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# Fraud and Fair Process in Benefits Administration: An Empirical Study of Targeted Case Reviews in Universal Credit

MARK BENNETT,\* JED MEERS<sup>†</sup> AND JOE TOMLINSON<sup>‡</sup>

*This article provides the first empirical study of the UK's Department for Work and Pensions' Targeted Case Review (TCR) scheme—a fraud and error reduction programme to which millions of Universal Credit claimants will be subjected in the coming years. It traces the rapid expansion of the scheme since 2022 and maps out the law and administrative procedures of TCRs. Drawing on 22 original qualitative interviews with Universal Credit claimants who have undergone a TCR, the article further identifies emerging themes from claimant experiences of these new procedures. The account developed raises significant questions about how fair process can be maintained in the TCR scheme, particularly in a global context where similar programmes have led to systemic failures of administrative justice.*

In May 2022, the UK's Department for Work and Pensions (DWP) published its plan for tackling fraud and error in the welfare system.<sup>1</sup> A key element of this plan, it was announced, would be the creation of a 'new, dedicated 2,000 strong team' tasked with delivering 'Targeted Case Reviews' (TCRs). This would involve 'review[ing] the entitlements and circumstances of Universal Credit (UC) cases that are at risk of being incorrect'<sup>2</sup>—namely, cases involving payment of the benefit either over or under the amount to which the claimant is entitled due to 'Fraud', 'Claimant Error', or 'Official Error'.<sup>3</sup> The DWP indicated that within the next 5 years it expected 'over 2 million cases' to be reviewed under the scheme, preventing 'around £2 billion of losses due to fraud and error' and helping gather intelligence on 'new and emerging ways fraud is entering the welfare system'.<sup>4</sup>

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<sup>†</sup> Senior Lecturer in Law, University of York.

<sup>‡</sup> Professor of Administrative Law, King's College London.

<sup>1</sup> DWP, *Fighting Fraud in the Welfare System* (CP 679, 2022).

<sup>2</sup> DWP, *Fighting Fraud in the Welfare System*, para.33.

<sup>3</sup> For definitions of these terms, see DWP, 'Fraud and Error in the Benefit System, Financial Year Ending (FYE) 2025' (12 June 2025), <https://www.gov.uk/government/statistics/fraud-and-error-in-the-benefit-system-financial-year-2024-to-2025-estimates/fraud-and-error-in-the-benefit-system-financial-year-ending-fye-2025> [Accessed 17 June 2025].

<sup>4</sup> DWP, *Fighting Fraud in the Welfare System*, para.33.

The DWP has since invested heavily to operationalise TCRs and ‘scale at pace’.<sup>5</sup> This has seen marked annual increases in staffing, productivity, and therefore the volume of UC cases reviewed in recent years. By the end of the 2024-25 financial year, over one million UC cases had already been reviewed, delivering expected savings of more than £1 billion.<sup>6</sup> Many more millions of TCRs are due to be completed, ostensibly generating many more billions of pounds in savings, in the next few years. Indeed, these numbers far exceed initial estimates given in the DWP’s ‘Fraud Plan’. With further investment pledged in the Autumn Budget 2024 to increase funding for the DWP’s counter fraud and error activities by £110 million in 2025-26,<sup>7</sup> and with the government having committed to extending the TCR scheme by two years,<sup>8</sup> the DWP recently confirmed that ‘[t]he number of claim reviews will continue to ramp up now the department has reached its staff target, with nearly 6,000 staff to review claims with forecasted savings of £13.6 billion by 2030’.<sup>9</sup>

Despite the apparent scale and impact of the TCR scheme, relatively little is currently understood or publicly known about its design and operation. Against this backdrop, this article provides the first empirical study of TCRs. Our aim is not to provide a full critical evaluation of the scheme, but rather to provide an account of how it is operating and initial evidence on how it is experienced by claimants. To this end, the article traces the rapid expansion of TCRs since 2022 and maps out the law and administrative procedures within the TCR process. Drawing on 22 semi-structured qualitative interviews, conducted between March and May 2025, with UC claimants who have undergone a review, the article further identifies emerging themes from claimants’ experiences of these new procedures. The account we provide raises significant questions about how fair process can be maintained in the TCR scheme, particularly in a global context where similar public programmes have led to systemic failures of administrative justice.<sup>10</sup>

## I. The Growth of Targeted Case Reviews

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<sup>5</sup> DWP, ‘Targeted Case Review Management Information’ (22 May 2025), <https://www.gov.uk/government/publications/targeted-case-review-management-information/targeted-case-review-management-information> [Accessed 3 June 2025].

<sup>6</sup> DWP, ‘Targeted Case Review Management Information’. When we refer to savings in this article, we refer to Annually Managed Expenditure savings. The DWP’s methodology for calculating AME savings is explained in: DWP, *Fighting Fraud in the Welfare System: Going Further* (CP 1072, 2024), pp.25–26.

<sup>7</sup> HM Treasury, *Autumn Budget 2024: Fixing the Foundations to Deliver Change* (2024-26, HC 295), para.4.109.

<sup>8</sup> HM Treasury, *Autumn Budget 2024*, para.2.14.

<sup>9</sup> DWP, ‘DWP Blocks £1 Billion in Incorrect Payments in Drive to Protect People from Falling into Debt’ (22 May 2025), <https://www.gov.uk/government/news/dwp-blocks-1-billion-in-incorrect-payments-in-drive-to-protect-people-from-falling-into-debt> [Accessed 3 June 2025].

<sup>10</sup> On “Robodebt” in Australia, see J. Priergaard, ‘Not My Debt: The Institutional Origins of Robodebt’ (2025) 84(1) *Australian Journal of Public Administration* 142. On SyRI in the Netherlands, see: S. Bekker, ‘Fundamental Rights in Digital Welfare States: The Case of SyRI in the Netherlands’ (2019) 50 *Netherlands Yearbook of International Law* 289; M. Bouwmeester, ‘Checks and Balances Under Pressure in the Welfare State: Disentangling the Rule of Law Risks of Automation and Welfare Conditionality’ (2025) 27(2) *European Journal of Social Security* 98.

While fraud and error reduction programmes are far from new,<sup>11</sup> the introduction of the TCR scheme reflects a renewed emphasis from the DWP on tackling fraud and error in the welfare system, especially in the wake of the COVID-19 pandemic. Conflation of ‘fraud’ and ‘error’—and the dividing line of when one becomes another—is a longstanding issue both in the design and delivery of these schemes and in the media coverage that so often surrounds welfare fraud more generally.<sup>12</sup> In its Fraud Plan, the DWP has claimed that fraud and error had hit ‘record levels’ in the financial year ending 2021, with ‘an estimated £6.3 billion of welfare fraud, up from £2.8 billion from the year before’, and thus ‘[t]ogether with £2.1 billion of error, the combined loss as a result of fraud and error was £8.4 billion or 3.9% of benefit expenditure’.<sup>13</sup> The Comptroller and Auditor General reported that ‘[n]early all the increase in fraud and error was on [UC]’, which by then had ‘an estimated gross level of fraud and error of 15.9%’.<sup>14</sup> Much of this owed to the impacts of a rapidly growing UC caseload in 2020-21,<sup>15</sup> an increase in claims involving elements which are more vulnerable to fraud (such as self-employed income),<sup>16</sup> and the DWP’s decision to relax identity and verification checks on new claims during periods of national lockdown and social distancing controls imposed by the UK government to reduce the spread of coronavirus—an approach the DWP called ‘Trust and Protect’.<sup>17</sup> With around £5.5 billion overpaid in 2020-21, UC now accounted for ‘an estimated two-thirds of all overpayments by the Department compared with 1% in 2015-16’.<sup>18</sup> Underpayment of the benefit, meanwhile, was estimated at £540 million.<sup>19</sup>

Following its launch in 2022, the TCR scheme was described by the DWP as forming ‘a key pillar in [its] bid to fight fraud and error within [UC] going forward’.<sup>20</sup> It is, as the National Audit Office has noted, ‘[t]he most significant component of DWP’s counter-fraud plan by value’.<sup>21</sup> Having secured additional funding of £895 million since 2021 to invest in enhancing its counter fraud and error capabilities, the DWP allocated almost half of this (£443 million) to TCRs across three years—£28 million in 2022-23, rising to £129 million in 2023-24 and £286 million in 2024-25.<sup>22</sup> In its first budget since taking office in July 2024, the Labour government pledged to increase the DWP’s counter fraud and error funding by £110 million in

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<sup>11</sup> For instance, see S. Connor, ‘We’re Onto You: A Critical Examination of the Department for Work and Pensions’ ‘Targeting Benefit Fraud’ Campaign’ (2007) 27(2) *Critical Social Policy* 231; G. McKeever, ‘Fighting Fraud: An Evaluation of the Government’s Social Security Fraud Strategy’ (1999) 21(4) *Journal of Social Welfare and Family Law* 357.

<sup>12</sup> For a detailed analysis of this problem elsewhere in this journal, see T. Walsh and G. Marston, ‘Benefit Overpayment, Welfare Fraud and Financial Hardship in Australia’ (2010) 17(2) *J.S.S.L.* 100.

<sup>13</sup> DWP, *Fighting Fraud in the Welfare System*, para.22.

<sup>14</sup> National Audit Office, *Report on Accounts: Department for Work & Pensions* (July 2021), para.7.

<sup>15</sup> Within 12 months, the number of people claiming Universal Credit doubled—from 3 million in March 2020 to 6 million in March 2021—which the DWP estimates led to an increase in the amount it overpaid in 2020/21 by £1.9 billion: NAO, *Report on Accounts: DWP* (2021), para.7.

<sup>16</sup> NAO, *Report on Accounts: DWP* (2021), para.7.

<sup>17</sup> NAO, *Report on Accounts: DWP* (2021), para.37.

<sup>18</sup> NAO, *Report on Accounts: DWP* (2021), para.29.

<sup>19</sup> NAO, *Report on Accounts: DWP* (2021), para.7.

<sup>20</sup> DWP, *Annual Report & Accounts 2022-23* (2023-24, HC 1455), p.107.

<sup>21</sup> NAO, *Report on Accounts: DWP* (2023), para.22.

<sup>22</sup> NAO, *Report on Accounts: DWP* (2023), fig.7. See, also, NAO, *Tackling Benefit Overpayments Due to Fraud and Error* (2024-26, HC 1336), para.3.24: ‘In total, from 2022-23 to 2024-25, DWP spent around £358 million on TCR, which included its in-house operational costs and overheads as well as the cost of outsourcing.’

2025-26.<sup>23</sup> The government also committed to extending the TCR scheme by two years, which it expects to contribute an additional £3.8 billion towards AME savings totalling £13.6 billion by 2030.<sup>24</sup>

Delivering substantial savings in public expenditure on benefits is at the heart of the scheme. The DWP expects TCRs to ‘help reduce the level of overpaid claims that were made at the height of the COVID-19 pandemic and which are still in payment’, to ‘help manage the level of changes of claimant circumstances that its routine controls are not detecting and responding to’, and to ‘provide additional intelligence on where to improve its preventative controls through root cause analysis of the fraud and error detected’.<sup>25</sup> But it is the level of savings achieved which the DWP has set as ‘the *main* success metric’, with ‘[m]ost of the expected savings ... expected to occur in the final years of the project’.<sup>26</sup> The DWP’s key priorities in recent years have therefore been focused on building staffing capacity to carry out increasingly high numbers of UC case reviews which, in turn, will deliver on ambitious savings targets.

The DWP’s early estimates considered TCRs capable of delivering total savings of £6.4 billion by 2027-28.<sup>27</sup> To achieve this, it said that a total of 8 million UC cases—four times as many as originally stated—would need to be reviewed, including some 2.5 million cases in 2027-28 alone, by a team of around 6,000 staff.<sup>28</sup> At the outset of the scheme, the DWP estimated that, with continued funding, savings generated by TCRs would begin overtaking those obtained through other dedicated counter-fraud activities—including the Counter-Fraud, Compliance and Debt function as well as the Verify Earnings and Pensions Service—from 2024-25, thus becoming the main source of such savings in the coming years.<sup>29</sup> However, the DWP also acknowledged at this stage that it faced ‘some pressure to speed up the pace of reviews’ if it were to meet these targets as expected,<sup>30</sup> while the total level of savings delivered would ultimately depend on a number of factors. This includes the volume of completed reviews, the so-called ‘hit rate’ of reviewed cases found to be incorrect (which includes underpayment as well as overpayment), and average savings made per incorrect case.<sup>31</sup>

TCRs commenced on a relatively small scale in 2022-23, during which the DWP completed reviews of UC payments in 24,180 cases (see Figure 1 below).<sup>32</sup> Payments in 7,630 (32%) of these cases were found to be incorrect,<sup>33</sup> which, having been identified and corrected,

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<sup>23</sup> HM Treasury, *Autumn Budget 2024*, para.4.109.

<sup>24</sup> The DWP estimates that TCRs will generate savings of £1.3 billion in 2028-29 and £2.5 billion in 2029-30: HM Treasury, *Autumn Budget 2024*, Table 2.1.

<sup>25</sup> NAO, *Report on Accounts: DWP* (2023), para.5.2.

<sup>26</sup> NAO, *Report on Accounts: DWP* (2023), para.5.7 (emphasis added). See, also, NAO, *Tackling Benefit Overpayments Due to Fraud and Error* (2024-26, HC 1336), para.3.26.

<sup>27</sup> NAO, *Report on Accounts: DWP* (2023), para.5.7.

<sup>28</sup> House of Commons Committee of Public Accounts, *The Department for Work & Pensions Annual Report & Accounts 2022-23* (2023-24, HC 290), paras.26–27.

<sup>29</sup> NAO, *Report on Accounts: DWP* (2023), fig.10.

<sup>30</sup> PAC, *DWP Annual Report & Accounts 2022-23*, para.28.

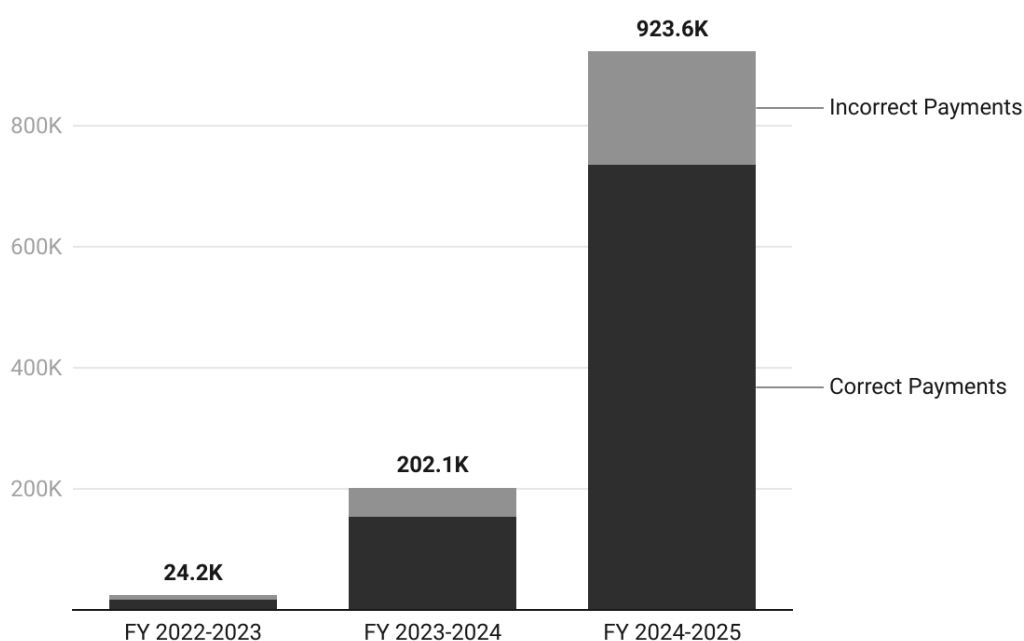
<sup>31</sup> NAO, *Report on Accounts: DWP* (2023), para.5.7.

<sup>32</sup> DWP, ‘Targeted Case Review Management Information’.

<sup>33</sup> DWP, ‘Targeted Case Review Management Information’.

reportedly delivered savings of £14 million.<sup>34</sup> By the end of March 2023, the DWP had recruited ‘around 840 agents, led by some 117 higher and senior executive officers’, and said that it planned ‘to have around 2,830 agents in place across 17 or more sites in Great Britain by the end of 2023’.<sup>35</sup> Yet, in December 2023, the House of Commons Public Accounts Committee reported that the DWP had recruited ‘around 1,700 people since launching TCR in January 2022’.<sup>36</sup> The Committee also noted that ‘instead of delivering TCR entirely through civil servants as initially planned, [the DWP] aims to recruit around 3,600 people from the public sector and to outsource the remainder, some 40% of the 5,900 workforce it needs, to private sector contractors’.<sup>37</sup>

FIGURE 1: VOLUME OF TCRs COMPLETED BY FINANCIAL YEAR, INCLUDING PROPORTION OF ‘INCORRECTNESS’ FOUND



When the DWP provided an update on its Fraud Plan in May 2024, the TCR team was said to have grown to ‘more than 3,000 staff’.<sup>38</sup> The number of UC cases reviewed had also greatly increased in 2023-24, reaching a total of 202,130, with incorrect declarations found and rectified on 48,180 (24%) of those.<sup>39</sup> The DWP noted that this ‘included finding unreported capital of over £16,000, wrongly declared self-employment expenses, and undisclosed second homes’, which demonstrated ‘the vital role [TCRs] are playing in addressing unreported

<sup>34</sup> This figure represents total AME savings achieved in the financial year 2022 to 2023 attributed to the month the prevented payment would have occurred (that is, to the year in which their impact on the government’s finances is felt, which aligns with the way the Office for Budget Responsibility tracks spending and savings). Total AME savings for the same period but attributed to the month the error was found puts this figure at £37 million: DWP, ‘Targeted Case Review Management Information’.

<sup>35</sup> NAO, *Report on Accounts: DWP (2023)*, para.5.6.

<sup>36</sup> PAC, *DWP Annual Report & Accounts 2022-23*, para.27.

<sup>37</sup> PAC, *DWP Annual Report & Accounts 2022-23*, para.27.

<sup>38</sup> DWP, *Fighting Fraud in the Welfare System: Going Further*, para.28.

<sup>39</sup> DWP, ‘Targeted Case Review Management Information’.

changes in circumstances, reminding customers of their commitment to keep us updated on changes to their circumstances to help them avoid unnecessary debt, and catching those trying to take advantage of the welfare system'.<sup>40</sup> The scheme delivered savings of £89 million in 2023-24.<sup>41</sup> However, this fell short of the DWP's expected savings of £115 million for the same period.<sup>42</sup> The DWP attributed this to the decision it made in 2023 to partially outsource TCRs, which led to some delays in scaling up the scheme.<sup>43</sup>

Despite this, the DWP made significant progress towards achieving its staffing and savings targets in 2024-25, during which the focus 'remained on continuing to scale and stabilise the operation'.<sup>44</sup> In its Annual Report and Accounts published in July 2025, the DWP noted that it had completed the recruitment of 'circa 3,500 internal agents' by September 2024.<sup>45</sup> Having previously awarded TP (formerly Teleperformance) a contract in June 2024 'to assist in scaling up to 5,930 full time equivalent reviewing agents by the end of March 2025', the DWP confirmed that it had in fact 'achieved this milestone one month ahead of schedule in February 2025, following the successful onboarding of external provider agents'.<sup>46</sup>

This hybrid delivery model no doubt carries risks in terms of maintaining effectiveness, quality and customer service across different sites and agents—a point raised in the Public Accounts Committee's scrutiny proceedings.<sup>47</sup> This led the Comptroller and Auditor General to recommend that the 'DWP collect information on the quality of customer service in [TCRs]', including 'consider[ing] any differences in customer experience where reviews are outsourced'.<sup>48</sup> At the time of writing, the DWP has yet to publish information on this. But with its focus on scaling up delivery of TCRs, and with staffing numbers having continued to increase, so too—as expected—have the numbers relating to other key performance indicators. 923,630 case reviews were completed in 2024-25, of which 187,800 were found to include incorrect payments.<sup>49</sup> This equates to a 'hit rate' of 20%—less than the DWP's expectation of 24%<sup>50</sup>—which the DWP suggests has been impacted by 'the rapid recruitment of agents from September onwards ... because cases without error take on average less time to complete and we expect the hit rate to be lower whilst new agents accumulate a caseload of cases to review'.<sup>51</sup> Still, with annual average savings per incorrect case at £4,788, the scheme delivered savings of £478.4 million in this latest reporting period,<sup>52</sup> bringing 'total TCR savings since its inception up to March 2025 to £581 million'.<sup>53</sup> The DWP has clarified that '[t]his figure attributes the savings to the year in which their impact on the government's finances is felt',

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<sup>40</sup> DWP, *Fighting Fraud in the Welfare System: Going Further*, para.29.

<sup>41</sup> DWP, 'Targeted Case Review Management Information'.

<sup>42</sup> NAO, *Report on Accounts: DWP (2024-26, HC 129)*, para.33.

<sup>43</sup> NAO, *Report on Accounts: DWP (2024-26, HC 129)*, para.33.

<sup>44</sup> DWP, *Annual Report & Accounts 2024-25 (2024-26, HC 995)*, p.112.

<sup>45</sup> DWP, *Annual Report & Accounts 2024-25 (2024-26, HC 995)*, p.112.

<sup>46</sup> DWP, *Annual Report & Accounts 2024-25 (2024-26, HC 995)*, p.112.

<sup>47</sup> PAC, *DWP Annual Report & Accounts 2022-23*, para.3.

<sup>48</sup> NAO, *Report on Accounts: DWP (2024-25, HC 129)*, para.33.

<sup>49</sup> DWP, 'Targeted Case Review Management Information'.

<sup>50</sup> NAO, *Tackling Benefit Overpayments Due to Fraud and Error (2024-26, HC 1336)*, paras.3.28–3.29.

<sup>51</sup> DWP, *Annual Report & Accounts 2024-25 (2024-26, HC 995)*, p.113.

<sup>52</sup> DWP, *Annual Report & Accounts 2024-25 (2024-26, HC 995)*, p.112.

<sup>53</sup> DWP, *Annual Report & Accounts 2024-25 (2024-26, HC 995)*, p.112.

which is ‘necessary to align with the way that Office for Budget Responsibility (OBR) tracks spending and savings’; but ‘[w]hen including savings that will be realised in future years, TCR has achieved total savings of £1 billion’.<sup>54</sup>

With the headline figures of cases reviewed, agents recruited, and savings delivered all showing a considerable upward trajectory to date, the roll-out of the TCR scheme can thus be seen to have progressed largely as planned. Now well underway, its impact, in addition to that of other such counter fraud and error activities, might well be inferred from the falling rates of benefit expenditure overpaid due to fraud and error in UC in recent years—albeit not yet to the levels seen before the outbreak of the COVID-19 pandemic.<sup>55</sup> But questions surround the wider impacts of the scheme, not least those borne by the many hundreds of thousands of UC claimants, year on year, whose circumstances and entitlement to the benefit are subject to scrutiny. To begin to construct a clearer picture of this claimant-side of TCRs, we turn next to map out the law and administrative procedures within the TCR process.

## II. The Law and Procedures of Targeted Case Reviews

Notwithstanding that huge numbers of UC claimants navigate this process each year, there is little public-facing information about TCRs. Key details have emerged primarily in the DWP’s recent Annual Reports and Accounts, which are scrutinised by the National Audit Office and the Public Accounts Committee, as well as in the Department’s responses to requests submitted by members of the public for information to be disclosed under the Freedom of Information Act 2000.<sup>56</sup> Arguably the clearest outline of TCR procedures currently in the public domain is that produced on observations from the National Audit Office.<sup>57</sup> This describes the relevant procedures in three discrete stages: ‘preview’, ‘review’, and ‘outcome’. Below we provide an account of each of these stages; our aim is not to provide an evaluation but, more simply, to explain how we understand them to be operating.

The first stage of the TCR process, ‘preview’, involves both the selection of UC cases for review—indeed, the scheme’s title implies that cases subject to review have been ‘targeted’ in some way—as well as the carrying out of preliminary checks by agents to whom those cases are allocated. Although having based the design of the scheme on its annual randomised sampling exercise to measure fraud and error in the welfare system, the DWP intends that ‘[TCRs] will be a much larger exercise and most cases will be targeted for review based on the risk of being incorrect instead of at random to provide a statistical estimate’.<sup>58</sup> However, the National Audit Office has reported that the DWP does select some cases for review at random

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<sup>54</sup> DWP, *Annual Report & Accounts 2024-25* (2024-26, HC 995), p.112.

<sup>55</sup> NAO, *Report on Accounts: DWP* (2025), para.23.

<sup>56</sup> These requests, and responses obtained from the DWP, are publicly available via [www.whatdotheyknow.com](http://www.whatdotheyknow.com).

<sup>57</sup> NAO, *Report on Accounts: DWP* (2023), fig.11 An updated (although substantially similar) outline of the TCR process was published by the National Audit Office in October 2025: NAO, *Tackling Benefit Overpayments Due to Fraud and Error* (2024-26, HC 1336), fig.8.

<sup>58</sup> NAO, *Report on Accounts: DWP* (2023), para.5.3.

‘to provide assurance that no new types of error are arising in the UC caseload’.<sup>59</sup> Cases identified as involving potentially incorrect payments are referred to TCR agents by the DWP’s Integrated Risk and Intelligence Service.<sup>60</sup> This is described in the DWP’s Fraud Plan as a team of ‘experts in monitoring risks and using data matching and analytical expertise to help identify fraudulent activity’ who provide assistance to ‘help our trained professionals make the right decisions on a case-by-case basis’.<sup>61</sup> Claimants in receipt of UC for more than six months are eligible to be selected for review,<sup>62</sup> while TCRs will also be used, it seems, to support the DWP’s sanctions and conditionality processes. The DWP has indicated that in cases involving the imposition of sanctions it will ‘ensure claimants re-engage and re-comply by applying claim examinations through Targeted Case Reviews’.<sup>63</sup>

As part of the ‘preview’ stage, the DWP has confirmed that the selection of cases for review involves automation. This came in a disclosure under the Freedom of Information Act 2000, in which the DWP added that ‘[a]lthough the selection of TCR cases involves automation we do not use a model for this process’; rather, ‘[d]ata matching techniques are used to examine claims and to identify fraud and error risks’, and ‘[c]ases identified through this process are referred to TCR to take action as appropriate’.<sup>64</sup> It was also disclosed that ‘the relevant rules and data analytics involved in the TCR selection process are developed by DWP’ and—categorically—that the DWP ‘[does] not use machine learning to identify claims for review’.<sup>65</sup> But whether or not machine learning is currently in operation in TCRs, the DWP has previously signalled its willingness to use this technology specifically for these purposes. In 2023, the DWP reported that it would be ‘investing some £70 million between 2022-23 and 2024-25 in advanced analytics to tackle fraud and error’, and that this included ‘the use of machine learning to identify patterns in claims that could suggest fraud and error, so that these claims

<sup>59</sup> NAO, *Tackling Benefit Overpayments Due to Fraud and Error* (2024-26, HC 1336), para.3.18.

<sup>60</sup> DWP, *Annual Report & Accounts 2022-23*, p.107. The DWP has confirmed, in response to a request under the Freedom of Information Act 2000 for information regarding ‘[t]raining documents provided to TCR agents on the issue of case selection, or similar material provided to external companies for this purpose’, that ‘no such training documents exist ... because TCR agents are not involved in the selection process ... [and] no material relating to the selection process is provided to external companies’: [https://www.whatdotheyknow.com/request/case\\_selection\\_for\\_targeted\\_case/response/2460935/attach/3/Response%20FOI2023%2079657.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/case_selection_for_targeted_case/response/2460935/attach/3/Response%20FOI2023%2079657.pdf?cookie_passthrough=1) [Accessed 7 August 2025].

<sup>61</sup> DWP, *Fighting Fraud in the Welfare System*, para.34.

<sup>62</sup> The reason for this was disclosed by the DWP in response to an FOI request (available at [https://www.whatdotheyknow.com/request/targeted\\_case\\_reviews\\_process/response/2405406/attach/3/Response%20FOI2023%2059392.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/targeted_case_reviews_process/response/2405406/attach/3/Response%20FOI2023%2059392.pdf?cookie_passthrough=1)): ‘Claimant must have been in receipt of Universal Credit for six months to be eligible to be selected for review. This allows claimants sufficient time between providing evidence at the start of their claim, and any further evidence required as part of their review.’

<sup>63</sup> DWP, *Annual Report & Accounts 2023-24* (2024-26, HC 62), p.30. See, also, HM Treasury, *Autumn Statement 2023* (CP 977, 2023), para.5.21: ‘The government will use its Targeted Case Review process to investigate sanctioned Universal Credit claimants in Great Britain who have not engaged with Jobcentre support for over eight weeks who are still receiving some Universal Credit payments, ensuring they receive the right entitlement.’

<sup>64</sup> Available at [https://www.whatdotheyknow.com/request/targeted\\_case\\_reviews\\_process/response/2405406/attach/3/Response%20FOI2023%2059392.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/targeted_case_reviews_process/response/2405406/attach/3/Response%20FOI2023%2059392.pdf?cookie_passthrough=1).

<sup>65</sup> Available at [https://www.whatdotheyknow.com/request/targeted\\_case\\_reviews\\_process/response/2405406/attach/3/Response%20FOI2023%2059392.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/targeted_case_reviews_process/response/2405406/attach/3/Response%20FOI2023%2059392.pdf?cookie_passthrough=1).

can be reviewed ... by relevant DWP teams, such as ... the Targeted Case Reviews agents if [the claim] is already in payment'.<sup>66</sup>

That machine learning may well be adopted in TCRs is particularly notable given the recent controversy surrounding its use as a fraud prevention tool in UC Advances payments—currently the only machine learning model deployed at scale into live service in social security.<sup>67</sup> A fairness analysis carried out by the DWP in February 2024—subsequently disclosed, with redactions, under the Freedom of Information Act 2000—found that the Advances model incorrectly selected people on the basis of age, disability, marital status, and nationality when identifying claims to investigate for possible fraud.<sup>68</sup> Still, the DWP maintains that 'there are minimal concerns of discrimination, unfair treatment or detrimental impact on legitimate claimants arising from the Advances model', and as such 'it remains reasonable and proportionate to continue operating the Advances model as a fraud prevention control'.<sup>69</sup> As with other aspects of the DWP's counter fraud and error activities in which automation appears to play an important role,<sup>70</sup> therefore, much remains unclear about the nature and extent of its (current or planned) use in TCRs. The DWP insists that 'all cases have a human interaction if they go forward for a review of entitlement and all ultimate entitlement decisions will be made by humans'.<sup>71</sup> Yet questions still surround, for instance, the extent to which human decision-makers rely upon the relevant automated system which underpins decisions thus made and the reliability of data upon which those processes are based.

The second stage of the TCR process, labelled 'review' by the National Audit Office, commences with the DWP's informing the claimant that their case has been selected 'via a message in the claimant's online [UC] journal'.<sup>72</sup> Next, the agent to whom the case is allocated will request that the claimant submit evidence within a '14-day deadline, or 30 days for post', confirming the claimant's circumstances and entitlement to UC.<sup>73</sup> Once provided, the agent will review the evidence to 'build up a picture of the claimant's circumstances and help inform

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<sup>66</sup> NAO, *Report on Accounts: DWP* (2023), para.5.8.

<sup>67</sup> DWP, 'Fairness Assessment Including Statistical Analysis of the Universal Credit Advances Machine Learning Model: 1 April 2024 to 31 March 2025' (17 July 2025), <https://www.gov.uk/government/publications/fairness-assessment-including-statistical-analysis-of-the-universal-credit-advances-machine-learning-model-1-april-2024-to-31-march-2025> [Accessed 1 September 2025].

<sup>68</sup> R. Booth, 'Revealed: Bias Found in AI System Used to Detect UK Benefits Fraud' *The Guardian* (6 December 2024), <https://www.theguardian.com/society/2024/dec/06/revealed-bias-found-in-ai-system-used-to-detect-uk-benefits> [Accessed 1 September 2025].

<sup>69</sup> DWP, 'Fairness Assessment Including Statistical Analysis of the Universal Credit Advances Machine Learning Model: 1 April 2024 to 31 March 2025'.

<sup>70</sup> See, e.g., Public Law Project, 'DWP's Annual Report Leaves Many Questions About AI and Automation Unanswered' (19 August 2024), <https://publiclawproject.org.uk/latest/dwps-annual-report-leaves-many-questions-about-ai-and-automation-unanswered/> [Accessed 24 June 2025].

<sup>71</sup> DWP, 'DWP Data Protection Impact Assessment Part 2 – Detailed Assessment' available at [https://www.whatdotheyknow.com/request/targeted\\_case\\_reviews\\_process/response/2452498/attach/3/DPIA%202097%20Targeted%20Case%20Review%20redacted.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/targeted_case_reviews_process/response/2452498/attach/3/DPIA%202097%20Targeted%20Case%20Review%20redacted.pdf?cookie_passthrough=1).

<sup>72</sup> NAO, *Report on Accounts: DWP* (2023), fig.11. However, with no indication in any of the relevant publicly available information on TCRs that the scheme excludes claimants whose Universal Credit cases are managed offline, presumably initial contact will also be made via telephone or post as required.

<sup>73</sup> NAO, *Report on Accounts: DWP* (2023), fig.11.

possible interview questions’, and then arrange a telephone interview with the claimant ‘to establish the facts and ensure benefit payment is correct’.<sup>74</sup>

These review procedures are underpinned by The Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013.<sup>75</sup> Under regulation 38, the Secretary of State for Work and Pensions may require a UC recipient to supply information or evidence for the purposes of ‘determining whether a decision on the award of benefit should be revised under section 9 of the Social Security Act 1998 or superseded under section 10 of that Act’.<sup>76</sup> The regulation does not specify the type of information or evidence that the Secretary of State may require for these purposes. Equally, in response to a Freedom of Information request on this issue, the DWP confirmed that ‘[d]ue to the nature of TCR, and that each review is individual based on the customer’s circumstances, we do not hold a complete list of the documents customers may be required to provide’.<sup>77</sup> The DWP did indicate, however, that ‘a list of possible types of documents that Universal Credit Claim Review agents may ask is already available in the public domain’, and cited the GOV.UK webpage headed ‘If your Universal Credit is reviewed’.<sup>78</sup> Examples given here include ID and bank statements as well as documents about housing costs, earnings or other income, self-employment, savings, childcare costs, children, student finance, and caring responsibilities. In practice, it appears common for, at least, one form of ID plus four months’ worth of bank statements to be requested.

A claimant is under a legal obligation to provide information or evidence within 14 days of being notified of the requirement to do so, or such longer period as the Secretary of State, exercising discretion, allows.<sup>79</sup> Alternatively, the claimant must satisfy the Secretary of State that either the relevant information or evidence does not exist or it is not possible for the claimant to obtain it—again, the same statutory time limits apply.<sup>80</sup> Failure to do either of these things may result in the Secretary of State’s suspending the claimant’s benefit payments, in whole or part, with no right of appeal.<sup>81</sup> If the claimant fails to provide evidence of entitlement to UC within one month from the date on which payment is suspended in full, the award will

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<sup>74</sup> NAO, *Report on Accounts: DWP* (2023), fig.11.

<sup>75</sup> The DWP confirmed this in a disclosure under the Freedom of Information Act 2000, available at [https://www.whatdotheyknow.com/request/targeted\\_case\\_review/response/2729917/attach/3/Response%20FOI2024%2057211..pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/targeted_case_review/response/2729917/attach/3/Response%20FOI2024%2057211..pdf?cookie_passthrough=1).

<sup>76</sup> The Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013, SI 2013/380, reg.38(2).

<sup>77</sup> Available at [https://www.whatdotheyknow.com/request/targeted\\_case\\_review/response/2729917/attach/3/Response%20FOI2024%2057211..pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/targeted_case_review/response/2729917/attach/3/Response%20FOI2024%2057211..pdf?cookie_passthrough=1).

<sup>78</sup> HM Government, ‘If Your Universal Credit is Reviewed’, <https://www.gov.uk/universal-credit-reviews> [Accessed 24 June 2025].

<sup>79</sup> The Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations 2013, SI 2013/381, reg.45(4)(a).

<sup>80</sup> Decisions and Appeals Regulations, reg.45(4)(b).

<sup>81</sup> Decisions and Appeals Regulations, reg.45(6).

be terminated.<sup>82</sup> A decision terminating benefit in these circumstances constitutes a supersession decision, which carries the right of appeal.<sup>83</sup>

Given the potentially severe consequences for claimants who fail to comply with these statutory requirements, the DWP's 'Advice for Decision Making' guidance states:

[Decision-makers] should always have regard to the question of whether hardship will result from their decision when considering suspension of benefit, either wholly or in part. This applies both to circumstances where the [decision-maker] is considering an immediate suspension or where the claimant has been asked to provide information.<sup>84</sup>

Decision-makers are advised that '[e]ach case must be based on its merits', and must take into account factors such as, but not limited to: the circumstances of the claimant and the nature of the information requested; whether there are difficulties in obtaining the information itself, for example where verification, which may not be readily available, has to be sought from another source such as a bank or a building society; any difficulty the claimant may have in obtaining the information due to disability, illness or family circumstances; and where the nature of the benefit itself, for example, overseas cases, creates its own difficulties.<sup>85</sup>

The third and final stage of the TCR process—labelled by the National Audit Office as the 'outcome' stage—is that at which decisions concerning the subject's (ongoing) entitlement to UC are made and communicated.<sup>86</sup> With the latest data showing that incorrect payments are identified in around one in five cases reviewed under the scheme (as discussed above), evidently the vast majority of TCRs conclude with the claimant's circumstances and entitlement to UC confirmed as correct, and with no further action taken. However, where incorrect payments are found, this will result in the case being referred to the DWP's counter fraud function, if warranted, or payments being 'retrospectively corrected', with underpayment arrears paid in full or overpayments referred to Debt Management for recovery.<sup>87</sup>

This process of 'retrospective correction' of UC payments has raised concerns, in particular considering the DWP's previous exercise of reverifying UC claims made during the COVID-19 pandemic. Evidence obtained by the Child Poverty Action Group indicated that 'the DWP's approach to retrospectively deciding that a claimant was not entitled to UC and proceeding to recover that UC income is unlawful', with some claimants 'hav[ing] been asked to repay all the UC income they received during their claim, including those [the Child Poverty

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<sup>82</sup> Decisions and Appeals Regulations, reg.47.

<sup>83</sup> Social Security Act 1998, s.12.

<sup>84</sup> DWP, 'ADM A4: Supersession, Suspension and Termination', [https://assets.publishing.service.gov.uk/media/67f670fc90615dd92bc90dd4/adm\\_a4.pdf](https://assets.publishing.service.gov.uk/media/67f670fc90615dd92bc90dd4/adm_a4.pdf) [Accessed 6 September 2025].

<sup>85</sup> DWP, 'ADM A4: Supersession, Suspension and Termination', [https://assets.publishing.service.gov.uk/media/67f670fc90615dd92bc90dd4/adm\\_a4.pdf](https://assets.publishing.service.gov.uk/media/67f670fc90615dd92bc90dd4/adm_a4.pdf) [Accessed 6 September 2025].

<sup>86</sup> However, see NAO, *Tackling Benefit Overpayments Due to Fraud and Error* (2024-26, HC 1336), fig.8: 'The process for outsourced agents differs slightly as they are not authorised to make decisions on behalf of the Secretary of State, so any claims that need a decision are handed over to DWP staff.'

<sup>87</sup> NAO, *Report on Accounts: DWP* (2023), fig.11.

Action Group] assess[es] to be (or to have been) entitled to what they received'.<sup>88</sup> It is a core principle of the social security system—reflected in section 17 of the Social Security Act 1998—that decisions made in respect of entitlement to benefit are final, unless and until a new decision is made. The DWP's ability to change decisions previously made, including as a result of the TCR process, therefore depends upon the existence of (limited) statutory grounds to revise<sup>89</sup> or supersede those decisions.<sup>90</sup>

Recovery of UC overpayments is governed by section 71ZB of the Social Security Administration Act 1992 (inserted by section 105 of the Welfare Reform Act 2012). That section empowers the Secretary of State for Work and Pensions to recover any amount of specified benefits paid in excess of entitlement via deductions from benefits or earnings.<sup>91</sup> The operation of this regime was considered in the case of *R. (on the application of K) v Secretary of State for Work and Pensions*, in which Steyn J noted:

An appeal lies to the First Tier Tribunal against a decision under s.71ZB(3) revising or superseding a determination of entitlement to UC. Subject to any successful appeal, such a decision determines conclusively that the claimant has received benefit in excess of entitlement, and has the effect that the [DWP] has a statutory right to recover that amount. There is no right to appeal against the decision to seek recovery, or not to waive recovery, of an overpayment of UC.<sup>92</sup>

Steyn J also stated that '[t]he s.71ZB power enables the Secretary of State to recover *any* overpayment of UC, irrespective of where any fault lies'; thus, s.71ZB empowers the Secretary of State 'to recover overpayments even in cases where the fault lay entirely with [the DWP], the benefit recipient having acted in good faith, disclosing all material facts with due diligence and making no representations'.<sup>93</sup> This is, therefore, a wide-ranging power—one that goes further than in other welfare states operating similar fraud and error prevention regimes. For instance, in Australia, social security debt recovery is restricted both to a tighter set of statutorily defined debts and makes explicit provision for waiver when they have resulted from official (and as opposed to claimant) error.<sup>94</sup>

### III. Claimants' Experiences of Targeted Case Reviews

To explore the implementation and impacts of the TCR process, we conducted interviews with UC claimants whose circumstances and entitlement to the benefit have been subject to review under the scheme. These participants were recruited via the panel provider Prolific, using a pre-

<sup>88</sup> Child Poverty Action Group, 'Demands to Repay: The Impact and Legality of the DWP's Reverification of UC Claims' (June 2022), <https://cpag.org.uk/sites/default/files/2023-08/Demands%20to%20repay-%20the%20impact%20and%20legality%20of%20the%20DWP%E2%80%99s%20reverification%20of%20UC%20claims.pdf> [Accessed 6 September 2025].

<sup>89</sup> Social Security Act 1998, s.9; Decisions and Appeals Regulations, pt.2.

<sup>90</sup> Social Security Act 1998, s.10; Decisions and Appeals Regulations, pt.3.

<sup>91</sup> For a detailed overview of the deductions process, see I. Salter, 'The Social Security System as a "Debt Recovery Tool": A Typology of Deductions from Universal Credit' (2025) 32(2) J.S.S.L. 121.

<sup>92</sup> *R. (on the application of K) v Secretary of State for Work and Pensions* [2023] EWHC 233 (Admin) at [13].

<sup>93</sup> *R. (K) v SSWP* at [14] (emphasis in original).

<sup>94</sup> See T. Carney, 'The New Digital Future for Welfare: Debts without Legal Proofs or Moral Authority' [2018] University of New South Wales Law Journal Forum 1, 10.

screening survey delivered to 1,359 UC recipients. This led to a pool of 305 respondents who had indicated that they had been through the TCR process. A sub-set of these, based on socio-demographic characteristics and their TCR outcome, were then invited to interview. We conducted a total of 22 interviews which took place between March and May 2025 via Zoom. The interviews themselves were semi-structured. We asked participants to describe: their interactions with staff and the TCR process as a whole; whether the process was straightforward, challenging, clear, unclear; and their overall reflections on the experience of going through the process. All interviews were recorded, transcribed verbatim, and coded using NVivo software. This produced a detailed qualitative dataset which we analysed by using a combination of inductive and deductive methodologies. Based on this analysis, we identified five key emerging themes from early experiences of the TCR scheme.

The first of these themes is the negative impact of the review process on some claimants. Multiple participants we interviewed described experiencing feelings of distress and anxiety brought about by scrutiny of their circumstances and entitlement to UC—often many months, if not years, after having first had this entitlement confirmed by the DWP. For instance, one participant said:

I'd say the biggest impact was the stress. Really on edge, feeling like I've done something wrong. Realising that my own adviser actually wasn't the one who was able to help me, even, like, you know, she could tell me things, but it was out of her hands, too. So, yeah, the impact, the bad impact, has been the stress. (Participant 1)

It should be noted that these aspects of the TCR scheme were highlighted even by participants who obtained what might be considered a positive outcome overall. For example, one such participant, whose UC payments were confirmed to be correct and against whom no further action was taken, nevertheless highlighted the negative impacts of the level of intrusion inherent in the review process:

It's just a really scary process. You feel like they call it an entitlement to a benefit, right? But it feels as though ... once you've proven yourself to be entitled to this benefit, you then feel as though you are under scrutiny and to have to hand over four months' worth of bank statements is really quite an intrusion on your privacy. I mean, I don't have anything to hide. I'm a completely open book in life anyway ... but even I found that quite intrusive to know that I don't think they're looking at what you spend money on. I think they're looking to make sure that you don't have so much capital that you're not entitled to the [benefit]. You see, but it's only human nature that somebody's going to scroll through and be like, oh, God, you know, they went to McDonald's or whatever. And it just feels like an intrusion on your privacy that somebody can legally ask you for them, that you feel like you have to provide them, otherwise your income source is taken away. (Participant 5)

This related to the second key theme that emerges from the data we collected: that the impacts of the TCR scheme have broader implications for claimant perceptions of the welfare system. In some cases, such as the following, this includes reinforcing trust in the DWP:

[The TCR agent] made me feel comfortable because sometimes when I'm talking to people, especially about being on benefits, that can make me feel a bit kind of a lesser person because I'm claiming benefits and sometimes I worry about that. But he didn't make me feel like that at all. He was courteous, I would say. ... Some of the people that I know as well are on benefits and will have to go into the Jobcentre, and sometimes they feel that they've been spoken down to as well. So, that's always in the back of my mind that that's the way they think of people going in there. But I think even though I was worried about that,

I think both times that I spoke to them during the review that have been very, you know, they haven't made me feel like that. (Participant 11)

Other participants, however, described the scheme as vindicating negative assumptions about the DWP's approach to benefits administration:

They make you feel like ... you are scrounging and that you should justify constantly why you're entitled to that money. And I constantly feel under threat that they want to take it away. They're just looking for a reason to take it away. (Participant 5)

This claim review has kind of just brought everything back into stark reality that this is a government department that does not want to help you. They do not want to be spending the money. They start from the premise that everybody is cheating. And then by doing that, they all just hopefully help those who do need it and weed out those who don't. (Participant 10)

A third key theme emerging from the dataset relates to administrative burden. This can be conceptualised as encompassing three broad categories of 'cost' incurred by individuals who engage with public administrative systems. These are: 'learning costs', which 'arise from engaging in search processes to collect information about public services'; 'psychological costs', including 'the stigma of applying for or participating in a program with negative characterizations, a sense of loss of personal power or autonomy in interactions with the state, or the stresses and frustrations of dealing with administrative processes'; and 'compliance costs', which 'are the material burdens of following administrative rules and requirements', such as 'completing forms or providing documentation of status'.<sup>95</sup>

The dataset shows that all three of these 'costs' are clearly felt by claimants subject to TCR. Certainly, psychological costs are reflected in those descriptions noted above, regarding the negative impacts of the review process. Evidence of learning costs also features prominently in the dataset, with multiple participants having described consulting social media sites and internet forums for information about the scheme and/or advice on what to expect from the review process. This stems from a perceived lack of communication from the DWP about the nature and purpose of TCRs generally, of which one participant said:

At no point has it been clarified to me why they wanted four months' worth of bank statements. Nobody has explained, either in written form or spoken, that they are not looking at singular transactions, or that they're not looking to judge my way of life ... Nobody has confirmed that what they were looking for was to see whether I'd hit certain, you know, criteria levels for savings or whatever. Nobody has actually clarified that in reality. (Participant 5)

The dataset also reveals various examples of compliance costs incurred by the scheme, specifically those concerning the requirement to gather and provide evidence such as ID documentation and several months' worth of bank statements. While most participants described having been able to gather this evidence relatively straightforwardly, others highlighted the difficulties they faced in this regard. For example:

It's like, can you send us a copy of your driving license? There it is. Yeah. Oh, you forgot to send the check code. What the heck is a check? Create it here. So, then you have to go to the driving license people

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<sup>95</sup> P. Herd and D. P. Moynihan, *Administrative Burden: Policymaking by Other Means* (New York: Russell Sage Foundation, 2018), p.15.

and work out how to do this. And when you've got anxiety and depression and ADHD, this is not easy for you. (Participant 10)

Compliance with a specific request—although not uncommon, we found—that the claimant submit a photograph taken by another person as proof of identity created particular burdens:

I also had to upload like, identity, proof of identity, a picture of myself holding my passport next to my face and uploaded that. ... Somebody else has to take the photo of you holding up your passport. You can't take a selfie. ... So, that's a little bit tricky ... It was a bit of a pain because I had to sort of say to my friend, oh, can I come round and take a photo of me? (Participant 7)

And as described by another participant, the compliance cost of providing this specific form of evidence also reflected—indeed, exacerbated—aspects of (negative) psychological costs:<sup>96</sup>

And to hold up an ID, a photo ID, and take a photograph of myself with my photo ID, I felt like a criminal. I felt like I was being asked by the police or the courts to provide documents for something because I'd done something wrong, which I know that I haven't. (Participant 5)

The DWP recognises that TCRs 'will inevitably place some level of burden on claimants who are required to provide information and engage with the process'.<sup>97</sup> It says that it aims to mitigate this by offering support, particularly in cases involving vulnerable individuals:

We have robust measures and safeguards in place to support customers through a review of their claim. All our staff undergo training to ensure they can recognise signs of risk or complex needs that can impact the claimant's ability to manage their claim or take part in a review. For example, we offer a call at the start of each review to explain the process, answer any questions and help identify those that may need additional support. Where necessary, staff can tailor their approach on a case-by-case basis and decide the correct course of action, in some circumstances this includes pausing the review and referring for additional support.<sup>98</sup>

The Comptroller and Auditor General corroborates this in a recent report,<sup>99</sup> and it was also reflected in some of the qualitative data we have collected:

So, initially I asked for longer because I had pneumonia, and I was on medication. I just slept all the time. I was really ill. So, I asked for a bit longer, and they said I could have a month longer to get the information together. And then when I'd got it together, I said I don't have any information of where to send this to because ... I've got paper documents. So, I asked where to send it to, and it was about three weeks after that that they said that they won't be reviewing it, and they don't need it. (Participant 16)

Ultimately, I got to say they were working with me at every step, very positive. ... And I was just like, oh, thanks for making it easy. (Participant 15)

I think because I've downloaded bank statements before, I kind of knew what I was doing there. So, that was kind of very quick and easy to do. With PayPal, I hadn't done that before. ... So, [the agent] sent me a link after the phone call with detailed instructions on how to do that on PayPal, which was really helpful. And so that made that quite easy to do as well, I think. (Participant 11)

<sup>96</sup> The potential for Herd and Moynihan's categorisation of administrative burden 'costs' to overlap in practice, as here, is discussed in M. Baekgaard and T. Tankink, 'Administrative Burden: Untangling a Bowl of Conceptual Spaghetti' (2022) 5(1) *Perspectives on Public Management and Government* 16.

<sup>97</sup> NAO, *Report on Accounts: DWP* (2023), para.5.5.

<sup>98</sup> DWP, *Fighting Fraud in the Welfare State: Going Further*, para.30.

<sup>99</sup> NAO, *Report on Accounts: DWP* (2023), para.5.5.

However, a fourth key theme of the dataset was that were perceived to be varying levels of support provision. Whereas some participants clearly spoke positively of their interactions with DWP staff, others described having gone through the review process without any offer of support from the DWP or information about how to access this:

I'd say if there was any levels of support that were available, I was kind of kept in the dark about that. I wasn't really told of anything that I could have had as support wise. Maybe it was out there, but I wasn't made aware of it. (Participant 19)

At the beginning they just said, oh, claim review, send this. There was no message to say, do you have any disabilities or anxieties or anything that would make it difficult for you to complete this? If they'd have said that, I would have said yes. We have ADHD, depression, anxiety. We don't keep our records very well, so we're going to need extra support. There was no offer. If they'd offered it at the beginning, it would have been easier. (Participant 10)

Further to these findings, we discovered an important aspect of the TCR scheme which, to our knowledge, is not referenced in any relevant publicly available DWP documentation. That is, some participants described having been through the TCR process on more than one occasion already.

The fifth key theme of our dataset, therefore, concerns the effects of normalisation of scrutiny and review, which raises particularly important questions about the impacts for those claimants who are required to undergo the TCR process multiple times. For instance, some participants suggested that while repeated reviews can exacerbate anxieties about the process, and even provoke feelings of victimisation, these negative impacts and administrative burdens of the process can also be reduced through familiarisation:

I can understand why they're doing it. But I think because I've had it twice then that's, I just found that difficult and ... I felt a bit like I'd been singled out. ... I think after the first review, I was kind of relieved and I felt like, oh, that's it. It's done with now because it's not going to happen to me again. ... And then it did happen again ... And now it's just like, oh, well, it was a year between those two, so maybe give it a year and then it's going to happen again and I'll get my bank statements ready. ... I think it would be a little bit of a nuisance, but ... I know now that it's not really a big deal and it is straightforward and that they're there to help if I need it. (Participant 11)

Because like the second time around, it was like a breeze. I didn't worry about it at all because I knew what to expect. ... Like I say, I just assumed then that it was going to be an annual thing. ... But it's like, oh, maybe it isn't. Maybe I was just sort of picked at random twice, I don't know. But it wouldn't bother me now because I know the process. (Participant 9)

In summary, these five themes—the negative impact on some claimants of going through the review process; the erosion or reinforcement of trust in the welfare system; the multi-dimensional administrative burdens imposed; inconsistent provision of support; and the normalising effects of repeated reviews—point to the significant and varied impacts that this scheme may have on UC claimants. While some participants in our study reported positive interactions with supportive staff who facilitated the review process, these experiences were far from universal, and even those with ultimately favourable outcomes frequently described experiencing significant stress and even feelings of ‘criminalisation’. The variance in support provision also suggests that, despite the DWP’s stated commitment to assisting vulnerable claimants, implementation remains uneven.

#### IV. Conclusion

The TCR scheme has now established itself as the flagship component of the DWP's counter fraud and error strategy. With around a million cases now reviewed each year, nearly 6,000 dedicated staff now in place, and projected savings of £13.6 billion by 2030, TCRs will increasingly form part of the routine experience of claiming UC going forward. This article has provided the first empirical account of how the scheme operates. While there remain important gaps in the public understanding of the scheme, through assimilating available evidence and collecting new qualitative data, we have been able to construct an account of the law and administrative procedures constituting the scheme, as well as some initial findings on how claimants are experiencing review.

Our hope is that the account provided here can serve as a foundation for further detailed socio-legal study of this scheme, and there are good reasons why this should be a focus of research in the coming years. At an immediate level, the scale of the scheme is enormous, and so too is its potential to impact claimants who are particularly exposed to seemingly routine procedures like TCRs. Further research is needed to examine several aspects of the scheme. These include the legal implications of its revision and supersession processes, the role and extent of automation in case selection, the quality and consistency of support provision across different sites and agents, and the cumulative effects on claimants subject to repeated reviews. As TCRs continue to expand in scope and scale, such research will be essential for ensuring that efforts to reduce fraud and error in the welfare system are balanced with appropriate safeguards for claimant welfare and procedural fairness.

Beyond these immediate questions, the TCR scheme also raises deeper questions about fair process in the contemporary welfare state. There is arguably a central paradox of fair process and legitimacy at the heart of such initiatives: they are in significant part designed to maintain or enhance the public legitimacy of welfare provision by assuring the integrity of social security administration, yet their administration creates such acute risks to fair process that they can ultimately have adverse effects on legitimacy. At the same time, the TCR scheme reflects so many fault lines of contemporary administrative justice, including the imposition and effects of administrative burdens, the mass outsourcing of administrative decisions, and the data-driven and algorithmic targeting of public service users. Elsewhere, in countries such as Australia and the Netherlands, experiences with benefits fraud and error prevention programmes which similarly combine a rapid roll-out, the use of an (at least partially) automated system for identifying overpayments, and a pressing, ongoing drive for savings in the welfare budget have resulted in systemic failures with serious consequences for welfare recipients. While it would be wrong to assume that TCRs will inevitably follow a similar path, we must nevertheless remain alert to the lessons of these recent episodes which have illuminated the human risks involved in the administration of such programmes in vivid colour.