



The CPS incorporates RCPO

Disclosure Ref: 63/2012

FREEDOM OF INFORMATION ACT 2000 REQUEST

Restraint Orders issued by the CPS under the POCA 2002 and Restraint Orders issued prior to the commencement of POCA 2002

I have answered your request in sections below for clarity purposes:

1) *Please provide the following information regarding the number of Restraint Orders issued under the Proceeds of Crime Act (POCA) 2002 by the CPS:*

i) *The number of restraint orders made by the CPS since the commencement of the relevant provisions under POCA 2002, broken down by year; and*

ii) *The number of restraint orders made by the CPS before criminal charges have been brought against an individual since the commencement of the relevant provisions under POCA 2002, broken down by year.*

3) *Please provide equivalent information for the number of restraint orders issued for the 5 years prior to the commencement of the relevant provisions of POCA 2002, under such legislation as the Criminal Justice Act 1988 and Drug Trafficking Act 1994.*

Please refer to the link titled 'Disclosure 63 Attachment 1' which contains a data set which goes at least somewhat toward answering your request. It is based on data extracted from the Joint Asset Recovery Database (JARD) on 25th June 2012; this date is the cut off point for Year to Date 2012/13 data provided. Please be aware that JARD did not come into use until 2004 (further details regarding this are documented on the aforementioned link) and for this reason all POCA orders prior to 2004/05 are included under the heading 'Pre2004-05'. Please bear in mind that this will not be a complete picture of all POCA restraint orders granted during this period as they would not all have been exported on to JARD.

I will take this opportunity to state that the Crown Prosecution Service was merged with the Revenue and Customs Prosecutions Office in January 2010. The CPS has taken ownership of the legacy casework of the RCPO. As such, the figures supplied include Restraint Orders obtained by the CPS, the RCPO (from formation in 2005 to merger in 2010) and the predecessor of RCPO, the Customs and Excise Prosecutions Office [CEPO] (from 23rd March 2003 to formation of RCPO in 2005) under the Proceeds of Crime Act 2002, which came into effect on 23rd March 2003. For the purposes of the statistics, CPS, RCPO and CEPO are referred to as "CPS".

2) *Please provide equivalent information for restraint orders issued by any other bodies such as it is held by, or accessible to, the CPS.*

The CPS holds no information regarding 'restraint orders issued by other bodies'. You will need to contact the appropriate bodies directly if you wish to take this element of your request any further.

CPS Information Management Unit
foiunit@cps.gsi.gov.uk