

Independent Review of Disclosure and Fraud Offences

Terms of Reference

Part Two

Context

Following the delivery of the Report for Part One of the Independent Review, '*Disclosure in the Digital Age*', the Independent Review has commenced Part Two, an examination of fraud offences.

There has not been an independent review of fraud since 1986.¹ Since that time, the nature and scale of fraud has evolved considerably, now constituting over 40% of all surveyed offences in England and Wales.² As the proportion of online-enabled fraud has increased, so have the challenges facing investigators and prosecutors.

The impact on businesses, individuals and the wider economy has also risen. In the UK, an estimated £2.2 billion was lost to fraud reported in the year ending November 2024. Likely an underestimate, this figure does not fully reflect the serious emotional and psychological harm fraud can cause, with significant barriers remaining that prevent victims from receiving justice.

Scope

Part Two of the Review will examine the greatest challenges faced by law enforcement and prosecutors in bringing criminals committing fraud offences, to justice in England and Wales.³

It will consider key issues in each of the following stages of the fraud-life cycle:

- 1) **Reporting & Disruption** – The means and methods by which law enforcement agencies can detect and disrupt fraudulent activities. This will include evaluating incentives for criminal fraud networks informants and whistleblowers.
- 2) **Investigation** – The skills, tools and powers required for investigators to rapidly pursue leads, review case material, and share relevant data with private partners and other law enforcement agencies, including internationally.
- 3) **Prosecution & Offences** – Evaluating whether fraud offences and the Fraud Act 2006 can keep pace with modern offending. Assessing enablers of fraud

¹ The Roskill Report on Fraud Trials, 1986

² As of the year ending September 2024. Crime in England and Wales: [Appendix tables - Office for National Statistics](#) Table A1

³ The Review will focus on England and Wales, and findings and recommendations will be shared with policy makers in Northern Ireland.

such ID theft, abuse of deed poll and the use of artificial intelligence.

Considering whether there should be a greater role for civil penalties.

- 4) **Courts** – Assessing whether criminal courts are equipped to hear complex fraud cases.⁴
- 5) **Penalties** – Whether the current penalties fit the crime. Looking beyond custodial sentences, the Review will consider if courts should be able to use more creative punitive measures.⁵ This will include evaluating penalties for companies failing in their duties to reduce and prevent fraud.
- 6) **Rehabilitation** – Consideration will be given to whether the current network of support for victims is sufficient and what more can be done to rehabilitate offenders.

Process

Mirroring Part One, the Review will consult widely across investigators, prosecutors, defence professionals, academics and charities. It will also engage with the judiciary as appropriate. As the department responsible for tackling fraud against individuals and businesses, the Home Office will provide the Review secretariat.

Outputs

The Review chair will report their findings and recommendations, which the government will respond to in the usual way.

Timing

The delivery deadlines for each part of the Review have been revised to meet the following deadlines:

Part 1: Completed - November 2024.

Part 2: Fraud Offences Recommendations – December 2025

Background

Part One of the Review is now complete, with the Report “[Disclosure in the Digital Age](#)” presented to Parliament on the 20th of March. The Review found that rising volumes of digital material are hindering the ability of law enforcement agencies to bring criminals to justice. The Review made 45 recommendations to modernise and streamline the investigation and prosecution of complex cases, such fraud and economic crime, including the greater use of advanced technology to significantly reduce administrative burdens.

⁴ With reference to [Independent Review of Criminal Courts](#)

⁵ With reference to [Independent Sentencing Review](#)