultation paper on how to modernise anti-corruption law. It concluded that the present arrangements were obscure, complex, inconsistent and insufficiently comprehensive.⁷ It advocated repeal of all or parts of the existing relevant Acts from 1889 to 1995 and their replacement by a modern statute and incorporation of the common law offences of bribery. The new offences, drawn from these existing statutes and common law, would apply to both the public and the private sector.⁸ According to TI UK, however, the Law Commission failed to pay sufficient consideration to the issue of bribery of foreign officials.

The draft legislation proposed by the Commission was adopted in a Draft Bill published by the Government in 2003. This was referred for scrutiny to an (all-party) Joint Parliamentary Committee (JPC), which was very critical of the government's approach, primarily due to the lack of clarity in its definition of corruption, which was widely perceived to be a hindrance to effective implementation of the new legislation.

Following a critical report of the Draft Bill by the OECD, in December 2005 the government launched a new consultation process to see if agreement could be achieved on the formation of a new anti-corruption statute. British acceptance of the OECD Convention against bribery required British law to make it an offence for a British citizen to offer or pay bribes to an official in a foreign country (previously, as they were not illegal, such payments were tax deductible). Nevertheless, neither the Act of 2001, nor the draft legislation proposed in 2003, specifically referred to bribery of foreign public officials.⁹

⁷ The Law Commission, 'Legislating the Criminal Code: Corruption', *Consultation Paper* 145 (London: The Stationery Office, 1997).

⁸ Ruth Winstone, 'Corruption Draft Legislation', Parliament and Constitution Centre, 3 September 2003 <www.parliament.uk/commons/lib/research/notes/snpc-02059.pdf>.

⁹ Ibid.



The Home Office's Consultation Paper on Reform of the Prevention of Corruption Acts and Serious Fraud Office (SFO) Powers in Cases of Bribery of Foreign Officials invited a response, by 1 March 2006, to a set of questions on different aspects of the 2003 draft bill on corruption. The paper proposed an extension of the powers of the SFO in cases of foreign bribery in a way that would enhance the likelihood of prosecutions. Between May 2006 and March 2007, a new Corruption Bill, drafted by Transparency International, was introduced to Parliament by an individual Member of Parliament, and received a second reading in the House of Lords (which it passed). In the same month, (March 2007), however, the Government announced that it was referring the matter back to the Law Commission for a further consultation, from which recommendations are expected towards the end of 2008.

Aside from this delay in passing updated legislation on the subject, Britain is also party to the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (which was implemented by Part 23 of the British Anti-Terrorism, Crime and Security Act of 2001), and also to the Protocol to the Convention on the protection of the European Communities financial interests, to both of which it is legally bound.

Theory /Methodology

It could well be argued that attempting to measure peoples' attitudes is as difficult and unreliable a quest as attempting to quantify the extent of something as elusive and subjective as 'corruption' itself. Certainly, however, one initial and necessary step towards better appreciating why the discourse on corruption is so weak in the UK, or why perceptions of corruption in the UK so paltry, is to investigate the shape and form of perceptions of corruption amongst those sectors of society whom construct the content of that discourse as and when it arises. This research project, then, is a study of perceptions in and amongst the areas of the media, political life, the judiciary, police, business, and NGOs, of corruption in the UK. The task of the researchers has been to seek representative and official statements delineating conceptions of corruption – its meaning and significance in the UK, as well as of those efforts taken against it, from these target groups, comparing and assessing them for commonalities and differences. As with the partners in the research project examining this common theme in other European states, Grounded Theory – an approach which dictates a bottom-up deduction of theorising from the text at hand, and a loose randomness of choice in the selection of documents to be examined – underpinned the way in which the texts (often official documents) were chosen and interpreted. This approach was realised with the use of atlas-ti software, allowing codes of similar and contradictory or simply new references to



corruption to be noted, and interpretations of corruption and anti-corruption efforts to be codified, compared, interpretation deduced and the findings analysed.

Our guidelines were also that two cases be chosen for study, in addition to general references to corruption. The first of the cases had to relate to party-financing issues, and the second to an issue illustrative of corruption problems commonly or particularly facing the state in question. The two cases chosen for the UK Study were firstly the 'Loans for Peerages' Affair of 2006, and secondly the Pergau Dam/Balfour Beatty Affair of 1994. The first case study was chosen because of its proximity to recent legal developments concerning the definition of corruption in the UK and importance in shaping contemporary public perceptions of corruption in the country. The second was selected because it highlighted a form of corruption that has figured prominently and relatively popularly in domestic anti-corruption campaigns and in domestic political discourse. The case also important because it has been argued by various commentators that the effort to legislate on corruption in the UK has largely been driven by the requirement to implement the rules set against bribery of foreign officials contained in OECD recommendations. The issue of bribery of foreign officials by UK citizens has been the most frequently debated point about the government's efforts to introduce anti-corruption legislation in the UK. Additionally, this case is of particular pertinence to the overall research project UK because it addresses the issue of the degree to which the UK has been committed to anti-corruption policies at home as well as abroad (namely in new and candidate EU states).

The Case Studies: A Summary

Case 1. The 'Loans for Peerages' Affair

In the recent scandal of 2006-7, Prime Minister Tony Blair is believed to have allowed his close aide, Lord Levy, to fundraise £14 million for the governing Labour party in advance of the 2005 general election campaign. Lord Levy raised the money in the form of what he described as commercial loans, and by thus doing exploited a loophole in the regulations (introduced by the Blair government) governing party financing; all donations to political parties over £5000 have to be publicly declared. Senior officials kept these loans secret from the cabinet, the Party's National Executive Committee, its elected treasurer, and delegates at the party's annual conference in 2005.

The scandal also revolved around the allegation that Prime Minister Blair had sold peerages, after four men who gave the Labour Party £4.5 million (in these secret loans) were



subsequently nominated by his party for peerages (i.e. to be able to sit in the UK's second legislative chamber, the House of Lords). To contextualise this, it is worth noting that the independent NGO-funded 'Power Inquiry' into the state of democracy in Britain revealed in 2005 the fact that every donor who lent or gave the Labour Party over £1 million since it came to power in 1997 had received a peerage or a knighthood.

The Metropolitan Police Service then received three complaints (from Scottish Members of Parliament) about the Labour Party in conjunction with the Prevention of the Abuse of Honours Act (of 1925), and launched an investigation. This was then broadened to include the peerage nominations of the other major political parties. All those involved in the inquiry denied any wrongdoing. The investigation lasted sixteen months, over the course of which one hundred and thirty-six people were interviewed by the police, including the Prime Minister (the first ever to be questioned by police in the course of an investigation, though he was treated as a witness rather than a suspect). Lord Levy was arrested twice by police on suspicion of conspiracy to pervert the course of justice, and the Prime Minister's Director of Government Relations was also arrested on the same suspicion. All those arrested during the case were subsequently released without charge, and the police announced the end of their investigations in July 2007.

Case 2. The Pergau Dam/Balfour Beatty Affair

On 23 March 1988, George Younger - Prime Minister Margaret Thatcher's leadership campaign manager - signed an Aid-for Trade Provision (ATA) protocol with Malaysia that committed the UK to providing aid for the building of a dam in the country. He later stated to a Select Committee hearing on the subject that he thought the protocol was appropriate and did not link aid with arms expenditure.

Documentary evidence subsequently revealed that the aid package in question had been linked in writing to a reciprocal arms deal, whereby the Malaysian government agreed to buy £1.3 billion worth of British military equipment in return for the UK funding Pergau.¹⁰ The Permanent Secretary for Foreign Affairs, Sir Tim Lankester, described Younger's mission as wholly unsatisfactory and 'a lamentable slip-up'. The government's stated view on the subject was that Mr Younger had made a mistake in signing the protocol, but that by doing so certain obligations had been made that could not subsequently be reneged upon.

¹⁰ Norton-Taylor et al, *The Scott Report and Its Aftermath*, 16.



Thatcher made an oral offer to fund the dam during a visit to Malaysia in 1989, conditional on a full economic appraisal. Britain's aid agency, the Overseas Development Administration (ODA), conducted the review of the project, which concluded that the Pergau dam was years away from being a viable economic proposition. Although the ODA made clear its opposition to the provision of British state funding of the Pergau dam, the government nevertheless agreed to fund the project in February 1991.

Work on the construction of a hydroelectric dam on the Pergau River in Malaysia began in 1991, funded by money from the UK's foreign aid budget. The contracts for the construction of the dam were jointly awarded to Balfour Beatty – a UK construction company (without competitive bidding) – and Cementation International (a firm which employed Conservative Prime Minister Margaret Thatcher's son as an advisor). Balfour Beatty at that time was a major donor to the then-governing Conservative Party, though since the Labour Party's rise to power it is believed to have become a significant supporter of that party too.

In March 1994, a government inquiry began into the possibility that the sale of arms had been connected to the giving of aid. Conservative ministers in parliament had consistently denied the link between aid for the dam and arms. A British NGO, the World Development Movement, had applied to the British High Court for a judicial review of the Foreign Secretary's decision to proceed with the provision of aid for the building of the dam. The challenge to the Foreign Secretary's decision was based on the Overseas and Development Co-operation Act of 1980. On 9-10 November 1994, the High Court heard the case and ruled that the British Foreign Secretary, Douglas Hurd, had acted *ultra vires* (outside of his power and therefore illegally) by allocating £234 million towards the funding of the dam, on the grounds that it was not of economic or humanitarian benefit to the Malaysian people (the decision to grant aid did not therefore comply with the conditions stipulated as necessary for aid to be granted by the relevant enabling Act).¹¹ Additionally, the Foreign Affairs Select Committee and the ODA's own study of the programme showed that it would not create jobs or orders for British industry.

The NGO's action and subsequent High Court decision were considered by some observers to have been a more effective check on government than parliament had been; although successive select committees in parliament had criticised the government over the funding of the dam, they had not succeeded in influencing the government's approach to the issue.¹² The

¹¹ R v Secretary of State for Foreign and Commonwealth Affairs, Ex p World Development Movement Ltd [1995] 1 WLR 386; <www.privacy-council.org.uk/files/other/jennings.jud.rtf>.

¹² Sarah Collinson, 'Donor Accountability in the UK', HPG Background Paper, Overseas Development Institute, December 2002, p.2.



judgment held that the Foreign Secretary's decision was unlawful, and that future payments from the aid budget were to be halted. Nevertheless, the British government quickly stated their intention to meet their contractual obligations to Malaysia, possibly due to the threat of legal action from Malaysia if it failed to do complete the contract.

After the end of the affair, Sir Charles Powell, Thatcher's foreign affairs advisor until 1990, became a director of Trafalgar House, the company owning Cementation. Lord Prior, a former minister under Thatcher, and Lord King, ennobled by Thatcher, were also linked to the affair. The affair has since become synonymous with corruption in the foreign policy arena, and is even characterised as such by the present Government Department for International Development. Interestingly, despite Balfour Beatty's record and whilst it was being investigated for corruption charges in Lesotho in the late 1990s, the Labour government permitted export credits to be awarded to the company to support its bidding for a contract to build the Ilisu dam in Turkey (though this project fell through).

Comparing the Relationships of Codes

One of the Project's stated aims is to highlight areas where perceptions about corruption between different target groups conflict or agree. Areas where codes converge or compete is therefore of central relevance in this study. Below are listed the key codes that were found often, were related to a great many others, or were a focal point of controversy. These nubs were highlighted (with the aid of the software) where the logic of perceptions relating to corruption in the texts, identified as a code, appeared to be related, whether in supporting argument, similar argument, or in direct contrast or opposition to another code.

- Anti-Corruption and Transparency Reforms in Recent Years have Helped Restore Public Trust in the Political System
- NGOs Have Been Important Motors of Perception and Practical Change Against Corruption
- Businesses Are The Victims of Negative Stereotypes, They Do Oppose Corruption
- Standards of Public Life in the UK are Generally High; Corruption is Rare and, When it Does, Happens Unwittingly vs. Complicit Politicians Are Just That
- Corruption Protects British Jobs By Allowing British Firms to Win International Contracts vs. Corruption is Bad for The British Taxpayer
- Access = Influence vs. Access ≠ Influence



- The Loans for Peerages Affair Increased Public Disdain for Politicians and the Political Process

Perceptions of Corruption by Target Group

Target Group Politics

Standards of public life in the UK are considered to be positive when compared with other states, even to those within Europe. There was nevertheless an absence of total satisfaction with the way in which politicians suspected or found guilty of corrupt behaviour acted after the issue had arisen. Penalties for elites believed to have been found guilty of involvement in corruption were not believed to be sufficiently punitive. When and where corruption did arise, it was largely seen to be the result of close connections between high-level politicians and their personal or party business interests. In such cases, politicians and businesses were alternately held to blame.

Equally, public scandals – whether or not the crime of corruption had ultimately been proved – were considered to be important motors in the development of better and stronger legislation and related policies. Unsurprisingly, politicians appeared largely supportive of the way in which the Upper House was appointed, and were concerned that scandals unfairly brought that House into disrepute in the eyes of the public. It was suggested that Britain's pre-eminent position in the world's financial markets have led her to have a strong and genuine interest in playing (and being seen to play) an effective role in the growing international movement to combat corruption.

A difference of political culture was cited (by Boris Johnson, MP) to partially account for the difference; MPs were constrained by having to declare their interests and gifts given to them by lobbyists or other individuals and this was so embarrassing as to make them steadfastly neutral, if they even accepted the gifts at all. Connected to this perspective was the general assumption, usually put forward by those implicated or close to those implicated in corruption scandals, that politicians were well-intentioned individuals and the arrival of a scandal was due to negative media interpretation of what was really a case of misunderstanding and muddle between different departments or individuals. It is suggested that politicians act in good faith and if they act illegally or in a corrupt fashion they do not realise that they have done so.



Another explanation that arose in the material was the strength of civil society in Britain (their activism was lauded in contrast to the limitations of regulation within Parliament. The role of NGOs in demanding political and judicial accountability was widely (though not universally) acknowledged as an important means of combating corruption within the UK. Additionally, the way in which NGOs were able to influence public opinion, with the help of the media, was also considered to be an important cause of pressure on politicians that demanded accountability and clean government.

Nevertheless, politicians recognised that popular opinion believed that money bought access to politicians, and that this access translated into undue influence. It was understood that the way in which political parties are funded was popularly believed to provide an opportunity for the wealthy to buy influence over policy-makers and thereby corrupt the political process. Politicians did not accept the popular belief that access equates to influence. The reason for the popular strength of this view, it was suggested, lay in the propaganda spun by lobbyists themselves. Businesses were to a certain extent portrayed as victims of the lobbyists' claims, because of their requirement to plan ahead in the course of carrying out their trade. Collusion between politicians and business (with reference to the Pergau Dam Affair) was described as a relationship that harmed both the interests of the British tax payer and the consumer (whether based in the UK or abroad).

In contrast to the views of the business community, politicians appeared staunchly against the argument that different standards could be applied to British activities when carried out abroad than when taking place in the UK; bribery and corruption should not be deemed acceptable, regardless of the different conditions in which it might take place. Some tacit sympathy was nevertheless shown for companies with regard to the problem they faced of 'facilitation payments' being demanded by corrupt officials abroad, as it was suggested that companies were unlikely to be prosecuted for petty forms of corruption. The harm caused by perceptions that British trade interests took precedence over political or developmental concerns was acknowledged to be detrimental (for all concerned).

Target Group Judiciary

As with the politicians, so even more with the judiciary; the basic faith in and support for the system of patronage governing appointments to the Second Chamber of Parliament, the House of Lords, was evident from the material. This was unsurprising, given the fact that the public heads of the legal profession also sit in that House. This approach to the issue of patronage was bolstered by what appeared to be an implicit support for norms of appropriate



and rational behaviour that would be encouraged by the formulation of better laws on the subject. To an extent, therefore, this perspective accorded with that evident in the material from the politicians' target group that suggested corruption was likely to be committed in error because the crime had not been perceived as such, as well as the notion that a political culture exists in which honourable conduct is the rule rather than the exception.

The perception was put forward that a significant cause of corruption in the UK was opportunism stimulated by deficiencies in the relevant prohibitive regulations. This situation had arisen over time because legislation against corruption and bribery had tended to be created as ad hoc responses to particular problems or scandals, which had led to loopholes and irrationalities in the law governing these subjects.

Target Group Police

As with the material from the two target groups above, the perception was raised that that British public institutions have high standards in which corrupt practices are not countenanced. Furthermore, the police recognised themselves as British standard bearers, and highlighted the role they have played in exporting best practice in fighting corruption to other countries via their links with other police forces internationally. It is nevertheless cautioned that the existence of high standards can encourage passivity or a blindness with regard to the possibility that corrupt acts are actually taking place. In contrast, then, to the legal perspective, the police demonstrated a more disbelieving attitude towards the protection afforded by good regulatory structures against corrupt activities.

The police also demonstrated a wide but blunt conception of what constituted corruption (in comparison to the above target groups) and were confident in formulating their own definition of such rather than simply adopting the definition provided by another branch of government, as might have been expected. The police material defined corruption as "the abuse of a role or position held, for personal gain or gain for others". Confirming the perceptions gathered from the legal system, the police perspective was evident both that the law constricts the opportunity to prosecute and investigate cases of corruption – although the phenomenon itself is also inherently difficult to investigate and to prosecute – but also that the belief that reform of the law will enhance the capacity of anti-corruption efforts.

This latter belief was accompanied by an effort to encourage law reform that would increase the ability of police to engage in anti-corruption efforts, suggesting that the police believe corruption to be a significant problem and one that deserves greater attention than it has



previously been accorded. The international dimensions of corruption were significant in police perceptions of corruption, as were their perceptions of the routes by which they would combat it. International police co-operation to combat corruption was highlighted as a requisite element in anti-corruption efforts.

Target Group Media

Businesses were not regarded as singularly to blame in the corruption of parliamentary life; it was pointed out some scandals demonstrated that some MPs had taken an active role in corrupting the nature of their relationship with business and parliament. The implicit acceptance of an anti-corrupt political culture amongst MPs was therefore absent in the Media group material.

Politicians were also portrayed as being reluctant reformers with regard to anti-corruption practice; it was suggested that external/foreign developments created a considerable pressure on politicians to press ahead with the development of anti-corruption policy in the UK. Nevertheless, the view that the other countries faced more severe problems with regard to corruption than experienced in the UK was also apparent. The links between business and political elites was highlighted as a concern, the nexus of the corruption problem involving the award of contracts, the promotion of British industry abroad, the role of businesses in providing funding for political parties, and the so-called 'revolving door' of consultancies with business and the holding of political office. This created a context in which policy did not adequately reflect practice, and politicians were viewed as being guilty of hypocritical stances on the issue of corruption. The way in which the use of corruption appears to have been used to support British business interests abroad was a matter that provoked distaste in the media commentaries.

The media samples demonstrated an interesting confidence in the effectiveness of lobbying of politicians, with both its negative and positive connotations. NGOs as well as business interests were regarded as having been able to influence British anti-corruption policy by lobbying politicians.

The media criticised itself on two fronts. On one side, the 'realism' of some media editors was believed to be too casual when confronted with potential or proved cases of corruption. The implication was that a sense of the norm was adopted by senior media players, leading them to downplay the issue of corruption, because such a stance implied that they were not



naïve about the way in which politics really works and were privy to the dark secrets of its workings.

In contrast, an opposing suggestion was evident that the media could be scurrilous in their assumptions and creation of scandals without sufficient evidence and indeed without legitimacy. The power of the media in stimulating public concern and political pressure was, from this angle, seen as a negative force in further peeling away the general public's faith in the standard good faith of politicians (and business donors).

Public bodies were also suggested to be not as enthusiastic as they should be to combat corruption because of fears that they could be criticised for negligence should it be found to have taken place. A significant concern of the media was that transparency and accountability amongst different political bodies be increased. The implication was that it is believed that where such attributes apply, either politicians are discouraged from becoming involved in corruption, or public scrutiny would ensure they would be found out and suitably punished.

Target Group Civil Society

One of the most interesting features of the perspectives raised in the civil society material was the tendency of their anti-corruption demands to be highly moderate, the lack of radicalism with which they confronted potential corruption scandals and in the types of address for such situations that they advocated. There certainly seemed to be a distinction in the approach to the subject of corruption amongst different NGOs.

In particular, statements produced by Transparency International UK provided focused sets of practical recommendations for reform and kept critique of existing policies and scandals equally tight, reflective possibly of their importance as consultants to the government on the subject. Other NGOs that have had weaker relationship with government and official policy formulation produced documents in which critique of existing policy and scandals was more severe, elaborated and generalised as to the causes of corruption; the views expressed from such tended also to be more cynical with regard to the intentions of politicians in addressing the issue.

However, NGOs in general appeared agreed that adequate legislation and transparency in themselves were inadequate means of combating corruption; the way in which rules were put into effect and the existence of penalties for misconduct were perceived to be important tools



in an effective anti-corruption system. While Transparency International suggested that the implementation of the Act in 2006 (in the drafting of which they had played a consider part) would bring the UK up to speed on anti-corruption, other NGOs emphasised the need for on-going review for there to be progress towards higher standards in public life. Indeed, some NGOs demonstrated more mistrust of politicians than others and consequently less faith in the potential of rules (e.g. legislation) and penalties to combat corruption. One of the greatest threats to the effective implementation of anti-corruption policies was deemed to be vested interests and their influence on powerful politicians.

With regard to the effective combating of corruption, it was recognised that despite the trend of recent years of increasing popular disengagement from formal democratic politics, social capital has remained strong in the UK and the public have demonstrated their interest and activism with regard to political issues. Public pressure is thereby perceived to constitute an important source of anti-corruption pressure on the political system and politicians specifically, even though their concerns have often been whipped up over ‘scandals’ without legitimacy. Lobbying was, obviously, supported as a means by which actors could try to influence official policy on subjects and was viewed as a successful method of doing so, for NGOs as well as for business.

The findings of public opinion surveys were raised and influenced the descriptions of the subject of corruption in the material gathered, particularly from the NGO and politicians target groups. The information below was all cited in the NGO material as justification for their perceptions of the standards of public life attained in the UK and problems facing them. The basic suggestion is firstly that public concerns about corruption are valid to the extent that they need to be addressed (though they may be illegitimately stimulated by the media) and secondly that public pressure plays an important role in generating anti-corruption efforts in the UK.

Although the survey of public opinion carried out by BMRB Social Research between 2003-2004 on the behest of the Committee of Standards in Public Life showed that the key public concern had shifted from sleaze (dominant in the 1990s) to spin (political propaganda), the findings also suggested that public opinion of standards appeared to be significantly and negatively influenced by the media.

For the most part, however, public opinion believed the standards of conduct of public office holders in the UK to be as high or higher than the average in Europe (those with higher education backgrounds and readers of broadsheet newspapers tending to express a higher than average confidence in national politicians and standards of public life in the country).



Public opinion demonstrated less trust in those believed to be politically motivated than in other frontline professionals, and more trust in local politicians than in political parties at the national level. Nevertheless, the public demonstrated a belief that overt corruption in public life was the exception rather than the rule. Their primary criticism of MPs and ministers in particular was their perceived tendency to try and cover up their mistakes.

Although the general public were strongly supportive of the principal of selection on merit in appointments to public office, the opinion was widely expressed that formal procedures were often bypassed by cronyism, and that this practice was increasing. Those with higher educational backgrounds, broadsheet newspaper readers and younger respondents to the survey, however, tended to express less cynical views on the subject.

Target Group Economy

With regard to the prevalence of corruption, the business world argued that the low number of prosecutions in the UK was reflective of positive British corporate practice and behaviour rather than of a weakness in the law. Consequently, they urged that the reform of anti-corruption legislation in the UK should not be driven by a desire to see more convictions, because there should/would not be such an increase.

Business' positive view of the ethical standards held by British industry did not stretch to the entirety of standards of public life in the UK. In cases where corruption had come to light, businesses implicated tended to portray themselves as victims that were for bribes by politicians or public officials (both in the UK and abroad), and out of necessity, ill-preparedness for such contingencies, or lack of obvious source for advice, companies had reluctantly become complicit in corruption. Standards of public life were rarely discussed in depth and when they were, the subject was treated with considerable caution and evidence of disillusion with the conduct of some MPs was voiced in cases where cases of corruption were being investigated.

In public statements, industry groups tended to shy from in-depth discussions about the broader nature of corruption in Britain. However, the generation of new UK legislation on corruption and the broader context of strong international and domestic pressure to combat corruption appeared to propel defence companies in particular (as the subject of possibly the most intense public suspicions regarding their business ethics and relations with politicians) to publicly announce in June 2006 the creation of a UK Defence Industry Anti-Corruption



Forum. The stated purpose of the Forum was to promote anti-corruption practices in the international defence market and support both policies that meet high ethical standards and compliance procedures to ensure employees observe the law in all countries.

As suggested by the framing of the Forum's purpose, the business world in general has not only been led to generate a pro-active approach to combating corruption by public opinion. Equally important, if not more so, has been the necessity for UK business to make efforts to ensure the application of anti-corruption strictures internationally, so that British business does not suffer in the competitive international market from adhering to anti-corrupt practices.

While it was suggested that businesses already had in place ethical policies and practices, it was recognised that the advancement of official UK policies on the subject meant that businesses might need to seek the advice of anti-corruption experts in devising their own standards and positions on the issue.

Findings: Perceptions of Corruption

One significant challenge that has arisen in collecting perceptions of corruption has been that the *absence* of discussion or reference to the subject – equally important in suggesting perceptions – has been hard to record and analyse. This was most evident in the gathering of material from the economy target group. Were such absences due to the lack of necessity for such, the lack of sophistication of corporations in addressing the subject, or discomfort or tacit complicity in corrupt practices?

A further important challenge to the analysis of research material has particularly related to the pluralism of approaches evident from some focus groups. With such diverse expressions of opinion, especially with regard to the world of civil society and media, the question arises whether categorisation by political approach rather than by professional affiliation is more apt in assessing perceptions of corruption.

Whilst acknowledging these conundrums, however, it is still worth positing a few preliminary assessments of the findings. Amongst all target groups, barring the media, a strong sentiment was evident that high standards of public office generally pertained in the UK. The media tended to add its support to this view when the situation in the UK was being compared regionally or globally. The area of most concern amongst all target groups was the relationship between business and politicians. The details of the concern varied; whether the



relationship was rightly or wrongly viewed with suspicion, when corruption took place which party was more likely to be the instigator (i.e. more culpable than the other), to what extent were either party sincere in their anti-corruption pronouncements or what other possible self-interest or pressures motivated them to make them.

As suggested by the Project's initial outline, the media was widely acknowledged as playing an important role in mobilising public opinion and thereby generating pressure in support of anti-corruption efforts. However, the media were also the subject of criticism for being perceived to be more interested in whipping up public fervour over the issue than ensuring substance to their allegations of scandal. The integrity of the media in its role as informer and stimulator of public opinion and reaction was in other words called into question. Furthermore, it was pointed out that sometimes the media is often credited for being a more active and effective anti-corruption tool than it can legitimately claim, since its reports of investigations are often mistakenly read as the work of the media organisation itself. NGOs were also recognised for their important role in the shaping of opinion within Parliament and amongst the public, although it was evident that amongst NGOs themselves quite different attitudes towards the issue of corruption were evident.

The under-use of the word 'corruption' in the material collected also appeared to be a significant issue to which comments were addressed within the material. The word 'corruption' tends to be avoided in the material, while others such as 'standards in public life', 'sleaze' and 'cronyism' preferred. While these certainly are imbued with a negative imagery, 'corruption' appears to be a term associated in some of the materials at least with more severe conditions of corruption perceived to be bedevilling other countries.

Despite the time difference between the two case studies, fortunately there was evident considerable overlap of logic and concerns between them. This appears to be a positive finding for the study that enriches the construction of a network of logic of perceptions of corruption in the UK. The central findings were the following:

1. Although public perceptions of the British political process had been negatively affected in the 1990s by allegations of sleaze, perceptions relating to the structural faults and potential for improvements are believed to have since improved; a prevalent view expressed was that access did not equate to influence (with regard to private interests influencing public agendas) and it was believed that greater transparency and regulations to guard against corruption had or would help(ed) restore public confidence.



2. There was consensus that NGOs have played an important role in the development of official UK anti-corruption efforts and in shaping perceptions and attitudes towards corruption; regarding the latter point, however, this was not universally seen in a positive light.

3. Reflecting the impact of the significant legislative and discursive developments that have taken place in the British political arena since the 1990s on corruption, one area where perspectives differed was on whether or not an act could reasonably have been identified as corruption at the time it took place. NGOs were portrayed by some as pioneers of new understanding of the detail of what constitutes corruption; politicians were thus not to blame for their shortcomings in not correctly identifying cases of corruption.

4. While there was much concern expressed about the relationship between business and political life, a counter argument defended the position of industry. Business should not be considered the primary instigators of corruption; corruption and bribery are problems with which they are confronted, as much as they are considered by critics to be the principal beneficiaries of such practices. As may be noted, the relationship between business and politics was the most controversial and the most referenced issue in the texts. This relationship can therefore be considered to be central to British perceptions of corruption (a connection which, it is posited, appears likely to be found equally in other states).



Appendix: Materials Collected and Sources (by Target Group)

Target Group Politics

Fifth Report, Committee on Standards in Public Life: Party Financing (October 1998)

Committee on Standards in Public Life: Commissioned report into public perceptions of standards of conduct in public life (September 2004)

House of Lords debate on the Funding of Political Parties, Hansard, 20 March 2006

Perceptions of Corruption with Regard to Two Case Studies in the UK Amongst Six Focus Groups: Politicians, Judiciary, Police Media, NGOs and Businesses

House of Lords and House of Commons, Joint Committee on the Draft Corruption Bill, Report and Evidence (2002-3)

Boris Johnson (Member of Parliament), 'Corruption in the UK, USA, European Parliament', (January 2006) (article)

House of Commons debate on the Pergau Dam Affair, Hansard, 25 January 1995

Target Group Judiciary

Law Commission, Final Report, 'Consultation on Legislating the Criminal Code – Corruption' (1997)

Target Group Police

Association of Chief Police Officers of England and Wales (ACPO), 'Corruption Prevention Strategy' (2005)

Serious Fraud Office: Evidence to the Select Committee on International Development (2001)

Target Group Media

Various newspaper articles

Richard Norton-Taylor, Mark Lloyd and Stephen Cook (journalists at *The Guardian* newspaper), 'The Scott Report and its Aftermath' (London: Victor Gollancz, 1996) (background)



Target Group Civil Society

The Power Inquiry (general issue of party financing and faith in politicians). Independent inquiry sponsored by a charitable trust to review public perceptions of democracy in the UK (March 2006).

Transparency International UK (statements and analysis)

Transparency International UK: statement on newly proposed anti-corruption legislation

World Development Movement

Transparency International

Friends of the Earth

IRN Lesotho Campaign

Corporate Watch magazine article

Ilisu dam campaign

Tax Justice Network

The Corner House

Target Group Economy

Defence Manufacturers Association: Evidence to Select Committee on International Development (April 2001)

Contract Journal, construction industry news article (background)

Confederation of British Industry (CBI), Comments on the Home Office Consultation Paper, 'Bribery: Reform of the Prevention of Corruption Act and SFO Powers in Cases of Bribery of Foreign Officials' (March 2006)

Society of British Aerospace Companies ('SADC'), statement on the UK Defence Industry Anti-Corruption Forum) (June 2006)



**SIXTH FRAMEWORK PROGRAMME OF THE EUROPEAN
COMMISSION PRIORITY 7, FP6-2004-CITIZENS-5**



SPECIFIC TARGETED RESEARCH PROJECT: CRIME AND CULTURE

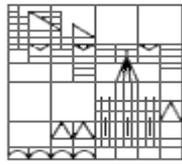
Crime as a Cultural Problem. The Relevance of Perceptions of Corruption to Crime Prevention. A Comparative Cultural Study in the EU-Accession States Bulgaria and Romania, the EU-Candidate States Turkey and Croatia and the EU-States Germany, Greece and United Kingdom

Members of the Project Consortium

University of Konstanz, Germany (Co-ordinator)
University of Tübingen, Germany
Police University, German Federal State of Baden-Württemberg (Affiliated)
Centre for Liberal Strategies, Sofia, Bulgaria
Research Institute for Quality of Life (Romanian Academy), Bucharest, Romania
Galatasaray University, Istanbul, Turkey
University of Zagreb, Croatia
National School of Public Administration and Local Government, Athens, Greece
Panteion University, Athens, Greece
South East European Studies at Oxford (SEESOX), United Kingdom
Center for Research and Policy Making (CRPM), FYR Macedonia (Affiliated)

Contact

- Prof. Dr. Hans-Georg Soeffner, Person in Charge
Hans-Georg.Soeffner@uni-konstanz.de
- Dr. habil. Dirk Tänzler, Scientific Co-ordinator
Dirk.Taenzler@uni-konstanz.de
- Dr. Angelos Giannakopoulos, Head of the Project Office
Angelos.Giannakopoulos@uni-konstanz.de



University of Konstanz
Research Group Sociology of Knowledge
Universitätsstr. 10
Box D 35
D-78457 Konstanz
Germany
Phone: ++49 (0)7531 88 3129
Fax: ++49 7531 88 3194

Project Homepage: www.uni-konstanz.de/crimeandculture/index.htm

Email: crimeandculture@uni-konstanz.de