



11 April 2023

Tēnā koe

On 10 March 2023 you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

*Could you please provide me with a copy of the reports and other information that was made available to the Members of Parliament that are on the Social Services and Community Select Committee, and/or other Members of Parliament, and that are involved with the passing of the Accessibility for New Zealanders Bill currently being debated at Parliament?*

*In other words, in what way did the Ministry of Social Development, assist the Social Services and Community Select Committee by providing factual evidence of their recommendations?*

*Also in what way did the Ministry engage with the disabled community in preparing their reports and other information regarding the Accessibility for New Zealanders Bill and if the Ministry did so, could they please evidence of such?*

*I am placing this OIA request with the Ministry of Social Development because I believe they are the party responsible for promoting/sponsoring this Bill, being the Accessibility for New Zealanders Bill. However, if there has been any other engagement with other organisations such as, but not limited to, Ministries, NGO's, Charities or individuals, in New Zealand or outside of New Zealand, on the preliminary formation and introduction of this Bill, please consider that included in this request. Of particular interest is any communication with the DPO (Disabled People's Organisation) and the IMM (Independent Monitoring Mechanism) and the HRC (Human Rights Commission).*

*Also in addition to this request, as this Bill is currently being debated in Parliament and complying with the legal procedures in order to ultimately become an Act, is this Ministry, still part of this legal protocol and are they still providing further information for the benefit of the Social Services and*

*Community Select Committee and if so, what additional information has been provided to this Committee?*

The Accessibility for New Zealanders Bill (the Bill) establishes a new legislative framework that addresses systemic accessibility barriers that prevent disabled people, tāngata whaikaha and their whānau, and others with accessibility needs from living independently and participating in all areas of life. The Bill is currently before the Social Services and Community Select Committee.

Departmental officials, including Ministry officials, act as advisors to the select committee during the duration of its process. Advice can include:

- An initial briefing on the content, purpose and implementation of the Bill;
- Comments or short written reports on specific issues that require clarification, during the hearings of oral submissions; and
- A departmental report summarising submitters' key points and responding with recommendations.

According to Standing Order 243, the contents of this advice remain confidential until released by the committee at the conclusion of the select committee process:

- (1) *The proceedings of a select committee or a subcommittee other than during the hearing of evidence are not open to the public and remain strictly confidential to the committee until it reports to the House.*

Therefore your request for "...a copy of the reports and other information that was made available to the Members of Parliament that are on the Social Services and Community Select Committee, and/or other Members of Parliament, and that are involved with the passing of the Accessibility for New Zealanders Bill currently being debated at Parliament" is refused under section 18(c)(ii) of the Act as release of this information prior to the conclusion of the select committee process would constitute contempt of the House of Representatives, as it would contravene Standing Order 243.

The Ministry expects that this information will be released either when the Social Services and Community Select Committee reports back to the House or shortly after.

You can find all information related to the Social Services and Community Select Committee at the following link:

<https://www.parliament.nz/en/pb/sc/scl/social-services-and-community/>

Because of the above requirements for confidentiality, the Ministry could not consult publicly on the specific documents provided to the select committee. However, the Ministry engaged with a range of parties on the formation of the Accessibility for New Zealanders Bill, including the DPO Coalition (Disabled People's Organisation Coalition), the IMM (Independent Monitoring Mechanism) and the HRC (Human Rights Commission).

Engagement since 2018 has included consultation with groups across central and local government District Health Boards, Māori, community groups and disabled people's organisations, and a working relationship with the Access Alliance (now Access Matters). Consultation since 2021 is outlined in this publicly available Cabinet paper: [www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/information-releases/cabinet-papers/2022/accessibility-nz-bill/paper-accessibility-for-new-zealanders-bill-approval-for-introduction.pdf](http://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/information-releases/cabinet-papers/2022/accessibility-nz-bill/paper-accessibility-for-new-zealanders-bill-approval-for-introduction.pdf)

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](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with this response, 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



Sarah Palmer  
**Policy Manager**

