

SUMMARY

English summary of Brå report No 2008:6

Collaboration against benefit fraud

The examples Västmanland and Skåne

Collaboration against benefit fraud

The examples Västmanland and Skåne

A summary of the report 2008:6

The Swedish National Council for Crime Prevention – centre for knowledge about crime and crime prevention measures.

The Swedish National Council for Crime Prevention works to reduce crime and improve levels of safety in society by producing data and disseminating knowledge on crime and crime prevention work.

This report is a summary of the Swedish report *Samverkan mot bidragsbedrägerier*, report no 2008:6, ISBN 978-91-85664-92-2, that can be ordered from Fritzes Kundservice, 106 47 Stockholm.
Phone +46 (0)8-690 91 90, fax +46 (0)8-690 91 91, e-mail order.fritzes@nj.se

This English report can be downloaded from www.bra.se

Production: Brottsförebyggande rådet, Information och förlag, Box 1386, 111 93 Stockholm.
Phone +46 (0)8-401 87 00, fax +46 (0)8-411 90 75, e-mail info@bra.se
Brå on the internet www.bra.se
Authors: Mattias Friström, Isabel Schoultz, Sandra Åslund, Lars Korsell
© 2009 Brottsförebyggande rådet

Contents

Foreword	5
Introduction	7
Fraud against the Social Insurance Agency	8
Aim and issues	10
Method	10
Results	12
Conclusions	17
References	20

Foreword

Two of today's central concepts are collaboration and benefit fraud. Authorities and other actors have a need to find convenient forms of collaboration in order to solve their tasks. One such area of collaboration is fraud against the benefits and insurances of the Swedish Social Insurance Agency; a problem that has received ever increasing notice in recent years. We are talking about crime against the welfare systems, and how the Social Insurance Agency, the Police Service and the Prosecution Authority can collaborate effectively.

In the Swedish county Västmanland, the prosecutors, police and Social Insurance Agency took the initiative of meeting regularly in order to discuss, at an overall level, reports and investigation of fraud against the Social Insurance Agency. Reporting routines and other methods were improved. The Social Insurance Agency appointed special officials to handle these matters, and the Police and the Prosecution Authority appointed special police staff and prosecutors in a similar way. These persons also attended a joint training course in order for the officials of the Social Insurance Agency to get a more in-depth insight into the roles of the police and the prosecutors, and for the police and prosecutors to learn about the tasks of the Social Insurance Agency and the social insurance systems. This form of collaboration was called "the Västmanland model", and has since spread across the country.

As commissioned by the Delegation against Incorrect Payments ("the FUT Delegation"), the Swedish National Council for Crime Prevention ("Brå") has evaluated the Västmanland model and made study visits to the counties of Västmanland and Skåne. The project has also glanced at another form of collaboration, SAMEB, Collaboration against Economic Crime, in order to investigate similarities with and differences from the Västmanland model.

The evaluation was carried out at Brå's division for Research into Economic and Organised Crime, by the researchers Isabel Schoultz, Sandra Åslund and Mattias Friström under the management of Lars Korsell, LLD.

The investigators would like to thank the people who have participated in interviews and in other ways helped the work. Great thanks also to Professor Antoinette Hetzler and Professor Göran Ahrne, at the Departments of Sociology at Lund University and Stockholm University respectively. They have scrutinized the report from a scientific perspective. Valuable contributions have also been provided by Anna Pauloff, Investigator at the Swedish Agency for Public Management and Arletta Plunkett and Johanna Skinnari, Investigators, at Brå. Thanks also to Astrid Eklund, Deputy Prosecutor and Nicklas Lagrell, Appeal Court Prosecutor at the Swedish Prosecution Authority's Development Centre in Stockholm, Kristina Padrón, Principal Secretary of the FUT Delegation, Stefan Eurenus, Section Manager and Christina Kiernan, Admi-

nistrator at the National Swedish Police Board, Karin Everbrand and Kajsa Wikström, Administrators at the head office of the National Social Insurance Agency, Göran Wictorin, Development Manager, and Göran Rask, Administrator at the Social Insurance Agency in Västmanland County, Rune Engström, Detective Inspector, and Rolf Nilsson, Inspector, from the Västmanland Police Authority, Anders Jakobsson, Chief Prosecutor at the Västerås Prosecutors Office and Anders Nord, Inspector at the Police Authority in Skåne, for their views.

Stockholm, March 2009

Jan Andersson
Director General

Lars Korsell
Unit Manager

Introduction

Cheating against the benefit systems and fraud against the National Social Insurance Agency today make newspaper headlines. But it has not always been the case. A few years ago, the Social Insurance Agency, the Police Service and the Prosecution Authority in Västmanland started to collaborate in the processing of reports of benefit fraud. This collaboration was called “the Västmanland model”. Since 2006, it has spread across the entire country.

The Västmanland model aims to make the handling of crimes reported by the Social Insurance Agency more efficient. What differs from the handling of fraud against the Social Insurance Agency is that the report is sent straight to the prosecutor instead of to the police. The prosecutor heads the preliminary investigation throughout the investigation period. The police investigate the suspicion of crime, contact employers and others and interviews the person suspected. The Västmanland model is based on three important corner stones:

- Specially appointed officials at the Social Insurance Agency write the crime reports. Then specially appointed prosecutors receive the reports and decide whether a preliminary investigation is to be started or not. Specially appointed police then carry out the criminal investigation (see Figure 1).
- The specially appointed officials, prosecutors and police attend a joint training course covering social insurance policies, fraud and criminal cases.
- The specially appointed officials, prosecutors and police meet at regular intervals in order to discuss common issues concerning benefit fraud.

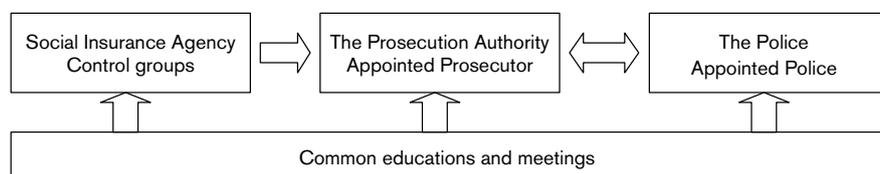


Figure 1. Ideal format for the Västmanland model.

A contributory cause for the creation of the Västmanland model is a changed attitude to benefit fraud. In recent years, from 2005 and onwards, the pendulum can be said to have swung round to a situation where benefit payments are to be more controlled, and benefit fraud is to be reduced. It has become more legitimate to talk about frauds being perpetrated against the benefits of the welfare state. As Korsell et al (2008) expresses it: “Benefit recipients, who previously were the pets of the welfare society, have in a short time been transformed into stepchildren.” The intentional errors in the safety systems are estimated at

SEK 10 billion per year (FUT, 2007).¹ What lit the touch paper and became the starting point for the Västmanland model was the Swedish television programme “Uppdrag granskning”, which in early 2005 showed a series of programmes about how little control was exercised over benefit cheats (SVT, 25 January 2005). One of the viewers was the Chief Prosecutor in Västerås, who was struck by the fact that the Social Insurance Agency reported few frauds. He therefore contacted the Social Insurance Agency to discuss the routines for reporting. This was the starting pistol for the collaboration that later came to be called the Västmanland model. It attracted attention in several parts of the country, and politicians and officials travelled to Västmanland to see and learn.

In May 2006, a joint strategy against benefit fraud was launched. The strategy document was signed by the Director General of the National Social Insurance Agency, the Prosecutor General and the National Police Commissioner. The aim was to introduce the Västmanland model in all counties.

At the same time as the Västmanland model was introduced in all counties, the Social Insurance Agency received increased resources and employed 300 people to reinforce the control operation (Försäkringskassans RB 2005; ESV 2007:19; prop. 2005/06:1; prop. 2006/07:1). The goal of the Social Insurance Agency to report all suspected crimes together with the additional control operation resulted in a dramatic increase in reports of suspected crimes against the Social Insurance Agency. The number of reported crimes against the Social Insurance Agency increased by just over 300 percent between 2006 and 2007.

Fraud against the Social Insurance Agency

The crimes with which this report is concerned are essentially frauds, as defined in Chapter 9, Clause 1 of the Penal Code (BrB). However, for crimes committed as from 1 August 2007, new regulations apply. There is today special legislation regulating crimes against the social insurance system, and other compensation and benefit systems. This is gathered together in the new Benefit Crime Act (2007:612). As this study concentrates on circumstances during the first half of 2007 and earlier, the study does not cover the new legislation.

Fraud means somebody misleading somebody else, in this case the Social Insurance Agency, to act in a way that leads to a gain for him or her, and to damage to the body misled, in this case the Social Insurance Agency. By giving incorrect information and in this way misleading the Social Insurance Agency, the perpetrator is gaining incorrect compensation. One example of when liability for fraud comes into question is when somebody deliberately gives incorrect income information which

¹ There are differing views about the scope of the errors, and how they should be calculated (IFAU, 2006; IFAU 2007; Johansson, to be published, Brå, 2008).

is of significance for a benefit. The incorrect information entails misleading the Social Insurance Agency, and the information causes an administrator wrongly to decide on a payment. This entails that the Social Insurance Agency is damaged through the incorrect payment and the person misleading the Social Insurance Agency gains the corresponding profit from the crime.

Misleading does not have to be an active deed, such as giving information. It can also be done by not giving information, despite being liable to do so. When necessary information about changed circumstances, for instance, is not provided, the Social Insurance Agency is misled and pays compensation on incorrect grounds.

According to the Penal Code, a person committing fraud can be jailed for at most two years. If the crime is insignificant, it is considered to be a fraudulent misdemeanour, punishable by a fine or jail for at most six months (Chapter 9, Clause 2). If the crime is serious, it is considered as a serious fraud, punishable by prison for at least six months and at most six years (Chapter 9, Clause 3). However, instead of a prison sentence, a common sanction for fraud against the Social Insurance Agency is a conditional sentence combined with a fine proportional to the offender's daily income.

For liability for fraud to come into question, the prosecutor has to be able to prove that the crime is deliberate. This means that the criminal act has been committed consciously or intentionally. Liability for fraud is conditional on the objective requisites² being covered by the perpetrator's intent. It is not possible to judge a person to be liable for fraud because someone has been paid too much compensation as a result of negligence, or because the person did not know about certain obligations in conjunction with the compensation. Carelessness is thus not sufficient. It must be possible to prove that the perpetrator has committed the act intentionally. This intent must cover all elements of the criminal act.

The great problem with fraud crime is to prove the intent. The actual circumstances surrounding what really occurred are often a lesser problem. The assessment of the intent is complicated by the fact that the rules concerning social insurance can be difficult to understand.

The difficulty in proving intent has meant that several assessors have considered that the fraud regulations do not work quite as they should. Proposals have therefore been made that negligence should be sufficient for judging that a person has misled the Social Insurance Agency or some other payment-issuer within the compensation and benefit systems (Örnemark Hansen, 1995). This criticism against the intention requirement has led to the new Benefit Crime Act (2007:612).

² Objective requisites are the prerequisites for the punishability of a criminal act.

Aim and issues

The aim of the study is to evaluate the Västmanland model, which is a collaboration between the Social Insurance Agency, the Prosecution Authority and the Police (see Vedung, 1998; Statskontoret 2001:22; Brå 2000:5). In order to make a more in-depth analysis of authority collaboration to fight crime, the regional Collaboration Against Economic Crime, SAMEB, are also studied. The main issues are:

What effects have the Västmanland model had on the handling of crime reporting by the Social Insurance Agency?

What are the formal goals of the Västmanland model and how have these goals been made operational in Skåne and Västmanland counties?

What types of fraud against the Social Insurance Agency are handled and prioritized within the Västmanland model?

Method

The evaluation was done in Västmanland and Skåne counties. Two counties were selected to enable comparison and to cover variations in the implementation of the model. Interviews with officials in both counties form the basis for the evaluation.

Interviews

In total, 48 interviews with staff at both administrator and manager level were carried out. Most were officials within the Social Insurance Agency, the Police and the Prosecution Authority. The Collaboration Body Against Economic Crime, SAMEB, has also been studied in order to draw parallels between the two models for collaboration. Persons from authorities that are party to different forms of collaboration within SAMEB, such as the County Administrative Board, the Police, the Prosecution Authority, the County Employment Board, the Enforcement Service, the Swedish Customs and the National Tax Board have been interviewed. On 1 August 2007, the Benefit Crime Act came into force ((SOU 2006:48; prop. 2006/07:80). This regulates not just crimes against the Social Insurance Agency, but also other authorities, such as unemployment benefit societies and municipalities (maintenance support in the form of income support). This places demands on collaboration with more actors than in the original Västmanland model, and therefore interviews have also been held with officials working for these stakeholders: municipal social services, the Central Student Grants Committee (CSN), various unemployment benefit societies, the Premium Pension Authority (PPM) the Swedish Migration Board and Sweden's Public Employment Service in order to discuss existing and possible future forms of collaboration against benefit fraud.

Investigation of reported crimes

In addition to interviews, a total of 185 reported crimes (preliminary investigations) have been analysed. The aim was to study they types of matters handled within the collaboration between the Police Service, the Prosecuting Authority and the Social Insurance Agency (see von Lampe, 2003). The study of preliminary investigations only covers crimes discovered. It is probable that crimes that never become known to the authorities look rather different (Brå 2007:4; Korsell, 2003). Preliminary investigations have been gathered from the Police Service in Skåne and Västmanland counties for the periods before and after the introduction of the Västmanland model.

Statistics and register study

In order to measure the effects of the Västmanland model, statistical information has been gathered from the Social Insurance Agency, the Prosecuting Authority and the Police Service. The statistics have been processed and information about the number of reports made, cases arising, handling times and number of prosecutions³ have been produced. Brå's own statistics for crimes reported and number of orders of summary punishment⁴ have also been used to describe the development of fraud against the Social Insurance Agency.

In order to carry out a register study, personal identification numbers have been picked from the preliminary investigations. A total of 130 personal identification numbers have been run against Brå's register over suspected and prosecuted persons. The run against the suspicion register covers suspicions registered between 1995 and 2006. The prosecution register covers a longer period, 1973 to 2006, and entails that people are not just suspected, but also found guilty of crimes. The aim of the register run was to investigate whether the persons concerning whom a preliminary investigation was started in relation to benefit fraud had been suspected of or punished for other crimes before.

³ The analysis of effects is based on the statistics from the Prosecution Authority. Here, prosecution means that a person has been charged, which does not necessarily mean that the person has also been found guilty. Decisions to prosecute also include orders of summary punishment issued and waivers of prosecution issued. Brå defines the concept of prosecution slightly differently: a person must have been found guilty in a district court, have received an approved order of summary punishment or waiver of prosecution in order to be considered prosecuted (Brå 2006). Brå's prosecution statistics are based on people and not on decisions, but these are not divided up in such a way that fraud against the Social Insurance Agency can be separated out. For this reason, the statistics of the Prosecution Authority were used instead.

⁴ Orders of summary punishment mean that a fine or conditional judgement issued by a prosecutor can be issued for crimes punishable by a fine.

Results

Effects

In order to describe the effects of the Västmanland model, a comparison of the years 2004 and 2007 was made, aimed at covering the period before and after the collaboration started. When the result emerged from the preliminary investigations analysed, cases from 2004 were compared with cases from 2006/2007.

In general, it was difficult to determine if a result is an effect of the Västmanland model or of other changes occurring within the authorities or society as a whole.

The Västmanland model was expected to lead to more reports, increased prosecution, higher quality of the reports from the Social Insurance Agency and quicker processing and shorter through-put times at the Social Insurance Agency, the Police Service and the prosecutors' chambers (Swedish Prosecution Authority). Have these expectations been realized?

This study had no opportunity to answer the question whether collaboration has led to reduced fraud – which is also mentioned as an expected effect – as this would require a comprehensive investigation of possible changes to actual criminality.

More crimes reported

Statistics from both the Social Insurance Agency and Brå show that the number of reported fraud crimes against the Social Insurance Agency increased between 2004 and 2007. According to the Social Insurance Agency's own statistics, in 2004, the administrators made 930 crime reports in the whole of the country. This can be compared with 4,769 reports in 2007. The increase of the number of crimes reported was greater in Västmanland county than in Skåne county when comparing on the basis of reported frauds against the Social Insurance Agency per 100,000 inhabitants.

The increase is primarily related to increased resources together with a goal of reporting all suspected crimes, factors which lie outside the collaboration. However, the Västmanland model may have stimulated the Social Insurance Agency's administrators to report more crimes when they knew that the suspicion of crime would have a greater chance of being investigated by the police and prosecutors, compared to the situation before the collaboration.

The great influx of reports from the Social Insurance Agency has created negative reactions in some police and prosecutors. The cause of the negative reactions is put down to a lack of resources.

Improved processing

The processing of the Social Insurance Agency's cases has become more efficient since the Västmanland model was introduced as a result of bet-

ter reporting and having appointed persons working specifically with these cases. Clear directives from prosecutors also facilitates the police work.

However, calculating average processing times at each authority does not provide any clear-cut information about the effects of the Västmanland model. Processing times at the Social Insurance Agency have increased slightly, probably as a result of older cases being processed when the control operation was strengthened. The through-put times at the Prosecution Authority and the Police Service have fallen in Skåne county, but is unchanged in Västmanland county.

Increased numbers but a smaller proportion of prosecutions

After the introduction of the Västmanland model, the number of decisions to prosecute increased greatly throughout the country; 326 decisions in 2004 and 1587 decisions in 2007 based on the statistics of the Prosecution Authority. Brå's statistics for orders of summary punishment for fraud against the Social Insurance Agency show a large increase, from 53 orders in 2004 to 619 in 2007.

However, the proportion of decisions to prosecute compared to all completed decisions⁵ has fallen in the country as a whole. The development in Skåne is similar to that of the country as a whole, while in Västmanland county, the number of decisions to prosecute out of all completed decisions between 2004 and 2006 increased. The increase in the proportion of cases prosecuted in Västmanland up to and including 2006 is probably a result of the number of orders of summary punishment increasing, at the same time as the inflow from the Social Insurance Agency did not increase. When the inflow of cases then increased in 2007, as a result of the reinforced control operation at the Social Insurance Agency, the number of prosecutions fell heavily, from just over 70 percent in 2006 to less than 40 percent in 2007.

The reduction in the proportion of decisions to prosecute that can be discerned in the country started before the Västmanland model was introduced, and the explanation should therefore be looked for elsewhere. Between 2006 and 2007, there was a reduction, both in the country as a whole and Skåne and Västmanland counties, and was probably a result of the inflow of reports increasing from the Social Insurance Agency, some of which were not classified as crimes.

⁵ The number of decisions relates to decisions not to start a preliminary investigation, decisions to stop a preliminary investigation, decisions not to make a charge and decisions to take legal action. A decision to prosecute relates to an approved order of summary punishment, a decision to make a charge and a waiver of prosecution. As previously mentioned, in accordance with the measurement method used by the Prosecution Authority, legal action does not necessarily mean that the person has been found guilty, but also includes legal action where the person has been found not guilty.

What is reported is important for increased prosecutions

An increased number of reported crimes and a reduced proportion of decisions to prosecute lead to the conclusion that it is the selection process (which type of benefit fraud to report) within the Social Insurance Agency, and not the number and quality of the crime reports, that primarily lead to more cases leading to prosecution. It is thus a question of what the Social Insurance Agency reports, and not what their reports look like, that determine whether the reports will lead to a prosecution.

The Social Insurance Agency and other payment-issuing actors should therefore make a clearer selection of which cases to report. Before a report is made to the police or prosecutor, a summary assessment should be made whether the act which is subject to suspicion of crime was deliberate or not.

Selection – controls, amounts and perpetrators

Selection is a concept used to illuminate how some cases are prioritized ahead of others, for instance. In the control and judicial chain, there is always a form of selection of cases; a selection based on different factors, which is carried out by each of the authorities when processing a case. The selection can be likened to a moving assembly line, where the cases pass from one decision-maker in an authority to another decision-maker at the next authority. Along the line, cases are then removed if they do not meet the standard or do not fit for other reasons.

The handling of the Social Insurance Agency's cases forms the basis for the Västmanland model. The selection of cases by the Social Insurance Agency to put forward to the prosecutor and police influences greatly how the Västmanland model is perceived.

Fraud is usually classified as a crime of investigation and intervention, which means that a considerable proportion become known to the police through various control measures (Korsell, 2003; Brå 2004). It is therefore very important where the Social Insurance Agency introduces its control resources. In other words, where the spotlight is aimed, crime will also be detected, while other areas remain in the dark.

Collaboration between authorities based on the Västmanland model is based on prosecutors being the recipients of reports and heading the preliminary investigations. This makes it possible for prosecutors at an early stage to "filter" out cases that are not assessed to be worthy of taking any further.

From the preliminary investigations reviewed, conclusions can be drawn about the amounts the cases concern. In 2004, the average amount was around SEK 20,000-30,000.⁶ In 2006/2007, most of the amounts were around SEK 1,000-3,000.⁷ The larger amounts concerned almost exclusively types of cases other than temporary parental be-

⁶ The highest amount in 2004 was SEK 700,000 and the lowest SEK 1,600.

⁷ The highest amount in 2006/2007 was SEK 160,000 and the lowest SEK 600.

nefit (TFP)⁸, such as, for instance, sickness benefit and housing benefit. The higher amounts often relate to longer periods. Of the lower amounts, the majority are suspected frauds against TFP. The analysis of the preliminary investigations gives clear signals that during 2004, suspected crimes involving much higher amounts were reported than happened in 2006/2007. It appears not just to be a question of more suspected crimes involving lower amounts being reported, but that the majority of cases related to amounts that are ten times smaller in 2006/2007 than in 2004.

The cases that will be processed by the collaborating authorities are primarily dependent upon the type of case (e.g. TFP) checked by the Social Insurance Agency. In addition to this, there are other factors that affect which cases are selected, such as lack of resources. In the end, it is mainly TFP with smaller amounts that are handled in the decision-making chain. These are often considered to be easy to investigate, but it can sometimes be difficult to prove that the act was done deliberately.

In order to investigate which perpetrators are selected – discovered, reported, investigated and prosecuted – the persons suspected of frauds and who are included in the first selection of preliminary investigations have been compared with both the register of suspected persons and the register of prosecuted persons. The register run carried out gives a picture of the persons included in preliminary investigations from 2006/2007 being suspected or prosecuted for other crimes to a lesser extent than those included in preliminary investigations in 2004. This change is hardly an effect of the Västmanland model, but is connected to the control of TFP, where parents of young children are checked. A greater variation in the controls of the Social Insurance Agency would probably increase the chances of sorting out larger scale frauds and possibly also more organized frauds. The cases that were then selected would also show greater variation and probably also have a broader preventative effect (see Korsell and Nilsson, 2003).

Goals and resources govern the collaboration

Collaboration means that several authorities with different goals have to agree to achieve common goals. The officials interviewed tended to see the goals as unclear, sometimes contradictory and rarely in accord with the goals of the other authorities. For example, prosecutors and police in Skåne interpreted the goals as them having to prioritize the Social Insurance Agency cases ahead of other crimes.

The choice by the Social Insurance Agency of what to control determines the cases handled within the Västmanland model. When the Social Insurance Agency received extra resources, and chose to control the temporary parental benefit, it was primarily these reported crimes that were processed by the police and prosecutors. Fraud involving tempora-

⁸ TFP is a compensation paid when nursing a sick child (VAB).

ry parental benefit is characterized by the amounts often being small, and the perpetrators being “ordinary parents with young children”. The fact that the Social Insurance Agency did not formulate which cases were to be reported in accordance with the Västmanland model caused a negative attitude among some police and prosecutors, who considered that too great a focus was put on less serious criminality.

Also, many administrators at the Social Insurance Agency interpreted it that “all” incorrect payments were to be reported, not just suspected crimes. This generated a large amount of reported crimes, which the prosecutors and police considered that they could not cope with.

Different goals, resources and priorities can thus have a negative effect on the collaboration. Increased resources for the Social Insurance Agency created increased workloads for prosecutors and police. A good dialogue within the collaboration reduces the risk of misunderstandings between the authorities. Within SAMEB, the problem has been solved through meetings between the heads of the authorities to discuss the resources available for different projects.

Consistently introduced corner stones lead to good collaboration

In general, the goals of the Västmanland model, the officials appointed and the joint training are considered to be positive. Having specially appointed administrators creates efficiency in handling cases, many of those interviewed considered. The joint training gives the officials opportunities for increased understanding of each others’ roles in society. It also provides an opportunity for the judicial system to learn more about social insurance, and for the Social Insurance Agency to write better crime reports. In Västmanland county, the officials also have joint meetings, where there is room to solve any collaboration problems.

When different authorities collaborate, problems can arise in the form of differences in working methods, function in society and tradition. What this study has shown is that these problems can be solved. Where collaboration is close, communications are also good. However, it is important that the authorities do not confuse their roles. For example, it is a problem if prosecutors work too closely with the Social Insurance Agency.

Collaboration against benefit fraud differs between the two counties. In Västmanland, the three corner stones have been consistently introduced. There, the officials at the Social Insurance Agency, as well as the police and the prosecutors, consider that the collaboration is working well. In Skåne, there is some lack of appointed persons within the police, which also means that not all police personnel have done the joint training. Furthermore, in Skåne there have not been joint meetings at administrator level to the same extent as in Västmanland. In Skåne, more people had a negative attitude to the Västmanland model than in Västmanland. The collaboration thus works better if the three corner stones are consistently introduced.

The Västmanland model has led to better quality reporting by the Social Insurance Agency, and to these being handled more efficiently by the police and prosecutors. This is an effect that can be put down to the three corner stones of the model, among others.

Conclusions

Obstacles to collaboration, but also opportunities

The Västmanland model can be described as a simple and purposeful method of handling, in the control and legal chain, the suspicions of crime that arise and are reported. The model is powerful, as it increases the motivation of the administrators at the Social Insurance Agency to report suspicions of crime, and for police and prosecutors to investigate and prosecute crimes. The limitation of the Västmanland model is still that crimes are reported without any consideration for the goals and resources of the collaborating authorities.

Unclear goals are an obstacle to collaboration

The first obstacle to collaboration identified by the investigation thus relate to the goals of the Västmanland model and where these stand in relation to the individual goals of the authorities. What should be particularly considered is that goals formulated at a higher level may be interpreted differently at administrator level.

A clear illustration is provided by the goals of the Social Insurance Agency, with a high ambition in terms of the number of reports, where the administrators interpreted this as “everything” was to be reported, including incorrect payments. There was to be no room for investigating whether the action was deliberate or not. The consequence was that the balances increased at the police and prosecution authorities, and the trust in the Västmanland model was impaired.

Another example is that police and prosecutors in Skåne interpreted that the Västmanland model entailed giving benefit fraud a higher priority than had been the intention. This led to the legitimacy of the collaborative project diminishing. The aim of the Västmanland model must be interpreted as giving a reasonable priority to benefit fraud. Previously, these crimes had received unfair treatment from the legal system.

The conclusion is therefore that the formulation of plain and clear goals is important in order to avoid incorrect interpretation. The authorities' goals in relation to the collaboration should therefore be in accord with each other, which is a failing of the Västmanland model. Goals may of course be formulated centrally, but many times there must still be room to adapt the goals at county level.

More thorough grounds for reporting crime

The cases that are handled within the Västmanland model are contingent upon the controls by the Social Insurance Agency. For instance,

when the Social Insurance Agency invests heavily in checking up on incorrect payments of TFP, it is mainly TFP that is reported to the judicial system.

In this investigation, it is clear that the Social Insurance Agency's considerable control of TFP affected the working situation of the police and prosecutors, with growing caseloads as a result. In Skåne, where collaboration was not established as early as in Västmanland, the TFP initiative meant that the police and prosecutors questioned the Västmanland model. They questioned all TFP cases involving small amounts.

As one stage in the survey about the Västmanland model carried out earlier, the Swedish Prosecution Authority presented recommendations about amount limits (Åklagarmyndigheten 2007:21). When these are implemented, the problem arising as a result of the selection by the Social Insurance Agency will probably be reduced.

One of the expected effects of the Västmanland model was that the number of crimes reported by the Social Insurance Agency would increase, which also happened. As we know, this led to increased workload for police and prosecutors, who had difficulty processing all the reports. The Social Insurance Agency has now become more selective about what is reported. This study shows the importance of the new crime-reporting authorities, the employment benefit societies and municipalities, also making a clear choice of what to report on. The selection, and a summary investigation into whether the act of the perpetrator was deliberate, will lead to fewer, but more substantial reports of crimes, which will take up less resources in the judicial system. It is thus not about carrying a criminal investigation, but to produce more thorough background material for the crime-fighting authorities, where one of the tasks of the prosecutors is to test the issue of intention.

There is reason to assume that it is not how the reports are formulated, but what they are reporting that is important for whether this will lead to more prosecutions or orders of summary punishment. A better selection in reporting should therefore lead to more prosecutions and fewer cases being written off.

A common forum: the fourth corner stone

If the goals of the authorities were more in accord, and if consideration is taken of the resources of each other, more favourable conditions are created for collaboration in accordance with the Västmanland model. One way of achieving this is by introducing a common forum at county level for discussions between heads of authorities. Inspiration can be found in Collaboration against Economic Crime, SAMEB, where the collaborating managers can formulate goals and consider the resources available to the other authorities in order to fulfil the goals for collaboration and the controls the payment-issuing authorities are to carry out.

The common forum can be developed into the fourth corner stone of the Västmanland model.

More actors to collaborate with

As a result of the Benefit Crime Act, more actors will need to collaborate. In an extended collaboration model, with other payment-issuing authorities and with unemployment benefit societies and municipalities, benefits should be gained from the three corner stones of the Västmanland model, and a fourth be added. Due to various geographic divisions – some actors are locally based, county-wide or centrally located – the corner stones should be introduced based on the need to collaborate. However, the emphasis should be on the appointed persons at each authority, to make it clear who should be contacted.

References

- Brottsförebyggande rådet (2000). *Utvärdering & Dokumentation*. Författare: Erik Grevholm. Lokalt brottsförebyggande arbete. Idéskrift 4. Rapport 2000:5. Stockholm: Brottsförebyggande rådet.
- Brottsförebyggande rådet, Brå (2004). *Bedrägeri*. Författare: Lars Dolmén. I *Brottsutvecklingen i Sverige 2001–2003*. Lars Dolmén (red.). Rapport 2004:3. Stockholm: Brottsförebyggande rådet.
- Brottsförebyggande rådet, Brå (2006). *Konsten att läsa statistik om brottslighet*. Tove Sporre och Robert Standar (red.). Rapport 2006:1. Stockholm: Brottsförebyggande rådet.
- Brottsförebyggande rådet, Brå (2007). *Vart tog alla pengarna vägen? En studie av narkotikabrottslighetens ekonomihantering*. Författare: Johanna Skinnari, Daniel Vesterhav och Lars Korsell. Rapport 2007:4. Stockholm: Brottsförebyggande rådet.
- Brottsförebyggande rådet, Brå (2008). *Remissyttrande över rapporten Vad kostar felen? Omfattningen av felaktiga utbetalningar från trygghetssystemen*. Rapport 7. Datum: 2008-02-18. Diarienummer: D1.10590/2007.
- Ekonomistyrningsverket, ESV (2007). *Kloka avvägningar – hur kontroll av utbetalningar från trygghetssystemen styrs*. Rapport 2007:19. Stockholm: Ekonomistyrningsverket.
- FUT (2007). *Vad kostar felen? Omfattning av felaktiga utbetalningar från trygghetssystemen*. Delegationen mot felaktiga utbetalningar. Rapport 7. Stockholm: Fritzes.
- Försäkringskassan (2005). *Regleringsbrev 2005-12-20*.
- Gemensam strategi mot bidragsbedrägerier (2006). I *Redovisning av uppdrag avseende gemensam strategi för att bekämpa bidragsbedrägerier*. Försäkringskassan: 43030-2007; Rikspolisstyrelsen: POA-423-343/07; Åklagarmyndigheten: A 2007/1582. Bilaga 1.
- IFAU (2006). *Överutnyttjande i tillfällig föräldrapenning för vård av sjukt barn*. Institutet för arbetsmarknadspolitisk utvärdering. Rapport 2006:9.
- IFAU (2007). *Remissvar: Vad kostar felen? Omfattning av felaktiga utbetalningar från trygghetssystemen*. Institutet för arbetsmarknadspolitisk utvärdering, Remissyttrande 2008-02-22, Dnr 164/2007.
- Johansson, Sten (kommande). *Hur mycket fuskar småbarnsföräldrarna? En granskning av undersökningarna om föräldraförsäkringen för vård av barn*. Stockholms Universitet, Institutet för Social Forskning.
- Korsell Emanuelsson, Lars (2003). *Bokföringsbrott – en studie i selektion*. Kriminologiska institutionens avhandlingsserie nr. 13. Stockholms universitet. Edsbruk: Akademitryck.
- Korsell, Lars, Hagstedt, Johanna och Skinnari, Johanna (2008). *Från kelgrisar till styvbarn – Fusket med välfärdssystemet*. I *Nordisk tidskrift för kriminalvetenskap*, Nr. 1, s. 21–38.

- Korsell Lars och Nilsson Mikael (2003). *Att förebygga fel och fusk – Metoder för reglering och kontroll*. Stockholm: Norstedt juridik.
- Lagrådsremiss (2007). *Underrättelseskyldighet vid felaktiga utbetalningar från välfärdssystemet*. Regeringen: Stockholm 2007-12-18.
- von Lampe, Klaus (2003). Organising the nicotine racket. Patterns of criminal cooperation in the cigarette black-market in Germany. I van Duyn, P.C; von Lampe, K. och Newell, J.L. (red) *Criminal finances and organising crime in Europe*. Nijmegen: Wolf Legal Publishers. s. 41–66.
- Proposition 2005/06:1. *Förslag till statsbudget för 2006, finansplan, skattefrågor och tilläggsbudget m.m.*
- Proposition 2006/07:1. *Förslag till statsbudget för 2007, finansplan, skattefrågor och tilläggsbudget m.m.*
- SFS 1997:899 *Förordning om myndighetssamverkan mot ekonomisk brottslighet*. Senast ändrad 2007:28. Regeringens rättsdatabaser.
- SFS 2007:612 *Bidragsbrottslagen*.
- SOU 2006:48, *Bidragsbrott*. Stockholm: Fritzes
- Statskontoret (2001). *Utvärdera för bättre beslut! – Att beställa utvärderingar som är till nytta i beslutsfattandet*. Stockholm: 2001:22.
- SVT (2005). *Uppdrag Granskning*. Sändningsdatum: 2005-01-25.
www.svt.se/svt/jsp/Crosslink.jsp?d=58360&a=321542&printerfriendly=tru.
- Vedung, Evert (1998). *Utvärdering i politik och förvaltning*. Lund: Studentlitteratur.
- Åklagarmyndigheten (2005). *Bedrägerier – en samverkansmodell ”Västeråsmodellen”*. RättsPM 2005:21 Stockholm: Utvecklingscentrum.
- Åklagarmyndigheten (2007). *Bidragsbrottslagen – lagtext och utdrag ur förarbetena – rekommendationer*. RättsPM 2007:21 Stockholm: Utvecklingscentrum.
- Örnemark Hansen, Helén (1995). *Bidragsbedrägeri*. Stockholm: Juristförlaget.