

Daisy Lutyens [TSY]

From: Callum Finn Reason [TSY]
Sent: Thursday, 13 August 2026 9:19 am
To: Daisy Lutyens [TSY]
Subject: FW: [Sensitive and legally privileged] Consultation – draft Cabinet paper - s 9(2)(j)

Callum Finn Reason (he/him) | Analyst, **Social Sector, Communities and Learning Team** | Te Tai Ōhanga **The Treasury**

tau waea phone: s 9(2)(a) | imēra email: callum.finnreason@treasury.govt.nz

From: Jemma Dacy <Jemma.Dacy001@msd.govt.nz>
Sent: Thursday, 2 July 2026 9:50 am
To: Mohan Singh [TSY] <Mohan.Singh@treasury.govt.nz>; ^MSD: Justine Cornwall <Justine.Cornwall009@msd.govt.nz>
Cc: Callum Finn Reason [TSY] <Callum.FinnReason@treasury.govt.nz>
Subject: RE: [Sensitive and legally privileged] Consultation – draft Cabinet paper - s 9(2)(j)

IN-CONFIDENCE

Hi Mohan, we haven't opted for it at this time and are lodging the paper today for CBC on Monday.

Ngā mihi
Jemma

From: Mohan Singh [TSY] <Mohan.Singh@treasury.govt.nz>
Sent: Thursday, 2 July 2026 8:36 am
To: Jemma Dacy <Jemma.Dacy001@msd.govt.nz>
Cc: Callum Finn Reason [TSY] <Callum.FinnReason@treasury.govt.nz>
Subject: RE: [Sensitive and legally privileged] Consultation – draft Cabinet paper - s 9(2)(j)

Just following up on this.

From: Mohan Singh [TSY]
Sent: Tuesday, 30 June 2026 9:15 am
To: 'Jemma Dacy' <Jemma.Dacy001@msd.govt.nz>
Cc: Callum Finn Reason [TSY] <Callum.FinnReason@treasury.govt.nz>
Subject: RE: [Sensitive and legally privileged] Consultation – draft Cabinet paper - s 9(2)(j)

Thanks Jemma.

Can I check if the IRD's feedback on tax smoothing options was opted for; or that the fiscal costs have been accounted for?

Thanks
Mohan

From: Jemma Dacy <Jemma.Dacy001@msd.govt.nz>
Sent: Monday, 29 June 2026 4:01 pm
To: Mohan Singh [TSY] <Mohan.Singh@treasury.govt.nz>
Cc: Callum Finn Reason [TSY] <Callum.FinnReason@treasury.govt.nz>
Subject: RE: [Sensitive and legally privileged] Consultation – draft Cabinet paper - s 9(2)(j)

IN-CONFIDENCE

Thanks Mohan, noted for next time.

Ngā mihi
Jemma

From: Mohan Singh [TSY] <Mohan.Singh@treasury.govt.nz>
Sent: Monday, 29 June 2026 3:27 pm
To: Jemma Dacy <Jemma.Dacy001@msd.govt.nz>
Cc: Callum Finn Reason [TSY] <Callum.FinnReason@treasury.govt.nz>
Subject: RE: [Sensitive and legally privileged] Consultation – draft Cabinet paper - s 9(2)(j)

[SEEMAIL][SENSITIVE]

Kia ora Jemma

Hope you are well.

I just wanted to give you a heads up that for anything Vote DSS related, the relevant Dep. Sec. at TSY is Mark Sowden and not Jo Hughes. For any future sensitive papers, please send them to Mark.Sowden@treasury.govt.nz and cc me as the Vote Manager and Callum as the Vote Analyst (where appropriate).

Please let me know if you have any questions.

Cheers
Mohan

From: Jemma Dacy <Jemma.Dacy001@msd.govt.nz>
Sent: Monday, 22 June 2026 5:40 pm
To: Jo.Hughes@treasury.govt.nz; Ben O'Meara <Ben.O'Meara001@whaikaha.govt.nz>; Hugo.vitalis@publicservice.govt.nz; Ruth Isaac <ruth.isaac@health.govt.nz>; andy.jackson@education.govt.nz; Simon MacPherson <Simon.MacPherson004@msd.govt.nz>; Emma.Powell@ot.govt.nz; anna.clark@mbie.govt.nz; Caroline.greaney@justice.govt.nz; David Carrigan <david.carrigan@ird.govt.nz>; Nikki Hurst [DPMC] <nikki.hurst@dpmc.govt.nz>
Cc: Justine Cornwall <Justine.Cornwall009@msd.govt.nz>; Anne Shaw <Anne.Shaw016@msd.govt.nz>
Subject: [Sensitive and legally privileged] Consultation – draft Cabinet paper - s 9(2)(j)

Kia ora

Following on from the s 9(2)(j) you were consulted on for the two paid family carers who were successful in the Supreme Court in December 2025, s 9(2)(j)

The attached draft Cabinet paper sets out the details. The Minister for Disability Issues is concurrently consulting with her ministerial colleagues who sit on the Social Outcomes Cabinet Committee on this paper.

Please note:

- we have kept this distribution tight given the proposal s 9(2)(j) we would appreciate if you can also keep distribution tight within your agency.
- s 9(2)(j)

Draft Cabinet paper: s 9(2)(j)

Committee: Social Outcomes Committee (SOU), Wednesday 1 July

Feedback requested by: Midday Wednesday 24 June

Summary of proposal:

Background

On 9 December 2025, the Supreme Court released its decision concerning the employment status of two paid family carers. The Supreme Court found that both are employees of the Ministry of Social Development.

The DSS Bill [CAB-26-MIN-0115 refers], as currently drafted, saves the claims of Ms Fleming and Mr Humphreys due to their success in the Supreme Court and extinguishes any pending claims by other family carers that have been filed in the ERA and Employment Court, but not resolved or determined, before the commencement date.

There are a total of s 9(2)(h) pending claims by other family carers. Since the introduction of the Bill, s 9(2)(h)

s 9(2)(j)

Ngā mihi
Jemma

Jemma Dacy | Principal Advisor, DCE DSS

Phone: s 9(2)(a) Website: [Disability Support Services](#)

Disability Support Services, Ministry of Social Development | Level 1, 56 The Terrace | Wellington 6140

**Disability
Support Services**



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