



30 APR 2021

Dear

On 10 March 2021, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982, the following information in relation to fraud investigations undertaken by the Ministry:

- *A full copy of the current investigation unit training package.*
- *What types of legal training and background MSD fraud investigators have?*

On 9 April 2021, the Ministry extended the timeframe of the request due to the large quantity of information requested. You were advised that a response would be provided to you by 6 May 2021, or earlier if possible.

The Ministry takes its responsibilities very seriously in the administration of public expenditure to provide income assistance and services to more than one million New Zealanders each year. The Ministry works hard to protect the integrity of the system to ensure it remains fair for all New Zealanders.

The Ministry has a dedicated team of specialist fraud investigators across the country, and an Intelligence Unit that identifies emerging fraud risks and trends. The Ministry works with other government agencies to identify and reduce the incidence of fraud and also investigates cases which arise through allegations from members of the public. At the same time, national fraud teams and the Integrity Intervention Centre are increasing their focus on fraud prevention and early intervention activities, including working with clients to ensure they understand their obligations to tell Work and Income early about their changing circumstances, as this could affect their benefit entitlement.

The Ministry uses the Investigation Unit Training Package to train its fraud investigators on a variety of relevant topics. The training package is broken up into several training modules, which are used in conjunction with on-the-job training and block-training-delivery sessions.

Investigators come from a variety of backgrounds, which could be from external agencies or other roles in the Ministry. Relevant legal training is incorporated in the range of training provided for new investigators.

I can also confirm that the training modules were updated in September 2019 to include more information. Please note that the training modules are regularly reviewed to ensure information is kept up to date in line with legislative changes.

All of the training manuals used by the specialist fraud investigators are published on the Ministry's website in response to a previous Official Information Act request. These materials are part of the current Investigation Unit Training Package and can be found at the following link: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/official-information-responses/2020/responses-to-oia-requests-november-2020.html>. The title of the published response is:

- 13/11/2020 - Request for details about benefit fraud investigation processes and domestic violence

The documents available on the Ministry website include the following:

Document Title – Investigation Unit Training Package
Induction to the Ministry of Social Development and Fraud Intervention Services
Allegations and Fraud Suspicions
Care and Custody of Exhibits
Case Law Policies and Procedures
Community Inquiries
Court Craft
Court Structure
Disclosure
Interviews & Statements
Investigative approach
Investigative Powers and Information Gathering
Making and accessing legislation
MSD & Fraud History
Obligations Reviews and Debt
Offences
Official Information and Privacy Act
Participants in Court
Prosecutions
Relationship debt sharing
Relationship Status
Reviews and Appeals
Risk Management
Rules of Evidence
Search Warrants
Sentencing
The Acts Administered by MSD
Types of Evidence

In addition to these training modules, there are also detailed instructions on how investigations should be conducted, hosted on the Ministry's internal intranet.

Fraud investigators are linked in with the Family Violence Intervention Programme (FVIP). The FVIP works to enhance the Ministry's ability to respond to people experiencing family violence. Fraud investigators receive further, in-depth training on the topic of domestic violence within the block-training-delivery sessions.

The following training material regarding domestic violence is published on the Ministry's website at the link provided on page one of this response:

- *Beth's Story*
- *The Cycle of Violence*
- *Family Violence Intervention Powerpoint*
- *Power and Control Wheel*
- *Prompts for screening clients about family violence*
- *Skills Practice – Trainer notes*

- *Scenarios*
- *Intranet page – FVIP practice guidelines – What the FVIP is about*
- *Intranet page – FVIP operational guidelines – How frontline staff and FVRC's deliver the FVIP*
- *Intranet page – Other relevant policies and guidelines for the FVI*

As the documents noted above are publicly available, the Ministry is refusing them in accordance with section 18(d) of the Act, on the basis that the information requested is publicly available.

A small number of the documents noted in the table on the previous page have been updated to reflect new privacy legislation. The following updated documents are released to you:

- Document: *Allegations and Fraud Suspicions*, undated.
- Document: *Investigative Powers and Information Gathering*, undated.
- Document: *Official Information and Privacy Acts*, undated.

Also, from 1 March 2021, the Ministry published revised Codes of Conduct governing its information gathering powers for fraud investigations, as well as an associated Ethics Framework. These documents can be found at the following link: <https://www.msd.govt.nz/about-msd-and-our-work/about-msd/legislation/index.html>.

Fraud Investigators undertook training on the updated Codes in February and March 2021, and this included information on natural justice, addressing unconscious bias, and recent changes to the Privacy Act.

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. The Ministry will do this by publishing this letter and attachments 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 relating to fraud investigations, 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



Allegations and Fraud Suspicions

Learning objectives:

By the end of this unit you will be able to:

- deal with identifiable and unidentified allegors
- ensure supplied information is properly documented and actioned
- better understand the importance of obtaining full and correct information

Relevance of learning to your role:

- understand how we receive information
- understand how to manage allegors and the information they provide

Behavioural competencies for success:

- Interpersonal skills
- Integrity
- Professional
- Sound judgement

Introduction

Most investigations begin because someone contacts MSD and makes an allegation or an officer of MSD refers a suspicion of fraud or abuse identified while administering a clients' benefit or social housing entitlement.

MSD has a dedicated allegation line that receives most of these calls, however, any staff member can accept, and record information alleging suspected fraud or abuse and pass that information on to the allegation line. Email: Fraud_Allegations@msd.govt.nz

MSD staff, who are referring a suspicion of fraud or abuse identified while administering a clients' benefit or social housing entitlement should complete a [fraud suspicion form](#) available in Doogle.

The quality of the information contained in the allegation is important because it helps determine which work stream the allegation will go to and the approach that will be taken. The staff member receiving the allegation should take all the information available and ask questions to clarify the situation.

Allegors – their identity

Most allegors contacting MSD do not wish to be identified. The majority will not provide any personal information about themselves and we will not hold any information on their identity.

Some allegors may wish to give a confidential allegation which means they are willing to give their identity details but may not wish their identity to be disclosed to anyone and in particular the client.

There are people who are willing to share their identity and are comfortable with their identity being released and if need be, are willing to appear in court to give evidence.

Its important to ensure that clear notes are made about the allegors wishes in relation to their identity. It is MSD responsibility to protect any confidential allegors details.

Motivation of Allegors

It is important to understand the possible motivations a person has when they make an allegation. Some possible motives are:

- civic duty/sense of justice
- revenge
- vindictiveness
- personal satisfaction
- trade-off for personal favourable treatment
- Work & Income client

Whenever you are allocated a case you should be mindful of the possible motivations of the allegor.

Dealing with Allegors

In dealing with allegors, ensure that you:

- deal with them in a professional manner
- obtain their confidence and maintain their trust
- are discreet
- maintain the initiative
- encourage them to give information but do not disclose anything relating to that particular client to them, or the progress or outcome of the investigation
- suggest that they call you back if any further information comes to hand
- document their wishes to remain anonymous, but give them your name so that they can call you with any additional information
- do not disclose their details unnecessarily to other staff members
- do not trade information for promises

Risks Associated with Allegors

- under no circumstances should staff place themselves in any compromising situation e.g., by becoming too familiar with allegors
- allegors may wish to be treated favourably in relation to their own benefit/housing fraud activities
- be mindful of malicious allegors.

Information

Whilst most allegors ring the allegation line, there may be occasions when you are contacted directly by an allegor or asked to take information from someone who has come into a Service Centre to give information.

- ensure you obtain all possible information in the initial contact - you may not have another opportunity.
- refer allegation information to the Allegation Line or log the allegations into IMS.

Protection of Allegors Identities

Fraud staff have an ethical, and professional obligation to ensure the identity of allegors is not disclosed. Failure to do this could have serious consequences for the allegor or those associated with the allegor. This failure may also put MSD at risk of legal proceedings.

Fraud staff should be aware that although information may have been given to MSD by an anonymous or confidential source, there may be particular information which, if disclosed to the client, would lead to the identity of the allegor.

Where an allegor's identity is known, you may decide to interview them as a possible witness. If they make a statement as a witness they may later be required to attend court.

The Privacy Act 2020

When allegors contact MSD they often make it clear that they do not want their identities disclosed under any circumstances. These people are entitled to make this request. If a request is later made for the allegors details this can be refused as can the release of any information that might lead to the identification of the allegor. This is covered within the provisions of [Section 53\(c\)](#) of the Privacy Act 2020.

"Any agency may refuse access to any personal information requested if- the disclosure of the information would be likely to prejudice the maintenance of the law by any public sector agency, including- (i) the prevention, investigation, and detection of offences; and (ii) the right to a fair trial"

The person making the request is entitled to seek a ruling from the Privacy Commissioner on the release of the information and the identity of the allegor. It is unlikely that the Privacy Commissioner would instruct the Ministry to release those details.

The leading Case Law in this area is *Nicholl v Chief Executive of the Department of Work & Income* where the High Court ruled that disclosure of the identity of the allegor would prejudice the maintenance of the law pursuant to section 27(1)(c) of the Privacy Act 1993 (now [section 53\(c\)](#) of the Privacy Act 2020). In all cases investigators should seek legal advice

when they are unsure how to best manage a request for disclosure of information and the identity of any allegor.

Client confession

A client or a solicitor (acting on behalf of their client) may contact the FIS team to discuss a client's situation. The solicitor, whilst not divulging any names, will discuss the client's circumstances (e.g. living in a relationship and continuing to receive the SPS). They may advise that their client wishes to "come clean" and in doing so seeks immunity from prosecution.

While we would encourage the client to come forward, no guarantee should be given that the client will not be prosecuted nor have a penalty imposed. The fact that the client self-disclosed would be taken into account when deciding upon any punitive action.

If the matter goes to prosecution, then the issue of the client coming forward should be properly taken into account by the Judge at the time of sentencing.

If the matter is dealt with by way of the imposition of a Section 354 penalty, then this issue can be considered in whether a penalty should be imposed or the amount of the penalty.

It is important to ensure that all information given by any person, is received by MSD, in a lawful manner and that client's personal information is not unlawfully disclosed while trying to seek information.

Referral

An allegation sheet shall be loaded into MSD's Investigation Management System (IMS) by the Allegation Line staff. Some allegations may be entered into IMS by staff working in the FIS team.

These allegations are then screened and referred to the appropriate work stream. (Work streams have been previously covered in the MSD and Fraud History module.)

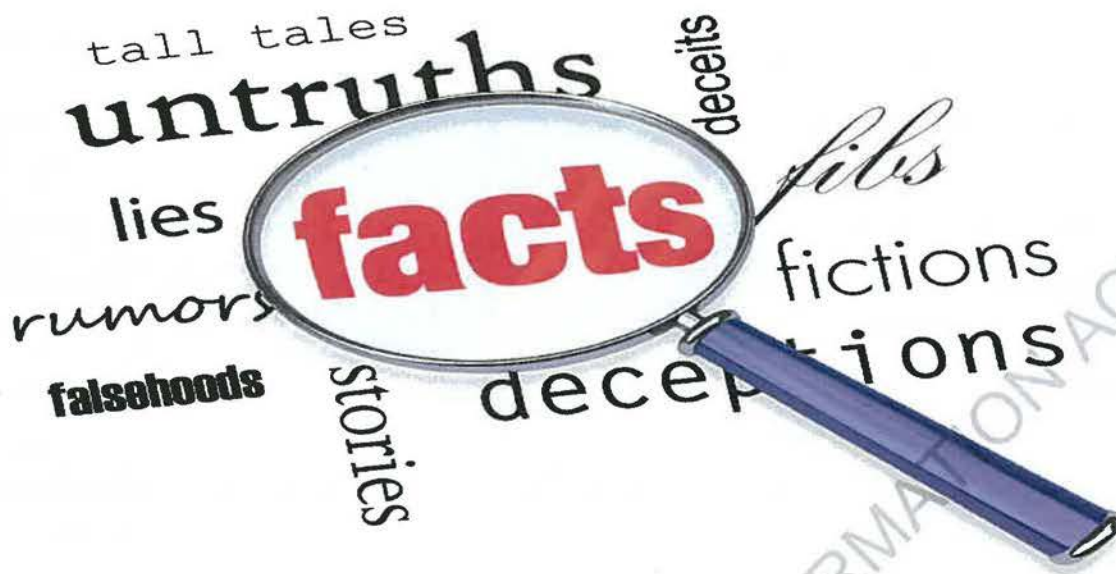
Summary

Allegors are valuable in assisting MSD to initiate investigations into benefit and housing fraud. The information we receive from allegors can play a critical role in the determination of correct financial assistance.

Staff should be mindful of the possible motives of allegors. Allegors should be dealt with in a professional manner and under no circumstances should staff members place themselves in a situation where they may be compromised or MSD embarrassed.

Under no circumstances are allegors for MSD, paid for giving information.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



Investigative Powers and Information Gathering

Learning objectives:

By the end of this unit you will be able to determine:

- what our investigation powers are and the extent of those powers
- what our information gathering powers are

Relevance of learning to your role:

- ensure the information for your investigation is gathered lawfully and ethically
- by following guidelines, (policy and procedures) linked to this legislation, risk is mitigated

Behavioural competencies for success:

- Product knowledge
- Ability to interpret and apply legislation
- Critical thinking
- Professional judgment
- Accountability and responsibility
- Risk awareness

Introduction

MSD investigators work within different legislation depending on the type of fraud they are looking into. The most common fraud we deal with relates to relationship status and the impact on benefits and housing income-related rent.

Reviewing entitlements:

When you are investigating suspected benefit fraud and/or reviewing entitlements to a benefit, you are doing so using powers conferred by section 304-308 and 298 of the Social Security Act 2018, which are summarised below:

S298 – MSD must inquire into claim for benefit	<p>MSD must inquire into claims for benefit and may inquire into the person's circumstances that existed immediately before the grant of benefit or during the period the benefit was paid.</p> <p>Click link to read the full section – Section 298</p>
S304 – Review of entitlement and rate payable	<p>MSD may review a benefit that has been granted to ascertain whether the beneficiary is, or remains, entitled to receive the benefit or not, and whether the rate is correct or not.</p> <p>Click link to read the full section – Section 304</p>
S305 – Information for review	<p>MSD may for the review require the beneficiary or their spouse / partner to provide information, or answer questions, in a way and by a reasonable deadline specified by MSD.</p> <p>If they fail to comply MSD may suspend, cancel, or vary the rate of benefit from a date it determines.</p> <p>Click link to read the full section – Section 305</p>
S306 – No entitlement, or entitlement only at a different rate	<p>If MSD is satisfied because of the review that the beneficiary was not entitled to receive the benefit; or was/is entitled to it at a different rate then MSD may suspend,</p>

	<p>cancel, or vary the rate from a date it reasonably determines.</p> <p>Click link to read the full section – Section 306</p>
S308 – Another benefit more appropriate	<p>If MSD is satisfied because of the review that the beneficiary is more appropriately entitled to receive another benefit, it may cancel the benefit, and grant the beneficiary the other benefit commencing from the date of cancellation.</p> <p>Click link to read the full section – Section 308</p>

There are other sections in the Act that relate to reviewing entitlements, however we have only added in sections most relevant to investigations.

When you are investigating suspected housing fraud and/or reviewing entitlements to income-related rent, you are doing so using powers conferred by sections 119-121 of the Public and Community Housing Management Act 1992, which are set out below:

Section 119 – Agency may investigate circumstances relevant to IRR	<p>The agency may investigate the present circumstances (or the circumstance as they existed immediately before the income-related rent was calculated, or during the period when it was applicable), of any tenant or applicable person in relation to social housing who has received or been assessed for income-related rent.</p> <p>Click link to read the full section – Section 119</p>
Section 120 – Agency may investigate circumstances of prospective tenant	<p>The agency may investigate the circumstances of any prospective tenant or applicable person to make sure they are eligible to be allocated social housing.</p> <p>Click link to read the full section – Section 120</p>

Section 121 – Agency may investigate circumstances relevant to continued eligibility	<p>The agency may investigate the circumstances of any tenant or applicable person in relation to social housing to make sure they have a continuing eligibility and need to the social housing tenancy that they have been allocated, assigned or let.</p> <p>Click link to read the full section – Section 121</p>
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When you are investigating suspected Student Allowance and Student Loan fraud, you are doing so, using powers conferred by section 307 of the Education and Training Act 2020.

<i>Schedule 9, clause 3 (2) - General power to investigate</i>	<p>The Secretary (or any person authorised for the purpose by the Secretary) may investigate the circumstances at any time of any recipient so far as they may relate to the recipient's entitlement at any time and at a particular rate or amount, to a statutory allowance or student loan.</p> <p>Click link to read the full section – Schedule 9, clause 3(2)</p>
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Collection of Information Powers

MSD collects personal information. Sometimes the information is collected directly from the client on application forms or during interviews. When conducting an investigation information is collected by using statutory powers.

When investigating suspected benefit, housing or student fraud there is a variety of ways in which information can be gathered. Each method of collection is specific and therefore care must be taken when collecting information.

Where MSD is given special statutory powers to obtain information, these powers override the Privacy Act 1993. Using the wrong method of collection of information can lead to it becoming inadmissible or result in breaches of the Privacy Act.

Social Security Act 2018

<p>Schedule 6, clause 1 – Duty to answer questions asked by MSD</p>	<p>There is a duty on the interviewee to answer all questions concerning any applicant for benefit or any person who is/has received a benefit or concerning any statement in an application for benefit.</p> <p>Questions can also be asked about the means, earning capacity, or economic circumstances, of a person who is or may be liable to maintain a beneficiary or the dependant of a beneficiary.</p> <p>While there is a duty for every person to answer MSD's questions there is no statutory power to enforce this if they fail to do so.</p> <p>Click link to read the full section – Schedule 6, clause 1 - SSA 2018</p>
<p>Schedule 6, clause 2 – Power to obtain information</p>	<p>A named employee from MSD may for all or any of the purposes specified in clause 3, give a person a written notice.</p> <p>The written notice will require that person, to provide the information requested without charge, within a set period and in the manner stated in the notice. It also compels that person to give MSD information that it requires; or to give and/or allow MSD to make copies of or take extracts from, a document in or under that person's custody or control.</p> <p>Click link to read the full section – Schedule 6, clause 2 - SSA 2018</p>
<p>Schedule 6, clause 3 – Purpose</p>	<p>To determine a person's entitlement to benefit, and/or the rate of payment which is, or was applicable to that person.</p> <p>Click link to read the full section – Schedule 6, clause 3 SSA 2018</p>

Schedule 6, clause 4 - Privilege	<p>Clause 2, does not require a person to produce any information or a document that would be privileged in a Court of Law.</p> <p>Click link to read the full section – Schedule 6, clause 4 SSA 2018</p>
Schedule 6, clause 5 - Offences	<p>There are two offences in this clause–</p> <ul style="list-style-type: none"> • Refuses or fails without reasonable excuse to comply with a notice given • Knowingly or recklessly giving information that is false or misleading <p>The penalty for this offence is a fine not exceeding \$2000.00.</p> <p>Click link to read the full section – Schedule 6, clause 5 - SSA 2018</p>

Code of Conduct

Code of Conduct	<p>This legislation was updated from Section 11 of the Social Security Act 1964 to Schedule 6, clauses 2-5 of the Social Security Act 2018. The Code of Conduct references the Social Security Act 1964, however Section 9 of the Social Security Act 2018 allows this to be considered a reference to the current Act.</p> <p>Click link to read the full section – Section 11B - SSA 1964 Code of Conduct</p> <p>This Code deals only with the exercise of powers to obtain information under Schedule 6, clause 2 in the 2018 Act. It does not affect the rights that MSD have, to request information under Section 298,</p>
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	Schedule 6, clause 1 and Sections 304-310 of the Act (discussed previously).
Reasons for a code of conduct	<p>The fact that any person must comply with our requests for information makes it extremely important that the MSD Officer using these powers only asks for information that is necessary or relevant.</p> <p>Parliament has recognized that the powers given to MSD to obtain information under the Social Security and Housing Management Acts can be intrusive and should be balanced with a Code that governs the way in which those powers are to be exercised. The Code is a requirement of Clause 8 of Schedule 6 of the Act. The exercise of these powers is managed by these Codes.</p>
The "Code"	<p>The Codes work by providing further guidance to Investigators on gathering information from the individual, providing important safeguards to protect confidential relationships and to ensure fair procedures are followed when staff are using these powers.</p> <p>The Code is treated as a Code of Practice as outlined in Part 3 of the Privacy Act 2020 and must be reviewed in consultation with the Privacy Commissioner. MSD completed a review of these Codes in 2020 and made some key changes. The new Codes are effective from 1 March 2021, and they require three-yearly reviews. However, MSD will review the Codes within 12 months (March 2022).</p>
Prejudice to the maintenance of the law	<ul style="list-style-type: none"> If the prejudice to the maintenance of the law exception applies because asking the individual for the information first would prejudice the investigation, then section 6 or section 125 notices requests can be issued directly to the source (pending approval).

	<ul style="list-style-type: none"> • Prejudice to the maintenance of the law includes an action that either would or likely would prejudice the prevention, detection, investigation, prosecution or punishment of an offence; or prejudice the imposition of a pecuniary penalty.
The schedule 6 "Notice"	<p>A notice requiring any person to provide information or produce documentation must;</p> <ul style="list-style-type: none"> a) be in writing; and b) advise of the existence of this Code and notify the person to whom the notice is given how that person can view or obtain a copy c) specify that the notice is given under Schedule 6, clause 2 of the Act; and d) specify the information or documents sought; and e) specify the date by or period within which the recipient must provide the required information or documents and the manner of production; and f) notify the recipient of their right to complain to the Privacy Commissioner that the notice breaches the Code g) advice that they only need to provide information that falls within the scope of the request
Restrictions	<p>The Guidelines to the Code of Conduct outlines further limitations on what may be requested from specified groups.</p> <p>In all third-party requests; an Investigator cannot require the third-party to give an opinion about the nature of a client's relationship status or request</p>

	<p>documents or information relating solely to the marital or relationship status.</p> <p>When requesting information from sectors that have limitations in this part of the Code, the scope of the information requested must be reasonable and proportionate and clearly linked to the matter under investigation.</p> <p>Banks, Employers, Education Sector, Health and Disability Sector, Telecommunications Sector, Police, Oranga Tamariki, Telco sector, and Legal are all sectors/areas that we have to consider the limitations.</p>
Necessary and Proportionate	<p>All requests must directly relate to the nature of the enquiry and be specific in terms of the information required.</p> <p>Necessary</p> <p>Defining what is necessary requires judgement and good decision making. Whilst it may be useful to collect a wide range of key information about a client to gain a bigger picture of their situation, it is not necessary to achieving the objectives and aims of the investigation.</p> <p>Proportionality</p> <p>Proportionality is a general principle of law. It restricts authorities in the exercise of their powers by requiring them to strike a balance between the means used and the intended aim. In the context of fundamental rights, such as the right to the protection of personal data, proportionality is key for any limitation on these rights.</p> <p>For MSD, proportionality is a useful principal that ensures the Ministry uses its powers appropriately and relates to</p>

	the balance between what is collected and the scope of the allegation. This requires MSD to provide justification of each collection of information and refine the information sought as much as possible.
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Click link to read the current process documents for obtaining information: – [Doogle](#)
- [Gathering information, Schedule 6 guidelines](#)

Public and Community Housing Management Act 1992

Section 122 – Agency may ask questions	<p>MSD as the Agency can ask questions for the purpose of any investigation conducted under sections 119-121 of the PCHMA Act. The Agency may inquire into the tenant's circumstances that existed immediately before the income-related rent (IRR) concerned was calculated or during any period that the tenant was required to pay an IRR.</p> <p>Click link to read the full section – Section 122 - PCHMA 1992</p>
Section 123 – Actions that may be taken by agency	<p>This section provides the authority for the agency to take action if any person whose circumstances it may investigate, either fails or refuses to answer or fully answer any question or verify any information when asked to do so under Section 122.</p> <p>It allows the agency to calculate an IRR for the tenant on the basis of its understanding of their circumstances or as being equal to market rent from time to time.</p> <p>Click link to read the full section – Section 123 - PCHMA 1992</p>
Section 124 – Agency may seek information	<p>The agency may request any person to either answer questions, or allow the agency to inspect any document or written information, or give the agency a</p>

	<p>copy of any document or other written information.</p> <p>This section does however state that the person does not have to comply with the request, but under the Privacy Act 1993 the person is authorised to make personal information available in response to the request.</p> <p>Click link to read the full section – Section 124 - PCHMA 1992</p>
Section 125 – Agency may require information for certain purposes	<p>This is similar to Schedule 6, clauses 2-5 of the Social Security Act 2018. Section 125 of the PCHMA permits the Agency to require any person to provide information or documents for any of the purposes set out in Section 125 of the Act.</p> <p>Click link to read the full section – Section 125 – PCHMA 1992</p>
Section 126 – Powers of agency to use information	<p>If the agency is MSD, the agency may despite any other enactment, use the information obtained under this Part to perform its functions, duties, and powers under the Social Security Act. It also allows us to use information obtained under the Social Security Act to perform its functions, duties, and powers under this Act.</p> <p>Click link to read the full section – Section 126 - PCHMA 1992</p>

Education and Training Act 2020

Schedule 9, clause 3(1) – Power to require Student to Supply Documents	<p>The chief executive may, by written notice to any recipient, require the recipient to do 1 or more of the following things:</p> <ul style="list-style-type: none"> • produce any papers, documents, records, or other things, relevant to the recipient's entitlement at
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	<p>any time to a statutory allowance or student loan</p> <ul style="list-style-type: none"> • allow copies of any such papers, documents, or records to be made • give the chief executive any information or particulars relevant to the recipient's entitlement at any time or the particular rate or amount to a statutory allowance or student loan <p>Click link to read the full section – Schedule 9, clause 3(1)</p>
Schedule 9, clause 3(2) - Power to investigate student fraud	<p>The chief executive may investigate the circumstances of any recipient so far as they may relate to the recipient's entitlement to a statutory allowance or student loan or to be paid a statutory allowance at a particular rate or any amount of a student loan.</p> <p>Click link to read the full section – Schedule 9, clause 3(2)</p>
Schedule 9, clause 3(3) - Duty to answer questions	<p>A recipient or non-recipient who is asked questions during an investigation must answer the questions.”</p> <p>Click link to read the full section – Schedule 9, clause 3(3)</p>

Other methods available for investigators to consider are whether executing a search warrant with the Police using section 103 of the Search and Surveillance Act.

Click link to read the current process documents for obtaining information: – [Doogle - Gathering information, Schedule 6 guidelines](#)

Public and Community Housing Management Act, the Education and Training Act and the Social Security Act

These statutes provide the same concept for obtaining information but there are slight variances that need to be considered when conducting any investigations.

When a tenant in Social Housing is also in receipt of a benefit, you will be investigating the person for both housing and benefit fraud. The time the person was on a benefit, and/or a tenant in the Social Housing property will be more relevant when planning your investigation.

It is also not uncommon for a student to transfer between an allowance/loan to a Job Seeker Support – Student Hardship, when these cases become the subject of an investigation more care would need to be given when planning an enquiry.

When dealing with different entitlements under different statutes, you will need to ensure that the correct statutes are used for the given period that each type of assistance was paid for.

Public Information

In New Zealand there are many records held that are public records. Examples of these are birth records, land property ownership, electoral roll, habitation index, white and yellow pages, car registration and anything recorded in the media. Some of this information can be obtained through Infolog, however if you have to tick that you are searching under "prejudice to the maintenance of the law" then you shouldn't use that particular search. If you are not sure, then you should ask your Manager.

Another form of information may be held in social network sites (which have not been blocked). These can provide some valuable information for an investigation. Examples of these are Facebook, Instagram, Pinterest, Twitter.

Ministry's Computer System

As mentioned above the Ministry collects vast amounts of information from clients. Not only do you need this information to prove a charge of fraud it can also provide leads such as landlords names and addresses. This information can also be used to carry out your risk assessments and

for Health and Safety purposes. Systems that we use are: CMS, SWIFTT, SAL, IMS & AIMOS.

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