RESTRAINT CONFISCATION & ASSET RECOVERY

Our barristers have vast experience in defending proceedings relating to freezing orders, restraint, confiscation and asset forfeiture. The key to success is often to know when to negotiate and when to fight. This calls for experience and above all judgement – both of which we can offer to the highest level.

Restraint orders are used increasingly at a very early stage of an investigation to freeze the assets of those under suspicion. The White Collar Crime Group is dedicated to helping clients regain access to their assets and we offer extensive expertise in all restraint order matters, including drafting applications for variation and discharge, court appearances, appeals, dealing with repatriation orders and disclosure orders, and advising on the rights of third parties, company directors and partners.

Group members are frequently involved in successfully opposing applications for forfeiture of cash seized under the Proceeds of Crime Act 2002. This often involves the need for a delicate tactical approach when faced with parallel criminal and civil investigations. These investigations can range from the seizure of personal papers and effects up to the seizure of individual cash sums in excess of £1 million. We can also assist with liaising with HMRC following seizures of cash related to tax enquiries.

Members of the White Collar Crime Group have acted in lengthy and substantial civil forfeiture proceedings where the government seeks to gain possession of property without any determination as to the guilt of the owner where, again, the key to success is often to know when to negotiate and when to fight.