



ANTI-CORRUPTION STATEMENT

1. OVERVIEW

- 1.1. The Prevention and Combating of Corrupt Activities Act 12 of 2004, as amended from time to time (the “Act”) was formulated and brought into effect to provide for the strengthening of measures to prevent and combat corruption and corrupt activities. The common law offence of bribery was replaced by a general offence of Corruption in terms of the Act.
- 1.2. The Firm qualifies as a business as defined in section 1 of the Act and therefore implements an Anti-Corruption Policy to establish clear procedures for the Firm to comply with the provisions of the Act. Additionally, the Firm is a legal practice, rendering legal services to clients in both the public and private spheres and is thus subject to the Legal Practice Act 28 of 2014 (“Legal Practice Act”), which also provides expectations of ethical conduct.
- 1.3. In order to ensure that the Firm conducts business with customers, suppliers and service providers in a manner that is beyond reproach, and in order to safeguard the reputation of the Firm, the Firm has adopted an Anti-Corruption Policy with an incorporated Risk Assessment to provide the rules, processes and procedures Employees are to follow in governing their activities and mitigating risk posed to the Firm.

2. STATEMENT

- 2.1. The Firm acknowledges that sources of Corruption in any organisation include, amongst others, Employees, clients, suppliers and service providers, and thus an Anti-Corruption Policy is required to provide for the Firm’s approach to the prevention and detection of Corruption, through an ethical framework.
- 2.2. The main objectives of the Firm’s Anti-Corruption Policy are to:
 - 2.2.1. Establish a Firm culture which is intolerant to Corruption;
 - 2.2.2. Deter any Corruption;
 - 2.2.3. Prevent Corruption which cannot be deterred;
 - 2.2.4. Risk assesses potential Corruption;
 - 2.2.5. Detect Corruption;
 - 2.2.6. Investigate detected and potential Corruption; and
 - 2.2.7. Take appropriate action against Corrupt individuals, e.g. prosecution, disciplinary action, etc.
- 2.3. The Firm thus confirms that, in addition to the framework established in terms of this Anti-Corruption Policy, the Firm has several other systems, policies and procedures in place that may overlap with this Anti-Corruption Policy and which should be read together with this Anti-Corruption Policy, like the Risk Management and Compliance Programme of the Firm, established in terms of the Financial Intelligence Centre Act 38 of 2001, among others.
- 2.4. The Firm confirms that, in May 2023, an Anti-Corruption Risk Assessment was conducted to identify relevant risks and threats of Corruption or Corrupt activities within the Firm, which Employees are made aware of through the Anti-Corruption Policy.
- 2.5. In conducting this Risk Assessment, the Firm identified risk factors, impact of identified risks on the Firm, the likelihood of identified risk activities, possible mitigating steps / controls that reduce or will reduce the Firm’s exposure to the identified risk; and any remaining risk after mitigating steps / controls have been implemented and compared against the Firm’s risk appetite.
- 2.6. Through the Risk Assessment conducted, the Firm has identified that corrupt activities may take place through either an Employee enticing a 3rd party or a 3rd party enticing an Employee.

- 2.7. The Firm confirms it has a zero-tolerance approach to any acts that are, or could be perceived to be, acts of bribery or corruption. As a result, the Firm confirms that all Employees, at all levels and within all departments, do not engage in any of the following activities:
- 2.7.1. Bribery of officials and witnesses at the behest of a client;
 - 2.7.2. Interference with court process;
 - 2.7.3. Providing Compensation for referrals of legal work;
 - 2.7.4. Colluding with a 3rd party;
 - 2.7.5. Changing payment details;
 - 2.7.6. Accept instructions for own account;
 - 2.7.7. Employment agreement;
 - 2.7.8. Appointment of supplier;
 - 2.7.9. Changing payment details; and/or
 - 2.7.10. Receiving gratification in exchange for discounts on Firm Account.
- 2.8. The Firm confirms that it has implemented Controls to mitigate the risk and lower the probability of corrupt activities taking place, which include the following:
- 2.9. *General Controls* –
- 2.9.1. Before Employees are appointed, they are subjected to a rigorous background screening to expose any previous offences or financial circumstances that would make them susceptible to outside influence, with regular integrity checks performed;
 - 2.9.2. At appointment, Employees are required to sign an Employment Agreement which prohibits taking part in any of the identified risk activities, and which would make them subject to disciplinary proceedings and dismissal;
 - 2.9.3. Before instructions are taken from a client, the client is assessed through our Risk Assessment process which forms part of our FICA RMCP. Part of the Risk Assessment includes an adverse media investigation to verify that the Client or its Directors have not been involved in corrupt activities;
 - 2.9.4. We've adopted a Whistleblower Policy that provides a process for reporting and protection to any Employee who are willing to report illegal activities;
 - 2.9.5. We've adopted an Anti-Corruption Policy that prohibits the identified risks;
 - 2.9.6. Careful account is kept of all financial transactions on a file and no payments are made without supporting invoices from verified suppliers;
 - 2.9.7. The Firm does not allow for any payments to be made in cash, and EFT payments are strictly regulated in terms of our Fraud Risk Management Policy that allows for payee verification steps and payment approval processes that requires a Director's signature and at least two authoriser approvals before payments are made. The Firm's funds can therefore not be used in corruption activities without it coming to the attention of Management;
 - 2.9.8. The Firm's accounts are also audited by an auditor once a year which would expose any irregularities;
 - 2.9.9. Supervisors are copied into all emails sent and received by their direct subordinates; and
 - 2.9.10. Additional Professional Indemnity Insurance has been taken out by the Firm.
- 2.10. *Risk-specific Controls* –
- 2.10.1. Bribery of officials and witnesses at the behest of a client & interference with court process –
 - 2.10.1.1. Supervisors regularly discuss files and their progress with court appearing Employees that should expose any sudden changes in the client's possible verdicts.
 - 2.10.2. Providing Compensation for referrals of legal work –
 - 2.10.2.1. All decisions for sponsorship or donations are made by Management, based on specific criteria, including as part of the Firm's general marketing and contribution to community interests. No such payments are made as a quid pro quo for instructions received.

- 2.10.3. Colluding with a 3rd party –
 - 2.10.3.1. Supervisors also regularly discuss files and their progress with Employees that would indicate if the Employee is providing the correct advice and acting in the best interest of the client;
 - 2.10.3.2. Access to firm and client information is limited to only those Employees who are directly involved with the matter.
 - 2.10.4. Changing payment details –
 - 2.10.4.1. Reliance is placed on our financial controls as set out in 7.2 above.
 - 2.10.5. Accept instructions for own account –
 - 2.10.5.1. The Directors hold regular discussions with court bailiffs and magistrates to keep track of the activities of court appearing Employees;
 - 2.10.5.2. Record is kept of Court appearing Employee's time spent at court which will expose unaccounted time.
 - 2.10.6. Employment Agreement –
 - 2.10.6.1. All CV's are received and perused by Management;
 - 2.10.6.2. All interviews are held by Management with Employees having no influence on such appointments.
 - 2.10.7. Appointment of supplier –
 - 2.10.7.1. The Firm makes use of existing suppliers. Before new suppliers are used, Management's approval is required.
 - 2.10.8. Receiving gratification in exchange for discounts on Firm Account –
 - 2.10.8.1. All discounts have to be authorised by Management;
 - 2.10.8.2. Management regularly checks the Firm's Fee Analysis report that shows actual fees written by Employees, as well as other reports such as Fee Adjustment reports, Fee Collection Report, Premium/Write off report.
- 2.11. The Firm is aware of possible residual risk relating to the risk factors identified, and accepts that, through implementation of controls and mitigation, such risk is significantly reduced, falling within the spectrum of the Firm's risk appetite. Additionally, the Firm acknowledges liability for Employees conduct, after mitigation, and further acknowledges responsibility for conduct of its Directors, for which professional indemnity insurance has been arranged.

3. NO-GRATIFICATION POLICY

- 3.1. The Firm acknowledges that the provision or exchange of Gratification may, in certain circumstances, contribute to building and maintaining sustainable business relationships, but these may also potentially unduly influence judgment or be perceived to unduly influence judgment of Employees, and accordingly the Firm has implemented a no-Gratification policy to avoid any potential conflicts of interest.
- 3.2. The Firm thus confirms that all Employees comply with the following policy requirements:
 - 3.2.1. No gifts of any kind, that are offered by a 3rd party, no matter what the value, are accepted by any Employee at any time at or away from the work premises of the Firm.
 - 3.2.2. No food, beverages, meals, entertainment, tickets to events or other similar occasions offered by a relevant person no matter what the value, is accepted by any Employee at any time.
 - 3.2.3. No business courtesy, which includes but is not limited to product discount, quid pro quo arrangements, special offers or other benefits not extended or available to all Employees, offered by a relevant person, no matter what the value, is accepted by any Employee at any time.

4. PROCUREMENT

- 4.1. The Firm confirms that all procurement business engaged and otherwise tendered for by the Firm is conducted ethically in a manner above reproach and with total impartiality, with Employees remaining absolutely free from any obligations to any suppliers, other than those in the ordinary course and scope of the business relationship with the client.

- 4.2. The Firm confirms Employees decline any outside interests or business relationships that may be reasonably deemed to affect the Employee's impartiality in conducting his or her daily work, and that they declare any business and personal relationships that they, or members of their family, may have with clients, potential clients and suppliers with whom the Firm engages or may engage, especially if such persons or entities are regarded as high risk in terms of the Firm's RMCP.
- 4.3. The Firm states that only in exceptional circumstances, and with written approval from Senior Management, will work be tendered for, or contracts be concluded with, a body or institution in the public sphere that is controlled or actively influenced by any person closely associated with an Employee.

5. MARKETING

The Firm confirms that all Employees ensure that they enquire about, understand and comply in full with any anti-corruption, ethics or no-gifts type policies of clients or potential clients and that all marketing activities are conducted strictly in accordance with such policies and at all times within the professional prescripts relating to the legal profession as may be prescribed from time to time in accordance with the Legal Practice Act.

6. DUTY TO REPORT

- 6.1. The Firm acknowledges that any person who holds a Position of Authority and who knows or ought reasonably to have known or suspected that any other person has committed an offence under Part 1, 2, 3 or 4, or section 20 or 21 of Chapter 2 of the Act or the offence of theft, fraud, extortion, forgery or uttering a forged document, involving an amount of R100,000.00 (ONE HUNDRED THOUSAND RAND) or more, **must report such knowledge** or suspicion or cause such knowledge or suspicion to be reported to the police official in the Directorate for Priority Crime Investigation referred to in section 17C of the South African Police Service Act, 68 of 1995.
- 6.2. The Firm, therefore, confirms that should any Employee become aware of any circumstances that may give rise to a report as aforesaid, then such Employee is under an **obligation** in terms of this Anti-Corruption Policy to report such circumstances to Senior Management without delay, who will investigate further and take the necessary action steps.

7. AWARENESS

- 7.1. The Firm confirms that Employees were made aware of the Anti-Corruption Policy, as well as its nature, scope and purpose and are provided with a copy thereof, with the Anti-Corruption Policy included in the orientation of all new Employees.
- 7.2. The Firm acknowledges that, should Senior Management deem it appropriate and necessary from time to time, Employees may also require training in relation to this Anti-Corruption Policy, with Employees being required to, from time to time, confirm in writing their understanding of, and commitment thereto.

8. DISCIPLINARY ACTION

- 8.1. The Firm confirms that any transgression by an Employee of the Anti-Corruption Policy will be subject to disciplinary action in accordance with the ordinary disciplinary procedures of the Firm.

2024/5/27	ILSE HATTINGH	
SIGNED DATE	FULL NAMES	SIGNATURE