

Proceeds of Crime

NEWSLETTER EDITION 4 – SUMMER 2025



KINGSLEY NAPLEY
WHEN IT MATTERS MOST

Welcome to the fourth edition of the KN Proceeds of Crime newsletter, prepared by [our team](#) of specialist lawyers.

In this edition, we provide a comprehensive analysis of the UK Government's evolving response to fraud and financial crime, with a particular focus on the Economic Crime and Corporate Transparency Act 2023 (ECCTA). We assess the latest legislative and regulatory developments, and consider the practical implications for corporate entities, compliance professionals, and legal advisers.

We chart developments from October 2024 to July 2025 and our coverage examines the expanding scope of reporting obligations and the increasing compliance burdens imposed by regulators, especially within high-risk sectors. We also review the proactive measures being adopted by law enforcement agencies to trace and recover the proceeds of crime, including the growing use of civil enforcement.

Given the transnational nature of financial crime, we explore cross-border cooperation and information sharing. Looking ahead, we preview the forthcoming Global Fraud Summit, where the focus will be on the intersection of artificial intelligence, emerging technologies, and anti-fraud strategies.

Finally, we highlight recent landmark cases that are shaping the legal landscape in this area.

Thank you to Julia Bateman, Gemma Tombs, Simran Tatla, Zenia Biring, Dorrotya Toth and Angela Tsui for their invaluable assistance producing this newsletter.

The contents of this newsletter are for information only, and must not be relied on as legal or professional advice. For further information or advice on any of the issues we have written about here, please speak to your usual KN contact, or use [this form](#) to contact the specialist Proceeds of Crime and Money Laundering team.



Nicola Finnerty
Partner



Proceeds of Crime – the numbers

£100bn

suggested level of criminal profits laundered through and within the UK, or using UK-registered corporate structures.

£12bn

the amount of criminal cash that it is estimated is generated each year in the UK.

£243.3m

the value of assets recovered from confiscation, forfeiture, and civil recovery orders in the financial year 2023–24.

£75.5m

the amount of criminal assets the government estimates will be recovered over ten years following reforms to the confiscation regime.

£41.5m

the total sum of fines across all 25 AML supervisors in 2023–24. This is compared to £196.5m in 2022–23.

£9.3m

the amount of additional funding the Serious Fraud Office (SFO) is to receive to ensure it delivers on its mission to tackle complex fraud, bribery, and corruption.

61%

the increase in refused Defences Against Money Laundering (DAML) compared to the previous year.

Key Acronyms

AML – Anti-Money Laundering

AMLA – Anti-Money Laundering Authority

AFO – Account Freezing Order

CFT – Combatting the Financing of Terrorism

CPS – Crown Prosecution Service

DAML – Defence Against Money Laundering

DPA – Deferred Prosecution Agreement

ECCTA – Economic Crime and Corporate Transparency Act 2023

FATF – Financial Action Task Force

FCA – Financial Conduct Authority

FIU – Financial Intelligence Unit

MLRs – The Money Laundering Regulations 2017 (as amended)

NCA – National Crime Agency

PEP – Politically Exposed Person

POCA – Proceeds of Crime Act 2002

SAR – Suspicious Activity Report

SFO – Serious Fraud Office

UWO – Unexplained Wealth Order

Eye on the enforcement authorities

FCA commits to the fight against financial crime

The FCA has set out fighting financial crime as one of its four strategic pillars for the 2025–6 Work Programme (April 2025). In a recent speech, the FCA's Joint Executive Director of Enforcement and Market Oversight stated: "We will not tolerate fraud by regulated firms. Simple as that." She reiterated that "the trust and confidence of consumers and investors in regulated firms is critical to the UK growth story" and reported that record levels of prosecutions are now underway. Underpinning this objective is the FCA's 5-year strategy (2025–2030), published in March to fight financial crime, which consists of the following themes:

- Keep "dirty money" out of the financial ecosystem
- Enforcement action should be swift and forceful where regulated firms are being used as vehicles for fraud, to act as a deterrent for further criminal activity
- Keep the UK markets "clean"
- Develop a safe crypto regime that protects customers.

In trying to keep "illicit finance" out of the financial ecosystem, the FCA boasts a strong record of decisive enforcement action, including several large-scale proceeds of crime actions in recent years. It acted against and successfully [fined](#) NatWest £264,000,000 for anti-money laundering failings. The charges covered NatWest's failure to properly monitor the activity of a commercial customer (*R -v- National Westminster Bank (Unreported, Southwark Crown Court, December 2021)*).



The Work Programme also sets out a focus on proactive assessments of anti-money laundering systems and controls for firms deemed to be higher risk. It aims to continue and enhance engagement with firms to strengthen sanctions systems and controls. In addition, updated [Guidance](#) was published in July 2025 relating to treatment of Politically Exposed Persons for anti-money laundering purposes. It is again worth noting here the significant fines the FCA has recently imposed on firms such as [Starling Bank](#) (November 2024 – £29 million) and [Metro Bank](#) (October 2024 – £16 million) for failing to maintain robust anti-money laundering controls. More recent action was taken by the FCA in July 2025, when it fined [Monzo Bank Ltd](#) £21,091,300 for its inadequate anti-financial crime systems and controls between October 2018 and August 2020. Monzo also repeatedly breached a requirement preventing it from opening accounts for high-risk customers between August 2020 and June 2022.

In March, the FCA reported that four people were convicted in one of the largest money laundering cases in the UK.

There has been a [recent confiscation order](#) of £300,000 following a 2023 conviction for investment fraud (*R -v- Vickers & ors (Unreported, Southwark Crown Court, April 2023)*). The defendants in this case claimed to trade their client's money in binary options while using the funds for their own lifestyles. Redress is now being sought for the victims by the FCA, requiring the defendants to pay back the amount they benefitted via confiscation order.

Further, in March, the FCA reported that four people were convicted in one of the largest money laundering cases in the UK, with the individuals given prison terms of 10 to 11 years and 8 months for laundering £266,000,000. The Crown Prosecution Service (CPS) have described this case as "one of the largest laundering prosecutions ever brought to the courts in England and Wales", and states that the individuals' convictions "will hopefully deter them and others from being involved in the same way, in the future". [Confiscation proceedings](#) are currently being conducted by the CPS (*R -v- Frankel & ors (Unreported, Leeds Crown Court, March 2025)*).

The FCA recalls that over the last two years, it has charged more people with criminal offences than ever before and that enforcement investigations are being concluded faster. It confirms that technology is being better harnessed to identify potentially abnormal trading in markets as well as scams targeting the public: Between October 2023–24 the FCA issued 1,700 consumer alerts for firms found to be illegally promoting cryptoassets, took down over 900 suspicious crypto-related websites and removed over 50 apps from UK app stores. The FCA promises that it will go further to disrupt criminal activity and support firms to be an effective line of defence.

It also commits to make it harder for serious organised crime to abuse regulated financial services to launder their money and commit crime. It underlines that it will focus on those who seek to use the fact they're regulated to do harm. By increased collaboration with partners to share and analyse data they will work together to remove the gaps "where criminals hide".

[FCA's Work Programme 2025–6](#) | [FCA Five year Strategy](#)

Between October 2023–24 the FCA issued 1,700 consumer alerts for firms found to be illegally promoting cryptoassets, took down over 900 suspicious crypto-related websites and removed over 50 apps from UK app stores.

Money laundering through the markets

Capital markets remain a key focus for the FCA: they are identified as a space for moving and disguising the audit trail of money through use of complex financial transactions.

In January the FCA published an analysis on money laundering through the markets (MLTM), which acknowledged how the markets are used to launder criminally generated cash by making it appear legitimately generated. Further to a thematic review in 2019, the FCA has carried out extensive reviews of money laundering supervision work since then. The report shares its findings from this review.

It highlights how firms need to continue to review their systems, controls, MLTM awareness and training to ensure they meet the required standards and are effective in the fight against financial crime.

In publishing this report the FCA seeks to assist brokers and other firms operating in the capital markets to continue to improve their controls and ensure they meet the required standards. The report will also be of interest to public bodies, including law enforcement, who are engaged in mitigating the risk of MLTM along with those in the private sector.

January 2025



Food Standards Agency secures new investigatory powers

As of May 1st, the National Food Crime Unit (NFCU) has specific investigatory [powers](#) under The Police and Criminal Evidence Act (PACE) to apply for and execute search warrants. The FSA presents this move as a vital tool to ensure that NFCU investigations can be progressed more directly and effectively. Though still working in collaboration with local authorities such as the police, NFCU investigators can now apply for and execute search warrants. With these new powers at its disposal, the FSA's ability to respond quickly to intelligence will be enhanced.

May 2025

National Crime Agency sets out top serious and organised crime threats

The National Crime Agency has published the [National Strategic Assessment of Serious and Organised Crime threats, 2025](#). The report confirms that, whilst a mixed picture overall, there has been a **continued increase in illicit finance**.

The threat assessment estimates that over £10 billion a year is moved through trade-based money laundering schemes impacting on the UK each year. This presents a threat to the integrity of the UK financial system as it erodes trust and confidence, which is essential to maintaining growth and the UK's competitive position in global financial markets.

In the spotlight are Russian organised crime networks. They are said to provide cryptocurrency conversions in the UK and overseas; launder funds for transnational organised crime groups; and enable Russian elites and entities to evade UK financial sanctions. The threat relating to money laundering by Chinese-speaking organised crime groups in the UK, already one of the highest money laundering risks, is also heightened.

The report also highlights how accounts at UK banks and non-bank payment service providers continue to be exploited by money laundering networks, particularly for 'money mule' activities. Money service businesses also continue to feature in investigations. Professional enablers who continue to be used to conceal and move criminal assets remain under watch, with the NCA report referring to those associated with banking, payment service providers, accountancy services, estate agents, legal services, wealth management, and trust and company service providers. The exploitation of corporate structures is also highlighted with potential indicators of money laundering via corporate structure misuse including multiple companies being registered at the same residential address and the creation of large numbers of dormant companies.

It notes that "criminals continue to identify innovative ways" to launder the proceeds of their crimes with international money laundering networks amplifying their capabilities through the adoption of technology. To combat this the NCA recognises that it needs to become more agile in responding to the evolving threat, and should use the advances in technology and other capabilities to greater effect. However, limited details are given on how they will do this.

March 2025

Over £10 billion a year is moved through trade-based money laundering schemes impacting on the UK each year.





National Economic Crime Centre: enhancing the public-private partnership

The [NECC Annual Report](#) highlights its successes during the period 2023–24 and reaffirms its mission to both understand the economic crime threat and direct operational responses to it. The NECC continues to prioritise public-private partnerships – particularly with financial, telecommunications and tech platforms.

The report confirms that 30 new members joined the Joint Money Laundering Intelligence Taskforce (JMLIT) – a public-private partnership between law enforcement and private firms – ranging from insurance companies to banks and NGOs. It aims to support investigations and develop systems to tackle high-end money laundering schemes and its work this year has helped to identify over 1,430 accounts associated with criminal activity and seize over £41,700,000 for civil recovery.

It also reports that the past year has seen a shift to a more intelligence-led approach to fraud through the creation of a fraud intelligence pipeline in collaboration with the City of London Police (CoLP). These coordinated efforts have crystallised in more large-scale efforts to identify fraud, as seen with Operation Henhouse III (see boxout).

With a focus on tackling sanctions evasion and telephony fraud, the NECC Public Private Partnerships (PPP) has designed cross-sector systems to catch those seeking to commit fraud or circumvent sanctions. In response to the latter, NECC PPP issued three alerts on threats to the private sector, one of which is released by the Foreign and Commonwealth Development Office (FCDO) on the use of Russian gold for the avoidance of sanctions.

OPERATION HENHOUSE IV

Operation Henhouse, now in its fourth year, is a month-long intensive anti-fraud campaign co-ordinated by the NECC and CoLP. In February 2025 more than £5.7m was seized and 422 arrests made. This was the first time that the operation involved all UK police forces and Regional Organised Crime Units, alongside national agencies including the Financial Conduct Authority, National Crime Agency, Serious Fraud Office and National Trading Standards.

To deal with telephony fraud, NECC PPP formed a dedicated cell between law enforcement and telecommunication firms to enable emerging typologies to be shared, as well as the coordination of activity to disrupt fraudsters and protect potential victims. Since its inception in June 2023, the cell has released 36 intelligence packages to law enforcement, with 9 arrests taking place so far as a result.

July 2024



SFO receives funding boost to set up new asset confiscation enforcement team

The Serious Fraud Office (SFO) [reported](#) in November 2024 that it will receive an additional £9.3 million of funding to ensure it delivers on its mission to tackle complex fraud, bribery, and corruption. This funding has been provided to create, amongst other commitments, a new asset confiscation team – listed as a business plan priority in the SFO's Business Plan 2025–6 published in April 2025. The SFO has also secured its first Unexplained Wealth Order – see [article below](#) for more information.

The SFO also received additional funding in the [Spending Review](#) in June 2025 as part of the government's Plan for Change to "cut crime and plan to invest in Britain's renewal". More than £8 million of investment over the next three years will be spent on strengthening the SFO's intelligence and information-gathering work and continuously expanding the agency's use of technology to assist with disclosure.

The SFO's [Annual Report](#), published in July 2025, reports that in the period 2024–25 the Proceeds of Crime Division secured over £1.3m in proceeds of crime and returned over £320k as compensation to victims.

November 2024

Gambling Commission flags emerging risks

The Gambling Commission published a notice setting out the latest emerging money laundering and terrorist financing from April 2025. Key risks identified include:

- Money service business activity in remote and non-remote casinos
- Artificial intelligence used to bypass customer due diligence
- Money in exchange for personal details and gambling accounts
- Cryptoassets
- Terminals used to facilitate payments in non-remote casinos
- Jurisdictions subject to increased monitoring by the Financial Action Task Force (FATF).

The Gambling Commission confirms that that its publication [Emerging Money Laundering and Terrorist Finance Risk \(April 2025\)](#) is a trigger for operators to review their money laundering and terrorist financing risk assessments and related policies, procedures and controls to ensure that they remain appropriate and effective.

Recent [enforcement action by the Gambling Commission](#), includes fine for anti-money laundering and social responsibility failings. In March 2025 AG Communications Limited was fined over £1.4 million for anti-money laundering and social responsibility failings. This followed action against Admiral Casinos to the tune of £1 million in January 2025. In May, Spreadex Ltd faced a £2 million fine for anti-money laundering and social responsibility failings – the second time it had faced enforcement action having paid a £1.36 million regulatory settlement for social responsibility and anti-money laundering failures in 2022.

April 2025

Environment Agency cracks down on fraud in waste management

The Environment Agency has reported a growing number of successful proceeds of crime operations led by their National Economic Crime Unit. Case highlights include:

- A company director who was ordered to pay a confiscation order of £255,057. An audit conducted by Environment Agency officers found that there was a significant discrepancy between the company's record of waste exports and evidence of the actual exports carried out. The director was additionally given a sentence of two years, suspended for 18 months, and is disqualified as a director for four years (*R -v- Shaobo Qin (Unreported, Birmingham Crown Court, May 2025)*).

For further information, see: [Waste packaging company director pays high price in data fraud](#)

- Two men in Northampton, who were respectively ordered to pay £175,013 and £138,368 for operating their waste tyre site in an unsafe manner, without an environmental permit. One of the pair had been caught in a similar offence in 2020, where he received a suspended 12-month sentence and an order to complete 150 hours of unpaid work (*R -v- Patel and Eyre (Unreported, Northampton Crown Court, March 2025)*).

For further information, see: [Environment Agency secures proceeds of crime award for £313,382](#)

- An individual who was ordered to pay £78,835 within three months, or serve two years' imprisonment in default, for dumping approximately 200,000 cubic metres of waste illegally in sites around Hertfordshire. He was given 17 months in prison in October 2023 for doing the same act (*R -v- Winters (Unreported, Luton Crown Court, May 2025)*).

For further information, see: [Hertfordshire waste boss to pay £79,000 gained from illegal sites](#)

- The Environment Agency secured £526,215 at a Proceeds of Crime hearing against a business found guilty of running an illegal waste site and dealing in the sale of catalytic converters with no permit (*R -v- Platin Group Metals & ors (Unreported, Lincoln Crown Court, May 2025)*).

For further information, see: [Environment Agency secures over £526K in Proceeds of Crime case](#)

May 2025

Crypto assets at heart of CPS review of economic crime strategy

The Crown Prosecution Service ['CPS'] has [reviewed](#) its four-year economic crime plan 2021–25, with a key focus crypto-assets.

It reports that cooperation with other agencies has been key during this period, with a new Memorandum of Understanding with the National Crime Agency agreed in March 2025. The Insolvency Service has appointed its first dedicated crypto intelligence specialist to help recover more money for the UK economy from bankruptcy cases.

The CPS report highlights recent activity where it has prosecuted several cases which involved the illicit use of cryptocurrencies, including the [conviction](#) of an individual last year for laundering proceeds linked to a £2 billion Bitcoin seizure (*R -v- Jian Wen (Unreported, Southwark Crown Court, May 2024)*).

The CPS is also increasingly reporting on its intentions to recover the proceed of criminal activity and recently confirmed that, following secured convictions against six defendants in a £2m bribery case including former senior staff at E.ON and British Gas, it will pursue confiscation proceedings (*R -v- Heyward & ors (Unreported, Winchester Crown Court, May 2025)*).

May 2025



Romance fraud: conviction for money laundering and false accounting secured

The Crown Prosecution Service [reported](#) that a man who laundered more than a million pounds gained from a sophisticated romance fraud operation has received a custodial sentence.

Ahmed Ali Suleman, 63, was prosecuted by the Crown Prosecution Service (CPS) following an investigation by the National Crime Agency (NCA). He was found guilty of entering into a money laundering arrangement and false accounting in April 2025. On Monday 23 June he was sentenced to four years and three months' imprisonment (*R -v- Ahmed Ali Suleman (Unreported, Birmingham Crown Court, June 2025)*).

June 2025

International action

UK's first INTERPOL Silver Notice

In January, INTERPOL made history by issuing its first ever [Silver Notice](#), a new tool designed to trace and recover criminal assets.

The inaugural notice, requested by Italy, focuses on identifying assets linked to a senior mafia member. Launched as part of a pilot programme involving 52 countries and territories, it is the latest addition to INTERPOL's colour-coded system of Notices and Diffusions. These mechanisms facilitate international police cooperation by sharing alerts and requests for information across borders. With the Silver Notice, countries can now request details about assets linked to a person's criminal activities, with the aim of locating, identifying and recovering criminal property. The pilot phase is set to run until November 2025. See our [blog](#) for more detail.

January 2025



FATF identifies new high-risk jurisdictions – HM Treasury takes action

Under the Money Laundering Regulations relevant persons are obliged to carry out enhanced customer due diligence and enhanced ongoing monitoring on all customers, new and existing, established in high-risk third countries.

In February 2025 FATF published the most recent update to its lists of jurisdictions identified as having strategic deficiencies in their AML/CTF regimes, of "Jurisdictions Under Increased Monitoring" and "High-Risk Jurisdictions subject to a Call for Action". HMT subsequently published a [Money Laundering Advisory Notice: February 2025](#). This advises firms of the list of jurisdictions which are considered 'High-Risk Third Countries' as defined by Regulation 33 of the Money Laundering. It also highlights those jurisdictions which are also subject to financial sanctions measures, which require firms to take additional measures.

February 2025

Global call to action to combat money laundering and the financing of terrorism

Leaders of the Financial Action Task Force (FATF), INTERPOL and the UN Office on Drugs and Crime (UNODC) congregated in Vienna this May for the Commission on Crime Prevention and Criminal Justice (CCPCJ).

An urgent call to action was issued to governments to improve asset recovery efforts, so that they can better undermine organised crime groups' abilities to expand value and territory. International cooperation was also noted as a key driver to make financial investigations more targeted and effective. In practice, INTERPOL's recently launched Silver Notice has 52 signatories that are part of the pilot, who have indicated they will make use of the Notice to request data worldwide. Later this year, the three organisations will release further guidance for practitioners on key avenues of international cooperation.

A recent [assessment](#) from FATF reported that nearly 80% of countries, covering over 200 jurisdictions, are at a low or moderate level of effectiveness in asset recovery, meaning they are not sufficiently able to effectively confiscate criminal assets. The UK is due to have its next FATF mutual evaluation exercise in 2027.

Also in May the European Anti-Financial Crime Summit took place in Dublin with a keynote speech from the inaugural Chair of the Authority for Anti-Money Laundering and Countering the Financing of Terrorism ([AMLA](#)). One of AMLA's core objectives is to support and coordinate Financial Intelligence Units (FIUs) in EU Member States by: facilitating joint cross-border cases analyses; enabling controlled information exchange; undertaking advanced data analytics and managing the common FIU.net information system.

May 2025

Global Fraud Summit 2026

A Global Fraud Summit hosted by the UN Office on Drugs and Crime (UNODC) and INTERPOL will take place in Vienna in early 2026 and bring together dozens of governments from across the world to discuss how to transform the global response to fraud. In announcing this the UK Fraud Minister Lord Hanson stated that, with estimates finding that 70% of fraud now includes an international element, global cooperation will be key to tackling this growing issue.

March 2025



Case in focus

Post-Brexit proceeds of crime cooperation

Wieromiejzyk & Anor v Director of Public Prosecutions ([2024] EWCA Crim 1486) is a landmark case. It deals with the enforcement and validity of restraint orders under the Proceeds of Crime Act 2002 (External Requests and Orders) Order ('2005 Order') in conjunction with the Trade and Cooperation Agreement 2021 ('TCA') subsequent to the UK's departure from the European Union.

Dorrottya Toth provides an in-depth case analysis.

The Applicants in the case, Polish citizens, sought the discharge of restraint orders over cryptocurrency (worth more than US\$24 million) which had been requested by Polish authorities investigating a large-scale production and distribution of psychoactive substances and the associated money laundering activities.

The Court of Appeal dismissed the application for leave to appeal against a Crown Court decision refusing to discharge the restraint orders. The Court affirmed the validity of the restraint orders and underlined that challenge to the substantive merits of the external request or its necessity or proportionality must be made in the requesting state, not in the English Court.

The background

Before Brexit, requests for restraint orders from other EU countries were dealt with under the Criminal Justice and Data Protection (Protocol No.36) Regulations 2014 (the 2014 Regulations), based on the mutual trust in each other's legal systems.

After the UK left the EU, the 2014 Regulations were replaced. UK-EU cooperation is now based on the Trade and Cooperation Agreement (TCA), implemented by the European Union (Future Relationship) Act 2020.

The TCA sets out how the UK and Member States cooperate in criminal matters. It requires both sides to help each other, and only allows refusal of cooperation in limited situations.

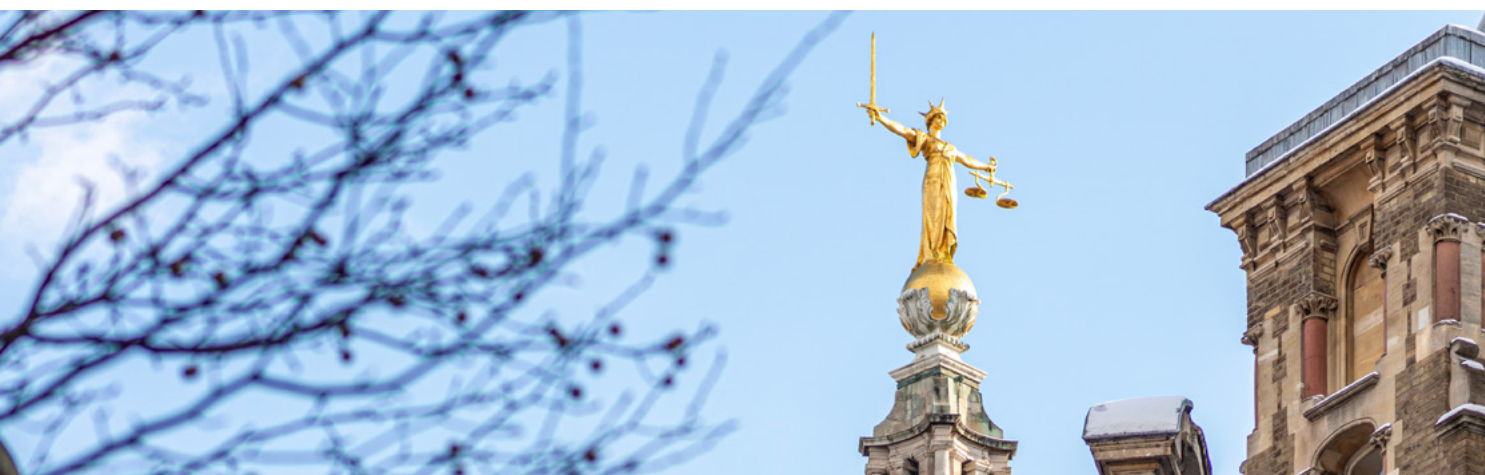
Courts must interpret the TCA in line with its purpose: to support legal cooperation between the UK and the EU and strengthen security for both.



Grounds of appeal

The Applicants appealed the Crown Court decision, refusing to discharge the restraint orders, on the following grounds:

1. The Polish justice system is undemocratic and there is a "rule of law crisis" in Poland. Consequently, the UK cannot support such a justice system and enforce orders which are illegal, including because there is no crime in Poland on which the freezing order could be based.
2. The Crown Court erroneously found that there were "reasonable grounds for suspecting that the applicants had benefited from the crime", so the restraint orders were not necessary or proportionate.



Judgment

Ground 1 – Rule of law argument

The Court considered that this ground involved challenging the substantive reasons for the orders, which is contrary to the policy objectives of the TCA. Namely, that the substantive reasons for making restraint orders should only be challenged before domestic courts. The Court did consider a theoretical possibility that there was a "total denial of justice" or "access to justice" in a Member State. In such a scenario, the Court could refuse to comply with a request if it was "contrary to the fundamental principles of its domestic law" and, as such, complying with the request would be an abuse of the court's process. In this case, the Court did not find sufficient basis for this.

Ground 2 – Proportionality and necessity

The Court held that assessing necessity and proportionality of a restraint order engages the substantive grounds for the order, which, under the TCA, are matters for the requesting state (Poland) to determine. The Court acknowledged the tension between the rule that substantive challenges must be made in the requesting state and the UK court's obligation under Article 7 of the 2005 Order to consider if property is "relevant property" and if there are "reasonable grounds to suspect" benefit from criminal conduct.

However, the Court concluded that determining whether Article 7 conditions are met does not amount to a substantive challenge. This is because: (1) Article 656(3) TCA requires deference to the requesting state's law; (2) the UK court's assessment is limited to the information in the external request; and (3) it is presumed the requesting state has considered necessity and proportionality. Thus, UK courts should proceed on the basis that these requirements have been satisfied by the requesting state.

Significance

This case is notable for several key reasons:

First, it marked the first time the Court of Appeal addressed the enforcement of external requests for provisional measures under the 2005 Order following Brexit.

Secondly, the Court emphasised that UK courts should not examine substantive issues when deciding whether to execute, vary, or discharge external requests from EU Member States. This stance demonstrates a strong commitment to the TCA and ongoing collaboration with the EU in criminal law enforcement.

Thirdly, the Court cited the Supreme Court decision in *Lipton v BA Cityflyer Ltd*, which clarified that the requirement to modify domestic law for TCA compliance is not absolute, especially when it conflicts with broader Brexit objectives like parliamentary sovereignty. Although the Court did not fully explore this issue, it acknowledged the potential tension between upholding international agreements and prioritising domestic law, raising questions about the future of cross-border criminal law cooperation.

In summary, the case reinforces the UK's dedication to international legal cooperation post-Brexit, while also highlighting ongoing debates about the balance between domestic legal autonomy and international obligations. Only time will tell.

December 2024



Case in focus

UK Supreme Court ruling determines that overseas dealing in criminal property does not fall within scope of S.327–329 Proceeds of Crime Act 2002 (POCA).

El-Khouri v Government of the United States of America [2025] UKSC 3 ('El Khouri'). In a landmark extradition case, the UK Supreme Court ('UKSC') unanimously ruled that money laundering offences under sections 327–329 of POCA do not have extra-territorial effect. In doing so, it has narrowed the concept of what constitutes an offence for extra-territorial jurisdiction to apply under POCA.

Simran Tatla gives her thoughts on the case.

The position before El Khouri

Prior to this decision, the leading authority on this point was the Court of Appeal's judgement in *R v Rogers & Ors [2014] EWCA Crim 1680 ('Rogers')*. In this case, the Court applied a broad scope to extra-territoriality and held that acquiring, using or possessing criminal property outside of the UK could fall within POCA's scope.

For context, Rogers included allegations of money laundering which took place outside of the UK jurisdiction but involved the proceeds of a fraud that place in the UK, impacting UK victims. Determining that the proceeds of this fraud were caught by POCA was a controversial decision and one that introduced additional potential risks to regulated businesses handling funds outside of the UK.

The UKSC, overruling the decision in Rogers, defined jurisdiction more narrowly and implemented stricter parameters on the statutory requirements. It clarified that POCA's money laundering offences apply **only** where the relevant acts occur **within the UK**, stating: "*Rogers failed to recognise that section 340(1)(d) merely defines "money laundering" and does not either create an offence itself or extend the territorial scope of the offences created by sections 327, 328 and 329 to acts done abroad.*"

On the facts in El Khouri, the decision determined that money laundering that took place in the US and involved US funds did not fall within the scope of POCA. The Court also quashed the order for Mr El Khouri's extradition.

Significance

The primary money laundering offences include the acts of concealing, disguising, converting, transferring or removing criminal property from the UK (s327 POCA), entering into an arrangement which facilitates the acquisition, retention, use or control of criminal property (s328 POCA) and acquiring, using or having possession of criminal property (s329 POCA).

The Court confirmed that while POCA can apply to the proceeds of overseas criminal conduct when handled in the UK, it does not extend to situations where both the criminal conduct and the money laundering occur abroad.

As a result, the decision places significant limits on the UK's jurisdiction to prosecute money-laundering offences committed outside of England and Wales.

UKSC press summary is [available here](#) and the full judgment is [available here](#)

El Khouri presented the UKSC with its first opportunity to determine the territorial reach of POCA.

The El Khouri judgement

El Khouri relates to an insider dealing case involving 17 allegations of fraud made against a British national. It was alleged that Mr El Khouri profited from purchasing inside information about companies listed on the US stock exchanges and using it to trade in securities. It was accepted that if proven, such conduct would constitute insider dealing in England, contrary to the Criminal Justice Act 1993.

Legislative developments

ECONOMIC CRIME AND CORPORATE TRANSPARENCY ACT

Corporate accountability for financial crime – the new reality

As reported in earlier editions, s.199 of the Economic Crime and Corporate Transparency Act 2023 introduces a new offence for large organisations that fail to prevent fraud by employees or associated persons, which is effective from 1 September 2025. This complements existing UK fraud and corruption laws and aims to make organisations more accountable.

A 'large organisation' is defined as meeting two or three out of the following criteria: more than 250 employees; more than £36 million turnover; more than £18 million in total assets.

To enable corporations who fall within the new regime to prepare for this, official guidance was published in November 2024. This outlines the general principles for organisations in developing or enhancing procedures to prevent fraud; recommending comprehensive risk assessments, updated compliance policies, and staff training. Whilst the guidance provides principles, it is not exhaustive and does not guarantee compliance through a checklist.

The defence to a failure to prevent offence is for an organisation to prove that, at the time the fraud offence was committed, it had 'reasonable procedures' in place to prevent fraud. It is for the organisation to establish the defence. It is worth recalling that this defence does not prevent the authorities prosecuting individuals for the underlying fraud.

The recent publication of the Serious Fraud Office's updated Corporate Cooperation Guidance in April 2025 is also of note. At its heart is the SFO's new promise that, unless exceptional circumstances apply, any corporation that self-reports suspected criminality promptly and then cooperates fully with its investigation will be invited to negotiate a deferred prosecution agreement potentially with a view to avoiding a prosecution. The guidance contains examples of behaviours that the SFO regards as either genuinely cooperative or uncooperative.

Moreover, as underlined in the Crown Prosecution Service's review of its Economic Crime Strategy, organisations that do not meet the threshold for the new offence can still be investigated and prosecuted for substantive fraud offences under the reformed identification doctrine in ECCTA which expands the corporate criminal liability test to cover senior managers. Updated CPS guidance on Corporate Prosecutions is expected early next year.

The overarching goal is to shift corporate culture and place greater responsibility on senior management for fraud prevention. The guidance on the principle of 'top-level commitment' is detailed and emphasises the leadership role of senior management in relation to fraud prevention and the responsibility and accountability that lies with those individuals.

Only time will tell if the failure to prevent fraud becomes the prosecutor's charge of choice or this new legislation is an anti-climax. Indeed, the facilitation of tax evasion legislation under the Criminal Finances Act 2017, which was launched with great fanfare, has yet to yield any prosecutions.

A reformed Companies House

The Economic Crime and Corporate Transparency Act introduces the most significant reforms to Companies House since its creation, and aims to disrupt economic crime across the private sector.

Those who should pay particular attention to the Act include all company directors (both new and existing), people with significant control of a company and anyone who files information on behalf of a company, due to the new responsibilities involved. Breach of the new provisions could result in civil and criminal penalties.

A summary of the key changes enacted so far are as follows:

- From March 2024, Companies House has been able to improve the quality of its company information by:
 - Querying or rejecting information in filings which they suspect to be wrong or fraudulent.
 - Removing inaccurate information, or information used without consent, from the register (more information can be removed administratively, without people needing to seek a court order).
 - Commencing strike off measures if companies do not provide an appropriate address within the specified period (companies are not able to use a Royal Mail PO Box and equivalent services going forward).
 - Requiring companies to provide a registered email address that allows Companies House to contact them about matters related to filing quickly and efficiently (which is not shared on the public register).
- Companies House has also been alert in rejecting appointments of new directors to existing companies where the individual was previously a disqualified director.
- From May 2024, Companies House has begun to charge higher incorporation fees to fund the ongoing changes.
- From October 2024, Companies House has been able to issue financial penalties for any relevant offences under the new Act.
- From March 2025, Companies House has been able to increase its enforcement capabilities by:
 - Expediting the strike-off of companies concluded to be formed on a false basis
 - Carrying out checks on Authorised Corporate Service Providers (ACSPs) to allow them to carry out verification services on other companies.

A summary of the key changes that Companies House expect to be able to implement by next year are as follows:

- By Autumn 2025, it aims to make identity verification a compulsory part of incorporation and new appointments of directors and PSCs.
- Begin a 12-month transition period requiring more than 7 million existing directors and PSCs to verify their identity – this will happen as part of the annual confirmation statement filing.
- By Spring 2026, identity verification of the presenters will be a compulsory part of filing.
- Third party agents filing on behalf of companies will be required to be registered as an ACSP.

The Economic Crime and Corporate Transparency Act introduces the most significant reforms to Companies House since its creation.

Beyond this timeline, Companies House aims to mandate software-only filing for all accounts, and remove the option for small companies to file abridged accounts. All profit and loss accounts will require filing, and any company claiming an audit exemption will need to provide an enhanced statement to confirm that the company is indeed eligible for it.

Enhanced investigative and enforcement powers of Companies House will include the ability to cross-check data with other public and private sector bodies and proactively share information with law enforcement and government agencies if there is evidence of filing errors or suspicious behaviour. It is important that anyone involved in the operation of a business keep aware of these reforms. The Companies House website page [Changes to UK company law](#) is one of the first places to visit, with details of changes including what needs to be done, and by when.



Some additional developments under ECCTA

The NCA has updated its guidance and operational expectations for regulated firms in light of the ECCTA, which introduced significant changes to information sharing, reporting obligations, and the Defence Against Money Laundering (DAML) regime.

Key DAML exemptions introduced by ECCTA are:

- 1. Exit and Pay Away Exemption:** Firms in regulated sectors can now pay away property valued below £1,000 when ending a customer relationship, without submitting a DAML, provided customer due diligence has been completed. [The Proceeds of Crime \(Money Laundering\) \(Threshold Amount\) Order 2022](#).
- 2. Mixed Property Exemption:** Firms can allow customers access to the non-suspicious portion of their assets without submitting a DAML, as long as the value of suspected criminal property is retained.
- 3. Immigration Check Exemption:** No failure-to-report offence arises if the only information obtained was through a status or immigration check under the Immigration Act 2014.

Firms are reminded that even when DAML exemptions apply, they must still assess the need to submit information SARs to the NCA if they suspect money laundering or terrorist financing.

Firms are advised to update their AML procedures and staff training to reflect these changes. See earlier Guidance published in January 2024

[Guidance on money laundering reporting obligations in relation to the DAML exemption provisions introduced by ECCTA](#)

Proceeds of Crime – external investigations

ECCTA has introduced major reforms to the UK's approach to proceeds of crime external investigations—particularly those involving international cooperation under the Proceeds of Crime Act 2002 (POCA). You can read the full legislation [here](#).

It significantly broadens asset recovery powers, now explicitly including cryptoassets. This allows UK authorities to freeze and recover digital assets at the request of overseas partners, reflecting the evolving landscape of financial crime. The Act streamlines mutual legal assistance procedures, making it faster and easier for the UK to support investigations and asset recovery efforts led by foreign jurisdictions, whether the cases are criminal or civil in nature.

A notable change is the introduction of new information-sharing provisions for regulated firms. These enable greater cooperation between financial institutions and both UK and overseas authorities. The Act also updates the codes of practice for investigatory powers, ensuring that the latest standards are applied when obtaining evidence or enforcing orders related to proceeds of crime.

The aim of these reforms is to ensure the UK framework for external investigations is robust and adaptable to new types of crime. They enhance international collaboration, clarify obligations for regulated entities, and support the effective recovery of illicit assets—including those held in digital form. As a result, the UK is better equipped to assist foreign partners in tracing and confiscating criminal proceeds.

April 2025

CRIME AND POLICING BILL

Reforms to confiscation regime proposed

The bill introduces significant reforms to the confiscation regimes under the Proceeds of Crime Act 2002 ('POCA') for England, Wales and Northern Ireland. The reforms are designed to expedite proceedings, improve enforcement and increase asset recovery rates. The bill also introduces a new statutory objective: "to deprive a defendant of his or her benefit from crime". The bill is currently working its way through the parliamentary process. A number of key reforms are introduced in the bill and these are set out in a number of factsheets which can be found [here](#). Including:

- **Redirecting funds to victims:** A new measure to ensure that when confiscation orders are increased due to the discovery of additional assets, the recovered funds are directed to victims and legitimate third-party interests as a priority, as opposed to being remitted to the government in their entirety.
- **Cost protections:** Protections for enforcement authorities in civil recovery proceedings, preventing courts from ordering costs against them unless specific criteria are met.

- **Fast-track procedures:** Early resolution procedures to streamline the process by narrowing disputed issues before a confiscation order is made.
- **Enhanced court powers:** Courts to have greater authority to impose realistic and proportionate confiscation orders, with both the Magistrates' and Crown Court being able to enforce confiscation orders to ensure that cases are heard in the most appropriate forum.
- **Consolidated appeal rights:** Appeals related to confiscation will be streamlined within POCA to improve clarity and accessibility. The reforms will also enable some appeals to be heard in the Crown Court rather than the High Court.

February 2025

The bill also introduces a new statutory objective: "to deprive a defendant of his or her benefit from crime".



Focus on the regulated sector

Legal Sector Affinity Group Guidance updated

In April the Legal Sector Affinity Group (LSAG) released its latest HM Treasury-approved anti-money laundering (AML) guidance. The refreshed guidance consolidates recent legal and regulatory shifts, with a focus on tightening controls and improving transparency across the legal sector. The [Guidance](#) itself helpfully charts the key changes in an annex.

Highlights of the update include:

- **Economic Crime Levy:** Legal firms with annual turnover above £10.2 million must now register and pay the new levy, supporting national efforts to tackle economic crime.
- **Third-Party Funds:** Stricter rules now require detailed evidence of funds from third-party funders, especially in higher-risk scenarios.
- **High-Risk Countries:** The list of jurisdictions requiring enhanced due diligence has been updated. Laos and Nepal are in, while the Philippines is out.
- **Overseas Entities:** Any overseas entity buying, selling, or transferring UK property must now register with Companies House.
- **Beneficial Ownership:** The threshold for identifying beneficial owners has shifted from "25% or more" to "more than 25%."
- **Supply Chain Risk:** A new section clarifies that firms should consider the full supply chain in their risk assessments—understanding how their instructions fit into the broader transaction and who ultimately benefits from the service.
- **Action for Firms:** Legal practices should review and update their AML policies and risk assessments to ensure full compliance with these new requirements.





Case in focus

R (on the application of World Uyghur Congress) v NCA [2024] EWCA Civ 715: an update on the impact on the legal profession

The handing down of the judgment in the case of *R (on the application of World Uyghur Congress) v NCA* [2024] EWCA Civ 715 in June 2024 was greeted by a chorus of concern and commentary by many stakeholders, not least the legal profession in the UK for whom the Court of Appeal's conclusions appeared at first glance to have serious, far reaching implications.

Gemma Tombs provides an expert's analysis.

The judgment

The appeal stemmed from the NCA's decision not to investigate the importation of cotton products with suspected links to forced labour and human rights abuses in the Xinjiang Uyghur Autonomous Region of China. The NCA lost the appeal which included an analysis of the grounds for commencing an investigation under the Proceeds of Crime Act 2002 (POCA). However, the real focus for the legal profession was the Court of Appeal's clarification of the adequate consideration exemption contained at s329(2)(c) POCA. This exemption is critical for the legal profession because it provides that a person may not commit a principal money laundering offence under s329 POCA if they acquire, use or possess criminal property (e.g. legal fees) for 'adequate consideration' (i.e. the legal advice and services they provide). The fact that legal fees may be covered by this exemption is accepted by both the CPS and the Legal Sector Affinity Group in their guidance.

The adequate consideration exemption had been the subject of debate before. However the judgment last year appeared to significantly narrow its application by finding that the exemption was personal to the individual concerned and that *'it would afford protection to the purchaser while he had the property in his possession even if he knew it was criminal property, but it would not protect him if, for example, in that knowledge, he transferred it to someone else, or took it out of the country and thereby became potentially liable under section 327(1)(d) or (e)'*. In other words, a solicitor might be able to rely on the exemption to receive money on account of their costs but could still go on to commit a principal money laundering offence at the point where they transferred the money out of their account, unless another exemption applied or they had obtained 'consent' from the NCA beforehand (in the form of a 'DAML' or Defence Against Money Laundering).

The Law Society's stance

Recognising the alarm this judgment might cause to the legal profession and the potential impact on the number of SARs submitted to the NCA, the Law Society announced in August 2024 that it was working with stakeholders in the legal and accountancy sectors, the Home Office and the Treasury to determine the potential implications of the judgment. This process is ongoing but, in the meantime, and having obtained counsel's advice, the Law Society confirmed in December 2024:

'Based on the advice, we are of the view that the decision in World Uyghur Congress does not impose additional suspicious activity reporting (SARs) obligations on solicitors.'

Solicitors representing clients or advising on their legal rights and obligations (which requires a reasonable sum to be paid for these services) are not engaged in money laundering, other than where a solicitor: is participating in money laundering, or knows, or is in fact, providing advice for the purpose of money laundering

Such activity is outside the scope of sections 327 to 329 of the Proceeds of Crime Act 2002.'

The substance of counsel's advice is not known and further updates are awaited, but the Law Society's stance may in part be premised on the finding of the court in *Bowman v Fels* [2005] EWCA Civ 226 that the s328 POCA offence does not apply to the ordinary conduct of litigation by legal professionals and by extension nor will it apply to the s327 and 329 POCA offences.

(Notes: Kingsley Napley LLP's Public and Criminal Law teams represented *Spotlight on Corruption* as an intervening party in these proceedings. See the report [here](#).)



Suspicious activity reporting

An updated [Reporter Booklet](#) has been published by the NCA. This highlights recent cases where SARs led to successful law enforcement outcomes. This follows the NCA's SARS Annual Report earlier in 2025 reflecting on the previous year. Although a fall in assets denied from DAML requests is reported (£190.3 million as compared to £240.9 million in the previous reporting period) key achievements are cited:

- 61% increase in refused DAMLs compared to the previous year.
- An increase in the number of Account Freezing Orders linked to DAMLs.
- A slight increase in the total number of SARs from 859,905 in the previous reporting period to 872,408 over the 2023–24 period.

May 2025

SFO investigation into suspected fraud at collapsed law firm

The Serious Fraud Office (SFO) [charged](#) five men, two of whom were solicitors, with fraud, forgery and the destruction of documents following the collapse of the law firm Axiom Ince.

The group was alleged to have mishandled and improperly used over £60 million of client money and exposed the firm's clients to further losses. CEO and director Pragnesh Modhwadia, co-director Shyam Mistry and Chief Financial Officer Muhammad Ali are all charged with counts of fraud by abuse of position.

Modhwadia, Mistry, and two other senior IT officers of the firm were also charged with conspiring to conceal, destroy or dispose of documents relevant to the SRA. All five of the men were charged with attempting to mislead to SRA using false documents.

The collapse of Axiom Ince is now being accounted for by a payout of £41 million from the SRA Compensation Fund. This figure has turned out to be higher than the estimated final figure given by the SRA by the end of 2024.

Axiom Ince was closed in October 2023, and is an example of one of the fastest actions taken by the SFO to lead to criminal charges.

December 2024

NCA investigation into solicitor and accountant leads to money laundering charges

The NCA [announced](#) in May 2025 that Akhmed Yakoob, a Birmingham-based solicitor and accountant Nabeel Afzal, had been charged with multiple money-laundering offences. These include money laundering, encouraging money laundering, and neglecting to comply with customer due diligence requirements when forming a business relationship.

Yakoob and Afzal appeared at Westminster Magistrates' Court on 17 June 2025, with a plea and trial preparation hearing scheduled at Southwark Crown Court for the 15 July 2025. The pair were both granted unconditional bail ahead of the July hearing.

The NCA's charge signals increased scrutiny towards financial and due diligence-related misconduct in the legal and financial sectors.

May 2025



Anti-money laundering and countering the financing of terrorism: Supervision report 2023–24

The latest HM Treasury report on Anti-Money Laundering and Counter-Terrorist Financing (AML/CFT) supervision, published in March 2025, provides a comprehensive overview of regulatory activity in the UK between April 2023 and April 2024. The report covers the work of 25 supervisory bodies, including the Financial Conduct Authority (FCA), HM Revenue & Customs (HMRC), the Gambling Commission, and 22 professional body supervisors in legal and accountancy sectors.



Key highlights

- **Supervisory Activity:** Supervisors undertook 9,013 direct supervision actions (the highest number since before the pandemic) representing 10% of all supervised firms (up from 6% in 2022–23).
- **Resource Commitment:** Across all supervisors, 708 full-time equivalent staff and £45 million were dedicated to AML/CFT supervision.
- **Enforcement:** Fines totalling £41.5 million were issued, with an average fine of approximately £34,000. Common compliance issues included ineffective risk assessments and inadequate monitoring.
- **Innovation:** Supervisors increasingly used data-led approaches, such as the FCA's Modular Assessment Proactive Programme (MAPP) and in-house data analysis tools, to identify risks and outliers.
- **New Metrics:** For the first time, the report includes metrics on risk-based assessments, the quality of suspicious activity reports (SARs), and guidance/training provided by supervisors.

Key themes

- **Increased Oversight:** The UK is intensifying its supervisory efforts, with more firms being reviewed and greater resources allocated.
- **Focus on Compliance:** There is a clear emphasis on improving risk assessments, monitoring, and reporting standards.
- **Data-Driven Supervision:** Supervisors are embracing innovation and data analytics to enhance risk detection and management.
- **Transparency and Effectiveness:** The introduction of new metrics aims to provide a clearer picture of supervisory effectiveness and foster continuous improvement.

It is clear that there is a focus on raising standards and leveraging technology to stay ahead of emerging risks. By adopting innovative, data-driven strategies, the UK is positioning itself at the forefront of global AML/CFT efforts. This year's report which you can read [here](#) underscores the UK's dedication to a robust, effective, and forward-looking AML/CFT framework.

A new industrial strategy to bring AML reform

The Government has launched a [10-year plan](#) to increase business investment and grow the industries of the future in the UK. This Industrial Strategy is designed to make it quicker and easier for business to invest and will provide the certainty and stability needed for long-term investment decisions. As part of this, the Government will make targeted regulatory changes which include the simplification of the money laundering regulations. These reforms are expected by the end of the year and will focus on clarifying AML and Know Your Customer (KYC) requirements. This is billed as a mission to support the Financial Services and Professional and Business Services sectors.

This will be a tricky balancing act, but three really helpful changes could be:

1. A single standard for enhanced due diligence (rather than different requirements for normal EDD, high risk third countries, politically exposed persons, and domestic politically exposed persons).
2. Remove DBS checks for solicitors taking up roles as beneficial owners, officers or managers under the money laundering regulations. Solicitors have already been through an extensive fit and proper check, so an additional criminal records check is needless burden.
3. Defining the requirement for source of funds checks would bring clarity rather than the current requirement for checks 'where necessary'.

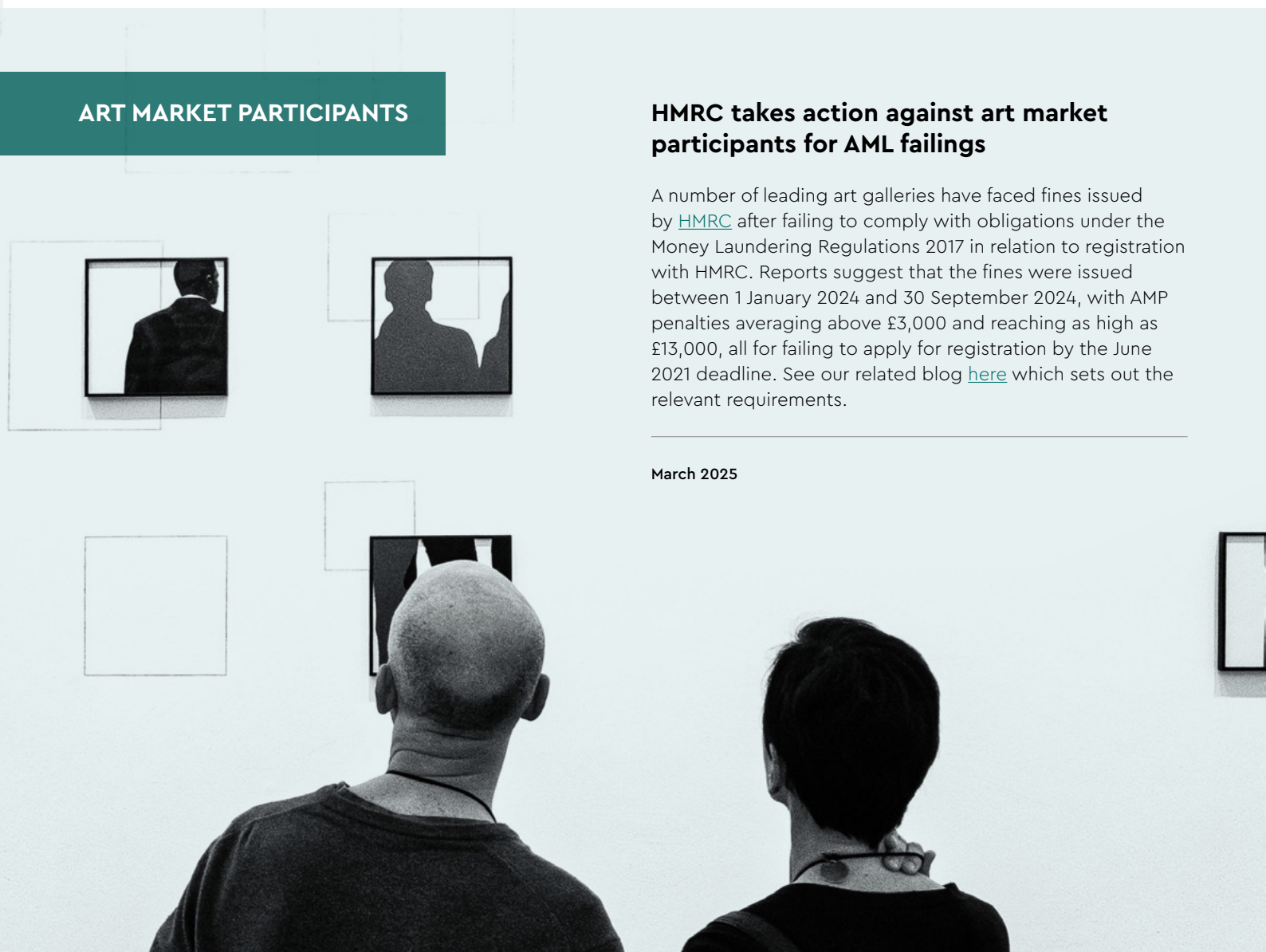
However, with an upcoming inspection of the UK regime by the international standard-setting body FATF, there is a limit to how far we can move away from FATF's standards and still remain competitive in a global economy.

ART MARKET PARTICIPANTS

HMRC takes action against art market participants for AML failings

A number of leading art galleries have faced fines issued by [HMRC](#) after failing to comply with obligations under the Money Laundering Regulations 2017 in relation to registration with HMRC. Reports suggest that the fines were issued between 1 January 2024 and 30 September 2024, with AMP penalties averaging above £3,000 and reaching as high as £13,000, all for failing to apply for registration by the June 2021 deadline. See our related blog [here](#) which sets out the relevant requirements.

March 2025



Account freezing orders, account forfeiture orders, & unexplained wealth orders

SFO secures first unexplained wealth order in £100m fraud case

On 17 January, the Serious Fraud Office (SFO) secured its first [unexplained wealth order](#), in respect of a property believed to have been purchased with the proceeds of a £100 million fraud. The SFO reported that the property, valued at around £1.5 million, is owned by Claire Schools, the ex-wife of convicted solicitor Timothy Schools, who was sentenced in 2022 to 14 years in prison for fraud. The order obliged Ms Schools to produce information within 28 days about how she acquired the property, and while she is still entitled to sell the property she is prohibited from transferring or otherwise using the proceeds of such sale.

...this action demonstrates the SFO's willingness to use all the tools at its disposal to pursue asset recovery.

This is the first UWO used by the SFO since they were introduced in 2017 under the Criminal Finances Act. The SFO is the second law enforcement authority – after the National Crime Agency (NCA) – to use the tool and this action demonstrates the SFO's willingness to use all the tools at its disposal to pursue asset recovery. Nick Ephgrave QPM, Director of the Serious Fraud Office (SFO) remarked that: *"this is a milestone case for the SFO ...Wherever criminal assets have been hidden or dispersed, we will progress our investigations with determination and explore new methods to recover funds for victims and the public purse."* See our related blog [here](#).

January 2025

Couple forfeit £12m following NCA investigation

The NCA reached a £12 million [settlement](#) with Mr. Wenjun Tian and Ms. Jiangbo Hao, suspected of possessing assets linked to large-scale financial frauds committed in China and laundered through jurisdictions including the UK and Jersey. As part of the settlement, Tian and Hao have agreed to forfeit two luxury residential properties in Hampstead, two student accommodation blocks in Coventry, and funds held in various bank accounts.

While the NCA maintains that these assets were acquired with criminal proceeds, the High Court has made no finding of criminal guilt, and Tian and Hao deny any wrongdoing. Rob Burgess, Head of Asset Denial at the NCA, emphasised the agency's use of both civil and criminal powers to investigate suspected criminally acquired assets, even when linked to offences committed abroad. Jonathan Groom, Director of FIU Jersey, highlighted the importance of collaboration with the NCA and other authorities in reaching this outcome.

December 2024

£17.5 m forfeiture agreement from UAE-registered company

UAE-registered Glory Line Goods Wholesalers reached [agreement](#) with the NCA for a £17.5m forfeiture order in a case stemming from a suspicious transactions of CNH 200m (£20.5m) between the company and a Hong Kong-based customer in September 2023. The NCA obtained an Account Freezing Order (AFO) in November 2023 after discovering fraudulent auditor reports submitted to a UK Authorised Payment Institution.

May 2025



CONFISCATION

Case in focus

DPP v Bijou [2024] EWHC 2997 (Admin), [2025] Crim.L.R. 181, KBD.

This case deals with the interplay between confiscation and civil asset recovery in the context of an application to vary a Property Freezing Order ('PFO'). The PFO listed 9 assets, which included a freehold property, a car and two bank accounts ('the disputed assets').

Following a conviction in 2010, a confiscation order was made against Mr Bijou pursuant to Part 2 of POCA. His benefit from criminal conduct was assessed at £1,950,000, but the available amount was initially determined to be substantially less than that.

Years later, Mr Bijou acquired additional assets, including the freehold property and the car. The prosecution applied for reconsideration of the available amount under s.22 of POCA and the Crown Court determined that Mr Bijou's available assets matched the full £1,950,000 benefit figure. Mr Bijou paid the total outstanding balance using alleged earnings from 2021 and 2022, rather than realising the disputed assets.

In October 2022, the DPP applied under s.245A of POCA for a PFO over assets valued between £3,470,000 and £3,870,000, on grounds that included Mr Bijou's suspected involvement in further offences of fraud and his failure to declare any income for tax purposes. Mr Bijou contended the PFO should be varied to release the disputed assets on two grounds. Firstly, he argued that they had been assessed as realisable assets in the revised confiscation order and including them under the PFO would amount to double recovery (the estoppel argument). Secondly, he argued that it would be an abuse of process for the DPP to pursue the PFO in relation to the same assets as were considered under the confiscation order.

The Administrative Court dismissed Mr Bijou's application to vary the PFO over the disputed assets. In relation to the estoppel argument, the court considered that both the causes of action and the issues under consideration were different in the confiscation and PFO proceedings.

In relation to Mr Bijou's abuse of process argument, the court emphasised that had the applicant sold the disputed assets to meet his confiscation order: *"there could be no question of it being an abuse to bring civil recovery proceedings in respect of yet further assets"*.

The court rejected claims that the PFO amounted to "double recovery" or abuse of process, noting that Parliament intended for both confiscation and civil recovery proceedings to be possible under separate provisions of the Act as long as the asset has not been taken into account for the purposes of determining benefit in confiscation proceedings.

The Administrative Court dismissed Mr Bijou's application to vary the PFO over the disputed assets.



Crypto corner

UK's first criminal sentence for unregistered crypto activity

The case marks the first criminal [prosecution](#) relating to unregistered cryptoasset activity under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLRs) (*R -v- Osunkoya, Unreported, Southwark Crown Court, February 2025*).

In February 2025 the FCA announced that Olumide Osunkoya had been given a custodial sentence of four years for operating an illegal crypto ATM network and related offences. Mr Osunkoya pleaded guilty on 30 September 2024 to five charges.

Mr Osunkoya managed 28 crypto ATMs across the UK despite being refused FCA registration in 2021. Between December 2021 and September 2023 these ATMs processed over £2.6 million in cryptocurrency transactions. Mr Osunkoya failed to carry out the necessary due diligence or source of funds checks to ensure that the ATMs were not being used by criminals to launder the proceeds of crime.

The FCA confirmed that: "those who flout our rules, seek to evade detection and engage in criminal activity will face serious consequences." The FCA requested that the court initiate confiscation proceedings.

February 2025

Mr Osunkoya managed 28 crypto ATMs across the UK despite being refused FCA registration in 2021.

Individuals ordered to pay back over £23m in a high value cryptocurrency scam

Three individuals who were [convicted](#) of money laundering have been ordered to pay a total of £23,629,031 following confiscation proceedings (*R -v- Boys & ors, Unreported, Preston Crown Court, January 2023*).

Stephen William Boys was convicted at Preston Crown Court on 13 January 2023 of money laundering and sentenced to a custodial sentence of six years. He was convicted alongside Kelly Caton and Jordan Kane Robinson who were also convicted of fraudulently obtaining millions of Australian Dollars from an Australia-based cryptocurrency exchange and then laundering it. They both received sentences of four and half year's imprisonment.

January 2025

Police force secures forfeiture order for over £2.6m including crypto currency

In December it was [reported](#) that an application for a forfeiture order was granted against the bank and cryptocurrency accounts of Andrew and Tristan Tate. The sum forfeited was the total sum applied for, over £2.6 million. The Chief Constable of Devon and Cornwall Police argued the case on the basis that the frozen funds were part of a longstanding and sophisticated tax evasion and money laundering arrangement effected through a complex web of accounts – specially referring to a Gemini account for cryptocurrency.

December 2025

Full recovery of £520,000 in crypto case granted under s.303Z51 POCA Order

A full recovery of assets which had been fraudulently stolen in a crypto scam has been ordered using the recently enacted s.303Z51 of POCA 2002. This case – “Mr A” – marks the first in which this provision has been used.

The [Law Gazette](#) reports that the case involved a man who had invested life savings of over £520,000 on a fake investment platform. He was informed that his trades had been unsuccessful and that his account was in effect insolvent. He reported matters to his local police and instructed lawyers to trace his assets.

This new provision provides that, in circumstances where an individual claims to own crypto-assets that are held in a crypto wallet which is the subject of a freezing order, s.303Z51 POCA permits that individual to apply for its release.

The court ordered that the full amount of the losses be repatriated to the victim from the overseas exchange. The balance of the account was then forfeited to the state.

This case may also signal an era of increased collaboration between law enforcement and the private sector to tackle the challenges raised by crypto scams, given its success on this occasion.

This case may also signal an era of increased collaboration between law enforcement and the private sector to tackle the challenges raised by crypto scams, given its success on this occasion.



Our Experts



NICOLA FINNERTY

PARTNER

+44 (0)20 7566 5270

nfinnerty@kingsleynapley.co.uk



JONATHAN GRIMES

PARTNER

+44 (0)20 7814 1234

jgrimes@kingsleynapley.co.uk



ALUN MILFORD

PARTNER

+44 (0)20 7369 3818

amilford@kingsleynapley.co.uk



SOPHIE WOOD

PARTNER

+44 (0)20 3535 1564

swood@kingsleynapley.co.uk



ED SMYTH

PARTNER

+44 (0)20 7814 1242

esmyth@kingsleynapley.co.uk



GEMMA TOMBS

LEGAL DIRECTOR

+44 (0)20 3535 1536

gtombs@kingsleynapley.co.uk



LUCY EDWARDS

LEGAL DIRECTOR

+44 (0)20 3535 1716

luedwards@kingsleynapley.co.uk

WHEN IT MATTERS MOST



www.kingsleynapley.co.uk

info@kingsleynapley.co.uk

+44 (0)20 7814 1200

DX22 Chancery Lane

Kingsley Napley LLP, 20 Bonhill Street, London, EC2A 4Dn

Kingsley Napley LLP is authorised and regulated by the Solicitors Regulation Authority, registration number 500046. This brochure is for information purposes only. It does not contain, and neither should it be relied on as, legal, regulatory, financial or tax advice. If you would like legal advice or legal assistance, please contact us.