



22 OCT 2020

Tēnā koe

On 11 September 2020, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *I request all reports, briefings, and other documents provided to the Ministry of Social Development related to imposing benefit sanctions on a beneficiary whom criminal proceedings have commenced against OR a beneficiary whom the New Zealand court has issued a warrant for their arrest, since 2019 up until now.*
- *I request all reports, briefings, and other documents provided to MSD related to the implementation of recommendations by the Welfare Expert Advisory Group regarding warrants to arrest sanctions from August 2019 of last year.*
- *I request data regarding the number of warrants to arrest sanctions imposed by MSD since January 2014, broken down by year.*
- *I request data regarding the dollar amount of warrants to arrest sanction penalties imposed by MSD since January 2014, broken down by year.*

*Please include a breakdown of all data by ethnicity and gender.*

Warrants for arrest are issued by the Courts, and actioned by the Police. The Warrant to Arrest policy uses the Social Security Act to promote compliance with the justice sector obligations to improve the clearance rate of arrest warrants issued for criminal proceedings.

Warrants can be resolved at any courthouse. The Ministry of Justice advises the Ministry of any outstanding arrest warrants that have not been resolved within a 28 day period, and this information is matched against Ministry records. The Ministry sends a letter to advise the client that they have ten working days to present at the Ministry of Justice to clear their warrant, otherwise their benefit payments may be reduced or stopped.

No more than 50 percent of a person's benefit is stopped for clients with children. For couples, payment will be stopped for the client who has the outstanding warrant, and the remaining portion is still paid to the spouses partner.

You can read more about the policy regarding warrants to arrest at the following link: [www.workandincome.govt.nz/on-a-benefit/arrest-warrants.html](http://www.workandincome.govt.nz/on-a-benefit/arrest-warrants.html).

The Ministry has interpreted your request as being documents provided to the Minister of Social Development. For the sake of clarity, I will address each question in turn.

- *I request all reports, briefings, and other documents provided to the Ministry of Social Development related to imposing benefit sanctions on a beneficiary whom criminal proceedings have commenced against OR a beneficiary whom the New Zealand court has issued a warrant for their arrest, since 2019 up until now.*
- *I request all reports, briefings, and other documents provided to MSD related to the implementation of recommendations by the Welfare Expert Advisory Group regarding warrants to arrest sanctions from August 2019 of last year.*

Please find enclosed copies of the following documents which were identified as being in scope of your request:

1. Report: *Proposed approach for reviewing obligations and sanctions of the Social Security Act 2018 and relevant regulations*, dated 24 July 2020
2. Report: *Welfare Overhaul Paper 2: Medium to long-term policy work programme*, dated 29 August 2019
3. Aide-mémoire: *Welfare Overhaul work programme*, dated 2 August 2019

You will note that some information has been removed as 'outside scope'. To expedite a response information not concerning warrants to arrest sanctions have not been included. Please contact the Ministry if this was not the intent of your request and you would like this information.

You will note that some information is withheld under section 9(2)(f)(iv) of the Official Information Act as the information is likely to prejudice the ability of government to consider advice and the wider public interest of effective government would not be served.

You will note that the names of some individuals are withheld under 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.

- *I request data regarding the number of warrants to arrest sanctions imposed by MSD since January 2014, broken down by year.*
- *I request data regarding the dollar amount of warrants to arrest sanction penalties imposed by MSD since January 2014, broken down by year.*

*Please include a breakdown of all data by ethnicity and gender.*

Please see tables one and two overleaf which show the number of warrants to arrest sanctions imposed on working age main benefit recipients for each calendar year from the period 1 January 2014 to 30 June 2020, broken down by gender, ethnic group, and type of sanction.

**Table One: Number of warrants to arrest sanctions imposed on working age main benefit recipients for each calendar year from the period 1 January 2014 to 30 June 2020, broken down by gender and ethnic group**

Gender and Ethnic Group		Calendar year						
		2014	2015	2016	2017	2018	2019	2020
Female	Maori	472	462	596	737	862	1,066	647
	Pacific Peoples	38	35	56	74	53	73	37
	NZ European	95	109	149	174	155	155	121
	Unspecified	S	8	8	12	15	22	S
	Other	S	13	22	38	36	48	25
Gender Diverse	Maori	N/A	N/A	N/A	N/A	N/A	0	S
Male	Maori	589	694	817	948	1,009	1,458	855
	Pacific Peoples	71	79	99	98	99	165	87
	NZ European	193	224	251	269	273	382	235
	Unspecified	9	19	21	32	38	55	33
	Other	36	47	54	69	76	94	59
<b>Total</b>		<b>1,523</b>	<b>1,690</b>	<b>2,073</b>	<b>2,451</b>	<b>2,616</b>	<b>3,518</b>	<b>2,110</b>

**Table Two: Number of warrants to arrest sanctions imposed on working age main benefit recipients for each calendar year from the period 1 January 2014 to 30 June 2020, broken down by type of sanction**

Type of Sanction	Calendar year						
	2014	2015	2016	2017	2018	2019	2020
Reduced Rate	535	543	657	741	755	952	532
Suspension	988	1,147	1,416	1,710	1,861	2,566	1,578
<b>Total</b>	<b>1,523</b>	<b>1,690</b>	<b>2,073</b>	<b>2,451</b>	<b>2,616</b>	<b>3,518</b>	<b>2,110</b>

**Notes for tables one and two:**

- This is a count of sanctions, not clients. A client may have had multiple sanctions in a period.
- The table includes working age only (18 to 64 years).
- Main Benefits exclude NZ Superannuation, Veteran's Pension, Non-Beneficiary assistance, Orphan's Benefit and Unsupported Child's Benefit.
- Unspecified ethnic group is where the ethnicity of the client has not been provided.
- Calendar year 2020 only includes data to end of June 2020.
- In certain circumstances, low numbers may potentially lead to individuals being identified. Due to these privacy concerns, numbers for some categories of clients have been suppressed or aggregated. Secondary suppression rules have also been applied when required. Suppressed numbers have been replaced by an 'S'
- Following community consultation, the Ministry added a third gender option to all application forms in 2019.

In order to protect client privacy, you will note that some values are suppressed and are represented by 'S'. The Ministry is unable to provide you with the exact number as releasing this information is likely to risk identifying the individuals concerned. As such, this information is withheld under section 9(2)(a) of the Act. The need to protect the privacy of these individuals outweighs any public interest in this information.

Please note the ethnicity classification that is used to construct tables one and two does not necessarily align with the current Statistics New Zealand classification of ethnicity. Ethnicity details recorded by the Ministry have been gathered under a variety of classification methods as clients come into contact with the Ministry. The ethnicity data may be self-identified based on an individual's preference or self-construct.

While the Ministry collects multiple ethnicities from clients, we only report for core benefit data (one ethnic group per person with Māori coming first, Pacific groups second followed by other groups ending with NZ European).

Please note, the Ministry is unable to provide the dollar amount of warrants to arrest sanctions imposed on working age main benefit recipients as this information is not centrally recorded and, due to the complexity in clients' payments, cannot be robustly reported on.

When sanctions are imposed, the Ministry would be required to look at what each recipient received before and after the imposition of the sanction, and then calculate the period the sanction was imposed. As this information is held in notes on individual case files, Ministry staff would have to manually review thousands of files in order to answer this aspect of your request. As such, this aspect of your request is refused under section 18(f) of the Act. 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.

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 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 with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with this response regarding warrants for arrest sanctions, 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](http://www.ombudsman.parliament.nz) or 0800 802 602.

Ngā mihi nui

A handwritten signature in black ink, appearing to be 'Fiona Carter-Giddings', written in a cursive style.

Fiona Carter-Giddings  
**General Manager**  
**Welfare System and Income Support Policy**