

FINANCIAL INVESTIGATION OF MODERN SLAVERY (PART 2)

November 2021

© Independent Anti-Slavery Commissioner copyright 2021

The text of this document (this excludes, where present, the Royal Arms and all departmental or agency logos) may be reproduced free of charge in any format or medium provided that it is reproduced accurately and not in a misleading context.

The material must be acknowledged as Independent Anti-Slavery Commissioner copyright and the document title specified.

This publication is available at <https://www.antislaverycommissioner.co.uk/resources/>

Any enquiries regarding this publication should be sent to us at iasc@iasc.independent.gov.uk

Authored by

Temporary Detective Inspector Kieran Backhouse

*Law enforcement policy lead, The Independent Anti-Slavery Commissioner's Office;
seconded from City of London Police*

Contents

| | |
|--|----|
| FOREWORD | 5 |
| INTRODUCTION | 6 |
| METHODOLOGY | 6 |
| 1. UPDATE ON THE IASC REPORT <i>FINANCIAL INVESTIGATION OF MODERN SLAVERY</i> (MARCH 2021) | 7 |
| 2. ANALYSIS OF THE BARRIERS TO MORE EFFECTIVE USE OF FINANCIAL INVESTIGATION AND SUGGESTED IMPROVEMENTS | 8 |
| Lack of awareness of JMLIT | 8 |
| Limited availability of financial investigators | 9 |
| Financial investigative resources not sufficiently focused on modern slavery | 11 |
| 3. OPPORTUNITIES TO IMPROVE PERFORMANCE | 11 |
| Potential to expand JMLIT functions | 11 |
| International models of PPPs | 12 |
| Training opportunities across law enforcement | 14 |
| CONCLUSION | 15 |
| Recommendations | 15 |
| APPENDIX: POCC AND FINANCIAL GRADINGS | 16 |

FOREWORD

Dame Sara Thornton – Independent Anti-Slavery Commissioner

In March 2021 I published a report that made a series of recommendations designed to increase the number of financial investigations supporting modern slavery operations. The response I received to that report was positive and I further commissioned this follow up report by Temporary Detective Inspector Kieran Backhouse, seconded to my team from the City of London Police.

This report describes some of the practical barriers to a greater use of financial investigation in support of modern slavery and makes some practical recommendations. I have been encouraged by the response from the National Crime Agency and the police service to this work, and the seven recommendations made are largely tactical and low cost but could make a great difference. In particular, the UK is a world leader in the development of a public private partnership, the Joint Money Laundering Intelligence Taskforce and it is essential that all forces are aware of its existence and exploit its capabilities.

Modern slavery and human trafficking are essentially economic crimes with vulnerable people as the commodity. Financial investigation is therefore a key capability for law enforcement as it seeks to bring offenders to justice and provide justice and compensation for victims.

INTRODUCTION

This report builds on the Independent Anti-Slavery Commissioner's (IASC) previous report on financial investigation and modern slavery authored by Detective Inspector Richard Marsh in March 2021¹ and explores three main themes:

- 1) Implementation of the recommendations made in the previous report, establishing the current landscape of financial investigation and modern slavery.
- 2) Exploration of the barriers limiting best use of financial investigation in relation to modern slavery.
- 3) Opportunities to improve how law enforcement and the private sector approach financial investigation and modern slavery.

METHODOLOGY

Assessing the response by law enforcement agencies to the previous report's recommendations was achieved through Interviews supported by desk-based research of National Police Chief's Council (NPCC) and National Crime Agency (NCA) papers.

A roundtable of police officers (detective sergeant to detective chief inspector level) from UK forces, many of whom worked in dedicated modern slavery investigation teams, was used to gather much of the qualitative data. The roundtable discussed and identified perceived blockers in accessing and using financial intelligence and resources in modern slavery investigations.

The following barrier themes emerged:

- Low awareness of the Joint Money Laundering Intelligence Taskforce (JMLIT)
- Limited availability of financial investigators
- Financial investigative resources insufficiently focused on modern slavery

Interviews were conducted with the NCA which hosts both the JMLIT, a public-private partnership (PPP) with financial institutions, and the Proceeds of Crime Centre (PoCC) which is responsible for the training and accreditation of financial investigators.

¹ *Financial investigation of modern slavery* (2021) [financial-investigation-of-modern-slavery-march-2021.pdf](https://www.antislaverycommissioner.co.uk/wp-content/uploads/2021/03/financial-investigation-of-modern-slavery-march-2021.pdf) ([antislaverycommissioner.co.uk](https://www.antislaverycommissioner.co.uk))

1. UPDATE ON THE IASC REPORT *FINANCIAL INVESTIGATION OF MODERN SLAVERY (MARCH 2021)*

The IASC report titled 'Financial Investigation of Modern Slavery' in March 2021 made 10 recommendations:

1. Special Intelligence Officers (SIOs) should include a financial strategy in their early policy decisions for MSHT cases.
2. Embed Financial Investigation Officers (FIOs) in investigative teams with responsibility for MSHT.
3. Modern slavery organised crime groups (OCGs) should be mapped and scored at the earliest opportunity to support tasking processes and give appropriate weight to bids for resources and capabilities.
4. This mapping and scoring process should lead to the allocation of financial investigation resources to modern slavery and human trafficking (MSHT) investigations commensurate with the identified risk and opportunities.
5. SIOs should utilise the JMLIT in their financial strategy.
6. The Modern Slavery and Organised Immigration Crime Unit (MSOIC) and NCA should undertake monitoring of threats and opportunities in emerging financial sectors and keep investigators updated.
7. Modern slavery investigators should set an objective to obtain Slavery and Trafficking Reparation Orders for victims, and structure their financial investigation towards this.
8. Add compensation for victims, and reparation orders in particular, to the learning descriptors of the modern slavery investigator course.
9. Investigators should establish ongoing contact arrangements with victims to facilitate later compensation.
10. The Victim Care Contract (VCC) under the National Referral Mechanism (NRM) should require that victims are informed about routes to compensation.

In the six months since the report was published progress has been made in relation to implementing the recommendations. It is encouraging to see that Chief Constable Shaun Sawyer, who chairs the Modern Slavery Threat Group, raised the report at the NCA Strategic Gold Group (SGG). This group encouraged all members to endorse recommendations 1-9 and set the following priorities:

- i. Forces and agencies to increase the number of mapped modern slavery OCGs at the earliest opportunity, ensuring they are scored correctly to allow for bids for financial investigation resources.
- ii. Building on the work initiated during the Illicit finances AIDANT (a multi-agency multi-strand campaign designed to enhance the current intelligence picture around modern slavery and trafficking²) forces and agencies to review existing, and increase the number of, financial strategies that run parallel to modern slavery investigations.
- iii. NCA Modern Slavery Tac Advisors, NPCC Regional Coordinators and Crown Prosecution Service (CPS), through early investigative advice, to encourage and support the production of financial strategies.

² See *Modern Slavery Act* op ed [modern slavery act op ed \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/91242/modern-slavery-act-op-ed.pdf)

iv. Compensation for victims, and reparation orders in particular, should be added to the learning descriptors of the College of Policing modern slavery investigator course.

The SGG paper committed to baselining and checking the number of JMLIT referrals made at the October 2021 SGG meeting to assess progress. Chief Constable Sawyer also undertook to engage with his NPCC counterpart in money laundering and asset recovery to explore additional opportunities to enhance financial investigations into modern slavery.

In addition to the work done by the SGG, the Modern Slavery and Organised Immigration Crime (MSOIC) Unit updated the four-day modern slavery investigator's course licensed by the College of Policing. The updates have taken into consideration **recommendations 1, 3, 4, 5, 6, 7, 8 and 9**. These changes add significant value to the course, specifically in the areas of OCG mapping, the importance of early implementation of a financial strategy and the benefits of utilising the JMLIT as well as other partners.

2. ANALYSIS OF THE BARRIERS TO MORE EFFECTIVE USE OF FINANCIAL INVESTIGATION AND SUGGESTED IMPROVEMENTS

Lack of awareness of JMLIT

The JMLIT+ is a PPP capability of the National Economic Crime Centre (NECC). The JMLIT+ operations groups facilitate the exchange and analysis of information between over 40 members from law enforcement, regulators and the UK financial sector in relation to economic crime and other serious organised and high harm crime priorities (including modern slavery), and using section 7 of the Crime and Courts Act 2013. JMLIT referrals do not need to be submitted by accredited financial investigators and can, where appropriate, be used to exchange non-financial intelligence.

As at 30th June 2021 the NECC ³ reports that since May 2015, the JMLIT has contributed to:

- 880 law enforcement investigations directly contributing to over 265 arrests and the seizure or restraint of over £59m
- 7,000 suspect accounts linked to money laundering activity
- 3,500 of participants own internal investigations
- 61 'JMLIT Alert' reports have been shared with the wider financial industry

Data was obtained from the JMLIT ⁴ in relation to referrals made into modern slavery investigations.

During the 18-month period from 01/01/2020 to 30/06/2021:

- 26 law enforcement referrals were made to the JMLIT to support modern slavery investigations
- 18 of those referrals came from only five UK police forces

³ Unpublished data, received from JMLIT via NCA Illicit Finances Team – figures correct as at 30/06/2021

⁴ Unpublished data, received from JMLIT via NCA Illicit Finances Team – July and August 2021

- 140 referrals were made in respect of other priority threat areas including fraud against the public sector, bribery and corruption, money laundering (which includes tax evasion, trade-based money laundering, asset denial) and terrorist financing
- The majority of those 140 referrals were made by the same forces or agencies as the modern slavery referrals

This suggests that whilst modern slavery investigations are proportionately well represented in terms of the number of referrals, it is also apparent that most forces are not maximising the capabilities of the JMLIT. The identities of applicant forces are not disclosed in this report. The refreshed four-day modern slavery investigator’s course should result in an increased number of forces considering JMLIT referrals.

Recommendation 1: The Modern Slavery Threat Group to monitor the number and identity of forces making modern slavery JMLIT referrals in their baselining and monitoring exercise.

Limited availability of financial investigators

The roundtable participants reported significant difficulties in accessing financial investigators (FIs) generally. It was not known if this issue is worsening, improving, or remaining static. The PoCC was unable to provide the numbers of currently qualified FIs year on year due to the absence of tracked or recorded historical data in its systems, but was able to provide snapshot figures of FI categories broken down by force or agency. The total number of FIs across the UK are shown below.⁵

| | Territorial Police Totals | Non-territorial law enforcement totals | Law enforcement total | Non law enforcement totals | Total |
|----------------------------|---------------------------|--|-----------------------|----------------------------|-------|
| Confiscator | 553 | 140 | 693 | 192 | 885 |
| Confiscator trainee | 87 | 22 | 109 | 21 | 130 |
| FI | 350 | 152 | 502 | 59 | 561 |
| FI trainee | 56 | 11 | 67 | 26 | 93 |
| FIO | 906 | 493 | 1399 | 167 | 1566 |
| FIO Trainee | 213 | 118 | 331 | 44 | 375 |
| FIA | 705 | 1459 | 2164 | 196 | 2360 |
| SAO | 17 | 14 | 31 | 174 | 205 |
| Total | 3110 | 2409 | 5519 | 879 | 6398 |

See Appendix A for details of the different FI ‘gradings’

3,110 FIs in territorial policing represents just 1.2% of the total workforce of 252,866 police officers and staff in the UK - 23,021 (Police Scotland),⁶ 9,326 (Police Service of Northern Ireland)⁷

⁵ Numbers of FIs in the UK - unpublished (2021) (figures correct as at 23/06/2021)

⁶ See Police Scotland Officer Numbers (2021) [Police Scotland Officer Numbers - Police Scotland](#) (figures correct as at 30/06/2021)

⁷ See Strength of Police Service Statistics (PSNI) (2021) [Strength of Police Service Statistics \(psni.police.uk\)](#) (figures correct as at 01/09/2021)

and 220,519 (in England and Wales).⁸ This low proportion of the workforce are currently the only people with the knowledge and capability to explore the valuable databases available to FIs which add value to investigations as well as leading to asset recovery and compensation or reparation to victims.

The Proceeds of Crime Act 2002 (POCA) confers powers on accredited financial investigators (AFIs) and constables. In practice only constables who are trained as AFIs exercise those powers. Whilst arguably providing safeguards to give financial institutions confidence in the proper use of these powers, this has a limiting effect on the number of those who can perform financial investigations. Changing this practice would be an obvious way to increase capacity for financial investigation.

In 2020 the Government announced its intention to introduce an Economic Crime Levy⁹ on the regulated sector to raise £100 million per annum to fund an increase in FI numbers and to finance reform programmes. The PoCC is also seeking to ensure that numbers of FIs remain at reasonable levels, which it aims to achieve by avoiding unnecessary revocations of FI's powers. This should be made possible by improving the relationships between PoCC regulators and the forces and agencies. The combined effect of the levy funding new FIs and the PoCC's actions should improve availability of FIs to conduct or assist with modern slavery investigations.

The challenge of recruiting and retaining FIs was illustrated in a recent survey conducted by the NECC. The research showed that recruitment was frustrated by the inability to pay attractive salaries for those with the right skills and retention efforts were undermined by staff leaving for the private sector and high levels of retirement. The churn of FIs means that experience gaps always exist, and there is a constant burden on the PoCC to train and accredit new staff. A periodic and published assessment of the numbers of FIs at each level and within each force by the PoCC would allow forces and the NECC to monitor performance.

Recommendation 2: The PoCC to monitor and publish numbers of FIs in each grade and in each agency or force.

Despite the challenges in relation to FI numbers there are innovative ways to make best use of the available FI resource. The sole FI embedded in the Metropolitan Police Service's (MPS) modern slavery unit was overwhelmed with casework until their role was changed to Financial Tactical Advisor (FTA). The FTA now helps to set financial strategies on investigations and assist in ensuring that bids to the Economic Crime Unit are successful, focusing on obtaining the right resources for an investigation. This innovation is a good example of making the best use of FI resource available.

There is also an important initiative as part of the Home Office Suspicious Activity Reports (SARs) reform programme to increase the exploitation of the SARs intelligence database across law enforcement. Intelligence officers and analysts in specialist units across the country are being trained in its use and this should enable those who investigate MSHT to use this valuable intelligence asset. It is vital that the database is not seen as the preserve of financial investigators but as a mainstream intelligence tool. To assist in this change the role name has been altered from Financial Intelligence Administrator (FIA) to SARs Researcher.

Recommendation 3: Forces to mainstream the use of the SARs database for MSHT investigations.

⁸ See *Police workforce, England and Wales* (2021) [Police workforce, England and Wales: 31 March 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/police-workforce-england-and-wales-31-march-2021)

⁹ See *Economic Crime Levy consultation* (2020) [Economic Crime Levy consultation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/economic-crime-levy-consultation)

Financial investigative resources not sufficiently focused on modern slavery

Roundtable attendees reported that despite the threat, harm, and risk involved, modern slavery investigations continue to lack the financial investigative support afforded to other serious organised crime (SOC) investigations. They reported that FIs are regularly used to confiscate small sums from low level drugs investigations, limiting or preventing them from assisting with intelligence development and investigations to dismantle modern slavery OCGs.

This situation leaves most investigators operating with little knowledge about what financial intelligence is available. If an investigation is supported by an FI there is still an additional challenge of securing analytical resources to interpret the financial data.

This corroborates FI analysis survey conducted by the NECC in 2020¹⁰ which found that territorial police forces focused significant resources on confiscations from money laundering, fraud, and asset denial matters. There was no mention was made of modern slavery as a priority area, either for investigation or confiscations.

A paper published by Teesside University in 2019¹¹ examined the differences in focus between FIs and modern slavery investigators. It found that financial investigation units (FIU) do not view modern slavery as a priority and, conversely, that modern slavery units do not view financial investigation as a priority.

Accurate mapping and scoring of modern slavery OCGs should ensure that the appropriate resources are committed to investigations. Properly assessed modern slavery investigations should be appearing on the SOC Master List and attracting FI resources and other specialist resources such as analysts or covert assets. The revised modern slavery investigator's course correctly states the benefits of OCG mapping and scoring but the message also needs to be conveyed that mapping and scoring are not purely administrative tasks. An increased use of MoRiLE mapping and scoring will ensure that the true scale of the threat from modern slavery is understood, and that investigations attract specialist resources such as FI.

Recommendation 4: Forces to ensure that modern slavery investigations are appropriately mapped and scored.

3. OPPORTUNITIES TO IMPROVE PERFORMANCE

Potential to expand JMLIT functions

The roundtable attendees with extensive experience of both parts of the current JMLIT model were of the view that there was an opportunity for the JMLIT to capitalise on additional intelligence streams to increase information flows in both directions, enhance knowledge for all parties and increase the number of positive outcomes for modern slavery investigations.

¹⁰ Unpublished results for *NECC FI Analysis Survey (2020)*

¹¹ *The financial investigation of human trafficking in the United Kingdom (2019)*

[MIDDLETON ANTONOPOULOS and PAPANICOLAOU The financial investigation of human trafficking in the United Kingdom.pdf \(tees.ac.uk\)](#)

The JMLIT could be provided with details of people issued with Modern Slavery and Trafficking Orders (whether risk or prevention orders). This additional information stream could inform institutions of potential high-risk customers, allowing them to provide intelligence under existing information sharing gateways¹² to law enforcement regarding those subjects and their activities, including any breaches of the order.

Law enforcement and the JMLIT are currently focused on acquiring and sharing intelligence used for prosecution purposes. This could be extended to intelligence sharing with the intention to disrupt OCGs' activities at any stage. Through sharing disruption intelligence, multiple institutions would receive notification of possible high-risk customers, funds, and activity which they may not have received otherwise. This could subsequently prompt additional exploration and submission of further suspicious activity reports (SARs). Financial institutions may also wish to discontinue their relationships with identified customers, disrupting OCGs.

Recommendation 5: The NECC and the JMLIT to consider how to incorporate additional law enforcement intelligence streams into their operational model.

International models of PPPs

PPPs like the JMLIT (which was the first in the world of its kind in 2015) are vital to effectively combatting modern slavery from a financial perspective.¹³ They can offer:¹⁴

- An increase in the number of SARs addressing threats prioritised by the respective partnership
- More timely and relevant reporting in response to active investigations or live incidents
- Improved quality and utility of suspicious reporting
- Improved law enforcement outcomes supporting investigations, prosecutions, asset recovery or other disruption of criminal networks

Many countries now use PPPs to combat modern slavery and other SOC typologies. A report by the Royal United Services Institute and the Future of Financial Intelligence Sharing Programme highlighted the good work done by PPPs in Australia, Canada, and the Netherlands. This section will examine those countries' models to explore how they operate and what can be learned from them.

Australia

The Australian Transactions and Reports Analysis Centre (AUSTRAC) is the Australian Government agency responsible for 'detecting, deterring, and disrupting criminal abuse of the financial system to protect the community from serious and organised crime'.¹⁵ AUSTRAC host their Fintel Alliance, which is very similar in composition to the UK JMLIT.

The Fintel Alliance's actions can be broken down into two main areas:¹⁶

¹² *Crime and Courts Act 2013* (2013) [Crime and Courts Act 2013 \(legislation.gov.uk\)](https://legislation.gov.uk)

¹³ *Cross-sector collaboration is the key to improving asset recovery* (Unknown) [Cross-sector collaboration is the key to improving asset recovery - Financial Times - Partner Content by Deloitte \(ft.com\)](https://www.ft.com/content/cross-sector-collaboration-is-the-key-to-improving-asset-recovery)

¹⁴ *Future of financial intelligence sharing* (2020) [five years of growth of public-private partnerships to fight financial crime - 18 aug 2020.pdf \(future-fis.com\)](https://www.future-fis.com/five-years-of-growth-of-public-private-partnerships-to-fight-financial-crime-18-aug-2020.pdf)

¹⁵ See *AUSTRAC overview* (2021) [AUSTRAC overview | AUSTRAC](https://www.austrac.gov.au/austrac-overview)

¹⁶ See *Fintel Alliance* (2021) [Fintel Alliance | AUSTRAC](https://www.austrac.gov.au/fintel-alliance)

1. The Operations Hub – a physical space where partners exchange and analyse financial intelligence in close to real time, combining data with tracking tools and best-practice methodologies from their organisations
2. The Innovation Hub – partners co-design and test new and innovative technology solutions that assist in gathering and analysing financial intelligence at an operational level. They also assess the impact of emerging technologies such as blockchain and digital currency (or cryptocurrency).

By co-locating workers from different organisations within the FIU and vetting partners to view classified government information and FIU data as well as encouraging innovative, practical solutions to issues faced, the Australian Fintel Alliance is recognised as one of the world’s leaders. This is demonstrated quantitatively by an additional 320 investigations being instigated by the partnership in one year and an increase of 580% in the quantity of SARs relating to child exploitation following a focus on this area.¹⁷

Canada

The Canadian model uses separate PPPs to establish tailored responses to different crime issues. These PPPs are established with relevant partners to create awareness projects that better identify indicators to increase the quantity and quality of the reporting of suspicious financial transactions to law enforcement. These partners can include tech companies and non-governmental organisations, dependant on who holds information of benefit to the discovery of solutions.

Project PROTECT was a focused intensification on sexual exploitation indicators by the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC). The partnership involved the FIU, financial institutions, law enforcement and non-governmental organisations (NGO) providing front line services to survivors of modern slavery. Following the launch of this project in 2016, suspicious transaction reports submitted by financial institutions regarding human trafficking for sexual exploitation increased four-fold from the previous year.¹⁸ The quality of the reports also increased with the number of actionable intelligence reports passed by FINTRAC to law enforcement increasing five-fold compared to the year before the project launched.

The Netherlands

The Netherlands have the Fintell Alliance (FA-NL) PPP which co-locates FIU and bank analysts, leading to better information sharing.¹⁹ The creation of this unit followed a 2016 study²⁰ where a Dutch academic proposed a PPP between a Dutch bank and law enforcement for the purpose of proactive financial investigations into labour exploitation. This partnership, built trust, pooled information, and created enhanced awareness of contextual and financial indicators. This resulted in increased, proactive, focused reporting of suspicious activity, rather than ‘passive’ generation of large volumes of reports based on compliance alone. They concentrated on three main pillars of information: hard (financial information), soft (contextual information) and open source data.

¹⁷ *Future of financial intelligence sharing* (2020) [five years of growth of public-private partnerships to fight financial crime - 18 aug 2020.pdf \(future-fis.com\)](#) page 19

¹⁸ See *FINTRAC tactical intelligence – Project Protect* on *The Globe and Mail* website [PROJECT-PROTECT.pdf \(theglobeandmail.com\)](#)

¹⁹ *New model of cooperation in the fight against money laundering* (2021) [Nieuw samenwerkingsmodel in strijd tegen witwassen \(nvv.nl\)](#)

²⁰ *Combating human trafficking holistically through proactive financial investigations* (2020) [Combating Human Trafficking Holistically through Proactive Financial Investigations | Journal of International Criminal Justice | Oxford Academic \(oup.com\)](#)

The results of this study led to 70% of the reported suspicions generated by the bank being agreed as suspicious by the FIU and subsequently passed to law enforcement to investigate. This study led other banks to collaborate and become part of a larger conglomerate like that seen in the JMLIT.

The Australian and Dutch models both demonstrate the benefits of co-locating staff to one location, whilst the Canadian model demonstrates the positive effects experienced by engaging with non-governmental organisations (NGOs) and their data. It is unknown whether these practices would successfully transfer to the JMLIT given the differences in legislation, frameworks, and funding, but consideration should be given to exploring them as potential system improvements.

Recommendation 6: The JMLIT to consider how international best practices of co-locating relevant staff and involving NGOs in awareness projects may add value.

Training opportunities across law enforcement

Background

Equipping professionals is a key aim of the law enforcement strand of the Independent Anti-Slavery Commissioner's Strategic Plan, supporting efforts across the criminal justice system to train and educate professionals²¹.

Investigator training

The MSOIC Unit has recently revised the modern slavery investigator's course to increase focus on financial intelligence and investigation. However, training gaps exist in wider law enforcement training as financial investigators and indeed other investigators, need an understanding of modern slavery. Opportunities should be explored to develop training, with liaison between the MSOIC Unit and the relevant agencies, to ensure that investigators are able to support modern slavery investigations and identify the signs of modern slavery in their own investigations.

Recommendation 7: Agencies responsible for economic crime, financial investigation, and general investigation training courses to consider how modern slavery awareness can be better integrated throughout their courses and passed to a wider audience.

²¹ *Independent Anti-Slavery Commissioner Strategic Plan 2019-2021* (2019) [independent-anti-slavery-commissioners-strategic-plan-19-21-screen-readable.pdf](https://www.antislaverycommissioner.co.uk/independent-anti-slavery-commissioners-strategic-plan-19-21-screen-readable.pdf) ([antislaverycommissioner.co.uk](https://www.antislaverycommissioner.co.uk))

CONCLUSION

While the response to the first IASC report on financial investigation and modern slavery has been encouraging there is more to be done. The JMLIT is a valuable intelligence tool for modern slavery investigators and more forces could benefit from engagement with it. This report recommends that the JMLIT can be further developed and that the deployment of FIs should be closely monitored. It also highlights the need to ensure that modern slavery is covered in the broad sweep of investigative training.

Recommendations

1. The Modern Slavery Threat Group to monitor the number and identity of forces making modern slavery JMLIT referrals in their baselining and monitoring exercise.
2. The PoCC to monitor and publish numbers of FIs in each grade and in each agency or force.
3. Forces to mainstream the use of the SARs database for MSHT investigations.
4. Forces to ensure that modern slavery investigations are appropriately mapped and scored.
5. The NECC and the JMLIT to consider how to incorporate additional law enforcement intelligence streams into their operational model.
6. The JMLIT to consider how international best practices of co-locating relevant staff and involving NGOs in awareness projects may add value.
7. Agencies responsible for economic crime, financial investigation, and general investigation training courses to consider how modern slavery awareness can be better integrated throughout their courses and passed to a wider audience.

APPENDIX: POCC AND FINANCIAL INVESTIGATION GRADINGS

The Proceeds of Crime Centre (PoCC) is responsible for the training and accreditation of FIs at all levels. There are five levels of FI, four of which are accredited roles.²² These five levels are:

- 1) Financial intelligence administrators (FIA) (soon to be replaced by SARs researchers)²³ - This is an unaccredited role which sits outside of the PoCC. The role of FIA was originally designed to “extend access to SARs to wider policing and increase the exploitation of SAR data beyond its use by financial investigators and financial intelligence officers”, however it is now felt that in order to properly embed SARs into business as usual checks for all crime types, that the removal of the word ‘financial’ from the title is needed. Along with the title change, there are differences in accessing the role which include the removal of an online exam and mandatory CPD. SARs researchers will still need to make an annual declaration and complete two e-learning packages and any other CPD specified as being relevant to their role.
- 2) Financial intelligence officer (FIO) – PoCC accredited role but offers no powers under POCA 2002. FIO’s are listed on the Financial Intelligence Support System (FISS) database allowing them to receive, record, sanitise, develop, and disseminate financial intelligence
- 3) Financial investigator (FI) – PoCC accredited role. When fully trained and accredited, they can request and handle investigative orders under parts 5 and 8 of POCA 2002 (see below table for detailed breakdown).
- 4) Confiscator – PoCC accredited role and has all powers of an FI but additionally is authorised to conduct confiscations under part 2 of POCA 2002.
- 5) Senior appropriate officer (SAO) – These are generally senior managers in the wider law enforcement community who are required to 1) authorise applications to be made to the Crown Court for restraint orders, disclosure orders and customer information orders 2) make applications in the Crown Court for extensions to the moratorium period 3) authorise searches for cash and listed assets when judicial authority is impractical 4) authorise the search and seizure of property for the purposes of satisfying a confiscation order when judicial authority is impractical 5) approve applications for other investigative orders and search warrants and 6) issue administrative forfeiture notices for cash and frozen money.

| Role title | What they can do | What they cannot do | PoCC accredited? |
|--------------------------------------|--|---|------------------|
| SARs researcher (formerly FIA) | Interrogate financial intelligence and sanitise for use. | Make checks with financial institutions to gather intelligence prior to production order request. | No |
| Financial intelligence officer (FIO) | As FIA but can make checks with financial institutions to gather intelligence prior to production order request. | No powers under <u>part 5 POCA 2002</u> (Civil Recoveries ²⁴ and <u>part 8 POCA 2002</u> (Investigations) <i>N.B. In part 8 it is written that any constable</i> | Yes |

²² See *Financial investigation training courses* (2021) [Financial investigation training courses - National Crime Agency](#)

²³ *The replacement of the Financial Intelligence Administrator (FIA) role with the SAR Researcher role FAQ document* (May 2021) Version number 1.0 (2021) *NCA/UK Financial Intelligence Unit document*

²⁴ *Proceeds of Crime Act 2002* (2002) [Proceeds of Crime Act 2002 \(legislation.gov.uk\)](#)

| | | | |
|----------------------------------|--|---|-----|
| | | <i>has powers in relation to search warrants, production orders, account monitoring orders and customer information orders²⁵</i> | |
| Financial investigator (FI) | Powers under <u>part 5 POCA 2002</u> (Civil Recoveries ²⁶ and <u>part 8 POCA 2002</u> (Investigations) <i>N.B. In part 8 it is written that any constable has powers in relation to search warrants, production orders, account monitoring orders and customer information orders²⁷</i> | Carry out confiscation applications under part 2 POCA 2002 ²⁸ (part 4 POCA 2002 for Northern Ireland) ²⁹ | Yes |
| Confiscator | As FIs but can additionally carry out confiscation applications under part 2 POCA 2002 ³⁰ (part 4 POCA 2002 for Northern Ireland) ³¹ | N/A | Yes |
| Senior appropriate officer (SAO) | 1) Authorise applications to be made to the Crown Court for restraint orders, disclosure orders and customer information orders 2) Make applications in the Crown Court for extensions to the moratorium period 3) Authorise searches for cash and listed assets when judicial authority is impractical 4) authorise the search and seizure of property for the purposes of satisfying a confiscation order when judicial authority is impractical 5) approve applications for other investigative orders and search warrants and 6) issue administrative forfeiture notices for cash and frozen money. | Carry out FIA, FIO, FI or confiscator roles as above | Yes |

²⁵ *Proceeds of Crime Act 2002* (2002) [Proceeds of Crime Act 2002 \(legislation.gov.uk\)](#)

²⁶ *Proceeds of Crime Act 2002* (2002) [Proceeds of Crime Act 2002 \(legislation.gov.uk\)](#)

²⁷ *Proceeds of Crime Act 2002* (2002) [Proceeds of Crime Act 2002 \(legislation.gov.uk\)](#)

²⁸ *Proceeds of Crime Act 2002* (2002) [Proceeds of Crime Act 2002 \(legislation.gov.uk\)](#)

²⁹ *Proceeds of Crime Act 2002* (2002) [Proceeds of Crime Act 2002 \(legislation.gov.uk\)](#)

³⁰ *Proceeds of Crime Act 2002* (2002) [Proceeds of Crime Act 2002 \(legislation.gov.uk\)](#)

³¹ *Proceeds of Crime Act 2002* (2002) [Proceeds of Crime Act 2002 \(legislation.gov.uk\)](#)

