

## External Investigation Outcomes

**Table 1 – Benefits & Council Tax Reductions / Discounts - Prosecutions completed in the 3rd Quarter 2015/16**  
 (Amounts of overpayments outstanding as at 12/02/16)

Prosecutions					
Case ref.	Fraud Type	Fraudulent overpayment £	Period of overpayment or Evasion of liability	Court and sentence	Comment
13334 / 1061061	W&C	£1,390.66 (CTB)  £10,347.51 (PC)	30/01/12 – 31/03/13  25/01/12 – 15/10/13	Medway Magistrates  Found guilty of: 3 x Medway offences 3 x DWP offences  Sentenced to: 12 month Community Punishment Order with a requirement to undertake 100hrs unpaid work. £745 Costs £60 Victim surcharge	Medway led investigation and prosecution.  The Medway CTB was recharged to the Council Tax account. After a final notice was issued customer commenced payment by direct debit in January 2016.
14029 / 1061061	False CofC	See above (13334 / 1061061)	See above	Medway Magistrates  Found guilty of: 1 x Medway offence  Sentenced to: 12 Month Community Punishment Order with a requirement to undertake 80hrs unpaid work. £745 Costs £60 Victim surcharge	Medway led investigation and prosecution.  Partner of 13334 / 1061061. Prosecuted for making a false representation on a change of circumstances form in relation to the date employment commenced.

<b>Prosecutions</b>					
<b>Case ref.</b>	<b>Fraud Type</b>	<b>Fraudulent overpayment £</b>	<b>Period of overpayment or Evasion of liability</b>	<b>Court and sentence</b>	<b>Comment</b>
13353 / 62995	W&C	£19,591.12 (HB)	15/04/02 – 13/10/13	Maidstone Crown Court	Department for Work and Pensions led prosecution, prosecuted by Crown Prosecution Service.  The investigation also identified £158.75 in Council Tax Reduction for period 01/04/13 – 31/03/15 that was not included in the Crown Prosecution Service prosecution.  The Housing Benefit overpayment plus a previous outstanding debt are currently being recovered from on-going benefit at the rate of £18.50 per week, with an outstanding balance of £20,336.13.
		£4,825.28 (CTB)	15/04/02 – 31/03/13	Found guilty of: 2 x Medway offences 2 x DWP offences	
		£10,549.96 (IS)	09/04/02 – 11/08/06	Sentenced to: 14 Months imprisonment suspended for 2 years.	
		£33,349.48 (PC)	01/07/06 – 06/10/13	Curfew between 7am - 7pm.	
		£2,390 (Carers Allowance)	03/06/13 – 09/03/14	Tagged for 5mths of the sentence.	
13389 / 1059619	CAP	£1,435.49 (HB)	01/03/13 – 05/01/14	Medway Magistrates	Medway led investigation and prosecution.  The investigation also identified further overpayments of Housing Benefit, Council Tax Benefit and Council Tax Reduction totalling £5,710.94, caused by the claimant's failure to declare an occupational pension. There was insufficient evidence to include this in the prosecution.  Defendant was originally offered an Administrative Penalty for £1,208.22, which was declined.  The matter was then passed to Medway Legal Services for prosecution. After failing to attend the first hearing a warrant backed by bail was issued. This led to him being arrested and bailed to appear before Medway Magistrates Court.
		£67.80 (CTB)	04/03/13 – 31/03/13	Pleaded guilty to: - 2 x Medway offences	
		£913.17 (CTR)	01/04/13 – 05/03/14	Sentenced to: Conditional discharge for period of 12 months. £350 Costs. £15 Victim surcharge.	

Prosecutions					
Case ref.	Fraud Type	Fraudulent overpayment £	Period of overpayment or Evasion of liability	Court and sentence	Comment
					After moving from the Medway area the claimant made an arrangement to repay the debt at the rate of £20pcm. He failed to keep to the arrangement, so application has now been made to recover the outstanding Housing Benefit debt of £4,551.55 via attachment to DWP benefits.
13459 / 1007576	LT	£26,221.95 (HB) £4,133.14 (CTB) £19,494.40 (IS) £121.71 (JSA) £3,763.45 (ESA)	30/06/08 – 28/10/13 30/06/08 – 31/03/13 24/06/08 – 02/07/12 07/07/12 – 18/07/12 20/07/12 – 23/07/13	Medway Magistrates  Found guilty of: - 2 x Medway offences 3 x DWP offences  Sentenced to: 135 days imprisonment, suspended for 2years.  Curfew between 5pm – 5am.  £85 Costs.  £80 Victim Surcharge.	Department for Work and Pensions led prosecution, prosecuted by Crown Prosecution Service.  The investigation also identified £221.44 in Council Tax Reduction for period 01/04/13 – 28/07/13 that was not included in the Crown Prosecution Service prosecution.  The Housing Benefit overpayment is being recovered from ongoing entitlement at the rate of £18.50pw. The current balance outstanding is £25,365.90.
13510 / 1063351	Inc. & CAP	£6,504.18 (HB)	07/11/11 – 06/07/14	Medway Magistrates  Found guilty of: - 2 x Medway offences  Sentenced to: Community Order for a period of 12 months with a requirement to complete 200 hours of unpaid work. £750 Costs. £60 Victim surcharge.	Medway led investigation and prosecution.  The claimant is no longer entitled to Housing Benefit.  The claimant is maintaining an arrangement to repay the debt at the rate of £50pcm. The current balance outstanding is £5,940.26.

<b>Prosecutions</b>					
<b>Case ref.</b>	<b>Fraud Type</b>	<b>Fraudulent overpayment £</b>	<b>Period of overpayment or Evasion of liability</b>	<b>Court and sentence</b>	<b>Comment</b>
13520 / 1058197	LT & Inc.	£6,903.30 (HB)  £16.88 (CTB)	10/09/12 – 31/08/14  10/09/12 – 23/09/12	Medway Magistrates  Found guilty of: - 2 x Medway offences  Sentenced to: - Community Order for a period of 12 months with a requirement to complete 120 hours of unpaid work. £250 Costs. £60 Victim surcharge.	Medway led investigation and prosecution.  The claimant is no longer entitled to Housing Benefit.  The claimant is maintaining an arrangement to repay the debt at the rate of £100pcm. The current balance outstanding is £5,000.00.
13571 / 24103	Inc.	£3,537.76 (HB)  £98.87 (CTB)  £3,831.61 (JSA)  £5,960.75 (ESA)	24/12/12 – 03/11/13  24/12/12 – 03/03/13  17/12/11 – 11/03/13  12/03/13 – 17/03/14	Medway Magistrates  Found guilty of: - 2 x Medway offences  Sentenced to: - 12 weeks imprisonment suspended for 18 months. No Costs. No Victim surcharge.	Department for Work and Pensions led prosecution, prosecuted by Crown Prosecution Service.  The investigation also identified £234.26 in Council Tax Reduction for period 01/04/13 – 03/11/13 that was not included in the Crown Prosecution Service prosecution.  The claimant has moved out of the Medway area.  Recent attempts to recover the outstanding Housing Benefit debt via an attachment to DWP benefits failed due to insufficient benefit in payment. The current balance outstanding, including a pre-existing Housing Benefit debt, is £11,892.64.
13644 / 1012564	Inc.	£6,971.35 (HB)  £45.24 (CTB)	26/10/09 – 23/02/14  26/10/09 – 27/10/09	Medway Magistrates  Found guilty of: - 1 x Medway offence	Medway led investigation and prosecution.  The claimant is no longer entitled to Housing Benefit and has moved out of the Medway area.

<b>Prosecutions</b>					
<b>Case ref.</b>	<b>Fraud Type</b>	<b>Fraudulent overpayment £</b>	<b>Period of overpayment or Evasion of liability</b>	<b>Court and sentence</b>	<b>Comment</b>
				Sentenced to: - 150hours community work over a 12month period. £600 Costs. £60 Victim surcharge.	Attempts to recover the outstanding Housing Benefit debt via Direct Earnings Attachments (DEAs) have failed as claimant has changed employment. The debt has been passed to a collection agency. The current balance outstanding is £6,881.82.
13646 / 1067752	LT	£9,071.83 (HB)  £286.54 (CTB)  £8,524.00 (IS)	29/10/12 – 18/05/14  12/09/12 – 31/03/14  26/10/11 – 01/06/14	Medway Magistrates  Found guilty of: - 4 x Medway offences 1 x DWP offence  Sentenced to: - 100hours community work order over a 12month period. No Costs. No Victim surcharge.	Department for Work and Pensions led prosecution, prosecuted by Crown Prosecution Service.  The Housing Benefit overpayment is being recovered from ongoing entitlement at the rate of £12.00pw. The current balance outstanding is £9,927.47.
13700 / 1056183	LT	£5,727.25 (HB)	12/11/12 – 09/11/14	Medway Magistrates  Found guilty of: - 3 x Medway offences  Sentenced to: - 150hours community work order over a 12month period. £750 Costs. £60 Victim surcharge.	Medway led investigation and prosecution.  The Housing Benefit overpayment is being recovered from ongoing entitlement at the rate of £18.50pw. The current balance outstanding, including a pre-existing debt, is £6,377.93.
14026 / 1050070	W&C	£12,848.55 (HB)	05/09/11 – 02/11/14	Medway Magistrates	Department for Work and Pensions led prosecution, prosecuted by Crown Prosecution Service.

<b>Prosecutions</b>					
<b>Case ref.</b>	<b>Fraud Type</b>	<b>Fraudulent overpayment £</b>	<b>Period of overpayment or Evasion of liability</b>	<b>Court and sentence</b>	<b>Comment</b>
		£944.08 (CTB)	05/09/11 – 31/03/13	Found guilty of: - 2 x Medway offences 1 x DWP offence	The investigation also identified £2,283.55 in Council Tax Reduction for period 01/04/13 – 24/05/15 that was not included in the Crown Prosecution Service prosecution.
		£9,582.63 (PC)	31/08/11 – 14/10/14	Sentenced to: - 180 day suspended prison sentence. 10 week curfew between 8pm and 7am.	The Housing Benefit overpayment is being recovered from ongoing entitlement at the rate of £18.50pw. The current balance outstanding is £12,013.75.
14048 / 1029377	Inc.	£4,088.86 (HB)	02/04/12 – 08/09/14	Medway Magistrates	Medway led investigation and prosecution.
		£724.16 (CTB)	12/11/12 – 31/03/15	Found guilty of: - 3 x Medway offences	The Housing Benefit overpayment is being recovered from ongoing entitlement at the rate of £16.10pw. The current balance outstanding is £3,361.88.
		£225.74 (CTR)	01/04/13 – 01/09/13	Sentenced to: - 12month Community Order with a requirement to undertake 40hours unpaid work. £350 Costs. £60 Victim surcharge.	
<b>Totals (£)</b>		£102,901.64 (HB) £12,532.65 (CTB) £1,138.91 (CTR) £107,915.50 (DWP) <b>£224,488.70</b>			

**Table 2 – Benefits & Council Tax Reductions / Discounts – Cautions issued in the 3rd Quarter 2015/16**  
 (Amounts of overpayments outstanding as at 12/02/16)

<b>Cautions</b>					
<b>Case ref.</b>	<b>Fraud Type</b>	<b>Fraudulent overpayment £</b>	<b>Period of overpayment or Evasion of liability</b>	<b>Date Caution accepted</b>	<b>Comment</b>
14075 / 1067729	Inc.	£1,199.09 (HB)  £39.20 (CTB)	05/11/12 – 09/11/14  05/11/12 – 31/03/13	07/12/15	The Caution was issued in relation to a failure to declare 2 x occupational pension. The investigation had also identified the claimant had failed to declare partner's earned income; however there was insufficient evidence to include this as an offence.  Housing Benefit overpayment, relating to both omissions is being recovered from on-going benefit at the rate of £18.50pw. The current balance outstanding is £6,754.55.
14153 / 3907	W&C / Inc.	£2,642.45 (HB)	08/10/12 – 04/01/15	07/10/15	Claimant is no longer entitled to benefit. The full balance of the Housing Benefit overpayment remains outstanding.
14179 / 1048980	W&C	£3,513.90 (HB)	02/06/14 – 04/01/14	22/10/15	Claimant is maintaining an arrangement to repay the debt at the rate of £100pcm. The current balance outstanding is £3,200.90.
14276 / 1044809	Inc.	£1,618.36 (HB)  £238.08 (CTR)	04/08/14 – 18/01/15  04/08/14 – 18/01/15	26/10/15	Housing Benefit overpayment is being recovered from ongoing benefit at the rate of £18.50pw. The current balance outstanding is £830.06.
14690 / 1059969	Inc.	£13,803.59 (HB)  £2,033.69 (CTB)	01/03/13 – 01/03/15  01/03/13 – 31/03/15	03/12/15	In applying the "Public Interest Test" a Caution was authorized as an alternative to prosecution due to the personal circumstances of the claimant.  Housing Benefit overpayment is being recovered from ongoing benefit at the rate of £18.50pw. The current balance outstanding is £13,647.66.
14817 / 33692	Inc.	£10,485.10 (HB)	02/02/12 – 03/08/15	25/11/15	In applying the "Public Interest Test" a Caution was authorized as an alternative to prosecution due to the personal circumstances of the claimant.

		£158.31 (CTB)	02/01/12 – 31/03/13		The claimant is no longer entitled to Housing Benefit.
		£37.68 (CTR)	01/04/13 – 03/08/15		The Housing Benefit overpayment is being recovered via a Direct Earnings Attachment. The current balance outstanding is £9,904.47.
14820 / AL1468	Inc.	£6,189.41 (HB)	01/04/13 – 09/08/15	21/12/15	The current balance outstanding, including a pre-existing debt, is £7,333.84. During Caution interview he stated he had misplaced his invoice. Another invoice has now been issued.
		£674.33 (CTRS)	06/05/13 – 03/08/15		

**Table 3 – Benefits & Council Tax Reductions / Discounts – Administrative Penalties issued in the 3rd Quarter 2015/16**

<b>Administrative Penalties</b>					
<b>Case ref.</b>	<b>Fraud Type</b>	<b>Fraudulent overpayment £</b>	<b>Period of overpayment or Evasion of liability</b>	<b>Date Administrative Penalty issued</b>	<b>Comment</b>
14192 / 1030757	W&C	£463.65 (HB)	17/11/14 – 11/01/15	20/10/15	The claimant is no longer entitled to Housing Benefit.
		£103.49 (CTRS)	17/11/14 – 09/01/15		The current balance of the Housing Benefit overpayment, including a pre-existing debt, is £1,020.03. To date claimant has failed to make an arrangement to repay the debt.
		£558.51 (JSA)	17/11/14 – 09/01/15		



**Table 4 – Benefits, Council Tax Reduction and Single Person Discount overpayments identified and recorded by the Corporate Anti-Fraud Team during the 3rd Quarter 2015/16 – With comparison to the same quarter in previous financial years.**

<b>Types of overpayment</b>	<b>3rd Quarter 2013/14</b> £	<b>3rd Quarter 2014/15</b> £	<b>3rd Quarter 2015/16</b> £
Housing Benefit (HB)	73,245	249,160	454,019
Council Tax Benefit (CTB)	27,109	41,886	29,475
Council Tax Reduction (CTRS)	3,971	12,081	33,303
Single Person Discount (SPD)	2,473	2,658	3,661
Other Council Tax Discounts	0	1,977	11,744
Discretionary Housing Payment (DHP)	0	0	2,074
JSA / IS	99,955	90,242	35,805
Pension Credit (PC)	0	17,646	12,728
Other (e.g. Tax Credits, ESA)	2,495	50,400	13,909
Social Care	0	0	0
<b>Totals</b>	<b>209,248</b>	<b>466,050</b>	<b>596,718</b>

**Key: -**

- Clmt Claimant
- LT Living together as husband & wife
- WC Working & claiming
- CAP Failure to declare capital
- ND Non Dependent
- CofC Failure to report a change in circumstances
- Inc Failure to declare income
- QB9 Employer prosecuted for failing to supply information requested under Social Security Legislation.
- FR False representation
- FT False tenancy
- SPD Single Person discount
- HB Housing Benefit
- CTB Council Tax Benefit
- CTR Council Tax Reduction
- CTE Council Tax Exemption