

Our Ref: FOI2016-083

Date: July 2016

Subject: Investigations and restraint and compensation orders

This request asked the following questions for the financial years 2014/15 and 2015/16:

1. *The total number of restraint orders obtained by the SFO in the course of investigations into all types of cases and the number of restraint order obtained within a two-month period of an investigation being opened.*

a) Total number of restraint orders obtained by the SFO in all types of cases:

2014/15: 6 restraint orders

2015/16: 4 restraint orders; plus 1 property freezing order in a civil recovery case

b) Total number of restraint orders obtained within 2 months of the investigation being opened:

2014/15: 2

2015/16: 0

In relation to question 1b), it is important to note that there are a range of possible operational reasons for not seeking restraint orders at the immediate outset of an investigation. These include:

- Cases where the exact role of the suspects is unclear at the start of the criminal investigation, particularly with regard to the identification of any benefit.
- Investigations in a covert phase where crucial evidence is still being gathered.
- Tactical considerations in cases where, even if the investigation has become overt, it is judged that the consequences of seeking and serving a RO on a suspect are undesirable.
- Cases where the conduct has already come to light through a private internal investigation or action by a regulator, and which have then been referred to law enforcement.
- Cases where a restraint order is not appropriate, such as where there has been civil litigation or bankruptcy proceedings.

2. *The total number of investigations opened.*

2014/15: 16 criminal investigations and 1 civil recovery investigation

2015/16: 12 criminal investigations and 3 civil recovery investigations

3. *The total number of compensation orders obtained by the SFO in all types of cases, the total value of compensation orders obtained, and the value of payments made as compensation to victims.*

a) Total number of compensation orders obtained by the SFO in all types of cases:

2014/15: 11

2015/16: 2

b) Total value of compensation orders obtained:

2014/15: £5,457,888

2015/16: £120,678

c) Total value of payments made as compensation to victims:

2014/15: £2,075,093

2015/16: £7,519,179

At a confiscation hearing, the Judge may order a defendant to pay compensation by either making a stand-alone compensation order or a confiscation order in which he can specify an amount to be paid in compensation to victims, rather than in confiscation to the state. The above figures (3a-c) include all compensation orders made whether they are stand-alone or as part of confiscation orders. Where a confiscation order has been made, only the amount ordered to be paid in compensation has been included.
