ECONOMIC & FINANCIAL CRIME BUREAU GUERNSEY

BUSINESS PLAN

2024 - 2026

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Director's Foreword

I have pleasure in publishing the Economic & Financial Crime Bureau's Business Plan for the period 2024 – 2026.

The Bureau was established in July 2021, and as such this is only the second plan to be issued. Many of the objectives for the next 3 years represents a continuation of those in the previous plan, which align to the National Strategy. The similarities are perhaps unsurprising given that we are a new organisation, which is still developing its capabilities and establishing itself as a key component of the Bailiwick's mitigation to the National Risk Assessment.

The above said, we have delivered on important aspects of the previous plan including the establishment of a legal framework to allow the Bureau to operate as an independent entity, with the role of Director now holding statutory responsibilities.

Further, we have implemented key technology, which will enhance our capabilities during investigations, and will provide for the seamless exchange of data with our partner organisations.

Additionally, a Case Development function has been created, working closely with colleagues from the Financial Intelligence Unit to ensure that the Bureau is in the best possible position to investigate new cases.

There is a review of our achievements against the last plan later in this document.

One of our main focuses in the coming months is to complete the final preparations for the MONEYVAL evaluation, however, in many ways the evaluation is only the beginning of the journey, as we look to implement any recommendations that relate to the Bureau directly or where we can support colleagues across Government to respond or act, which will further strengthen the Bailiwick's response to economic and financial crime.

Tantamount to all our work both on business as usual and new initiatives are our people who are fundamental to the success of the Bureau. I and colleagues on the management team accept that we have more to do in terms of recruitment and retention, operating in a very competitive recruitment market. Therefore, we will be developing new strategies as we step into the new business plan period to look at how we can mitigate some of these challenges moving forward.

Within the objectives of the business plan are several stretch targets, which I recognise may not be fully in place by the time the three-year period concludes. That said it is important that we do look to be ambitious with our intentions and ensure that we use this plan as a catalyst for further development.

Successfully delivering against this business plan will help us to maintain the upward trajectory in relation to combatting complex economic and financial crime and will ensure the Bureau continues to play a key role in delivering against the National Strategy, working on mitigation activities related to the National Risk Assessment, which will also support Guernsey in meeting its international obligations and the standards set by the Financial Action Task Force (FATF).

Phil Hunkin
Interim Director Economic & Financial Crime Bureau

Mission

The Bureau will investigate economic and financial crime, deliver justice for victims, and protect Guernsey's reputation as an international financial centre; making the Bailiwick a safe place to conduct business.

We will investigate serious economic and financial crimes that are commensurate to the risks set out in the revised National Risk Assessment (NRA), published in December 2023, and wherever possible recover the proceeds of crime and unlawful conduct using all legal remedies at our disposal. As agents for the Law Officers of the Crown in their role as the competent authority for Mutual Legal Assistance, we will in appropriate cases, assist overseas jurisdictions in their financial crime investigations and help them to recover the proceeds of crime.

We aim to achieve excellence in everything we do and to make Guernsey a hostile environment for sophisticated criminals. As an investigator, the EFCB will diligently do its part to uphold justice in concert with the Law Officers of the Crown and our partners.

Our Objectives

Effective investigation and the recovery of the proceeds of crime are the core purposes of the Bureau and continuing the work to embed the right culture and skills to enhance delivery and collaboration across the lifecycle of its operations is a primary objective and one of the routes to improve enforcement effectiveness within the Bailiwick.

Growing the EFCB brand remains key to our mission and will support us in achieving our objectives. Our investigative philosophy remains a crucial element in generating public and international confidence in Guernsey's response to economic and financial crime and provides the foundation for strengthening existing relationships and developing new partnerships, providing a supportive experience for complainants, witnesses, and victims of crime.

The Bureau's strategic objectives reflect its commitment to the delivery of fair and effective justice. **We will:**

- Support and assist (where appropriate) the continued development of the Bailiwick of Guernsey FIU to enhance the quality of the operational analysis received. This will include accessing the widest range of financial intelligence and will include exploiting innovative digital technologies.

- Support and grow the Guernsey Public Private Partnership (PPP) through domestic and international engagement with a focus on tactical and strategic analysis opportunities.
- Develop intelligence to identify potential cases of economic and financial crime commensurate to the risks set out in Guernsey's NRA for money laundering, terrorist financing and proliferation financing;
- Diligently and fairly investigate economic and financial crimes and provide evidence of suspected criminal offences to the Law Officers of the Crown for consideration of criminal prosecution.
- Diligently and fairly conduct conviction and non-conviction based financial investigations to support legal remedies to recover the proceeds of crime.
- Maximise the opportunities presented by the new forfeiture of assets legislation to be enacted in early 2024.
- Collaborate with domestic and international partners (and other stakeholders) engaged in tackling economic and financial crime and uphold Guernsey's AML/CFT/CPF agenda.
- As an investigator, assiduously uphold and promote the rule of law and deliver justice for victims.
- Provide training and development opportunities, working with staff to identify the most appropriate training pathway to develop proficient financial investigators.
- Ensure an effective and inclusive workforce that treats staff fairly and with respect and dignity.
- Provide value for money in everything we do.

Our Values

- **Excellence:** We will strive for excellence in all that we do.
- **Integrity and professionalism:** We will conduct ethical, professional, and high-quality investigations, make objective decisions, and uphold the public interest.
- **Respect:** We will show respect for colleagues, partners, stakeholders, and the public ensuring equal treatment for all.
- **Openness and transparency:** We will collaborate and cooperate with all in a constructive and professional manner, explain decisions and be open to new ideas and welcome different perspectives.

Progress Against 2021-2023 Plan

Achievements

Working with colleagues at the Law Officers of the Crown, we have a new legal framework, within which we operate, with the enactment of the Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022. We have also assisted with the formulation of other legislative remedies to bolster the tools at our disposal to assist in combatting financial crime.

Considerable amounts of work have been undertaken to develop our processes, introduce new policies and update others as well as formalise our standard operating procedures, which are essential to help ensure that we operate efficiently and effectively.

Technology is essential to supporting the work of the Bureau, and as such we have implemented new e-discovery and case management systems, which will enhance opportunity and proficiency. Staff are continuing to receive training to ensure that we can leverage all the benefits associated with these systems.

In relation to training more broadly, we have provided targeted Anti-Money Laundering and Terrorist Financing courses to all investigative staff and have supported non-operational staff in project management and other relevant development.

We have further enhanced our capabilities with the introduction of complex case specialists to direct some of our larger investigations and provide mentorship to our less experienced colleagues.

The Bureau has created a case evaluation board, which ensures that we focus our resources where they are most needed. A case development unit (CDU) has been created to work with colleagues in the Financial Intelligence Unit to ensure that the cases placed before the evaluation board are of the requisite quality to be able to make informed decisions and ensure that cases are able to progress as efficiently and effectively as possible.

Key Priorities for 2024 - 2026

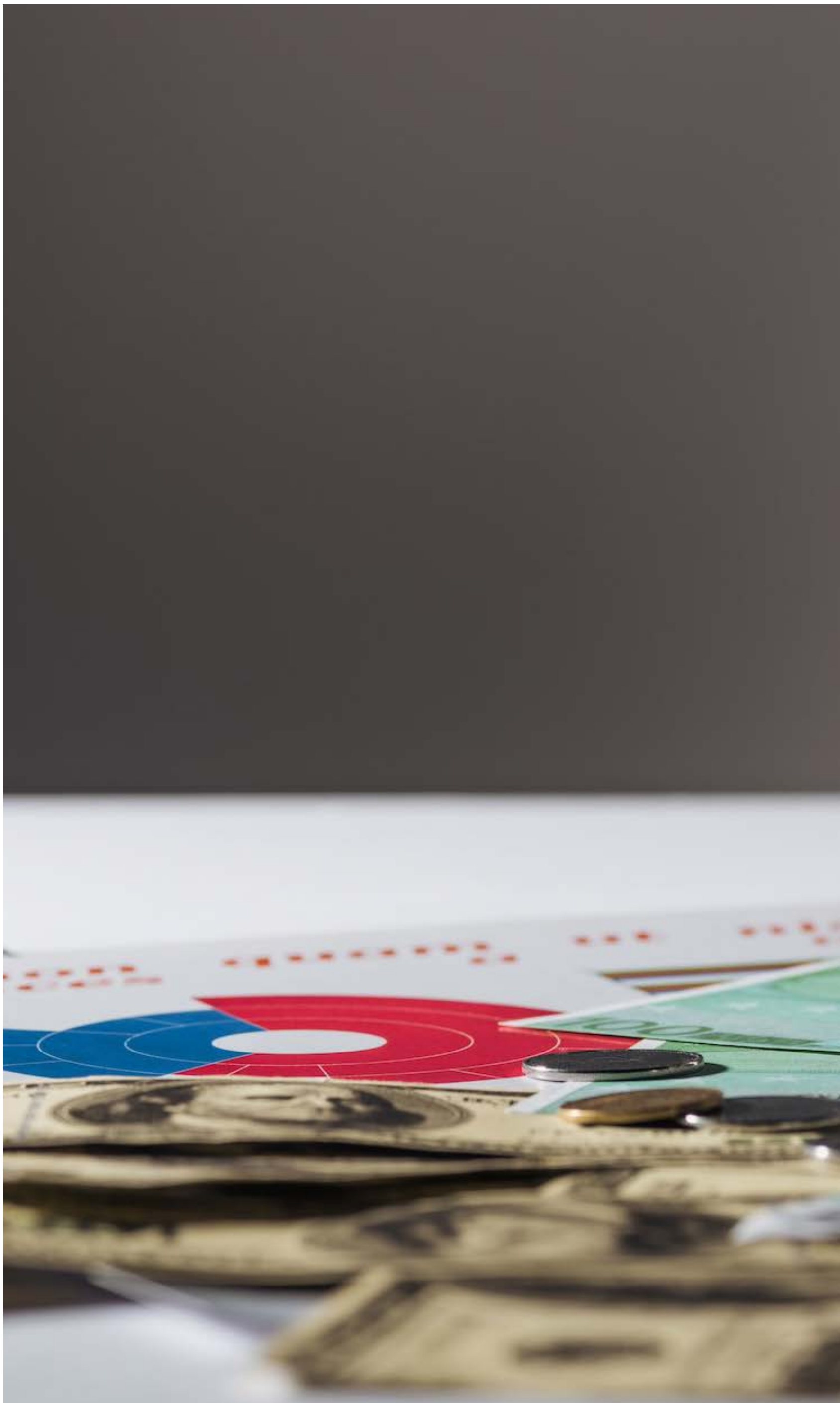
As mentioned in the Director's Foreword, the key priorities for this 3-year cycle are in most areas a continuation of those within the previous Business Plan for the period 2021 – 2023.

We continue to develop the Bureau's operational capability, and Guernsey's intelligence response to the key risks within the NRA. Recognising we have experienced challenges in both recruitment and retention over the last few years, additional focus and strategies will be introduced to attempt to resolve this in what is currently a very challenging recruitment market.

During the first quarter of 2024 we will continue preparations for the MONEYVAL evaluation, and then post evaluation will work with partners to implement any recommendations that are made to improve our effectiveness.

We will continue to work on our intelligence capability to ensure that we have a robust pipeline of suitable cases for criminal investigation, non-conviction-based recovery action and/or regulatory consideration. We recognise that success is much more likely by collaborating closely with partner agencies, and we will continue to develop our ways of working to ensure that relationships continue to be strengthened for the benefit of the Bailiwick.

Civil recovery action and the confiscation of recoverable property continues to be fundamental to our response to financial crime.



Capability

Tackling Economic & Financial Crime is essential to the Bailiwick's response to its NRA. Continuing to develop the capabilities of the Bureau to ensure that it remains fit for purpose for Guernsey includes:

- Continuing the collaboration with partners in Financial Crime Policy and the Law Officers of the Crown, testing new powers and making best use of all available remedies at our disposal to strengthen the response to financial crime, making recommendations for change where necessary.
- Enhancing intelligence capability to provide an intelligence pipeline that is consistent with NRA risks.
- Continuing to develop a diverse and professional workforce that exercises the required technical functions of the Bureau namely investigatory, legal, forensic accountancy and financial expertise. We will look at all aspects of recruitment and retention to ensure that we are doing all we can to attract and then keep the best people.
- Ensuring that the newly deployed information technology is fully embedded into the workforce, ensuring staff are suitably trained to be able to utilise it to best effect. We are moving to new accommodation that will bring the key criminal justice partners together from the economic and financial crime arena. Having us all in one location will further enhance collaboration between teams.

Operations

We now have an established CDU, which aims to provide the fully developed intelligence products that are necessary for consideration by the Bureau's enforcement team. However, as our organisation matures, it is recognised that the demands and requirements on both the CDU and the Civil and Criminal Investigation teams will change, therefore

We will:

- Make best use of new legislative powers and legal remedies available to us given the raft of legislative changes during the last year.
- Identify criminal investigation and asset forfeiture opportunities via engagement with our partners. This will include identifying potential criminal offences & asset recovery opportunities within the Bailiwick from inbound Mutual Legal Assistance requests.
- Ensure that victims remain at the heart of our fraud casework and provide every assistance to them and witnesses. We will follow our victim and witness code of practice to ensure that we support them through the investigation process.

People

Having a diverse, multi-disciplinary workforce, with different skills, knowledge and experience is incredibly important to the Bureau. We know that we must continue to invest in professional development and other training to ensure that our most important assets, our people can flourish, whilst helping to shape the success of our organisation.

We will:

- Ensure the Bureau has the appropriate resources to deal with its objectives through recruitment and retention strategies that will seek to attract and retain highly skilled, capable, and motivated individuals.
- Provide ongoing professional development opportunities enhancing staff capabilities to equip them with the skills, knowledge, and experience to tackle complex financial crimes confidently, diligently and at pace.
- Recognise the value of different professions, skills and experience working to achieve a common purpose and support staff engagement to help deliver the Bureau's mission.

- Promote the Bureau to young people in higher education as a career opportunity and consider the feasibility of developing a trainee scheme to improve local recruitment options.
- Ensure that we continue to recognise that our people are our greatest asset, developing initiatives, including the development of a wellbeing plan, that provides support to colleagues and makes the Bureau a great place to work.

Partners & Stakeholders

We recognise that the Bureau is only one element of a wider law enforcement and regulatory response to the National Risk Assessment. We also know how important it is to work collaboratively with partner agencies, especially Bailiwick Law Enforcement, the Guernsey Financial Services Commission, States of Guernsey Revenue Service, and the Law Officers of the Crown. Financial crime does not respect borders therefore we continue to look outside of the Bailiwick in terms of international co-operation, where we continue to respond to requests for support from other jurisdictions, and in turn look to them to assist us in our investigations.

The Bureau will also continue to work with, and support the Committee for Home Affairs, the Policy & Resources Committee, and the Director of Financial Crime Policy to continue to strengthen investigatory powers and legal remedies.

We will:

- Continue the development of the EFCB brand and image by communicating what we do and the impact of our work, extending our reach with our partners.
- Continue to develop and maintain professional relationships to promote an enhanced collective capability to tackle economic and financial crime.

- Collaborate with partners and stakeholders to support and enhance Guernsey's AML/ CFT/ CPF regimes and improve enforcement outcomes.
- Encourage and support greater information sharing to improve our understanding of economic and financial crime threats that will enable proportionate and risk-based enforcement responses.
- Engage with and influence policy makers and relevant governmental oversight boards to support the Bureau's mission and objectives.

Governance and performance

The items listed previously within this business plan are all integral to improving the Bureau's performance, whether in relation to resources, relationship management or our operations.

As Interim Director I am accountable to the Committee for Home Affairs, and I must regularly provide performance metrics and management information to enable members to scrutinise our performance.

We will:

- Continue preparations for MONEYVAL in April 2024, to ensure that the Bureau is in the best possible place for the evaluation.
- Respond in a timely manner to criminal justice recommendations arising from the MONEYVAL evaluation and help/advise government on the 6th Round evaluation preparations.
- Increase our routine statistical reporting, which will provide further insight and understanding of the criminal justice picture. The capturing of this data will enable us to baseline current performance and then develop indicators and metrics to measure performance. Further we will be able to bench mark with other jurisdictions.

  Additional measures will be introduced specifically to measure progress against this business plan, to ensure that we celebrate our successes when objectives are achieved and target those that require additional focus to complete.