Fraudulent Universal Credit Claims

Fraudsters, often pretending to be government officials offering a government grant, use their victim's identity to make a bogus claim for Universal Credit and an online request for an Advance Payment. The fraudsters then keep or demand a substantial amount of the Advance for themselves.

The victim often only becomes aware of what has really happened when their legacy benefits stop and they find they are now a Universal Credit claimant with a large Advance to repay which they did not receive.

An estimated 42,000 people may have fallen victim to the scam – and an estimated 1 in 10 Advance Payments are bogus.

So What Should Victim's Do?

Victims who had no idea that they were being scammed need to:

1. **Report the incident** to the Police via the Action Fraud number 0300 123 2040.

2. **Explain the circumstances** of the fraud and whether they received any of the Advance Payment themselves or were forced to transfer money to the fraudster. (They should only be asked to pay back what they actually received of the Advance Payment – although it could be difficult to prove they received less if they paid cash to the fraudster.)

3. **Get advice** about whether they are now worse off on UC. They may be able to request a return to the legacy benefit system.

4. Even if they are not worse off financially on UC, we believe that if someone was scammed and was not aware that a claim for UC was being made in their name, then they could still **request that the DWP allow them back onto the legacy benefit system.** Their argument would be that under Section 1 of the Social Security Administration Act 1992 there is no entitlement to a benefit without a claim. Where the 'claim' for UC was made without the knowledge or authority of the claimant we believe you can argue that it cannot be a valid claim. This means that there was no legal foundation for stopping the 'claimant's' legacy benefits, and they should therefore be restored.

Contact us on 0141-634-6473 or info@craigdaleha.co.uk for more information.