

Kia ora tatou, Ko Hellen Swales taku ingoa – Elaine White

The New Zealand Federation of Business & Professional Women (BPW NZ) wants to ensure that women are empowered in their homes, workplaces and communities. We also advocate for human rights, work to increase women in leadership, call for action on reducing the gender pay gap and for the elimination of violence against women.

The New Zealand Federation of Business & Professional Women (BPW NZ) supports and applauds the government on introducing a bill that will correct the discrimination against women and ensures that both parties to “relationship fraud” are appropriately held accountable. The current assessment of relationship fraud does not take into account the partner that knowing benefits from this fraud and under current legislation is not liable for prosecution for any part of this debt and in most cases this is a burden solely born by the women and only she is held accountable for both the prosecution and debt recovery. No responsibility attributed to the partner at all in the relationship, so why would you want to stop payments coming into the household.

We do have concerns about the new powers of investigation and the proposed changes given to MSD under the amendments in this Bill. To give MSD the ability to access information from banks, employers and interagency without the beneficiaries knowledge is unacceptable this approach is more likely to have a detrimental effect on the beneficiary and in some cases jeopardise their situation if a contact is made by a Ministry staff member to collect information and investigate the client.

Also if the investigation is unsuccessful there is no guarantee that employment would be continued if an employer was approached.

MSD needs to be transparent when it investigates a client and should inform the client that they are under investigation. If further material is required to complete an investigation then consent should be sought from the client to attain information from a third party. This bill allows investigators to bypass the person most likely to be able to resolve the issue, direct access to external sources such as I.R.D and other Government departments to investigate an allegation it amounts to a presumption of guilt and may well create a prejudice for no apparent reason. This bill does not ensure that the privacy and human rights of the beneficiaries are safely protected.

There is also a grave danger of a person with a dislike to the beneficiary to lay a complaint and instigate an investigation which then becomes reminiscent of witch hunts or being charged guilty and having to prove innocence.

We believe the resources currently available to MSD are sufficient to complete any investigation into a client’s affairs.

Also in the bill it removes the discretion whether or not to recover debt and replaces it with discretion to merely defer recovery in prescribed 'exceptional circumstances'. The discretion not to recover debt allowed the law to respond to individual circumstances in a fair and measured way. It is alarming that you remove the ability of MSD to respond in this way. In the current proposal it will inevitably mean that beneficiaries will be lumbered with debt in situations where it is clearly unfair for that to happen. By removing the discretion and flexibility those subject to debt recovery will be put in precarious positions and made more vulnerable by more money being taken out from their weekly payments and in most cases this is the women.

It would appear that should this bill be passed that two government agencies both dealing with Fraud and debt recovery have two different sets of rules they can apply when dealing with clients. One has the ability to write off debt whilst the other only defers debt.

We believe that as many resources should be channelled into the education of beneficiary allowances and entitlements as there appears to be in the prosecution and recovery of Benefit Fraud Debt.

We congratulate the Social Services Committee for the introduction of this Bill which will correct the discrimination against women and ensure both parties to 'Relationship Fraud' are appropriately held accountable,

and as elected representatives of New Zealand you have a duty to draft, debate and pass legislation that drives the change in behaviour that is so badly needed.

Please do it.