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Committee Stage: Thursday 27 February 2025

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# Public Authorities (Fraud, Error and Recovery) Bill

## (Committee Stage Decisions)

This document sets out the fate of each clause, schedule, amendment and new clause considered at committee stage.

A glossary with key terms can be found at the end of this document.

First to Fourth Sittings

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### *First and Second Sittings*

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Andrew Western

Agreed to

That—

1. the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 25 February) meet—
  - (a) at 2.00 pm on Tuesday 25 February;
  - (b) at 11.30 am and 2.00 pm on Thursday 27 February;
  - (c) at 9.25 am and 2.00 pm on Tuesday 4 March;
  - (d) at 11.30 am and 2.00 pm on Thursday 6 March;
  - (e) at 9.25 am and 2.00 pm on Tuesday 11 March;
  - (f) at 11.30 am and 2.00 pm on Thursday 13 March;
  - (g) at 9.25 am and 2.00 pm on Tuesday 18 March;
  - (h) at 11.30 am and 2.00 pm on Thursday 20 March;
2. the Committee shall hear oral evidence in accordance with the following Table:

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 25 February	Until no later than 10.10 am	Professor Mark Button, University of Portsmouth; Dr Rasha Kassem, Aston University; Professor Michael Levi, Cardiff University
Tuesday 25 February	Until no later than 10.30 am	Cifas
Tuesday 25 February	Until no later than 11.00 am	Kristin Jones; NHS Counter Fraud Authority
Tuesday 25 February	Until no later than 11.25 am	Money and Pensions Service
Tuesday 25 February	Until no later than 2.30 pm	National Audit Office; HM Revenue & Customs
Tuesday 25 February	Until no later than 2.50 pm	John Smart
Tuesday 25 February	Until no later than 3.10 pm	UK Finance
Tuesday 25 February	Until no later than 3.30 pm	JUSTICE
Tuesday 25 February	Until no later than 3.50 pm	Public Sector Fraud Authority
Tuesday 25 February	Until no later than 4.10 pm	Big Brother Watch
Tuesday 25 February	Until no later than 4.40 pm	Campaign for Disability Justice; Greater Manchester Coalition of Disabled People
Tuesday 25 February	Until no later than 5.00 pm	Department for Work and Pensions; Cabinet Office

3. proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 7; Schedule 1; Clauses 8 to 69; Schedule 2; Clauses 70 to 74; Schedule 3; Clauses 75 to 77; Schedule 4; Clauses 78 to 90; Schedule 5; Clause 91; Schedule 6; Clauses 92 to 98; new Clauses; new Schedules; Clauses 99 to 104; remaining proceedings on the Bill;
4. the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 20 March.

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 Andrew Western

Agreed to

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

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**Andrew Western**

**Agreed to**

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

**The following Witnesses gave oral evidence:**

**Professor Mark Button**, Director, Centre for Cybercrime and Economic Crime at the School of Criminology and Criminal Justice, University of Portsmouth,

**Dr Rasha Kassem**, Senior Lecturer in Accounting, Leader of the Fraud Research Group, Aston University,

**Professor Michael Levi**, Professor of Criminology, Cardiff University,

**Helena Wood**, Director of Public Policy and Strategic Engagement, CIFAS and Fellow at the Centre for Financial Crime and Security Studies, The Royal United Services Institute,

**Kristin Jones**, formerly Serious Fraud Office and Crown Prosecution,

**Alex Rothwell**, Chief Executive, NHS Counter Fraud Authority,

**Anna Hall**, Corporate Director for Debt, Money and Pensions Service,

**Christy McAleese**, Debt Advice Strategy and Policy lead, Money and Pensions Service,

**Joshua Reddaway**, Director of Fraud and Propriety, National Audit Office,

**Richard Las**, Chief Investigation Officer, Director Fraud Investigation Service, HM Revenue & Customs,

**John Smart**, Formerly Partner, Forensics Ernst & Young, and Member of the Public Sector Fraud Authority advisory panel,

**Eric Leenders**, Managing Director, Retail Finance, UK Finance,

**Daniel Cichocki**, Director, Economic Crime Policy and Strategy, UK Finance,

**Ellen Lefley**, Senior Lawyer, JUSTICE,

**Mark Cheeseman OBE**, Chief Executive, Public Sector Fraud Authority,

**Jasleen Chaggar**, Legal and Policy Officer, Big Brother Watch,

**Geoff Fimister**, Head of Policy, Campaign for Disability Justice,

**Rick Burgess**, Outreach and Development Lead, Greater Manchester Coalition of Disabled People,

**Andrew Western MP**, Minister for Transformation, Department of Work and Pensions,  
**Georgia Gould MP**, Parliamentary Secretary, Cabinet Office

*Third and Fourth Sittings*

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**Clause 1 agreed to.**

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**Clause 2 agreed to.**

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**Rebecca Smith**

**Withdrawn after debate 11**

Mike Wood

Clause 3, page 2, line 36, at end insert—

- “(c) the information is likely to relate to the suspected fraud, and
- (d) the cost involved in recovering the required information is likely to be reasonable and proportionate.”

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**Rebecca Smith**

**Not called 10**

Mike Wood

Clause 3, page 2, line 36, at end insert—

- “(1A) The Minister has reasonable grounds to suspect a person has committed fraud against a public authority if—
  - (a) there is an objective basis for the Minister’s suspicion based on facts, verifiable information or intelligence, and
  - (b) a reasonable person would be entitled to reach same conclusion based on the same facts, information or intelligence.
- (1B) The Minister does not have reasonable grounds to suspect a person has committed fraud against a public authority if the Minister’s suspicion—
  - (a) is based in any way on—
    - (i) the person’s physical appearance,
    - (ii) any protected characteristic under the Equality Act 2010 that a person may have or appear to the Minister to have, or
  - (b) is based solely on any generalisation or stereotype giving rise to a belief that certain groups or categories of people are more likely to be involved in criminal activity.”

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**Rebecca Smith**

**Not called 14**

Mike Wood

Clause 3, page 3, line 10, delete "10" and insert "28"

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**Rebecca Smith**

**Not called 9**

Mike Wood

Clause 3, page 3, line 30, at end insert—

""reasonable" means the Minister must have formed a genuine suspicion in their own mind, and the suspicion that fraudulent activity has taken place must be reasonable. This means that there must be an objective basis for that suspicion based on facts, verifiable information and or intelligence which indicate that fraudulent activity will be found, so that a reasonable person would be entitled to reach the same conclusion based on the same facts and information, and or intelligence."

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**Clause agreed to.**

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**Rebecca Smith**

**Negated on division 15**

Mike Wood

Clause 4, page 3, line 33, leave out "Minister" and insert "First Tier Tribunal"

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**Rebecca Smith**

**Withdrawn after debate 12**

Mike Wood

Clause 4, page 3, line 33, at end insert—

"or of the duration of the period mentioned in section 3(4)(a)"

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**Rebecca Smith**

**Not called 16**

Mike Wood

Clause 4, page 3, line 36, leave out "Minister" and insert "First Tier Tribunal"

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**Rebecca Smith**

**Not called 17**

Mike Wood

Clause 4, page 3, line 38, leave out “Minister” and insert “First Tier Tribunal”

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Rebecca Smith

Not called 13

Mike Wood

Clause 4, page 4, line 2, at end insert—

“, including by extending the duration of the period mentioned in section 3(4)(a) where satisfied that the person is reasonably unable to comply with the requirement to provide the information within the time required by the notice”

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Rebecca Smith

Not called 18

Mike Wood

Clause 4, page 4, line 3, leave out “Minister” and insert “First Tier Tribunal”

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**Clause agreed to.**

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**Clause 5 agreed to.**

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Georgia Gould

Agreed to Gov 1

Clause 6, page 4, line 28, in column 1, after “Office” insert “, so far as relating to the Public Sector Fraud Authority”

**Member's explanatory statement**

This amendment limits the designation of the Cabinet Office as a relevant public authority for the purposes of Part 3 of the Investigatory Powers Act 2016 so that it is designated only so far as relating to the Public Sector Fraud Authority.

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**Clause, as amended, agreed to.**

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**Clause 7 agreed to.**

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**Schedule 1 agreed to.**

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**Clauses 8 to 12 agreed to.**

Adjourned until Tuesday 4 March at 9.25am

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### Glossary

**Added:** New Clause agreed without a vote and added to the Bill.

**Agreed to:** agreed without a vote.

**Agreed to on division:** agreed following a vote.

**Negated:** rejected without a vote.

**Negated on division:** rejected following a vote.

**Not called:** debated in a group of amendments, but not put to a decision.

**Not moved:** not debated or put to a decision.

**Not selected:** not chosen for debate by the Chair.

**Question proposed:** debate underway but not concluded.

**Withdrawn after debate:** moved and debated but then withdrawn, so not put to a decision.