



Fraud Assessment Procedure

This procedure is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Deputy Mayor for Policing as part of the York & North Yorkshire Combined Authority are required to adhere.

Procedure Statement

All frauds reported to North Yorkshire Police that meet the “call for service” criteria or have been reported due to the victim’s vulnerability will be reviewed by a Fraud Assessor (FA) or Financial Abuse Safeguarding Officer (FASO) in the Economic Crime Unit (ECU) as soon as practicable, in most cases this will be the next working day.

Fraud Assessors will be responsible for an evaluation of each NFIB Pursue disseminations from Action Fraud and those frauds reported to North Yorkshire Police and allocated as a “call for service”. **ECU will not take primacy for the investigation** but ensure correct allocation and utilise their specialist skill set to set a recommended action plan for the allocated OIC. The Fraud Assessor will identify opportunities to prevent and disrupt further offences and decide whether a criminal investigation is appropriate given all the circumstances - this includes resourcing and capability. The Fraud Assessor will then either ensure the crime is allocated appropriately, with the recommended investigation plan, or submit the report for finalisation with details of action taken.

The Financial Abuse Safeguarding Officer (FASO) reviews all NFIB Protect disseminations and any other fraud reports where enhanced safeguarding may be required.

Overarching Policies:

Fraud Investigation Policy

Procedures:

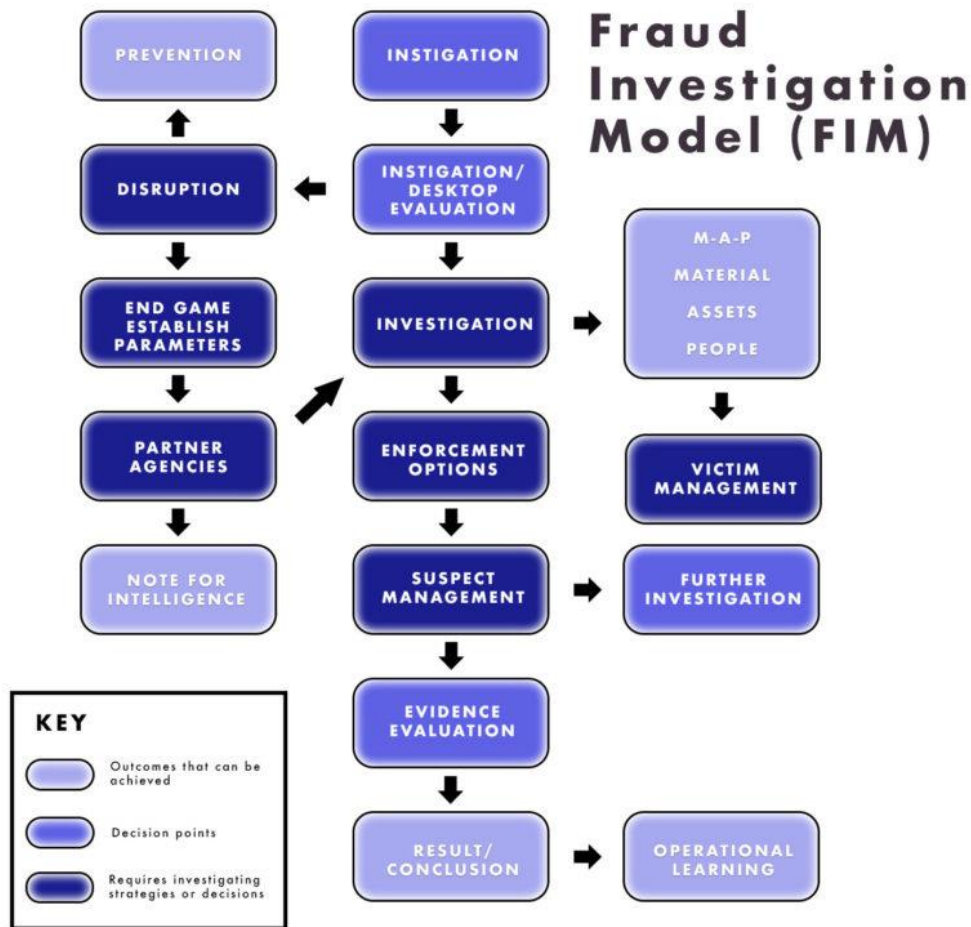
Fraud Response, Recording, Allocation and Investigation Procedure

Other Documents:

Investigating fraud | College of Policing

Fraud Assessment

The Fraud Investigation Model (FIM) is the framework used from the receipt of a fraud report until the outcome is reached, it is Authorised Professional Practice. Details of the FIM and more details on each stage are as follows:



Instigation / Desktop Evaluation

A Fraud Assessor, based in the Economic Crime Unit, will conduct this initial evaluation. In most cases this will be done the working day after the report has been made. The FIM prioritises prevention and disruption opportunities which is key to restrict the success and duration of the fraud and discourages diversification and expansion by the fraudsters.

Prevention – Considers the following 4 questions:

1. Who are the principal enablers?
2. Who else could be at risk?
3. What could have been done to reduce/remove risk?
4. How can others be protected from being victims?

Disruptions – Considers and targets the four enablers:

1. Professional – consider referrals to partner agencies and regulatory bodies
2. Technical - consider liaising with Cyber Crime or request NFIB disruption
3. Financial – consider account disruptions, Account Freezing Orders
4. Environmental – consider press release, Fraud Ambassadors

Prevention and Disruption opportunities considered, and actions taken will be documented on the OEL and may also be recorded on APMIS

Partner Agencies

Consideration will be given as to which partner agencies may hold information that will assist with the evaluation or may be able to take enforcement action in addition to or instead of police. Any recommendations or action taken recorded on the OEL.

Investigation and End Game Parameters

The Fraud Assessor OEL entry will confirm that the report meets a “call for service” criteria and if the criteria is met the report will be subject to an evaluation as to the viability of an investigation. This will consider:

- The offence type and identification of any linked offences
- The vulnerability of the victim, the number of victims and scale and impact of loss
- The location of the evidential material – any jurisdictional issues?
- The identification and location of any suspect – are they in our force area?
- The profile of the suspect – links to other criminality, scale of activity, previous offending etc.
- Opportunities for recovery of monies and POCA considerations – FI advice to be sought
- Identification of any professional enablers – flag to ECU Supervision
- Any identified links to organised crime groups – flag to ECU Supervision
- Any circumstances that would indicate that the investigation could fall under the category of a critical incident, or the decision not to investigate could have a significantly detrimental effect on public confidence or satisfaction – flag to ECU Supervision
- Allegations referencing bribery and corruption – these will be investigated by the ECU

Once an initial review has taken place and the above information gathered a recommendation will be made on further investigation and the investigation parameters set. If no further investigation is required then the Fraud Assessor will write an outcome and submit for closure to ECU Supervision.

Fraud Assessor's are responsible for requesting crime transfers for Fraud via NFIB.

Viable investigations will have a recommended investigation plan set by a Fraud Assessor or if an investigation plan has already been completed, they will review this. The Fraud Assessor will give a view as to whether it is suitable for PIP1 or PIP2 allocation. PIP1 reports will remain with the already allocated team such as IET or response and those that are considered PIP2 the occurrence will be sent to the relevant Office Manager for their review. Any PIP2 investigations will also be considered for retention by ECU. Discussions will occur between the relevant supervision if there is dispute over allocation.

Factors considered that will mean a more cautious approach to investigation is taken include:

- The investigation would require a disproportionate level of resource to bring the case to a conclusion within two years and would adversely impact upon the police's ability to investigate other crime.
- Frauds where the likely eventual outcome, in terms of length of sentence and/or financial penalty, is not sufficient to justify the level of investment of resource in the investigation.
- Delays to the investigation will be caused by the location of key evidence.
- Available resources will not permit an immediate and expeditious investigation.
- The victim has pursued civil recourse and has subsequently turned to the police for a criminal investigation because of dissatisfaction with the civil remedy.

- The victim(s) appears to have reported the crime for administrative reasons, e.g., to obtain a crime reference number for an insurance claim and has no expectations regarding the outcome of an investigation.
- There are doubts over the veracity of the report but no credible evidence to the contrary to 'no crime'.
- Victim(s) appears to have wilfully ignored guidance to prevent them becoming a victim of crime.
- The victim's motive for making the complaint appears to be malicious or is designed to distract attention from their own involvement.
- Cases where victims are not prepared to co-operate fully with the investigation and prosecution - although we will always consider carefully how to assist victims and witnesses who have concerns about safety.
- Frauds more suitable for investigation by another enforcement or regulatory agency.
- Fraud where another police force has already decided not to investigate, other than for geographical reasons.
- Frauds that have already been investigated by the police or another enforcement agency, or that have been the subject of regulatory proceedings. Unless significant new evidence has come to light, or the previous investigation had a narrow remit that did not address all the relevant issues.
- Frauds which took place a long time ago (more than two years) unless there are exceptional circumstances and investigation and it is in the public interest.

Questions to help the investigator establish an endgame include:

- What is the seriousness of the offence?
- Impact the offence has had or is having on victims?
- How would the needs of the victims be best served?
- Opportunities to recover/repatriate the criminal proceeds?
- On-going threat to existing or new victims?
- Complexity of the investigation?
- Jurisdictional issues?
- What are the available resources?
- Estimated time consumption of the investigation?
- How does the offence link to current priorities?
- What is a realistic outcome of a criminal prosecution?
- Could the investigative parameters be scaled down to achieve the same outcome?
- Does the outcome warrant the time and resources for its investigation?
- Would a criminal prosecution be in the public interest?
- What are the risks of not pursuing a criminal prosecution?
- Could a more effective outcome be achieved by alternative means?

Every investigation is different and there is no single solution to how an investigation should be structured, some may warrant a traditional criminal process, some may be served better using regulatory or civil proceedings, others may benefit from a blended solution using a range of processes and sanctions appropriate to the role each individual has played.

Any allegation of fraud that is considered as complex and/or is believed to have been committed by an Organised Crime Group (OCG) will be assessed by a ECU Detective Sergeant/Detective Inspector.

Outcomes

The outcomes of the desktop evaluation will be:

1. Case suitable for further investigation.
If the investigation is to remain in the ECU no investigation plan is required by the Fraud Assessor as this will be completed by the allocated OIC and/or DS. Although full details of their assessment should still be done. For cases that are being investigated on local commands, or require allocation, a review will be done by the Fraud Assessor focusing on the following: securing the material, safeguarding the assets, and considering the people (M-A-P) and entered onto the OEL as an Economic Crime Unit entry.
2. Case suitable for transfer
If assessment or initial expeditiously completed actions show suspect resides elsewhere a NFIB transfer will be requested and sent to NFIB by the Fraud Assessor
3. Case requires further information
In general frauds will be assessed and allocated for investigation the same day they are received in the ECU however sometimes further information may be required before a decision can be made. The Fraud Assessor will remain responsible for this report until this information is obtained, unless it is better allocated to another officer within the ECU. For reports taken by North Yorkshire Police as a call for service then the Fraud Assessor will update the report confirming what additional information is required and next steps.
4. Case suitable for escalation
The Fraud Assessor will review investigations that have cross border offenders or additional complexity which means consideration should be given to a ROCU referral. Any investigations that are potentially suitable for escalation should be discussed with the ECU DI or DS and the relevant form completed by the most appropriate person.
5. Case suitable to be referred
The Fraud Assessor will build up a relationship with key partners to enable effective information sharing. Cases identified by the Fraud Assessor as more appropriately investigated by another agency such as DWP, HMRC, Charities Commission etc will be referred. They will check that procedures or information sharing agreements are in place and if needed discuss with ECU supervision. Financial Investigators (FI's) can obtain details for FI's for all agencies from FISS if required.
6. Case not suitable for investigation
Although it is presumed that if a crime reported meets the call for service criteria or it is a dissemination from NFIB that an investigation will follow, it may be from the initial assessment that further investigation is not required for one or more of the reasons detailed above. In these cases the OIC or Fraud Assessor will update the victim, complete the victim contact module, if not done, and complete the relevant proposal for closure OEL template on Niche before requesting a Sergeant to finalise. The main reasons will be due to investigation not being in the public interest or signposting to civil procedures being more appropriate. A robust closing report is required from the Fraud Assessor with safeguarding, POCA civil powers and Cease and Desist to be considered.

All decisions made will use the Fraud Assessors professional judgement with them unpinning their decision by considering APP, National Lead Force best practice, the NDM and considering force, regional and national priorities. Advice from the Specialist Fraud Investigators or ECU supervision may also be appropriate.

Appeals

Any decision not to investigate should be communicated to the victim by the allocated OIC or Fraud Assessor. These are difficult conversations, and the victim or person reporting may be dissatisfied with the decision not to further investigate the crime. A nominated person senior to the decision maker should act as the appeals manager, this is the first instance for Fraud Assessors this will be the ECU DS escalating to the ECU DI as required. This does not affect the victim's right to make a formal complaint via the appropriate channels but is intended to provide an alternative route to early resolution.

Responsibilities

Detective Sergeant/Detective Inspector - Economic Crime Unit

The DS is responsible for ensuring a consistent approach by the Fraud Assessors when screening crimes. They must ensure that decisions are fully rationalised and documented in line with this procedure and National Crime Recording Standards and must address any issues in a timely manner. The DS will be responsible in the first instance in considering any issues that arise from the outcome of the fraud assessment including queries over allocation and any victim dissatisfaction, the DS will escalate to the DI as needed. In addition dip sampling of fraud reports will be conducted by the ECU DI on a monthly basis.

Other roles responsibilities are as the Crime-Allocation-and-Investigation procedure

Definition of Special Terms

NLF – National Lead Force. City of London Police are the national lead police force for fraud. They also host Action Fraud, the national reporting centre for fraud and cybercrime, on behalf of policing.

NFIB - National Fraud Intelligence Bureau. NFIB sits alongside Action Fraud within the City of London Police. NFIB assess and analyse Action Fraud reports. Data matching allows reports from different parts of the country to be linked through analysis, identifying the criminals behind the frauds. Reports are sent to local police forces/law enforcement agencies for investigation. Bank accounts, websites and phone numbers which are used by fraudsters can be taken down by the NFIB.