

FORENSIC

Proceeds of Crime

ADVISORY

The Proceeds of Crime Act 2002 (PoCA) is arguably the single most important piece of UK legislation in attacking organised criminals and their assets. KPMG Forensic has the experience and capabilities to provide high quality, dynamic investigation and expert witness support to law enforcement agencies in their work under PoCA.

Organised crime is a large and sophisticated business by any measure. Estimates of the size of the crime economy vary considerably as the information is hard to come by. However, what they have in common is that they are measured in tens of billions of pounds. Economic crime may represent more than 5 percent of UK GDP.¹

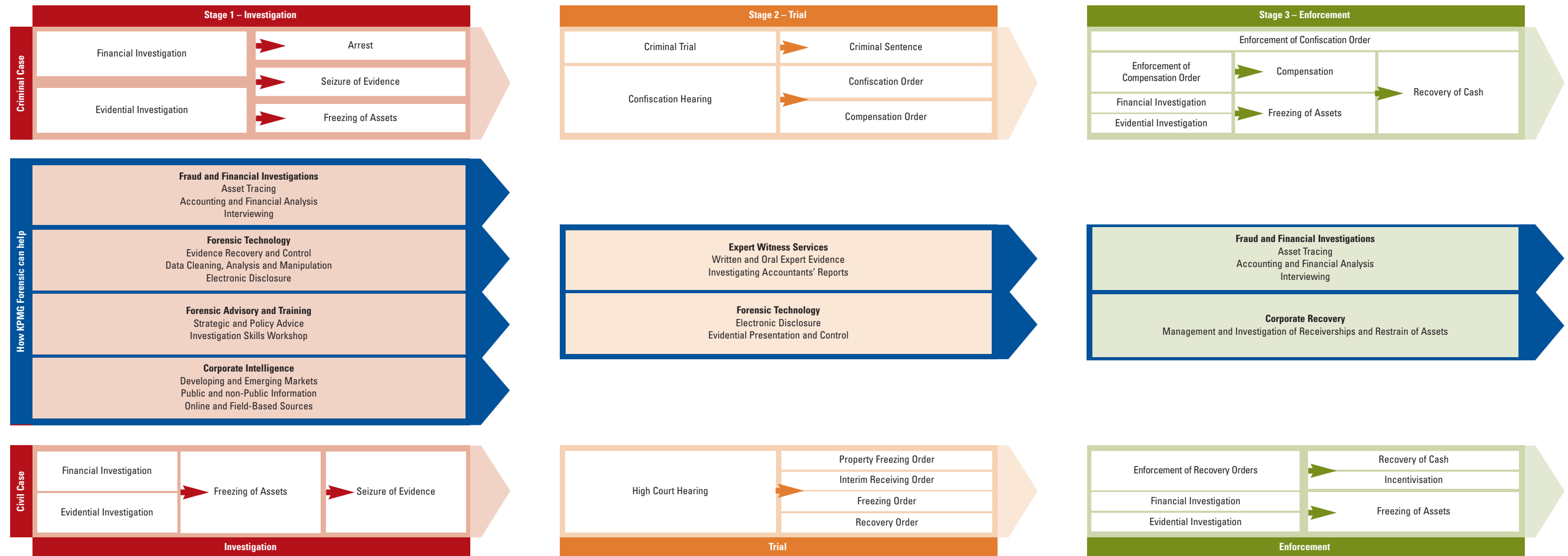
Government and law enforcement agencies are striving to increase their levels of financial and technological sophistication in order to tackle organised criminals and seize their assets more effectively, fighting crime through the profit that motivates it.

KPMG Forensic's Proceeds of Crime service is supported by our substantial team of forensic accountants, investigators, technology specialists and former law enforcement professionals across the UK, all of whom possess a considerable range and depth of experience and knowledge. We have an established track record of working closely with law enforcement and regulatory agencies in this area.

We bring:

- **Established track record**
- **Value-orientated support**
- **Rapid, flexible response**
- **Security of data and personnel**
- **Tailored range of services**
- **International network**

Tracing and recovering criminal assets – how KPMG Forensic can help



Experienced asset recovery and investigation capability

We have a wealth of experience investigating some of the highest profile cases over the last 15 years, including Jeffrey Archer's fundraising during the Simple Truth appeal, SSL, Polly Peck, Maxwell, Guinness, Grupo Torras and the Holocaust victims' assets in Swiss banks. Our teams of accountants as well as former police, Department of Trade and Industry (DTI) and Serious Fraud Office (SFO) investigators can help to establish facts, make recoveries and secure convictions.

A forensic technology service to enhance resources

Our technology specialists can rapidly identify, collect, control and disclose vast quantities of data and document sets from a wide variety of media to court standard. Our encrypted systems allow an extremely secure, yet straightforward and intuitive review of the data, irrespective of number of location of users and court bundles to be produced for legal teams. We can also analyse large volumes of data for anomalies and trends for further investigation.

Corporate intelligence gathering

Our Corporate Intelligence team are able to gather both public and non-public information on individuals, organisations and industries from all over the world using our global network, and convert this information into intelligence to facilitate the investigation and asset tracing process.

Independent and tailored training and advisory support

We have an established track record of providing advice (both strategic and tactical) and training to clients in the fields of investigations and asset tracing, and can help improve technology, investigation and other relevant skills.

High quality and experienced expert witnesses

We can turn the results of the investigations and technology work into robust and credible, written and oral evidence for the Court. Our expert witnesses have considerable experience of giving evidence under cross-examination.

Assistance in the management of receiverships

We can help in the management and investigation of restrained assets using a combination of our Forensic and Corporate Recovery practices.

Our experience – selected case studies

Proceeds of crime policy development

KPMG Forensic professionals, working alongside the Cabinet Office, were responsible for helping to develop a set of proposals for change that united the interests of Inland Revenue and Customs and Excise (now HMRC), Police, CPS, banks and Government departments, and led to the Government's policy on recovering the proceeds of crime. This has now been embodied in the Proceeds of Crime Act 2002 and the creation of the Assets Recovery Agency.

Asset tracing

The client and a subsidiary were defrauded of over US\$1 billion, through collusion of senior management in the UK and Spain. Following our enquiries, the client launched criminal and civil actions in the UK and a number of further jurisdictions, securing the largest ever award in a UK civil trial. Subsequently we have helped to trace funds and seize assets across multiple offshore jurisdictions leading to substantial recoveries. We continue to provide support for major criminal complaints in several jurisdictions.

Market abuse – criminal prosecution

KPMG Forensic recently acted as expert witness for the Crown in the first ever criminal prosecution for market abuse brought by the Financial Services Authority. Our support to the legal team, and evidence given under cross-examination on the accounting aspects of the case, helped to secure convictions, along with lengthy custodial sentences, for two of the three defendants on counts of issuing misleading statements to the market.

Financial investigation

We worked closely with our client to investigate the activity of a company allegedly involved in trading-related fraud. We reconstructed the business records of the company and calculated the quantum of the fraud to be some £40 million. Subsequently, we helped our client trace the proceeds of the alleged unlawful conduct which had left the UK and was later brought back into the jurisdiction to acquire high value assets. Our findings were used to support our client's civil action in the UK.



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Designed and produced by KPMG LLP (UK)'s Design Services
Publication name: Proceeds of Crime
Publication number: 301-067
Publication date: April 2006