



21 August 2024

Tēnā koe

Official Information Act Request

Thank you for your email of 24 July 2024, requesting information about fraud cases investigated by MSD in the last five years and by geographical region. I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on your request set out below.

I will first respond to your request, before providing you with some general information about allegations of benefit fraud.

Your request

Please see the attached **Appendix** containing:

- **Table One:** Number of completed benefit fraud cases and overpayments created from 01 July 2019 to 30 June 2024 by financial year and fraud activity.
- **Table Two:** Number of completed cases from 01 July 2019 to 30 June 2024 by financial year and case origin.
- **Table Three:** Number of successful prosecutions from 01 July 2019 to 30 June 2024 by financial year.

Please note the Ministry is not able to provide the requested data by geographical region. Fraud commonly occurs over a period of time and clients may move between regions over that time. Because of this, overpayments of benefit can occur across several regions for a single client. This means it is not possible for us to report on overpayments by region.

In order to provide you with this information, Ministry staff would have to manually review a substantial number of files. As such, I refuse your request under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

Allegations of benefit fraud

The Ministry works hard to protect the integrity of the welfare system to ensure it remains fair for all New Zealanders. It is vital that the public has trust and confidence in the Ministry to ensure people receive their correct entitlement and do not take advantage of the welfare system.

Benefit recipients are obliged to advise the Ministry of any change in circumstances that might affect their entitlement to a benefit. Allegations of benefit and social housing fraud can be made by members of the public, or by Ministry staff undertaking reviews of a client's benefit entitlement, and these are assessed for the appropriate level of response.

The Ministry's overall approach to managing allegations of benefit fraud is to intervene early when concerns are raised, to make it easy for clients to do the right thing and avoid unnecessary overpayments and debt, while still responding appropriately to serious fraud. The Ministry's Client Service Integrity group has a three-tier graduated model to respond to allegations of benefit fraud:

- Early intervention – engaging with clients early to discuss any integrity issues raised, confirm obligations, and adjust entitlements where appropriate.
- Facilitation – working more intensively with a client to assess their situation against their entitlements and adjust these entitlements where necessary. This could mean an overpayment for a client in some situations.
- Investigation – gathering information and acting on serious client integrity issues, which could result in an overpayment and in the most serious cases, prosecution. Prosecutions are considered in line with the Solicitor General's guidelines, taking into account the full circumstances of each individual case.

The three-tier approach helps the Ministry better manage fraud activity. All allegations of potential fraud or abuse of benefit payments are responded to in a manner proportionate to the nature of the information received and the potential seriousness of offending.

There will always be cases of serious fraud which will be fully investigated and prosecuted where it is appropriate to do so.

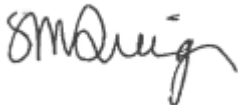
Overall, the number of cases responded to across the Ministry's three-tier model has remained stable over the last five years. A greater proportion are now responded to without investigation or prosecution.

I will be publishing this decision letter, with your personal details removed, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui

A handwritten signature in black ink, appearing to read 'Magnus O'Neill', written in a cursive style.

pp.

Magnus O'Neill
General Manager
Ministerial and Executive Services