

24 June 2021

By email: [fyi-request-15665-cfef3358@requests.fyi.org.nz](mailto:fyi-request-15665-cfef3358@requests.fyi.org.nz)

Dear Ms Sophie

**Request for information about MSD benefit fraud**

We refer to your email dated 4 June 2021 requesting the following information:

*"I fully respect fraud investigation requires a high level of expertise. Still, there are some apparent benefit frauds happening around me that any average person would be able to notice they are benefit frauds.*

*We have presented very clear evidence regarding the benefit fraud happening, but after four months, the MSD Fraud Investigation Office has not take any action, not even a call or an email to the person being reported.*

*The person being reported was actually my husband, so I surely know if any action has been made against his misconduct or not.*

*If he does not stop at this stage, he might commit more serious benefit frauds in the future.*

*What can we do if the MSD fails to enforce the law?"*

We have considered your request under the Official Information Act 1982 (OIA) and consider that your request appears to be seeking an opinion from the Serious Fraud Office (SFO), rather than referring to information that we hold.

Despite the requirement for due particularity in OIA requests (s 12, OIA) and that we would have grounds to refuse this request on the basis that it does not exist (s 18(e)), we have decided to provide you with information that we think may assist you with your enquires.

For this purpose, we note that the SFO is a highly specialised government mandated under the Serious Fraud Office Act 1990 to detect, investigate and prosecute serious or complex financial crime. The offences that the SFO investigates are primarily found in the Crimes Act 1961.

There are specific offences relating to benefit fraud under the Social Security Act 2018. The SFO does not have the remit to investigate this form of offending. Our website contains further information on what we do. You can access our website at: [www.sfo.govt.nz](http://www.sfo.govt.nz).

You may wish to seek your own independent legal advice to explore alternative avenues available to you.

You are entitled to make a complaint about our decision to the Office of the Ombudsmen. They can be contacted at PO Box 10152, Wellington 6143 or at [office@ombudsmen.parliament.nz](mailto:office@ombudsmen.parliament.nz)

Yours sincerely



Kylie Cooper  
Deputy General Counsel