



14 March 2024

Tēnā koe

### **Official Information Act request**

Thank you for your email of 16 February 2024 requesting an update to the data provided to you on 11 September 2018 in regard to complaints of historic abuse by Youthlink staff.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision set out below.

I have also included some general information about the historic claims process at the end of this letter, for your further information.

### ***How many individuals have made complaints of sexual abuse by staff employed by Youthlink?***

### ***How many individuals have made complaints of physical abuse by staff employed by Youthlink?***

Please note that the Youthlink Family Trust was a service provider contracted by the former Child, Youth and Family and was established in 1989. Prior to 1989 it was known as the Youthline House Trust. We have included allegations relating to both entities in this response. We have also carried out searches for The Glade, Rown House, and Felix Donnelly College which were associated with Youthlink.

**Table one:** The number of claims made to the Ministry where the claimant made allegations of sexual or physical abuse by staff employed at Youthlink, as at 19 February 2024.

<b>Allegation type</b>	<b>Individuals who have made allegations</b>
Sexual and physical abuse	30
Physical abuse only	27
Sexual abuse only	12
<b>Total</b>	<b>69</b>

**Notes:**

- This data has been collated from the Historic Claims Application which centrally records claim related data, including allegations made by claimants. As this data is manually entered it may be subject to human error.
- The data includes allegations of abuse that occurred in the period 1 January 1980 to 2 December 2008

***How many of these claims have been accepted by MSD?***

Please note that the Ministry does not 'accept' claims. Of the 69 claims above, 58 have been resolved and 11 remain open.

**Table Two:** Claims that have been resolved by the Ministry, as at 20 February 2024.

<b>Claim type</b>	<b>Total claims</b>
Rapid Payment - individual allegations are not considered as part of this assessment process	13
Claim resolved under an individualised claim assessment (or previous assessment process) - at least one allegation of physical or sexual abuse taken into account as part of the settlement offer	32
Claim resolved under an individualised claim assessment (or previous assessment process) - no allegations of physical or sexual abuse taken into account as part of the settlement offer	13
<b>Total</b>	<b>58</b>

**Notes:**

- This data has been collated from the Historic Claims Application which centrally records claim related data, including allegations made by claimants. As this data is manually entered, it may be subject to human error.
- Over time claims have been assessed using a range of assessment processes, some of which involve very little testing of whether the allegations of abuse occurred.
- The data includes allegations of abuse that occurred in the period 1 January 1980 to 2 December 2008.

***What is the total amount Youthlink complainants have received in ex gratia/compensation payments from MSD?***

The Ministry is unable to provide the amount paid specifically relating to allegations about Youthlink, as claims often include multiple allegations about various providers, carers and/or services. Settlement payments cover all the allegations made by an individual as part of their claim and cannot be broken down into specific elements. As such your request for this information is refused under section 18(g) of the Act as this information is not held by the Ministry and I have no grounds to believe that the information is either held by, or closely connected to, the functions of another department, Minister of the Crown, or organisation.

However, I refer you to **Table three** which provides total settlement payments made for claims including allegations of sexual or physical abuse by staff employed at Youthlink.

**Table three:** Total settlement payments made for claims including allegations of sexual or physical abuse by staff employed at Youthlink, as at 20 February 2024.

<b>Payment type</b>	<b>Total (\$)</b>
Rapid Payment – individual allegations are not considered as part of this assessment process	\$497,500
Claim resolved and at least one allegation of physical or sexual abuse taken into account as part of the settlement offer	\$768,500
<b>Total</b>	<b>\$1,266,000</b>

**Notes:**

- This data has been collated from the Historic Claims Application which centrally records claim related data, including allegations made by claimants. As this data is manually entered, it may be subject to human error.
- The data includes allegations of abuse that occurred in the period 1 January 1980 to 2 December 2008

***Did Youthlink employ an individual that had been dismissed/resigned from MSD employment for allegations of sexual or physical abuse, despite MSD first advising Youthlink of the allegations made against this individual?***

Your request for information about individuals employed by Youthlink is refused as this information is not held by the Ministry and I have no grounds to believe that the information is either held by, or closely connected to, the functions of another department, Minister of the Crown, or organisation. As such this request is refused under section 18(g) of the Act.

**General information about Historic Claims**

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.

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.

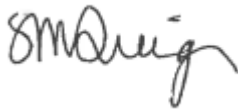
The Historic Claims process does not look to 'accept' claims or allegations. Rather, under an individualised claims assessment, it carries out an assessment to determine whether it is reasonable for the allegations to be taken into account for the purposes of settlement. This assessment primarily relies 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](mailto: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](http://www.ombudsman.parliament.nz) or 0800 802 602.

Ngā mihi

pp. 

Magnus O'Neill  
**General Manager**  
**Ministerial and Executive Services**