

# Fraud bulletin



## News and updates for the counter fraud community

### News

#### **An updated response to failure to prevent fraud offence:**

Under the current government proposal the failure to prevent fraud offence excludes a significant percentage of the business population.

All businesses, whatever their size should have an obligation to prevent fraud which benefits them, and all businesses should be able to benefit from having the protection of having a statutory defence from prosecution if they have put in place reasonable procedures to prevent fraud.

Neither failure to prevent bribery or failure to prevent tax evasion have a similar SME exemption and both have 6 guiding principles for prevention which have successfully driven behavioural and cultural change across all businesses, whatever their size, to prevent the respective offence from occurring.

Any mismatch between the three 'failure to prevent' offences may bring uncertainty and potentially lead to confusion as to whom the offences apply to, and may lead businesses to restructure, to seek to limit its applicability.

Ensuring that the failure to prevent offences apply to all companies and that all use the same guiding principles for reasonable procedures will give businesses clarity.

Failure to prevent fraud is a significant step forward in the government's approach, but limiting its applicability to large companies, means that this opportunity is not being maximised. Not all businesses will be able to protect themselves through good practice unless the law or the guidance is further amended.

Misaligned application rules and guidance will generate advice and activities that seek to understand the risks around application rather than focusing effort on the preventative steps that businesses can take to prevent bribery, tax evasion and fraud.

The Fraud Advisory Panel requests

1. That the offence is made applicable to all businesses whatever their size, or failing which,
2. That a specific reference be made within the failure to prevent fraud guidance so that all businesses can be made aware that whilst the risk of prosecution may not apply to all companies, at this time, implementing the guiding principles will assist with enhancing fraud prevention.

# Our Communities



## Corporate Members Forum.

We want to thank all the those who joined our first corporate members forum which took place earlier this month. As a group the forum will be working on material around both ESG and the Online safety bill.



## Charity Fraud Awareness Week 2023 Starting 27 November 2023

We are excited to be delivering Charity Fraud Awareness Week for the 8th year in a row. If you would like to write a blog post or get involved please contact us.

## Upcoming events

### Charity Fraud conference: Protecting your charity from fraud

**27 November 2023, 10:30 - 17:15**

Join us for a conference, free to charities, hosted by BDO UK LLP. The day will cover a wide range of topics with speakers from the public, private and charity sector, all collaborating to support charities against fraud.



### Charity Fraud Awareness Week Event (Glasgow)

**28 November @ 3:00 pm - 5:00 pm**

Fraud Advisory Panel have partnered with Evelyn Partners and Burness Paul to host a free to charities two-hour event, with speakers from across the private, public and charity sectors.

**We can do this.  
TOGETHER**

**Charity Fraud Awareness Week 2023**

### Protecting Your Charity From Fraud (Belfast Event)

**29 November @ 8:30 am - 12:30 pm**

Our partners Harbinson Mulholland are hosting a practical session with advice and learnings from the third sector on how to protect and combat fraud in your organisation.

**We can do this.  
NOW.**

**Charity Fraud Awareness Week 2023**

### Cultivating a counter fraud culture in your charity

**28 November @ 10:30 am - 11:15 am**

Join us for this free webinar as our experts discuss how to keep your organisation safe from insider fraud whilst building a good counter fraud culture.

Charity Fraud Awareness Week 2023 **We Can Do This.**

**Cultivating a counter fraud culture in your charity**

Speakers:

Tracey Carpenter, *Insider Threat Manager, CIFAS*

James Bolle, *The Culture Builder, PRPSFL*



### [Join the Panel today!](#)

Have your say as part of the UK's leading counter fraud charity and become a member of a dedicated community of professionals from across the public, private and third sectors.

### The fraud conference 2024: The future of fraud

**29 February 2023**

Save the date for the 4th annual Fraud conference, run in partnership with R3 and Insol