

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY THE CONNÉTABLE OF ST. JOHN
ANSWER TO BE TABLED ON TUESDAY 1st APRIL 2014**

Question

Would the Minister inform members of the total value of fraud that has been identified by the Social Security department over the period 2009 to 2013 breaking the total down into the categories of fraudulent claims for sickness, unemployment, pensions, income support and others?

How many people were convicted in court in relation to these frauds and what value of funds was recovered over this period?

Answer

The Department introduced a new fraud strategy and increased manpower during the latter part of 2010, enabling a more proactive approach to combatting fraud. In addition the Department receives support from the public who provide anonymous information on potential benefit fraud via the dedicated fraud hotline 0800 735 1111 and webpage www.gov.je/Benefits/BenefitFraud.

All leads relating to potential fraud are investigated and are prioritised based upon the quality of the information provided, the likely risk of the fraud occurring, and the value of any potential overpayment.

Often leads are identified as genuine mistakes from claimants rather than fraud and these can be quickly rectified and repayment arranged. However, in the event that fraud is suspected investigations are conducted in accordance with PPACE (Police Procedures and Criminal Evidence (Jersey) Law 2003), and RIPL (Regulation of Investigatory Powers (Jersey) Law 2005).

During the years 2009 – 2013, the Fraud Team has identified and taken action to recover amounts as per the table below. There has been an increase in the sums, identified by this Team, of amounts incorrectly or falsely claimed, including fraud, since 2010 when the Department implemented a new approach for fraud detection.

	2009	2010	2011	2012	2013
Income Support	£61,847	£190,892	£476,240	£479,630	£398,615
Sickness & Invalidity benefits	£23,741	£144,908	£77,858	£42,878	£63,191
Survivors benefits	£0	£6,729	£53,573	£60,466	£0
Other benefits	£13,093	£0	£0	£863	£2,396
Total per year	£98,682	£342,531	£607,671	£583,841	£464,203*

*The total value detected in 2013 although less than in previous years does not include 5 fraud cases which were referred for prosecution during 2013 with a value of £113,093. None of these cases have been heard to date and we are still awaiting court dates.

The time taken to conclude an investigation varies depending on the nature and complexity of the case. A simple case may be a few hours' work, but something much more complex, and of a greater monetary value, that could be referred for criminal prosecution can take months from beginning to end.

The Department will, in all cases, endeavour to recover all monies falsely claimed either fraudulently or otherwise. In the first instance repayment is requested in the form of a lump sum. If there is an ongoing claim we can recover from current entitlement or in some cases, based upon each individual's financial circumstances, by way of an instalment agreement. If they renege on an agreement to repay we may seek a Petty Debts or Royal Court Judgement to safeguard the debt. When a compensation order is granted by the Court, payments are made directly to the Viscount's Department and we do not receive the funds until the debt is paid in full.

The Department considers prosecution where appropriate, which is both time consuming and costly to the States of Jersey. All cases are reviewed regularly throughout the investigation ensuring that they meet the criteria outlined in the Centeniers' Guidelines. This ensures that time and effort is spent appropriately, and that the investigation is proportionate to the alleged fraudulent activity. The final decision to prosecute rests with the Attorney General.

Between 2009 & 2013, there were 20 prosecutions where convictions were secured. As mentioned above, there are 5 prosecutions pending court dates.