Agenda

1. Introduction
2. Tracing assets
3. How we trace assets
4. The reality of tracing assets
5. Real cases
Introduction
**Introduction**

**What is asset tracing**

- The identification of assets that are or potentially are the result of a crime for recovery
- The 11th Congress of the UN on Crime Prevention concluded that asset tracing is an effective measure against criminal activity

**Context**

- Why is it needed
  - Freeze for future confiscation
  - Enforce judgment against assets

**Approach**

- Dependent on the situation
  - Identify assets and question source
  - Investigate transactions to identify assets
Tracing assets
How to trace assets

Detailed review of internal documentation

Vital first step in generating leads to obtain the best possible results from public asset searches, as assets are rarely held in the names of individual or corporate target Subjects.

Approach
• Review of hard copy and electronic data
• Can involve utilising forensic technology tools to guide and inform our research
• Interviews with key personnel to understand Subject’s lifestyle, hobbies and interests

Targeted public records research

Focused open source information research to identify assets and relevant information linked to the Subjects.

Approach
• Searches of a large array of on-line and off-line data sources and research methods in most jurisdictions.
• Often targeted on jurisdictions most likely to yield results.

Discreet enquiries

Intelligence gathering from industry and market sources that would are acquainted with the Subjects.

Approach
• Drawing on relevant industry and jurisdiction experts to provide guidance on likely assets of the Subjects.
• Follow-up searches of public records.
What assets can be traced?

Property assets → Corporate assets → Lifestyle assets
How to scope an asset search?

Investigative

Property assets → Corporate assets → Lifestyle assets

What is reasonable?

• Connected parties:
  • Spouse/dependents in the first instance?
  • Include known associates (business/personal)?

• Jurisdictions:
  • Which could be included?
  • Which should be included?
The purpose: what are we looking for?

- Adequate information to start.
- Evidence of asset sheltering:
  - Transactions at under value/for love and affection
  - Transactions within a time frame that could be challengeable
- Requires knowledge of:
  - Spouse, dependents
  - Trusted personal and business associates
  - Connected corporates
The purpose: what are we looking for?

Investigative

- Evidence of corporate interests:
  - Initial directorship searches – country, global
  - Follow-up shareholder searches - equity interest?
  - Additional searches to understand what sits behind the corporate’s assets e.g. property searches

- Evidence of asset sheltering:
  - Transactions at under value and / or recent transactions to close associates?

- Requires knowledge of:
  - Business associates
  - Jurisdictional interest
  - Business interests and investment patterns (if any)
The purpose: what are we looking for?

Indications of wealth:

- Is less about the actual assets and their value
- Is more about what they tell us about the individual/corporate and the Subject’s lifestyle

Requires knowledge of:

- Hobbies/interests / associates
- Jurisdictional interest
**Lifestyle asset searches**

**Public asset registers**

- Shipping registers, aircraft, cargo transportation, race horses etc.

**Supplemented by:**

- **Deep Internet and media searches - English and local language**
  - Indications of interests and hobbies
  - Identification of other business and personal associates
  - Highlighting potential asset categories – relevant to lifestyle, but may also include property and corporate
  - Jurisdictions

**Focus on assets**

- May involve additional property, corporate and asset register searches
- Potential to involve discreet source/on the ground enquiries
Challenges

• Lack of enabling framework and cooperation
• Concealment: difficulty to identify leads and information
• Lack of publicly available data
• Cross borderer issues: even Governments face issues with:
  • Bank secrecy
  • Dual criminality
  • Slow pace of exchange of information
  • Resources and costs
Questions?

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