



Mr James Bolton-Jones  
Advocacy Advisor  
Spotlight on Corruption

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Dear Mr Bolton-Jones,

Thank you for your letter of 7 December 2022 to the Secretary of State for Justice regarding the need for legal reform following the sentencing of Glencore Energy (UK) Ltd. Your letter was transferred to the Home Office and I am replying as the Security Minister.

Corruption threatens our national security and prosperity, both at home and overseas. It undermines trust and confidence in our institutions and has a devastating impact on victims. This Government is committed to tackling the threat posed by corruption and illicit finance as set out in the [UK Anti-Corruption Strategy 2017-22](#). The strategy made a strong commitment to promoting a fair and rules-based business environment globally. Corruption damages UK business reputation and as you are aware, we are currently developing the successor to this Strategy and in doing so, my officials are considering the harm that corruption can have on victims. We will not tolerate UK companies participating in bribery overseas. I am pleased that the Serious Fraud Office was able to convict Glencore Energy (UK) Ltd which is a landmark in anti-bribery enforcement.

As you are also aware, the Powers of the Criminal Courts (Sentencing) Act 2000 states that compensation is intended for 'clear and straightforward cases, where the amount of compensation can easily be calculated'. In complex international bribery and corruption cases, it is often hard to identify the victim and subsequent loss.

The Home Office recognises that reform is required to bolster the confiscation regime. In recognition of this, in 2018, the Home Office commissioned the Law Commission to review Part 2 of the Proceeds of Crime Act 2002, which examines the extent to which the law prioritises compensation and the interrelationship between the two types of orders. In November 2022, the Law Commission published its final report and recommendations which my officials are reviewing in detail. The Home Office has until November 2023 to publish an official response to the Law Commission's recommendations and establish the Government's proposal for reform.

Furthermore, victims' interests are at the heart of new powers introduced by Part 4 of the Economic Crime and Corporate Transparency Bill, which will allow applications for stolen cryptoassets or funds in accounts to be released to victims at any stage of civil forfeiture proceedings, to ameliorate the negative impacts of criminal conduct, including economic crime. The UK places great importance on the recovery and return of the proceeds of

corruption, including compensation of victim countries, and recognises that assets must be returned in a transparent and accountable manner, in line with UN Convention Against Corruption (UNCAC) provisions. In addition to this, in 2022, the UK published its first ever [framework for transparent and accountable asset return](#) which builds on the Global Forum for Asset Recovery (GFAR) principles. The purpose of the framework is to ensure consistency, transparency, and accountability in the UK's process of returning funds to other countries and sets out the stakeholders to be engaged throughout the return process including the involvement of civil society organisations.

I note your reference to the Victims Bill in your letter. The Victims Bill aims to improve the experiences of victims and help them navigate the criminal justice system. Whilst compensation is not included, the draft bill contains important measures to increase oversight of how the criminal justice system treats victims and to improve the support services that victims receive.

We are taking active steps to improve compensation routes as set out above. My officials will continue to engage with civil society organisations as this process develops.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Tugendhat', written in a cursive style.

**Rt Hon Tom Tugendhat MBE VR MP**  
Security Minister