



Home Office

Detention Services Order 05/2011

Management of detainees' cash
exceeding the value of £1000 and the
Proceeds of Crime Act 2002 (POCA)

November 2016



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Document Details

Process: To provide instructions to those operating in the detention estate on the correct process for reporting cash amounts exceeding £1000 to enable seizure under POCA, where appropriate.

Implementation Date: May 2011 (reissued November 2016)

Review Date: November 2018

Version: 2.0

Contains Mandatory Instructions

For Action: Immigration removal centres, pre-departure accommodation and short-term holding facilities, and escorting officers.

For Information:

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Processes Affected: This DSO sets out instructions on the reporting of cash amounts over £1000 that are identified in the detention estate

Assumptions: All staff will have the necessary knowledge to follow these procedures

Notes: This DSO is a rebranded version of the previous DSO.

Instruction

Introduction

1. This order provides guidance for staff on managing cash amounts that exceed £1000 (or equivalent value in any currency) that is either handed in on a visit, sent in through the post or is in possession of a detainee when entering the detention estate (except for port cases that are dealt with by Border Force). This can include either a single seizure over £1000 or individual seizures that together total over the minimum amount of £1000.
2. The policy applies to all staff in Home Office immigration removal centres (IRC), pre-departure accommodation and short-term holding facilities (STHF), as well as escorting staff.
3. The Proceeds of Crime Act 2002 (POCA) provides powers for the civil detention and forfeiture of cash which is suspected to derive from, or be intended for use in crime (a 'cash seizure'). The purpose of these powers is to remove cash from the criminal economy to deprive criminals of the proceeds of their criminality and reduce the pool of funds available for future criminal activities.
4. The seizure of cash under chapter 3 part 5 of POCA is a civil power, and although cash seizure is often linked to a criminal investigation and/or immigration offence, there does not need to be an arrest or criminal investigation in order to search for and seize cash.

Purpose

5. This order will ensure that all staff within the Home Office detention estate are fully aware of POCA and how it applies to managing cash amounts in excess of £1000 that are found within the detention estate. Referrals for port cases are the responsibility of Border Force and will be dealt with separately.

Procedures

6. It is the responsibility of staff in the centres to ensure that all cash which is found and exceeds £1000 (or the equivalent in any currency) must be reported. The member of staff must record this information on a security information report (SIR) and ensure that the SIR is handed to their relevant Home Office IRC Security Department or designated security officer.
7. The IRC Security Department must then disseminate this information to the detention services intelligence team inbox

DetentionServicesIntelligenceTeam@homeoffice.gsi.gov.uk so that the relevant Home Office crime team can consider whether there is a case for seizing the cash under POCA.

8. The cash should be secured in an evidence bag and retained until the Home Office Immigration Enforcement Financial Investigation Unit has determined whether the cash should be seized and provided written confirmation that the cash can be returned to the detainee.

Revision History

| Review date | Reviewed by | Review outcome | Next review |
|-------------|-------------|--|-------------|
| Mar 2015 | F Hardy | Rebranded | Mar 2017 |
| Nov 2016 | K McDonnell | Update to process to clarify that cash should not be returned until instructed by FIU. | Nov 2018 |