

**Example cases**

**Case 1**

A 64 year old woman was prosecuted for offences of failing to declare work.

The customer had claimed Housing Benefit and Council Tax Benefit in February 2010 and was paid on the basis of her entitlement to Guaranteed Pension Credit.

In January 2011 the claim was suspended after notification was received from the Pension Service advising that Pension Credit entitlement had ended but was put back into payment after the customer made declarations that her only income was then State Pension.

In August 2013 the claim was again suspended when notification was received that Working Tax Credit had been awarded. The customer then advised that she had been doing a bit of work to help a friend out but the position was not viable so had ended.

The Benefit Team then referred the case for investigation and it was established that the customer had actually been working continuously since March 2010, resulting in overpayments of £6,425.79 Housing Benefit and £1,557.31 Council Tax Benefit between March 2010 and August 2013.

The customer pleaded guilty to the offence and was given a 12 month community order with 100 hours unpaid work, victim surcharge of £60 and £85 costs. In sentencing magistrates stated that it was a substantial amount of money taken which was compounded by a previous conviction for benefit fraud.

The overpayment is being repaid through an instalment arrangement.

**Case 2**

The prosecution proceedings against a 28 year old woman for failing to declare that she was living with a partner were ended by the Crown Prosecution Service (CPS) due to problems with DWP witness availability.

This investigation was begun by the DWP who invited Redditch Borough Council to work together after sufficient evidence had been obtained to indicate that Housing Benefit/Council Tax Support would be affected.

The customer denied the offences during interview under caution but the evidence was considered sufficient to prove the case. Prosecution was authorised after overpayments of £2,804.26 Housing Benefit and £505.70 Council Tax Benefit were identified in addition to overpaid Income Support of £2,194.00.

The customer pleaded not guilty to all offences at the 1<sup>st</sup> court hearing held in September 2013. A trial date of 25.11.13 was set but adjourned until 31.3.14. Unfortunately the court ran out of time on that date so couldn't hear the case and rebooked it for 30.6.14.

The DWP Investigation Officer who had been called as a witness was unavailable to attend the hearing on 30.6.14 due to sickness and the case was withdrawn by the CPS as no further date could be arranged.

Action is currently being taken to recover the overpaid Housing and Council Tax Benefit.

### **Case 3**

A 36 year old man was sent the letter reminding of his responsibility to report changes in circumstances as they take place and the consequences of not doing so after a Housing Benefit overpayment of £421.86 was identified due to an undeclared increase in Tax Credits.

This investigation began after the customer queried his award of benefit when he made a new claim as he had previously received a higher amount. Investigation established that the claim had previously paid incorrectly as the Benefit Team had not been notified of the increase in Tax Credits.

The overpayment is being recovered by monthly instalments.