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Planning

Provision for the Appointment of an Office Holder in Criminal Confiscation and Civil Recovery Cases

Crown Prosecution Service

F01: Prior information notice

Prior information only

Notice identifier: 2023/S 000-032653

Procurement identifier (OCID): ocids-h6vhtk-0415c5

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Section I: Contracting authority

I.1) Name and addresses

Crown Prosecution Service

102 Petty France

London

SW1H 9EA

Email

receivers.poca@cps.gov.uk

Telephone

+44 0

Country

United Kingdom

Region code

UKI32 - Westminster

Internet address(es)

Main address

<https://cps.bravosolution.co.uk/>

I.3) Communication

Additional information can be obtained from the above-mentioned address

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Public order and safety

Section II: Object**II.1) Scope of the procurement****II.1.1) Title**

Provision for the Appointment of an Office Holder in Criminal Confiscation and Civil Recovery Cases

Reference number

PR 2022 112

II.1.2) Main CPV code

- 75131000 - Government services

II.1.3) Type of contract

Services

II.1.4) Short description

Provision for the Appointment of an Office Holder in Criminal Confiscation and Civil Recovery Cases

II.1.6) Information about lots

This contract is divided into lots: Yes

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

Whether the contract will be divided into lots is currently under consideration. We are currently reserving all rights in this respect.

II.2) Description

II.2.1) Title

Lot No

1, 2

II.2.2) Additional CPV code(s)

- 66000000 - Financial and insurance services
- 66171000 - Financial consultancy services
- 75130000 - Supporting services for the government
- 79000000 - Business services: law, marketing, consulting, recruitment, printing and security
- 79100000 - Legal services
- 79412000 - Financial management consultancy services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Prior Information Notice - Provision for the Appointment of an Office Holder in Criminal Confiscation and Civil Recovery Cases.

The Crown Prosecution Service (CPS) is seeking to procure a service for the appointment

of an Office Holder in Criminal Confiscation and Civil Recovery Cases. The CPS (or other body as applicable) would apply to the court for the appointment of Receivers and Trustees under the Proceeds of Crime Act 2002 (for criminal confiscation and civil recovery casework) and the legislation that preceded the Proceeds of Crime Act 2002 (for criminal confiscation casework). The requirement is for a contract to be put in place as the mechanism by which the CPS and other bodies will select an Office Holder to be put forward to the court for appointment.

The Office Holder will be appointed as a Receiver or Trustee either to manage assets or to take possession of and realise assets to pay a Confiscation Order in Criminal Confiscation Cases and to investigate the origins of assets, manage assets or to take possession of and realise assets subject to Civil Recovery Orders in Civil Recovery Cases.

The CPS has a specialist division dedicated to asset recovery – CPS Proceeds of Crime Division (CPS POCD). Proceeds of crime is the term given to money or assets gained by criminals during the course of their criminal activity. The authorities, including the CPS, have powers to seek to confiscate these assets so that crime doesn't pay. By taking out the profits that fund crime, we can help disrupt the cycle and prevent further offences. CPS POCD is a national service dedicated to asset recovery work. CPS POCD works with law enforcement agencies including the police, the National Crime Agency, His Majesty's Revenue & Customs and the Department for Work & Pensions, as well as Regional Asset Recovery Teams (multi-agency), Asset Confiscation Enforcement teams (police & NCA), HM Courts & Tribunal Service and the Home Office.

An existing Framework Agreement is in place for the current provision of this service, which is used by CPS, the National Crime Agency (NCA), the Public Prosecution Service Northern Ireland (PPSNI) and the Serious Fraud Office (SFO). The current Framework Agreement is set to expire in June 2024 and CPS are looking to replace it. It is envisaged that the replacement will be in the form of a Framework Agreement with CPS, NCA, PPSNI, SFO and potentially others being able to place Call-Offs under the Framework Agreement.

The following types of Receiver/Trustee are in scope:

Criminal

- i. Management Receivers
- ii. Enforcement Receivers
- iii. NCA Receivers

Civil

- i. Interim Receivers
- ii. Receivers in Connection with Property Freezing Orders
- iii. Receivers in Connection with Prohibition Orders
- iv. Trustees for Civil Recovery

The scope of work will include both domestic and incoming international asset recovery cases. Expertise in digital assets (including, but not limited to, Cryptocurrency) is also likely to form part of the scope due to the increase in cybercrime.

Receivers and Trustees are remunerated from the sums that they realise from the sale of the assets over which they are appointed. The CPS (and other bodies) do not offer indemnities and therefore if no assets are realised there is no scope for remuneration.

The CPS is seeking to engage with the supply market as part of an information-gathering exercise. Suppliers who wish to participate in this early market engagement exercise should do so via the E-mail address contained in Section 1 of this notice.

II.2.14) Additional information

We are currently considering whether the requirement will be awarded in lots or not

II.3) Estimated date of publication of contract notice

24 January 2024

Section IV. Procedure

IV.1) Description

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes