



National Fraud
Authority

Support for Victims of Fraud Project

NFA response to Portsmouth

University Victims Research

Recommendations

17 December 2009



Recommendation 1

Consideration should be given to establishing a website for those who suspect they are victims of fraud. The website should, for each fraud type, set out:

- a. *who they should report the fraud to: on reporting, a needs-based assessment should also be undertaken which triggers certain levels of support for victims*
- b. *what support is available and how to access this support*
- c. *what to do to prevent further victimisation*

Because of the large number of older fraud victims who are less familiar with the internet, appropriate paper-based resources should also be created.

Response

This recommendation is accepted. The NFA has established a central set of Guidance Suites that are publicly accessible. They are divided into 29 fraud types and offer comprehensive guidance on what the fraud involves; how to prevent re-victimisation and where to go for further advice. For all those who report to *Action Fraud*, electronic and paper-based guidance is available.

a. For those who choose to contact *Action Fraud* and make an in-scope fraud report, victims can opt-in to have their case referred to Victim Support whereupon a needs assessment is carried out by a Victim Care Officer. A referral to Victim Support will also be made available via the web-reporting tool due to launch in February 2010.

b. In January 2010 the NFA and ACPO are launching a pilot, in the West Midlands, aimed at enhancing the support given to victims of fraud. Conducted in partnership with Victim Support the pilot will include the production of a resource guide for supporters of victims of fraud - the 'Supporter's Guide'. There will be an evaluation of the pilot and the resource guide and after any necessary changes we plan to roll out the scheme nationally. We aim to complete this work by winter 2010 if all parties agree to implementation.

c. The NFA guidance suites offer reliable and up-to-date advice on how to prevent re-victimisation across all the featured fraud types.

Recommendation 2

Information should be published to manage the expectations of victims: this should, for example, make clear the extent to which cases are likely to be investigated.

Response

This recommendation is accepted. The *Action Fraud* call process includes informing the victim of why their report is crucial. However, victims are also informed during the call process that reporting the fraud may not necessarily lead to an investigation of their case or a prosecution. The same message will be reflected in the Supporter's



Guide which will advise local supporters on how to manage the expectations of fraud victims in a similar way.

Recommendation 3

Specialist arrangements and information sources are necessary for small businesses on what to do when fraud is discovered. To produce this may require the setting up of a fraud sub-group, involving all agencies and the Federation of Small Businesses (FSB).

Response

This recommendation is accepted. *Action Fraud* is open to Small and Medium Enterprises (SMEs) to report fraud. The Support for Victims project has paid particular attention to SMEs and the support needs specific to them. Within the West Midlands pilot, the NFA will trial Small Business Champion arrangements. This will involve working closely with the FSB and other business groups and the West Midlands police to provide SMEs with direct contact to Business Champions who will be able to offer further support and advice.

Recommendation 4

The financial loss suffered by fraud victims, including small businesses, is analogous to the loss suffered by victims of violence, who are compensated through Criminal Injuries Compensation Authority. In the same way, a fund to offer some of the most deserving cases some compensation should be considered, together with the appropriate delivery mechanism.

Response

This is an interesting idea which needs further consideration. There are already judicial arrangements available to prosecutors to seek compensation for victims of fraud and in the first instance the NFA would want to explore whether the existing arrangements are being used to their maximum impact. The NFA is considering a project to examine restitution and restorative justice for victims of fraud as we recognise that obtaining redress is an important need for victims.

Recommendation 5

Whether or not any compensatory authority is set up, an annual report should be produced by the NFA on the situation of fraud victims, detailing improvements made to their position.

Response

There will be an evaluation of the West Midlands pilot arrangements in summer 2010. The NFA will commission a report once the national roll-out is complete. A



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view will then be taken on whether an annual report is required to monitor the future experiences of fraud victims as a result of the national support arrangements.

Recommendation 6

Further research should be conducted on the punishments fraudsters receive with a view to considering their effectiveness and to making further recommendations.

Response

The NFA will consider conducting further research into the effectiveness of sanctions. The timing of any research will take into account the recent changes to sentencing of fraud brought about by the Sentencing Guidelines Council (http://www.sentencing-guidelines.gov.uk/docs/sentencing_for_fraud_statutory_offences.pdf), which introduced a more consistent framework and emphasised that courts should take account of aggravating effects on victims e.g. when the fraudster was entrusted with the victim's financial affairs.

Recommendation 7

Relevant agencies should develop a tailored package of support for fraud victims and this should be publicised on reporting. Some of the areas which would need to be considered would be financial management, anger management and relationship support.

Consideration should also be given to extending the Victims Code of Practice to all bodies receiving reports from fraud victims. This should include providing an update on any investigations that may take place and offering guidance on receiving support.

Response

These recommendations are accepted. The Support for Victims project has been engaging with Citizens Advice, Help the Aged / Age Concern, Victim Support and other support services to ensure that there is cross-agency understanding on what each organisation can do for each individual victim of fraud. The *Action Fraud* service allows for individual victims to access emotional support from Victim Support and Victim Support can commission certain specialist services, such as anger management, tailored to an individual's needs. The West Midlands pilot will also provide an opportunity to trial new signposting arrangements from Victim Support to those who can provide financial and practical support.

The NFA is committed to ensuring that a victim of fraud receives a consistent standard of support as a victim of crime to the standards set down in the Victim's Code, from whomever they report a fraud and from all agencies that criminally investigate their complaint of fraud. The NFA is working with the Office for Criminal Justice Reform to make the Victims Code of Practice a reality for all victims of fraud



either through voluntary or statutory extension of the reach of the code to those non-police agencies that investigate fraud.

Recommendation 8

Further research into whether the law relating to chronic scam victims should be reformed to enable relatives and partners caring for them to have greater scope for intervention.

Response

This is a complex area in relation to safeguarding adults, where there can be unintended consequences of changes to the law. The NFA will engage with the 'No Secrets' cross government agenda on safeguarding in order to ensure that any legislative changes are framed in such a way to help relatives to assist elderly or vulnerable repeat victims of fraud.

The pilot in the West Midlands will look into what arrangements can be organised to support those people closest to fraud victims and provide them with the ability to access support themselves and advice on how to help victims within the law.

Recommendation 9

Multi-agency teams from the Royal Mail, telephone companies, trading standards, social services, health authorities, Office of Fair Trading (OFT), the police and any other relevant body should be considered on a regional basis to co-ordinate strategies to prevent further victimisation of chronic scam victims.

Response

Throughout the development of the Support for Victims pilot, there has been a multi-agency Working Group which has been consulted and engaged with at all stages of project development. The NFA, SOCA and the OFT will be taking specific projects forward within the Support for Victims pilot which focus specifically upon supporting chronic mass marketing fraud victims and identifying and assisting those displaying signs of chronic victim behaviour.

Recommendation 10

In seeking to advise those at risk of becoming victims of fraud, bodies should consider using past victims or those from similar demographic groups to get the message over.

Response

This recommendation is accepted. A peer-to-peer approach will be trialled in the pilot whereby SME fraud victims will be able to have contact with local Business Fraud Champions who have also previously been defrauded as SME proprietors. The peer-



to-peer approach will be revisited at the end of 2010 to assess whether a similar approach should be adopted across other demographics and fraud types.

Recommendation 11

A new panel should be set up to consider each year a small number of recently closed fraud cases. This panel would have access to all papers and make recommendations on whether procedures need to be changed to improve the situation for fraud victims. This panel could be set up as a pilot in London, and, if successful, rolled out regionally. It would have an independent chair and include interest groups, as well as representatives of fraud agencies.

Response

The NFA is committed to ensuring that there is continuous improvement in the support provided to victims of fraud. This will involve evaluating the services provided to victims, and the NFA will look into the most effective and efficient way to conduct such assessments.

ENDS