

**“MONEY, MONEY, MONEY, MUST BE PLENTY IN THE RICH MEN’S WORLD”:
CONSTRUCTING CRIMINAL PROPERTY IN MONEY LAUNDERING OFFENCES IN
THE UK**

Zaiton Hamin, Accounting Research Institute & Faculty of Law, Universiti Teknologi MARA Malaysia

Wan Rosalili Wan Rosli, Faculty of Law, Universiti Teknologi MARA Malaysia

ABSTRACT

Money laundering is currently considered as a significant worldwide phenomenon, resulting not only in grave economic and social ramifications, but also in its criminalization and the creation of various legislative and regulatory modalities in many countries around the world, including Malaysia and the United Kingdom. From the traditional way of cleaning money through fake bank accounts, money laundering has evolved into a sophisticated and complex offence with the use the Internet to clean the illegal proceeds. The objective of this conceptual paper is to examine the way in which the courts in the UK have interpreted the meaning of criminal property in the principal money laundering offences under the Proceeds of Crime Act 2002 (POCA). This paper employs a doctrinal legal analysis and secondary data, which analyse the primary source, which is POCA itself, and secondary sources including case law, articles in academic journals, books and online databases. The authors contend that the courts in the UK have been dynamically interpreting the ambit of money laundering offences in POCA and that despite such judicial activism in the construction of criminal property, it has provided a much needed certainty to the law.

Keywords: *Money Laundering, Criminal Property, Criminal Conduct, Tax Evasion, Circumstantial Evidence, Forensic Accounting Evidence*

Introduction

Money laundering is a global issue being exacerbated by the source, opportunity and means provided the combined effects of growth in international trade, the development and expansion of the global financial system, reduction of barriers to international travel and also the rise of internationalisation of organised crimes. That money laundering poses a threat to the integrity, reliability and stability of the financial and government structures around the world is unquestionable. Recognising such threat from money laundering, international bodies such as FATF and APG and community have continuously attempted to address the problem by various means including multilateral treaties, regional agreements, and creation of international organisations and identification of universal counter laundering measures. Criminalizing money laundering has been part of these measures in many countries, including the UK and Malaysia, resulting in the enforcement and prosecution of money launderers in these jurisdictions.

As anti-money laundering legislations (POCA and AMLATFA) have long been established in the UK and Malaysia respectively, the question remains as to what is the judicial approach in dealing with money laundering cases, and in particular, the proceeds of the crime or the criminal property. In Malaysia, up until 2010, there are about 94 money laundering cases prosecuted at various stages involving proceeds amounting to RM1.2 billion in Malaysia (Malaysian Insider, 2010). In contrast, recent enforcement activity in the UK has shown that considerable number of cases (756) are being prosecuted and charged, 298 cases reaching the courts and 276 convictions (SOCA 2008b). In 2008 to 2009, 67 people were charged with money laundering in SOCA cases (SOCA 2009).

In view of this rapid development in money laundering prosecutions in the UK, this paper aims at examining the application of the POCA by the courts in interpreting what amounts to the proceeds of crime in money laundering cases. The first part explains the concept and the magnitude of the phenomenon. The second part analyses the criminalisation aspect, which lays down the relevant offences under POCA and the approach adopted by POCA as opposed to AMLATFA in Malaysia. The next part which is the crux of the paper, examines the construction of criminal property by the courts, in particular, the legal test created and applied by the courts, the extension of illegal property in tax fraud cases, the timing of the illegality and the proof of mens rea (knowledge or suspicion). The emerging new evidence in the form of forensic accounting evidence is next and the last part concludes the paper.

Conceptualising Money Laundering

Money Laundering means "cleaning" or "sanitizing" (CPS Guidance, 2012) or disguising the origins of the proceeds of crime by the criminals. This offence has been defined differently by different writers and international bodies. For instance, the Central Bank of Malaysia defines money laundering as to cover all activities and procedures to change the identity of illegally obtained money

so that it appears to have originated from a legitimate source (BNM, 2002). The Interpol defines money laundering as any act or attempted act to conceal or disguise the identity of illegally obtained proceeds so that they appear to have originated from legitimate sources (Interpol, 1995). Money laundering is defined as the process of converting or transferring criminal proceeds with the intention of disguising their illicit origin (Art 3(a)(i) UN Convention Against Transnational Organised Crime, 2000). FATF defines money laundering as the processing of a large number of criminal acts to generate profit for individual or group that carries out the act with the intention to disguise their illegal origin, in order to legitimize the ill gotten gains of crime. Any crime that generates significant profit through extortion, drug trafficking, arms smuggling and some white collar crime may create a "need" for money laundering (FATF, 2001).

The Australian Institute of Criminology characterized money laundering as the process by which the proceeds of crime are put through a series of transactions disguising their illicit origins and making them appear to have come from a legitimate source (Graycar and Grabosky, 1996). Similarly, William (2003) contends that money laundering is the process by which the proceeds of illicit sources of money are brought into the organized and legitimate financial systems. Such process enables the criminals to legitimize proceeds derived from illegal activities thus enjoys the fruits of the crime without jeopardizing its source (William, 2003). Along the same line, Dewhirst (2004) suggests that money laundering is a process through which criminals legitimize proceeds derived from illegal activities and give it a legitimate appearance (Dewhirst, 2004).

From these conceptions, it is apparent that the key to the laundering activities is misrepresentation (Leong, 2007), involving three independent stages namely placement (the process of transferring the proceeds into the financial system). The second process is layering (the process of generating series of transactions to obscure the audit trail, often through offshore companies) and integration (laundered and untraceable proceeds being reinserted into the economy, such as via investment in real estates) (IFAC, 2002). Indeed, money laundering could be more complex and sophisticated or more basic than these stages, involving several intermediaries and utilizing both the conventional and non-conventional payment systems, offshore financial centre (OFCs), overseas companies, non-financial sections and international trade system (FATF, 2006).

Despite the perpetual problems of measurement with money laundering, attempts have been made at estimating the magnitude of such crime. For instance, Schneider (2010) suggests that the enormity of worldwide money laundering increased from around \$275bn in 1995 to \$603bn in 2006. In applying the cross-border flow analysis methods, Walker and Unger (2010), estimate that number to be somewhere in the range \$1,061-1,599bn. The United Nations Office on Drugs and Crime (UNODC) study in 2009, showed that criminal proceeds amounted to 3.6% of global GDP, with 2.7% (or USD 1.6 trillion) being laundered (UNODC, 2009). However, due to the illegal nature of the

transactions, FATF has been rather skeptical about measuring money laundering and the availability of precise statistics and definitive estimate (FATF-GAFI, 2012).

Criminalization of money laundering in the UK

The broad AML/CFT legal regime in the United Kingdom includes the Proceeds of Crime Act (hereinafter "POCA 2002") as amended by the Serious Organised Crime and Police Act 2005, the Money Laundering Regulations (MLRs 2007), the Terrorism Act 2000, Anti-Terrorism, Crime and Security Act 2001. The regulatory regime encompasses the relevant guidelines of government and industry advisory bodies such as guidelines by the Joint Money Laundering Steering Group Guidance (Lander, 2006).

POCA 2002 criminalised money laundering by criminalising those who dealt with criminal property in numerous ways, knowing or suspecting that such property had been acquired by criminal activity. This part of POCA repealed certain provisions in the Criminal Justice Act 1988 and the Drug Trafficking Act 1994. Recent enforcement activity in the United Kingdom has resulted in 756 charges, 298 cases reaching the courts and 276 convictions recorded from information derived from SOCA intelligence (SOCA 2008b). In 2008 to 2009, 67 people were charged with money laundering in SOCA cases (SOCA 2009).

Offences under POCA 2002

Part 7 of POCA established three separate principal offences of money laundering. Section 340(11)(a) defines money laundering as an act set out in section 327, section 328 and section 329. A person commits an offence if he conceals, disguises, converts, or transfers criminal property or removes such property from England and Wales, Scotland or Northern Ireland (section 327). Concealing or disguising such property includes concealing or disguising its nature, source, location, disposition, movement, ownership or any rights connected with it (Section 327(3)). This section is rather similar to the Malaysian counter-part in section 3(c) of AMLATFA. Also, this offence is usually suitable for "self-laundering" charges. Entering into, or becoming concerned in an arrangement to facilitate the acquisition, retention, use or control by, or on behalf of another person, of criminal property knowing or suspecting that the property is criminal property is an offence (section 328). This is similar to section 3(a) of AMLATFA. Such a provision would be most appropriate in cases where the launderer is not the principal offender but could involve professionals to facilitate the crime. The third offence is acquiring, using or having possession of criminal property (section 329), which is akin to section 3(b) of AMLATFA. Such an offence targeted the so-called "end-user" or the person who purchase any physical property from a criminal.

Additionally, money laundering includes the "attempt, conspiracy or incitement" of committing an offence under sections 327, 328 and 329 (s. 340(11)(b)). Similarly, section 340(11)(c) incorporates

“aiding, abetting, counselling or procuring the commission” of such offences into the money laundering definition. The three principal money laundering offences are to be prosecuted with a maximum sentence of 14 years imprisonment and/or a fine or both (s. 334(1)(b)). In view of the severe punishment, the three principal money laundering offences can be categorised as serious crimes in the UK. Any natural or legal persons may be convicted of a money laundering offence in the UK (FATF, 2007a).

List-based versus All-crimes Approach

In the UK, the assumption in money laundering offences is that a crime has been committed in order to generate the criminal property that is now being laundered (CPS, 2010). Such offence is known as a predicate or underlying offence. However, money laundering conviction is not dependent on obtaining a conviction for the predicate offence that generated the money to be laundered (CPS, 2010). It is apparent that the *sine qua non* of the principal offences in the UK is criminal property (i.e., proceeds of crime). “Criminal property” constitutes a person’s benefit from criminal conduct or it represented such a benefit and the offender knew or suspected that it constituted or represented such a benefit (section 340(3)). In view of this definition of criminal property, there is no distinction between the proceeds of the defendant's own crimes and crimes committed by others (see S.340 [4]). Hence, when one launders one’s own proceeds of crime, it is similar to crimes performed by someone else, such as professional launderers on behalf of the authors of the predicate offences (CPS, 2010)

Unlike the Malaysian provision which require the property to be the proceeds of an unlawful activity as defined in section 3 AMLATFA, the scope of POCA is rather broad, as it requires the accused to be dealing with the proceeds of a criminal conduct. Criminal conduct is a conduct which “constitutes an offence in any part of the UK” (section 340(2)). This is indicative that an “all crimes” approach is adopted in respect of the predicate offence committed in the UK. Such an approach can be distinguished from the “list-based” approach or the “scheduled offence” method (Norhashimah Mohd Yasin, 2007) adopted by Malaysia, in which predicate offences (serious offences and serious foreign offences) must be listed in a Schedule. To date there are about 223 offences listed in the Second Schedule of AMLATFA.

Proving the Ill-gotten Gains

The prosecution must prove that, at the time, the launderer committed the relevant act (transferring, concealing, acquiring etc) he/she knows or suspects that the property originated from a criminal conduct or activity. The property comprising the benefit from criminal conduct is widely defined in section 340(9) and (10) to include money, all types of property or real estate, security, things in action, other intangible or incorporeal property. A person who obtains an interest in a property is deemed to obtain that property. In cases where the money laundering offences are

proceeded with on the same indictment as the predicate offence, the latter should be proved as part of the proceedings to the requisite standard (CPS, 2010). On the contrary, where the money laundering proceedings are "standalone", criminal property could be proved by two ways. Firstly, by proving the type of offending that gave rise to the criminal property and secondly, by relying upon circumstantial evidence. The case *R v Anwoir [2008] EWCA Crim 1354* below is indicative of this view. In such cases, the prosecution does not have to wait for a conviction in relation to the "criminal conduct" (i.e. the predicate offences giving rise to the criminal property). In other words, no conviction for the predicate offence is necessary for a person to be prosecuted for a money laundering offence.

In *R v Anwoir [2008] EWCA Crim 1354*, the appellants were charged with money laundering contrary to section 328 of POCA relating to £740, 000 in cash paid into a bank account and transactions through a bureau de change, which had a turnover of £50 million in two and a half years in operation. The cash was changed into Euros in denominations of €500 notes. Police undercover operation of one of the appellants indicated that he had access to people who were prepared to launder money from drug dealing. In separate proceedings, the appellants were convicted of minor drug offences. The Court of Appeal dismissed the appeals against convictions by three appellants, convicted at various crown courts of money laundering, but allowed an appeal by the fourth. Latham LJ in giving the judgment of the court held that, on the facts of the case, the proceeds of the crime could come from drug offences and/or VAT fraud. Importantly, his lordship held that, in money laundering cases, there were two ways in which the Crown could prove that property derived from crime. Firstly, by showing that it derived from conduct of a kind or kinds and that conduct of that kind or those kinds was unlawful. Secondly, by the evidence of the circumstances in which the property was handled, which were such as to give rise to the irresistible inference that it could be derived only from a crime. Such a decision has approved the decision in *R v Green ([2005] EWHC Admin 3168)*, was consistent with the Court of Appeal's decision in *R v Gabriel (Note) ([2007] 1 WLR 2272)*, *R v K (I) ([2007] 1 WLR 2262)*, *R v Craig ([2007] EWCA Crim 2913)* and the Court of Appeal's approach in *R v El-Kurd ([2001] Crim LR 234)*. However, the Court refused to follow *R v NW and Others [2008]*.

In *R v NW and Others [2008] EWCA Crim 2* four defendants were charged with money laundering when about £100,000 which was alleged to be proceeds from NW's criminal activity, were transferred out of the UK to Jamaica through Western Union or Jamaica National Overseas Limited. The first defendant had no visible means of support other defendants were on social benefits £5000 cash were found in their home, and there were evidence of frequent telephone calls. However, the prosecution could not determine the offence which generated the money. The trial judge held that there was no case for the defendants to answer and the prosecution appealed. The Court in dismissing the appeal held that for the purpose of prosecution under section 328 of POCA, whilst the prosecution

did not have to establish precisely what crime or crimes had generated the property in question, it did have to establish at least the class or type of criminal conduct involved.

Proof by circumstantial evidence

The second limb of the test in *R v Anwoir* suggests that in proving that the proceeds are the benefit of "criminal conduct" circumstantial evidence becomes crucial. The Court of Appeal in *R v F and B [2008] EWCA Crim 1868* confirmed this test. The two respondents who were bound for a flight to Tehran were caught with cash of £1,184,670 in a suitcase at Heathrow. Upon initial questioning about their bags, one of them initially denied having any bags in her luggage. They then claimed that a friend had requested them to carry the money and had done such a deed for several times before. They also claimed they did not know the source of money but admitted what they were doing was wrong. Following *R v NW* the trial judge held that there was no case to answer. Nevertheless, the Court of Appeal in allowing the appeal by the prosecution held that the latter was entitled to rely on *R v Anwoir* as there was no procedural unfairness when the prosecution was unable to point to any criminality. As far as the first respondent was concerned, the answer he gave to the customs officers suggested he knew full well some crime was involved in producing that money.

This line of decision that it is not necessary to prove that the property in question, is the benefit of a particular act of criminal conduct, seems to continue in the case of *Mohammad Ahmad v Her Majesty's Advocate [2009] HCJAC 60*. The Scottish Court of Appeal has held that property will be considered criminal property under the POCA if the evidence of how it is handled 'gives rise to the irresistible inference' that it could have been the product of crime. However, the crime that generated the assets does not have to be identified in court. In this case, the appellant and another person were charged with sections 327 (transfer and removal of criminal property from Scotland), 329 and 330 of POCA for laundering more than £2 million over a seven-month period, through a travel agency and money service bureau. The appellant claimed that, for a laundering charge to proceed, the prosecution had to prove that the property was the benefit from a specific criminal offence, or at least the benefit from a class or type of criminal offence. Lord Kingarth refused to follow the above-mentioned case of *R v NW and Others [2008] EWCA Crim. 2* but followed *R v Craig [2007] EWCA Crim 2913*; *R v Anwoir & Others [2008] EWCA Crim 1354* and *R v F and B [2008] EWCA Crim 1868*. His Lordship explained that there are two ways to prove that property derives from a crime firstly, by showing that the property is derived from conduct of a specific kind or kinds and that such conduct is unlawful, or secondly, by providing evidence of the circumstances in which the property is handled, which give rise to the irresistible inference that it can only be derived from crime.

Tax Evasion and Money Laundering

The question of whether the proceeds from tax evasion or avoidance could amount to criminal property was raised in *R v Gabriel [2006] EWCA Crim 229*, in which Gage LJ held that profits from legitimate trading could not give rise to criminal property. Some confusion resulting from this case has been rectified by the Court of Appeal, which distinguished *R v Gabriel* in *R v IK [2007] EWCA CRIM 491*. The Court held that a person who cheated the Inland Revenue obtained a pecuniary advantage as a result of criminal conduct within section 340(6) meaning. Accordingly, any undeclared amount constituted "a person's benefit from criminal conduct" within section 340(3)(a). In this case, the defendant (IK) and his father (SK) ran a money transfer business called KME, whereby customers wanting to send money to Pakistan could deposit cash at KME, which would then be paid into KME bank account. They were charged with money laundering under section 328 (1) for deliberately and dishonestly concealed £5.9 million of cash transaction and falsified documents on the money transfers. SK and MR, a co-defendant, were charged with money laundering as cash amounting to £200,000 was undeclared takings of MR's grocery business and was transferred to Pakistan via KME. Such action constituted cheating the Inland Revenue of the tax and/or value added tax.

When must property be illegal?

The timing of the criminality is deemed crucial in section 328 of POCA because it appears that the property is criminal property only after some other offence has been committed. There is a material distinction between an accused who is becoming concerned in an arrangement that facilitates the acquisition of property and an arrangement that is facilitating the acquisition of criminal property. Recent cases seemed to suggest that it is the latter which POCA criminalises. In *R v. Geary (2010) EWCA Crim 1925*, the Court of Appeal quashed the defendant's conviction for money laundering under section 328 of POCA and held that the relevant definition of "criminal property" requires knowledge or suspicion on the part of the offender that the money is illegal or criminal at the time the money is handed to him. The Court rejected the argument that the criminal property extends to property, which originally was legitimate, but became criminal only as a result of carrying out the arrangement, as this would stretch the language of the section beyond its proper limits. Murray (2011) also suggests that following *Geary's* case, the property is not criminal property if that condition is not met at the material time to the satisfaction of the court.

In *R v Akhtar & Another [2011] EWCA Crim 146*, the Court of Appeal cited and followed *R v Geary*. The Court held that, a mortgage broker, who had allegedly submitted dishonest claims for loans on behalf of his co-defendants, was not guilty of entering into or becoming concerned in money laundering arrangements under section 328. This is because that provision envisages a person is not guilty of that offence unless, at the time of entering into the arrangement, the property in question was criminal property. Such property was not criminal property even if the intention of the defendant had

been that the property was to be used for a criminal purpose. The Court also referred to a much earlier case of *R v Loizou [2005] EWCA Crim 1579*, concerning section 329 of POCA, that the property had to be criminal property at the time that it was transferred, applied to cases concerning s328 of the Act. Consequently, the Court quashed the convictions and the confiscation order.

Not only must the property in question be criminal property at the time of the arrangement, the most recent case suggests that section 328 should be read narrowly. The arrangement, which is the basis of the charge, must actually result in an identified individual or entity receiving or retaining criminal property. In *Dare v Crown Prosecution Service [2012] EWHC 2074 (Admin)*, an agreement to set up an arrangement in the future was not sufficient to ground a prosecution under s 328, even as an attempt. In this case, the accused agreed to buy a stolen car intending to re-sell it for a profit, but the sale never took place. The High Court in quashing the defendant's conviction held that to be guilty of section 328, at the moment the arrangement is concluded it facilitates the acquisition by another person. That other person must, therefore, be identifiable.

Proving knowledge or suspicion

Under the three offences, the prosecution must prove that not only that actual property originated from crime, but it must also be proven that the suspect 'knew or suspected' that the property represented benefit from crime. *R v Da Silva [2006] EWCA Crim 1654*, was decided under s.93A Criminal Justice Act 1988 but equally relevant to the POCA. The Court of Appeal considered a trial judge's direction to the jury on the word 'suspicion'. The Court held that there should be no jury direction on what it means but in law 'suspecting' means that there is a possibility, which is more than fanciful that the relevant facts exist. A vague feeling of unease would not suffice. However, similar to the Malaysian position on unlawful activity, POCA does not require the suspicion to be clear or firmly grounded or based upon reasonable grounds. It is sufficient that a person suspect that it is.

Implication for Forensic Accounting Evidence

The above-mentioned cases such as *R v Anwoir*, *R v F and B* and *R v Craig* suggest that the criminal origin of proceeds may be typically provided by the evidence of circumstantial evidence. Any other evidence to prove the ill-gotten gains could also be obtained from an accomplice and forensic evidence, such as physical contamination of cash with drugs. From this physical or real evidence, the court could draw an inference that the money came from drug trafficking. Significantly, forensic accounting expert could come into play by sifting through the evidence of complex audit trails, from which he/she may be able to conclude that the complexity of the transactions indicates that the property was the proceeds of crime (Archbold, 2006; CPS, 2010). When laundering is done through cash intensive business, and if the cash flows appear rather large or if the profit margins are

too high, it is imperative that accounting expert evidence is obtained to assist the prosecution in determining the appropriate level of profit for such business within a certain time.

On the other hand, forensic accountant or auditor with a particular knowledge of some business area would be beneficial to the defence's case by indicating, for example, that it is not unusual for significant cash flow to come from a pub, or a mini-cab business, which are cash-only businesses or that certain losses appeared to fall outside the indictable period or the defendant's work shift (Rahman and Revelli, 2009). Also, such forensic accounting expert may be able to assist the defendant in rebutting the prosecution's case by comparing his business with similar businesses in the area and/or showing the existence of a reasonable audit trail (Rahman and Revelli, 2009). To a certain extent and under the right situation, such forensic accounting evidence could make the prosecution's case resembling mere speculation rather than tangible facts.

Conclusion

Money laundering prosecution is an omnipresent legal quagmire, requiring proof of both the *actus reus* and the *mens rea* of the principal offences. In proving that the property involved in such crime is illegal or criminal, some considerations appear to be at work, including whether the circumstances involve laundering of the proceeds of crime, or merely the initial crime itself and the type of money laundering prosecution (with or without the predicate offence). Despite this quandary, the UK experience indicates that, unlike the Malaysian counter-part, there has been an active and vigorous legal development in money laundering prosecution. Of importance is the judicial activism in proving that the proceeds are the benefit from criminal conduct, i.e., in proving the predicate offence, including tax fraud or evasion. Whilst the Court of Appeal has overruled several trial courts' decisions, it has also distinguished its own decisions in some other cases. Such a vibrant judicial activity in money laundering cases also signifies the significance of circumstantial evidence as an invaluable tool for the prosecution. Notably, the rapid legal development in money laundering prosecution may have a considerable implication for the forensic accounting profession and industry, in view of the fact that forensic accounting evidence is increasingly becoming a double-edged sword in the conviction as well as the defence of the perpetrators in many complex financial crimes, including money laundering.

References

- Zakiah Muhammaddun Mohamed and Khalijah Ahmad, (2012), Investigation and Prosecution of Money Laundering Cases in Malaysia, *Journal of Money Laundering Control*, Vol. 15 No. 4 p:421-429.
- Murray, K. (2011), 'The uses of irresistible inference: Protecting the system from criminal penetration through more effective prosecution of money laundering offences', *Journal of Money Laundering Control*, Vol. 14 Iss: 1 pp. 7 – 15.

- Crown Prosecution Service (2010), "Proceeds of Crime Act 2002 Part 7: Money Laundering Offences", available at http://www.cps.gov.uk/legal/p_to_r/proceeds_of_crime_money_laundering/#Introduction_to_Money_Laundering.
- Adamson, D.W. (2010), "Depriving Criminals of Their Ill-gotten Gains: Is It Happening?" *Journal of the Law Society of Scotland*, 24 March.
- Rahman Ravelli (2010), "Accused of Money Laundering? Specialist Fraud Solicitors Defending Proceeds of Crime Act Offences" available at <http://www.rahmanravelli.co.uk/services/serious-fraud/money-laundering/>
- Schneider, F. (2010), "Money laundering and financial means of organized crime: some preliminary empirical findings", *Economics of Security Working Paper 26*, Economics of Security, Berlin
- Walker, J. and Unger, B. (2010), "Measuring global money laundering: 'the walker gravity model'", *Review of Law and Economics*, Vol. 5 No. 2.
- Norhashimah Mohd. Yasin (2007), *Legal Aspects of Money Laundering in Malaysia from the Common Law Perspective*. LexisNexis, Kelana Jaya.
- Dewhirst, B. (2004), 'The Money Laundering Problem', Institute of Credit Management Ltd., available at <http://www.highbeam.com/doc/1P3-699221611.html>
- Norhashimah Monh Yasin (2004), 'Precedents Relating to Money Laundering', 3 *Current Law Journal* i.
- Home Office UK, Definition of Money Laundering available at <http://www.homeoffice.gov.uk> on 25 June 2012.
- Interpol, Definition of Money laundering, retrieved from <http://www.interpol.int/Crime-areas/Financial-crime/Money-laundering>
- Williams, P. (2001), *Crime, Illicit Markets, and Money-laundering*. In P.J. Simmons and C.d.Jonge Oudrat (Eds.), *Managing Global Issues: Lessons Learned*. 106-150. Washington D.C.: Brookings Institution Press.
- Stessens, G. (2008), *Money Laundering: A New International Law Enforcement Model (Cambridge Studies in International and Comparative Law)*, 1st ed., Cambridge University Press.
- Australian Institute of Criminology (1996), *Money Laundering in the 21st Century: Risks and Countermeasures*, edited by Adam Graycar and Peter Grabosky, Canberra.
- HM Revenue & Customs UK, Definition of Money laundering available at <http://www.hmrc.gov.uk>
- Law Society UK, Definition of Money Laundering, retrieved from <http://www.lawsociety.org.uk>
- Malaysian Insider (2010), "Almost 100 money laundering cases being prosecuted", Kuala Lumpur, July 19, available at www.themalaysianinsider.com/malaysia (accessed July 2011).
- Financial Action Task Force (FATF-GAFI) (2012), 'What is money Laundering?', available at <http://www.fatf-gafi.org/pages/faq/moneylaundering/>
- OECD (2009), 'Sanctioning and Prosecuting Corruption and Related Offences' available at http://www.oecd.org/site/adboecdanti_corruptioninitiative/policyanalysis/35144029.pdf
- United Nations Convention Against Transnational Organised Crime, 2000) (Art 3(a)(i)
- APG Mutual Report UK 2007
- APG Mutual Report on Malaysia 2007
- The Proceeds of Crime Act 2002

Serious Organised Crime Act 2005

Anti Money Laundering Regulations 2007

Anti Money Laundering and Financing Terrorism Act 2001