



POCA Advisory **Issue 3**

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PAAF

POCA ADVISORY AND ASSET FORFEITURE

Welcome to the third edition of QEB's POCA Advisory Newsletter.

In this third edition of the PAAF newsletter we share thoughts on *R v Osmond* [2026] EWCA Crim 979, a rare example of a 'tipping off' prosecution. The recent decision of the Court of Appeal holds implications for not just the offences in POCA aimed at deterring anything that could prejudice an investigation but also the bounds of 'reasonable excuse' for not submitting a report to the National Crime Agency.

We also cover the latest in AML and POCA news and note that announcements by the FCA feature prominently this quarter. The FCA is preparing to take over as the AML regulator of the legal and accountancy sectors, has made efforts to better understand money mule activity through UK banks and has also announced a significant criminal investigation of AML breaches, which would appear to be the first major investigation of failures under the (not so new) MLR 2017.

Special thanks to Gabriel Neophytou for summarising the amendments to POCA that were passed with the enactment of the Crime and Policing Act 2026. Many but not all entered into force on 29 June 2026 and understanding what has changed and what is waiting in the wings has required careful review of the labyrinthine legislation. It is no surprise that not everyone has been able to absorb all of the amendments: courts ordering the extension of the permitted period for confiscation proceedings "if it is still necessary" is not an uncommon turn of phrase.

This is our last newsletter for the year and we thank you for the support. We look forward to publishing again each quarter in 2027.

Compiled by:

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Recent noteworthy AML and POCA developments in the UK and beyond.

30 September 2026

Court of Appeal considers statutory construction of the 'available amount' under s 9 POCA in *R v Acklom* [2026] EWCA Crim 1240. There was an agreed confiscation order based on an available amount that comprised entirely of tainted gifts. The appellant contended that the amount of his priority obligations in Spain exceeded his available free property and that the resulting shortfall should reduce the values of the tainted gifts and, therefore, the available amount. The Court of Appeal rejected this argument. As a matter of straightforward statutory construction the correct total for the calculation of the available amount if the priority obligations exceed free property is zero, not a shortfall. The statutory purpose of POCA to strip criminals of proceeds would be undermined if a criminal could increase their amount of tainted gifts knowing that any shortfall in the amount of free property to satisfy prior obligations would work to their benefit and would reduce the available amount: see §28. New amendments to POCA in s 5A also make clear that the defendant's means are to include their tainted gifts: see §32.

29 September 2026

Report that Southwark Crown Court in *R v Ryan* [2026] EWCR 9 increases confiscation order to benefit carbon credit victims in an early example of the use of new POCA compensation direction power in s 22A POCA. The provision has been in force since 29 June 2026.

23 September 2026

FCA publishes multi-firm review of money mule activity. FCA-regulated firms have identified growth in money mule activity, with 230,000 suspected mule accounts offboarded in 2025 up from 185,000 in 2023. 35 firms were reviewed and led to findings that suspected mule accounts were more concentrated amongst younger customers at challenger banks, 2/3 of suspected mule accounts were held by men and fraud proceeds were usually cashed out after moving through two or three mule accounts. By this stage payments were broken into smaller amounts and were harder to trace. Card payments were the most frequent method of cashing out criminal proceeds.

17 September 2026

FCA pledges 'partnership' approach to anti-money laundering supervision in legal and accountancy sectors. Steve Smart, the FCA's Executive Director of Enforcement and Market Oversight, used a speech at the Law Society Economic Crime Conference to express the FCA's commitment to fostering "*partnership, communication and trust*" when it takes on AML supervision of the legal and accountancy sectors in late 2028. Smart indicated that the regulator intends to pursue an adaptable, proportionality-based approach to AML regulation, and to focus on intelligence-led supervision and the use of new technology, including AI.

16 September 2026

FCA announces criminal investigation of UK payment company Euro Exchange Securities UK Limited for alleged breaches of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017. The FCA will investigate whether there has been a failure to establish adequate anti-money laundering controls and procedures between February 2020 and June 2026. The company had processed payments in excess of £2 billion during the preceding 12 months. It is the first major criminal investigation of alleged anti-money laundering failures which has been publicised by the FCA since NatWest was convicted of anti-money laundering breaches under the predecessor regulations in 2021.

15 September 2026

The Home Office publishes a research and analysis report which considers the value of proceeds of crime in England and Wales in the year ending March 2024. Combining estimates from Home Office reports and analysis modelling the identified proceeds of crime over the period are estimates to be at least £21.9 billion. The majority of those proceeds arose from drug supply (£14.3 billion), followed by fraud (£2.6 billion). Illicit tobacco was estimated to be more valuable (£1.2 billion) than theft and robbery against individuals (£0.9 billion) in the period. The Report estimates that, in order to generate the combined £16.5 billion raised by drugs and Serious and Organised ('SOC') crime offences, criminals are estimated to have invested £6 billion. Upper estimates suggest that during the period £1.6 billion generated from fraud offending was reinvested in crime.

15 September 2026

UK Government launches new Anti Money Laundering and Asset Recovery Strategy, backed by £500 million and 500 additional officers. The funding, drawn from the Economic Crime Levy, will expand specialist capacity across police forces, the NCA and CPS to target money laundering networks and recover criminal assets. The announcement also reports that almost £350 million was recovered from criminals over the past year, with more than £1 billion in assets denied to them and 2,700 illicit finance operations disrupted. Convictions for money laundering have increased to almost 4,000.

11 September 2026

The National Crime Agency secures a 4-month extension of an Account Freezing Order at Westminster Magistrate's Court in *NCA v The Football Association Premier League*. The Premier League had received over circa £10 million of NFT from Sorare, a fantasy football operator, which is currently facing prosecution for offences under the Gambling Act 2005. The payments were received pursuant to a license agreement. After learning of the prosecution, the Premier League had sought a Defence Against Money Laundering (DAML) which precipitated the first account freezing order. The Premier League had argued there were no reasonable grounds to suspect that the frozen funds are recoverable property.

9 September 2026

Financial Action Taskforce publishes Red Flag Risk Indicators for the Gaming and Gambling sector. The report notes that online gaming and gambling platforms are increasingly interlinked with social media which can be used to coordinate criminal activity such as competition manipulation, advertise illegal gambling and money mule recruitment. Also highlighted are 'red flags' in the context of betting patterns, online accounts, payment methods and gambling customer profiles.

3 September 2026

Joint Money Laundering Steering Group (JMSLG) publishes revisions to guidance which are currently awaiting HM Treasury approval. The revisions include the need for a firm's policies, controls and procedures to include policies for the identification and scrutiny of unusually complex or large transactions which in turn mean "out of the ordinary when compared with the firm's knowledge of the customer, its business and risk profile" and provides detailed guidance on establishing and using pooled accounts.

3 September 2026

Financial Action Taskforce publishes report on Professional Money Laundering, Underground Banking, and the Use of Hawala and Other Similar Service Providers. The report highlights that the use of underground banking is not necessarily criminal but that in most countries the provision of unregistered money transfer services is a criminal offence. Underground banking is no longer exclusively associated with cash-intensive criminal conduct but is becoming increasingly sophisticated and is used to launder the proceeds of criminality such as fraud, cyber-enabled crime and illegal gaming and gambling.

14 August 2026***Alliance Petrochemical Investment Pte Ltd v Mazzagatti* [2026] EWHC 2178 (Comm)**

In what the Court described as the "latest instalment" of this ongoing dispute the Claimant applied inter alia for a Worldwide Freezing Order (WFO) and proprietary injunction against the Defendants' assets up to a value of 160 million euros. The Court noted that, while the claim had been issued on 7 August 2024 (at which time the Claimant requested freezing undertakings), the issue of freezing had then laid dormant until the WFO application which formed part of this Application. The Court further noted the need for new evidence showing a risk of dissipation. The Claimant's 'new' evidence (comprising concerns about the financial viability of companies linked to the Defendants, concerns arising from a Court of Appeal decision concerning the Defendants, and concerns arising from the quantum of the Defendants' remuneration) did not satisfy the Court that a WFO application should be granted and that therefore the delay of almost two years had been fatal to it. The connected injunction application also failed.

13 August 2026

Ireland publishes its first National Anti Money Laundering, Countering the Financing of Terrorism and Countering Proliferation Financing Strategy. Covering 2026 to 2030, the Strategy sets out a coordinated programme of reform focused on stronger supervision, better information sharing, improved beneficial ownership transparency and implementation of the EU's new AML framework. It also addresses sanctions evasion, emerging financial crime risks and international cooperation.

10 August 2026

SFO publishes what is billed as 'statutory guidance' on proceeds of crime. The publication is in fact a summary of the SFO's major POCA results between August 2023 and August 2026. Included in the list are the SFO's successful efforts to return recovered funds to victims rather than send the funds to HM Treasury, use of civil recovery powers, reconsideration of confiscation orders and contempt of court proceedings for breaches of restraint orders.

7 August 2026

The High Court considers disclosure orders made under s 357 POCA in *H v I* [2026] EWHC 2430 (Admin). Mrs Justice Dias concluded that once a disclosure notice is served pursuant to a disclosure order there is no requirement for the enforcement authority to provide explanatory information if the respondent challenges relevance. A wide discretion is conferred on officers to ask questions or request information considered relevant and Parliament cannot have contemplated the provision of questions or requests for information for advance vetting by a respondent or their lawyers. The court considered, however, that a reasonable belief that a particular question or request is irrelevant could amount to a reasonable excuse for refusing to answer: see §28.

30 July 2026

The Gambling Commission publishes 2026 risk assessment of money laundering and terrorist financing. The risk assessment outlines the key risks associated with licensed gambling in the UK. Within the gambling sector casinos (remote and non-remote) and betting (non-remote and off course) present the highest risk. Casinos attract recreational spending of criminal proceeds as well as attempts to wash illicit funds. The Commission has also found that advancements in AI have led to fake identities being generated and altered identification documents posing problems for those conducting Customer Due Diligence.

8 July 2026

HMRC publishes new anti-money laundering guidance for supervised businesses. The guidance reflects amendments to the Money Laundering Regulations 2017 made by the Money Laundering and Terrorist Financing (Amendment) Regulations 2026, which came into force on 30 June 2026. It is intended to help supervised businesses better understand their obligations and take reasonable steps to mitigate money laundering, terrorist financing and proliferation financing risks. It covers matters including risk assessment, policies and controls, suspicious activity reporting, customer due diligence, enhanced due diligence, source of funds and wealth, PEPs and record keeping, alongside sector-specific guidance and risk assessments.

30 June 2026

Money Laundering and Terrorist Financing (Amendment) Regulations 2026 in force. The new regulations make targeted amendments to the Money Laundering Regulations 2017 (MLRs), with the aim of strengthening the UK's AML and counter-terrorist financing regimes by addressing shortcomings identified in the Treasury's 2024 consultation on the effectiveness of the MLRs. The areas addressed include moving to a more risk-based approach to due diligence requirements, the reduction of unnecessary burdens on low-risk trusts, and improved information-sharing between AML/CTF bodies. Further amendments relating to cryptoassets are due to come into force next year.

3 June 2026

The EU Authority for Anti-Money Laundering and Countering Financing of Terrorism (AMLA) publishes draft Guidelines on the ongoing monitoring of business relationships by obliged entities across the financial and non financial sectors. They cover periodic and event driven reviews of customer information and transaction and activity monitoring, with a focus on risk based and proportionate implementation. Notably, AMLA emphasises that ongoing monitoring extends beyond transactions to customer activities, behaviours and changes in circumstances that may indicate emerging risk. The consultation closed on 3 September 2026, with final Guidelines expected in Q4 2026.



YET MORE TIPPING OFF:

R v Osmond [2026] EWCA Crim 979

1. You wait years for a tipping off case and then two come along at once. For consideration of another case earlier this year and the offence more generally see the [June 2026 PAAF newsletter](#).
 2. The offence of tipping off under s 333A of POCA can be committed in two ways: firstly contrary to section 333A(1) of POCA where (essentially) a person discloses that they have made a Suspicious Activity Report [SAR] and secondly contrary to section 333A(3) where a person discloses that an investigation into allegations that an offence under POCA Part 7 is being contemplated or carried out. There is a separate offence of prejudicing an investigation in s 342 of POCA but that did not feature in *Osmond*.
 3. Both permutations of the tipping off offence require (i) that the disclosure is likely to prejudice a POCA related investigation and (ii) that the information disclosed came to the defendant in the course of a business in the regulated sector (as defined within POCA Schedule 9).
 4. As regards the mental element required, section 333D(3)-(4) makes plain that a person does not commit a tipping off offence "if the person does not know or suspect" that the disclosure is likely to have the effect of prejudicing a relevant investigation.
 5. In the recent case *R v Osmond* the defendant WO, a solicitor, was accused of the second type of tipping off contrary to section 333A(3).
 6. In late 2013 WO acted for his client R in respect of R's provision of a £4 million loan toward the purchase of a Mayfair property. In 2018 WO was contacted about that transaction by the SFO in the context of the ENRC investigation. The buyer of the property was the wife of a suspect in that investigation and R had connections with that suspect.
 7. WO was specifically told during that call that the SFO was investigating ENRC (including for money laundering) and that this investigation encompassed the purchase of the Mayfair property. He was also told that the SFO had suspicions about the £4 million which had passed through the firm's client account, including whether this was money laundering.
 8. It is worth mentioning that WO was also his firm's money laundering reporting officer.
 9. The SFO caller explained that they would be requiring WO to answer questions and provide documents about the transaction. A notice under section 2 of the Criminal Justice Act 1987 followed shortly thereafter and covered not only the Mayfair transaction but much wider requests for client files responding to some 85 names. The covering letter required WO to keep the information confidential and expressly referenced the tipping off offence.
 10. The day after the SFO call but before the section 2 notice, WO called his client about the SFO approach and later flew abroad to meet his client to discuss the same. Further meetings ensued, as a result of which WO's response to the section 2 notice was the product of the discussions with and instructions from his client.
 11. A forgery count also reflected WO having created after the event what purported to be an earlier letter of engagement with his client, the SFO having requested a copy of the same.
 12. When interviewed WO broadly accepted the conduct set out above. WO's defence statement included the following points:
 - a. The information has not come to WO in the course of a business in the regulated sector; and
 - b. Although the investigation was not defined in the indictment (which referred only to an SFO investigation into money laundering) it had been clarified elsewhere to be the ENRC investigation. That investigation was public knowledge and hence the tipping off provisions did not bite.
 13. The prosecution sought pre-trial rulings in respect of these issues, as part of which they maintained that:
 - a. the information had come to WO in the course of his business as a solicitor which was a business in the regulated sector; and
 - b. the investigation referred to in the indictment was the property transaction (even though it did not expressly say that).
- It is not clear from the decision why the prosecution sought a pre-trial ruling rather than applying to amend the indictment to clarify what was meant by the investigation into money laundering.
14. Despite defence objections to that course, the trial Judge did make relevant pre-trial rulings which supported the prosecution position. A submission of no case to answer on related grounds was unsuccessful.
15. During summing up the trial Judge effectively directed the jury that the investigation was the one into the property transaction. The jury were also directed that "disclosed" within the tipping off offence meant telling X something that X "did not know". WO was convicted of both the tipping off and the forgery.

16. WO appealed on the basis that the trial Judge had by the pre-trial rulings unfairly narrowed the defence case, in particular by removing from the jury a factual question about what the 'investigation' actually was. A number of additional points were made including that tipping off concerned criminalising the tipping off about reports made to the authorities whereas the facts of this case concerned information which came from the authorities.

17. The Court of Appeal said this in relation to the usurping the function of the jury point:

§43 In our judgment the judge's rulings were necessary to ensure that the case was dealt with efficiently and expeditiously as per the [CPR] overriding objective...there was a real danger, particularly ..in relation to the issue as to the nature of the disclosure, that the trial would become bogged down in a morass of irrelevant material.

18. That appears to concede that the issue was a matter of fact for the jury. If matters were irrelevant to the determination of that fact surely the trial judge could have prevented the defence from raising them. However the Court of Appeal went on to say at §46- §47 that the prosecution had made clear that its case concerned disclosure of the investigation into the property transaction and the fact that this was part of a wider ENRC investigation "did not give rise to any issue of fact for the jury".

19. As to the legal meaning of a 'disclosure' under the section, the Court agreed that this had to refer to provision of information that the recipient did not know and hence any case which alleged disclosure of the wider ENRC investigation, which was well publicised, would have been "bound to fail".

20. The fact that the property investigation was part of that wider investigation did not matter:

§46..There is no reason why an investigation should not be capable of being the subject of a disclosure under section 333A(3) even if that investigation is also an aspect of (or a strand within) a wider investigation.."

21. The Court gave short shrift to the argument that the information had not come to WO "in the course of a business in the regulated sector": WO's business was as a solicitor engaged in transactions concerning the purchase of real property and the like, all of which came within the Schedule 9 definition. As to the wider purpose of the tipping off provisions (emphasis added):

*§51 The fact that the information about the SFO investigation came from the SFO does not assist the defence. That is precisely what [the second form of the offence] is directed at..[section 333A(3)(c)] is **not concerned with the source of the information** (which will typically be the SFO or other investigating agency) **but with the capacity in which the defendant receives it.***

22. The Court went on to say that neither were the defence assisted by the fact that the transaction had occurred some time ago. Although one wonders on the above analysis what the position would be had WO been retired or no longer a solicitor engaged in regulated sector work or even, no longer a solicitor at all by the time the SFO contacted him. How then could he have been said to have received the information in that capacity?

23. What also if the firm's Compliance Officer for Legal Practice (COLP) as opposed to WO had received the information from the SFO or at the time of the approach the firm was no longer engaged in regulated work? One queries how section 333A(3)(c) "the information on which the disclosure is based came to the person in the course of a business in the regulated sector" could be satisfied.

24. Finally the court clarified that the section did not require the prosecution to show that the disclosure had caused prejudice to the investigation and nor was it a defence that no such prejudice had been caused.

25. The decision is a rare example of the tipping off offence in practice but also prompts wider consideration on the bounds of reasonable excuse as relevant to a decision to not submit a SAR or seek a Defence Against Money Laundering. Where a person has been approached by an enforcement authority in relation to a well publicised investigation they may have thought that they could easily rely on matters already being in the public domain as a reasonable excuse for not submitting a report to the National Crime Agency about a particular transaction. However, as was the case in *Osmond*, the approach may relate to a particular facet of the investigation that is not in the public domain. Whether there is a proper basis for reasonable excuse will now need to be considered carefully in light of this new decision.

Compiled by:
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POCA AMENDMENT TABLE

Crime and Policing Act 2026: Key POCA changes

Commencement position

Most of Schedule 21 came into force on 29 June 2026. The principal exceptions are paragraph 6, paragraph 17, Part 8, paragraph 26(1), (2) and (4), and Part 13. Paragraph 26(3) is in force only so that regulations may be made in relation to legal expenses.

NB: references to “para” or “paras” are to Schedule 21 to the Crime and Policing Act 2026 unless otherwise stated.

Change / provision	Status	Summary and practical effect
Principal objective Sch.21 para 1 new s.5A	IN FORCE	Part 2 now has an express objective: deprive the defendant of benefit from criminal conduct, so far as within the defendant’s means. Means includes tainted gifts and the objective takes priority over s.2A where they conflict.
Criminal lifestyle Paras 2–3 ss.6, 10, 16, 20	IN FORCE	Criminal lifestyle determination is no longer automatic: the court determines it only if the prosecutor asks. New s.10(6A) requires all the circumstances to be considered, including evidence and explanations relevant to a serious risk of injustice. Practical point: the prosecution must address lifestyle expressly and early; otherwise benefit is confined to particular criminal conduct.
Lifestyle trigger and offences Paras 4–5 s.75 / Sch.2	IN FORCE	The “course of criminal activity” trigger is widened by including intended benefit and reducing the relevant offence threshold from three to two. New lifestyle offences include offence of keeping a brothel and two specified environmental / waste offences. Practical point: especially relevant to regulatory prosecutions; check the transitional provisions against the date of offending.
Hidden property, tainted gifts and limited control Paras 7–9 ss.9A, 76, 77, 84	IN FORCE	New s.9A places hidden property on a statutory footing and the tainted-gift rules are broadened. New s.76(8) also allows the court to reduce the benefit figure, even to zero, where the defendant had only limited power to control or dispose of property, held it temporarily, or is treated as obtaining it under s.84(3), if the ordinary calculation would produce an unjust result. Practical point: Stronger treatment of concealed assets, balanced by an express power to reduce benefit where attributing the full value of property to the defendant would be unjust.
Valuation rules Paras 10–11 ss.79, 80, 80A	IN FORCE	Where property was funded partly legitimately and partly by criminal proceeds, only the criminally funded proportion is counted. New s.80A provides a mortgage appreciation formula; new rules also govern sold or destroyed property and currency conversion. Practical point: a statutory proportional approach to mixed-funded property.
Victim priority and compensation Paras 12–13 ss.13, 22A, 55	IN FORCE	Priority payment directions give specified orders, including compensation, priority from sums recovered under the confiscation order. New s.22A permits compensation directions where an upward reconsideration later reveals a higher available amount. Practical point: later-found assets can now be redirected towards uncompensated victim loss.

Change / provision	Status	Summary and practical effect
Timetable and EROC Paras 14–15 ss.15A–15C	IN FORCE	The old postponement provisions are replaced by a timetable drawn up at sentencing; the post-confiscation sentence-variation period is 56 days. Early resolution of confiscation (EROC) meetings / hearings formalise early agreement and issue narrowing, and relevant third parties may attend. Practical point: expect earlier case management and earlier involvement of those asserting an interest in key property.
Reconsideration after order Para 16 new s.21A	IN FORCE	Where relevant property included in the original benefit calculation is later sold or destroyed at a lower value, the court may recalculate benefit and vary the order. Sums already paid are not refunded. Practical point: a new route to reduce an outstanding order where later realisation shows the original value was too high.
Restraint orders – general Paras 25, 27–29 ss.40–42A	IN FORCE	A restraint order now requires a real risk of dissipation, alongside statutory conditions being satisfied. The Act also sets out factors for determining reasonable living expenses, including the period of restraint, the defendant's standard of living and means, and the value of the property restrained. It further provides factors for determining whether proceedings have not been started within a reasonable time and whether an order should therefore be discharged. Practical point: The Act places the dissipation test, living-expense decisions and delay/discharge applications on a more structured statutory footing, requiring the court to address the specified factors.
Management receivers and appeals Paras 30–31 ss.48, 49, 63; new ss.67E–67L	IN FORCE	The Act broadens the circumstances in which a management receiver may be appointed, including where property is subject to a further detention order. It also introduces new ss.67E–67L, creating a consolidated appeal framework for confiscation and related orders, including appeals concerning the making or variation of orders, reconsideration and third-party interests. Practical point: The reforms widen the availability of management receivers and substantially re-organise the statutory routes of appeal. NB: the new appeal provisions should be checked rather than relying on the previous POCA framework.
Civil recovery costs s.190 CPA 2026 new s.288A POCA	IN FORCE	New s.288A changes the costs position in civil recovery proceedings under Part 5 POCA. The court may only make a costs order against an enforcement authority where it has acted unreasonably, dishonestly or improperly, or where it is otherwise just and reasonable to do so. In deciding whether it is just and reasonable, the court must not assume that costs should follow the event merely because the enforcement authority was unsuccessful. Practical point: An enforcement authority that loses civil recovery proceedings will therefore not ordinarily face an adverse costs order simply because it was unsuccessful; the court must apply the new statutory test.
Restraint orders – legal fees Para 26 new s.41ZA	ENABLING ONLY	The reform is intended to permit an exception for reasonable legal expenses connected with the offence, subject to a total cap and conditions set by regulations. Paragraph 26(1), (2) and (4) are not commenced; paragraph 26(3) is commenced only for regulation-making. Practical point: this is not operational law. The present restriction remains. No published draft regulations or consultation had been identified as at the date of writing; further regulations and commencement will be required.

Change / provision	Status	Summary and practical effect
Recoverable / available amount Para 6 ss.7, 21	NOT YET IN FORCE	The Act expands the categories of property and payments excluded when calculating the available amount. This includes property already subject to specified orders, property restored or handed over to another person, property seized and not released, and compensation already paid by the defendant. Corresponding changes also apply where the available amount is to be reconsidered. Practical point: intended to prevent double counting.
Provisional discharge Para 17 new ss.24A–24C	NOT YET IN FORCE	Would allow the Crown Court, after two years, to provisionally discharge an outstanding confiscation order where that is in the interests of justice, with power to revoke and obtain updated financial information. Practical point: a future route for long-running or uneconomic orders.
Enforcement overhaul Part 8, paras 18–24	NOT YET IN FORCE	Several provisions covering enforcement plans and initial hearings; a new default-term / enforcing-court framework; wider Crown Court powers over money, cryptoassets and personal property; attachment of earnings / benefit deductions; collection orders; and taking control of goods. Practical point: the existing enforcement framework continues for now. This is the largest operational block still awaiting commencement.
Saved legislation orders Part 13, paras 55 onwards	NOT YET IN FORCE	Would apply a similar provisional-discharge mechanism to older confiscation orders made under saved pre-POCA legislation, including the 1986, 1988 and 1994 regimes. Practical point: mainly relevant to legacy orders.

Spotlight on educational institutions and money laundering

In May 2026, Professor Nic Ryder (Cardiff University) and Dr Samantha Mapston (University of the West of England) published [Money Laundering and Law Enforcement – An Alternative Perspective?](#). The report examines the risks of money laundering within the education sector, both through illicit payments to educational institutions and the recruitment of students as money mules. It argues that universities and other institutions remain relatively exposed because most are outside the Money Laundering Regulations, despite potential criminal liability under POCA.

Students are identified as particularly vulnerable to money-mule recruitment, often through social media, fake job advertisements and platforms offering encrypted messaging services. International students were perceived by interviewees as especially at risk. Law-enforcement responses often focus on prevention rather than prosecution, including education programmes and cease-and-desist notices.

The report also provides useful empirical evidence. Across 36 police forces, there were 14,493 recorded money-laundering offences and 7,735 charges between January 2020 and January 2025. Section 329 POCA (acquisition, use and possession) was by far the most commonly used offence and most likely to result in charge, whereas more complex s.328 arrangements cases were less frequently pursued successfully. Age data is also notable: 8,956 people aged 18–29 and 776 under 18 were recorded as being involved in money-laundering offences. The youngest recorded individual included in the analysis was 10 years old.

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