

## **General Principles to compensate overseas victims (including affected States) in bribery, corruption and economic crime cases**

Through application of the General Principles we aim to ensure that overseas victims of bribery, corruption and economic crime, are able to benefit from asset recovery proceedings and compensation orders made in England and Wales. Such victims could include affected states, organisations and individuals.

The General Principles are as follows:

1. The Serious Fraud Office (SFO), the Crown Prosecution Service (CPS) and the National Crime Agency (NCA), hereafter referred to as “the Departments” will consider the question of compensation in all relevant cases.
2. If compensation is appropriate, the Departments will use whatever legal mechanisms are available to secure it. These include:
  - a) In cases resolved by prosecution, the CPS and the SFO seeking remedies available under:
    - i. The Proceeds of Crime Act 2002 for confiscation and
    - ii. The Powers of Criminal Courts (Sentencing) Act 2000 for compensation.
  - b) In cases resulting in a Deferred Prosecution Agreement (DPA), the SFO and the CPS seeking compensation as part of the terms.
  - c) In cases disposed of civilly, the Departments seeking to return funds to victims where appropriate.
3. The Departments will work collaboratively with the Department for International Trade (DIT), Foreign and Commonwealth Office (FCO), Home Office (HO) and HM Treasury (HMT) in relevant cases to:
  - Identify who should be regarded as potential victims overseas. This may be in the form of an affected state.
  - Assess the case for compensation.
  - Obtain evidence which may include statements in support of compensation claims.
  - Ensure the process for the payment of compensation is transparent, accountable and fair.
  - Identify a suitable means by which compensation can be paid to avoid the risk of further corruption.
4. The Departments will develop and make available on their websites, guidance on the implementation of these General Principles.

5. Where possible, the Departments will engage proactively with the relevant law enforcement or government officials in affected states.
6. The Departments will publish information on concluded cases.