



**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

[REDACTED]

Dear [REDACTED]

On 8 February 2019 you emailed the Ministry requesting, under the Official Information Act 1982, information regarding benefit fraud related to a marriage type relationship.

On 21 February 2019, you confirmed that for question one, you would like information for the financial years 2012/13, 2013/14, 2014/15, 2015/16 and 2017/18, and for question three, you would like information for the 2016/17 and 2017/18 financial years.

For the sake of clarity, I will address each of your questions in turn.

- 1. On page 3 of 7, there is a table showing numbers of allegations, investigations and prosecutions with a series of explanatory notes for the 2016/2017 financial year (see print screen below in Appendix 1). I would like to request the 2017/18 figures and the number of allegations, investigations and prosecutions for the time period between 2012-2014.*

Please refer to table one enclosed which shows the number of benefit fraud allegations, investigations, overpayments and prosecutions between the 2012/13 and 2017/18 financial years.

The Ministry is unable to provide you with the number of investigations completed related to a marriage type relationship in 2012/13 and 2013/14 as this information is held in notes on individual case files. In order to provide you with this information Ministry staff would have to manually review thousands of files. As such, your request is refused in part under section 18(f) of the Official Information 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.

2. [REDACTED] *MSD state,*

"You may be interested to know that the Ministry has since produced a document that contains data about allegations, investigations and

prosecutions with an ethnicity breakdown. Please let the ministry know if you would like to request this information and it can be accessed for release”.

I would like to request a copy of the document that contains data with the ethnicity breakdown.

Enclosed is a copy of the excel document which details the Investigations and Prosecutions completed for the 2017 financial year, broken down by ethnicity. Please note that:

- This data was intended for internal indicative purposes only and was not part of any formal decision making processes.
- It does not meet the standards normally required for data published externally, and hasn't been through the regular quality assurance process; therefore the data should be treated cautiously.
- The Ministry is currently developing robust data in regards to this area. I am happy to provide you with this data via email when it comes through the quality assurance process.

3. *Answers to the following:*

- a. How many investigations are triggered internally by case managers;*
- b. How many are triggered through alternative processes such as the anonymous tip off line*
- c. The gender, age and ethnic breakdown of those investigated of being in a marriage type relationship when they say they are single*

We are unable to provide data around the investigations triggered by case managers and through the allegation line as this information currently isn't reported in a robust and conclusive way. This information is kept in individual case files and Ministry staff would have to manually review all allegation files to find this information. As such, this part of your request is refused under section 18(f) of the Official Information 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.

Enclosed are the following three tables:

- Table Two: Number of people investigated in marriage type relationship fraud investigations in the 2016/17 and 2017/18 financial years.
- Table Three: Number of people investigated in marriage type relationship fraud investigations in the 2016/17 and 2017/18 financial years, broken down by age group.

- Table Four: Number of people investigated in marriage type relationship fraud investigations completed in the 2016/17 and 2017/18 financial years, broken down by ethnicity.

d. The number of successful prosecutions completed by a marriage type relationship;

The Ministry is unable to provide you with the number of successful prosecutions completed by a marriage type relationship as this information is held in notes on individual case files. A client may be prosecuted for multiple reasons at one time. As such; Ministry staff would have to manually review all prosecution files to ascertain if this prosecution was linked to a marriage type relationship. Your request for this information is refused under section 18(f) of the Official Information 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.

e. What type of sentence resulted?

The Ministry does not record information about the associated sentences that have arisen from a prosecution in a way that can be reported in relation to the type of benefit or the relationship status of the client. This information is held on individual case files. In order to provide you with this information, Ministry staff would have to manually review thousands of files. As such I refuse your request under section 18(f) of the Official Information Act. The greater public interest is in the effective and efficient administration of the public service. Relevant case files may be held by the court. The Court does have a policy for releasing information in some situations. Further information regarding this can be found at: www.justice.govt.nz/about/news-and-media/media-centre/media-information/media-guide/access-to-court-information/.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public shortly. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

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 this response, 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.

Yours sincerely



George Van Ooyen
Group General Manager, Client Service Support

Table One: Number of benefit fraud allegations, investigations, overpayments and prosecutions between the 2012/13 and 2017/18 financial years.

Item	Financial year					
	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Allegation line calls answered	16,772	14,587	14,647	13,940	11,834	12,578
Allegations received from all channels	17,387	15,708	12,530	9,756	8,968	9,728
Public allegations recorded	16,008	14,736	11,592	8,898	8,393	9,210
Investigations completed total	10,033	7,650	10,491	8,689	5,992	5,490
Investigations completed related to a marriage type relationship	Not available	Not available	6,131	3,724	3,042*	3,094
Overpayments established	1902	2,270	1,619	2,250	1,829	1,664
Prosecutions Completed	957	893	958	619	453**	291
Successful Prosecutions	906	868	927	598	436**	277

Notes:

- This table includes people of all ages.
- Investigation items are a count of investigations completed; a person may have more than one investigation in a period.
- Prosecution items are a count of prosecutions; a person may have more than one prosecution in a period.
- For the financial year ending June 2018, cases that were withdrawn beyond the Ministry's control have been removed.
- This does not include prosecutions for internal fraud in the 2017/18 year, however it does include prosecutions for internal fraud up until 2016/2017.
- 'Investigations completed' is related to a marriage type relationship. Note that investigations may have several lines of enquiry. This data reflects where a marriage type relationship was one of those lines of enquiry.
- *This number differs from the Swedlund response as the 2016/17 data used in that response was based on 'closed investigations'. This table includes 'completed investigations' which is more accurate.
- **Prosecutions 'completed' and 'successful' differ to the Swedlund response as this table includes internal fraud for 2016/17 year

Table Two: Number of people investigated in marriage type relationship fraud investigations in the 2016/17 and 2017/18 financial years, broken down by gender.

Gender	Financial year	
	2016/17	2017/18
Female	2,978	3,110
Male	2,285	2,482
Unspecified	86	95
Total	5,349	5,687

Table Three: Number of people investigated in marriage type relationship fraud investigations in the 2016/17 and 2017/18 financial years, broken down by age group.

Age Group	Financial year	
	2016/17	2017/18
17 and under	91	102
18-19	60	61
20-24	828	829
25-29	1,178	1328
30-34	913	982
35-39	713	741
40-44	515	536
45-49	388	396
50-54	267	293
55-59	182	191
60-64	105	106
65+	109	122
Total	5,349	5,687

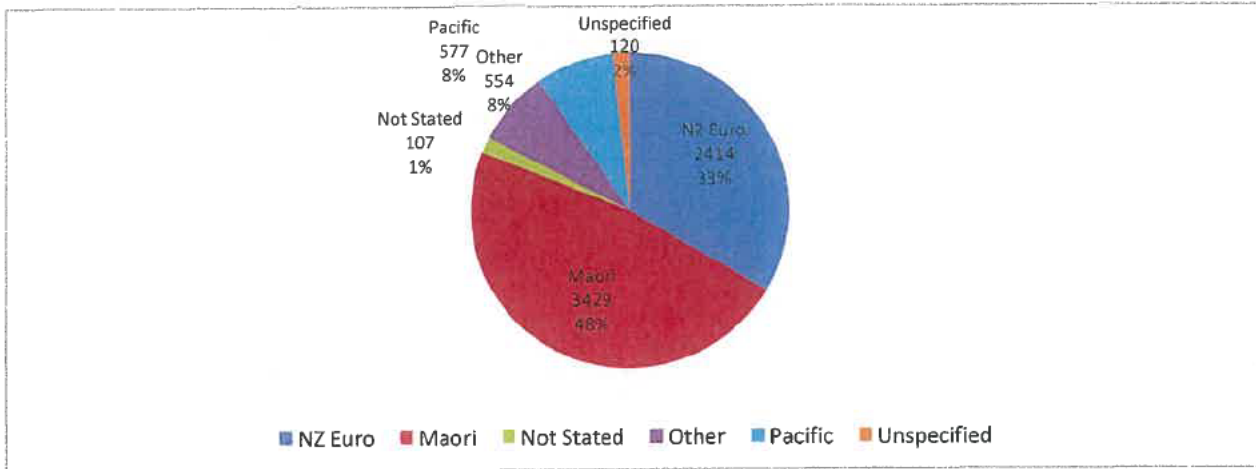
Table Four: Number of people investigated in marriage type relationship fraud investigations completed in the 2016/17 and 2017/18 financial years, broken down by ethnicity.

Ethnicity	Financial year	
	2016/17	2017/18
Māori	2,575	2,627
New Zealand European	1,835	1,981
Pacific Peoples	368	424
Other/Unspecified	571	655
Total	5,349	5,687

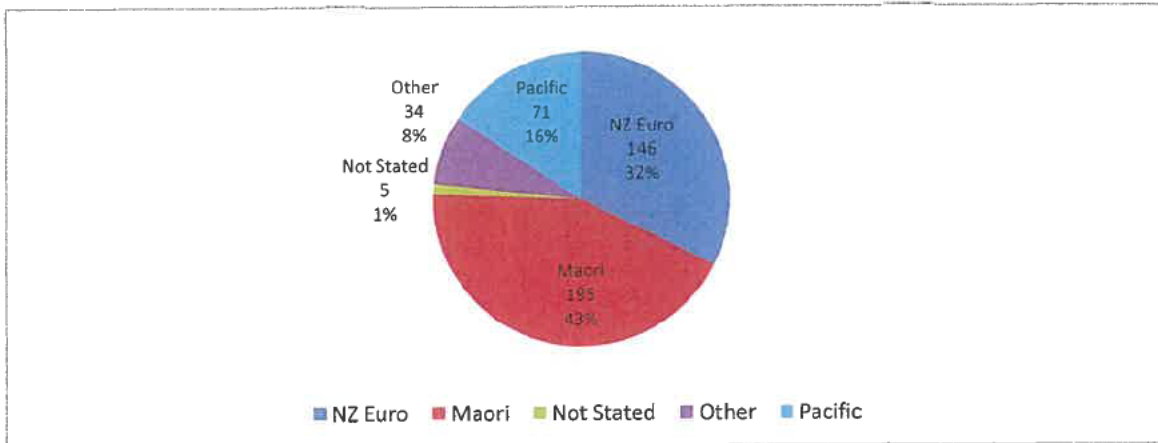
Notes for tables Two to Four:

- This is a count of people, not investigations as an investigation may include multiple people.
- Ethnicity data is self-identified and multiple ethnicities may be chosen by an individual as fits their preference or self-concept.
- Multiple selected ethnicities are then prioritised into a hierarchy. The Māori ethnicity has the highest priority in this hierarchy, followed by Pacific peoples. New Zealand European has the lowest priority. This is to ensure that smaller and politically significant ethnic groups do not get overwhelmed by the larger ethnic groups. A single ethnicity is assigned to an individual based on this hierarchy. Ethnic groups do not currently align with Statistics New Zealand ethnicity groupings.
- Some of the people investigated may never have been clients of the Ministry and therefore there are no demographic records for these people. As such, they appear as 'Unspecified'.

Investigations



Prosecutions



Working age main benefit population by ethnicity (as at end of June 2017)

