



# HM Revenue & Customs

Ms Judith Evans

By email:

[request-491445-d0322f62@whatdotheyknow.com](mailto:request-491445-d0322f62@whatdotheyknow.com)

## Freedom of Information Team

S1715

6 Floor

Central Mail Unit

Newcastle Upon Tyne

NE98 1ZZ

Email [foi.request@hmrc.gsi.gov.uk](mailto:foi.request@hmrc.gsi.gov.uk)

Web [www.gov.uk](http://www.gov.uk)

Date: 28 June 2018

Our ref: FOI 2018/01245

Dear Ms Evans

## Freedom of Information Act 2000 (FOIA)

Thank you for your request, which was received on 15 June, for the following information:

“Please could you provide me with statistics for the number of estate agents fined for failure to comply with anti money-laundering regulations in each of the calendar years from 2010 to 2017, together with the maximum and minimum fines levied in each of those years?”

I can confirm HMRC holds information within scope of your request. However, you have requested details of enforcement action in a specific sector and this information is exempt under section 31(1)(a) and 31(1)(g) FOIA.

Section 31(1)(a) allows a public authority to withhold information if its disclosure would or would be likely to prejudice the prevention or detection of a crime.

Section 31(1)(g) allows a public authority to withhold information if its disclosure would or would be likely to prejudice any of its functions in section 31(2) FOIA. HMRC believes that disclosure of this information would prejudice our ability to determine whether any person has failed to comply with the law as envisaged in section 31(2)(a) FOIA.

We consider that the detail you have requested falls within the scope of these exemptions. This is because it could allow opportunists to identify where HMRC is focussing its resources and arrange their activities accordingly to escape challenge. As the UK's tax, payments and customs authority, HMRC needs to secure the revenue to the exchequer to help pay for essential public services.

## Public interest

In deciding whether or not to apply the section 31 exemption, I have considered the public interest in releasing the detailed information you have requested, against the risk of disclosing anything that might assist criminals in their activities and damage the general climate of honesty among the majority of regulated businesses who meet their obligations.

I have also taken into account fact that we do release information on an annual basis which enables public scrutiny of our performance. On balance I conclude it is not in the public interest to set aside the exemption in this case.



## Outside of the FOIA

I accept there is a public interest in Money Laundering Regulations compliance information and for this reason I can provide penalty data covering the last six tax years.

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Number of penalties	209	407	677	1,153	901	655
Value of penalties	£87,000	£213,000	£768,210	£558,432	£1,182,179	£2,258,657

If you are not satisfied with this reply you may request a review within two months by emailing [foi.review@hmrc.gsi.gov.uk](mailto:foi.review@hmrc.gsi.gov.uk), or by writing to the address at the top right-hand side of this letter.

If you are not content with the outcome of an internal review, you can complain to the Information Commissioner's Office. The following link explains how to do this:  
<https://ico.org.uk/concerns/>

Yours sincerely

Freedom of Information Team