



## Fraud Investigation Policy

This document 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.

### Policy Statement

This policy statement is open to public viewing from the North Yorkshire Police (NYP) Website.

Fraud offences are predominately reported to Action Fraud.

Action Fraud is the national reporting centre for fraud. Other than offences reported in accordance with the Banking Protocol and Calls for Service (detailed below) most reports should be made in the first instance to Action Fraud. All reports that Action Fraud receive are transferred securely to the National Fraud Intelligence Bureau (NFIB) which is run by the City of London Police, who are the National Lead Force for economic crime. The NFIB hosts a sophisticated analytical database which receives information and intelligence from many other sources nationally. Action Fraud reports received by NFIB are analysed with the other fraud data and, where there are lines of enquiry, they consider viable, referrals will be sent out to police forces to investigate. Reports from NFIB are received into North Yorkshire Police by the Crime Recording and Occurrence Management Unit who create a police report based on the information received from NFIB, in accordance with Home Office Counting Rules (HOCR). Specialist Fraud Assessors with the Economic Crime Unit in NYP then assessment the report and ensure the correct investigative response.

North Yorkshire Police will respond to and investigate ALL Calls for Service from the public in relation to allegations of fraud.

#### Call for Service Criteria and Incident Recording

- Offences where offenders are arrested by the police;
- Where there is a Call for Service to the police and the offender 'is committing' or has recently committed (at the time of the call) all fraud types;
- The suspect is known and is a local suspect

'Recently Committed' should be interpreted using a common sense approach and will be dealt with on a case-by-case basis. The principal question to answer is 'does the incident require an immediate response?'

A 'local suspect' is defined as where, through viable investigative leads:

- Police can or could locate the suspect with the details provided, or;

- Have sufficient details to apprehend an offender

‘Local’ has its everyday meaning (including a delivery address) and has been used to ensure that, as with any other type of crime, where there are local viable investigative leads, police should consider the crime for investigation. Local is not necessarily exclusive to a force’s geographical area but it is likely suspects not living in the North Yorkshire Police area will not be assessed as local. Where a CFS is apparent, North Yorkshire Police will create a record on our case management system and will record the offence at Action Fraud using the Expert Reporting Tool.

In addition, ALL disseminations from the National Fraud Intelligence Bureau (NFIB) will be subjected to an investigative review which will ensure any disruptions, preventative action, or opportunities to recover monies are identified.

The aim of this policy is to ensure that the public have confidence to report matters of fraud to the police and ensure that where lines of enquiry exist that these are pursued effectively with a view to achieving a positive outcome for the victim.

Fraud remains a significant threat based on scale, complexity, impact, and variability of crime type and impacts significantly on particular vulnerable groups who are often targeted and need safeguarding from those seeking to exploit them.

In many cases fraud is committed by those outside of the UK jurisdiction however all prevention and disruption opportunities are still considered to prevent further offences whether reported to North Yorkshire Police or Action Fraud.

All calls for service and disseminations from NFIB will be subject of an investigative review by a fraud assessor or other member of the North Yorkshire Police’s Economic Crime Unit. The default assumption will be that all reports of fraud, that are disseminated or meet the call for service criteria, will receive a full criminal investigation however given the complexity of offending a more cautious approach to a full investigation may be taken if certain factors apply.

Some factors considered when making this decision include (but are not limited to):

- 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.
- 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’.
- 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.
- 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 is in the public interest.

As part of the investigative assessment, opportunities to disrupt criminality and safeguard victims will also be considered and initiated. It may be the case that following assessment a decision is made that a prosecution by another law enforcement agency (e.g., HMRC, Solicitors Regulatory Authority, Trading Standards etc.) is the most appropriate course of action. In such cases North Yorkshire Police will make a full referral and continue to work with partners to assist any investigations.

North Yorkshire Police will always utilise every opportunity to identify criminal assets and return these to victims of crime even if a full criminal investigation is not practicable. Regardless of the final decision on investigation all victims of fraud will be given support and prevention and/or safeguarding support.

Any decision not to investigate will be communicated to the victim. Should the victim or person reporting be dissatisfied with the decision not to further investigate the crime contact with the Economic Crime Unit should be made and the case will be reviewed by a nominated person senior to the decision maker. 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.

The Fraud Response, Recording, Allocation and Investigation Procedure outlines the requirements to achieve these aims and objectives.

### **Linkages**

Subsidiary Linked Procedures:

Fraud Response, Recording, Allocation and Investigation Procedure