



1 June 2022

Tēnā koe

On 10 May 2022, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

I am looking for information about the delays faced by clients of Cooper Legal in having their claims resolved through the Historic Claims Unit process, as compared to the delays faced by individuals who are not Cooper Legal clients. In that regard, please provide:

- 1. The numbers of claims for which where MSD has not yet made an offer of settlement, sorted by year of registration with Historic Claims.*
- 2. The numbers of claims for which MSD has made an offer of settlement in the last two years (whether or not it has been accepted), sorted by year of registration with Historic Claims.*

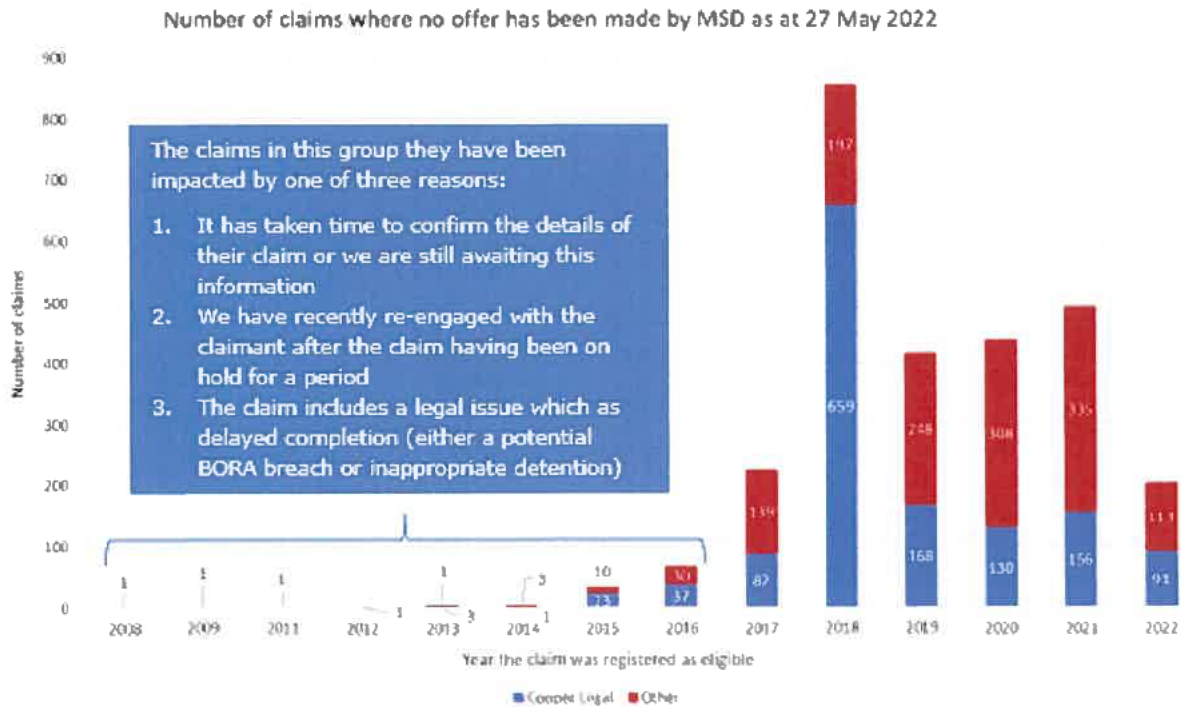
Please divide the data above into two categories – one for Cooper Legal clients, and one for claimants who are not (or not known to be) Cooper Legal clients.

For the sake of clarity, the Ministry will address your questions in turn.

- 1. The numbers of claims for which where MSD has not yet made an offer of settlement, sorted by year of registration with Historic Claims.*

Please see enclosed **Table One and Graph One**, which outlines the number of Cooper Legal and 'Other' claims where no offer has been made by the Ministry for the years 2008 to 27 May 2022.

Table One and Graph One: The number of Cooper Legal and 'Other' claims where no offer has been made by the Ministry for the years 2008 to 27 May 2022.



Year of registration	Cooper Legal	Other	Grand Total
2008		1	1
2009		1	1
2011		1	1
2012	1		1
2013	3	1	4
2014	1	3	4
2015	23	10	33
2016	37	30	67
2017	87	139	226
2018	659	197	856
2019	168	248	416
2020	130	308	438
2021	156	335	491
2022	91	113	204
Grand Total	1356	1387	2743

Notes for Table One and Graph One:

- Please note, this is operational data and therefore there can be some variation over time as new information is added and records are updated.
- 'Other' is non-legally represented claimants or other legally represented claimants.

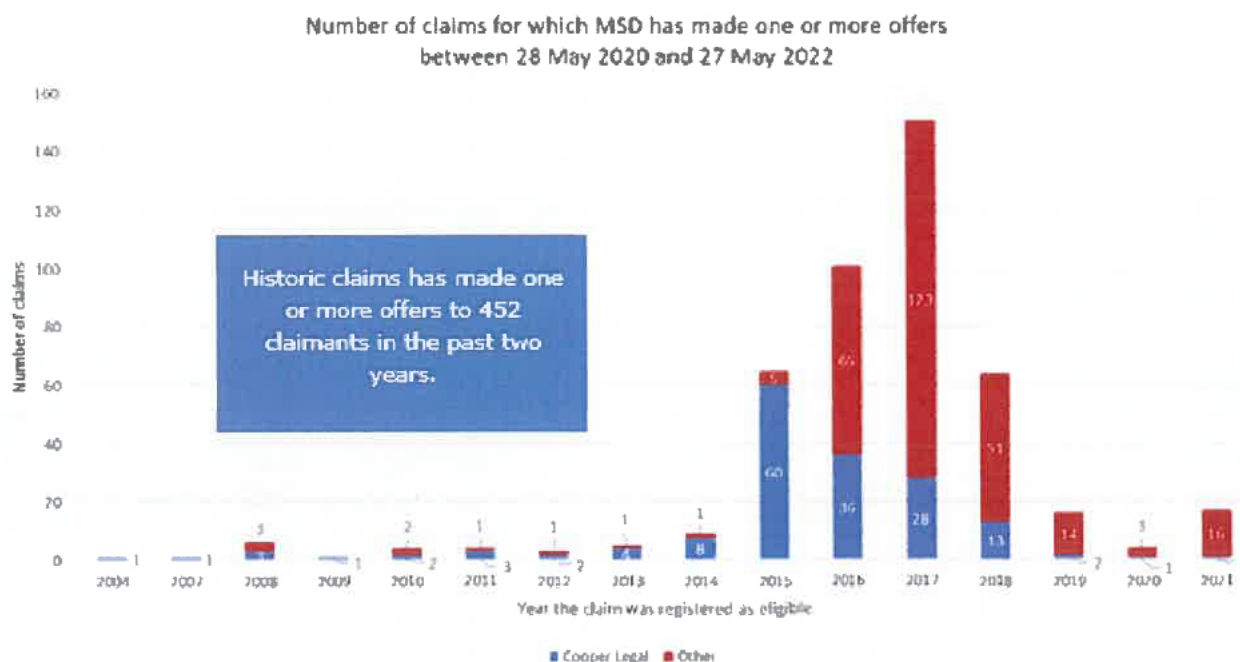
As of 27 May 2022, Historic Claims had 2,743 open claims that have not yet received an offer. This number excludes the 116 claims that have been placed on hold and are not actively being worked on by Historic Claims. These are claims that have generally been placed on hold as Historic claims has lost contact with the claimant and has not been able to connect with them or because the claimant has decided not to proceed with their claim or has asked to place their claim on hold. The data provided above has been ordered based on the date the claim was registered as an eligible claim and excludes any potential claims that have not yet been confirmed as an eligible.

2. *The numbers of claims for which MSD has made an offer of settlement in the last two years (whether or not it has been accepted), sorted by year of registration with Historic Claims.*

Please see enclosed **Table Two and Graph Two**, which outlines the number of Cooper Legal and 'Other' claims for which the Ministry has made one or more offers between 18 May 2020 and 27 May 2022.

The graph below shows the age of claims of whom offers of redress have been made in the past two years. The claims have been grouped based on the date the claim was registered as an eligible claim. At times there can be a gap between when a person advises they wish to register a claim and when Historic Claims confirms eligibility and registers the claim in the system.

Table Two and Graph Two: The number of Cooper Legal and 'Other' claims for which the Ministry has made one or more offers between 18 May 2020 and 27 May 2022.



Year of registration	Cooper Legal	Other	Grand Total
2004	1		1
2007	1		1
2008	3	3	6
2009	1		1
2010	2	2	4
2011	3	1	4
2012	2	1	3
2013	4	1	5
2014	8	1	9
2015	60	5	65
2016	36	65	101
2017	28	123	151
2018	13	51	64
2019	2	14	16
2020	1	3	4
2021	1	16	17

Notes for Table Two and Graph Two:

- Please note, this is operational data and therefore there can be some variation over time as new information is added and records are updated.
- 'Other' is non-legally represented claimants or other legally represented claimants.

Whilst most offers made by Historic Claims over the past few years have been to our oldest registered claims, there have been a small number of more recently registered claims completed. There are a variety of reasons for this including:

- Claims have been prioritised due to the health of the claimant.
- Old unresolved claims that were previously closed have been re-registered and a decision was made where it was appropriate to recognise the claim from the date they first contacted Historic Claims, rather than the date the claim was re-registered.
- In 2020/21 a small number of new claims (20) were worked end-to-end from the point that the claimant first contacted the Ministry, to trial different ways of working with a claimant and opportunities to improve efficiency throughout the process.
- Claims are progressed in accordance with the needs and wishes of the claimant. If a claimant or their representative is not ready to share their experiences with Historic Claims, their claim cannot progress to an assessment. This means that whilst work is allocated based on the date a claimant advised that they wished to register their claim, work may begin on more recent claims where Historic Claims is waiting for further information from an individual claimant or their legal representative.

Given the large number of claims represented by Cooper Legal that were registered in 2018, we expect that going forward, there will be significantly more offers made to claimants represented by Cooper Legal than those who are not represented by Cooper Legal.

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 delays faced by clients of Cooper Legal in having their claims resolved by the Historic Claims Unit compared to individuals who are not clients of Cooper Legal, 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