

14 DEC 2020

Jessica Dellabarca  
[fyi-request-14111-bcfefd1b@requests.fyi.org.nz](mailto:fyi-request-14111-bcfefd1b@requests.fyi.org.nz)

Tēnā koe Ms Dellabarca

### Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 11 November 2020 to the Ministry of Social Development regarding the Social Security Appeal Authority (the Authority). Your request was transferred in part to the Ministry of Justice (the Ministry) for response on 16 November 2020 as your requests are more closely aligned to the functions of the Ministry.

Your requests and my responses are set out below.

#### *Social Security Appeal Authority*

- 1) *The number and outcome of the decisions of the SSAA broken down by no representation, client representation, lay-person advocate, and legal advocate.*
- 2) *Policy documents provided to the members of the appeal authority in guiding their decisions.*
- 3) *The process by which SSAA members are appointed.*

#### *Appeals to the High Court*

- 4) *The number and outcome of the decisions of the High Court broken down by no representation, client representation, lay-person advocate, and legal advocate."*

Regarding parts 1 and 2 of your request, the information you have requested is not held by the Ministry of Justice. I can advise that information such as the *number and outcome of the decisions of the SSAA*, is considered to be information held by the Authority, which is not subject to the OIA under section 2(6)(b).

Additionally, information such as policy documentation provided to members of the Authority is considered to be information held by the Authority. I am therefore refusing part 1 and 2 of your request as allowed by section 18(g)(i) of the OIA as there are no grounds for believing that the information is held by another department, Minister of the Crown, organisation, or local authority subject to the OIA.

It may interest you to know that decisions made by the Authority are published online and can be found at: [justice.govt.nz/tribunals/social-security-appeal-authority/decisions/ssaa-decisions/?Filter\\_Jurisdiction=275](http://justice.govt.nz/tribunals/social-security-appeal-authority/decisions/ssaa-decisions/?Filter_Jurisdiction=275)

You may wish to also contact the Authority directly by visiting their website: [justice.govt.nz/tribunals/social-security-appeal-authority/contact/](http://justice.govt.nz/tribunals/social-security-appeal-authority/contact/)

In response to part 3 of your request, information on the appointment process for Authority members, is set out in Schedule 1 of the Social Security Act 2018, which is available on New Zealand's legislation website: [legislation.govt.nz/act/public/2018/0032/latest/DLM6783115.html?src=qs](http://legislation.govt.nz/act/public/2018/0032/latest/DLM6783115.html?src=qs). Members of the Authority are independent judicial officers, and as such, are not employees of any government agency, including the Ministry of Social Development. I am therefore refusing this part of your request under section 18(d) of the OIA as the information is publicly available.

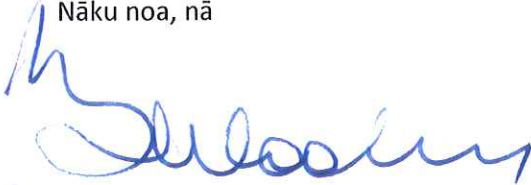
In response to part 4 of your request, the information you have requested is not held by the Ministry. This is because information on the specific body or authority the High Court appeal relates to is not recorded in the Court's Case Management System. The Ministry is therefore unable to report on it. I am also refusing this part of your request as allowed by section 18(g)(i) of the OIA. There are no grounds for believing that the information is held by another department, Minister of the Crown, organisation, or local authority subject to the OIA.

If you require any clarification of the information contained in this response please contact the Ministry of Justice Media Manager, by calling (04) 918 8836; or emailing [media@justice.govt.nz](mailto:media@justice.govt.nz)

If you are not satisfied with this response, you have the right to complain to the Ombudsman under section 28(3) of the OIA. You can contact the Office of the Ombudsman by writing to PO Box 10152, Wellington 6143; calling 0800 802 602; or emailing [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz)

I trust that this information assists.

Nāku noa, nā



RP

Richard Williams  
**Group Manager (Acting), Courts and Tribunals, Regional Service Delivery**

Ref: 84502