

## Example cases

### Case 1

A 59 year old man accepted an administrative penalty as an alternative to prosecution for failing to declare that he was in full time work as a production operative from June to August 2013.

This investigation began as a result of a joint working invitation from the DWP which was accepted to ensure that the full extent of offending was identified.

A Housing Benefit overpayment of £592.36 was calculated after a Jobseeker's Allowance overpayment of £1,173.71 was identified.

The customer attended the appointment arranged to carry out an interview under caution but refused to be interviewed and therefore a caution could not be considered in this case.

The overpayment and administrative penalty are being recovered through deductions from the customer's current benefit entitlement.

### Case 2

A 35 year old woman was prosecuted after the National Fraud Initiative identified that she had started working as a teaching assistant in September 2011.

Overpayments of £3,077.19 Housing Benefit, £606.44 Council Tax Benefit and £334.62 Council Tax Support were identified and as the customer failed to attend an interview under caution an alternative sanction could not be considered.

After pleading guilty to all offences the customer was fined £110 in addition to being ordered to pay £200 towards the prosecution costs and a £20 victim surcharge.

The overpayment is being repaid by the customer in monthly instalments.

### Case 3

A 44 year old woman accepted a caution after admitting offences of failing to declare that her earnings had increased and that her non-dependant son had returned to live in the property.

The investigation into this case began after the Housing Benefit Matching Service provided a data-match on cases where earnings had not been updated on claims for over a year. Further investigation established that the wages had increased and the undeclared non-dependant which resulted in overpayments of £6,967.29 Housing Benefit and £1,946.19 Council Tax Benefit/Support.

Although prosecution would usually be considered as first option of sanction because of the period and amount of the overpayment in this case, it was decided to offer a caution on this occasion because the customer's employer had

significantly delayed the investigation by not providing information when requested and the customer had herself provided the information about her son returning.

The overpayment is being repaid by weekly standing order.

#### **Case 4**

The joint investigation with the DWP into the claim of a 36 year old woman which resulted in overpayments of £11,719.81 Housing Benefit and £1,798.05 Council Tax Benefit based on evidence showing that she had been living with an undeclared partner had to be closed without sanction after the case was withdrawn from court.

The customer had appealed against the DWP decision that was made on the balance of probability that Income Support of £6,456.59 had been overpaid because she had been living with her partner. The Tribunal upheld the decision and the evidence was considered sufficient to support a prosecution.

The case was withdrawn from court by the Crown Prosecution Service who were presenting the case on behalf of the Department for Work and Pensions after a neighbour of the customer made a statement that the alleged partner was not living with the customer but refused to attend court.

The Housing Benefit overpayment is being recovered through deductions from the customer's on-going benefit entitlement.