



17 June 2024

Tēnā koe

Official Information Act request

Thank you for your email of 19 May 2024 requesting information about allegations and complaints made against Youthlink staff members.

On 5 June 2024, part two of your request that related to a breakdown of complaints made against staff members, was transferred to Oranga Tamariki as the information to which this part of your request relates to, is more closely related to the functions of Oranga Tamariki.

I have considered part one of your request under the Official Information Act 1982 (the Act). Please find my decision on your request set out below. I have also provided some general information about Historic Claims process and the previous information the Ministry has provided.

I refer to MSD's 6 May 2024 response to my OIA request:

- 1. Can I please be provided with the name of each staff member that is the subject of 2 or more sexual abuse allegations.*

I am refusing your request in full 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.

As you will note in the table the Ministry provided to you on 6 May 2024, some of the staff members were listed as 'unnamed' as the claimants have not identified the staff member. In line with our previous response, we are not able to provide any further information to you on these 'unnamed' staff members.

General Information about Historic Claims

The Ministry has previously provided information about individuals who made allegations of sexual and physical abuse by staff employed at Youthlink. Specifically, two tables were provided with this information on 14 March 2024 and 6 May 2024. To clarify, the information previously provided was in relation to allegations which the Historic Claims team received from claimants that were provided as part of the claims process.

The Ministry's Historic Claims team provide an alternative disputes resolution process for those who allege abuse or neglect while in state care prior to 1 April 2017. This means that to register a claim a person needs to have been in the care, custody, guardianship or came to the attention of Child, Youth and Family or its predecessor agencies.

The Historic Claims team offers two assessment options as part of the claims process which were detailed in the 14 March 2024 response to you. Since late 2022, claimants have been offered one of two assessment options:

- (a) An individualised claim assessment which considers a claimant's specific concerns and care experience
- (b) A rapid payment assessment which primarily calculates payments based on the length of time a person was involved with Child, Youth and Family or its predecessor agencies. It does not consider a person's individual concerns and a claimant is not required to provide full details of their abuse if they do not wish to do so. This means that some claimants who choose this option may have concerns relating to their experience at Youthlink but may have not shared the nature of their concerns with the Ministry.

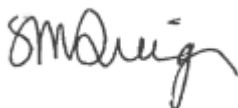
The Historic Claims process does not look to 'accept' claims or allegations. Rather, under an individualised claims assessment, it carries out an assessment to determine whether it is reasonable for the allegations to be taken into account for the purposes of settlement. This assessment primarily relies upon a claimant's state care records.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

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 my decision on your request, 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

pp. 

Magnus O'Neill
General Manager
Ministerial and Executive Services