

Curriculum Vitae

Lesley Clayton

1. Current Professional experience

The following is a summary of my experience highlighting my exposure to and involvement with different money laundering typologies, my knowledge of criminal financing and all aspects of financial investigations relevant to the field of my expert experience. I have extensive knowledge and experience relating to:

- Cash seizure, detention and forfeiture investigations
- Financial investigations,
- Money laundering investigations,
- The use of foreign jurisdictions for money laundering purposes
- Money Laundering Regulations
- Confiscation, Forfeiture and Asset Recovery

I have given evidence in many courts in the United Kingdom in both civil and criminal proceedings.

I have undertaken formal law enforcement training, commencing in 1997 when I became a front line anti-smuggling officer and then in 2002 to present date relating to investigations and prosecutions, financial investigation, money laundering, cash seizure and criminal confiscation, as well as training in disclosure. I hold a BTEC Advanced Diploma in criminal investigation; a BTEC Professional Diploma in financial investigation, and additionally I undertook a twelve month programme relating to the Prevention of Fraud in which I achieved a Merit Diploma.

I am PIP 2 accredited. PIP stands for “Professionalising the Investigative Process” and is the maintaining of a portfolio to demonstrate competencies in roles such as interviewing, file building, utilising interrogative tools such as phone analysis and forensics, and proficiency in writing witness statements. I achieved this qualification in 2009 and have maintained it through to the present date.

I have developed extensive experience and gained a thorough knowledge of money laundering over the years of my law enforcement career [please see section 3]. Most recently I have attended the Expert Laundering Evidence (ELE) course delivered by the NCA and I am now a member of the NCA ELE Cadre together with other expert witnesses. The cadre specialise with matters relating to money laundering and the typologies and systems used in the process of money

laundering. This role includes being a member of the NCA ELE Peer Group where I peer review expert statements submitted by other members of the Cadre giving a critical opinion using my experience and knowledge to enhance their individual statements. This process also gains me further exposure to cases and typologies associated with money laundering.

The following general summary of my experience provides examples of my exposure to, and investigation of money laundering.

2. Current Role

I am a Higher Investigation Officer working for HM Revenue and Customs (HMRC), having acquired promotion in March 2018. I am an Accredited Financial investigator, a standard upheld by the National Crime Agency, In order to maintain accreditation I carry out certain functions which include liaison with the financial institutions, drafting of restraint and confiscation order and investigatory tools such as production orders. I maintain a central Continued Development Plan with the National Crime Agency which is reviewed annually. I hold powers under parts 2, 5, and 8 of the Proceeds of Crime Act 2002.

In December 2018 I moved on secondment to the National Economic Crime Centre working on cases involving serious organised economic crime.

I am responsible for managing complex and high value money laundering and asset recovery investigations (criminal based confiscation and civil cash seizures), making policy and strategic decisions on these cases, creating actions and lines of enquiries and providing advice and guidance throughout. I view and authorise production orders, account monitoring orders and search warrants under the Proceeds of Crime Act 2002. I also authorise Data Protection requests. For complex investigations I am responsible for reviewing money laundering case summaries, witness statements in support of Restrained Order applications under S41 of the Proceeds of Crime Act 2002 and confiscation statements submitted in accordance with s.16 of the Proceeds of Crime Act 2002.

I directly line manage 6 members of staff. However my guidance, advice, training and policy covers a great many more investigators from within HMRC. I am the area contact for guidance on any complex money laundering or asset recovery investigation. Due to this I have received a great deal of exposure to a number of different money laundering methods.

I have written the Cash Standard Operating Procedures for HMRC nationally, which is due to be rolled out across HMRC in July 2018 to bring a standardised approach

to cash seizures across the UK. My research has taken me to have a greater depth of knowledge of both the Proceeds of Crime Act 2002 and the amendments brought by the Criminal Finances Act 2017.

I have also commenced a secondment with the Joint Money Laundering Intelligence Taskforce (JMLIT), a public/private partnership collaboration aligned to tackle prioritised risks which include high end money laundering, cash money laundering, professional enablers, and financing of other priority crime areas, for example modern slavery and future threat (virtual currencies).

I have experience relating to cross border cash smuggling due to my experience in the areas of detection and more recently prosecution.

3. Previous roles

Over my career I have gained substantial knowledge of money laundering and in particular cross-border cash smuggling. I have seen and been made aware of many examples of cash smuggling including the use of concealments, whether that is using the natural space in a vehicle, for example the spare wheel well, or an adaptation specifically made to conceal goods to move across the border. For example concealments where commercial vehicles have been adapted; Metal boxes to the underside of a trailer stretching the full length, which at a general inspection you would think was part of the construction of the trailer, however the two boxes were of no significance to the trailer. They had simply been put there in order to conceal, on that occasion, drugs, but I have seen cash concealed in the similar spaces in order to smuggle it across the border.

On a more basic principle, I have seen cash wrapped like a birthday present to deter Officers from opening the parcel. In my experience I have seen various methods used by criminals to disguise packages containing contraband/cash.

HM Customs and Excise

I joined Her Majesty's Customs and Excise (HMCE) in 1995 starting my Customs career in the Accounts section and in March 1997 I gained promotion to anti-smuggling/detection at the Channel Tunnel, Coquelles [at the Channel Tunnel, the Customs controls are juxtaposed. Therefore the UK staff maintain the border in France, and the French staff maintain their border at Cheriton in the UK]. My work involved the selection of passenger vehicles for inspection, examining tourist traffic to identify and seize prohibited and restricted goods such as drugs and weapons. I was trained and gained considerable experience of searching for, and the seizure of, prohibited and restricted items.

In 1999, I moved from Coquelles and joined a mobile 'Brigade' detection team. This team worked from ports which no longer had a permanent station team and tested the risk of smugglers using these ports to import prohibited and restricted items. This team were also involved in cash intensification exercises, intercepting travelers leaving the UK to ascertain whether they were carrying any large quantities of cash. In 2001 I was promoted to the Drugs Task Completion Unit of HMCE and have been primarily investigating drug trafficking and money laundering ever since. During this time I have acted as Case Officer, Disclosure Officer and Financial Investigator in all manner of criminal investigations. I also involved myself in operational briefings, premises searches and property officer, roles each of which have exposed me to various aspects of the investigative process. I have been involved in the collation of evidence by way of enhanced interview techniques, interviewed third party witnesses as well as those suspected to be involved in the crime. I have been involved in the searching of numerous premises both in the role of an investigator and as a financial investigator.

In 2002, I became a Financial Investigator, undertaking the cash seizure course run by what was the Asset Recovery Agency, now the National Crime Agency. The course gave me an understanding as to the process concerning cash seizure, the relevant forms required to seize cash and skills regarding applying for the continued detention of seized cash. For two years I was on a civil cash team carrying out cash investigations either solely under the civil regime, or cash detected with a consignment of drugs which would also be investigated as part of the criminal regime.

In 2004, I acquired Financial Investigation accreditation by the Assets Recovery Agency (now part of the National Crime Agency) following completion of the confiscation and restraint course and completion of my Personal Development Portfolio. Shortly after completing this course, I attended a money laundering workshop (APEL – Applied Prior Experience and Learning). This course gave me an insight in relation to Hawala Banking, lifting the corporate veil in money laundering investigations and how the financial sector is abused by money launderers. In addition this course gave information on forensic accounting and other useful sources able to be drawn upon during an investigation. I maintain my Continued Professional Development, completing set activities, attending PoCA forums and updating myself on changes in case law and precedents. Securing and maintaining my accreditation means I am listed on the financial investigators gateway, enabling me to liaise directly with the financial institutions.

HM Revenue and Customs (HMRC)

In 2005, HM Customs and Excise merged with the Inland Revenue to form HMRC. I remained an Accredited Financial Investigator conducting similar duties and continuing to be involved in money laundering investigations, confiscation and restraint and cash seizure investigations.

In 2008, I undertook a course run by the International Compliance Association where I obtained a Merit Diploma in Fraud Prevention. The twelve month course covered areas such as identity theft, cyber-crime and the formation of SOCA, the Lander Review including recommendations for the UK to have the lead on financial intelligence. The review subsequently led to improvements the SARS regime, a system used regularly, and with regards to consent issues, react upon urgently.

Also in 2008 I was a joint case officer for a multi-handed excise fraud and money laundering investigation. Following the trial which lasted twelve weeks, and in which I navigated my way through bank accounts and conveyance records both in the UK and abroad. Following the trial I was commended with the Directors Award of Achievement.

UK Border Agency (UKBA)

In 2009, I transferred to the UK Border Agency from HMRC where I continued to work solely as a financial investigator. In 2010, the team moved to multi-functional working where in addition to continually carrying out financial investigations in respect of cash seizure, confiscation and restraint and money laundering, I also prosecuted organised crime groups for prohibited and restricted items. I continued to maintain my Continued Development Plan during this time and maintain my accreditation.

In recognition of my experience in the area of financial investigations, I undertook the training to become a tutor through what was then the National Police Improvement Agency (NPIA) (also now part of the National Crime Agency). Having obtained tutor status I now mentor, assure and oversee the delivery of financial investigations carried out by lesser experienced colleagues, giving feedback, guidance and advice, ensuring investigations are conducted professionally expeditiously, and legal and National Occupational Standards requirements adhered to.

National Crime Agency

I joined the National Crime Agency at its inception in 2013, transferring from the UK Border Agency (UKBA). In addition to being an Accredited Financial Investigator I

was also designated under section 10 of the Crime and Courts Act 2013, as a person having powers of a constable (England, Wales and Scotland), the customs powers of an officer of HM Revenue and Customs and the powers of an Immigration officer. I was involved in the gathering of financial intelligence, confiscation investigations, a wide variety of money laundering investigations and cash seizure, detention and forfeiture investigations.

As an Investigation Officer I performed several roles and responsibilities including Lead Officer, Case Officer and Disclosure Officer for money laundering investigations. I routinely provided tactical and operational advice and identified, gathered and collated evidence in relation to complex money laundering investigations and also provided financial intelligence in support of the same.

I was responsible for carrying out or supporting investigations into serious and organised crime including but not limited to importations of drugs, firearms, money laundering, cash detention and confiscation cases including restraint matters. My position required me to adopt the lead officer role for money laundering, cash detention and confiscation cases and various other serious and organised offences.

During my time with the NCA I was involved in a number of cross jurisdiction investigations, two of which included the formation of a Joint Investigation Team (JIT) which involved working with foreign law enforcement agencies from Italy, Norway, Greece, France and the Netherlands, each of which had interest in the same organised crime groups. I analysed the suspect's profiles in relation to financial investigations. In one of the cases I conducted a money laundering interview with a main suspect in conjunction with the Italian Police.

I received a Deputy Directors commendation in recognition for my financial element of the investigation.

In 2014, I formed part of a pilot financial team set up to investigate all civil cash cases deemed suitable for adoption and to conduct financial investigations with a view to confiscation and restraint proceedings, not only on behalf of colleagues in my office, but for colleagues around the country. This team was highly successful and in recognition of my team's outstanding contribution to investigating criminal assets moving across the UK border I was awarded the Director General's Commendation.

As well as gathering financial intelligence to support cases and developments I analysed financial material from different sources including the financial regulated sector and other UK and overseas law enforcement agencies to progress respective cases. I acted as a point of contact for investigators within Investigation teams,

providing knowledge and advice with regards to the examination of evidence and intelligence obtained in various financial investigations.

I formed part of a working group designed to drive up standards and set processes within the NCA for the cash management policy. In addition to this, I utilised my knowledge and experience in the financial arena to work on money laundering investigations.

Over my career I have gained substantial knowledge and experience of identifying and tracing criminally derived assets. I have also gained essential and intrinsic knowledge and experience of money laundering, and I have seen and been made aware of many examples of smuggling and concealments, including cash smuggling.

As a consequence I have built up a considerable expertise and understanding of financially motivated crime and the numerous typologies used to launder the proceeds of that crime.

International Exposure

In addition to my experience in working to the standards adhered to by the UK judicial system, I have also worked with law enforcement agencies, the judiciary and regulatory authorities in a number of countries. Through these engagements I have gained experience and comprehension of criminal methodologies and money laundering systems, and of organised crime groups and their conduct throughout the world. These countries include:

- Spain
- Latvia
- The Netherlands
- Norway
- Italy
- France
- Greece

Research

In addition to my knowledge and experiences, I am also able to benefit from those similarly obtained by other financial investigators from a variety of law enforcement agencies through the use of local and national special interest groups or secure websites. I also develop my knowledge of money laundering typologies through research, much of which is conducted online by accessing open source documents that are published by such agencies as the Financial Action Task Force (FATF), the

Financial Conduct Authority (FCA), NCA, Europol and other organisations such as the ICA, Royal United Services Institute for Defence and Security Studies (RUSI) and Proceeds of Crime Lawyers Association (POCLA).

4. Qualifications

I have the following qualifications:

GCSE	English Language	C
GCSE	English Literature	C
GCSE	Maths	C
GCSE	French	C
GCSE	Psychology	D
GCSE	Computer Studies	D
GCSE	Science	D
A-Level	Psychology	D
A-Level	English Language	C
BTEC	Criminal Investigation	Advanced
BTEC	Financial Investigation	Professional
Diploma	Prevention of Fraud	Merit