

**For immediate release: Tuesday 19 October 2004**

**FRAUD ADVISORY PANEL WELCOMES GOVERNMENT DECISION ON  
FRAUD**

The Fraud Advisory Panel has welcomed the Government announcement made today (Tuesday 19 October) to implement most of the Law Commission's recent recommendations to put the offence of fraud on the statute book.

The Panel, which is supported by the Institute of Chartered Accountants in England & Wales (ICAEW), is particularly pleased that conspiracy to defraud will be retained, something that it argued for in its response to the Government's consultation on fraud law reform. It is seen as a vital weapon in the legal armoury to prosecute habitual fraudsters.

Ros Wright, Chairman of the Fraud Advisory Panel, said: "abolishing the old offence of conspiracy to defraud would have severely restricted the Crown's ability to prosecute large and serious fraud cases. The statute allows juries to be shown evidence of a pattern of dishonest behaviour rather than what appears to be just a string of minor frauds. It allows them to get a true picture of just how devastating a large number of these can become."

Examples of cases where conspiracy to defraud was a key factor include the Barlow Clowes fraud, the Ostrich investor swindle, and the malt whisky and millennium champagne investor fraud cases, where numerous investors were defrauded of their money on the strength of false representations.

In its response to the Home Office Consultation paper, the Panel also welcomed the shift of emphasis away from the notions of appropriation, property and deception in the Theft Act 1968 towards legislation against fraud which focuses on the defendant's malevolent intention and the dishonest character of the conduct in question. In addition, the panel supported the introduction of a new offence of obtaining services dishonestly.

**-ENDS-**

**For further information:**

Copies of the Panel's full response to the White Paper can be obtained from Mia Campbell on 020 7920 8721; e-mail: [info@fraudadvisorypanel.org](mailto:info@fraudadvisorypanel.org); or visit: [www.fraudadvisorypanel.org](http://www.fraudadvisorypanel.org)

**Notes to Editors:**

1. The Fraud Advisory Panel works to raise awareness of the immense social and economic damage caused by fraud and to help private and public sectors fight back. It provides ideas, advice and information to Whitehall, Parliament, business, the professions and the general public. Since it was formed in 1998 it has:
  - raised the profile of fraud in Whitehall, helping to push the issue up the legislative and policy making agenda;
  - developed major proposals for the reform of criminal and company law;
  - worked to improve the anti-fraud content of business and professional education and training;
  - commissioned new research;
  - raised awareness of fraud and right responses to the problem through conferences, seminars and the media.
  
2. The Panel is an independent body of volunteers drawn from the law and accountancy, financial services, commerce, government departments, law enforcement, regulators, public agencies and academia. It is not restricted to seeing the problem from any single point of view but works to encourage a truly multi-disciplinary perspective. No other organisation has such a range and depth of knowledge, both of the problem and of the means to combat it. It receives generous support from the Institute of Chartered Accountants in England & Wales (ICAEW).

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