



25 March 2026

Tēnā koe

Official Information Act request

Thank you for your email of 18 February 2026 about the High Court ruling about ACC lump-sum backdated payments and supplementary assistance.

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

1. When was ruling delivered.

The High Court ruling was delivered on 14 October 2025.

2. upon receiving that ruling did you calculate how many pope this could effect? If so how many people did it effect?

The Ministry of Social Development (the Ministry) has estimated that the number of people affected is approximately 37,538 people historically (between January 1998 and November 2025).

On 17 February 2026, Hon Louise Upston, Minister for Social Development and Employment, released a press statement on this issue, available here: www.beehive.govt.nz/release/government-clarify-welfare-and-acc-payments.

3. Out of those people effected how many of them requested a refund or contacted msd?

As at the time of the High Court ruling, three clients had a pending High Court decision, and 36 clients had a pending Social Security Appeals Authority decision. The remainder of this request is refused under section 18(f) of the Act, as substantial manual collation would be required to collate this information. If held, this information would only be contained within individual client files, which would each require manual review to respond to your request. 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 request 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.

4. *how many of those potentially effected people did MSD reach out to in good faith to inform them of the decision that had been made and that they could potentially be effected by that outcome?*
5. *How many people were waiting at the SSAA at the time, how many of them did you contact frist! after the decision had been made?*

To address your questions 4 and 5, following the High Court decision, the Ministry's immediate priority was to engage with clients who had an active case with the High Court or the Social Security Appeals Authority – of which there were 39 in total.

6. *What prompted the law change? and how soon after the decision did MSD approach the minister to make changes to legislation?*

The Ministry discussed the matter with the Minister for Social Development and Employment on 7 December 2025.

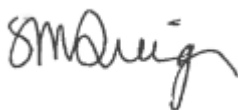
The remainder of this question is refused under section 18(d) of the Act on the basis that the information requested will soon be publicly available. For your information, the Ministry will be releasing five papers on this matter, including two Cabinet papers, which you will be able to find at this link, within a month: www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/index.html.

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. 

Anna Graham
General Manager
Ministerial and Executive Services