



# Multi-agency asset recovery task forces



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To effectively combat organised and financial crime, it is often necessary for countries to establish multi-agency asset recovery task forces, which could also be understood as joint investigation teams/units. The teams are made up of personnel from various agencies in the criminal justice system to effectively investigate financial crime and recover laundered assets.

This Quick Guide examines their composition, the nature of cases they work on and how they can be set up. It also touches on the benefits of having such task forces in place and highlights success stories and lessons learnt from previous experience.

## What are the task forces for?

Multi-agency asset recovery task forces may be established to respond to a particular criminal trend, after a massive corruption scandal, after the fall of a corrupt government, etc. They are most

useful in investigating serious and complex financial crimes, especially when the proceeds of crime have been laundered transnationally.

Typically, they are given an investigative mandate, but in some cases, they may even have a broader quasi-judicial mandate. They may also conduct joint investigations with teams or officials from other jurisdictions.

Task forces can be part of a country's wider strategies to counter financial crime. Recommendation 30 of the Financial Action Task Force (FATF) states that financial investigations should be conducted alongside criminal investigations for all proceeds-generating crimes. The recommendation further encourages countries to create permanent or temporary multi-agency teams.

## **Who is involved?**

An effective multi-agency asset recovery team should include various law enforcement professionals, including police detectives, anti-corruption authorities, prosecutors, prosecuting magistrates, tax and customs officers, financial analysts, intelligence officers, accountants, auditors and asset managers.

With the necessary laws and legal arrangements in place, professionals from the private sector and experts from organisations such as the Basel Institute's International Centre for Asset Recovery (ICAR) and the Stolen Asset Recovery Initiative (StAR) may also play direct or indirect roles.

## **What type of cases do they deal with?**

The task forces are generally mandated to deal with serious criminal matters that are of national, regional or even international significance. Typically, the cases they investigate involve organised crimes that cut across the mandates of individual agencies.

This can include grand corruption and bribery, embezzlement, fraud, terrorism financing, drug trafficking, human trafficking, wildlife and environmental crime, and money laundering. Tax evasion, illicit enrichment and cybercrime may also fall within their remit.

## **How to set them up – success factors**

There is no one-size-fits-all approach to setting up multi-agency asset recovery teams. Ideally, their setup should be envisaged at the policy level and implemented through legislation or sometimes

a presidential proclamation. A multi-agency task force established through legislation would typically be an autonomous entity with its own offices and clear rules on issues like leadership, powers and functions, budget, recruitment, etc.

However, in some countries, it might be more practical to set up the task force by building on inter-agency cooperation, particularly the goodwill of the leaders of the relevant agencies. In such a situation, the task force's operations are usually guided by a cooperation agreement or memorandum of understanding. The task force members rely on the powers handed to them through the legislative mandate of their respective agencies. The leadership would be mutually agreed on, normally on a rotational basis among the participating agencies. It may be housed at one of the major law enforcement agencies or the national prosecution service, or meet on an ad-hoc basis.

However the task force is set up, its success depends largely on political will in the country to combat financial crime and recover criminal assets. Financial investigations can be expensive. The asset recovery task force must be well funded and equipped. Reinvesting some recovered assets into future recovery efforts can mitigate some of the funding shortfalls, but this must be handled carefully.

Acceptance, trust and goodwill from stakeholders in the criminal justice system are also key to its success. Further, recruitment or deployment to the task force must be based on merit to ensure that only those with the relevant skill sets and experience are appointed and retained.

During the setup stage, realistic targets should be agreed for the task force to achieve within a given timeframe. It is also important to properly define the roles of the different participants and agree on a framework for gathering, sharing, handling and processing information and evidence. Once the task force is operational, it is important to begin the work. Selecting a few test cases to "test the waters" is a good idea.

## **Why countries should consider establishing one**

Multi-agency asset recovery task forces allow the criminal justice system to gather practitioners with different skill sets and legal mandates under one roof to combat financial crime. Getting investigators, lawyers, analysts, accountants, asset managers, etc. to work together ensures a focused approach to recovering illicit assets expeditiously. Joint asset recovery teams could also ensure that restrained assets are well managed.

Multi-agency asset recovery approaches help countries develop expertise and capacity to handle emerging criminal trends and money laundering schemes. They could also lead to enhanced broader inter-agency cooperation and information sharing.

On the downside, some non-participating law enforcement officials might frown upon such a task force as one that is more favoured in terms of funding, gets all the big investigations, and encroaches on their own mandates, leading to mistrust and ill will. This can be mitigated if the task force is a creation of a statute and its mandate is well defined.

## Success stories

Ireland's Criminal Assets Bureau (CAB) was set up in 1996 as a statutory independent body. It is a multidisciplinary body with staff from the National Police and Security Service, the Office of the Revenue Commissioners, the Department of Social Protection and the Department of Justice. CAB has successfully investigated and recovered assets worth millions of dollars over the years. It has also worked with foreign law enforcement agencies in international asset recovery efforts. Due to its success, CAB has been hailed as a vital tool in the fight against organised crime in Ireland.

Another example is South Africa's Fusion Centre, established in May 2020 to investigate money laundering and recover assets related to the misappropriation of Covid-19 relief funds. It brings together several South African law enforcement agencies. In March 2023, the Centre's mandate was broadened to include organised crime, money laundering, fraud, terrorist financing, maladministration and other serious financial crimes. It has achieved significant asset recovery successes.

Zambia, Mozambique and Tanzania are other African countries making progress with multi-agency asset recovery initiatives. In Asia, Malaysia has, in recent years, recovered a significant amount of assets stolen during the infamous 1MDB corruption scandal using a multi-agency asset task force approach.

## Lessons learnt

Setting up a multi-agency asset recovery task force should not be considered the "magic wand" that guarantees solutions to a country's financial crime problems. As outlined above, a lot of factors need to be considered to achieve success.

Also, it is not set in stone as to whether a formal or an informal task force is the best approach. Countries should adopt what they deem

most appropriate for their reality. Equipping the task force with the necessary resources and expertise is essential, whichever model is adopted.

All in all, multi-agency asset recovery task forces present countries with a real opportunity to achieve success in effectively combating financial crime.

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