

**WRITTEN QUESTION TO THE MINISTER FOR TREASURY AND RESOURCES
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 1st APRIL 2014**

Question

Will the Minister set out for the period 2003 to 2013 the amount of money received into the Criminal Offences Confiscation Fund in each year and detail, using main budgetary headings, how this money was distributed in each year?

Answer

The amount of money received and expenditure incurred between 2003 and 2013 as listed under their budgetary headings within the Annual Financial Report and Accounts were as follows:-

Area of Income and Expenditure	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Income											
Investment Income	(106)	(455)	(535)	(378)	(721)	(392)	(28)	(76)	(146)	(102)	(51)
Other Income	(6,314)	0	0	(775)	(436)	(482)	0	(7,791)	(29,000)	(469)	(1,875)
Expenditure											
Staff Costs	0	0	160	304	0	0	0	0	0	0	0
Supplies and Services	0	0	0	0	0	0	23	7	1	1	2
Administrative Expenses	278	305	156	248	7	4	0	0	0	0	0
Other Operating Expenses	0	0	0	0	616	1	7,999	100	22,566	470	8
Grants and Subsidies Payments	0	0	750	455	4,608	3,374	3,616	1,202	404	506	108
Total	(6,142)	(150)	531	(147)	4,074	2,505	11,609	(6,557)	(6,176)	406	(1,808)

The level of income received and expenditure incurred by the Criminal Offences Confiscation Fund is dependent on case activity. For example, in 2011 a large confiscation (£29 million) and subsequent expense (£22.6 million) was incurred which related to an assets sharing agreement following the Bhojwani case.

The Criminal Offences Confiscation Fund is used in accordance with Article 24 of The Proceeds of Crime (Jersey) Law 1999. Monies in the Fund do not form part of the annual income of the States and are a Special Fund for the purposes of the Public Finances (Jersey) Law 2005. They have been applied for the following purposes:

- (a) (i) in preventing, suppressing or otherwise dealing with criminal conduct,
- (ii) in dealing with the consequences of criminal conduct, or
- (iii) without prejudice to the generality of clauses (i) and (ii), in facilitating the enforcement of any enactment dealing with criminal conduct;
- (b) discharging Jersey's obligations under asset sharing agreements; and
- (c) meeting the expenses incurred by the Minister in administering the Fund.

Applications for use of the Criminal Offences Confiscation Fund are submitted to the Treasury by Departments. Before supporting any measure and distributing any funds the Attorney General and other appropriate persons or bodies are consulted. Grants paid during the period 2003 to 2010 and in 2012 mainly related to payments made to Law Officers' Department, Judicial Greffe, Viscount Department and Bailiff's Chambers for Court and Case Costs which exceeded base budgets in those years. The higher values relating to Court and Case Costs during the years 2007 to 2009, for example those relating to the complex Michel and Bhojwani cases, are shown below as a table:

Department	Year	Year	Year
	2007 (£'000)	2008 (£'000)	2009 (£'000)
Law Officers'	1,768	1,843	1,864
Viscount	158	86	50
Judicial Greffe	1,580	553	1,235
Bailiff's Chambers	139	96	187
Home Affairs	612	456	275

In addition to the above, the Fund awarded grants in the sum of £340,000 in 2007 and 2008 to the Jersey Financial Services Commission.

In 2011 and 2013 grants were paid to the Home Affairs Department relating to the Fire and Rescue Service's 'No impairment of Service' Agreement and the Drunk and Incapable Unit and CCTV (£404,000 and £88,000 respectively), and in 2013 to the Judicial Greffe for Domestic Abuse Training.