

People don't know their rights

Solicitor writes easy-to-understand guide on tax credit for families with financial worries

by **KEVIN BRADFORD**
kbradford@london.newsquest.co.uk

A SOLICITOR has used his legal know-how to produce a guide that helps families affected by tax credit overpayments.

Part-time author Julian Stern, of St Andrews Road, Golders Green, says the booklet entitled *A Practical Guide to Dealing with the Tax Credit Office* provides advice about how to respond if the Government makes demands for money to be paid back.

Mr Stern claimed overpayments were often made because of an error by

the Tax Credit Office (TCO) and the repayments left hard-pressed families reliant on financial assistance, with deeper money worries.

The guide informs people about what action can be taken if they receive a "letter of overpayment".

Mr Stern said: "People don't always understand what their rights are when it comes to paying this money back."

"I realised there were so many people in the community worried about the overpayments and this guide hopefully will help them assert their rights."

"I get people coming to me every day who tell me about the problems they

are having because of what they see as incompetence on behalf of the TCO."

Each year, millions of pounds are overpaid to claimants because of administrative errors, leading to criticism of the system in the past from the Parliamentary Ombudsman and Citizens Advice Bureau.

When disputing claims of overpayments, many recipients of tax credits felt overwhelmed by the current system of complex calculations used to process their claim, according to Mr Stern, who works as a property lawyer in New Barnet.

He said: "They don't understand the system. There are so many examples of people in Barnet who feel like they are being victimised by a faceless bureaucratic system as they continue to be bombarded with letters threatening to take them to court if they don't pay the money back."

The guide includes advice about how to appeal, write letters of complaint, obtain information under the Data Protection Act 1998 and Freedom of Information Act 2000, as well as identifying TCO errors to support an appeal.

HM Revenue & Customs (HMRC)

said it would ask people to pay back tax credit if too much had been awarded, but added that it could decide to write off some, or all of the overpayment, if it was found a mistake had been made or incorrect advice had been given.

The decision is based on whether both parties have met certain responsibilities, but the TCO would only write off the overpayment if it found it did not meet its responsibilities.

For more information about the guide, contact Mr Stern on 07989 158 906, or go online at www.overpaidtaxcredit.co.uk