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MORE THAN
JUST A NUMBER:
IMPROVING THE
POLICE RESPONSE TO
VICTIMS OF FRAUD

DECEMBER 2018

EXECUTIVE SUMMARY

MORE THAN JUST A NUMBER: IMPROVING THE POLICE RESPONSE TO VICTIMS OF FRAUD

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About the authors and organisations

This project was conducted by Michael Skidmore, Josephine Ramm, Janice Goldstraw-White, Clare Barrett and Sabina Barleaza under the direction of Dr Rick Muir (The Police Foundation) and Professor Martin Gill (Perpetuity Research).

The Police Foundation

The Police Foundation is the only independent think tank focused exclusively on improving policing and developing knowledge and understanding of policing and crime reduction. Its mission is to generate evidence and develop ideas which deliver better policing and a safer society. It does this by producing trusted, impartial research and by working with the police and their partners to create change.

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Perpetuity Research is a company that undertakes research in areas of policing and crime, including organised crime. Previous work includes research on money laundering, fraud and corruption, retail theft, identity theft and the illicit market. Perpetuity Research aims to bridge the gap between theory and practice and has produced a range of high profile studies as well as toolkits.

This Executive Summary sets out the main findings and recommendations from the Police Foundation's *More than just a number: Improving the police response to victims of fraud* project. The full version of the report *More than just a number: Improving the police response to victims of fraud* is available from the Police Foundation's website www.police-foundation.org.uk.

EXECUTIVE SUMMARY

INTRODUCTION

Fraud is estimated to make up 31 per cent of all crime in England and Wales, with 3.24 million fraud offences estimated to have taken place in the twelve months to March 2018. Research has found that 45 per cent of fraud victims felt that the financial loss they experienced had an impact on their emotional wellbeing and 37 per cent reported a significant psychological or emotional impact.

Despite the scale and impact of the problem, it is widely agreed among policymakers, academics and law enforcement officials that fraud and the harms it causes are not prioritised by the police. This study is intended as a response to this imbalance between the scale and impact of fraud and the response it receives from policing. Its aim is to achieve a better understanding of the police response to fraud, to consider how appropriate this is and to suggest how policy and practice could be improved.

To achieve this aim, the research set out to answer the following questions:

- How is the police response to fraud organised across national, regional and local agencies?
- How do police forces and partner agencies prioritise fraud?
- Who is affected by fraud and what support is available to them?
- How do the various organisations and agencies work together to respond to fraud and what roles and powers do they have to achieve this?
- What impact has the internet had on the nature and volume of fraud?
- What is being done to protect victims and identify vulnerability in local areas?
- What determines whether the response to fraud is effective or not and what are the barriers to this?
- Are there examples of emerging good practice which, if replicated, would improve the overall effectiveness of the response to fraud?

In order to gain a full understanding of the subject, the research looked at the fraud response from both a local and national perspective. The majority of the locally based research was conducted in three police force

areas – Avon and Somerset, Kent and Essex. Work included interviews with local practitioners, analysis of local datasets and a survey of the local police workforce. The research also included interviews with regional and national stakeholders, a survey of fraud leads across police forces across England and Wales and analysis of national fraud datasets.

THE FRAUD CHALLENGE

Before looking at the police response to fraud in greater depth we describe the nature and complexity of modern fraud. The growth of the internet and its reach into all aspects of life has meant that fraud has moved from being a corporate ‘white collar’ crime dealt with by specialist law enforcement units to a volume crime affecting millions of individual victims, many of whom expect a local policing response similar to that taken in response to other types of crime.

However, despite the vast scale of fraud affecting England and Wales, the policing and criminal justice response remains limited by comparison. In 2017-18 while 277,561 frauds were reported to the police, only 8,313 cases that year resulted in a charge/summons, caution, or community resolution, representing just three per cent of police recorded fraud.

The rise of volume fraud is linked to the spread of the internet and digital technology. 54 per cent of frauds reported in the Crime Survey for England and Wales have a link to cybercrime. We found that 69 per cent of fraud cases passed on to police forces for investigation in 2016-17 had at least one indicator of cybercrime and 43 per cent involved first contact with the victim being made online.

Related to this strong link to cybercrime, most fraud is committed across local police force borders. We found that 78 per cent of frauds passed on for investigation in 2016-17 involved a victim and a suspect located in different police force areas.

Fraud victims look different from the victims of other types of crime, although patterns of victimisation vary by type of fraud. Overall, fraud victims are more likely to be middle aged, earn more than £50,000 a year, live in a rural or an affluent area and work in a professional or managerial occupation.

There is a common misconception that fraud is a ‘victimless’ crime. However, fraud can have a significant

emotional and psychological impact on a victim. We found that 35 per cent of victims of frauds, whose cases were passed on for investigation by a police force in 2016-17 reported that the crime had a severe or significant impact upon them.

ENFORCEMENT

The effectiveness of police enforcement

How effective is police enforcement action against fraudsters? Judged by conventional criminal justice outcomes the response does not look good. The overwhelming majority of fraud offences do not result in a conviction. While 3.2 million frauds were estimated to have taken place in 2017-18, just 638,882 frauds were recorded by the police and industry bodies. For every crime reported just one in 13 was allocated for investigation and in that same period only 8,313 cases resulted in a charge/summons, caution, or community resolution, representing just three per cent of the number reported to the police.

This three per cent success rate compares poorly to other types of crime. For example in the year to March 2018 a charge/summons or out of court resolution was achieved for 15 per cent of violent offences, six per cent of sexual offences, nine per cent of robberies, nine per cent of thefts and 13.5 per cent for all police recorded offences.

Fraud investigations take much longer than most other criminal investigations. The average length of time from reporting to charging for fraud offences was 514 days compared to just 50 days for theft offences. There is some good news, however. Court data shows the conviction rate for frauds that reach the criminal courts has remained steady over the past three years, despite increased volumes.

How much variation is there between police forces in the outcomes achieved? The short answer is that we do not know because of major gaps in the data reported by police forces to the National Fraud Intelligence Bureau (NFIB). 52 per cent of crimes allocated for local investigation in April to September 2016 had no recorded criminal justice outcome 12 months later, much of which is due to an absence of proper reporting. The variation in positive outcomes ranges from 79 per cent in one force to zero in two others, but these figures have more to do with an inconsistent approach to recording fraud investigation outcomes than to any real difference in effectiveness.

Recommendation 1: Those responsible for fraud investigations, including police forces or regional units, should be required to monitor and record the outcomes of fraud investigations in a consistent

way, according to a template developed by the National Fraud Intelligence Bureau.

The complexity of fraud

The high rate of attrition and the length of time it takes to investigate fraud are due in part to the complexity of fraud investigations. Our analysis of fraud case files found a number of challenges encountered in the course of fraud investigations including locating suspects, gathering evidence and engaging victims.

The process for allocating frauds for investigation

Another cause of lengthy investigations and poor outcomes is the process for allocating cases for investigation. Fraud is unique in policing with the decision-making around when to investigate and where to allocate investigations falling primarily to a national unit (the National Fraud Intelligence Bureau – NFIB), whereas the operational response falls to local policing. While it is important to develop a national picture of fraud offending via the NFIB there are a number of weaknesses in the process of case allocation:

- Decision-making is dependent on the quality of the information provided by victims via Action Fraud but there are significant gaps in this information.
- It takes on average 54 days between a fraud being reported to Action Fraud and a case being allocated for investigation. This can disappoint victims and lead to their disengagement. It also means investigative opportunities can be lost, particularly where the offender is local and a direct report to the force could have been treated as a call for service.
- The police currently lack an effective framework for differentiating one fraud from the next. For most incidents police resource is prioritised based on an assessment of harm but there is no framework in place to identify the harm resulting from fraud.
- The understanding of the problem, which rests with the NFIB, is divorced from the operational response, which rests with local policing. This makes for inconsistent and inefficient decision-making. We found a lack of clarity around who is responsible for a fraud investigation, with some in police forces viewing the crime as being ‘owned’ by the NFIB. This means that professional ownership of a case is diluted. Moreover, the decisions of the NFIB are detached from the considerations of police practitioners on the ground working to distinct local priorities and pressures.

Recommendation 2: There should be a review of all fraud data collected and analysed by the National Fraud Intelligence Bureau with the aim of improving the assessment and allocation of crimes for investigation. In particular the review should aim to improve the quality of the information provided by victims to Action Fraud.

Recommendation 3: The National Fraud Intelligence Bureau should develop a threat and harm index for fraud. This should be used by forces and/or regional units to guide both strategic and tactical decisions.

Local operating models

Police forces use different operating models for managing local fraud investigations. Most forces manage fraud through their general investigative resource, but police officers and staff told us that generalist officers lack the capacity and the capability to investigate fraud effectively. Models which pass all fraud investigations through a dedicated hub appear more promising. While this means a lot of cases are screened out due to limited capacity, dedicated teams can develop the skills to investigate cases more effectively and efficiently. We make a major recommendation on which bodies should take responsibility for investigations in Chapter Six.

THE EXPERIENCE OF FRAUD VICTIMS

Victims' expectations of the system

What do victims of fraud want from the police and the wider criminal justice system? Research has found victims are most concerned about getting their money back and seeing the offender convicted. Given the complexity of fraud and its generally cross-border nature these outcomes are unlikely to be achieved in most cases. However, victims also value a number of other more achievable outcomes: having a single point of contact, receiving a sympathetic and understanding response, having someone to listen to them and having support to get over the experience. We found that these expectations are far from being met in practice.

Reporting fraud

While a central reporting hub is important to provide a national perspective on a cross-border problem and to support rational resource allocation, there are a number of challenges with the way Action Fraud works:

- There is still confusion among the public about where to report fraud, with fewer than five per cent naming Action Fraud as the place they would be most likely to report to and 48 per cent saying they would report it to their local police.

- Action Fraud does not have the capacity to manage the current number of calls it receives.
- The way in which Action Fraud identifies risk and vulnerability among victims is too subjective and is not consistent.
- The process for signposting victims for further advice, resolution or support can be confusing, with victims being passed around a multitude of services to get the resolution they need.
- Once a report is submitted to Action Fraud either online or on the phone, the information victims receive is minimal and subject to considerable delays.

Recommendation 4: The City of London Police should be given more resources so that it can handle more calls and provide an improved service to victims.

Recommendation 5: The Action Fraud website should provide more authoritative advice and information to guide victims through the services available. It should make online interaction easier, including providing remote advisors who can assess and refer victims where appropriate. It should provide a way for victims to track their case through the system and remain informed about its progress.

Recommendation 6: All bodies collecting fraud reports (Action Fraud, the local police, third and private sector bodies) should work to minimum service standards that cover victims' basic expectations. These standards should be clearly communicated to victims. Given the scale of under reporting, these communications should also make clear the value of victims submitting a crime report.

Many people continue to report fraud directly to local police forces, although 59 per cent of police forces who responded to our survey reported that they did not monitor how many fraud victims contact them directly and a further two forces (six per cent) reported that they did not know if this was something they monitored. The response from forces is inconsistent across the country and some forces are not properly considering whether some of these direct reports ought to be treated as a call for service (for instance if the victim is vulnerable or if the offender was physically present).

Recommendation 7: There should be clear national guidance on what police forces should do when they are initially contacted by a victim of fraud. This should ensure that victims are assessed to determine

whether or not their report should be treated as a local call for service, for example, if the victim is vulnerable or if a local offender is suspected.

The many organisations that receive fraud reports operate largely in isolation from one another and form a landscape of services that is complex for victims to engage with. This both discourages fraud reporting and makes it difficult for the organisations that are involved to respond effectively to fraud.

Recommendation 8: The public should be made aware of the different reporting channels, and in what circumstances they should be accessed, so that they can access the service most appropriate to their needs.

Victims services

The service victims receive from the police varies considerably by force. 47 per cent of forces told us that all or most fraud victims who contact them are simply referred to Action Fraud. 20 per cent of police forces told us that they visit all or most fraud victims who make direct contact with them.

Most victims, once they have reported to Action Fraud, are presented to their local police in the form of a list issued by the National Fraud Intelligence Bureau on a monthly basis. The majority of the victims on this list will not receive a police investigation. 69 per cent of forces offer some kind of service to these victims based on eligibility criteria, usually related to whether the victim was vulnerable. 28 per cent of forces offer no service at all.

Victims who are allocated an investigation may be contacted by an investigator, normally in another force, leading on their case. Managing victims remotely in this way can be challenging for local police investigators and the approach varies across the country.

Recommendation 9: There should be a national minimum standard of service available to all fraud victims whose cases are being investigated.

All victims of crime have a right to access victim support services to help them recover from the effects of a crime. Action Fraud offers this service when victims report a fraud and this is delivered by a local provider. In 2016-17 35, 220 victims took up this offer but 89 per cent chose not to engage when contacted by the local provider. Practitioners told us that victims generally did not want the support offered by generic victim support services and that staff are not provided with training on the needs of fraud victims. They also told us there are considerable time lags between referral and support being offered.

Recommendation 10: Action Fraud should make clear to victims what they can expect from when they are referred to a local victim support service.

Support for vulnerable victims

There is an increasing recognition of the additional needs of vulnerable people in relation to fraud. Analysis of current Police and Crime Plans found a reference to vulnerable fraud victims in 40 per cent of the plans. Our national survey of police leads for fraud showed the characteristics and experience of the victim are the most important factors for determining the provision of victim services.

Recommendation 11: There should be a national framework, for identifying, assessing and prioritising fraud related vulnerability. All police forces, regional units and Action Fraud should use the same criteria.

Recommendation 12: All fraud victims who are identified as vulnerable should receive at the very least, a follow up call from their local police force.

Recommendation 13: The Home Office should fund an expansion of the Economic Crime Victim Care Unit to cover all police forces to provide a baseline of sustainable provision for identifying, assessing and supporting vulnerable victims of fraud. The Unit should make referrals to the local police force for further action where appropriate.

PREVENTING FRAUD

There is a consensus among police practitioners that, while enforcement is important, we cannot 'arrest our way' out of the fraud problem. Prevention is critical in tackling a volume crime like fraud.

Much fraud prevention work in the UK has focused on raising the public's awareness of risk so that people and organisations can better protect themselves. However it is hard to measure the effect of these various campaigns and there is some evidence that the multiplicity of services and initiatives may be confusing for the public.

Recommendation 14: The Joint Fraud Task Force should coordinate and consolidate the messaging from fraud awareness campaigns delivered across the public and private sector.

Recommendation 15: The Home Office should commission research to examine the effectiveness of public awareness campaigns for fraud and cybercrime prevention. The research should produce recommendations for more coordinated and targeted delivery of these communications.

There is also a lack of coordination of local prevention efforts. Our analysis of police and crime plans found that, although several highlighted prevention or early intervention they provided limited details about what this entails. Local strategic partnerships for delivering prevention were either absent or delivered on the basis of fixed-term resourcing. There is a lack of clarity around roles and responsibilities of different agencies and therefore poor coordination of messaging and effort.

Recommendation 16: Police officers should be trained in how to deliver effective fraud and cybercrime prevention messages and local policing teams should provide this advice as routinely as they give out other crime prevention messages.

Recommendation 17: The local fraud data provided to police forces by the National Fraud Intelligence Bureau should be presented in a way that helps local police forces understand their specific fraud problems and the characteristic of local victims. This will ensure that forces are better placed to develop targeted prevention advice and take a problem solving approach, particularly for fraud carried out by local offenders on local victims.

Recommendation 18: Serious and persistent fraudsters (including those involved with known organised crime groups), vulnerable groups and victims, as well as emerging systemic vulnerabilities should be incorporated into police profiles of the local serious and organised crime threat. The assessment should be developed collaboratively by the police, local authorities, third sector and local business representatives, and used to support targeted local prevention strategies.

Recommendation 19: Police and Crime Commissioners should establish fraud prevention partnerships or at least explicitly include fraud and cyber prevention work within existing local crime prevention partnerships and strategies. The plans developed by these partnerships should be clear about who will be leading on local fraud prevention work, and what this will involve.

Fraud is still under-reported, in particular by the private sector. Victims are not encouraged to engage with the authorities due to a lack of clarity about the importance of reporting fraud, the information they need to provide and the action that will be taken after they have reported it.

Recommendation 20: Consolidating fraud intelligence data from across the public and private sectors should be an ambition for the government. This would augment current

capability to identify offenders, recognise vulnerability and emerging threats, and direct public resource to where it is most needed. As a first step there should be a stock-take of information collected by different bodies and an analysis of how this information can be effectively integrated and applied to fraud policing.

BUILDING A BETTER SYSTEM FOR TACKLING FRAUD

While this report has highlighted examples of good practice it is clear that overall the police response is falling short of where it ought to be if we are to catch or disrupt fraudsters, support victims and prevent fraud. So far we have identified a range of problems within three different parts of the response: enforcement, the service provided to victims and prevention. Behind these operational failings is a deeper problem: we simply do not prioritise tackling fraud across the UK, and consequently the national law enforcement system we have put in place to tackle it is inadequate.

Should we prioritise fraud?

When asked about which offence types should be among the top three priorities for policing 61 per cent of the public said violent crime, 54 per cent said terrorism/extremism and 49 per cent said rape and other sexual offences. Only four per cent mentioned fraud, making it a lower priority for the public than online abuse and drug offences. Given the public's lack of concern, it is not surprising that politicians and the police do not prioritise fraud. Should they?

Given the range and seriousness of the demands on the police and in the context of recent budget cuts it is understandable that fraud has not received greater strategic focus. However, we can be realistic about what can be achieved, while also recognising that fraud deserves greater attention from policy makers and law enforcement agencies.

There are three reasons for this:

- Although the level of harm is not well understood at the individual level, the aggregate harm caused by fraud is considerable. Fraud is estimated to cost the UK £190 billion a year, with £6.8 billion as a result of fraud that directly targeted individuals. The UK loses more financially every year to fraud compared to most other types of organised crime. These are not just real losses to families and businesses, but they also result in funds being channeled out of the UK and into the criminal economy.
- Preventing and investigating fraud is part of a strategy for dealing with other types of crime.

Fraud is closely connected with other aspects of organised criminal activity, notably cybercrime (and associated identity theft), money laundering, corruption and counterfeiting.

- Around a third of victims of fraud say they have suffered a significant emotional or psychological impact as a result.

We are not naive about the resource pressures on policing and law enforcement. In our recommendations below, we argue that there are structural and workforce reforms that should improve efficiency as well as effectiveness. But ultimately if the government wants law enforcement to investigate fraud more effectively, as well as prevent it and provide a better service to victims, it will inevitably have to find more money to deliver this.

Governance and strategy

Fraud is one of the most pervasive crimes in the UK, affecting more than three million people a year, and yet there is no national strategy for dealing with it. The last national strategy for tackling fraud was published in 2011 by an agency that no longer exists and our research found few practitioners made reference to it.

Recommendation 21: The government should produce a national, cross-departmental strategy for tackling fraud alongside a specific national fraud policing strategy.

This absence of a national strategic focus on fraud means there is weak accountability throughout the system for tackling this important area of economic crime. Accountability among the national agencies is dispersed. The National Crime Agency does not work directly on fraud and is not responsible for the operational response even though it does have responsibility for serious and organised crime which is widely acknowledged to include fraud. The City of London Police is the national lead police force but the operational policing response sits locally and the lead force has no power to hold local policing to account for their performance in tackling fraud.

Nor is fraud prioritised locally. Although 74 per cent of police and crime plans mention fraud, 26 per cent do not. Fraud does not feature in a number of key strategic assessments locally which have a particular focus on serious and organised crime and which help to steer local resourcing and priorities.

Recommendation 22: The Home Office should be responsible for overseeing the implementation of the national fraud strategy. The City of London Police should be responsible for ensuring delivery of the national fraud policing strategy.

Recommendation 23: The Strategic Policing Requirement should be much more explicit about how local forces are expected to approach fraud and cross border crime generally. HMICFRS should inspect against this expectation.

Given the low prioritisation of fraud politically at both national and local levels it is not surprising that we find major gaps in the performance management architecture:

- Police forces do not monitor and record the outcomes of fraud investigations in a consistent way (see Recommendation 1).
- In the official statistics there is little differentiation of frauds in terms of complexity, seriousness or harm. This makes it hard to judge whether forces are using their resources in an efficient and effective way (see Recommendation 3).
- Arguably, forces are still measuring the wrong things. Even though we were told in our interviews with practitioners and experts that traditional criminal justice outcomes should not be the primary focus, effectiveness is still largely measured by those outcomes.
- The police share responsibility for tackling fraud with an expansive web of statutory, private and third sector organisations but there is very little measurement of and accountability for their response to fraud.

Recommendation 24: Forces and regional units should be required to report back to the National Fraud Intelligence Bureau not just on criminal justice outcomes but also on victims services, prevention work and disruption activity.

Recommendation 25: the Joint Fraud Taskforce should agree on how the performance of the private sector and other partners will be measured in relation to fraud and then report annually on those measures.

Structure

Fraud presents a major challenge to the way in which policing and law enforcement is structured in England and Wales. It is a cross-border crime mostly dealt with by a fragmented and localised police service. Centralised reporting and analysis through Action Fraud and the National Fraud Intelligence Bureau is vital to gaining a national perspective on a cross border crime. However, currently this means that the understanding of the problem is divorced from the operational response.

These two aspects need to be brought together via a reallocation of roles and responsibilities.

Recommendation 26: The way in which the police response to fraud is structured needs to change:

- *Nationally, the City of London Police should continue to provide the central reporting hub (Action Fraud) and the national intelligence centre (the National Fraud Intelligence Bureau).*
- *Fraud investigations should no longer be the responsibility of local police forces and all investigations should be handled by regional fraud investigation units that would exist alongside the Regional Organised Crime Units. This network of regional units should be coordinated and tasked by the City of London Police. Where the fraud is assessed as serious or complex it should be escalated into the Economic Crime Centre within the National Crime Agency for national tasking.*
- *There should be a national service for vulnerable victims made possible through an expanded Economic Crime Victim Care Unit (ECVCU), which can then make referrals into local services.*
- *Local policing should be responsible for responding to local frauds treated as a call for service, providing local fraud prevention advice and contacting and supporting vulnerable victims in their areas who are referred via the ECVCU.*

Workforce

Is the police workforce configured in such a way to effectively deal with fraud? Previous research has used investment in specialist Economic Crime Teams as a barometer for the level of police commitment to tackling fraud. Our analysis shows that in 2017 there were 1,455 (0.8 per cent) full-time equivalent police personnel working in Economic Crime Teams across England and Wales, 46 per cent of whom were civilian staff. This degree of resourcing is tiny when compared to the scale of fraud. It is worth noting that Economic Crime Teams have a remit beyond fraud, including financial investigation to deal with money laundering and asset recovery in relation to all crime.

In addition to capacity issues within these specialist teams there is a concern about recruitment and retention of fraud specialists. A third of police force leads reported they were not confident they could recruit the right staff to tackle fraud and a quarter were not confident in being able to retain them.

In 69 per cent of forces all or most fraud investigations are dealt with by generalist officers, despite the fact that

69 per cent of strategic fraud leads believe that the lack of knowledge in the workforce was one of the most challenging factors in delivering local fraud investigation. 81 per cent of officers and staff surveyed agreed that fraud policing requires a different set of skills to other crimes, 78 per cent considered that they needed more training to deal with fraud and 86 per cent believed it should be dealt with by specialists. There is a capacity as well as a capability problem: 74 per cent disagreed that they had enough time to deal with a fraud case or victim.

There are a number of reasons why it is more effective and efficient for fraud investigations to be handled by dedicated teams:

- Fraud investigation is different from most other types of local crime investigation and requires a set of skills and relationships that generalist officers do not possess.
- Most fraud investigations are desk based and do not require the same kind of physical presence necessitated during other local investigations.
- Dedicated teams of fraud investigators would build up skills, knowledge, networks and overall capability so that they could investigate frauds more quickly and effectively.
- Even if the number of frauds investigated under this system is fewer than at present we believe that it is better to undertake a smaller number of successful investigations than it is to take on a larger number, most of which are not prioritised or successful.

Recommendation 27: All fraud investigations should be handled by dedicated investigators, housed mainly in regional fraud investigation units. These would include specialists currently working in Economic Crime Teams leading on large and complex fraud, and volume fraud that is currently allocated to non-specialist officers. Many of these investigators would not need to be police officers and could be recruited via different channels.

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