

**62.8** *There must be a proper investigation*

*R v Jones* 2017 EWCA Crim 2192, 2018 1 Cr App R (S) 35 (p 248) D pleaded to possession of 4.54 grams of crack cocaine. The Judge found that because of what was found at D's home, D was a commercial dealer. The Judge forfeited £4,600 in cash. During mitigation, D's counsel gave an explanation for the money, saying a 'lot of the money' had come from cards/roulette. Held. It is not clear whether there was a formal application for forfeiture of the money. The procedure seemed to be extremely lax. The Judge should have taken a much firmer and more formal grip on the matter. There must be a proper investigation. The Judge never expressly said he rejected D's account for the cash. As the Judge had not applied his mind properly, we quash the order.