

Fraud - Example Cases

**359144966**

A 61 year old man was prosecuted for failing to declare that he was receiving a pension from a former employer.

This investigation was started by the DWP who invited BDC to join the investigation in order for the full extent of offending to be identified and the prosecution was conducted by the Crown Prosecution Service who prosecute cases on behalf of the DWP.

The investigation resulted in overpayments of £8,799.22 Housing Benefit, £2,706.65 Council Tax Benefit and £7,526.03 in DWP benefits being identified.

The customer was sentenced to 3 months imprisonment on each charge to run concurrently, suspended for 12 months. The Housing Benefit overpayment is being recovered through deductions from the customer's current benefit entitlement and an arrangement has been made to repay the Council Tax Benefit overpayment by instalments.

**359135623**

A 38 year old woman accepted an administrative penalty as an alternative to prosecution for continuing to claim Housing Benefit from BDC after moving from her home and making another claim from a neighbouring authority.

This investigation began as a result of a data match from HBMS suggesting that 2 claims may be in payment.

Overpayments of £1,649.96 Housing Benefit and £187.06 Council Tax Benefit were established. The Housing Benefit overpayment and the administrative penalty are being recovered through deductions from DWP benefits.

A caution could not be considered appropriate in this case as the offences were denied during the interview under caution.

**36011173X**

A 40 year old woman accepted a caution after admitting that she had failed to declare capital during a joint investigation with Wychavon District Council (WDC).

The investigation started as a result of information that the customer gave when attending the Customer Service Centre. It was established that the customer had owned a flat in Poland when she initially claimed Housing Benefit from WDC and then from BDC when she moved into this area. The property was later sold and the money was deposited in her mother's name in an account in Poland.

£1,018.59 was incorrectly claimed from BDC and £1,308.05 from WDC. It was decided by each authority that it was appropriate to offer a caution as an alternative to prosecution mainly because of the customer's co-operation with the investigation and providing information which may not have otherwise been available.

The overpayment was repaid to BDC in full during the period of the investigation.

### **360091161**

Prosecution of a 29 year old man was decided to be inappropriate due to lack of evidence after an investigation into his claim resulted in overpayments of £6,746.62 Housing Benefit and £2,400.59 Council Tax Benefit.

This case was referred for investigation by the Benefit Section after it was found that although the claim had been based on the customer's entitlement to Jobseeker's Allowance, this had never been in payment. The claim had been made at the time that Voice Recognition software was in use and verification rules were based around this.

The customer failed to attend for interview under caution and unfortunately proof of income for 1 month's agency work was the only evidence available to show the correct financial circumstances for the period involved. The case was referred to the Legal Team but rejected as there was insufficient evidence to prosecute and an alternative sanction could not be considered for the offences that could be proven because the customer has not attended for interview.

The Housing Benefit overpayment is being recovered through deductions from current benefit and an agreement to repay the Council Tax Benefit has been made by instalments.