



08 July 2024

Anthony Jordan

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Kia ora Anthony

**Your Official Information Act request, reference: GOV-032983**

Thank you for your email of 11 June 2024, asking for the following information under the Official Information Act 1982 (the Act):

*1/ Number of Concussion/Mild TBI claims that have been declined due to insufficient Proof of Causation for Respective years 2010 to date*

*2/ Number of Concussion/Mild TBI Court Hearings that have gone in the ACC's favour due to insufficient Proof of Causation for Resepive years 2010 to date*

*3/ Types of Clinical Evidence the ACC accept is Sufficient to Prove Causation Pertaining to Concussion/Mild TBI*

**We are unable to answer questions one and two**

To determine how many concussion claims have been declined due to insufficient proof of causation from 2010 to the date of your request, would require the manual review of over 7000 claims files. Therefore, we are refusing your request under section 18(f) of the Act as it would require substantial collation and research to provide this information. When making this decision we considered extending our timeframe to respond and/or charging (as allowed under the Act). However, neither of these options has been offered as we have determined that the resources required to extract the data would have a significant impact on the everyday functions of the team(s) involved.

**Clinical evidence used for poof of causation**

Please see the attached document which sets out the criteria for accepting cover for concussion. Please note that if the factors in the attached guidance are not there or are unclear, it doesn't automatically mean the claim will be declined, rather that internal clinical advice would be considered.

**As this information may be of interest to other members of the public**

ACC has decided to proactively release a copy of this response on ACC's website. All requester data, including your name and contact details, will be removed prior to release. The released response will be made available [www.acc.co.nz/resources/#/category/12](http://www.acc.co.nz/resources/#/category/12).

**If you have any questions about this response, please get in touch**

You can email me at [GovernmentServices@acc.co.nz](mailto:GovernmentServices@acc.co.nz). If you are not happy with this response, you can also contact the Ombudsman via [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phoning 0800 802 602. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Ngā mihi

Christopher Johnston

**Manager Official Information Act Services**  
Government Engagement