



8 March 2023

Tēnā koe

On 8 February 2023, your request to the Ministry of Justice was transferred to the Ministry of Social Development (the Ministry) for response. You requested, under the Official Information Act 1982 (the Act), the following information:

- *I am wanting statistics on msd historic claims. Could you please provide information on how many claimants have become prioritized claimant, how many payment have been made to this date and also figures of monetary amounts offered and accepted.*

On 10 February 2023, the Ministry contacted you to clarify part of your request. On the same day, you agreed to receive the figures of payment amounts in the format of monetary amount bands, with the number of claimants who were offered and who accepted for each monetary amount band.

Historic Claims will register a claim if a person had been in the care, custody, guardianship, or came to the notice of the Child Welfare Division, the Department of Social Welfare, or Child, Youth and Family before 1 April 2017 and believe they were harmed as a result of abuse or neglect while in state care.

Claims are allocated for assessment in the chronological order in which they are received in order to ensure fairness and equity across all claimants. However, claims can be prioritised in the following situations:

- where a request is made by a claimant or their representative or agent to have a claim prioritised it will be considered by the General Manager on a case-by-case basis at any stage in the claims process. Claims that may be considered by the General Manager for prioritisation include:
 - claimants who are at high risk of dying before their claim is assessed if prioritisation was not to occur. Supporting information from a claimant's medical practitioner may be required.

- claimants who are at high risk of suicide before their claim is assessed if prioritisation was not to occur. Evidence from a claimant's clinician confirming this risk is required.
- where a claimant is 70 years or older, their claim will be automatically prioritised, as per new prioritisation criteria implemented in November 2022.

There have been 143 claimants recorded as priority since November 2019. Prior to this date, prioritised claims were not centrally collated, and this information is not readily accessible without substantial manual collation. As such, I am refusing your request for this information under section 18(f) of the Act. The greater public service 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 refer to the table below which outlines the number of payment offers made and accepted by claimants, broken down by monetary amount, from period 17 April 2008-14 February 2023.

Monetary bands	Number of Offers Made	Number of Offers Accepted
< \$10,000	640	570
\$10,001 - \$20,000	1003	931
\$20,001 - \$30,000	561	512
\$30,001 - \$40,000	188	175
\$40,001 - \$50,000	58	57
\$50,001 - \$60,000	10	10
> \$60,001	17	17
Total	2477	2272

Table notes:

- The data reflects claim numbers, not the number of people who have made one or more claims.

- Offers made includes offers that were rejected, offers where the claimant chose not to move forward with their claim, offers where all contact was lost with the claimant and recent offers where there has been no response yet.
- All offers that were accepted have mostly been paid out to claimants. We are not able to confirm the exact number of payments made as the data is not easily accessible and would require substantial manual collation. However, what can be confirmed is:
 - There was a very small number of claimants who due to their circumstances received their payments in multiple instalments, therefore the actual number of payments made is likely to be more than the number of offers accepted, but the monetary amount is still the same.
 - There is a very small number of claimants who do not currently have bank accounts and therefore have not been paid yet.

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 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 priority claimants and payment offers, 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
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Historic Claims