



Financial Investigation Unit
Cross Border Crime
A Division of the Guernsey Border Agency

Annual Statistical Report 2012

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Financial Intelligence Service

The Financial intelligence Service (FIS) is one of three teams forming the Financial Investigation Unit (FIU). The FIS has a complement of ten staff, including a Senior Intelligence Officer, three Customs Officers, one Police Officer, one Dedicated Financial Investigator, two part time Analysts, and a full-time and part-time Office Manager.

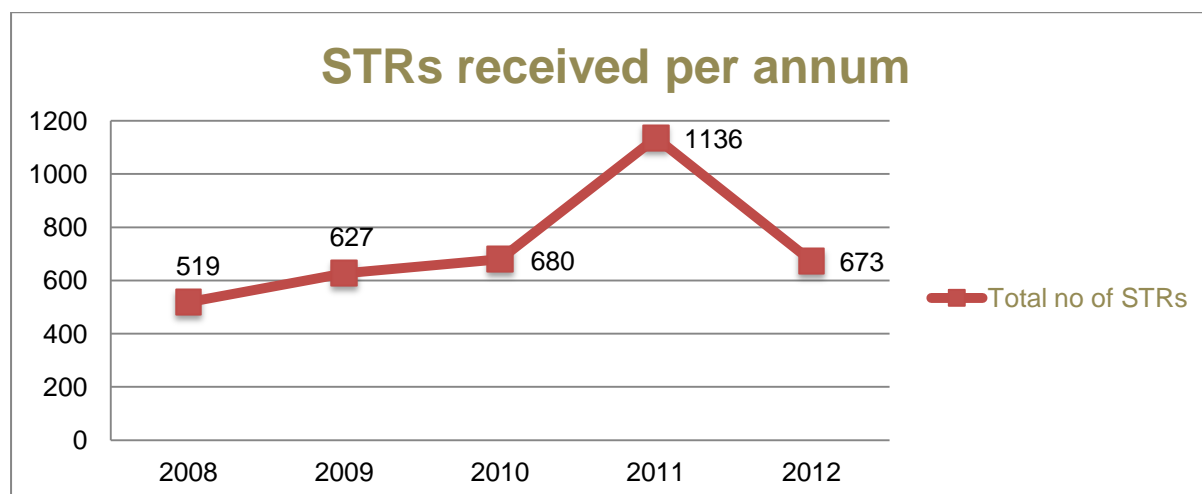
The FIS is primarily responsible for the receipt of suspicious transaction reports (STRs), disclosures made within the Bailiwick of Guernsey and for the management, development and dissemination of financial intelligence, with a special emphasis on combating money laundering and countering the financing of terrorism.

The FIS receives a wide range of requests for assistance each year from local law enforcement and overseas agencies and monitors the progression of the cases into the evidential arena.

Suspicious Transaction Reports (STRs)

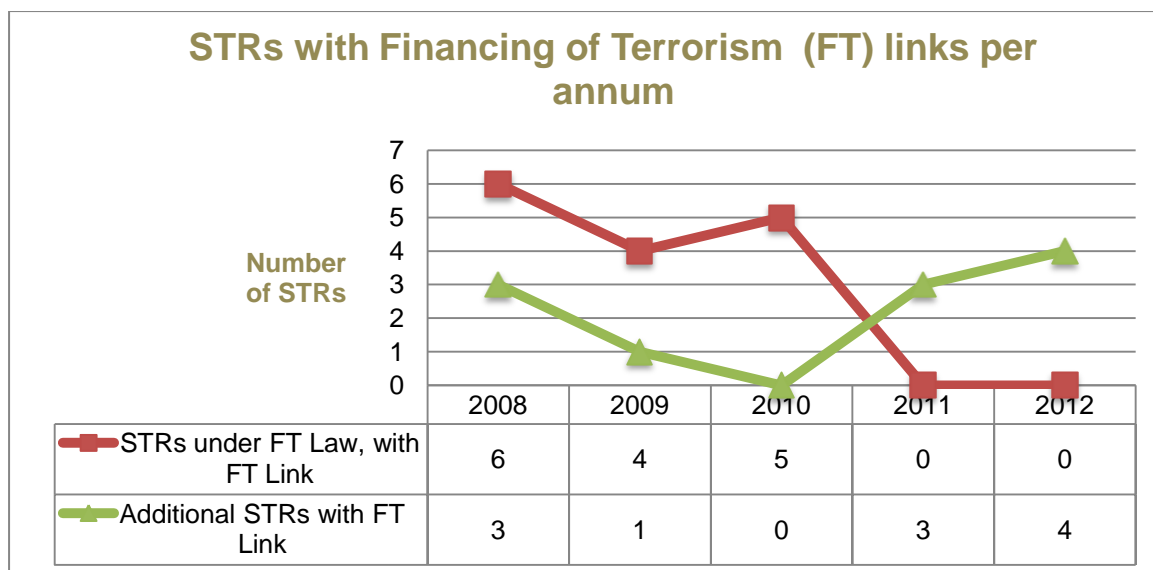
Countries should establish a financial intelligence unit (FIU) that serves as a national centre for the receipt and analysis of: (a) suspicious transaction reports; and (b) other information relevant to money laundering, associated predicate offences and terrorist financing, and for the dissemination of the results of that analysis. The FIU should be able to obtain additional information from reporting entities, and should have access on a timely basis to the financial, administrative and law enforcement information that it requires to undertake its functions properly, as per the Financial Action Task Force (FATF) recommendation 29.

The graphs and data below detail the total number of STRs received per annum, including a breakdown of those made under the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 as well as those subsequently identified as having a terrorist financing link by the FIU.



During 2012, there was a reduction in the number of STRs received on the previous year. However, the number received in 2012 is consistent with the years prior to 2011.

The increase in the number of STRs received in 2011 was due to a change in the EU tax reporting directive and a duplication of entry rate estimated at approximately 5% of the total number of STRs, as a consequence of the introduction of the on-line reporting facility.

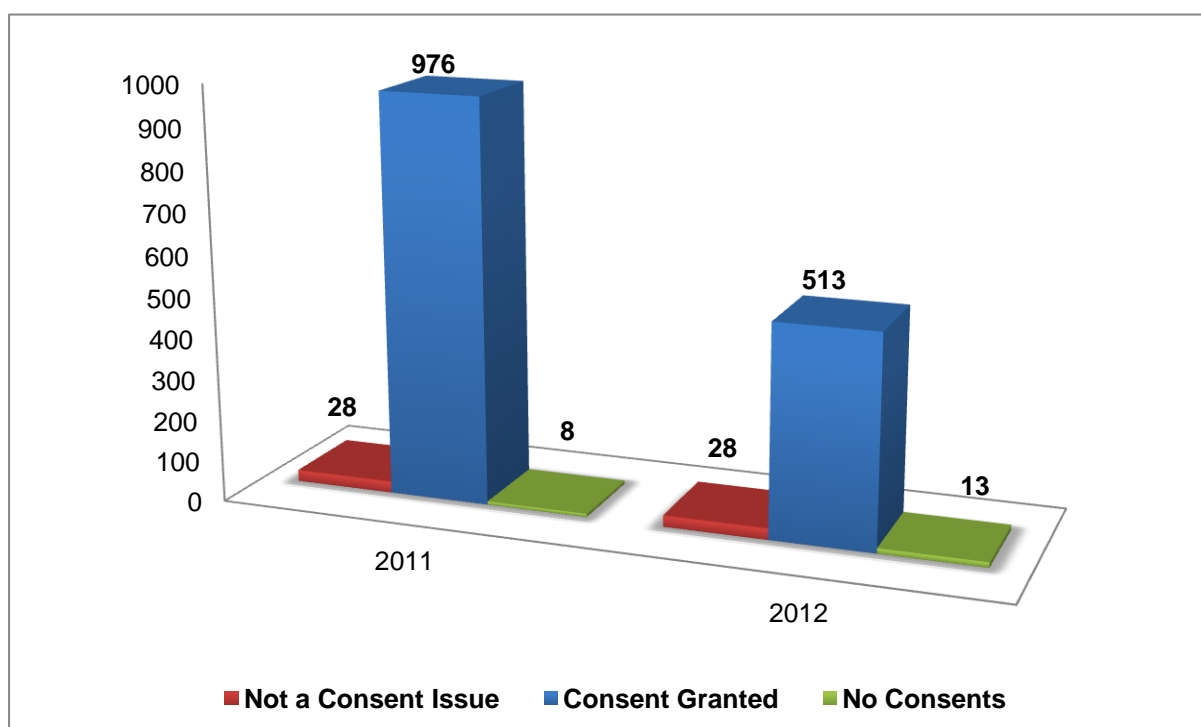


Consents

Disclosing Institutions can seek consent from the FIS, under the provisions of the Disclosure (Bailiwick of Guernsey) Law, 2007. When gaining consent, it does not release them from their obligation in respect of all future transactions on the account or arising from the relationship to comply with the relevant anti money laundering legislation and to have due regard to the Guernsey Financial Services Commission Handbook on countering financial crime and terrorist financing.

During 2012, the FIS received a total of 554 consent requests which related to a total of 433 disclosures (64% of the total STRs received).

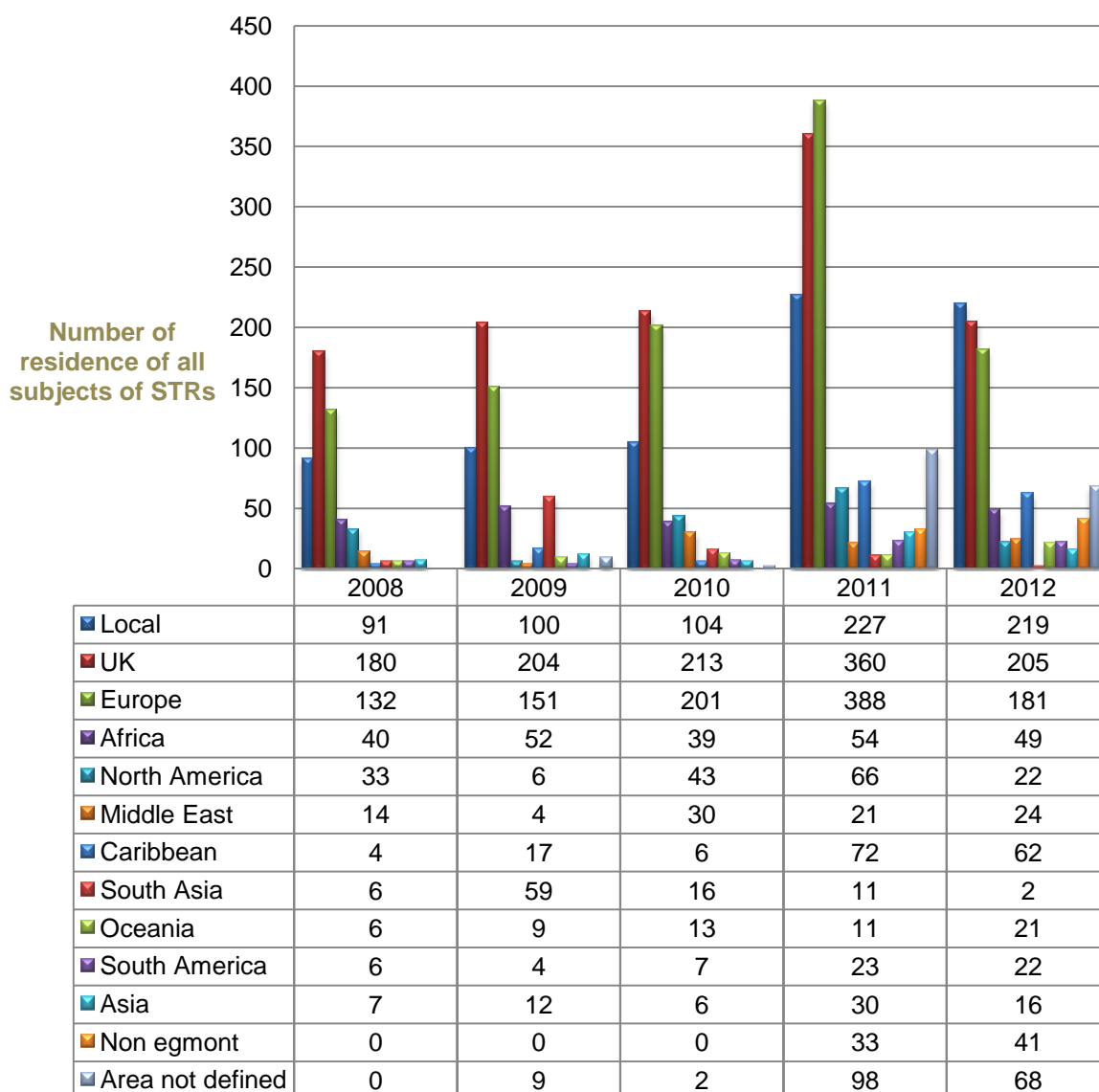
The graph below clearly shows that during 2012 the FIS issued 13 No Consents and 8 No Consents during 2011. This demonstrates that the FIS uses the No Consent sparingly, and only in circumstances where the FIS has reasonable grounds for considering that the funds represent the proceeds of criminal conduct either here or elsewhere in the world.



STRs by Country of Residence

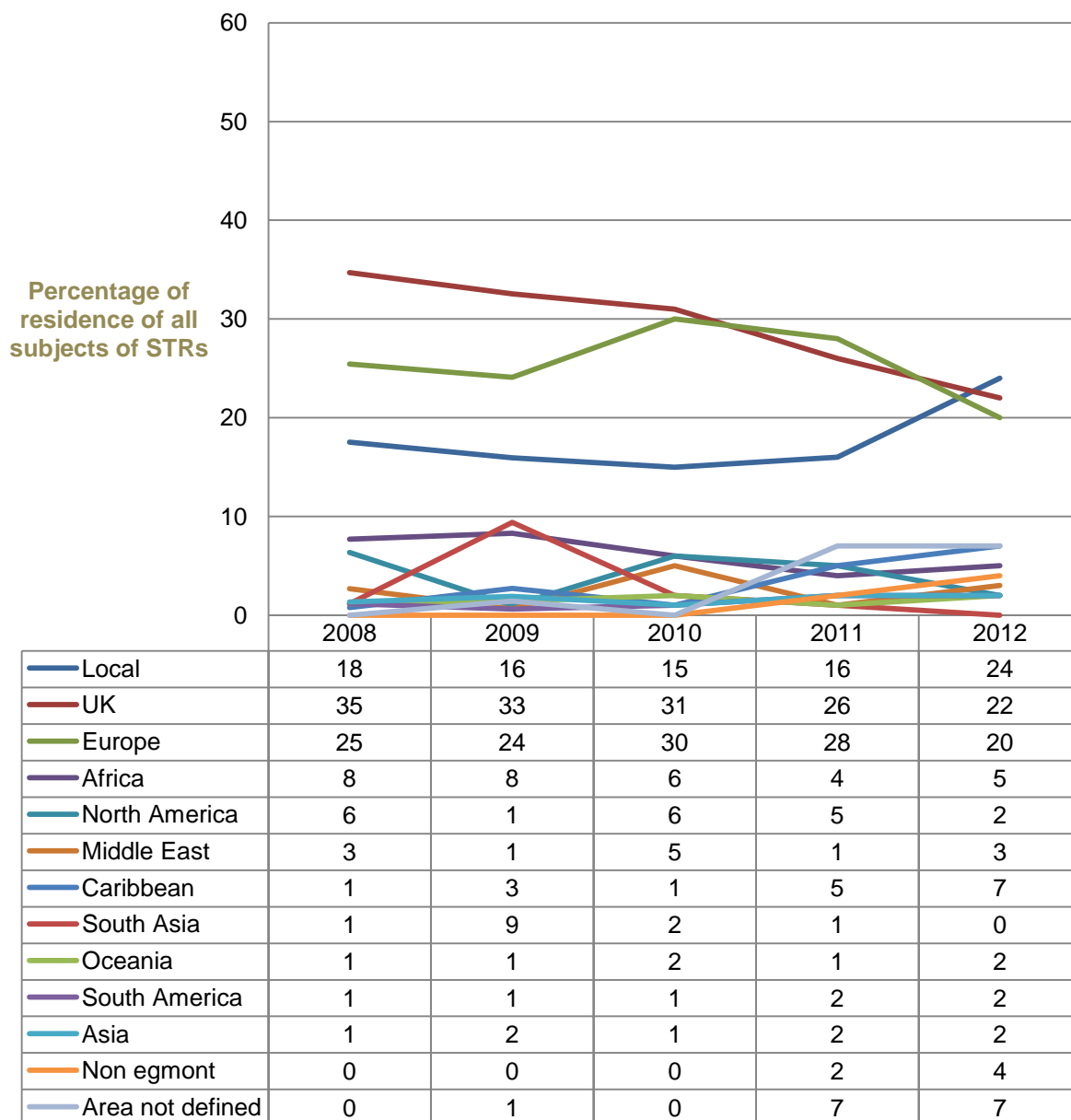
The Bailiwick of Guernsey's system of Government provides a comparatively stable economic environment. The economic environment in conjunction with the Island's close proximity to the UK and Europe, has naturally led to significant investment from these areas. Consequently, it is not surprising that the highest proportion of STRs relate to Europe, the UK and Local subjects.

Prior to 2011, residence was recorded according to the residence or place of incorporation of the one primary subject of the report. Post 2011, the residence of **ALL** subjects of the disclosure is recorded resulting in a comparatively large increase in the figures.



Due to the change of reporting definitions in 2011, where all subjects of the disclosure is recorded, totals are not directly comparable to the previous years.

STRs by Country of Residence (as percentage of all STRs received)



Due to the change of reporting definitions in 2011, percentages are not directly comparable prior to 2011.

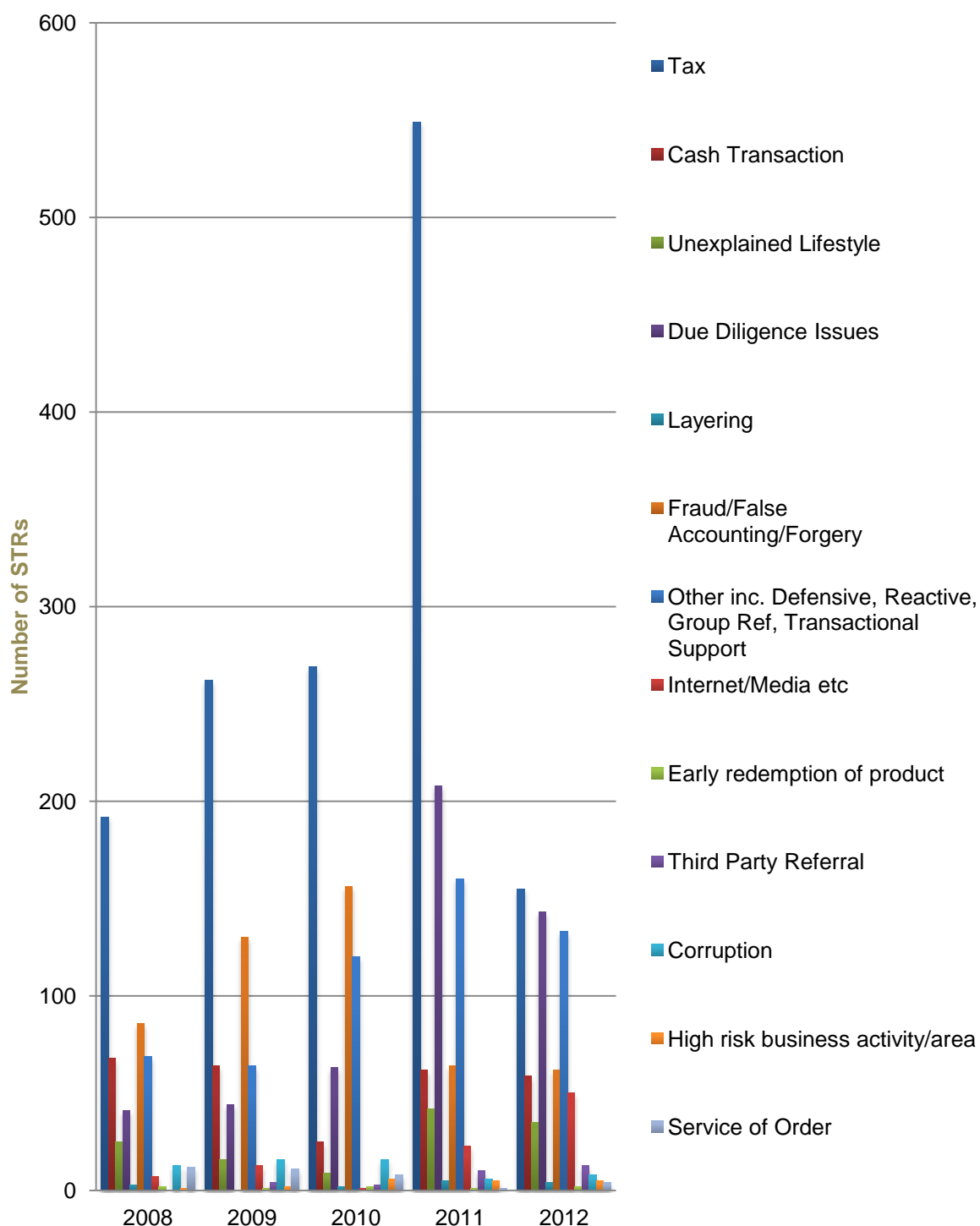
Total: 100%

The graph above shows that in 2012 there was an increase in the percentage of STRs relating to local subjects, and a drop in the percentage which relates to Europe, compared to that of 2011.

STRs by Grounds

During 2012, an increase of STRs received where grounds for suspicion relate to Due Diligence can be seen, along with Internet/Media and other, compared to that of years prior to 2011. The category of "Other" incorporates the following smaller categories; Group referral, Highly transactional, Defensive, Rapid transfers, Reactive, Sensitive jurisdiction, Transaction support inadequate and Transaction support not provided as well as any other category that is not already defined.

The chart below also shows the tax spike in 2011 which refers to the change in EU tax reporting directive (EUSTD) which took place during the same year.



STRs by Grounds (as a percentage of STRs received)

	Year					
STRs by Grounds	2008	2009	2010	2011	2012	5 year Av %
Tax	192	262	269	549	155	39.30%
Cash Transaction	68	64	25	62	59	7.60%
Unexplained Lifestyle	25	16	9	42	35	3.50%
Due Diligence Issues	41	44	63	208	143	13.70%
Layering	3	0	2	5	4	0.40%
Fraud/False Accounting/Forgery	86	130	156	64	62	13.70%
Other inc. Defensive, Reactive, Group Ref, Transactional Support	69	64	120	160	133	15.10%
Internet/Media etc	7	13	1	23	50	2.60%
Early redemption of product	2	1	2	1	2	0.20%
Third Party Referral	0	4	3	10	13	0.80%
Corruption	13	16	16	6	8	1.60%
High risk business activity/area	1	2	6	5	5	0.50%
Service of Order	12	11	8	1	4	1%
Total no STRS	519	627	680	1136	673	
Total 2008 - 2012	3635					

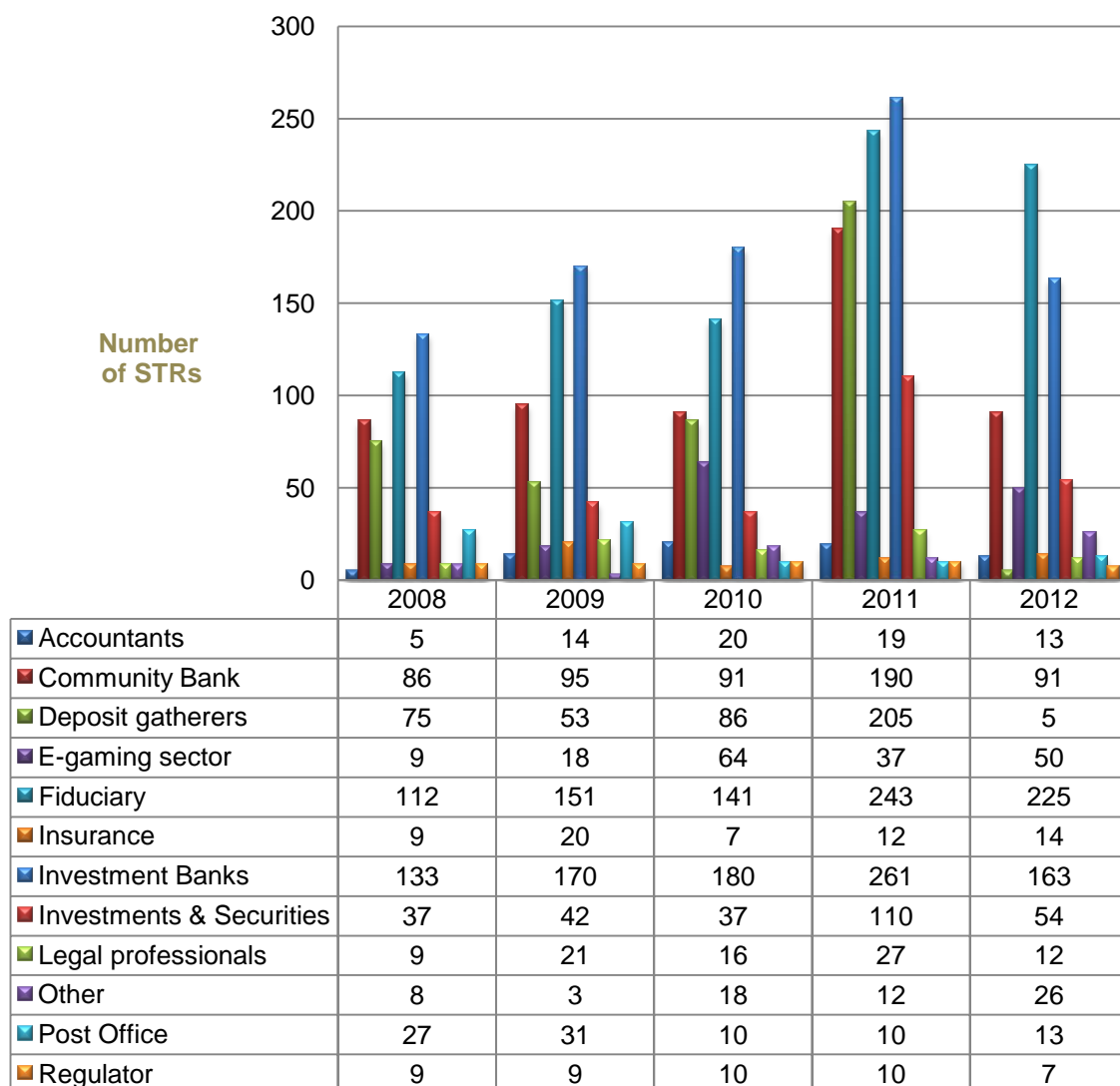
A review of the grounds for suspicion of STRs has indicated that the highest current trends for reporting over the 5 year period have been in relation to tax at 39.3%. However, this is largely explained through the impact of the EU tax directive facility and tax amnesties in other jurisdictions in 2011.

Contrary to this trend in 2012, we saw a drop in the number of tax STRs, which could be due to the low number of STRs received from the deposit gatherer reporting sector. In 2012, only 1 STR was received from deposit gatherers in relation to tax, whilst in previous years, 35% in 2011 and 25% in 2010 were received in relation to tax.

Deposit gatherers are defined as building societies and other similar deposit takers and currently we have only one registered with us, whilst previous registered deposit gatherers have left the island.

STRs by Reporting Sector

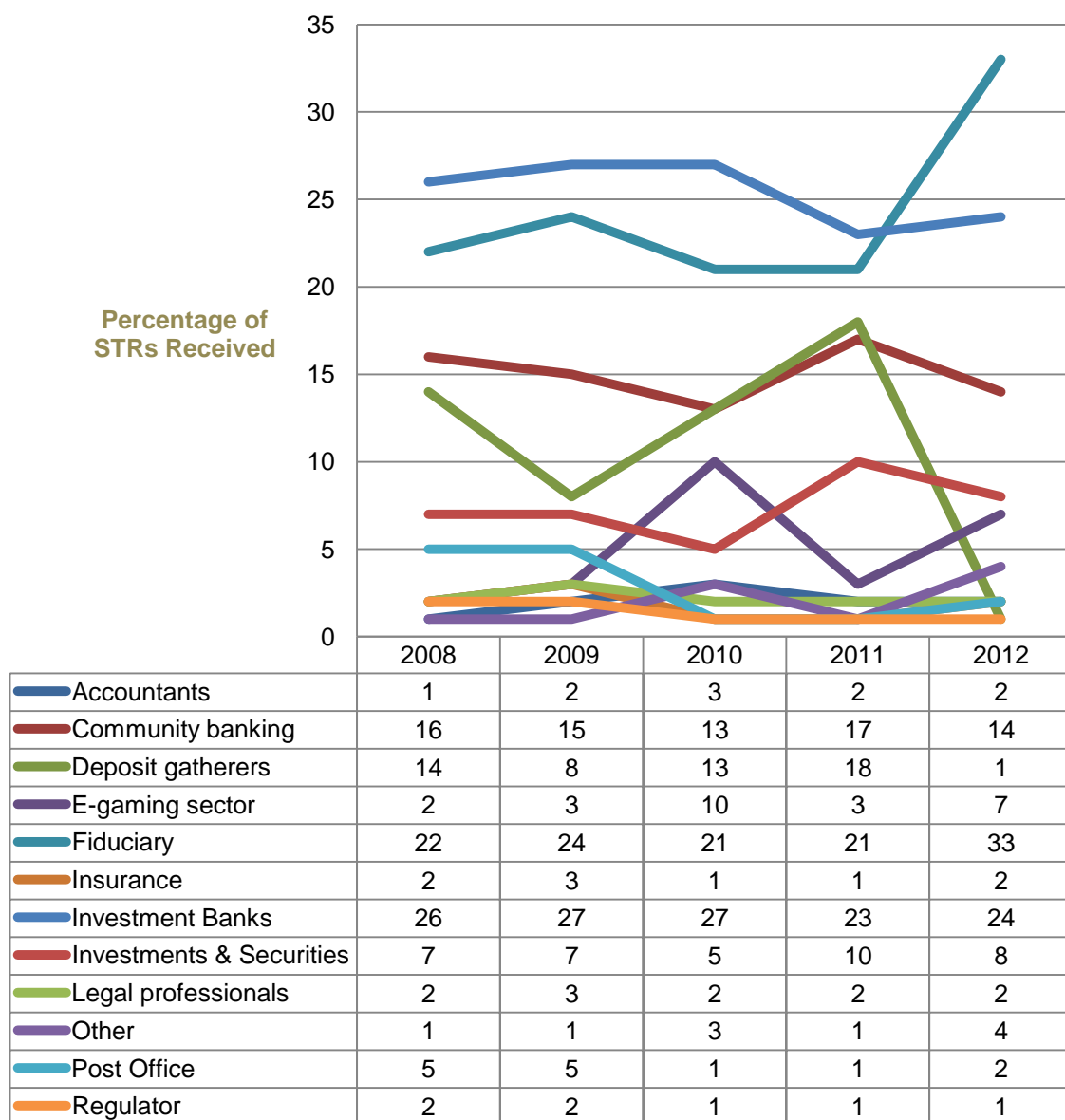
The graph below provides an overview of STRs by reporting sector for the period 2008 - 2012 which has remained relatively consistent. As can be seen, in general the banking sectors have, over the 5 year period, made the most number of reports.



Total: 673

The reporting sector categorised as "other" encompasses Travel agents, High value goods dealers and the General public.

STRs submitted by each reporting sector (as a percentage of all STRs received)



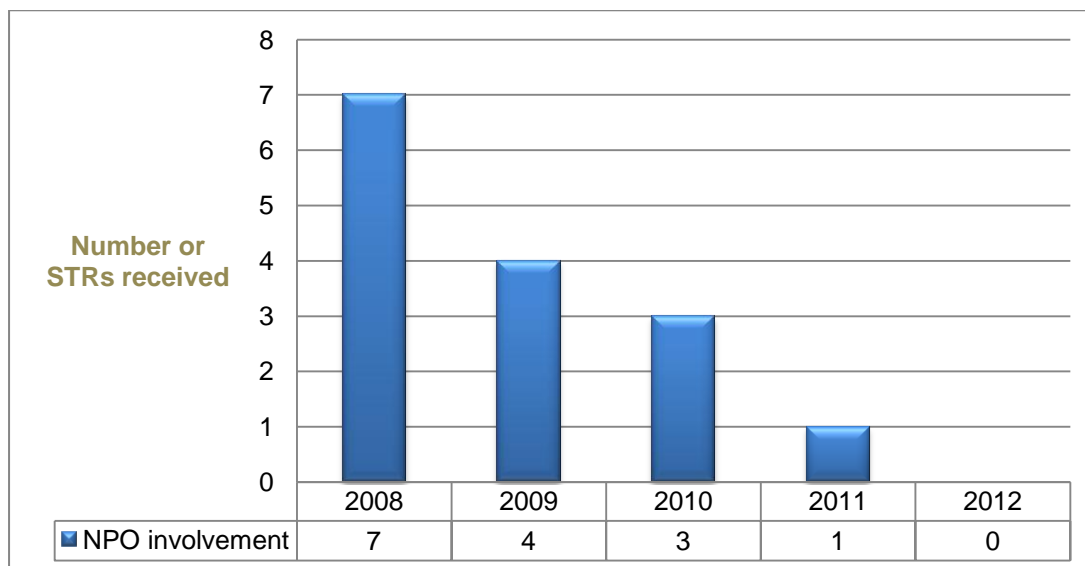
Total: 100%

From the chart above you can see that in 2012, the percentage of STRs from the Fiduciary sector has increased, with Deposit gatherers falling dramatically.

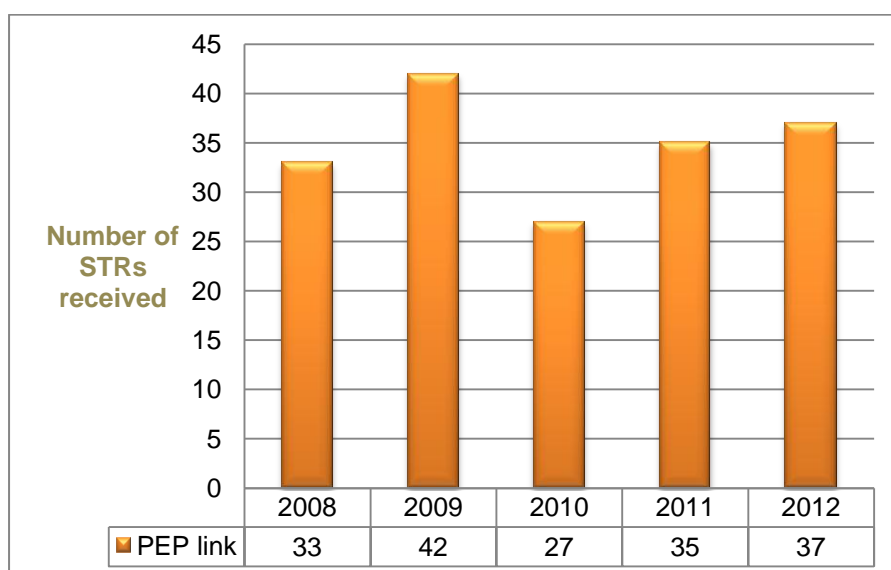
The drop of STRs for the Deposit gatherers can be put down to Yorkshire Guernsey, who in 2011 disclosed 95% of the total STRs for Deposit gatherers, but at the end of 2011 they surrendered their licence and ceased trading in Guernsey.

STRs with Non Profit Organisation (NPO) Links

This data outlines the total number of reports assessed by the FIS as having an involvement in a non-profit organization. This data incorporates STRs that relate to the same individual but made by different institutions or conversely multiple reports from the same institution.



STRs with Politically Exposed Person (PEP) Links



Use of Powers under the Disclosure (Bailiwick of Guernsey) Law, 2007

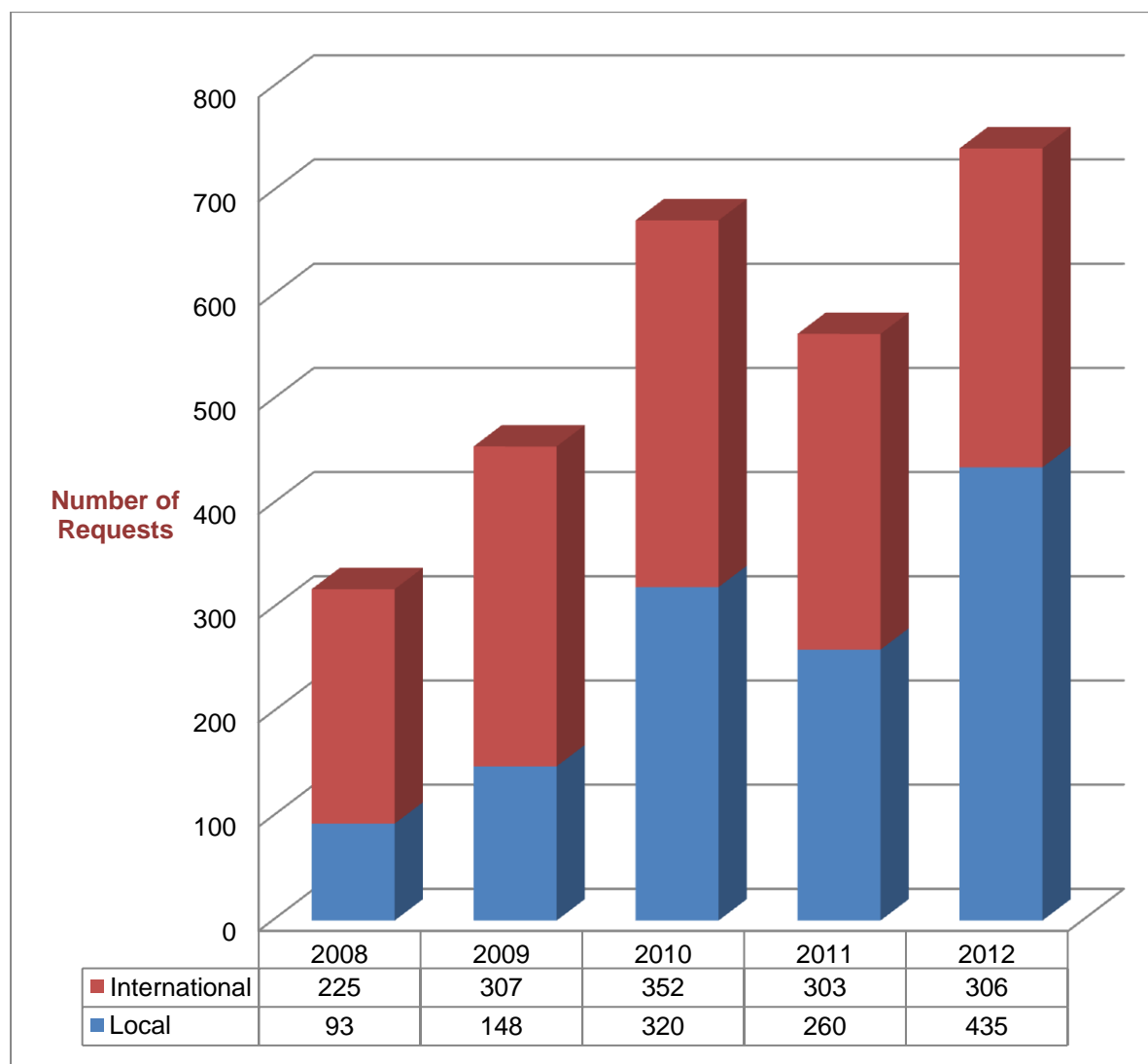
Section 2 of the The Disclosure (Bailiwick of Guernsey) Regulations which came into force in 2007 provides FIS staff with powers under the Disclosure (Bailiwick of Guernsey) Law, 2007 to request additional information relating to an STR.

During 2012, 24 Section 2 letters were issued, compared to 26 Section 2 letters issued in 2011. Prior to 2011, the powers were used but not recorded centrally.

Requests for Assistance

In addition to its primary function relating to the receipt, analysis and dissemination of STRs, the FIS is also the central point for all financial intelligence requests (FIMs). FIMs can be received from both international and local organisations and are defined as formal requests for intelligence from the FIS.

The FIS maintains detailed records in respect of these intelligence requests including, along with other sources of analysable data, the grounds for requests. A year on year breakdown can be seen in the chart below:

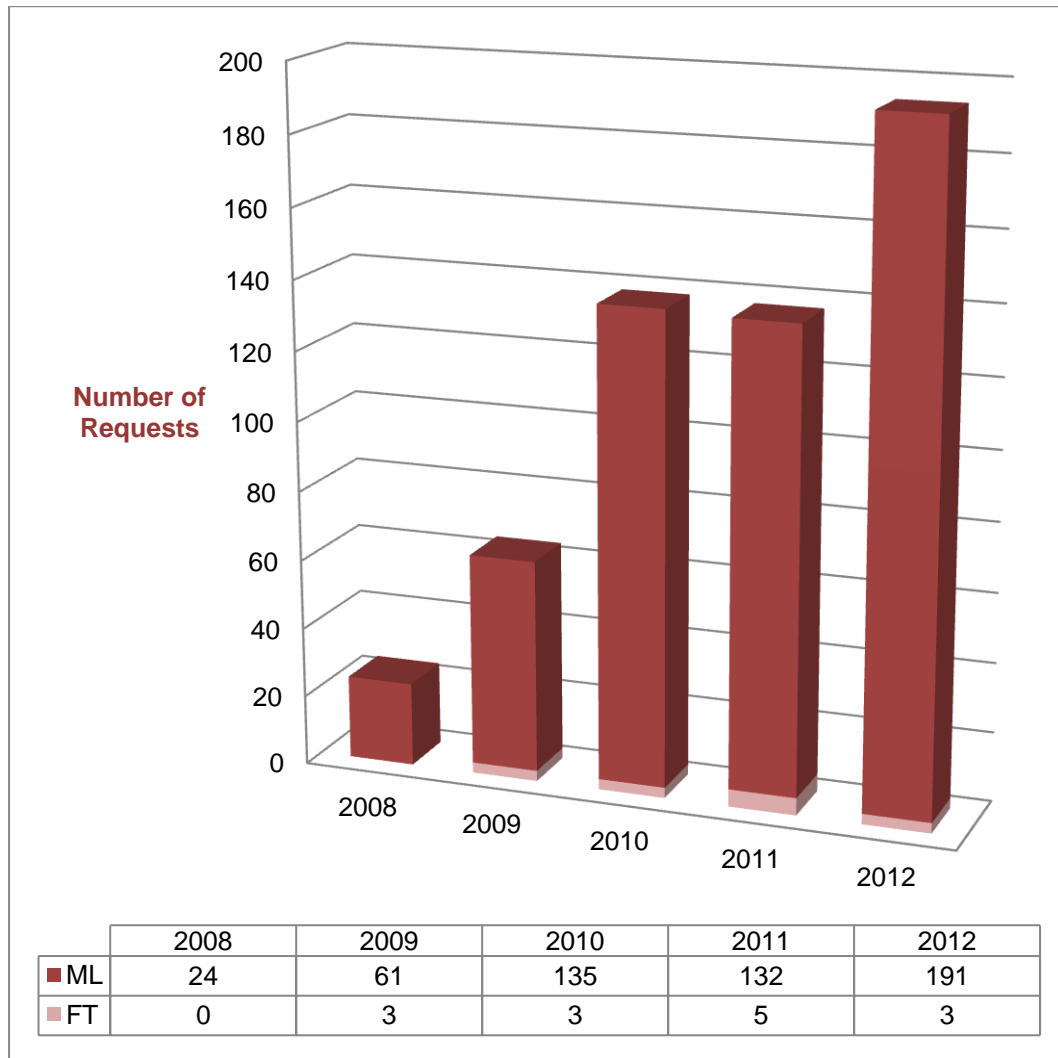


Total: 741

The graph shows a large increase in 2012, in local requests compared to previous years. This is due to the large amount of local checks on our GBA system for the Guernsey Police with regards to individuals with financial references that are applying to work with vulnerable groups or people.

FIM Requests received by FIS relating to Money Laundering & Financing of Terrorism by year

The table below shows the number of money laundering and terrorist financing related enquiries as a proportion of the total number of ***International*** requests received.

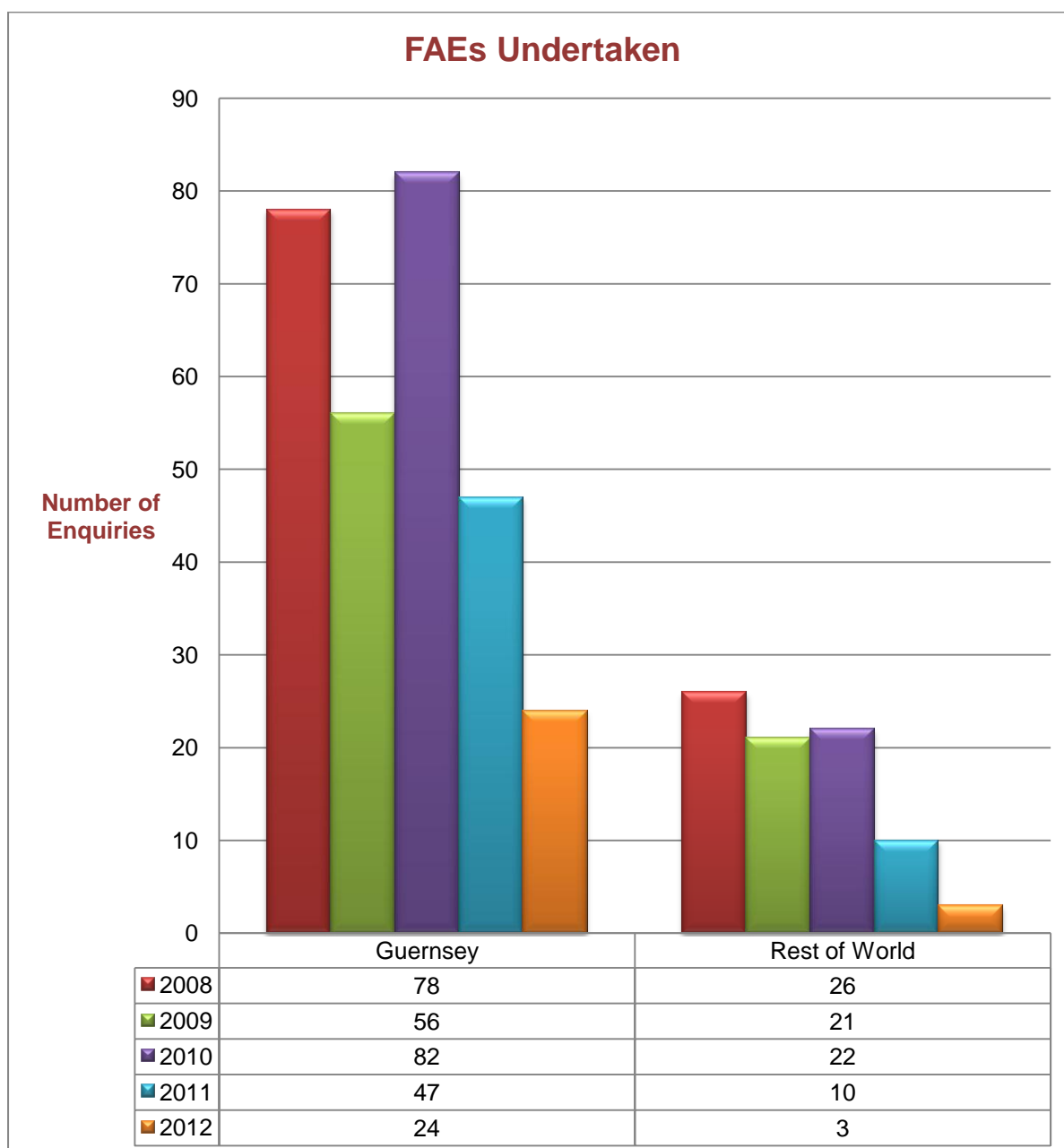


Financial Account Enquiries (FAEs)

The FIS is responsible for all direct contact with local financial institutions in respect of obtaining financial information.

As the nature of these enquiries is highly sensitive, the FIU maintain records (FAE records) which serve to provide an internal audit process by capturing the reason and justification for each request.

FAE Enquiries can be made outside of the Production Order and Disclosure regime.

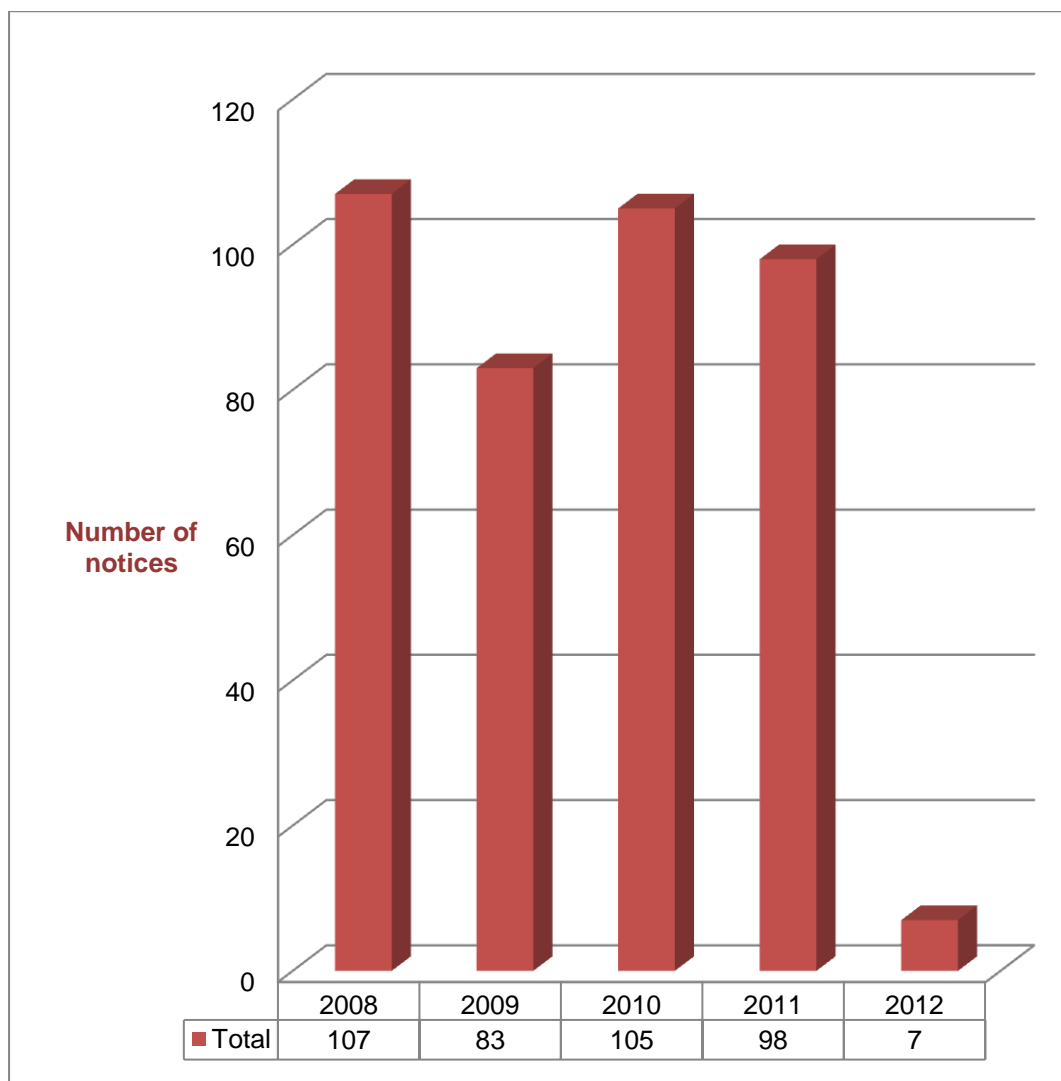


The number of Financial Account Enquiries has decreased in 2012, compared to previous years. Since the inception of Themis, it is clear that enquiries from overseas to search specific bank accounts have been treated in isolation and not as an FAE. Additionally during 2012, the FIS were more targeted and selective on the criteria for FAE's conducted.

Financial Liaison Notices (FLNs)

A Financial Liaison Notice (FLN) is an official request from the FIS to specified individuals within the financial community to check all business records related to subjects named in the notice. The FIS maintain records relating to the number of notices sent and any responses received.

The table details the number of subjects circulated to regulated financial service businesses via the FLN system.



Prior to 2012, Jersey Law Enforcement would make a request on the back of an individual being arrested for an indictable offence in Jersey. This would generate a FLN to specific individuals within the financial community. Since 2012, Jersey are not sending these requests, which could in part, attribute to the decreased number of FLN's during 2012.

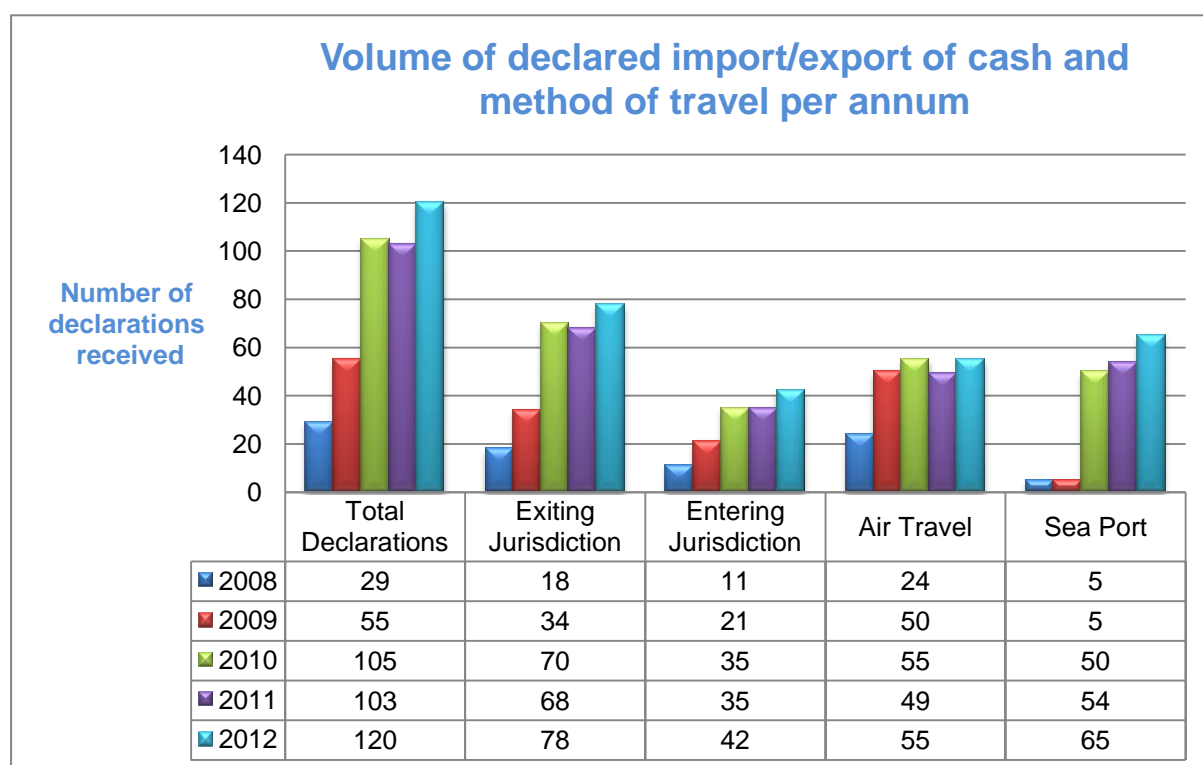
FLN's are issued as a consequence of FIMs or Disclosures received within the FIS. In 2011, a total of 9% of the FIMs had "no action taken" as a recorded result; whilst in 2012 a total of 62% had "no action taken" recorded result. This would also have contributed to the decrease in the number of FLNs in 2012.

Cash in the Controls

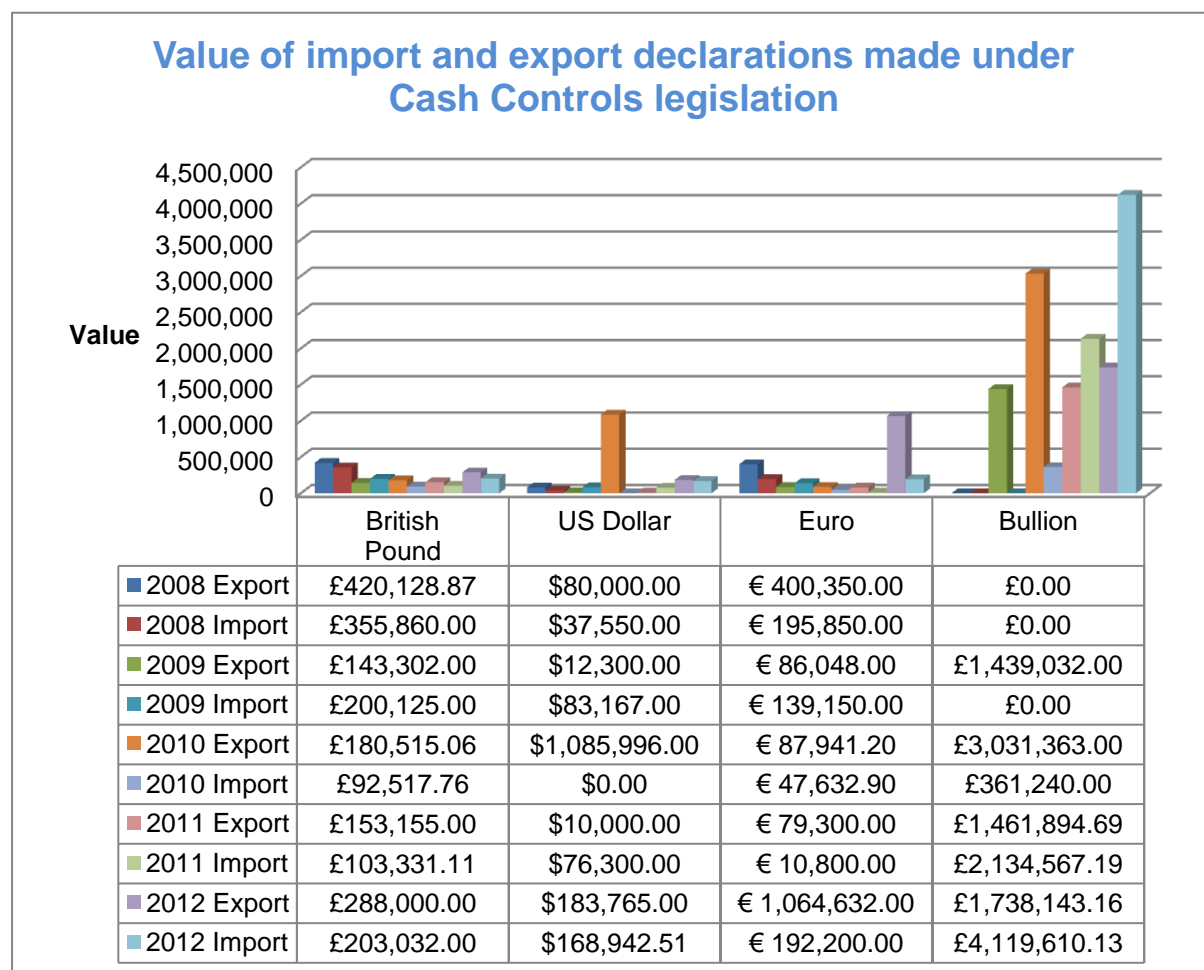
In addition to STR data, following the enactment of the Cash Controls (Bailiwick of Guernsey) Law, 2007 which was enacted in February 2008, the FIS also collates and analyses data regarding the declaration of cross border transportation of currency. The following chart details the data recorded from 2008.

In addition to the overview data outlined below, information is also kept in respect of:

- Currency and value
- Movement of currency
- Origin and intended use of currency
- Declarers personal details
- Intelligence/investigative actions



Value of import and export declarations made under Cash Controls legislation



The declarations relating to repatriated currency have not been included on the graph above as the totals are so great they make the other entities on the graph illegible.

All currency values are shown in the relevant issuing country currency. Exchange rates are calculated at spot value on 31st December for the relevant year or the last published foreign exchange rates for the current year published by HMRC. Bullion price for gold is taken from website www.goldprice.org.

Cash is defined as -

- bearer negotiable instruments including monetary instruments in bearer form, such as travellers' cheques, negotiable instruments (including cheques, promissory notes and money orders) that are either in bearer form, endorsed without restriction, made out to a fictitious payee, or otherwise in such form that title thereto passes upon delivery, incomplete instruments (including cheques, promissory notes and money orders) signed, but with the payee's name omitted, and
- banknotes, bullion (which includes gold, silver, palladium and platinum bullion whether pure or impure) ingots and coins (whether or not in circulation as a medium of exchange).¹

Open source reports indicate that Investors purchase precious metals, including gold, as a hedge against economic, political or social change. When currencies come under pressure because of government deficits, money as a currency can become devalued. When returns on investments such as bonds, equities and real estate do not adequately compensate for risk and inflation, demand for gold and commodity based investments increase.² This offers an explanation as to the dramatic increase in bullion seen in the past couple of years.

¹The Cash Controls Law (Definition of Cash) (Bailiwick of Guernsey) Ordinance, 2009

²http://en.wikipedia.org/wiki/Gold_as_an_investment

Cash Seizures

Cash in Controls (Bailiwick of Guernsey), 2007

Year	No of cases	Referrals to Prosecutor	Prosecutions	Amount confiscated	Court Fine
2008	0	0	0	£0	£0
2009	0	0	0	£0	£0
2010	1	1	1	£9,825	£0
2011	5	5	2	£0	€6000 £5500
2012	1	1	1	£0	£7,000

2012 saw a reduction in cash cases under the Cash in Controls (Bailiwick of Guernsey) 2007 Law, this could be put down to a pro-active approach to ensure awareness of the law via education.

The Post Office (Postal Packets) Ordinance, 1973 as amended by Post Office (Postal Packets) (Amendment) Regulations, 2010

Year	No of cases	Referrals to Prosecutor	Prosecutions	Amount confiscated
2012	1	1	1	£15,000

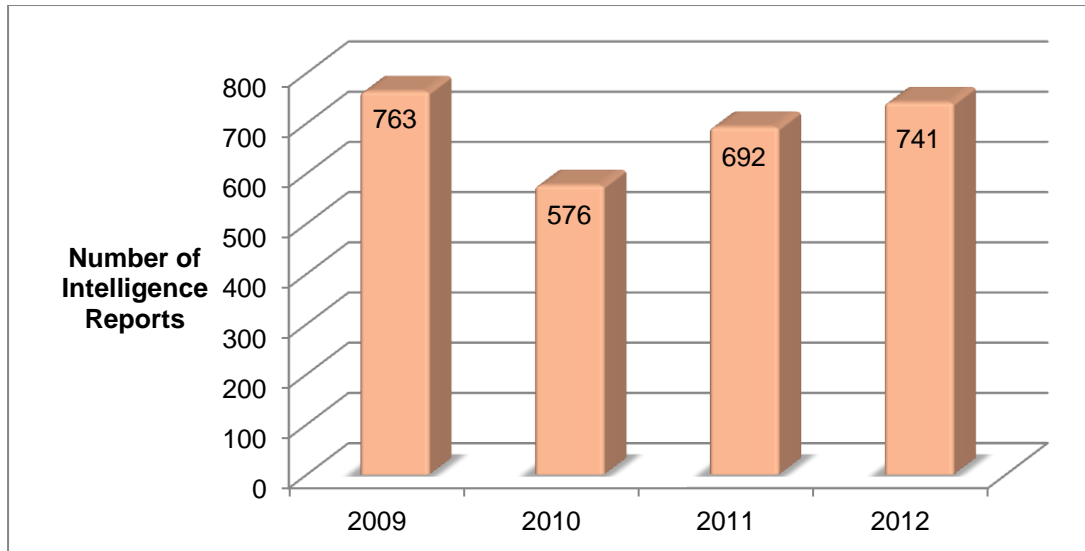
Terrorism Cash Seizures

Year	No of cases	Amount confiscated
2008	0	£0
2009	0	£0
2010	0	£0
2011	0	£0
2012	0	£0

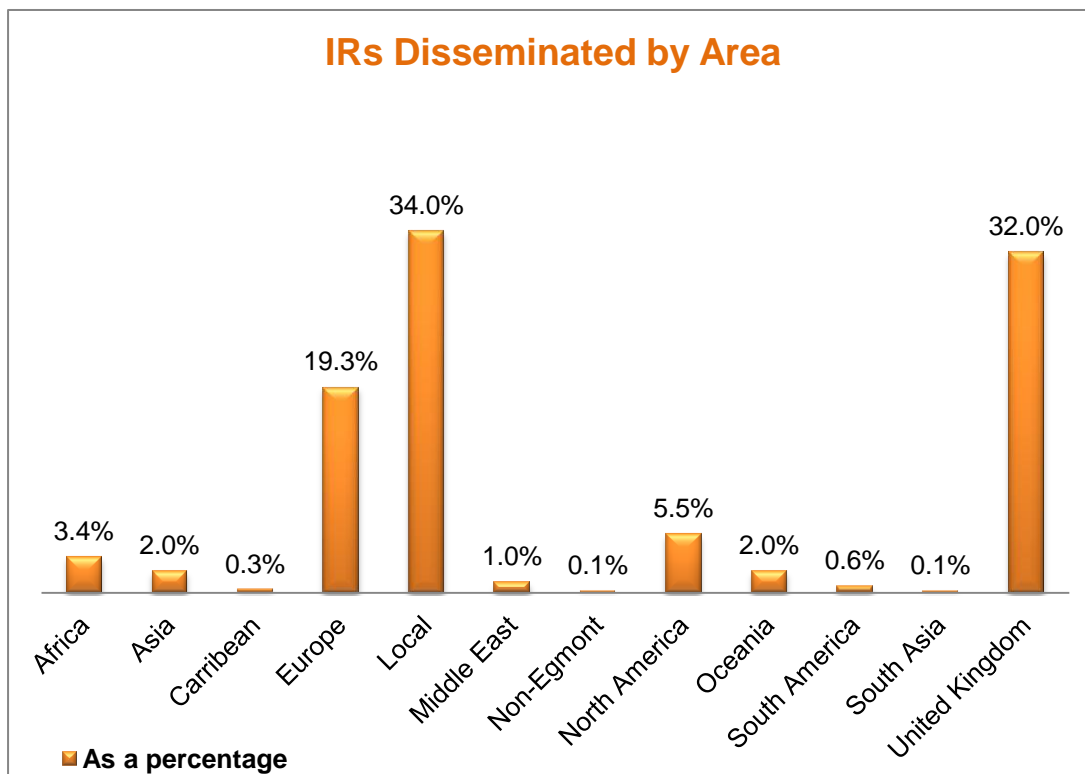
International Co-operation

Number of Intelligence Reports (IRs) disseminated

The graph below displays the number of Intelligence reports/packages disseminated by the FIU over a four year period.



The graph below shows the area in which the Intelligence reports were disseminated to during 2012. As can be seen, 34% were locally disseminated which includes Jersey, 32% to the UK; the majority of which were to the Serious Organised Crime Agency, and 19.3% to Europe.



Investigations Pursuant to or under UN /EU Resolution/Sanction

Year	Investigations	Referrals to prosecutors	Prosecutions	Convictions
2008	0	0	0	0
2009	0	0	0	0
2010	0	0	0	0
2011	1	0	0	0
2012	0	1	0	0

International Mutual Legal Assistance requested by Guernsey Law Enforcement Agencies

The table below indicates the number of requests for mutual legal assistance applications by the **Police Fraud Unit and the Financial Investigation Unit**. The increase in 2012 can be attributed to a more pro-active response to criminal investigations by the FIU.

Mutual Legal Assistance Requests made (Outgoing)			
	Police	GBA	Total
2008	1	1	2
2009	1	3	4
2010	0	1	1
2011	0	4	4
2012	1	9	10

2012 Requests	Jurisdiction
3	UK
1	Luxembourg
1	Cyprus
1	Latvia
1	USA
1	Switzerland
1	Holland
1	Republic of Ireland

Orders served as a result of an MLAT Received

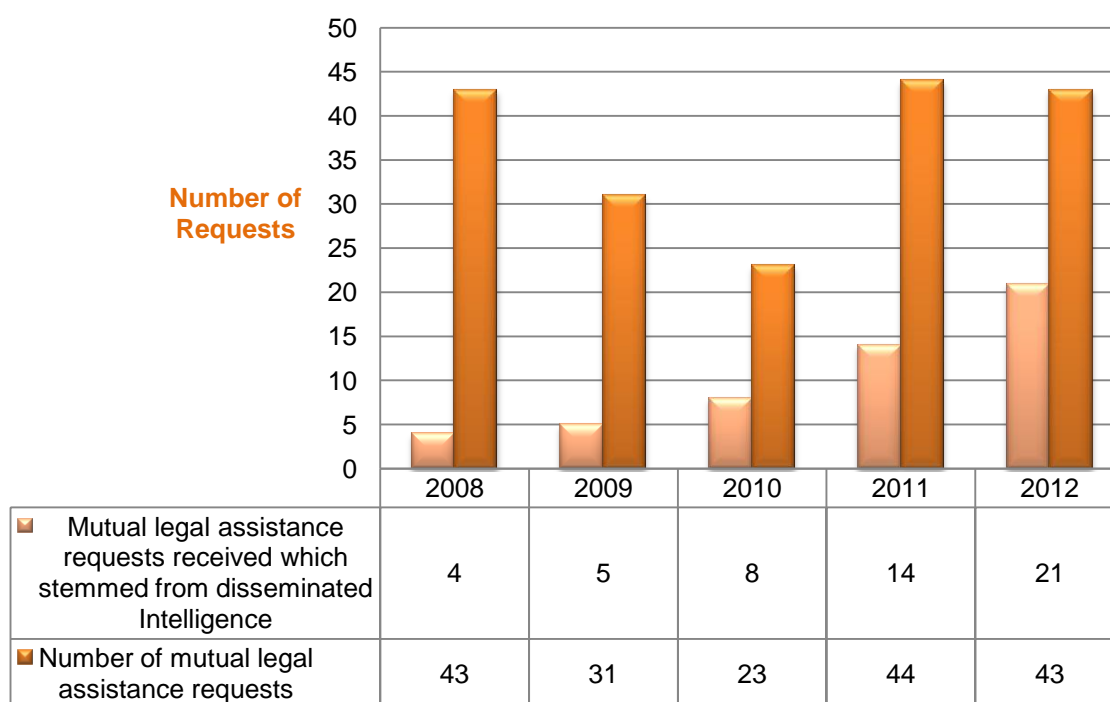
The law enforcement authorities maintain detailed statistics regarding MLAT requests, and other formal requests for assistance made or received by law enforcement authorities relating to money laundering or financing terrorism investigations.

The table below outlines the number of International requests received by the **Police Fraud Unit and the Financial Investigation Unit**, and the number of orders served as a result of those requests. (Note: there may be more than one order served for each MLAT Request)

	Mutual Legal Assistance Requests (Incoming)			Orders served		
	Police	GBA	Total	Police	GBA	Total
2009	3	28	31	7	13	20
2010	0	23	23	0	23	23
2011	6	38	44	3	19	22
2012	1	42	43	1	31	32

Number of International MLAT Requests from STRs

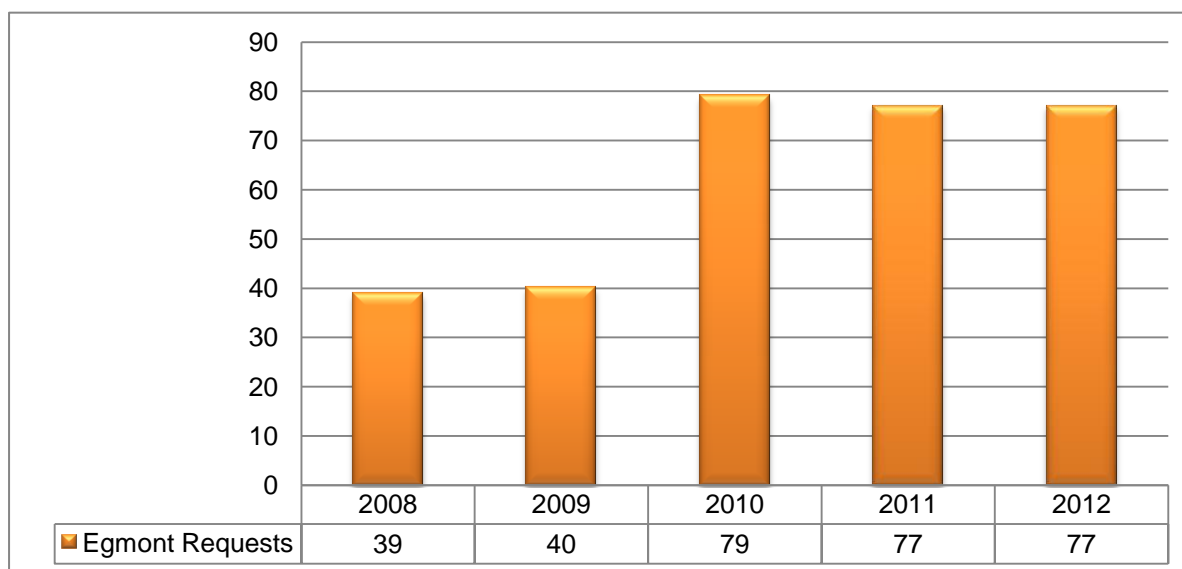
The following table outlines MLAT requests received by the GBA as a result of disseminated intelligence to the international community. This statistic outlines the value and quality of the STR data received.



Egmont Requests Received in Guernsey

The Egmont Group was established in 1995 by a group of international Financial Intelligence Units. Membership is dependent on FIU's being able to show compliance with the criteria of the Egmont Group, that being; a central, national agency responsible for receiving, (and as permitted, requesting), analysing and disseminating to the competent authorities, disclosures of financial information.

One of the functions of the group is for the exchange of information between member countries using a secure IT network; Egmont Secure Web (ESW). The graph below shows the number of requests received from the member countries via ESW.



CARIN Requests Sent / Received in Guernsey

The Financial Investigation Unit along with a representative of the Law Officers of the Crown, participate as part of the Camden Asset Recovery Inter Agency Network, (CARIN) steering group.

CARIN is an informal network of contacts and a cooperative group in all aspects of tackling the proceeds of crime. CARIN intends to continually develop as an informal cooperative body. The aim of CARIN is to increase the effectiveness of members' efforts, individually and collectively, on a multi-agency basis, in depriving criminals of their illicit profits.



Financial Criminal Team

The Financial Criminal team within the FIU is responsible for all criminal casework produced under the financial crime legislation of the Bailiwick. The criminal team work closely with the prosecution directorate team of the Law Officers of the Crown and their work encompasses the confiscation of proceeds of crime and the investigation of money laundering cases.

The team is responsible for the investigation and preparation of the confiscation (Section 11) reports. Applications to the Courts to gather evidence can be made for Production Orders, Customer Information and Account Monitoring Orders, as well as obtaining evidence from any other applicable authorities.

The criminal team also manages all international requests for criminal confiscation activity, including restraint or other activity.

The following tables show the number of cases and outcomes from the start of investigation through to conviction and include results from the Financial Criminal Team within the FIU as well as the Guernsey Police Fraud Unit.

Total Criminal Investigations

Year	Cases commenced	Cases Adopted
2008	18	13
2009	12	17
2010	40	13
2011	39	27
2012	50	34

Money Laundering Investigations

Year	Cases Commenced		Cases Adopted		Referrals to prosecutors		Prosecutions		Convictions	
	ML	FT	ML	FT	ML	FT	ML	FT	ML	FT
2008	0	0	8	0	3	0	1	0	1	0
2009	4	0	9	0	1	0	1	0	0	0
2010	16	0	9	0	1	0	1	0	1	0
2011	22	0	19	0	4	0	2	0	2	0
2012	19	0	19	0	3	0	3	0	4	0

Money Laundering Convictions; 2010 Roger TAYLOR,
2011 Emma BISHOP, Paul CURSON
2012 Michael FALLA, Mandy FALLA, Simon DOMAILLE, Paul LUDDEN

Proceeds of Crime Confiscation Investigations

Year	Cases commenced	Cases Adopted
2008	0	0
2009	1	1
2010	7	1
2011	2	2
2012	9	5

Drug Trafficking Confiscation Investigations

Year	Cases commenced	Cases adopted
2008	18	5
2009	7	7
2010	17	3
2011	15	6
2012	22	10

Court Orders

Law enforcement applies for coercive court orders under the following legislation:

- **Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 (POCL)**
- **The Drug Trafficking (Bailiwick of Guernsey) Law, 2000 (DTL)**
- **The Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 (T&CL)**

Orders applied for include Production orders, Account monitoring orders, Customer information orders and Restraint orders.

Law which applied	2008	2009	2010	2011	2012
Production Order					
POCL	16	24	9	24	14
DTL	13	12	13	6	3
T&CL	0	0	4	0	0

Account Monitoring Order					
POCL	0	0	1	5	1
DTL	3	7	2	4	1
Restraint Order					
DTL	1	2	5	4	3
POCL	0	2	4	3	5

The HM Procureur can also issue order by virtue of the **Criminal Justice (Fraud Investigation) (Bailiwick of Guernsey) Law, 1991 (FIL)** as detailed below:

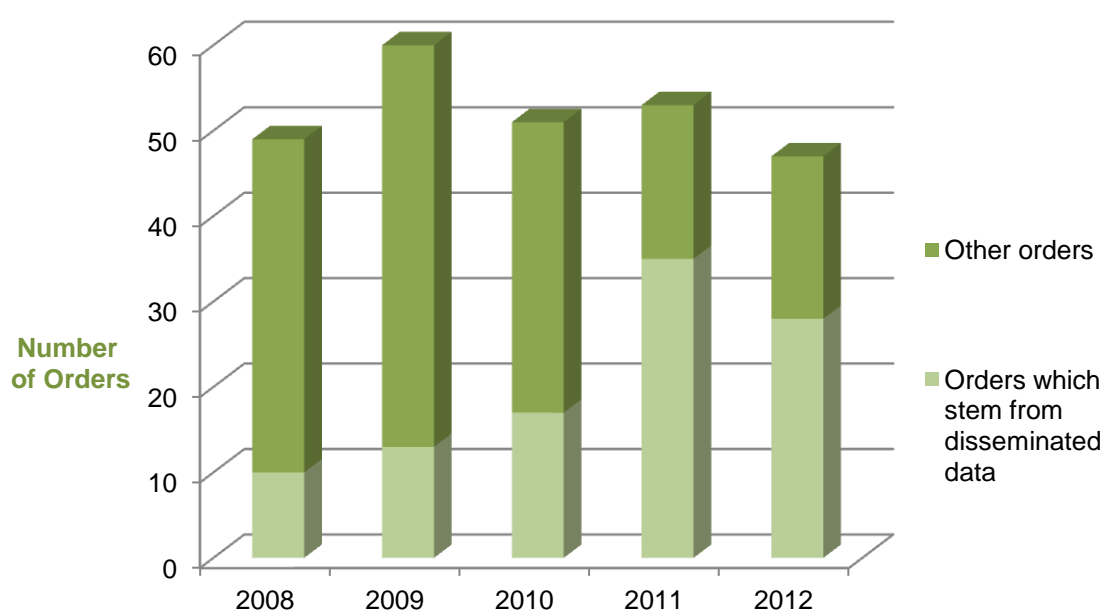
H M Procureur Order					
FIL	16	13	13	7	20
Total orders	49	60	51	53	47

Court Orders which stemmed from disseminated data

The graph below depicts the number of Court Orders which have been obtained under the Drug Trafficking (Bailiwick of Guernsey) Law, 2000, the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 and the Criminal Justice (Fraud Investigation) (Bailiwick of Guernsey) Law, 1991 which stemmed from disseminated data from the FIS.

Year	Orders served			Orders which stem from disseminated data	Other orders
	Police	GBA	Total Orders		
2008	28	21	49	10	39
2009	9	51	60	13	47
2010	4	47	51	17	34
2011	3	50	53	35	18
2012	2	45	47	28	19

Orders are defined as stemming from disseminated data whereby the intelligence disseminated date precedes the order date



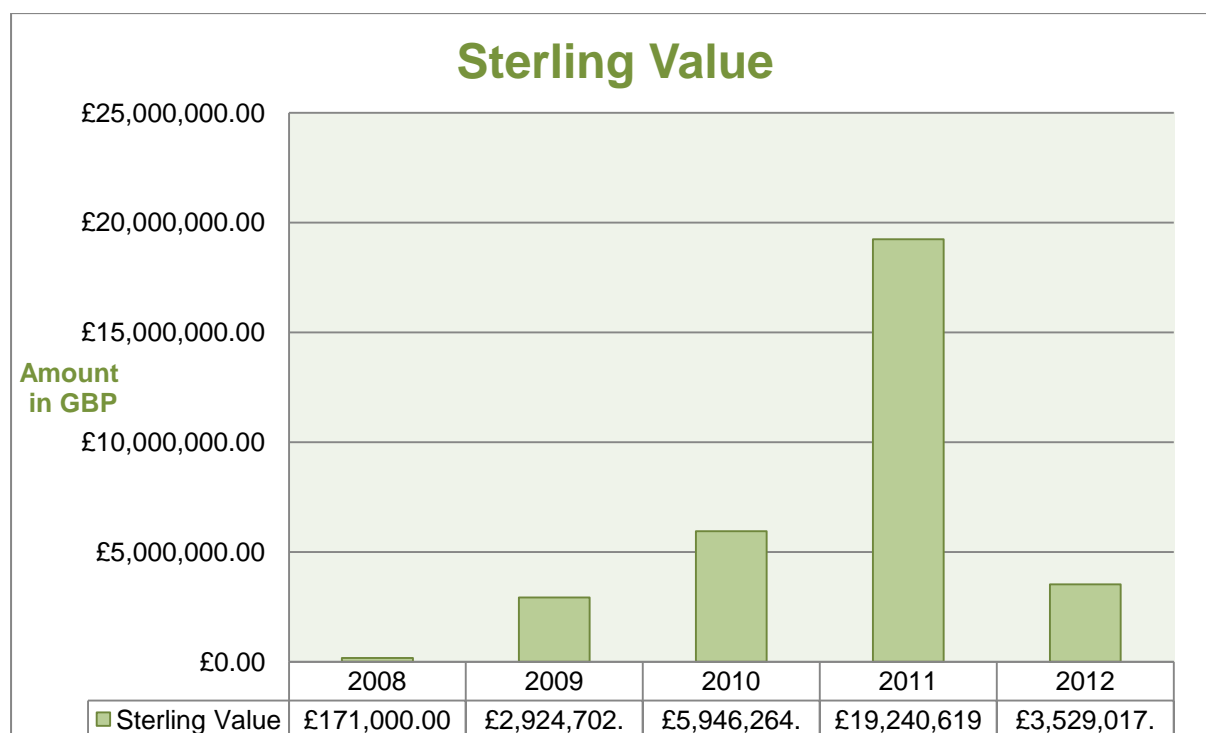
Restraint Orders

The table below shows restraining orders obtained by both the FIU and Police Fraud Unit that were issued by the Royal Court and the total estimated amount of assets restrained in connection with those orders.

Year	No of restraint orders	DT	POC	FT	UN	Total
2008	1	1	0	0	0	£171,000.00
2009	4	2	2	0	0	£2,924,702.88
2010	9	5	4	0	0	£5,946,264.14
2011	7	4	3	0	0	£19,240,619.94
2012	7	3	4	0	0	£3,529,017.24

In 2011, 1 case related to over £17,000,000 being restrained.

Restrained Assets



Note: The above figures include currencies converted to a sterling value as well as an estimated value for non monetary assets as per records maintained in the FIU asset register.

Total sum of funds currently restrained as at 31st December 2012

£244,707,925.92

Property/Funds are further broken down to show amounts restrained under each law as shown below:

Drug Trafficking (Bailiwick of Guernsey) Law, 2000 Restraints

Year	No of Cases	Restrained Amount
2008	1	£770,585.74
2009	2	£171,000.00
2010	5	£328,289.00
2011	4	£107,705.68
2012	3	£15,511.36
Total	15	£1,393,091.78

The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 Restraints

Year	No of Cases	Restrained Amount
2008	0	£0.00
2009	2	£2,863,056.88
2010	4	£5,617,975.14
2011	3	£19,132,914.26
2012	4	£3,513,505.88
Total	13	£31,127,452.16

The Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 Restraints

Year	No of Cases	Restrained Amount
2008	0	£0.00
2009	0	£0.00
2010	0	£0.00
2011	0	£0.00
2012	0	£0.00
Total	0	£0.00

Restraints Pursuant to or under UN Resolution

Year	No of Cases	Restrained Amount
2008	0	£0.00
2009	0	£0.00
2010	0	£0.00
2011	0	£0.00
2012	0	£0.00
Total	0	£0.00

Confiscations

Overview

The following tables show a breakdown of the number of confiscation cases, any benefit identified by the court and where a court order was made for confiscation and the order amount as stated in the Court Order.

It should be noted that **Court Order confiscation amount** does not reflect the actual amount of money paid pursuant to the order, but the penalty amount set by the court.

Year	No of cases	DT	POC	Court Order Confiscation Amt
2008	6	6	0	£72,887.99
2009	9	9	0	£2,435,693.33
2010	6	5	1	£987,627.08
2011	6	5	1	£65,727.05
2012	7	5	2	£663,299.33
Totals	34	30	4	£4,225,234.78

Confiscations are further broken down into Local and International cases as detailed below:

Local Confiscations

Local Confiscations					
Year	No of cases	DT	POC	Identified benefit	Court Order Confiscation Amt
2008	5	5	0	£230,091.32	£68,026.49
2009	6	6	0	£499,428.00	£95,531.37
2010	5	4	1	£394,592.02	£280,517.78
2011	6	5	1	£82,509.74	£65,727.05
2012	7	5	2	£1,919,882.85	£663,299.33
Totals	29	25	4	£3,126,503.93	£1,173,102.02

Local confiscations are further broken down to show amounts confiscated under both Confiscations under the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law and Drug Trafficking (Bailiwick of Guernsey) Law:

Confiscations under the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999

Proceeds of Crime	Identified benefit	Confiscation amount
2008	£0.00	£0.00
2009	£482,928.00	£2,360.00
2010	£268,556.00	£268,556.00
2011	£45,494.74	£46,919.79
2012	£1,715,803.90	£619,891.42

***Confiscations under the Drug Trafficking (Bailiwick of Guernsey) Law,
2000***

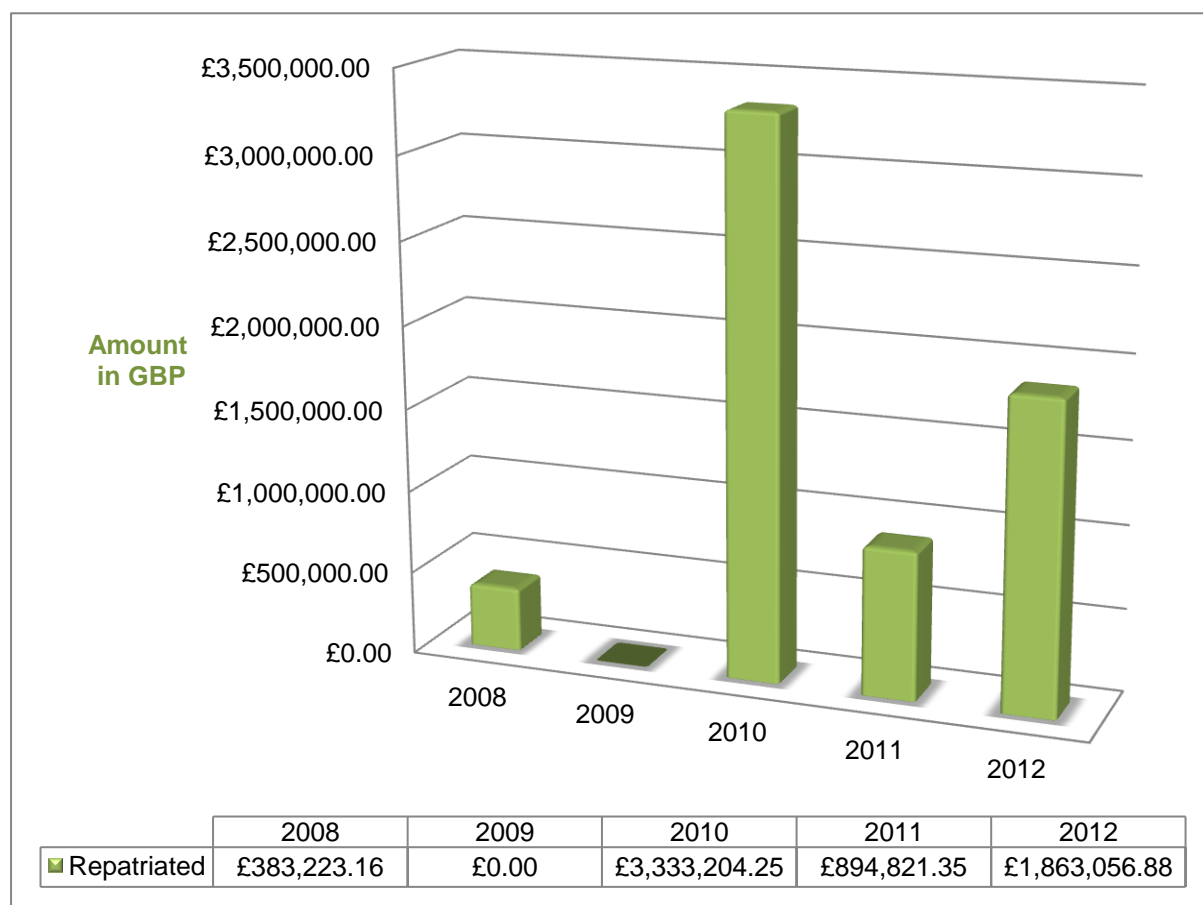
Drug Trafficking	Identified benefit	Confiscation amount
2008	£230,091.32	£68,026.49
2009	£16,500.00	£2,447,422.64
2010	£126,036.02	£719,071.08
2011	£37,015.00	£17,607.26
2012	£204,078.95	£43,407.91

International Confiscations

Year	No of cases	DT	POC	Court Order Confiscation Amt
2008	1	1	0	£4,861.50
2009	3	3	0	£2,340,161.96
2010	1	1	0	£707,109.30
2011	0	0	0	£0.00
2012	0	0	0	£0.00

Repatriated Funds

Repatriated funds relate to cases external to Guernsey where the Guernsey authorities have identified, restrained and managed the return of monies to a court in the relevant jurisdiction to satisfy court confiscation orders.



Civil Forfeiture Team

The Civil Forfeiture Team of the FIU is responsible for dealing with the development of non conviction based asset forfeiture. The legislation that the team works to is the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007 (FOM).

The team investigate cases that have not resulted in any formal criminal proceedings or convictions and focus on satisfying the Court that the money, on a balance of probabilities, is any person's proceeds of unlawful conduct or are intended for use in unlawful conduct.

Applications are made to the Court for a number of investigatory orders including Detention of Seized Cash Order, Production Order, Customer Information Order, Account Monitoring Order, Disclosure Order and Forfeiture Order.

Investigations

The numbers of civil forfeiture investigations that have been undertaken are detailed below. These are cases in which the Court has issued a Detention of Seized Cash Order allowing for a civil forfeiture investigation to be undertaken.

Civil investigations		Civil forfeiture	
Year	Civil forfeiture (cases commenced)	No. of cases	Amount Detained/Frozen
2008	2	0	£0.00
2009	2	0	£0.00
2010	5	2	£6,960.86
2011	7	3	£3,881.51
2012	1	1	£0.00

Orders

Law which applied	2008	2009	2010	2011	2012
Production Order					
FOM	0	0	4	13	0
Account Monitoring Order					
FOM	0	0	0	0	0
Forfeiture Order					
FOM	0	0	0	3	0
Customer Information Order					
FOM	0	0	0	17	0
Disclosure Order					
FOM	0	0	0	5	0
Detention of seized cash Order					
FOM	0	0	2	5	0
Total orders	0	0	6	43	0

Forfeiture

On completion of a civil forfeiture investigation an application can be made to the Royal Court sitting as an Ordinary Court for the forfeiture of the whole or any part of the money if satisfied on the balance of probabilities the money is the proceeds of unlawful conduct or is intended by any person for use in unlawful conduct.

Year	No. of cases	Amount Forfeited
2008	0	£0.00
2009	0	£0.00
2010	0	£0.00
2011	3	£7,966.88
2012	0	£0.00



Financial Investigation Unit
Cross Border Crime

A Division of the Guernsey Border Agency

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