



City of Westminster

Audit and Performance Committee Report

Meeting:	Audit and Performance Committee
Date:	Tuesday 25 November 2024
Classification:	For General Release
Title:	Counter Fraud 2024/25 – Half-Year Progress Report
Wards Affected:	All
Financial Summary:	No direct financial implications arise from this report.
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1. Executive Summary

- 1.1 The Audit and Performance Committee's Terms of Reference require that the Committee receive reports on internal and external fraud investigated by the Council. This report is intended to brief members of the Committee regarding work undertaken by the fraud service from 1 April 2024 to 30 September 2024.

2. Recommendations

- 2.1 The Committee notes the content of the report.

3. Reasons for Decision

- 3.1 To inform Members how the City Council delivers its anti-fraud and corruption strategy.

4. Background

- 4.1 This report provides an account of counter-fraud-related activity undertaken by the Corporate Anti-Fraud Service (CAFS) from 1 April 2024 to 30 September 2024 and an overview of the effectiveness of the Council's arrangements to minimise the risk of fraud.

- 4.2 CAFS remains a shared service providing Westminster City Council with a complete, professional counter-fraud and investigation service for fraud attempted or committed against the authority.
- 4.3 All CAFS work is conducted within the appropriate legislation and through the powers and responsibilities set out within the financial regulations section of the Council's constitution. CAFS ensures the Council fulfils its statutory obligation under the Local Government Act 1972 to protect public funds and to have an effective system of preventing and detecting fraud and corruption.
- 4.4 For the period 1 April 2024 to 30 September 2024, CAFS identified 55 positive outcomes. The fraud identified has a notational value of over £410,000, detailed in the following table. The table also compares the achievements against those for the first six months of 2022/23 and 2023/24.

Activity	Half-year 2022/23		Half-year 2023/24		Half-year 2024/25	
	Fraud proved	Notional Values (£'s)	Fraud proved	Notional Values (£'s)	Fraud proved	Notional Values (£'s)
Housing application fraud	10	29,547	9	39,361	4	11,800
Right to Buy	-	-	-	-	1	18,950
Preventative Activity (incl. proactive)	7	27,000	4	17,250	4	9,000
Prevention subtotal	17	56,547	13	56,611	9	39,750
Tenancy Fraud (Council and Registered Providers)	12	150,512	21	370,141	16	290,500
Insider fraud	1	2,500	2	10,000	1	7,500
High/Medium risk fraud (e.g. NNDR, Procurement, Duplicate invoices)	2	35,000	1	6,147	1	2,000
Low-risk fraud (e.g. Freedom Passes, Council Tax SPD)	21	5,527	58*	28,750	5	7,173
Disabled Parking	20	26,660	5	13,000	19	49,825
Resident's Parking	3	1,560	4	4,090	3	1,875
Detection subtotal	59	221,759	91	432,128	45	358,873
Proceeds of Crime (POCA)	-	-	-	-	1	12,890
Deterrence subtotal	-	-	-	-	1	12,890
Total	76	278,306	104	488,739	55	411,513

**Results from a special data-matching exercise*

- 4.5 During the reported period, CAFS investigated 400 cases, including 168 new referrals, and concluded 75 investigations. A conclusion could mean a successful prosecution, successful prevention that stops fraud, detection that identifies fraud and prevents it from continuing, action that deters fraud, or no further action where there is no case to answer.
- 4.6 The table below shows this activity and details the fraud types that make up the closed cases and the active caseload from 1 April 2024 to 30 September 2024.

Activity	Cases	Fraud types	Closed	Live
Live cases as of 01/04/24	232	Tenancy & Housing cases	47	186
New referrals received	168	Insider fraud	2	6
Closed investigations (Positive outcomes 55)	75	Other Corporate	3	5
		Parking and Blue Badges	22	127
Live cases as at 30/09/24	325	POCA	1	1

4.7 Noteworthy fraud case details are reported in Appendix 1.

5. Whistleblowing

5.1 The Council is committed to achieving the highest service standards, including honesty, openness, and accountability. The whistleblowing policy continues to be the primary support route for staff reporting concerns. However, since April 2024, CAFS has yet to receive any new whistleblowing referrals.

5.2 Although the volume of whistleblowing is not high, the Council's whistleblowing policy provides an essential safeguard for those who speak out. It is an important strand of the Council's overall approach to risk management and protection against fraud.

6. Anti-Fraud and Corruption Strategy

6.1 The Council's [Anti-Fraud & Corruption Strategy 2024-2027](#) is based on four key themes:

- i) Govern
- ii) Understand
- iii) Prevent
- iv) Respond

6.2 The Strategy is designed to heighten the Council's fraud resilience and demonstrate its protection and stewardship of public funds.

6.3 This report is structured around these four themes and demonstrates how the fraud service's work aligns with and underpins each one.

i) GOVERN

A robust framework of procedures and policies

7.1 Anti-fraud policies and procedures provide a structured framework for preventing, detecting, and responding to fraud within the Council. They promote a culture of transparency, accountability, and compliance, essential elements of an effective anti-fraud strategy.

7.2 For example, the Council's Fraud Response Plan recognises that staff are often the first to spot possible cases of wrongdoing and are encouraged and expected to raise any concern without fear of recrimination. Early detection is essential in preventing fraud from escalating.

- 7.3 A well-publicised strategy and policy framework also deter potential fraudsters, demonstrating that there are established rules and consequences for fraudulent actions. They also provide clarity and consistency for the organisation, which reduces ambiguity and helps prevent unintentional or opportunistic fraud.
- 7.4 It is therefore important that CAFS regularly review and update the anti-fraud policies to support and guide Council staff, ensure compliance with laws and regulations, guide decision-making, and streamline internal processes. The key anti-fraud policies are revised to reflect evolving fraud threats and changing business conditions and presented to the Audit and Transparency Committee for approval.
- 7.5 Policies and procedures also serve as a foundation for training programs. Well-documented guidelines facilitate employees' understanding of what constitutes fraud and how to prevent it, contributing to the Strategy's *Understand* theme.

ii) UNDERSTAND

- 8.1 The Strategy denotes that the Council needs to understand how fraud, bribery, and corruption impact the organisation and then mitigate the associated fraud risks by committing the proper support and appropriate resources to tackle fraud.

Committing support and resources to tackle fraud

- 8.2 A vital element of a counter-fraud strategy is the ability of an organisation to call upon competent, professionally trained officers to investigate suspected fraud.
- 8.3 All CAFS investigators are members of the Government Counter Fraud Profession (GCFP), which provides a professional structure with common standards and competencies for those in counter-fraud roles.
- 8.4 Adequate training and resources are essential to equip fraud investigators with the necessary expertise, knowledge and tools to conduct thorough investigations.

Demonstrating that it has a robust anti-fraud response

- 8.5 Counter-fraud activity is reported to the Audit Committee twice yearly, detailing performance and action in line with the Anti-Fraud and Corruption Strategy.
- 8.6 CAFS reports on investigation outcomes, including successful detections, prevention activity, actions that deter fraud, or no further action where assurance is obtained that there is no case to answer.

Improve awareness of fraud

- 8.7 Enhancing everyone's understanding of fraud is essential for a robust anti-fraud culture. When employees get training on how fraud occurs and its

repercussions on the Council, the community, and their colleagues, they become more vigilant.

- 8.8 In support of this, CAFS recently delivered a bespoke School Fraud Awareness training session to Governors and Headteachers from schools across Westminster City Council.
- 8.9 The training focused on common fraud risks and tactics used to manipulate school processes. It emphasised the importance of Declarations of Interest in procurement and guided how to report suspicions of fraud or seek advice on related matters. The session also included a video entitled *Crooks on Campus*, presented as a drama based on real-life events of student fraud and fraud in educational institutions.
- 8.10 CAFS has now successfully delivered fraud awareness training to School Governors, Headteachers, and School Business Managers across Westminster City Council.

iii) PREVENT

- 9.1 The "Prevent" element of the Strategy focuses on activities that prevent fraud, although this is usually present in some aspects of CAFS's work. It highlights the importance of enhancing anti-fraud controls and processes. CAFS continues to provide anti-fraud advice and support across the organisation, including the Council's partners and contractors.
- 9.2 CAFS reminds staff and management of their responsibilities to prevent fraud and corruption and raises awareness through training that highlights fraud's risks and the consequences on the Council and the wider community.

iv) RESPOND

- 10.1 Our primary aim must be to prevent fraud and corruption from occurring. However, those who keep on trying may still succeed. Therefore, a robust enforcement response is essential to detect fraud, pursue fraudsters, and deter others.

Corporate Investigations

- 10.2 Corporate investigations cover a wide range of different counter-fraud activities. The work in this area is varied and extends beyond counter-fraud investigations to incorporate activities contributing to the organisation's assurance framework.
- 10.3 Since 1 April 2024, corporate investigation work has included:

Direct Payments	A report from the Westminster hotline suggested that an Adult Social Care (ASC) client was accumulating Direct Payments instead of using them for care. Bank statements obtained by CAFS confirmed this, and when challenged, the client explained that they were not receiving invoices from their care provider to pay.
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	<p>Further investigation revealed that the care agency provided support but failed to invoice the client promptly. The situation pointed towards mismanagement of funds rather than fraudulent activity, emphasising the importance of timely invoicing and regular reviews of clients' spending activity.</p> <p>Considering these findings, the CAFS report recommended conducting regular reviews of the client's needs and expenditures to prevent the recurrence of this issue.</p>
Alleged bribery	<p>Two residents made a bribery allegation; however, after CAFS reached out for more information, the details they provided were insufficient and lacked facts, preventing CAFS from investigating further.</p> <p>However, the initial claim did mention a housing issue, asserting that a particular allocation was made contrary to Council policy. For completeness, CAFS conducted further examination.</p> <p>On inspection, it was apparent that the award they referred to was, in fact, a transfer. This included evidence of both overcrowding and medical needs, all backed by a clear documentation trail that confirmed the decision-making process. Consequently, no further action was deemed necessary.</p>
Secondary employment	<p>An investigation was initiated following an online report alleging fraud, which indicated that a WCC employee was operating a self-employed business from their residence, which was compromising his employment with WCC. The report included photographs of the individual using a vehicle provided by WCC to conduct this private enterprise.</p> <p>The individual's line manager confirmed his employee's identity in the images and verified that the vehicle depicted was a hire vehicle assigned to the operative while their WCC-branded vehicle was undergoing repairs.</p> <p>Further open-source intelligence investigations uncovered evidence of the individual performing work for his personal business on specific dates that coincided with his contracted hours for the Council.</p> <p>In collaboration with HR colleagues from People and Culture, a personnel file review revealed no disclosures regarding his business interests or any secondary employment. Additionally, CAFS examined the references he provided during recruitment and contacted his last reported employer. They confirmed the references had been falsified and that he had only been employed by them for six weeks before being dismissed.</p> <p>A comprehensive investigation report was prepared, leading to the individual's immediate suspension. However, he subsequently failed to attend two scheduled disciplinary interviews. At the disciplinary hearing, he was found to have breached the Council's Code of Conduct and dismissed for gross misconduct without completing his probationary period.</p>

Housing/Tenancy Fraud

- 10.4 Given the desperate shortage of affordable homes, demand for social housing continues to grow. It is an asset to the public and often a lifeline to the people it's meant for. Finding and stopping social housing fraud can rapidly reduce homelessness and poverty among families living in rented properties.

- 10.5 CAFS provides an investigative service for all aspects of housing, including requests for the succession or assignment of tenancies, allegations of subletting, and other forms of tenancy breaches.
- 10.6 By effectively helping to prevent and detect housing tenancy fraud and verifying applicants' eligibility for housing services, CAFS work in this area contributes to the Council's Strategy for fairer housing.
- 10.7 From 1 April 2024 to 30 September 2024, CAFS successfully recovered 16 misused properties. These have now been allocated or made available to those in genuine need of housing support within the community.

Landlord	Location	P/Code	Size (b/rooms)	Reason for recovery	Outcome	Notional value
City Council	Kemp House	W1F	1	Abandonment	Court possession	£13,050.00
City Council	Semley House	SW1W	2	False Succession	Court possession	£21,800.00
City Council	Fountain Court	SW1	1	Non-residence	Court possession	£13,050.00
NHG	St Michael's Street	W2	2	Subletting	Surrendered keys	£22,800.00
City Council	Dowland Street	W10	2	False Succession	Surrendered keys	£22,800.00
Octavia	Fordingley Road	W9	1	Subletting	Court possession	£13,050.00
City Council	Falldon House	W11	1	Subletting	Surrendered keys	£14,050.00
Dolphin	Hopkins Street	W1	2	Subletting	Surrendered keys	£22,800.00
WCC	Claverton Street	SW1	1	Abandonment	Court possession	£13,050.00
NHG	Byron Court	W9	2	Subletting	Court possession	£21,800.00
NHG	Hereford Road	W2	1	Subletting	Surrendered keys	£14,050.00
NHG	St Lukes Road	W11	2	Abandonment	Surrendered keys	£22,800.00
NHG	Sutherland Avenue	W9	1	Subletting	Court possession	£13,050.00
City Council	Westmoreland Ter.	SW1	2	False Succession	succession denied	£22,800.00
City Council	Helsby Court	NW8	2	False Succession	Downsized 2 to 1bed	£8,750.00
City Council	Furness House	SW1	3	False Succession	succession denied	£30,800.00

- 10.8 In addition to the 16 successfully recovered properties, there are an additional two cases where possession has been awarded, but we are awaiting eviction. There are also 23 more cases due to be heard in court or awaiting legal review. The table below highlights the pending cases where there are realistic prospects of property recovery.

Pending eviction	2
Tenancy fraud cases pending civil court hearing	13
Tenancy fraud cases pending criminal court hearing	2
Legal/ Housing case conferences	8
	25

- 10.9 The timeframes for cases described above will vary. For example, obtaining court time for civil hearings increased during the pandemic but has yet to decrease; therefore, on average, the Council may wait up to six months or more to obtain a date for a repossession case, with criminal cases taking significantly longer. Evictions can take similar timescales as they are dependent on the availability of bailiffs and the dates set by the courts.
- 10.10 In contrast, case conferences avoid third-party delays and require coordination between Legal and Housing departments to serve notices based on CAFS evidence. However, they are counted in the table as they have met the evidential threshold and begun the property recovery process.

10.11 Cases of note are reported in Appendix 1.

Tenancy assurance and verification work

10.12 Besides detecting fraud, the investigation work undertaken by CAFS also contributes to prevention and the organisation's overall assurance framework.

10.13 CAFS was recently asked by Homes for Westminster to undertake verification procedures in respect of a new intermediate rent development in Harrow Road. Homes for Westminster had received 23 applications of interest and wanted CAFS to undertake due diligence checks to ensure the applicants met the scheme qualification criteria.

10.14 Westminster City Council has built 112 new affordable homes at Harrow Road. The scheme provides a mix of one-, two-, and three-bedroom homes, with 77 homes at council social rent levels and 35 homes at London Living Rent, which provides affordable accommodation for those on a lower income.

10.15 CAFS undertake due diligence and verify the information provided before presenting a report to Homes for Westminster for their decision-making process. Two of the 23 applicants have been removed from the scheme because the CAFS verification process showed they did not fulfil the criteria. It remains an ongoing project.

Parking investigations

10.16 CAFS continues to investigate the misuse of disabled parking badges and fraudulently claimed residents' parking permits. Although the direct monetary value of parking fraud is relatively low, Westminster City Council's reputational risk in this area is significant.

10.17 From 1 April 2024 to 30 September 2024, CAFS successfully apprehended 22 offenders for misusing disabled parking badges or wrongfully obtaining resident parking permits. From these successful interventions, four were successfully prosecuted for misusing a blue badge, and four were formally cautioned.

Proceeds of Crime Act (POCA)

10.18 CAFS accredited financial investigator (AFI) provided a POCA service to colleagues from Westminster City Council planning, where a property owner and developer in Harrow Road, W10, converted a building into seven flats without any planning permission.

10.19 When planning officers serviced enforcement notices, the owner failed to comply contrary to section 179(5) and section 331(1) of the Town and Country Planning Act 1990, and in March 2023, at Southwark Crown Court, the owner, entered guilty pleas on behalf of himself and on behalf of the development company.

10.20 The CAFS AFI conducted a thorough financial investigation into the defendant's assets and criminal benefits, primarily the additional income gained from the site's redevelopment, which totalled £415,101.13.

10.21 At Southwark Crown Court in September 2024, the Council was awarded a Confiscation Order requiring the full amount to be repaid by early December 2024 or for the defendant to serve 4 years' imprisonment in default of payment.

National Fraud Initiative

10.22 A vital component of the anti-fraud and corruption strategy is the continued use of technology to tackle fraud. To this effect, the Council participates in the biennial National Fraud Initiative (NFI), an electronic data-matching exercise coordinated by the Cabinet Office.

10.23 The 2022/2023 NFI exercise began with data collection in September 2022 and matches in March 2023. The Council closed over 960 matches and identified fraud and error, which the Cabinet Office valued at £161,837.

10.24 Data collation for the next 2024/25 matching exercise began in September 2024.

FraudHub

10.25 A vital component of the anti-fraud and corruption strategy is the continued use of technology to tackle fraud. To this effect, the Council continues to remain members of the London Counter Fraud Hub (LCFH) which seeks to enhance fraud prevention and detection through the application of smart data analytics and improved collaborative working.

10.26 Since April the Hub has identified three instances of fraud or error, where data-matching enabled CAFS to identify anomalies that led to cancelled support, the prevention of increased overpayments and overall financial savings.

Matches	Fraud/Error	Amounts
CTRS to deceased data	3	£6,896

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Local Government Access to Information Act – background papers used:

Case Management Information

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	Case Description
1.	<p>SUBLETTING: CAFS initiated an investigation after receiving a report from a visiting officer who discovered an AIRBNB guest at a council flat in Kemp House, Soho. Further investigation with the Housing Officer revealed that the tenant had requested a new set of keys, claiming to have lost the old set.</p> <p>Desk-based enquiries, including financial checks, showed that the tenant had no other addresses in the UK, leading to suspicions that he may have returned to France, his place of birth. Despite several unannounced visits, the intercom consistently indicated that the "handset was off."</p> <p>An investigation into the tenant's bank account further suggested that he had been residing in France and renting out his property through AIRBNB. The payments from AIRBNB were being credited to his account. Bank records also showed payments of over £12,000 to an unknown third party during the same period. It was believed that this person assisted the tenant with the AIRBNB operations while he was in France.</p> <p>The tenant was invited to an interview under caution, which he attended. He shifted the blame to the unknown third party, who he said must have been illegally subletting his property. He asked this person to look after the flat while he cared for his sick mother in France. He claimed ignorance of AIRBNB payments despite spending every penny received.</p> <p>The investigation findings were passed to the Housing officer, who issued a "notice seeking possession" due to the tenant's non-occupation and unauthorised subletting of the premises. However, the notices were ignored, and the matter progressed through the County Court.</p> <p>At the hearing, the Judge awarded possession within 14 days. Additionally, he agreed to an Unlawful Profit Order (UPO) of £12,890.54 based on the income the investigators showed the tenant had obtained from AIRBNB. The tenant was in court to hear the decision but did not contest the possession or the UPO.</p> <p>Fourteen days elapsed, and no keys were returned. To ensure a faster eviction process, the High Court enforcement team was referred, but without contact, it became apparent the tenant had returned to France, which has impacted any prospects of further criminal action against the former tenant.</p>

<p>2.</p>	<p>SUCCESSION: WCC Housing referred to us a succession application for an address in Aldsworth Close, Amberley Road, submitted by the late tenant's son. According to the application, he had been residing with his mother at the property for most of his life and, therefore, wanted to succeed in her tenancy.</p> <p>However, when CAFS commenced investigating, internal records showed that the Council Tax had been solely under the name of the deceased tenant since 1 April 1993. It was also noted that the property was left vacant after her death, resulting in a Council Tax Exemption. Also, despite claiming welfare benefits, she never declared her son a resident.</p> <p>When investigators attempted to check finance records for the son at the property, no details were found. However, the finance checks revealed that he also listed an alternative residential address in Hammersmith & Fulham. LBHF council confirmed he has been liable for Council Tax at that address since July 2011.</p> <p>Despite the clear evidence that the son did not meet the residency requirements, he still defended his claim to succeed in civil court. At court, DDJ Hill issued an immediate possession order and a money judgment for arrears totalling £15,796.34 and awarded costs of £480. As a result of the CAFS investigation, the one-bedroom property is now back in the Council's possession.</p>
<p>3.</p>	<p>SUCCESSION: The son of a deceased tenant from Semley House applied for a discretionary succession. In the application, he confirmed that he held no other tenancies and included his wife and son on the form.</p> <p>Initial investigations identified a private tenancy in the son's name in Kensington, W14, where it transpired that he was liable for Council Tax, paying the total rate. Further enquiries showed he had been discussing CT payments with the local Council and was planning to vacate the address soon.</p> <p>The son was asked to attend a formal interview under caution to discuss his succession application. He attended with legal representation, but following the disclosure of evidence, the solicitor stated his client was not prepared to be interviewed at this time. However, he failed to respond to reschedule interviews, and it became clear that he was unprepared to attend further meetings.</p> <p>Repossession action commenced via the Council's Legal Services. After two readjourned court hearings, the defendant sent an email stating he would not attend court, would not defend the case and would be handing the keys back to the two-bedroom property.</p> <p>Following an uncontested hearing, the Judge awarded outright possession and made a monetary judgment against the defendant for the arrears of "use and occupation" for £1,869.23. The defendant shall also pay "use and occupation" charges from April 2024 until the Council recovers the property at a daily rate of £28.04. Costs were also awarded to the Council amounting to £1,051.75.</p>

<p>4.</p>	<p>OVER-OCCUPANCY: CAFS received a referral from the Temporary Accommodation team, who were concerned that a two-bedroom flat in Ripley Road, east London, was not being occupied by the tenant or her teenage son. A visit to the property established that there were belongings but only one bed.</p> <p>The tenant had been awarded a Temporary Accommodation property in 2019 on the basis that she had just returned from Uganda with her son, who had been taken there “illegally” by his father when he was only a baby.</p> <p>Finance checks did not highlight the presence of other individuals in the flat, and based on the information provided from the visit, it was not suspected that this flat was being sublet. However, checking the tenant’s social media accounts was a cause for concern. There was absolutely no mention of the son that she had apparently fought so hard to return to her. Instead, there were just mentions of her singing and acting aspirations.</p> <p>Enquiries were meticulously made with the School Admissions team, who were able to check the national database. They confirmed that her son had not been enrolled in a school in England since January 2022. Therefore, a data protection request was sent to the child's last known school. They confirmed that he left the school in East London in December 2021 to attend school in Kampala, Uganda.</p> <p>The above information was promptly passed to the Temporary Accommodation team. Considering these findings, they decided the tenant should be downsized to a one-bedroom or studio flat. The tenant accepted this decision and was moved thereafter.</p>
<p>5.</p>	<p>BLUE BADGE: A blue VW Taigo vehicle was spotted parked in a disabled bay on Chapel Street NW1 twice within a few days. The driver did not return to the car on either occasion. However, during the second instance, the investigator noted the badge number and, upon investigation, found out that the badge had been issued by the London Borough of Barking and Dagenham and had been cancelled due to reported theft.</p> <p>Subsequently, the investigator found the vehicle parked in a disabled bay on Chapel Street once again, with the same disabled badge displayed. This time, the driver returned to the vehicle and was intercepted by the investigator, and the driver was identified. The disabled badge was confiscated to prevent further misuse, and the driver was interviewed under caution but chose not to comment.</p> <p>The case was forwarded to Legal Services for prosecution on four counts under the Fraud Act 2006. This includes three offences (under section 2, Fraud Act 2006) for each instance the car was seen with the disabled badge, and one offence (under section 6, Fraud Act 2006) for the driver's possession of an article intended for use in fraud, namely the disabled badge.</p> <p>The driver pleaded guilty to all four offences in court and received the following sentences: a fine of £638 for all offences, £85 in costs, and a £255 victim surcharge. The Judge accepted a weekly repayment of £90.00 starting from June 2024 and continuing every month thereafter. Furthermore, the driver settled his outstanding Penalty Charge Notices, totalling £210, in addition to the fines and costs.</p>

<p>6.</p>	<p>BLUE BADGE FRAUD: A CAFS investigator observed a white Range Rover motor vehicle park in a designated disabled bay on Wigmore Street W1. The vehicle displayed a blue disabled badge issued by the London Borough of Islington.</p> <p>Upon stepping out of the vehicle, the investigator approached the driver, expressing concern about the potential misuse of the badge. The driver identified himself and clarified that the badge belonged to his uncle, whom he had dropped off at Westfields in White City. Despite the explanation, the investigator emphasised that using the badge for parking without the badge holder present was still considered an offence. The driver, however, maintained that he was not misusing the badge.</p> <p>The misuse of blue badges is a strict liability offence, and guilt is established by action regardless of the defendant's mindset. What the defendant knew or believed was not relevant, and therefore, the case was taken to court without any admissions.</p> <p>At court, the driver pleaded guilty and was sentenced to a fine of £207 and ordered to pay costs and a victim surcharge of £533 within 28 days.</p>
<p>7.</p>	<p>TENANCY FRAUD (Dolphin Living): An investigation was initiated in November 2023 following complaints from neighbours to Dolphin Living, the housing provider, of a resident in one of their properties on Hopkins Street. The neighbours alleged that the property was being rented out to short-term guests while the female tenant resided in Richmond.</p> <p>Dolphin Living offers affordable rental housing in London for individuals with lower incomes. CAFS has been collaborating with them to verify applicants in Westminster and provide guidance on fraud prevention measures.</p> <p>The case was allocated to a CAFS investigator, and initial financial investigations established a connection to a man linked to an address near Richmond. Open-source inquiries then revealed that the woman was married to him and that they had two children together.</p> <p>As the investigation case built, visits to the address to verify residency were unsuccessful. However, the investigator identified another address near Richmond, and Land Registry checks confirmed that the couple had purchased it in May 2022.</p> <p>The evidence collected by CAFS was presented to Dolphin, who subsequently inquired about the tenant's residency status. The tenant acknowledged her obligation to notify Dolphin Living about the property purchase but insisted that it was uninhabitable and needed extensive repairs before her family could move in.</p> <p>The tenant agreed to terminate her tenancy within the next few months once they were ready to relocate to the Richmond property. Dolphin accepted this arrangement, and the tenant officially vacated the two-bedroom property in July 2024, returning it to Dolphin.</p>

<p>8.</p>	<p>TENANCY FRAUD (Octavia): Octavia Housing sought CAFS investigative assistance after receiving information that their tenant had sublet one of their properties on Fordingley Road. Octavia had conducted preliminary investigations before contacting CAFS, including a visit to the property where they found an unfamiliar resident. In addition, Octavia received an email from a third party indicating that the address was being advertised on the letting website SpareRoom.</p> <p>CAFS inquiries successfully established contact with the subtenant, who provided evidence of rental payments being made to the tenant's bank account. They also agreed to provide a witness statement, and CAFS collected additional statements from neighbours confirming that the tenant had not been seen at the address for some time.</p> <p>Finally, CAFS investigators, under data protection exemptions, contacted the SpareRoom website and obtained contact information for the individual placing the advertisement. It was discovered to be an alias associated with the tenant. The advertisement on SpareRoom revealed that the property was being rented for £700 per calendar month.</p> <p>The tenant attended an interview under caution but chose to give a "no comment" interview. However, with so much evidence gathered by CAFS, Octavia could serve repossession notices on the property, and following a court hearing, they were awarded outright possession.</p>
<p>9.</p>	<p>TENANCY FRAUD (Notting Hill Genesis): CAFS was contacted by a housing officer at Notting Hill Genesis seeking assistance. The officer had been trying to reach the tenant of a two-bedroom property in St Michael's Street, W2, for six months and had yet to be successful. The tenant's sister then contacted them via email, revealing that her brother was hospitalised in Spain.</p> <p>No additional information was provided, but when the housing officer inspected the property, Alex, the tenant's 'friend', opened the door. When asked for identification during the inspection, Alex presented a driving license registered at the same address, raising suspicions.</p> <p>With the concerns raised with CAFS, their investigations soon revealed that the tenant was frequently absent from the property, with concerns about discrepancies in signatures on forms. Additionally, the tenant's welfare benefits had been terminated by his sister. Financial inquiries uncovered a connection to someone named Aleksandr at the address, along with overseas transactions in the tenant's bank account. Finally, the investigations uncovered payments to the tenant's sister from Aleksandr's (aka Alex) account suggested subletting.</p> <p>The CAFS investigator compiled an evidence file and presented it to Notting Hill Genesis, which led to repossession notices being served on the property. The keys were returned shortly after, allowing for a smooth handover of the property and avoiding lengthy court proceedings.</p>

<p>10.</p>	<p>BLUE BADGE: A white BMW was discovered parked and unattended in a designated disabled bay on Mayfair Place W1 in Westminster. A blue disabled badge issued by Luton Borough Council was visible in the vehicle. Having checked the central database, the investigator knew it had been cancelled due to the badge holder's death. A Penalty Charge Notice (PCN) was issued. Since the driver did not return to the vehicle, no further action could be taken, and the PCN was subsequently settled.</p> <p>A few days later, the exact vehicle was found parked and unattended in a designated disabled bay on Cadogan Gardens SW3 in Kensington. The car displayed a blue disabled badge issued by Luton Borough Council. Consequently, a PCN was issued, and the vehicle was removed from the Lots Road car pound.</p> <p>While present at the car pound, the investigator was informed that the vehicle was being retrieved by its owner. The owner was subsequently interviewed under caution at the car pound, where he confessed to purchasing the disabled badge for £80 and using it for free parking. The badge was confiscated, and the owner paid the PCN and car pound charges.</p> <p>Due to the circumstances, Westminster City Council and the Royal Borough of Kensington and Chelsea contacted Legal Services for prosecution.</p> <p>At court, the owner of the vehicle pleaded guilty to three offences under the Fraud Act 2006 and was sentenced to a fine of £461, ordered to pay costs of £1945 and a victim surcharge of £184, all to be paid within four weeks and a collection order made should the defendant fail to make payment. The Magistrates also ordered forfeiture and destruction of the badge.</p> <p>The fines were in addition to Westminster's £65 and the Royal Borough's £265 due to payment of a PCN and car pound fees.</p>
<p>11.</p>	<p>ABANDONMENT: CAFS launched an investigation in December 2023 following a referral from the Housing Officer regarding sheltered accommodation at Chequers House, Jerome Crescent. The scheme manager reported not seeing one of the tenants for a long time, and door fob usage suggested no activity for a long time. However, when the scheme manager asked the tenant's son, he claimed he was "stuck" in Hong Kong due to "Covid restrictions."</p> <p>CAFS undertook several travel enquiries, which revealed that the tenant flew from London Heathrow to Hong Kong in June 2022 and never returned. A DPA request was sent to Cathay Pacific Airlines Limited, which confirmed his presence on the flight.</p> <p>Notices seeking possession were served on the property, and the tenant's son acknowledged receipt. He agreed to return the flat to the Council, and the keys were handed back.</p>

<p>12.</p>	<p>ABANDONMENT: CAFS received information indicating that the tenant of a Council property in Claverton Street had been residing overseas since 2022, prompting an investigation.</p> <p>CAFS conducted thorough inquiries to locate the tenant, which included financial assessments, consultations with the tenant's GP, traces through the Home Office, and multiple unsuccessful visits to the property. One neighbour even mentioned that the tenant might have passed away while abroad.</p> <p>With no leads on the tenant's whereabouts and no responses to repeated visits, CAFS recommended issuing notices seeking possession on the grounds of abandonment.</p> <p>This led to contact from the tenant's niece, who asserted that the tenant had returned to the UK but was hospitalised. However, there was no further communication when the investigator requested medical information, including basic information such as the hospital's name.</p> <p>The case was scheduled for a civil hearing in July 2024, which the niece attended. However, the defendant was absent, and therefore, no representation was made. The Judge ruled in favour of the Council, granting possession of the property within 28 days to allow for its vacating, and awarded costs to the Council amounting to £481.</p>
<p>13.</p>	<p>SUCCESSION: A referral was received from the Housing Team to evaluate the Discretionary Succession Application for a Council property located at Westmoreland Terrace, submitted by the granddaughter of the deceased tenant.</p> <p>The granddaughter asserted that this property has been her sole residence for the past five years, a criterion for eligibility under Discretionary Succession. However, there were concerns that this statement might be false, as she reportedly had another residence in Spain that could undermine her succession claims.</p> <p>Bank statements revealed expenditures in Spain, with only a limited number of transactions in the UK, mainly in the Finchley area where her mother resides, rather than in Westminster, where she claimed to have lived for the last five years. Additionally, Open-Source Intelligence connected the granddaughter to Spain, and a request for travel data indicated that she had made frequent trips to Spain over the last five years, with her longest stay outside the UK lasting nearly two years.</p> <p>The granddaughter was invited to participate in an interview with the investigator to clarify her succession claims; however, she chose to withdraw her application and return the two-bedroom property to the Council.</p>

14. BLUE BADGE: An investigator discovered an unattended white Vauxhall van parked in Manchester Square W1. Inside the vehicle was a blue disabled badge issued by the London Borough of Haringey. However, further investigation revealed that the badge had been reported stolen and subsequently cancelled. Since no driver was present then, the investigator took the necessary steps to issue a Penalty Charge Notice (PCN) to the van. A payment of £65 was made shortly afterwards to settle the PCN.

Upon contacting the DVLA, the registered keeper of the white van was identified, and he was contacted and confirmed that he had been the driver when the PCN was issued in Manchester Square. He was subsequently interviewed and provided a prepared statement explaining that he had found the badge on his way to work. He claimed that he intended to return the badge. However, upon receiving distressing news about his father's death while en route to work, he decided to temporarily use the badge due to being in a state of shock. He emphasised that he had never used the badge before this incident.

Subsequently, the PCN records were examined, revealing that PCNs had been issued to this vehicle a couple of months prior to the Manchester Square incident. On both occasions, photographs taken by the Parking Marshal issuing the ticket confirmed the presence of the Haringey blue badge. The case was referred to Legal Services for prosecution under the Fraud Act 2006.

At court, the registered keeper pleaded guilty and was fined £215, with costs of £825 and a victim surcharge of £86, to be repaid at a rate of £150 per month. The Magistrates also ordered that the badge, which had been seized, be destroyed.