



1 June 2023

Tēnā koe

On 22 March 2023, Te Tai Ōhanga – The Treasury transferred your request under the Official Information Act 1982 (the Act) for the following information to the Ministry of Social Development (the Ministry):

- a. *The mean and median value of all settlements paid by the Ministry of Social Development as compensation for historic abuse claims, in each of the following categories:*
 - a. *Payments made between 1 January 2000 and 31 December 2009;*
 - b. *Payments made between 1 January 2010 and 31 December 2014;*
 - c. *Payments made between 1 January 2015 and 24 March 2019, excluding any payments made as a result of settlements using the fast track process;*
 - d. *Payments made between 25 March 2019 and 31 December 2021;*
 - e. *Payments made between 1 January 2022 and the date of this request; and*
 - f. *All payments made using the fast track process.*
- b. *How much each of these values is worth as of the date of this request, accounting for inflation.*

On 21 April 2023, the Ministry emailed you to advise that more time was required to respond to your request. The reason for the extension is that the consultations necessary to make a decision on the request are such that a proper response cannot reasonably be made in the original timeframe.

On 25 May 2023, the Ministry emailed you to advise that your request has been granted in part. However, more time was required to prepare the information for release.

The Ministry's Historic Claims team was established in 2006 and the first settlement payments began in 2008.

I would like to first outline the limitations in the data we are able to provide specifically regarding payment values. Settlement payments are recorded in the Ministry's financial database, which is not linked to claimant information held by the Historic Claims team.

The Ministry's financial database records settlement payments by financial year and payee. The Ministry is unable to provide settlement payment data in the date ranges that you have requested. We are able to provide data in correlating financial years.

As settlement payments are recorded by payee, please note that the mean and median value do not provide an accurate representation of the data. Payments made to claimants represented by your firm are coded to Cooper Legal, rather than an individual claimant.

Additionally, we acknowledge that administrative anomalies may be present in the coding of payments.

To address the limitations of this data, the Ministry is also providing you with information about the mean and median values of accepted settlement offers across your requested date ranges. We are also able to provide data about offers that were made through the fast-track process, also known as the Two Path Approach.

This data is extracted from the Historic Claims Application (the Application). This database has been used by the Historic Claims team since late 2019 to centrally record information about claims. We acknowledge that administrative anomalies may be present in the database since it is manually updated.

As outlined in the Ministry's letter to _____ dated 16 March 2023, when the Application was established, the Ministry migrated recent relevant operational data that was needed to support ongoing work. The data from some more historical claims were not fully migrated into the database. As there was only a partial migration of data, I would like to acknowledge that the data provided for the years 2008 to 2015 is incomplete.

Please find see the below **Appendix** containing the following tables:

- **Table One:** The mean and median value of settlement payments made by the Ministry of Social Development for historic claims of abuse, broken down by specified date ranges.
- **Table Two:** The mean and median value of accepted settlement offers made by the Ministry of Social Development for historic claims of abuse, broken down by specified date ranges.

- **Table Three:** The mean and median value of accepted settlement offers made under the fast-track process by the Ministry of Social Development for historic claims of abuse.

The Ministry is unable to provide a breakdown of payments by the assessment pathway chosen by the claimant. As such, your request for the payment values to be broken down by whether the assessment was completed under the fast-track process, is refused under section 18(f) of the Act. In order to provide you with this information, Ministry staff would have to manually review a substantial number of files. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

Please note that the Act does not require the Ministry to create information. As such, your request for the payment values to be adjusted for inflation will not be responded to.

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 and any attached documents available to the wider public. The Ministry will do this by publishing this letter and attachments on the Ministry'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 with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with this response regarding the mean and median value of settlement payments made by the Ministry for historic claims of abuse, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui



Linda Hrstich-Meyer
General Manager
Historic Claims

Appendix

Table One: The mean and median value of settlement payments made by the Ministry of Social Development for historic claims of abuse, broken down by specified date ranges

Date range	Financial year(s)	Number of payees	Mean/Average	Median
1 July 2008 to 30 June 2009	2008 - 2009	13	\$11,844	\$2,500
1 July 2009 to 30 June 2014	2010 - 2014	270	\$26,925	\$15,000
1 July 2014 to 30 June 2019	2015 - 2019	802	\$26,223	\$17,291
1 July 2019 to 30 June 2021	2020 - 2021	281	\$22,748	\$16,000
1 July 2021 to 31 March 2023	2022 - 2023	49	\$27,151	\$16,000

Table Two: The mean and median value of accepted settlement offers made by the Ministry of Social Development for historic claims of abuse, broken down by specified date ranges

Date range	Number of accepted offers	Mean settlement offer	Median settlement offer
1 January 2000 to 31 December 2009 <i>The earliest payment recorded was in 2008.</i>	10	\$19,567	\$14,750
1 January 2010 to 31 December 2014	276	\$20,338	\$18,000
1 January 2015 to 24 March 2019 <i>excluding fast track offers</i>	420	\$19,199	\$15,000
25 March 2019 to 31 December 2021	428	\$18,583	\$16,000
1 January 2022 to 28 February 2023	396	\$21,499	\$21,500

Table Three: The mean and median value of accepted settlement offers made under the fast-track process by the Ministry of Social Development for historic claims of abuse

	Number of accepted offers	Mean settlement offer	Median settlement offer
All fast track offers <i>Fast-track offers were paid between 2015 and 2018.</i>	641	\$18,185	\$20,000