

UK Prosecutors Update Guidance Ahead of New Fraud Prevention Law – What Prosecutors Will Expect From Businesses

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The Economic Crime and Corporate Transparency Act 2023 (ECCTA) is a landmark piece of legislation for regulatory authorities in the United Kingdom. It will become law on **1 September 2025**. The Crown Prosecution Service (CPS) and Serious Fraud Office (SFO) are prepared and have set the tone for what we anticipate to be a significant change in the enforcement environment in the UK, as they published [Joint Corporate Prosecution Guidance](#) on 18 August 2025.

The act is set to have a material impact on the manner in which authorities combat money laundering, fraud and other economic crimes within the jurisdiction. Large companies doing business in the UK should be on notice that they will have to ensure their compliance procedures are robust enough to withstand what is expected to be a renewed vigour from the authorities to hold large companies to account for the criminal actions of their employees, agents and subsidiaries.

From **1 September 2025**, a large organisation which fails to put appropriate and proportionate procedures in place may risk not having any defence to a criminal prosecution under the act. It is therefore essential that businesses have well-designed procedures in place to prevent this, and that these are regularly reviewed in line with regulatory and technological developments. Hannah von Dadelszen, chief crown prosecutor leading on economic crime for the CPS, said:

The new 'failure to prevent fraud' offence and developments in the identification doctrine represent a major step forward in tackling corporate crime. Together, they remove barriers that have made it harder to hold companies to account, and our updated guidance equips prosecutors to make full use of these changes. Preventing fraud is essential to protecting the public and our economy. The public are entitled to have confidence that companies will be held to account for wrongdoing. Large companies, charities and other organisations need to act now to make sure they have proper fraud prevention systems in place.

[See Cooley's thoughts on this development.](#)

We would be pleased to assist companies with assessing the impact of the legislative changes on their business and helping refine their anti-fraud compliance programmes accordingly.

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