Information & Anti-Corruption

The role of asset declarations in preventing, detecting and investigating corruption

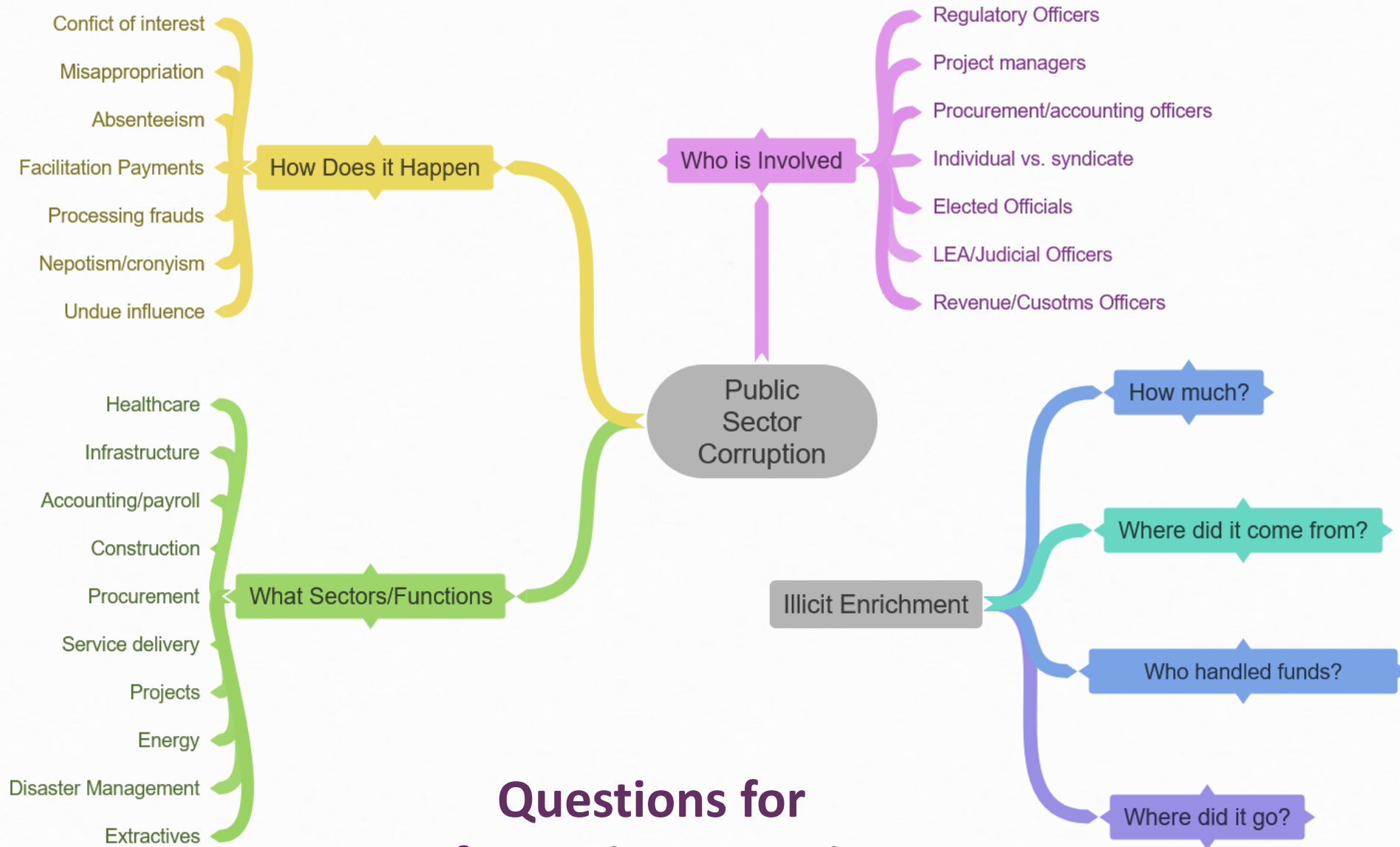Tanya Karlebach, May 2022

Session Overview

Information in public sector corruption

Value of declarations

Defining the ideal declaration regime

Strengthening your context

Questions for Information Mapping

Information Sources – Format and Media Matter!

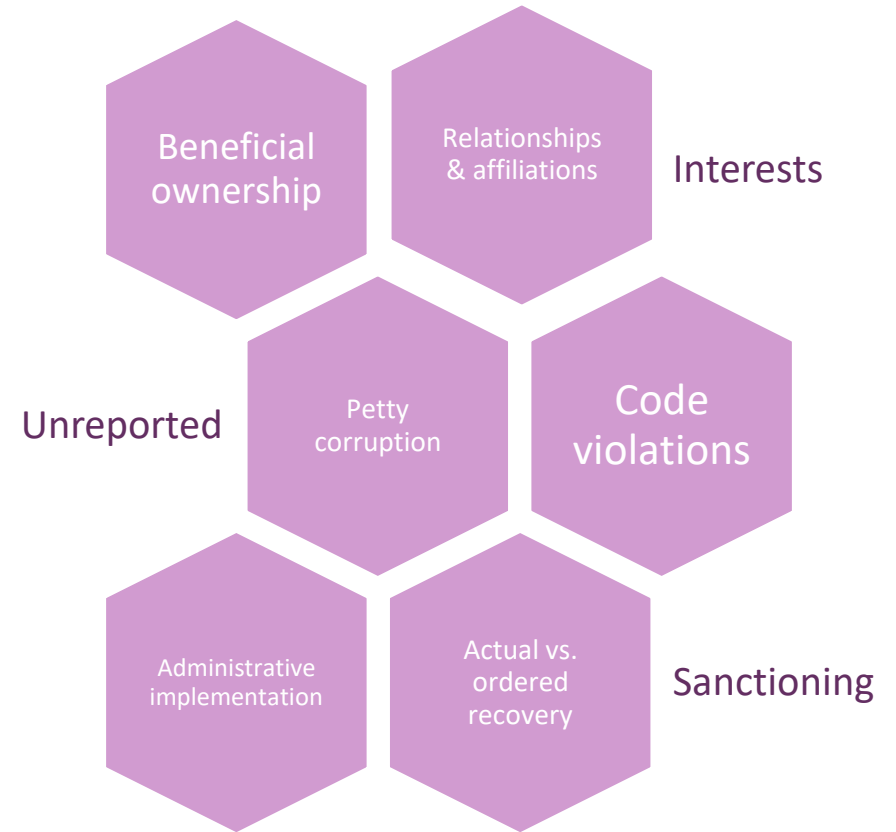|		
Budgets	Reports (monitoring, project, annual etc.)	Financial accounts
Tenders	Contracts	Declarations
Court case registers	Meeting minutes	Schedules/Diaries
	Registers (cases, assets, business, beneficial owner, land)	

What We Know

Financial loss

Criminal cases — **Detected Corruption**

Public Financial Information — Budgets — Procurement

Public Diaries — Declaration — **Reported Interests**

What is Opaque

Beneficial ownership

Relationships & affiliations — Interests

Unreported — Petty corruption — Code violations

Administrative implementation — Actual vs. ordered recovery — Sanctioning

Information Management as Change Lever

- Potentially non-contentious for public sector
  - Supporting public servants
  - Focusing on efficiency and effectiveness
- Improved performance contributing to decrease in petty corruption
- Improved transparency and accountability – enhancing potential for more engaged civil society
- Enhanced opportunities for detection, contributing to deterrence
- Ability to map and understand various relational and transactional networks

Value of Asset Declarations

For Declarants protection from undue suspicion

For organisations contributing to reputational risk management

For civil society improved transparency and accountability

For Law Enforcement ability to 1) detect, 2) improve investigative actions

In a perfect world....

Who Oversees the regime

- Independent
- Report Directly to Parliament
- Ability to respond to changing context through regulations rather than legislation

Who Declares

- Risk based on jurisdictional context
- Narrower scope, deeper dive? 'family and associates'
- Different categories with different requirements?

When do Declarations happen

- Upon appointment, or standing for election?
- Within 3 months of changes? Annual, Every 3 years?
- Upon leaving post or 6 months after?

What is Declared

- Fixed and moveable above an agreed threshold
- Interests and affiliations
- Dates and means of acquisition (e.g. loan, inheritance etc.)

How it is registered

- Structured fields
- Force behaviours and Limit free text (menus, value ranges etc.)
- Exportable

What is Verified

- Targeted number
- Random as well as risk-based
- Information and physical verification
- Publish results of verification

What is Publicly Available

- Same for everyone?
- Amounts (donations, gifts)
- Organisational name and Declarant's role
- Sources of income
- General Location/value range of property

What are the sanctions

- Fines for late or incomplete submissions
- False or omitted information subject to financial and administrative penalty
- Report on all sanctions

Analysing Declaration Information

- Enrichment over time

- Changes in status following exercise of power (e.g. new declarations post judicial decision, or award of contract)

- Policy or legislative changes which affect assets or income (including post-public service employment)

- Lifestyle audits

- Trends across roles or sectors

- Verifying against public registers (land, business, civil status, professional bodies)

Improving the declaration regime

- Effective is better than aspirational
- USE it
  - Submit requests
  - Ask parliamentarians to raise questions in the house
  - Share information publicly - both the positive and negative stories
- Ensure that the right people have to declare at the right times
- Support robust verification – consider scope for citizen engagement
- Encourage disclosure in a structured format
- Ensure an effective sanction regime