



## Asset Recovery Statistical Bulletin 2014/15 – 2019/20

### England, Wales and Northern Ireland

This bulletin presents the latest data on the recovery of criminal assets using [Proceeds of Crime Act 2002 \(POCA\)](#) powers.

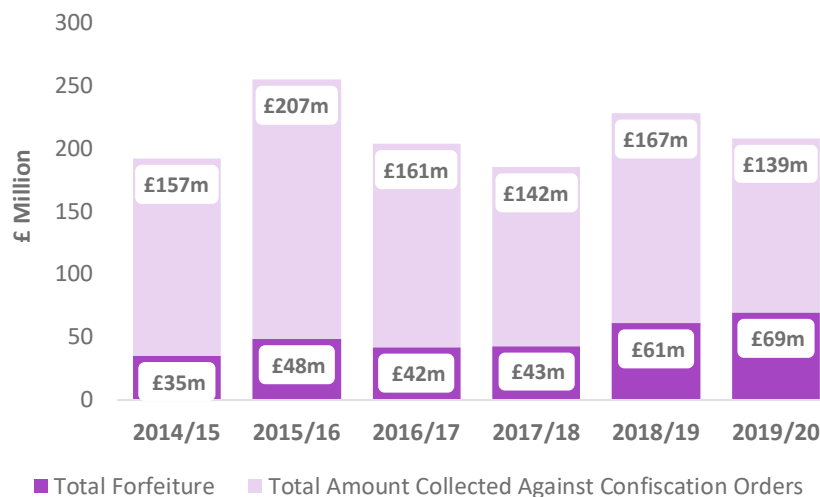
#### At March 2020:

**£208m worth of proceeds of crime were collected\***. This represents a 8% increase compared with 2014/15.

**£139 million was collected against confiscation orders\***. This is the lowest level recovered in the past 6 years.

**£69 million was collected against forfeitures\***. The level has been steadily rising each year and is at the highest level seen in the last 6 years.

**Amount of money collected from confiscation orders and forfeiture from 2014/15 to 2019/20, covers England, Wales and Northern Ireland and where the jurisdiction was unclassified.**



#### At March 2020:

**£31 million was awarded in compensation to victims\*** – this is just below the average of the previous 5 years which is around £33 million.

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Home Office responsible statistician:  
Daniel Shaw

Press enquires:  
[pressoffice@homeoffice.gov.uk](mailto:pressoffice@homeoffice.gov.uk)  
020 7035 3535

Public enquires:  
[cfteam@homeoffice.gov.uk](mailto:cfteam@homeoffice.gov.uk)

\* Figures shown are rounded to the nearest million pound(s).

# 1. Introduction

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## Background

In response to [recommendations](#) made by the Public Accounts Committee (PAC) in July 2016 to improve information on the performance of government in relation to the confiscation of criminal assets, the Home Office committed to publishing an annual report on asset recovery statistics.

This release provides data on:

- i) Amount collected from confiscation orders and forfeitures;
- ii) Changes introduced in the [Criminal Finances Act 2017 \(CFA\)](#);
- iii) Use of ARIS<sup>1</sup> funds; and;
- iv) Compensation to victims from confiscation orders

## Asset recovery legislation

The Government's overarching aim is to cut crime. Asset recovery powers should be used in such a way to contribute to the reduction of crime. Specifically, asset recovery powers can contribute by:

- disrupting criminal networks and the further funding of crime;
- depriving people of their proceeds of crime;
- discrediting criminal role models in society; and,
- deterring people from becoming involved in crime.

A number of operational bodies across the criminal justice system are responsible for investigating, prosecuting and enforcing asset recovery. The Home Office has responsibility for leading the government's asset recovery policy and in ensuring transparent and effective performance measurement.

Asset recovery principally takes place using the following asset recovery powers provided by [Proceeds of Crime Act 2002 \(POCA\)](#):

### Criminal proceedings which require a conviction:

- **Criminal confiscation:** The confiscation of the proceeds of crime following a criminal conviction. It takes place following conviction but will be started prior to sentencing.

### Civil proceedings which do not require a conviction:

- **Forfeiture:** This refers to the powers to seize and forfeit cash, monies held in bank accounts or certain listed assets which are either the proceeds of crime or are intended to fund criminal activities. This is done through a civil process, which requires that there

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<sup>1</sup> Asset Recovery Incentivisation Scheme. (ARIS) A proportion of funds recovered under POCA are returned to law enforcement partners to invest in future asset recovery work, crime reduction schemes and community projects.

be reasonable grounds to suspect that the cash, money or assets are the proceeds of crime.

- **Civil recovery:** This is a system for confiscating the proceeds of crime, as a criminal conviction through the civil courts is not possible. It requires that on a balance of probabilities that the asset in question is the result of criminal activity.
- **Taxation:** This power resides with the NCA, and allows them to access revenue powers to tax income which it has reasonable grounds to suspect are the proceeds of crime.

The [CFA](#) introduced new powers of forfeiture of certain personal (or moveable) property (also known as 'listed assets') and money held in bank and building society accounts, and expanded specific civil recovery and taxation powers to the Financial Conduct Authority (FCA) and HMRC. Statistics on the collection of civil recovery and taxation are published by HM Revenue and Customs [HMRC](#) and the [NCA](#) in their respective Annual Report and Accounts.

The amount that can realistically be collected from the nominal total value of uncollected confiscation orders is published in the [HMCTS Annual Trust Statement](#).

Assets recovered under the mechanisms in [POCA](#) are distributed to operational agencies, (such as the local police force, HMCTS, and the CPS) under ARIS. Broadly, ARIS divides recovered assets between operational agencies and the Home Office on a 50/50 basis. While the Home Office portion of ARIS is earmarked as part of its core budget, the use of these funds is a matter for the receiving agency.

However, ARIS does not reflect the total amount of money recovered from criminals. For example, some recovered monies are used to pay compensation to victims or to pay receivers' fees.

### About this release

The majority of these statistics are drawn from a live operational database, the Joint Asset Recovery Database (JARD), which is managed by the National Crime Agency (NCA). JARD entries are provided by law enforcement agencies, including the police, the Crown Prosecution Service (CPS), the Serious Fraud Office (SFO) and local authorities. As a result, the data is subject to change on a daily basis as cases proceed and new cases are added and resolved. The data presented in this release was collected from JARD between April (compensation data) and August 2020 (rest of the data collected).

Statistics relating to forfeiture now include funds recovered under bank account and listed asset forfeitures. These powers were introduced under the CFA and currently only apply in England and Wales.

JARD covers England, Wales and Northern Ireland, while Scotland has an independent asset recovery system which is not included as part of this release. Further details relating to JARD can be found in Annex: Methods and Data Quality.

While there is other legislation relating to the power to seize criminal assets, including the [Misuse of Drugs Act 1971](#) and the [Modern Slavery Act 2015](#) these fall outside the scope of this report, and in many cases data on the use of these powers is not held centrally.

In support of the Modern Slavery Annual Report, to be published in Autumn 2020, data on the use of POCA in cases related to modern slavery offences is included at Annex A.

The data relating to the use of ARIS funds was collected by the Home Office. This does not provide a full picture of the use of ARIS funds as some contributors to ARIS (such as local authorities) pool payments and cannot specify the final use of these funds.<sup>2</sup>

The data relating to UWOs is collected by the National Economic Crime Centre.

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<sup>2</sup> The final use of ARIS funds is a matter for the receiving agency.

## 2. Main Findings

### Main findings

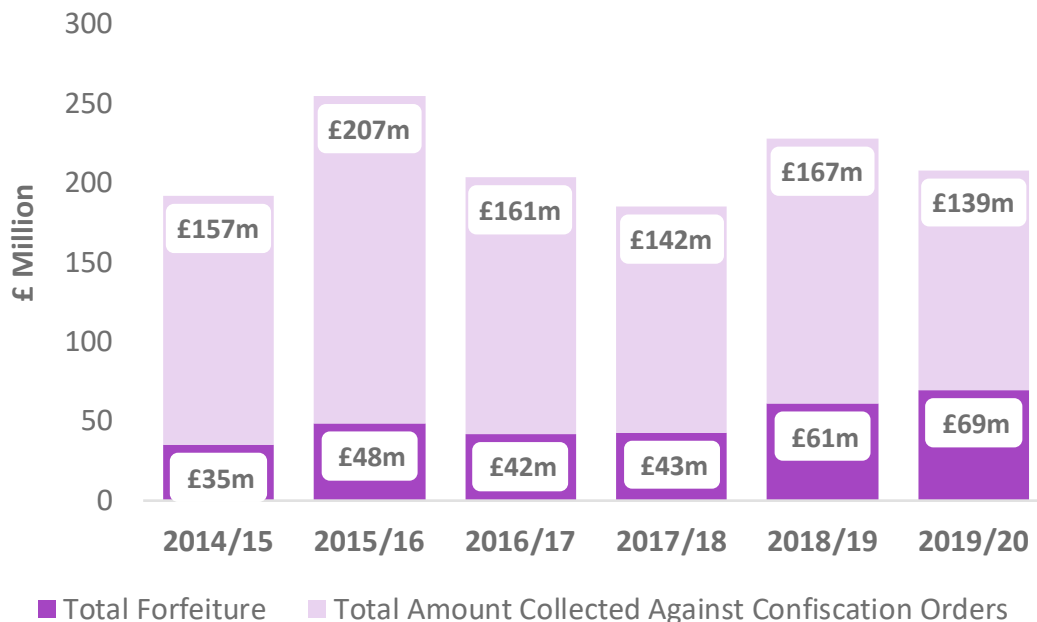
- In 2019/20, just under £208m of the proceeds of crime were collected, within England, Wales and Northern Ireland and where the jurisdiction of the court order was unknown. This represents an 8% increase compared with 2014/15.
- £139m was collected through confiscation orders.
- Just over £69m was collected through forfeitures in 2019/20. The current level of forfeiture represents the highest level seen in this time series, 2014/15 to 2019/20. This is partly due to the inclusion of bank account seizure and listed asset data for the first time.
- The [Criminal Finances Act 2017 \(CFA\)](#) introduced new powers in the form of Unexplained Wealth Orders (UWOs) and Account Freezing Orders (AFOs). At end of March 2020 the NCA has obtained UWOs on 4 cases with an estimated total value of £143.2m. In 2019/20, £208m covering 812 bank and building society accounts, was frozen using AFOs.
- Recipients of Asset Recovery Incentivisation Scheme (ARIS) monies typically allocate the largest portion to investing in future asset recovery work. In 2019/20, the latest period for which data is currently available, 72% of ARIS funds was invested in asset recovery work.
- In 2019/20, just over £31m was paid in compensation to victims from the proceeds of confiscation.<sup>3</sup> The 2019/20 figure represents an overall increase of 29% since 2014/15.

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<sup>3</sup> The total amount of monies paid to the victims of crime is beyond the scope of this report.

### 3. Amount Collected: Confiscation Orders and Forfeiture

**Figure 1: Amount of money collected from confiscation orders and forfeiture from 2014/15 to 2019/20**



Source: Data retrieved from JARD in August 2020.

Note: All figures have been rounded to the nearest £m. Details for amount collected at force and agency level is provided along with this document on GOV.UK.

Figure 1 outlines the total value of proceeds of crime collected each financial year since 2014/15 using confiscation and forfeiture powers. See Table 1 in the data tables that accompany this report for a full breakdown of the figures in the chart.

In 2019/20, just over £208m of the proceeds of crime were collected, representing an 8% increase compared with 2014/15 (just under £192m), which represents the starting point for this time series.

Assets collected from confiscation orders in 2019/20 accounted for the majority (67%) of the total value collected, a slightly lower proportion compared with 2018/19 (73%). The amount collected from confiscation orders in 2019/20 (£139m) was the lowest in this time series and 33% lower than the high point in 2015/16 (£207m), where there were several unusually large confiscation orders being paid and settled within the same reporting year.

Forfeiture figures have been steadily increasing over the last four years and the £69m collected in 2019/20 is the highest level and represents a 99% increase compared with 2014/15 (£35m), which represents the starting point for this time series.

A breakdown by agency and sector is available in the accompanying data tables – see Table 5 of the excel data tables.

## 4. Changes introduced in the Criminal Finances Act 2017

The [CFA](#) made legislative changes to give law enforcement agencies and partners new capabilities and powers to recover the proceeds of crime, and enhance the overall UK law enforcement response. These measures came into force on 31 January 2018 and the most prominent of these were UWOs and AFOs.

### Unexplained Wealth Orders (UWOs)

UWOs provide the power to compel an individual or company to explain the origin of assets in cases where the value of these assets appear to be disproportionate to their known income *and* if they are suspected of involvement in, or association with serious criminality.

This power can also be applied to foreign politicians or officials, their family members or close associates, as such people who may pose a particularly high corruption risk. This power, along with the existing civil recovery powers, is subject to safeguards in the form of a decision made by a High Court judge.

If content with the application, the court can issue a UWO. If the individual or company were not able to provide a response to the UWO it would mean law enforcement agencies could try and recover the property through existing civil recovery powers. UWOs are available to the NCA, CPS, FCA, SFO and HMRC (and, in Scotland, Scottish Ministers).

At the end of March 2020, the NCA had obtained UWOs on 4 cases since their introduction in 2018 with an estimated total value of £143.2m.

### Account Freezing Orders (AFOs)

The [CFA](#) makes provision for the freezing and forfeiture of bank and building society accounts, with funds of a minimum value of £1,000, where those accounts contain the proceeds of unlawful conduct or funds intended for use in unlawful conduct.

AFOs and forfeiture can be exercised by constables, HMRC officers, SFO officers or accredited financial investigators. AFOs can be applied without giving the intended recipient notice, where notice of application would negatively impact the outcome of forfeiture. Whilst an AFO is active, withdrawals or payments from the account are prohibited.

In 2019/20, £208m covering 812 bank and building society accounts, was frozen through the use of AFOs.

**Table 2: Account Freezing Orders (AFOs), 2018/19 to 2019/20**

Financial Year	Millions (pounds)		England, Wales Northern Ireland and Jurisdiction unknown
	Total amount restrained against Account Freezing Orders		Number of bank and building society accounts covered
2018/19	£94.9		740
2019/20	£208.0		812

Source: Data retrieved from the JARD system in August 2020

## 5. Use of Asset Recovery Incentivisation Scheme (ARIS) Funds

**Table 3: Use of ARIS Funds from 2014/15 to 2019/20**

Financial Year	Millions (pounds)				
	England, Wales and Northern Ireland				
	Asset recovery work	Crime reduction projects	Community projects	Miscellaneous	Total
2014/15	£70.4	£6.3	£1.9	£4.5	£83.0
2015/16	£72.9	£3.0	£1.5	£5.5	£83.0
2016/17	£56.0	£2.0	£1.5	£0.1	£59.6
2017/18	£53.5	£3.0	£1.7	£6.3	£64.5
2018/19	£59.9	£2.1	£1.7	£9.5	£73.2
2019/20	£48.3	£3.8	£2.1	£12.9	£67.1

*Source: Home Office collated ARIS monitoring forms from all ARIS recipients.*

Table 3 shows how operational partners used ARIS funds for the last six financial years (2014/15 to 2019/20).

These figures only account for monies and projects where the Home Office has received a return from law enforcement partners and so may not reflect all the ARIS monies that have been distributed in a given year. 'Miscellaneous' captures the money that does not fall within the other three categories.

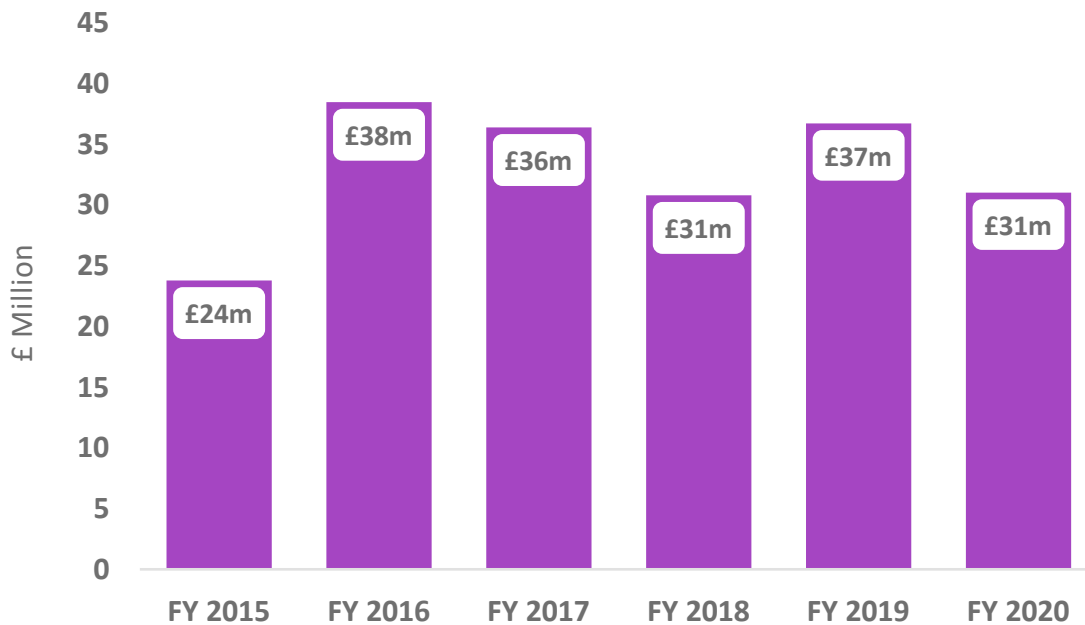
Law enforcement agencies allocated the largest amount of monies received from ARIS to fund future asset recovery work<sup>4</sup> - £48.3m in 2019/20, representing 72% of available funds.

<sup>4</sup> Such as funding Financial Investigator posts or Forensic Accountants.



## 6. Compensation to Victims

Figure 2: Compensation paid to victims from confiscation orders from 2014/15 to 2019/20, England, Wales and Northern Ireland



Source: Data retrieved from the JARD system August 2020

In addition to making a confiscation order, a court may order the offender to pay compensation to the victim of the crime. Victims always take priority if both a compensation order and confiscation order are in place against the subject and they are unable to pay both; any monies collected will be directed to the victims in the first instance<sup>5</sup>.

In 2019/20, just over £31m was paid in compensation to victims from the proceeds of confiscation. This is an increase of 29% since 2014/15 but has fluctuated in the intervening years. The figure for 2019/20 is lower than the highpoint of £38m recorded in 2015/16 but higher than the lowest point in 2014/15 (under £24m). By comparison the average compensation level for the previous 5 years was around £33m.

<sup>5</sup> As set out under Section 13 of [POCA](#).

## Annex A: Modern Slavery Specific Data

**Table 4: Value of confiscation orders and forfeitures for modern slavery offences 2014/15 to 2019/20 in England, Wales and Northern Ireland**

Financial Year	Thousands (pounds)		England and Wales, Northern Ireland and Unknown (Jurisdiction)			
	Restraint Orders		Confiscation Orders		Forfeitures	
	Volume	Value	Volume	Value	Volume	Value
2014/15	9	£2,025	18	£1,113	5	£24
2015/16	10	£2,725	16	£511	26	£193
2016/17	14	£1,650	23	£1,388	24	£175
2017/18	26	£6,975	31	£836	17	£155
2018/19	16	£2,600	54	£1,901	22	£135
2019/20	14	£1,600	48	£1,512	33	£340

Source: Data retrieved from the JARD system in August 2020

Table 4 shows the value of confiscation and forfeitures connected to modern slavery offences for 2014/15 to 2019/20.

The UK is required to carry out an assessment of trends in modern slavery. The [Modern Slavery Annual Report](#), to be published in Autumn 2020, is the means by which this requirement is implemented under the 2011 EU Directive of the European Parliament and the Council on preventing and combating trafficking in human beings and protecting its victims.

Legislation regarding modern slavery offences can be found in the [Modern Slavery Act 2015](#).

## Annex B: Methods and Data Quality

This document provides data from 2014/15 to 2019/20 on asset recovery performance. The Home Office publishes this data on an annual basis: this report represents the fourth edition.

Figures for data in previous publications have been revised based on live revisions received at the point the data was extracted in August 2020. Figures in this release supersede previous officially reported figures.

JARD provides a central database for all information relating to the seizure of the proceeds of crime and is funded through ARIS, where a £7.5m top-slice is taken from the total amount collected to fund national projects concerned with asset recovery.

Figures for confiscation and forfeiture for 2019/20 in Figure 1 are based on finalised data collected from JARD in August 2020 and should be interpreted with the following in mind: these figures represent the total amount collected each year as opposed to the total value collected against specific orders or seizures made in 2019/20. For example, a confiscation order put in place in 2019 may not have a payment made against it until 2020 or later. Similarly, cash seized in 2019 may only be forfeited in later years. For this reason, comparisons of year on year performance should be treated with caution. Furthermore, as confiscation orders are subject to legal challenge, future data extracts will be subject to some small differences from previously published figures and other totals.

The bulletin covers data for England, Wales and Northern Ireland and where the jurisdiction was unclassified. The breakdown between jurisdictions can be found in the accompanying data tables and the Home Office will continue to work with operational partners to improve data quality ahead of future releases.

The only substantive change in methodology this year is the extension of forfeiture figures to include data on the new civil powers in the Criminal Finances Act 2017 that allow for the forfeiture of bank accounts and listed assets. This data was previously excluded as is standard when new powers are introduced, to allow for statistical reporting once the data recording is well established. These powers currently only apply in England and Wales.

The data for Table 3 in this report is collected by the Home Office on the use of ARIS funds and is generated through manual reporting from the recipients of ARIS.

Other reasons for why these statistics may need to be revised are:

- Changes in sources of administrative systems or methodology.
- Receipt of subsequent information.
- Errors in statistical systems and processes.

Statistical Bulletins are prepared by staff in Home Office Statistics under the National Statistics Code of Practice and can be downloaded from GOV.UK:

<https://www.gov.uk/government/organisations/home-office/about/statistics>

## Feedback and enquiries

We welcome feedback on the annual statistics release. If you have any feedback or enquiries about this publication, please contact the Criminal Finances Team via [cfteam@homeoffice.gov.uk](mailto:cfteam@homeoffice.gov.uk)

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