SUPREME COURT OF SEYCHELLES

Reportable
XP 29/2025

In the matter between:

EX PARTE: THE GOVERNMENT OF SEYCHELLES **Petitioner**
(rep. by Mrs. Kimberly D'offay)

Neutral Citation:	Exparte: *GOS* (XP 29/2025) [2025] 16th April 2025
Before:	Judge Burian
Summary:	For an interim order pursuant to Section 3 of the Proceeds of (Crime Civil Confiscation) Act 2008
Heard:	15th April 2025
Delivered:	16th April 2025

ORDER

The Court proceeds to make the following orders:

(i) I issue an Interim Order pursuant to Section 3 or the Proceeds of Crime (Civil Confiscation) Act 2008 as amended prohibiting the Respondent or any other person specified in the order from disposing of or otherwise dealing with whole or any part of the property, or diminishing the value of the property as set out in the table appended to this Notice of Motion.

(ii) For an order to seize the money described in the Table attached to this application.

(iii)On the making of an orders under (i) & (ii) above, Miss Vickie Poussou of the Asset Management Unit of the Department of Finance shall be appointed as Receiver over all of the said property to manage keep possession or dispose of, or otherwise deal with any other property in respect of which she is appointed in accordance with the courts directions, pursuant to Section 8 of the Proceeds of Crime (Civil Confiscation) Act 2008 as amended;

(iv) A copy of this Order to be served on the Respondent, Randy Henry Labrosse (N.I.N 985-0547-1-1-20) of Petit Paris, Mahe, Seychelles

RULING

BURIAN J

[1] This is an ex-parte application under Section 3 of the Proceeds of Crime (Civil Confiscation) Act 2008 (POCA) as amended. The Applicant the Government of Seychelles seeks the following reliefs.

(1) For the matter to be heard as a matter of extreme urgency;

(2) For an Interim Order pursuant to Section 3 of the Proceeds of Crime (Civil Confiscation) Act 2008 as amended prohibiting the Respondent or any other person specified in the order from disposing of or otherwise dealing with whole or any part of the property set out in the Table appended to this Notice of Motion.

(3) That on the making of an order under (2) above, Miss Vickie Poussou of the Asset Management Unit of the Department of Finance or such other person as this court shall direct be appointed as Receiver over all or part of the said property to manage, keep possession or dispose of, or otherwise deal with any other property in respect of which he is appointed in accordance with the court's directions, pursuant to Section 8 of the Proceeds of Crime (Civil Confiscation) Act 2008 as amended; and

(4) For an order providing for Notice of any such order to be given to the Respondent or any other person directed by the court;

(5) Such further or other order as the court shall deem just and proper in all circumstances in this case.

[2] I have considered the details contained in the affidavit dated 9th April 2025 of Sergeant Veronique Parcou currently attached to the Financial Crime Investigation Unit (FCIU) Seychelles and its supporting exhibits. It is clear on perusal of the said affidavit and annexures attached therein that Sergeant Parcou has conducted investigations in respect of the specified property as set out in the Table to the Notice of Motion namely Seychelles Rupee notes in various denominations:

Item	Description (denomination of cash)	Estimated Value in SCR
	36 NOTES OF 500	18,000
	341 NOTES OF 100	34100
	31 NOTES OF 50	1550
	3 NOTES OF 25	850
	GRAND TOTAL	SCR 54,500

[3] It is clear from the investigations done by Sergeant Parcou that the said Respondent is being investigated because he was in possession or control of monies believed to derive from criminal activities, namely, drug trafficking and money laundering.

[4] In her affidavit Sergeant Parcou avers that on the 19th February 2025 at approximately 4.00pm, the Special Patrol Team of the Seychelles Police, led by Sub-Inpector Renette Joubert, received credible information indicating that a drug transaction was taking place at the premises of Ms Catherine Laporte of Petit Paris. Sub-Inspector Joubert, accompanied by Sergeant Boniface, Corporal Confiance, and other officers from the Special Patrol, proceeded to the location.

[5] Upon arriving at the said location in Petit Paris, they noticed a man, who was later identified as the Respondent leaning on a wall. When he saw the police he attempted to flee and was apprehended. During his attempt to flee, he placed a multi-coloured purse on the wall, the purse was picked up by the police and found to contain money in various denominations all wrapped in a clear film.

[6] When questioned about the source of the money, the suspect claimed that he had earned the said money whilst working on a fishing vessel. However, upon further questioning the Respondent's account was found to be unsubstantiated and further investigation has established as follows:

(i) The Respondent could not give clear dates as to his last employment on a fishing vessel and it appears he engages in casual employment as a labourer. Inquiries have further shown that the Respondent owns no businesses or property and he holds no known bank account therefore the money could not have originated from his salary or any other legitimate means;

(ii) The Respondent later admitted in a statement to police that the money had been derived from criminal activities, principally that he was commissioned to sell drugs for a third party;

(iii) The denominations of the money as found are consistent with cash usually found in possession of dealers given their round figures; and

(iv) That concealing of the funds or the true nature of the funds is an offence of Money Laundering.

[7] The information obtained by the police has led them to the conclusion that the money seized could not have come from any legitimate sources.

[8] Sergeant Parcou further states in her affidavit that her investigations reveal and it is her belief under Section 9 of the POCA that;

(i) The Respondent is in possession or control of specified property that is to say, the property set out in the Table appended to the Notice of Motion and that the said property constitutes directly or indirectly the benefit from criminal conduct.

(ii) The Respondent is in possession or control of the specified property that is to say, the property set out in the Table appended to the Notice of Motion and that the said property is the proceeds of criminal conduct namely drug trafficking and Money Laundering.

(iii) The total value of the specified property is not less than SCR 50,000.

[9] Learned Counsel Mrs Kimberly D'offay moving for the aforementioned orders and relies on the contents of the affidavit filed by Sergeant Parcou dated 9th April 2025 and other annexed documents referred to herein in the said affidavit.

[10] Giving due consideration to all the aforementioned facts set out in the said affidavit and annexures, this court is satisfied that there are reasonable grounds to believe the Respondent is in possession of specified property that is the property set out in paragraph [2] herein and in the Table to the Notice of Motion and that the said property constitutes direct or indirect benefit from criminal conduct referred to above. This court is further satisfied that that the total value of the property mentioned in the said Table is over SCR 50,000.00.

[11] I therefore proceed to make the following orders:

(i) I issue an Interim Order pursuant to Section 3 of the Proceeds of Crime (Civil Confiscation) Act 2008 as amended prohibiting the Respondent or any other person specified in the order from disposing of or otherwise dealing with whole or any part of the property, or diminishing the value of the property as set out in the table appended to this Notice of Motion.

(iv) For an order to seize the money described in the Table attached to this application.

(v) On the making of an orders under (i) & (ii) above, Miss Vickie Poussou of the Asset Management Unit of the Department of Finance shall be appointed as Receiver over all of the said property to manage keep possession or dispose of, or otherwise deal with any other property in respect of which she is appointed in accordance with the courts directions, pursuant to Section 8 of the Proceeds of Crime (Civil Confiscation) Act 2008 as amended;

(vi) A copy of this Order to be served on the Respondent, Randy Henry Labrosse (N.I.N 985-0547-1-1-20) of Petit Paris, Mahe, Seychelles

Signed, dated and delivered at Ile du Port on 16th April 2025.

Judge Burian