



Department for Work and Pensions -
Child Maintenance
Freedom of Information Act Focal Point
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Jo Archer
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Our Ref: VTR 1790

Date: 28 May 2015

Dear Jo Archer

Thank you for your email of 30 April 2015. Your request has been considered under the terms of the Freedom of Information Act 2000 (FOIA).

Your request

Please explain whether or not a finding by the First Tier Tribunal that an NRP is 'diverting' their income is sufficient to prosecute them for Fraud (misrepresentation of information) under Sec 14(A)2 of the Child Support Act, and what process the CSA should follow in such a case.

How many of the prosecutions referred to on page 44 of the Quarterly Summary of Statistics, were successful and what penalties were imposed?

Our response

The finding of the First Tier Tribunal would not be sufficient to prosecute. Each case would have to be investigated on its own merits to decide on the level of criminality.

Information on the number of successful prosecutions and penalties imposed is not routinely recorded for management information purposes and we estimate that the cost of complying with your request would exceed the appropriate cost limit, which for central Government has been set in Regulations at £600. This represents the estimated cost of one person spending 3.50 working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Under section 12 of the FOIA the Department is not obliged to comply with your request.

If you have any queries about this letter please contact us quoting the reference number above.

Yours sincerely

**Freedom of Information Act Focal Point
Department for Work and Pensions – Child Maintenance**

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing FOI.FocalPoint@dwpgsi.gov.uk or by writing to Department for Work and Pensions - Child Maintenance, Freedom of Information Act Focal Point, PO Box 61791, London, SW1P 9NT. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply to the Information Commissioner's Office for a decision. Generally, the Commissioner prefers you to try and resolve your complaint with the Department using our own complaints procedures before referring the matter to his office. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF www.ico.gov.uk.