

Oxford University Press / UK Serious Fraud Office Settlement

Case ID:

ARW-146

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

United Kingdom

Position of Public Official(s) (yrs in office):

N/A

Jurisdiction of Asset Recovery:

Various, unnamed jurisdictions

Jurisdiction of Asset Recovery ? Description:

Undertaking Recovery Effort, Location of Recovery Effort

Asset Recovery Start:

2011

Asset Recovery End:

Ongoing

UNCAC Offenses Implicated:

Art.16

Legal Basis for Asset Recovery:

Unilateral voluntary payment arising out of foreign bribery case

Basis for Intl Cooperation:

Unspecified

Contributing Factors in Asset Recovery:

"This was a reflection of the seriousness with which OUP [Oxford University Press] views the course of events that were subject to the investigation and a wish to acknowledge that the conduct of [its subsidiaries] OUPEA and OUPT fell short of that expected within its wider organisation. The contribution would benefit the people within the affected region and be consistent with the overall mission of OUP. The offer also confirmed that the funds would not be used so as to provide OUP with a commercial advantage." (Source: UK Serious Fraud Office Press Release, "Oxford Publishing Ltd to pay almost £1.9 million as settlement after admitting unlawful conduct in its East African operations," July 3, 2012.)

Status of Asset Recovery :

Ongoing

Stage in Asset Recovery Chain:

Other

Agreement for Returned Assets:

Yes

Agreement for Returned Assets - Description:

Oxford University Press "unilaterally offered to contribute £2,000,000 to not-for-profit organisations for teacher training and other educational purposes in sub-Saharan Africa." (Source: UK Serious Fraud Office Press Release, "Oxford Publishing Ltd to pay almost £1.9 million as settlement after admitting unlawful conduct in its East African operations," July 3, 2012.)

Case Summary:

According to the press release by the UK Serious Fraud Office, "In 2011, OUP [Oxford University Press] became aware of the possibility of irregular tendering practices involving its education business in East Africa. OUP acted immediately to investigate the matter, instructing independent lawyers and forensic accountants to undertake a detailed investigation. As a result of the investigation, in November 2011 OUP voluntarily reported certain concerns in relation to contracts arising from a number of tenders which its Kenyan and Tanzanian subsidiaries, OUPEA and OUPT, entered into between the years 2007 and 2010." As part of the agreed upon Civil Recovery Order, OUP agreed to pay GBP1,895,435 (US\$2,971,300) and GBP 12,500 (US\$19,595) for SFO's costs of pursuing the order. "In addition to the property recovered under the civil recovery order, OUP unilaterally offered to contribute £2,000,000 to not-for-profit organisations for teacher training and other educational purposes in sub-Saharan Africa. This was a reflection of the seriousness with which OUP views the course of events that were subject to the investigation and a wish to acknowledge that the conduct of OUPEA and OUPT fell short of that expected within its wider organisation. The contribution would benefit the people within the affected region and be consistent with the overall mission of OUP. The offer also confirmed that the funds would not be used so as to provide OUP with a commercial advantage Although the benefits to the people of the affected region are acknowledged by the SFO, the SFO decided that the offer should not be included in the terms of the court order as the SFO considers it is not its function to become involved in voluntary payments of this kind. However, the SFO welcomes OUP's commitment to make this contribution and to work with a range of not-for-profit organisations in sub-Saharan Africa to achieve the above objectives." (Source: UK Serious Fraud Office Press Release, "Oxford Publishing Ltd to pay almost £1.9 million as settlement after admitting unlawful conduct in its East African operations," July 3, 2012.)

Disposition of Criminal Case(s):

N/A (Civil Recovery Order)


Jurisdiction of Origin: Investigative Agency:

UK Serious Fraud Office

Jurisdiction of Asset Recovery: Courts Involved:

High Court of Justice, Queen's Bench Division (UK)

Documents:

Attachment	Size
 application_notice_form_n244.pdf	169.29 KB
 Oxford_Univ_Press_Settlement_SFO_Press_Release_Jul_3_2012.pdf	144.19 KB
 part_8_claim_form_n208.pdf	259.67 KB
 sealed_consent_order.pdf	207.32 KB

Other Sources:

UK Serious Fraud Office Press Release, "Oxford Publishing Ltd to pay almost £1.9 million as settlement after admitting unlawful conduct in its East African operations," July 3, 2012, accessed at <http://www.sfo.gov.uk/press-room/latest-press-releases/press-releases-20...>

Consent Order, accessed at http://www.sfo.gov.uk/media/215466/sealed_consent_order.pdf;

Claim Form to the High Court, accessed at
http://www.sfo.gov.uk/media/215458/part_8_claim_form_n208.pdf;

Application Notice to the High Court, accessed at
http://www.sfo.gov.uk/media/215462/application_notice_form_n244.pdf.