

# **Anti-social Behaviour, Crime and Policing Bill**

## **Fact Sheet: Inspection of the Serious Fraud Office (clause 133)**

### **Background**

1. The National Fraud Agency estimates that fraud costs the UK £73 billion a year. Tackling economic crime and complex fraud and corruption is a priority for this Government. The Serious Fraud Office (“SFO”) has a crucial role to play in investigating such crime, prosecuting or otherwise sanctioning offenders, and recovering the proceeds of crime. An effective response to serious financial crime is essential to maintaining confidence in the UK’s business and financial institutions, and thus the UK’s economic health.
2. The SFO was set up in 1988 to investigate and prosecute serious fraud. Its cases involve multi-million pound losses, are nationally or internationally significant and require the SFO’s specialist capabilities and powers. In 2011-12 the SFO recovered £50 million from the proceeds of crime.

### **Independent inspection of SFO**

3. To date there have been no clear statutory powers of independent and external inspection of the operation of the SFO. In 2012, at the invitation of the Attorney General and the then Director of the SFO, Her Majesty’s Crown Prosecution Service Inspectorate (“HMCPIS”) undertook an inspection of the SFO. The resulting report, published in November 2012, is an important step in building the effectiveness of the SFO.
4. Independent inspection of criminal justice agencies both improves public confidence in the criminal justice system and builds its effectiveness by making recommendations for improvement.
5. HMCPIS was created in 2000 to undertake inspections of the Crown Prosecution Service (“CPS”). Clause 133 places a duty on the Chief Inspector of HMCPIS to inspect the SFO, putting the inspection regime on a more formal basis, on a par with its powers in relation to inspecting the CPS.
6. Providing statutory powers to the Chief Inspector will ensure that she/he can undertake an inspection at any time and not only when invited to by the SFO. Statutory powers will also provide the Chief Inspector with a clear gateway for accessing information and documents that have been provided to the SFO in confidence for the purposes of prosecution. Clearly it is necessary for the Chief Inspector to have access to this information in order that the inspector can assess the effectiveness of SFO investigations and operations albeit that any reports on the SFO will be anonymised.

7. The provisions in this Bill in relation to inspection of the SFO will therefore allow for timely inspection, delivering benefits in terms of public confidence and enhancing the performance of the SFO.

Attorney General's Office  
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