
Committee Stage: Thursday 6 March 2025

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 Eighth Sittings

First and Second Sittings

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.

 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.

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 Sitings

Clause 1 agreed to.

Clause 2 agreed to.

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.”

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.”

Rebecca Smith

Not called 14

Mike Wood

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

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.”

Clause agreed to.

Rebecca Smith

Negated on division 15

Mike Wood

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

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)”

Rebecca Smith

Not called 16

Mike Wood

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

Rebecca Smith

Not called 17

Mike Wood

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

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”

Rebecca Smith

Not called 18

Mike Wood

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

Clause agreed to.

Clause 5 agreed to.

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.

Clause, as amended, agreed to.

Clause 7 agreed to.

Schedule 1 agreed to.

Clauses 8 to 12 agreed to.

Fifth and Sixth Sittings

Clauses 13 to 21 agreed to.

Rebecca Smith

Withdrawn after debate 19

Mike Wood

Clause 22, page 14, line 27, leave out from “applies,” to “and” in line 28 and insert “the amounts credited to the account in the relevant period,”

Clause agreed to.

Clauses 23 to 33 agreed to.

Georgia Gould

Agreed to Gov 2

Clause 34, page 20, line 30, leave out from “review” to end of line 35

Member's explanatory statement

This amendment leaves out provision that is not needed; clause 29(5), (6) and (8) makes the necessary provision.

Clause, as amended, agreed to.

Clauses 35 to 40 agreed to.

Rebecca Smith

Withdrawn after debate 20

Mike Wood

Clause 41, page 25, line 16, leave out “40% of”

Clause agreed to.

Clauses 42 to 55 agreed to.

Seventh and Eighth Sittings

Clauses 56 to 63 agreed to.

Steve Darling

Negatived on division 31

John Milne

Clause 64, page 34, line 23, at end insert—

“(1A) Prior to appointing an independent person, the Minister must consult the relevant committee of the House of Commons.

(1B) For the purposes of subsection (1A), “the relevant committee” means a committee determined by the Speaker of the House of Commons.”

Member's explanatory statement

This amendment would ensure Parliamentary oversight of the appointment of the “Independent person”.

Clause agreed to.

Clauses 65 and 66 agreed to.

Georgia Gould

Agreed to Gov 3

Clause 67, page 36, line 10, leave out “disclosure, obtaining or use” and insert “processing”

Member's explanatory statement

This amendment clarifies that clause 67(3) applies in relation to all processing of information and makes it consistent with clause 67(1) and (2).

Clause agreed to.

Clauses 68 and 69 agreed to.

Schedule 2 agreed to.

Clauses 70 to 73 agreed to.

Clause 74 agreed to on division.

Steve Darling

Not selected 27

John Milne

Page 41, line 8, leave out Clause 74

Steve Darling

Negated on division 30

John Milne

Schedule 3, page 84, leave out line 12

Member's explanatory statement

This amendment would remove pension credit from being a 'relevant benefit' for the purposes of the Act.

Rebecca Smith

Not called 25

Mike Wood

Schedule 3, page 84, line 12, at end insert "(d) housing benefit"

Steve Darling

Negated on division 29

John Milne

Schedule 3, page 84, leave out lines 13 to 17

Member's explanatory statement

This amendment would mean remove the provision for regulations to change the list of qualifying benefits.

Siân Berry

Negated on division 35

Schedule 3, page 84, line 13, leave out from "to" to end of line 17 and insert "remove types of benefit from the definition of "relevant benefit"".

Member's explanatory statement

This amendment would mean that benefits could not be added to the list of "relevant benefits" by regulations.

Rebecca Smith

Not called 24

Mike Wood

Schedule 3, page 84, line 25, at end insert—

"or such an account which is held by a person appointed to receive benefits on behalf of another person."

Steve Darling

Not selected 28

John Milne

Page 73, line 6, leave out Schedule 3

Schedule agreed to.

Adjourned until Tuesday 11 March at 9.25am

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.