



24 May 2023

Tēnā koe

On 24 March 2023, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *A table of every offer – or indication of an offer – made under the Ministry’s Rapid Payment assessment option Framework until 26 March 2023, where there has also been an offer made by the Ministry under the full assessment process (individualised claim assessment) and/or an early indication given to the claimant or their representative of what a full offer might be (for instance, “we estimate that through our usual process, his claim may sit within payment category 4 of our assessment model assuming that all allegations were taken into account for settlement purposes”). Please provide a side by side list of the amounts proposed under each process, with any commentary that may assist.*

On 17 April 2023, the Ministry emailed you to advise that more time was required to respond to your request. The reason for the extension is that your request is for a large quantity of information. Assessing and collating this information could not reasonably be completed in the original timeframe.

The Ministry began offering payments under the Rapid Payment Framework (RPF) at the end of 2022 to historic abuse survivors who are seriously ill, aged 70 years or older, and those with the oldest claims. Rapid payments have been introduced following the Royal Commission of Inquiry into Abuse in State Care’s call for advance payments to historic abuse survivors who may not be alive when the new redress system is developed and implemented.

When claimants are identified to be eligible for a rapid payment assessment, the Ministry will reach out to them to discuss their options. The Ministry has used indicative offers to provide greater transparency to claimants about

their possible outcomes under different assessment pathways prior to the claimant making their pathway decision. These indicative offers are usually made in conversations with a claimant or their representative about the different pathways to resolve a claim. This approach has worked well for many claimants, and the Ministry is able to tailor our approach where an indicative offer may not be suitable for a claimant.

The indicative offers are not final, and they are subject to change based on any further information that a claimant or their representative may share during the claims process.

When a claimant chooses the rapid payment assessment pathway, the calculated rapid payment will be progressed through the Ministry's approval process. Once the claim has been approved by the Ministry, a formal offer will be presented to the claimant to resolve their claim with the Ministry.

When a claimant chooses an individualised assessment, a more detailed assessment is carried out which considers each individual concern raised by the claimant and whether they can be taken into account for the purposes of settlement. A settlement payment is calculated according to the Ministry's published payment categories and is progressed through the Ministry's approval process. Once the claim has been approved, a formal offer will be presented to the claimant to resolve their claim with the Ministry.

The payment categories for the Ministries claims are available on page 29 and 30 of the Historic Claims Business Process Guidance (version 3.0) here, [www.msd.govt.nz/documents/about-msd-and-our-work/work-programmes/historic-claims/historic-claims-business-process-and-guidance.pdf](http://www.msd.govt.nz/documents/about-msd-and-our-work/work-programmes/historic-claims/historic-claims-business-process-and-guidance.pdf).

To date, over 75% of survivors who have confirmed their preferred assessment pathway have chosen the rapid payment assessment. For people who choose the rapid payment assessment pathway, they will still have the option to receive all other parts of the Ministry's historic claims process. This includes having the opportunity to tell their story, receive their care files, be supported to access counselling, and receive an apology for their experience.

The Ministry has identified 82 claims in scope of your request as at 26 March 2023. These are claims where there has been an indicative or final rapid payment assessment offer and an indicative or final individualised assessment offer.

Please note that as at 26 March 2023, a total of 172 claimants have received an indicative or final rapid payment assessment offer. The Ministry has excluded 90 of these claims from our response to you as an indicative or final individualised assessment offer has not also been provided. For an indicative individualised offer to be prepared, the Ministry must have sufficient information about a claimant's concerns to assess their claim. The 90 claims



excluded may not have received an indicative individualised offer for various reasons, including:

- The claimant has not yet been interviewed by the Ministry.
- The Ministry has not yet received a letter of offer from the claimant's representative that outlines the claim and the claimant's allegations.
- Where the claimant is unrepresented and communications took place by telephone, the Ministry acknowledges that the file notes do not always contain the level of detail required to confirm whether an indicative offer has been made.

Please see **Table One** in the below **Appendix**, which contains information about claims where an indicative or final rapid payment assessment offer and an indicative or final individualised assessment offer has been made, as at 26 March 2023.

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 and attachments 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 regarding indicative and final offers made under the rapid payment and individualised assessment pathways, 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

  
Linda Hrstich-Meyer  
**General Manager**  
**Historic Claims**

## Appendix

Please see the following definitions of each offer type:

- Indicative Rapid Payment Offer: This is based on an initial review of the claimant's personal and family files, as well as any information provided by the claimant or their legal representative. This amount is subject to change.
- Final Rapid Payment Offer: This is a formal settlement offer provided to the claimant. This occurs after the claimant has confirmed that they would like their claim to be assessed under the rapid payment pathway. This amount is not subject to change as it has been signed out by the Ministry prior to the formal offer.
- Indicative Individualised Assessment Offer: This is an estimated amount based on information provided by a claimant or their representative, such as a letter of offer or an interview. This amount is subject to change.
  - Where a single figure is provided in this column rather than a range, please note that this amount is based on an individualised assessment that has been completed but had not been formally offered to the claimant.
- Final Individualised Assessment Offer: This is a formal settlement offer provided to the claimant. This occurs after the claimant has confirmed that they would like their claim to be assessed under the individualised assessment pathway. This amount is not subject to change as it has been signed out by the Ministry prior to the formal offer.

**Table One: Information about claims where there has been an indicative or final rapid payment assessment offer and an indicative or final individualised assessment offer**

	Rapid Payment		Individualised Assessment	
	Indicative Offer	Final Offer	Indicative Offer	Final Offer
1	\$22,500	\$22,500	Individualised offer likely to be less than Rapid Payment.	-
2	\$22,500	\$22,500	Within category two (\$6,000 - \$15,000), an inappropriate detention payment of \$2,500 is likely to apply.	-
3	\$26,500	\$27,500	Within category four (\$26,000 - \$35,000), an inappropriate detention payment of \$1,500 is likely to apply.	-
4	\$20,000	\$20,000	Within category three (\$16,000 - \$25,000).	-
5	\$21,500	\$21,500	Within category three (\$16,000 - \$25,000), an inappropriate detention payment of \$1,500 is likely to apply.	-
6	\$20,000	\$20,000	Within category two (\$6,000 - \$15,000).	-
7	\$22,500	\$22,500	Within category three (\$16,000 - \$25,000), an inappropriate detention payment of \$2,500 is likely to apply.	-
8	\$11,500	\$11,500	Within category three (\$16,000 - \$25,000), an inappropriate detention payment of \$1,500 is likely to apply.	-
9	\$21,500	\$21,500	\$17,500	-



	Rapid Payment		Individualised Assessment	
	Indicative Offer	Final Offer	Indicative Offer	Final Offer
10	\$22,500	\$22,500	Within category two (\$6,000 - \$15,000).	-
11	\$25,500	\$25,500	\$9,500	-
12	\$29,000	\$29,000	\$25,000	-
13	\$25,500	\$27,500	\$22,500	-
14	\$22,500	\$25,000	Within category two (\$6,000 - \$15,000).	-
15	\$25,000	-	\$20,000	-
16	\$26,500	\$26,500	\$22,500	-
17	\$26,500	\$26,500	Within category three (\$16,000 - \$25,000), an inappropriate detention and BORA payment totalling \$6,500 is likely to apply.	-
18	\$22,500	\$22,500	\$12,500	-
19	\$20,000	\$22,500	Low category three payment of \$16,000.	-
20	\$25,000 plus inappropriate Detention and BORA payments.	\$30,000	Within category three (\$16,000 - \$25,000), an inappropriate detention and BORA payment totalling \$5,500 is likely to apply.	-
21	\$30,000	-	Within category three (\$16,000 - \$25,000), an inappropriate detention payment of \$5,000 is likely to apply.	-
22	\$20,000	-	Within category three (\$16,000 - \$25,000).	-

	Rapid Payment		Individualised Assessment	
	Indicative Offer	Final Offer	Indicative Offer	Final Offer
23	\$21,500	-	Within category three (\$16,000 - \$25,000), an inappropriate detention payment is likely to apply.	-
24	\$29,000	-	Within category three (\$16,000 - \$25,000).	-
25	\$26,500	-	Within category three (\$16,000 - \$25,000), inappropriate detention and BORA payments of \$2,500 and \$4,000 respectively are likely to apply.	-
26	\$22,500	-	\$18,500	-
27	\$30,000	-	Within category three (\$16,000 - \$25,000), inappropriate detention and BORA payments totalling \$10,500 are likely to apply.	\$26,500 This offer was provided prior to the rapid payment offer.
28	\$20,000	-	Within category three (\$16,000 - \$25,000).	-
29	\$25,500	-	Within category three (\$16,000 - \$25,000), an inappropriate detention and BORA payment totalling \$10,500 is likely to apply.	-
30	\$24,000	-	Within category three (\$16,000 - \$25,000), a BORA payment of \$4,000 is likely to apply.	-
31	\$25,000	-	Within category three (\$16,000 - \$25,000).	-
32	\$10,000	-	\$3,000	-
33	\$12,500	-	\$8,500	-

	Rapid Payment		Individualised Assessment	
	Indicative Offer	Final Offer	Indicative Offer	Final Offer
34	\$25,000	-	Within category three (\$16,000 - \$25,000).	-
35	\$23,000	-	Within category two (\$6,000 - \$15,000).	-
36	\$15,500	-	-	\$15,500.00
37	\$25,000	-	\$11,000	-
38	\$26,500	-	\$21,500	-
39	\$30,000	-	Within category three (\$16,000 - \$25,000), a BORA payment of \$8,000 is likely to apply.	-
40	\$21,500	-	Within category two (\$6,000 - \$15,000), an inappropriate detention payment of \$1,500 is likely to apply.	-
41	\$29,000 (a BORA payment of \$4,000 is likely to apply)	-	Within category three (\$16,000 - \$25,000).	-
42	\$10,000	-	Within category two (\$6,000 - \$15,000).	-
43	\$12,500	-	-	\$18,500.00
44	\$24,500	-	-	\$28,000
45	\$25,000	-	-	\$30,000
46	\$29,000	-	Within category three (\$16,000 - \$25,000).	-
47	\$25,500	-	-	\$36,500
48	\$30,000	-	\$40,500	-
49	\$16,500	-	\$22,500	\$22,500



	Rapid Payment		Individualised Assessment	
	Indicative Offer	Final Offer	Indicative Offer	Final Offer
50	\$26,500	-	Within category three (\$16,000 - \$25,000), inappropriate detention and BORA payments of \$2,500 and \$4,000 respectively are likely to apply.	-
51	\$25,500	-	Within category four (\$26,000 - \$35,000), inappropriate detention and BORA payments of \$2,500 and \$8,000 respectively are likely to apply.	-
52	\$26,500	-	Within category three (\$16,000 - \$25,000), inappropriate detention and BORA payments of \$2,500 and \$4,000 respectively are likely to apply.	-
53	\$10,000	-	Within category two (\$6,000 - \$15,000).	-
54	\$30,000	-	Within category three (\$16,000 - \$25,000), a BORA payment of \$8,000 is likely to apply as well as an inappropriate detention payment.	-
55	\$26,500	-	Within category three (\$16,000 - \$25,000), an inappropriate detention and BORA payment totalling \$6,500 is likely to apply.	-
56	\$20,000	-	Within category two (\$6,000 - \$15,000), an inappropriate detention and BORA payment totalling \$9,500 is likely to apply.	-

	Rapid Payment		Individualised Assessment	
	Indicative Offer	Final Offer	Indicative Offer	Final Offer
57	\$15,000	-	Within category two (\$6,000 - \$15,000), an inappropriate detention payment of \$5,000 is likely to apply.	-
58	\$20,000	-	Similar to rapid payment offer.	-
59	\$10,000	-	Within category two (\$6,000 - \$15,000).	\$6,000 This offer was provided prior to the rapid payment offer.
60	\$22,500	-	Within category three (\$16,000 - \$25,000), an inappropriate detention payment of \$2,500 is likely to apply.	-
61	\$25,000	-	Likely to be higher than the rapid payment offer.	-
62	A rapid payment would be less than the \$18,500 offered	-	-	\$18,500 This offer was provided prior to the rapid payment offer.
63	\$20,000	\$20,000	-	\$10,000 This offer was provided prior to the rapid payment offer.
64	-	\$25,000	-	\$17,500
65	\$22,500	-	-	\$22,500 This offer was provided prior to the rapid payment offer.
66	\$30,000	-	-	\$35,500

	Rapid Payment		Individualised Assessment	
	Indicative Offer	Final Offer	Indicative Offer	Final Offer
67	\$25,000	-	-	\$16,000 This offer was provided prior to the rapid payment offer.
68	\$22,500	-	-	\$12,000 This offer was provided prior to the rapid payment offer.
69	\$22,500	-	-	\$14,000 This offer was provided prior to the rapid payment offer.
70	\$20,000	-	-	\$10,000 This offer was provided prior to the rapid payment offer.
71	\$20,000	-	-	\$6,000 This offer was provided prior to the rapid payment offer.
72	\$22,500	-	-	\$25,000 This offer was provided prior to the rapid payment offer.
73	\$21,500	\$22,500	-	\$10,000 This offer was provided prior to the rapid payment offer.
74	\$10,000	-	-	\$16,000 This offer was provided prior to the rapid payment offer.
75	\$11,500	-	-	\$7,500 This offer was provided prior to the rapid payment offer.



	Rapid Payment		Individualised Assessment	
	Indicative Offer	Final Offer	Indicative Offer	Final Offer
76	\$22,500	-	-	\$18,500
77	\$20,000	-	-	\$16,000 This offer was provided prior to the rapid payment offer.
78	\$10,000	-	-	\$5,000 This offer was provided prior to the rapid payment offer.
79	\$22,500	\$22,500	-	\$20,000 This offer was provided prior to the rapid payment offer.
80	\$10,000	-	-	\$13,000 This offer was provided prior to the rapid payment offer.
81	\$10,000	-	-	\$16,000 This offer was provided prior to the rapid payment offer.
82	\$12,500	\$12,500	-	\$6,000 This offer was provided prior to the rapid payment offer.