

Rt Hon Sajid Javid MP  
Home Secretary  
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*Dear Sajid,*

**HMICFRS – Fraud: Time to choose – An inspection of the police response to fraud**

I am pleased to present my comments in response to the above report within the meaning of section 55(5) of the Police Act 1996 (as amended by section 37 of the Policing and Crime Act 2017).

I very much welcome this report which was based on visits to eleven police forces (not including Kent), all nine regional organised crime units, the National Crime Agency, Action Fraud, the National Fraud Intelligence Bureau and Europol.

The report makes 16 recommendations and identifies 5 areas for improvement (AFIs). 10 of the recommendations are for the NPCC Coordinator for Economic Crime. This highlights the core findings of the report which are a lack of consistency and governance across forces and regions nationally, and that organisations are not held to account for their performance.

I would endorse these findings. I believe the policing response across the UK in recent years, not because of the efforts of individual officers and staff, but in terms of process and management has been disappointing. Unfortunately, the process itself lets victims down – it is not sufficiently joined up at a national and local level and victims often receive a service based on where an offender lives. This means it can be a postcode lottery based on the resources allocated by the local police force tasked with investigating it.

Whilst many forces have reduced or withdrawn their specialist teams in favour of a regional response, the Chief Constable's comments (attached) highlight how the Serious Economic Crime Unit was re-structured in 2017, with the creation of new teams to provide a centralised response. The HMICFRS report specifically assigns two recommendations and five AFIs to Chief Constables, and it also provides an overview of activity already undertaken or planned by Kent Police to address these.

Both the Chief Constable and I place real importance on addressing fraud. However, whilst Kent Police are in a really good position, having a dedicated fraud team, cybercrime team and economic crime team with skilled investigators, unless the crime is allocated to Kent Police for investigation, they are unable to do anything about it.

I believe that Kent Police are in a strong position to tackle fraud, having increased its establishment and invested in specialist training. Based on feedback from the Chief Constable at my Performance and Delivery Board on 5 June 2019, and his comments (attached), I am also reassured that Kent Police have identified and are taking steps to further enhance the service to victims in line with the recommendations and AFIs identified in the report.

As with all HMICFRS reports, I will continue to hold the Chief Constable to account for relevant recommendations and AFIs at my quarterly Performance and Delivery Board to ensure where crimes are allocated to Kent Police, the victim receives a high quality service.

*Yours ever,  
Matthew*

**Matthew Scott**  
**Kent Police and Crime Commissioner**

## HMICFRS 2019 NATIONAL FRAUD THEMATIC: TIME TO CHOOSE

### Part 1: Chief Constable's Comments (to PCC)

On 2 April 2019, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) published 'Fraud: Time to choose – An inspection of the police response to fraud'.

The HMICFRS report is a national overview report into the policing response to fraud. During the inspection HMICFRS visited eleven police forces in England and Wales, all nine regional organised crime units, the National Crime Agency, Action Fraud, the National Fraud Intelligence Bureau (NFIB) and Europol. The local policing body for each of the eleven police forces were invited to give their views. Kent Police was not one of those forces inspected.

The headline findings in the HMICFRS report are:

- The law enforcement response to fraud is disjointed and ineffective
- Roles and responsibilities are not clear
- There are pockets of good prevention work
- Existing organisational structures are not working well
- Vulnerable victims receive a good service but most victims do not

In support of these findings HMICFRS observed that:

- Good practice is not being widely disseminated
- Few forces make good use of the intelligence provided by the NFIB and very little intelligence is disseminated back to them
- There is no national fraud strategy
- There are wide variations in the quality of case handling and prioritisation
- Fraudsters are rarely targeted pro-actively

The HMICFRS report has 16 recommendations and 5 areas for improvement (AFIs). 10 of the 16 recommendations are for the national NPCC Coordinator for Economic Crime.

Kent Police is in a strong position to respond to fraud having invested in the re-structuring of the Serious Economic Crime Unit - now named the Economic Crime Unit (ECU) - in 2017. The restructure and creation of new teams of fraud investigators provides a centralised response to fraud in order to ensure that victims receive an effective, efficient and professional response.

Whilst fraud does not specifically feature in the Kent Police and Crime Commissioner's Police and Crime Plan or the Kent Police force priorities, Courier Frauds, in particular, are now on the Force Control Strategy.

Many other forces have chosen to reduce or withdraw their specialist teams in favour of a regional response. This has reduced their capacity for fraud investigation, whereas in Kent we have increased our establishment and invested in specialist training.

Due to our investment in professionalising our response to fraud, very few of the findings in the HMICFRS report are directly relevant to Kent Police. The processes and performance of the Kent Police Economic Crime Unit are reviewed regularly, in order to seek improvements. As a result Kent Police have already identified and taken steps to make improvements in line with the areas for improvement and recommendations identified in the inspectorate's report.

## Part 2: Planned Activity by Kent Police to the Report

### Areas for Improvement

#### **AFI 1 - Improve the way their force uses the NFIB “monthly victim lists” to identify and support vulnerable victims and others who require additional support.**

The force already operate a robust safeguarding system around reported crime, identifying victims and referring them for protective action. More resources are being allocated to this area in the latter half of 2019, with three new posts which will enable an upscaling of victim assessment work.

#### **AFI 2 - Ensure their forces improve the identification and mapping of organised crime groups in which the principal criminality is fraud.**

The force have good systems and review mechanisms for identifying organised crime groups (OCGs) who use fraud as their main tool of criminality. However, we have recognised a slight weakness in recording disruptions to such groups and are now tightening this to ensure a better understanding of fraud-based OCGs.

#### **AFI 3 - Ensure that fraudsters are included among those considered for serious organised crime “prevent” tactics, including by local strategic partnership boards and through integrated offender management processes.**

As part of the restructure in 2017, there was a growth of two dedicated staff for Cyber Prevent & Protect. These staff are in place and deliver the force level elements of the national and regional Cyber Prevent & Protect strategy.

However, to strengthen this area, a new team has been created under the Serious Crime Directorate which sits within the Force’s Intelligence Command. This new team will see the creation of a Prevent & Protect Manager position and five dedicated Kent Prevent & Protect staff in the areas of Cyber, Fraud, Modern Slavery, Organised Crime and Gangs. The recruitment of these roles is ongoing.

#### **AFI 4 - Increase their force’s use of ancillary orders against fraudsters.**

There has been a drive by the force to increase the number of Ancillary Orders against fraud suspects. This initially focussed on Serious Crime Protection Orders (SCPO), Restraint Orders, and Cash Detention Orders. It has subsequently been identified that with many of the volume fraud investigations the CPS often consider that the “Serious Crime” criteria is not met and therefore applications for SCPOs are deemed unlikely to be successful.

It is essential that good communication takes place with the CPS at the point of charge regarding Ancillary Orders. This allows sufficient time for the assessment of possible order conditions to ensure that they are appropriate and proportionate to the offence charged. The new gateway to ancillary orders is being developed which ensures early advice from the CPS, and that the conditions of the Order are enforceable.

A SPOC from ECU has been identified who will become a subject expert in Ancillary Orders. They will not only identify cases where an Ancillary Order should be pursued, but will work with both the officer in the case and the CPS to ensure that the process is followed correctly, and that the conditions of the Order are enforceable upon the defendant’s release.

#### **AFI 5 - Ensure their force complies with the victims’ code of practice when investigating fraud.**

Whilst there is a drive to ensure that the Victims’ Code is complied with, it is difficult for this to be scrutinised by the ECU managers given difficulties around the supply of management information. Overall the VCC compliance rate is very high, currently sitting at 98%.

Complex fraud investigations often have a very high number of victims. In order to comply with the Victims’ Code there has to be a communication strategy in place. There are different options that can be used including email mail merge and the use of a victim representative who is updated and then passes the updates on to other victims via email groups or text messages. These are being explored by the force as a priority.

### **Recommendations**

**R2 - By 31 March 2020, the NPCC Coordinator for Economic Crime and chief constables should ensure that forces have processes in place to accurately and efficiently report fraud outcomes to the NFIB.**

Kent Police have been one of the forces who have consistently provided outcome data to the NFIB. In October 2018, the NFIB launched their new portal which is being introduced in a staged implementation process. Once the full functionality of the portal is in place then the process will change to allow forces to access the NFIB portal directly to update investigation outcomes.

**R9 - By 30 September 2019, chief constables should publish their force's policy for responding to and investigating allegations of fraud (in relation to both calls for service and NFIB disseminations for enforcement).**

On examination of the Kent Police website it has been identified that the Fraud policy and standard operating procedures are not published. A review of our policy in this area will be conducted to ensure that it is clear and easy for the public to understand Kent Police's approach to fraud.