



26 November 2025

Tēnā koe

Official Information Act request

Thank you for your request, partially transferred from the Ministry of Health to the Ministry of Social Development on 7 October 2025, requesting data about the number of people detained on compulsory care orders.

I have considered your request under the Official Information Act 1982 (the Act).

Disability Support Services is responsible for the commissioning of secure and supervised facilities for people with intellectual disabilities. This includes people under the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003 and some people who are undergoing inquiries under the Criminal Procedure (Mentally Impaired Persons) Act 2003.

In order to respond to your request, we have taken data from 30 June 2025 as an indicative point in time.

- *How many persons are currently detained in secure facilities under compulsory care orders, and how many of these are detained under extended orders?*

Our data shows that on 30 June 2025, there were 65 people who were compulsory care recipients living in secure facilities under the Intellectual Disability (Compulsory Care & Rehabilitation) Act 2003. This includes people living in hospital secure facilities and community secure facilities.

The Ministry is refusing your request for the number of people currently detained under extended orders under section 18(f) of the Act, as this would require substantial collation to provide.

In order to provide you with this information, the Ministry would need to divert personnel from their core duties and allocate extra time to complete this task. The diversion of these resources would impair the Ministry's ability to continue standard operations and would be an inefficient use of the Ministry's resources. 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 requests 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.

- *What is the range of time these persons have been detained from shortest to longest? What is the average time a person is detained under a compulsory care order?*

We have interpreted this part of your request as asking about people who are under compulsory care orders (compulsory care recipients). Compulsory care recipients include people whose orders require them to live in secure facilities and those whose orders require that they live in a supervised environment. Care recipients can move between secure and supervised environments as we seek to support them in the least restrictive manner.

We have used the cumulative total, which includes any periods between orders. This is because data limitations mean it is not possible to distinguish between someone who has returned to mainstream disability supports or exited care for a period of time and then become a care recipient again through reoffending, and someone for whom an extension or deferred exit has not been accurately recorded in our system.

Within these parameters, on 30 June the shortest period someone had been under compulsory care was 40 days; the longest period was 20 years, 194 days; and the average cumulative time under compulsory care was 6 years, 164 days. Again, please note that this includes periods between orders and periods of secure or supervised care.

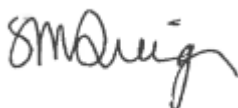
Please note that the data provided only includes compulsory care orders for which Disability Support Services is responsible. This includes people under either the Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003 or the Criminal Procedure (Mentally Impaired Persons) Act 2003. We have excluded people in secure facilities who are on orders under the Mental Health (Compulsory Assessment and Treatment) Act 1992, as the Ministry of Health is responsible for these people.

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 regarding compulsory care orders, 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. 

Anna Graham
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Ministerial and Executive Services