

Our Ref: FOI2015-139

Date: June 2015

Subject: Prosecution statistics

This request asked for the following:

- The total number of organisations prosecuted by the Serious Fraud Office (SFO) for fraud offences annually, 2001-2014.
- The total number of company directors or senior managers prosecuted by SFO for fraud offences annually, 2001-2014.
- The total number of employees *who were not* company directors or senior managers prosecuted by SFO for fraud offences annually, 2001-2014.

There is some statistical information about SFO casework available in the public domain in records from Parliament (on the website www.parliament.uk) and also in SFO annual reports (on our website, www.sfo.gov.uk).

The table below provides a breakdown of the numbers of concluded prosecutions for fraud, including bribery and corruption, by individuals and organisations since 2012. These figures are the total prosecutions concluded and include individuals who have been found not guilty; the date of the verdict has been used as the prosecution conclusion date.

	2012	2013	2014
Individuals	28	17	20
Organisations			1
Total	28	17	21

The SFO's current business information database records information since April 2012. Earlier statistical information held centrally may be incomplete.

The SFO does not record centrally the role or job title of those the SFO prosecutes. However, some information about individuals prosecuted can be found on our website, and this sometimes includes information about their professional role. Some older annual reports also include this type of more detailed casework information.

We do have figures for the number of Director Disqualification Orders successfully made in SFO cases, and this is shown in the table below. However, please note that this would not count all directors prosecuted in SFO cases (as not all Directors would

be disqualified) and this does not give any indication about those who were not successfully prosecuted.

	2013-14	2014-15
Number of DDOs granted (financial year)	1	9

Some similar information was addressed in Parliamentary questions in 2014 and is provided below for reference.

Copy of records from Hansard

2 Apr 2014: Column 652W

Emily Thornberry: To ask the Attorney-General against what corporate defendants the Serious Fraud Office has brought enforcement actions in the last 10 years; what the outcome of each such action was; what civil recovery was ordered in each successful case; what criminal fines were imposed in each successful case; and under what primary legislation each case was brought. [192848]

The Solicitor-General: The Serious Fraud Office (SFO) has brought enforcement actions against 11 corporate defendants in the last 10 years, as set out in the following table.

Before 2008, all successful SFO prosecutions were of individuals. The following table shows the fines and civil recovery orders (CROs) in SFO cases involving corporates since then.

	<i>Case</i>	<i>Penalty¹</i>
2008	Balfour Beatty plc	£2.25 million CRO
2008	Severn Trent Water Ltd	£2 million fine
2009	AMEC plc	£4.94 million CRO
2009	Mabey and Johnson Ltd	£3.5 million fine
2010	BAE Systems plc	£500,000 fine
2010	Innospec Ltd	\$12.7 million fine
2011	De Puy International Ltd	£4.8 million CRO
2011	MacMillan Publishers Ltd	£11.3 million CRO
2011	M W Kellogg Ltd	£7 million CRO

2012	Mabey Engineering (Holdings) Ltd	£131,000 CRO
2012	Oxford Publishing Ltd	£1.9 million CRO
¹ Figures are rounded		

The above proceedings marked “CRO” were commenced in accordance with Chapter 2 of Part 5 of the Proceeds of Crime Act 2002.

Severn Trent Water Ltd pleaded guilty to an offence under the Water Industry Act 1991.

Mabey and Johnson Ltd pleaded guilty to offences under the Criminal Law Act 1977, the Prevention of Corruption Act 1906 and United Nations Act 1946.

BAE Systems plc pleaded guilty to an offence of failing to maintain adequate accounting records under the Companies Act 1985.

Innospec Ltd pleaded guilty to an offence under the Criminal Law Act 1977.

In 2006, the SFO brought charges against five companies in relation to alleged price fixing of pharmaceutical products. The five companies were Kent Pharmaceuticals, Norton Healthcare Ltd, Generics (UK) Ltd, Ranbaxy (UK) Ltd, and Goldshield Group plc. In 2008, a judge ordered the acquittal of all five companies.

If a company is to be prosecuted, it is usually necessary in cases to demonstrate that the controlling minds of a company were knowing participants in the criminality being alleged. This can be difficult to prove, especially in complex cases, and so most SFO prosecutions have been of individuals rather than companies. Other outcomes are also possible. In 2010, BAE Systems plc agreed to make a £29.5 million payment for the benefit of the people of Tanzania, following a settlement with the SFO and the US Department of Justice. Last year, Oxford University Press (owners of Oxford Publishing Ltd) unilaterally offered to contribute £2 million to not-for-profit organisations for teacher training and other educational purposes in sub-Saharan Africa.

1 July 2014: Column 521W

Emily Thornberry: To ask the Attorney-General how many directors of companies were disqualified as a result of a criminal investigation by the Serious Fraud Office in (a) 2012-13 and (b) each of the five preceding years. [201978]

The Solicitor-General: The number of directors of companies disqualified on conviction following prosecution by the Serious Fraud Office were as follows:

	<i>Number of company directors disqualified</i>
2012-13	5
2011-12	18
2010-11	6
2009-10	8
2008-09	22

Data prior to 2008 are not collated centrally and it is not possible to provide the information requested without incurring a disproportionate cost.
