

18 February 2021

John Finnegan  
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Tēnā koe Mr Finnegan

### **Official Information Act 1982 request**

Thank you for your Official Information Act 1982 (OIA) request of 7 January 2021 to the Ministry of Justice (the Ministry) requesting information regarding Disputes Tribunal hearings. I am responding as Group Manager, Courts and Tribunals, Regional Service Delivery. Specifically, you requested the following information:

- 1) *Total number of hearings lodged at disputes tribunals.*
  - 2) *Out of the total no how many were applied to be reheard.*
  - 3) *Out of the total no how many were appealed against the initial decision made in the hearing.*
  - 4) *Out of those who applied for a rehearing how many got through to a rehearing, how many of them didn't get reheard, of those who didn't get reheard how many appealed against the decision to be reheard. Also, number of successful appeals for each of these questions.*
- Could you also provide in the answers to questions 2 to 4 answers not only as numbers but has a percentage.*

On 18 January 2021, the Ministry sought to clarify your request, and you confirmed that you would like information on the number of new claims heard for the first part of your request and you are seeking information for the last 5 years for comparison.

In response to the first part of your request, please refer to Table 1. Table 1 provides information on the number of Disputes Tribunal claim applications heard each month, 2016-2020.

In response to the second part of the request, please refer to Table 2. Table 2 provides information on the number of Disputes Tribunal rehearing applications with an outcome by outcome type, 2016-2020.

In response to the third part of your request, please refer to Table 3. Table 3 provides information on the number of Disputes Tribunal appeal applications with an outcome by outcome type, 2016-2020.

In response to the fourth part of your request, the Ministry does not hold the information you have requested. While the OIA enables people to request official information from Ministers and agencies, this only applies to information already held. The Ministry is not required to create information for the purposes of responding to a request. A response to your request would require the creation of a new report. Therefore, I am refusing your request under section 18(g) of the OIA.

If you require any clarification of the information contained in this response please contact Alison Horwood, Media Manager, Media and External Relations, 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

pp 

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

Ref: 85210

Encl: Table 1: Number of Disputes Tribunal claim applications heard each month, 2016-2020

Table 2: Number of Disputes Tribunal rehearing applications with an outcome, by outcome type, 2016-2020

Table 3: Number of Disputes Tribunal appeal applications with an outcome, by outcome type, 2016-2020

**Table 1: Number of Disputes Tribunal claim applications heard each year, 2016-2020**

Year	Heard applications
2016	10,538
2017	10,827
2018	9,741
2019	9,454
2020	8,211

Notes:

- This data counts the number of Disputes Tribunal claim applications heard.

- This data includes new claims and claims reactivated for a re-hearing following either a rehearing application or an appeal.
- The year is as at the application outcome date.
- Example interpretation: In January 2016 there were 624 new Disputes Tribunal claim applications which were heard.

**Table 2: Number of Disputes Tribunal rehearing applications with an outcome by outcome type, 2016-2020**

Outcome type	2016	2017	2018	2019	2020
Granted	558	544	466	509	405
Other	515	523	470	495	434

Notes:

- This data counts the number of rehearing applications with outcomes.
- This only includes rehearing applications linked to cases which also had a Disputes Tribunal claim application.
- The year is as at the rehearing application outcome date.
- The outcome types of an application for rehearing included in this data have been grouped into: 'Granted' and 'Other' (abandoned, dismissed, refused, struck out, or withdrawn)
- Example interpretation: In 2016 there were 558 rehearing applications granted.

**Table 3: Number of Disputes Tribunal Appeal applications with an outcome by outcome type, 2016-2020**

Outcome type	2016	2017	2018	2019	2020
Allowed	23	14	17	10	10
Other	113	127	141	100	115

Notes:

- This data counts the number of Disputes Tribunal appeal applications with outcomes.
- The year is as at the appeal application outcome date.
- The outcome types of an application for appeal included in this data have been grouped into:
  - 'Allowed' (allowed and allowed in part) and 'Other' (abandoned, decision reserved, dismissed, struck out, or withdrawn)
- Example interpretation: In 2016 there were 23 DT appeal applications with an 'Allowed' outcome.