

Our Ref: FOI2015-104

Date: March 2015

**Subject: Assistance to/from foreign jurisdictions relating to restraint and confiscation**

This enquiry asked for information about requests made by the SFO for assistance from overseas jurisdictions. The questions are shown in italics below.

*How many requests have been made by the SFO to foreign jurisdictions / agencies for assistance with restraint and confiscation of assets*

The SFO did not collate this information centrally until April 2014. According to the register maintained for administrative purposes, the SFO has issued two such requests for assistance between 1 April and 31 December 2014 and two requests in 2015.

Prior to April 2014 the SFO conducted an exercise to try to collate centrally copies of earlier mutual legal assistance requests. A perusal of those copies indicated the following requests for assistance were made to give effect to restraint or confiscation orders.

2009 - 1  
2010 - 3  
2011 - 2  
2013 - 2

We cannot vouch for the accuracy or completeness of the data captured by that exercise.

*How many requests have been received by the SFO from foreign jurisdictions / agencies for assistance with restraint and confiscation of assets*

Other than requests made pursuant to the mutual recognition arrangements (below) the SFO does not receive requests directly from foreign authorities. In appropriate cases they are referred to the SFO for execution by the United Kingdom Central Authority (UKCA) which is part of the Home Office.

Records indicate the following. The date shown is the date on the letter of request and is not necessarily the date it was referred to the SFO.

2004 - 1  
2005 - 0  
2006 - 2

---

2007 - 1  
2008 - 3  
2009 - 5  
2010 - 3  
2011 - 1  
2012 - 0  
2013 - 1  
2014 - 1

*Of the total number of requests made by the SFO (for assistance with restraint and confiscation of assets), how many requests were made pursuant to European Union arrangements (such as Council Framework Decision 2003/577/JHA or Council Framework Decision 2006/783/JHA)?*

2014 - 1. The regulations only came into force on 2 December 2014.

*Of the total number of requests received by the SFO (for assistance with restraint and confiscation of assets), how many were received pursuant to European Union arrangements (such as Council Framework Decision 2003/577/JHA or Council Framework Decision 2006/783/JHA)?*

None. The regulations only came into force on 2 December 2014.

*How many "External Orders" were received by the SFO, to be given effect under Part XI of the Proceeds of Crime Act 2002 ?*

The SFO's records show that one was received in 2013.

*How many "External Orders" were, in fact, given effect?*

The above request was dealt with by variation of a restraint order to permit repatriation of assets to a receiver rather than by registering an external order.

*What was the total value of assets:*

- (a) transferred / returned to / received by the UK, following confiscation / forfeiture overseas (and details of the ultimate destination of such assets); and*
- (b) returned / transferred overseas, following confiscation / forfeiture by the SFO in the UK.*

(a) Records show the following

- 2012 - £1,022,253 (all of which went to compensate victims)
  - 2014 - £1,887,127 (which went to compensate victims and to pay receivership fees)
-

(b) None as far as we are aware

---