



- '9 DEC 2016

On 25 October 2016 you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *What number of people serving a Home detention sentence are on a WINZ benefit at present?*

The Ministry is unable to disaggregate court imposed conditions for home detention, as this information is held on individual case files. To provide you with data on home detention only, Ministry staff would have to manually access and collate hundreds of individual client files. As such, your request is refused under section 18(f) of the Official Information Act. The greater public interest is in the effective and efficient administration of the public service.

The Ministry can, however, provide you with the number of clients who have been made exempt from their work obligations, or have been granted an Emergency Benefit due to court imposed conditions.

The table below shows the number of current working age main benefit clients and partners with exemptions from their work obligations for the reason of 'court imposed conditions - full' and 'court imposed conditions - partial' as at the end of September 2016.

Main benefit type	Number of clients with an exemption from their work obligations due to court imposed conditions	
	Full	Partial
Emergency Benefit	S	S
Jobseeker Support Related	653	88
Supported Living Payment Related	S	0
Sole Parent Support	57	S
Total	721	100

Notes:

- This is a count of clients and includes primary clients and partners with exemptions.
- Main benefits exclude NZ Superannuation, Veteran's Pension, Non-Beneficiary assistance, Orphan's Benefit and Unsupported Child's Benefit.
- Working age clients includes clients aged between 18 and 64 years.
- 'S' represents a suppressed number. Low numbers have been suppressed to protect the privacy of individual's concerned. This suppression is in accordance with section 9(2)(a) of the Act in order to protect the privacy of natural persons. The need to protect the privacy of these individuals outweighs any public interest in this information.

Generally clients in receipt of a main benefit have work obligations, except those receiving Jobseeker Support on grounds of a health condition, injury or disability. A client may be granted an exemption from their work obligations if a court imposed condition prohibits them from being available for full-time work. This includes people who:

- are former prisoners who are subject to probation or parole conditions which means that they cannot meet all their work obligations; and
- have work obligations and are required, as part of a sentence of the court or other court order, to attend programmes or other activities, or have conditions imposed upon them (e.g. bail conditions) which limit their ability to meet all their work obligations.

Home detainees or former prisoners are case managed by their probation officer. Part of the case management may include undertaking appropriate job search and activities to improve their prospects of obtaining paid employment.

Emergency Benefit is an income and asset tested benefit payable to people who are in hardship and who are unable to earn enough income for themselves (and any dependent family), and cannot receive another benefit.

Individuals may qualify to receive an Emergency Benefit because of court imposed conditions. As at the end of September 2016, there were 83 Emergency Benefit clients with the emergency reason of 'court imposed conditions'.

You will note that a small number of Emergency Benefit clients are shown in the above table as having an exemption from work obligations for the reason of 'court imposed conditions'. Not all Emergency Benefit clients have work obligations, the payment of Emergency Benefit can be subject to certain conditions set by the Chief Executive. The reason/s that the client is in hardship and is unable to earn a sufficient livelihood for themselves (and any dependent family) will determine the appropriate conditions that should be applied to the Emergency Benefit.

Further information about work obligations is available here:
www.workandincome.govt.nz/on-a-benefit/work-obligations/

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter available to the wider public after ten working days. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry

will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response regarding the number of people serving a home detention sentence who are on a benefit with us, please feel free to contact OIA_Requests@msd.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Ruth Bound', with a long horizontal line extending to the right.

Ruth Bound
Deputy Chief Executive, Service Delivery