

Confiscation Orders granted to DWP in Great Britain, 2011/12 and 2012/13

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Contents

Introduction..... 3

Background 4

Methodology 5

Results 5

Introduction

This publication will present information on Confiscation Orders granted to DWP in Great Britain, 2011/12 and 2012/13. The publication will include the total value and volume of Confiscation Orders granted and will be broken down by England, Wales, and Scotland.

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Background

1. Proceeds of Crime Act 2002 (PoCA) powers provides for Confiscation Orders in relation to persons who benefit from criminal conduct and for restraint Orders to prohibit dealing with property, including money, and to allow the recovery of such property (including money), during the enforcement of any Confiscation Order made. The PoCA also makes provision for the prosecution of money laundering offences.
2. The main role of the Financial Investigation Unit (FIU) is to confiscate the proceeds of crime from Department for Work and Pensions (DWP) prosecuted cases. This is done by means of: the investigation of assets, including hidden assets, the analysis of bank statements and investigation into the lifestyle of people involved, directly or indirectly, in benefit related crime.
3. The financial threshold for referring cases to the FIU is £10,000. The only exceptions to this figure are: benefit fraud cases involving alleged members of staff (Internal Audit Investigation referrals); where directed by a Crown Court to proceed to a financial hearing; where the anticipated overpayment is less than £10,000 but the investigation has indicated that there is a possible criminal lifestyle.
4. FIU applying to the Courts, through the Welfare, Rural and Health Division of the Crown Prosecution Service (CPS), for restraint Orders, under Part 2 of PoCA, to prevent assets from being transferred, hidden or disposed of, applying, on conviction, to the Courts for Confiscation and or Compensation Orders to recover monies obtained through benefit related crime, and obtaining financial information through powers of production Orders under Part 8 of PoCA.
5. FIU has been increasing both the volume and value of financial investigations and recoveries, using PoCA, in recent years.
6. Further detailed information on the FIU and PoCA can be found at: <http://www.dwp.gov.uk/docs/fraud-guide-financial-investigations.pdf>

Methodology

7. The figures relating to England and Wales have been derived from Management Information from a Home Office database, which holds information about asset recovery cases in the criminal justice system. The Management Information includes the total volume and value of DWP Confiscation Orders, in 2011/12 and 2012/13.
8. The figures relating to Scotland have been derived from Management Information from the FIU records supported by court/ Procurator Fiscal (PF) Service documentation. The Management Information includes the total volume and value of DWP Confiscation Orders, in 2011/12 and 2012/13.
9. The data was extracted and collated for the financial years, 2011/12 and 2012/13.

Results

10. In 2011/12 in England and Wales 216 Confiscation Orders were granted with a total value of £5,893,297.12. In Scotland 5 Orders were granted with a total value of £126,064.04. This gives a total national FIU achievement of 221 Orders with a total value of £6,019,361.16
11. In 2012/13 in England and Wales 247 Confiscation Orders were granted with a total value of £7,698,887.15. In Scotland 24 Orders were granted with a total value of £1,232,140.51. This gives a total national FIU achievement of 271 Orders with a total value of £8,931,027.66.
12. The 2012/13 figures include two high value Orders:
In England and Wales one valued at £1,031,943.00 and in Scotland one valued at £943,000.00