



Dave P

fyi-request-7311-604daea0@requests.fyi.org.nz

19 March 2018

Dear Dave P

I refer to your email to the Ministry of Business, Innovation and Employment (MBIE), in which you made the following request under the Official Information Act 1982 (the Act):

“ On Page 16 of the BIM for the Minister of Immigration it states MBIE is currently reviewing the family instructions. It states this advice could be made available by December 2017.

Given it is nearly February 2018 I request the following

- 1) If available, please provide any reports/documentation/advice submitted to the minister regarding the review of the family instructions.*
- 2) Even if not submitted to the minister, please provide the outcome of this review that was undertaken (aka any report or advice documents produced)*

We have withheld information from the following three documents which are being released to you.

- NZRP Family Category reviews (power point slides)
- Agenda of regular policy session discussion meeting with the Minister of Immigration
- Briefing- Reporting on the outcomes of the Parent, Partnership and Dependent Child Category reviews

Information has been withheld under the following sections of the Act:

- Section 6(a) relating to the relationship with the government of another country
- Section 6(c) relating to prejudicing the maintenance of the law
- Section 9(2)(a) relating to the privacy of natural persons
- Section 9(2)(f)(iv) relating to the confidentiality of advice tendered by Ministers of the Crown and officials; and
- Section 9(2)(g)(i) relating to the provision of free and frank advice.

You have the right under section 28(3) of the Act to ask the Ombudsman to investigate and review the decision to withhold. Information about how to make a complaint is available at: www.ombudsman.parliament.nz or freephone: 0800 802 602.

Yours sincerely

Siân Roguski

Manager, Immigration Policy

Ministry of Business, Innovation and Employment





BRIEFING

Reporting on the outcomes of the Parent, Partnership and Dependent Child Category reviews

Date:	25 January 2018	Priority:	Medium
Security classification:	In Confidence	Tracking number:	0825 17-18

Action sought		
	Action sought	Deadline
Hon Iain Lees-Galloway Minister of Immigration	<p>Note that the reviews of the Parent, Partner and Dependent Child Categories have found that the policies are largely operating as intended</p> <p>Note that officials will report back with proposals regarding the future of the Parent Category as part of the advice on resetting the New Zealand Residence Programme</p> <p>Agree that officials continue to monitor the policy risks relating to the Partnership and Dependent Child Categories and that further policy work be picked up in 2019.</p>	28 February 2018
Hon Kris Faafoi Associate Minister of Immigration	Copy for your information	N/A

Contact for telephone discussion (if required)				
Name	Position	Telephone		1st contact
Sián Roguski	Manager, Immigration Policy	(04) 901 3855	s 9(2)(a)	✓
Ged Hiscoke	Policy Advisor	(04) 474 2998	s 9(2)(a)	

The following departments/agencies have been consulted
The Treasury

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



BRIEFING

Reporting on the outcomes of the Parent, Partnership and Dependent Child Category reviews

Date:	25 January 2018	Priority:	Medium
Security classification:	In Confidence	Tracking number:	0825 17-18

Purpose

On 20 December, officials met with you to discuss the high level findings and conclusions from the family category reviews. This briefing follows up from that meeting, giving you more detailed information on the reviews and seeking confirmation of your preferences for next steps.

Executive summary

The New Zealand Residence Programme (NZRP) provides permanent residence for approved applicants, with numbers currently managed through a two-yearly planning range. The family stream is one of the three streams of the NZRP and includes the capped Parent Category (4,000 places over a two-year period) and the uncapped Partnership and Dependant Child Categories.

The current high level objectives of the family stream, as stated in Immigration Instructions, are to:

- strengthen families and communities, while reinforcing the Government's objectives; and
- contribute to New Zealand's economic transformation and social development.

In the context of high demand for places in the NZRP, Cabinet agreed in September 2016 to reduce the cap on the Parent Category from 11,000 to 4,000 places over the NZRP's two-year period, and to temporarily close the Parent Category to new applications. In addition, Cabinet commissioned reviews of the family categories, to investigate managing demand for a decreased number of places in the Parent Category, and to ensure that the Partnership and Dependent Child Categories were functioning well in relation to their policy intent, and in supporting the partners and children of New Zealand citizens and residents (New Zealanders) to gain residence in New Zealand.

The three reviews assessed the categories against their purpose

Each of the family categories was assessed in relation to its ability to:

- bring maximum benefit to New Zealand, including social benefit;
- attract and retain skilled migrants and New Zealanders in the New Zealand labour market; and
- ensure the integrity of the immigration system.

Any proposed changes were then assessed against:

- the ability of changes to be enforced and implemented;
- human rights implications and international obligations; and
- managing international relationships including in the Pacific.

Two additional criteria for assessing changes were applied to the Parent Category review:

- managing fiscal costs; and
- the effectiveness of proposed changes in managing the numbers of those likely to be eligible (relative to the current cap on the Category).

Findings of the reviews

The findings from the Parent, Partnership and Dependent Child reviews have indicated that the categories are mostly producing outcomes consistent with the intent of the policies. They are meeting the stated policy objectives to strengthen families and contribute to New Zealand's economy. There are however some sub-optimal outcomes from the Partnership and Dependent Child Categories that merit further work, and decisions to be made regarding the future of the Parent Category.

Parent Category Review

The current two year planning programme of the NZRP will conclude in June 2018, and the reduced cap of 4,000 places in the Parent Category will have been met by applications that Immigration New Zealand (INZ) had on hand when the Category was temporarily closed.

§ 9(2)(f)(iv)

Partnership Category Review

The findings of the Partnership Category review indicate that the Category is largely functioning as intended and is facilitating residence for migrants in genuine relationships with New Zealand citizens and residents. Information on outcomes for migrant partners does not raise concerns. The increase in the volume of applications appears to be correlated with a growing number of skilled workers getting residence as single people who then go on to support a partner later, as opposed to including their partner as secondary applicants in their original residence application.

Based on data related to relationship longevity, there is no evidence of large-scale issues related to non-genuine relationships being used to gain residence in New Zealand under the Partnership Category in recent years. § 6(c)

§ 6(c)

As discussed with you, officials will continue to monitor § 9(2)(f)(iv)

§ 9(2)(f)(iv)

Dependent Child Category Review

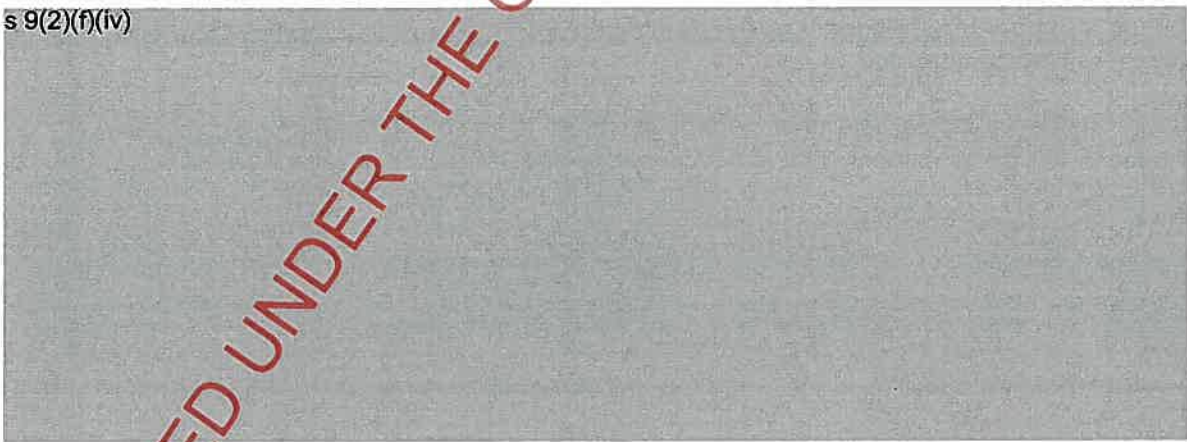
Findings of the review of the Dependent Child Category indicate that it is largely functioning as intended, and that settlement outcomes for migrant youth are mostly positive. While it is notable that the volume of approvals is steadily increasing year-on-year, this is not immediately of concern on its own as the number of applicants is small and the Dependent Child Category represents only a small proportion of the total NZRP.

s 9(2)(f)(iv)



Next steps

s 9(2)(f)(iv)



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Recommended action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Note** that the Parent, Partner and Dependent Child Categories have been reviewed against the following criteria to assess whether the Categories are operating as intended:
- i. bring maximum benefit to New Zealand, including social benefit;
 - ii. attract and retain skilled migrants and New Zealanders in the New Zealand labour market; and
 - iii. ensure the integrity of the immigration system.

Noted

- b **Note** that the outcomes from the Parent, Partnership and Dependent Child Category reviews have indicated that the Categories are largely operating as intended, consistent with the stated policy intent.

Noted

Parent Category review

- c **Note** that the Parent Category was reviewed against two additional criteria:
- i. managing demand following the decision to reduce the number of capped places to 4,000 over a two-year period; and
 - ii. managing fiscal costs.

Noted

- d **Note** that in 2016, the Parent Category was temporarily closed to new applications in order to manage demand within the reduced cap.

Noted

e s 9(2)(f)(iv)

f

Partnership Category review

- g **Note** that the Partnership Category review has found:
- i. no evidence of high levels of immigration fraud within the Partnership Category; however;
 - ii. s 6(c)

Noted

h s 9(2)(f)(iv)



Agree / Disagree

Dependent Child Category review

i **Note** that while the Dependent Child policy is broadly operating as intended, officials have identified specific issues, including:

s 6(c)



j **Note** that some options for addressing both issues h (i) and h (ii) fall within your portfolio, but would only go part way to forming a solution and that progressing a comprehensive solution to issues would require cross-agency and cross-Ministerial work.

Noted

k s 9(2)(f)(iv)



Agree / Disagree

Siân Roguski
Manager,
Immigration Policy
LSE, MBIE

25 / 01 / 2018

Hon Iain Lees-Galloway
Minister of Immigration

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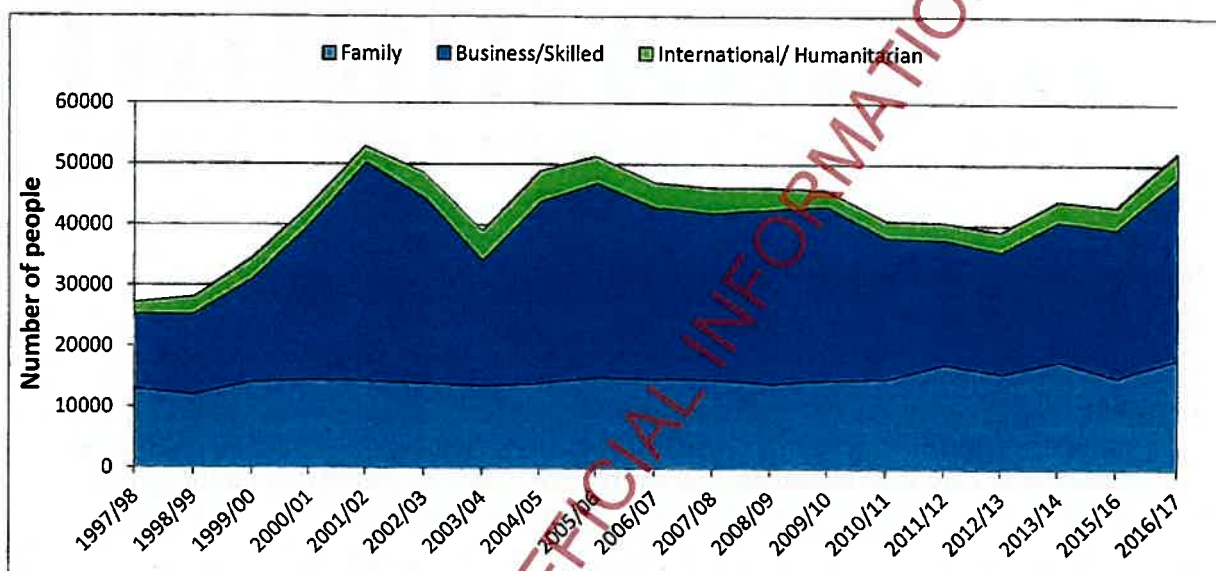
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The Parent, Partnership and Dependent Child Categories sit within the Family Stream of the New Zealand Residence Programme

The New Zealand Residence Programme (NZRP)

1. The NZRP provides residence class visas in New Zealand for approved applicants, with the number of places managed through a two-yearly planning range. The planning range is currently set at 85,000 to 95,000 people over a the two year period ending 30 June 2018.

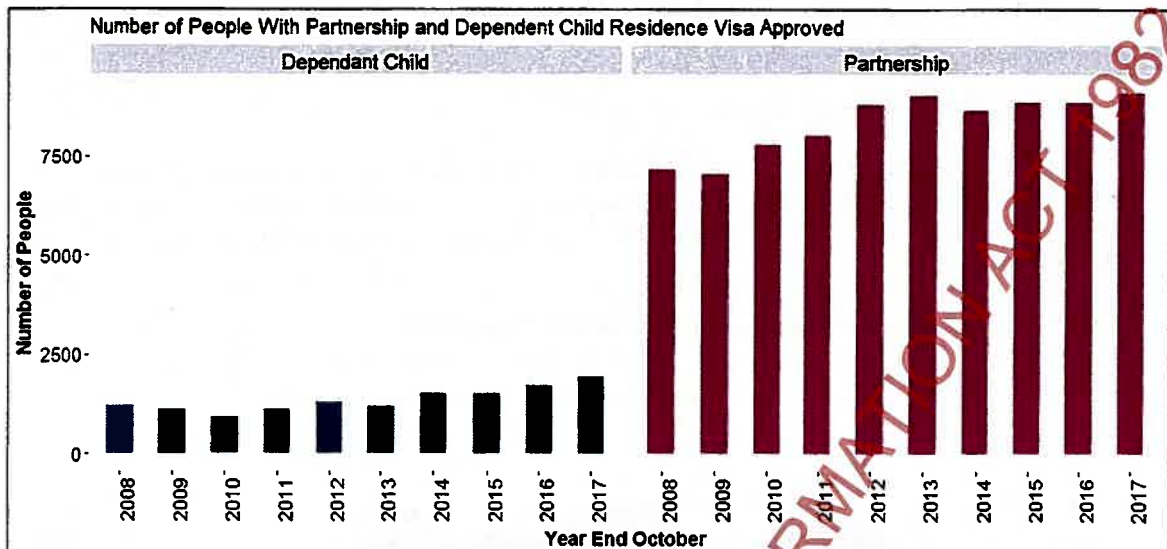
Figure 1: People approved under the NZRP 1997-2017



2. The Family Stream is one of the three¹ streams of the NZRP and includes the following visa Categories:
 - a. the Parent Category (Tier One and Tier Two) (4,000 places over 2 years)
 - b. the Parent Retirement Category (Uncapped) (not part of the review)
 - c. the Partnership Category (Uncapped)
 - d. the Dependent Child Category (Uncapped)
3. Currently 27, 000 – 29, 000 places are assigned under the NZRP to the Family Stream for a two year period ending on 30 June 2018. Of these, 4,000 places are assigned to Parent Residence visas (across the two year period).
4. The Partnership and Dependent Child Categories are uncapped. Approximately 18,500 people have been granted residence visas under these Categories during this NZRP period (15,046 in 2016/17, and just over 3,500 in the 2017/18 year to date). Almost three quarters of these are partners of New Zealand citizens or residents.
5. In recent years, uncapped partnership numbers have been reasonably consistent, while dependent children numbers have been slowly increasing but from a low baseline, as indicated in Figure 2.

¹ The other two streams are Business/Skilled and Humanitarian.

Figure 2: Partnership and Dependent Child Category approvals, 2008-2017



Reviews of the Parent, Partnership and Dependent Child Categories have been undertaken

6. In late 2016 a review of the NZRP was completed. Following this review, Cabinet invited a report back on the functioning of the family categories (Parent, Partnership and Dependent Children). While related, the categories are distinct enough, and face significantly different challenges, that warrant treating them separately for the purpose of the review. This paper reports on the outcomes of these reviews.

The overall objective for the reviews has been to ensure that the policies meet the stated intent

7. The three reviews were jointly commissioned alongside the changes to the NZRP planning range, there are minor differences in the objectives of the reviews of each of the three visa categories.
8. All three reviews have considered whether
 - a. the operation of the policies is consistent with the stated policy intent to strengthen families and communities while reinforcing the Government's objectives;
 - b. the policies contribute to New Zealand's economic and social transformation.
9. In addition, the previous Minister of Immigration gave the Parent Category a particular mandate to also consider ways to manage fiscal costs and ensure that demand can be managed under the new lower cap without inviting long queues of applicants. The review assumed the Parent Category would be reopened.

The reviews have been operating on common criteria

10. The options proposed in response to the findings of the Parent, Partnership and Dependent Child reviews have been assessed against the following criteria:
 - a. bringing maximum benefit to New Zealand including, social benefit;
 - b. attracting and retaining skilled migrants and New Zealanders;

- c. implications on the wider system, including on the integrity of the immigration system;
 - d. human rights implications and international obligations; and
 - e. ability of requirements to be enforced and implemented.
11. In addition, the Parent Category review assessed how well current policy settings managed the fiscal costs of the policy.

You have made commitments on immigration and family categories

12. We understand that your policy manifesto has committed to include several items related to the family category reviews:
- a. to have an immigration system that is focused on welcoming people with the skills we need to make New Zealand a more prosperous nation that can deliver a good standard of living for New Zealanders;
 - b. that there will be no direct changes to the Family Stream visas, although there will likely be a flow-on decrease from the other changes to the Skilled Migrant Category (SMC); and
 - c. to maintain the family reunification categories (and Pacific quota) to ensure that they are accessible for Pacific people.
13. We consider that the objectives of the Family Category reviews are consistent with these commitments and the findings do not propose large scale changes to the policies. The reviews have focused on ensuring that the policies are fit for purpose and operating as intended in the immigration system.

The Parent Category review considered demand for places and fiscal costs

14. The Parent Category provides a mechanism for migrants who have been resident in New Zealand for at least three years to sponsor their parent's application for residence. It recognises that having an extended family together can make a positive impact on settlement outcomes and migrant retention.
15. The Parent Category is a two-tiered policy. Priority is given to parents under Tier One: those who can support themselves financially, or who are sponsored by adult children with higher incomes. The Tier Two policy allows for applications with sponsors with a lower income (of at least \$33,675 per annum) and the where the majority of the applicants children reside in New Zealand. The sponsors must agree to sponsor the parent for ten years.
16. In September 2016, Cabinet agreed to temporarily close the Parent Category to new applications as Immigration New Zealand held a sufficient number of Expressions of Interest (EOIs) to process applications to meet the newly agreed cap of 4,000 places over the two year period.
17. The current planning range for the NZRP finishes in June 2018. At this point, INZ anticipates that all of the Parent Category EOIs in the system will have been processed.

The review of the Parent Category review considered fiscal costs

18. Analysis of the Integrated Data Infrastructure (IDI)² data was undertaken to assess access to benefits, the healthcare and the average wage of sponsoring children. This analysis compared fiscal costs associated with:
- an earlier version of the Parent Category (the first cohort) that had humanitarian rather than financial requirements; and
 - the current Parent Category (the second cohort) that has financial requirements.³

The review found that when financial criteria were applied Parent Category visa holders had much lower uptake of benefits

19. The IDI analysis indicated that the introduction of the financial requirements in 2012 contributed to a reduction in the fiscal costs of the Category. This was demonstrated through a reduction in benefit access during the sponsorship period and an increase in the number of parents sponsored by children with high incomes.
20. There were indications that about a third of the first cohort accessed the accommodation supplement and/or First Tier Benefits⁴ within two years of arriving in New Zealand.
21. In comparison, the second cohort of parents appears to have negligible uptake of benefits within two years of arriving in New Zealand when financial conditions were placed on the Parent Category visa (one per cent accessed the unemployment benefit and accommodation supplement during their first two years in New Zealand when they were sponsored by their children).

The review found high numbers of sponsors remaining in New Zealand and both cohorts had similar uptake of healthcare

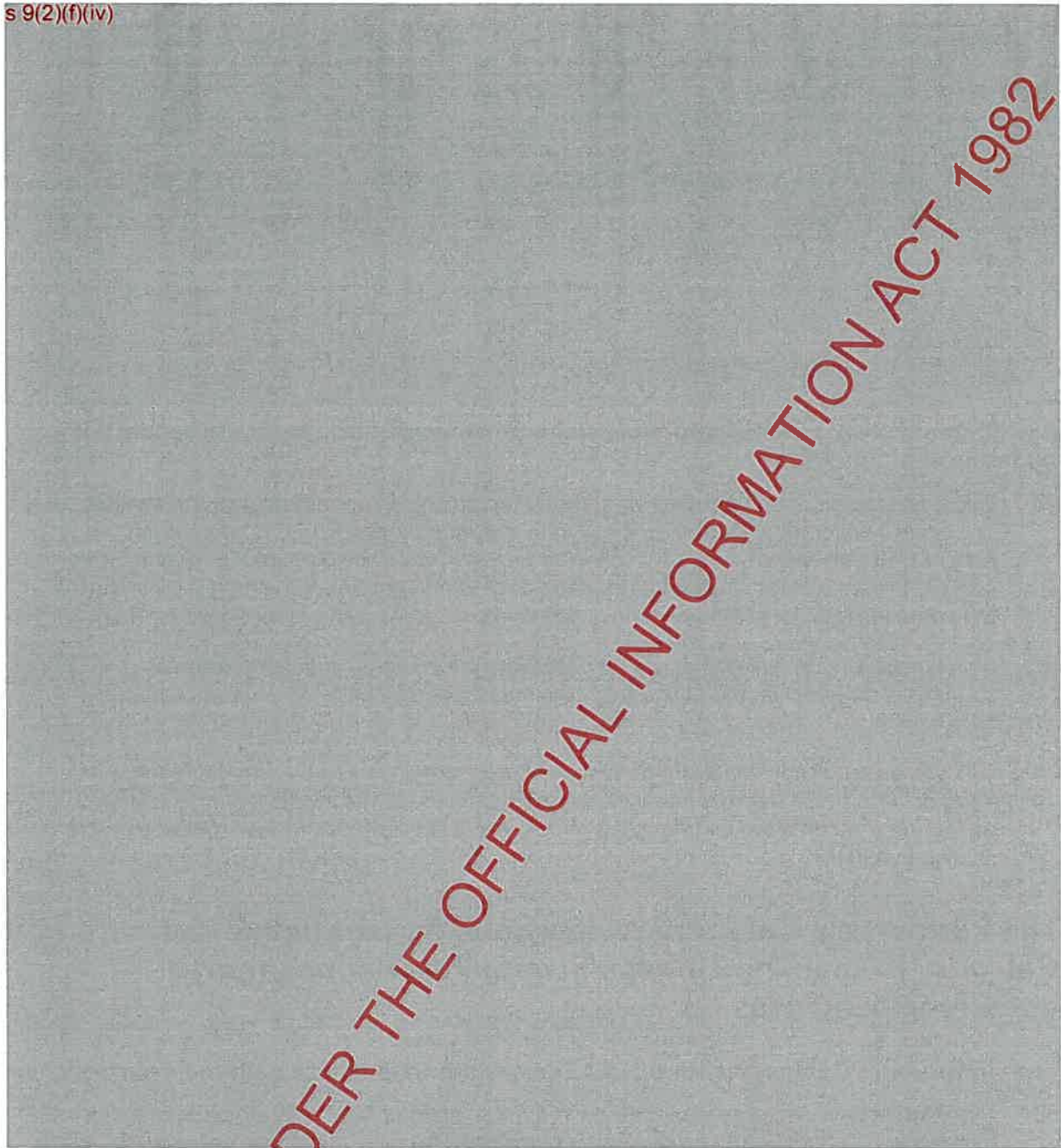
22. Both cohorts showed a relatively high rate of sponsoring children remaining in New Zealand after their parents arrived:
- The proportion of sponsors of the first cohort that remained in New Zealand appears to be slightly lower than the second cohort (94 per cent were still in New Zealand after six months, and about 90 per cent after 36 months).
 - For sponsors of the second cohort, retention data is only available for the first year after their parent arrived (98 per cent were still in New Zealand).
23. The two cohorts had similar healthcare costs after being inflation adjusted to 2016 costs. That is despite the second cohort being slightly older (36 per cent were aged 65 years and older compared to 30 per cent for the first cohort).

² The Review of the Parent Category has analysed data in the Integrated Data Infrastructure (IDI). The IDI is a large research database containing data from a range of government agencies, Statistics New Zealand surveys and non-government organisations. The data, including results, is anonymised to protect the privacy of individuals. All the IDI analysis findings have been rounded to base 3, for example, a count of 30 people meeting a certain criteria could be rounded from between 28 and 32 to protect the anonymity of individuals. Where the counts of people are very low, they are suppressed.

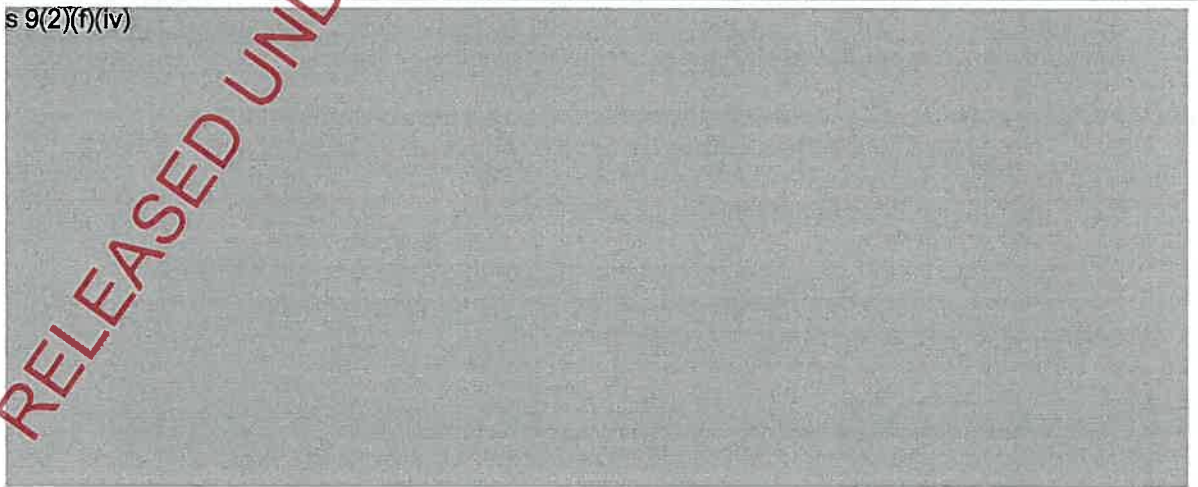
³ The IDI analysis looked at the fiscal impacts of two cohorts (total approvals over a 12 month period) of Parent Category migrants. These two cohorts comprise a baseline cohort that arrived on any Parent Category visa in 2011 (the "2011" or "first" cohort) 3, and a second cohort that arrived on a Parent Tier One or Tier Two visa between 1 July 2012 and 30 June 2013 (the "June 2013" or "second" cohort). The second cohort was approved under the current Parent Category policy conditions, following the introduction of the current policy in 2012.

⁴ First Tier benefits include the Unemployment Benefit, Invalids Benefit, Sickness Benefit, Domestic Purposes benefit, Emergency Benefit, Unsupported Child and Orphan, and Widow's Benefit.

s 9(2)(f)(iv)



s 9(2)(f)(iv)



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A data-match between INZ and MSD will contribute to stronger enforcement of sponsorship conditions

36. INZ is leading work on finalising an Information Matching Agreement with the Ministry of Social Development (MSD) to share data and identify sponsored migrants with Parent Category visas⁵ who are accessing benefits. Current sponsorship requirements prevent Parent Category visa holders from accessing Tier One benefits⁶ for their first ten years in New Zealand, while their sponsor has agreed to be responsible for them.
37. This agreement will provide a tool for potential monitoring by indicating when a sponsor is not meeting the obligations that they have agreed to as a Parent Category sponsor.
38. Officials are currently finalising the technical standards associated with the storage of personal information and are consulting with the Office of the Privacy Commissioner on the Information Matching Agreement between INZ and MSD. This is expected to be finalised in 2018.

The Partnership Category review considered whether the Category is enabling couples in genuine relationships to obtain resident visas

The Partnership Category allows New Zealanders to live here with their partner

39. The Partnership Category was created in 2003 to replace two separate categories for married and de facto partners of New Zealanders. The objective of the policy is to allow the partners of New Zealand citizens and residents (New Zealanders) to get a resident visa in order to live with them in New Zealand.
40. Partners of New Zealanders can get a resident visa if they can show that:
 - a. they are living with their partner as couple (and have been for at least 12 months); and
 - b. their relationship is genuine and stable.
41. Applicants must meet standard character requirements but are subject to a lower health threshold than other residence categories (as do dependent children, discussed below). The New Zealand partner must also:

⁵ And other residence categories with sponsorship conditions such as Cultural Visa.

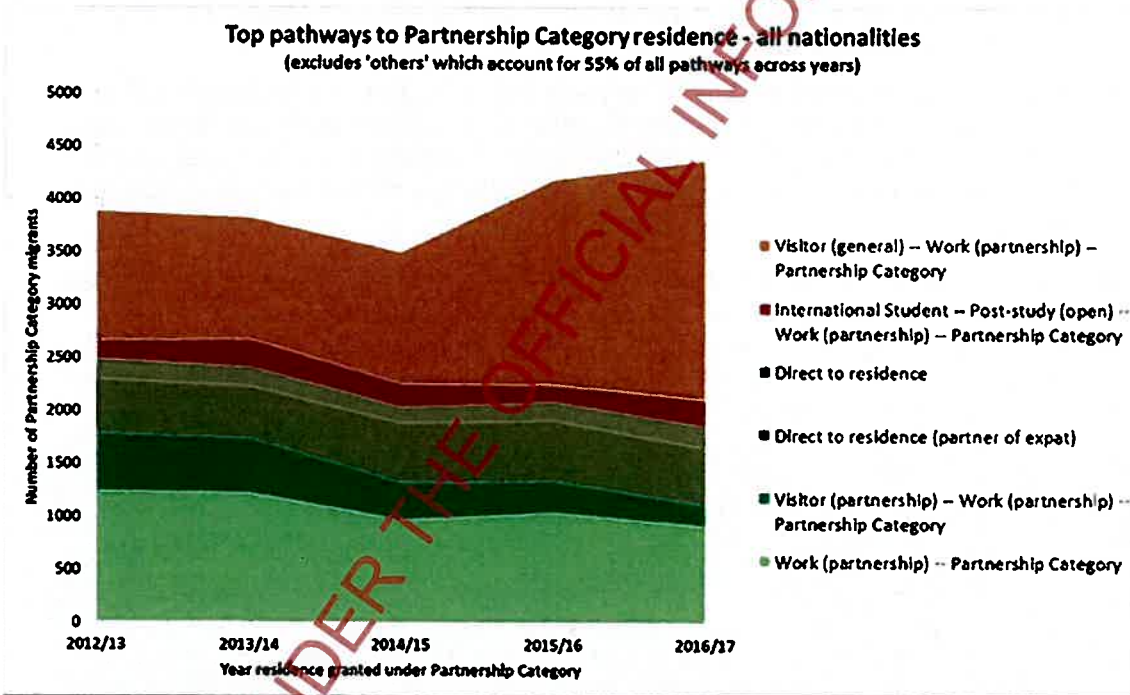
⁶ Tier One benefits include the Unemployment Benefit, Invalid's Benefit, Sickness Benefit, Domestic Purposes Benefit, Emergency Benefit, Unsupported Child and Orphan Benefit and Widow's Benefit.

- a. not pose an undue risk of domestic violence; and
- b. not have previously supported more than one foreign partner in a residence application.⁷

Recent trends in application numbers under the Partnership Category

42. The number of migrant partners granted residence under the Partnership Category has increased from around 8,750 in 2012/13 to 9,600 in 2016/17. Over that period, the top three nationalities (India, China and the United Kingdom) have consistently accounted for around 40 per cent of the Category. The approval rate for Partnership Category applications is very high, around 95 per cent.
43. More residents now support Partnership Category visas than citizens.⁸ This seems to reflect a growing number of skilled migrants being younger and still single when they get residence (particularly under the SMC). Instead of including a partner as a secondary applicant when they first get residence, they support a separate Partnership Category application later on.

Figure 3. Top pathways toward Partnership Category residence for migrants granted resident visas between 2012/13 and 2016/17



44. The vast majority (over 90 per cent) of migrants under the Partnership Category hold a partnership work visa before getting residence, but the pathways to obtain residence are varied. The number of migrants who get their *first* visa under a partnership policy (whether visitor or work) is steadily decreasing, while the number of applicants who arrive as 'general' visitors has increased sharply. A few hundred Partnership Category migrants each year also come from a student background. The most common pathway is from study to an 'open' post-study work visa to a partnership visa, but many also

⁷ Partners of New Zealanders and partners of temporary migrants are also eligible for a number of other temporary visas, and as secondary applicants on some residence visa applications. The relationship requirements for these visas are largely the same, except that temporary entry visas do not have a minimum duration requirement nor a maximum number of partners.

⁸ The proportion of supporting partners who are citizens has decreased from 58 per cent in 2008/09, to 48 per cent in 2016/17.

transition after a second (employer supported) post-study work visa, and directly from a student visa. The transition from working holiday visa to partnership is also relatively common, especially for UK nationals.

s 6(c)

The review of the Partnership Category focused on whether the Category is facilitating people in genuine relationships gaining residence in New Zealand

46. The Partnership Category rationale recognises the inherent value associated with New Zealanders being able to bring their partner to New Zealand to form a family unit. A key requirement of the policy is the ability to demonstrate a genuine and stable relationship.
47. The review focused on assessing whether the policy is in fact facilitating genuine relationships. The analysis relied on administrative immigration data and operational information.⁹

The review found no evidence of large-scale abuse of the Partnership Category for non-genuine relationships in recent years

48. Administrative immigration data, used to infer whether migrant partners were still in a relationship two years after being granted residence, indicates that most relationships endure and are likely genuine. The results, based on a sample of over 500 migrant partners, showed that between six to ten per cent of couples had separated after two years.
49. Married couples and those with children were less likely to have separated than those in de facto relationships or without children. Duration of relationship at the time of application did not appear to be a significant factor for relationship endurance. The overall separation rate is consistent with the proportion of New Zealand marriages and civil unions that end in divorce.¹⁰

s 9(2)(f)(iv)

⁹ The analysis relied on a sample of 516 Permanent Resident Visa applications comparing relationship status declarations on paper applications to the information provided at least two years earlier in migrants' Partnership Category residence applications. Sample limitations include:

- over-representation of older migrants and Pacific migrants, which means a likely under-reporting of separation rates;
- applicants sampled received residence between 2011 and 2014 and may have a different risk profile from current applicants.

Further work is in progress to analyse more applications and rebalance the sample representation.

¹⁰ Around six per cent of marriages or civil unions end in divorce after five years.

s 9(2)(f)(iv)

51. Administrative data on transitions between visas also shows:

- a. the number of people changing from labour-market visa pathways (i.e. former international students and work visa holders) to partnership-based visas has increased since the announcement earlier this year of the changes to the SMC and to Essential Skills work visas; and

s 6(c)

s 9(2)(f)(iv)

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The review of the Dependent Child Category considered whether the Category was producing good outcomes for dependants

60. Under the NZRP there are two pathways for dependent children to apply for residence:
- a. The dependent children of New Zealand citizens and residents fall within the Family Stream and can specifically apply for a visa under the Dependent Child Category.
 - b. Children that have a parent applying for a resident visa can also be included on their parent's application as a secondary applicant.¹³
61. If a dependent child is a secondary applicant on their parent's resident visa application, they are included as part of the NZRP stream that their parents application was in. If their parent is an existing New Zealand citizen or resident, then they are included in the Family Stream.
62. The review was focused on the Dependent Child Visa Category, (i.e. point a. under paragraph 60 above) rather than a review of all visas through which a dependent child could be supported to enter New Zealand. This intentionally focused the scope to allow completion of the review in a timely manner, but to also provide sufficient assessment of broader issues in relation to dependent children that may need further work.
63. As the review targeted the Dependant Child Visa Category it did not include temporary visas, which also enable dependents to enter New Zealand. These include:
- a. visitor visas;
 - b. children of temporary workers; and
 - c. children of students.

¹³ This can include dependent children of a partnership visa applicant; children of refugees; dependent children under the humanitarian categories (the Samoan Quota and Pacific Access Category); and dependent child of a principal applicant in the Business/Skilled Stream.

64. In addition, the review does not include dependants that apply to enter New Zealand as a secondary applicant on their parent's resident visa application.

The Dependent Child Category was last changed in 2002

65. Since 2002, the definition of dependent child has remained largely unchanged under Immigration Instructions. A child is deemed to be dependent if at the date of application they are:
- a. aged 21 to 24 with no child(ren) of their own, and are totally or substantially reliant on an adult (whether their parent or not) for financial support, whether they live with them or not; or
 - b. aged 18 to 20, with no child(ren) of their own and single; or
 - c. aged 17 or younger and single.
66. This definition applies to all dependent children in any visa category, not just the Dependant Child Category.
67. Regardless of the above criteria, if children were eligible to apply for New Zealand residence as dependent child under the Refugee Family Support Category, Samoa Quota Scheme or Pacific Access Category, and were not included in the original residence application, they cannot later apply for residence under the Dependent Child Category. For those categories mentioned, dependants must be included in the primary application if they are to be considered for a resident visa as a dependent child.
68. This means that children that are not included in their parents' application for residence are not eligible. However in cases of adoption, or in situations where the principal applicant gained custody after their own application, dependants are eligible for the Dependent Child Category, as they would not have been eligible when their parent initially applied for a resident visa.

The Dependent Child Category review found generally positive settlement outcomes but some issues

Settlement outcomes are mostly good, with room to improve them via wider policy work

69. Initial findings have indicated that the Dependent Child Category is largely functioning as intended, and that outcomes for migrant youth are mostly good. s 6(c)

s 6(c)

70. s 6(a)

71. Recent research has underscored that timing and path of migration is an important factor in improving long term outcomes:

- a. OECD research has indicated that migration at a younger age, particularly when the country of origin has a different language to the destination country, results in better long term employment and educational outcomes.
- b. Youth entering New Zealand as a skilled migrant or student, have better long term outcomes than those entering under the Family Stream (who do not have to meet a threshold for education and skills).

Numbers are increasing, but this is not a concern on its own

- 72. Over time, the number of dependent children entering New Zealand under the Category is increasing, however this is not a significant concern on its own as the Dependent Child Category is a small proportion of the overall NZRP (approximately 3,000-3,500 of the 85,000-95,000 two yearly planning range).
- 73. As can be seen in Table 1, the number of dependent child applications has nearly doubled from 2007/08 to 2016/17. Samoan nationals account for approximately half of the approvals in the Category and the remaining nationalities are spread across a large number of countries. This number remains a small part of the overall NZRP, and at less than 2,000 approvals per year, remains low in absolute terms.

Table 1: People approved under the Dependent Child Category.

Approvals - Dependent Child Category										
	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Total Dependant Child Category	1144	1082	993	993	1369	1199	1381	1430	1644	1931
Dependent Child Category (Samoan Nationals only)	420	406	361	383	526	479	620	649	761	934

s 6(c)

s 9(2)(f)(iv)

s 9(2)(f)(iv)

s 6(a)

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s 6(c)

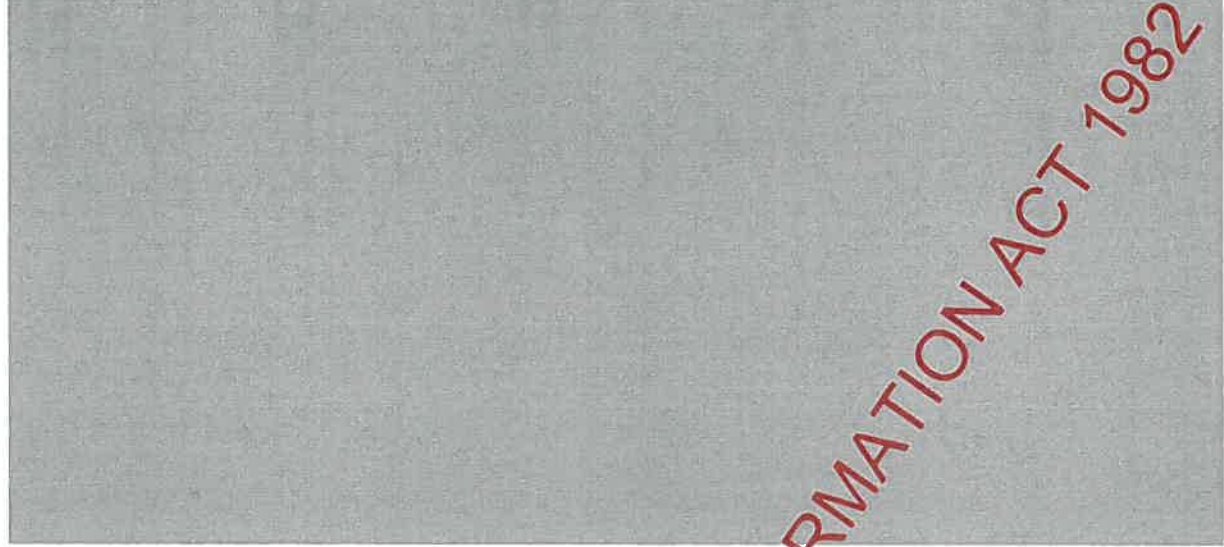
s 9(2)(f)(iv)

s 9(2)(f)(iv), s 9(2)(g)(i)

s 9(2)(f)(iv)

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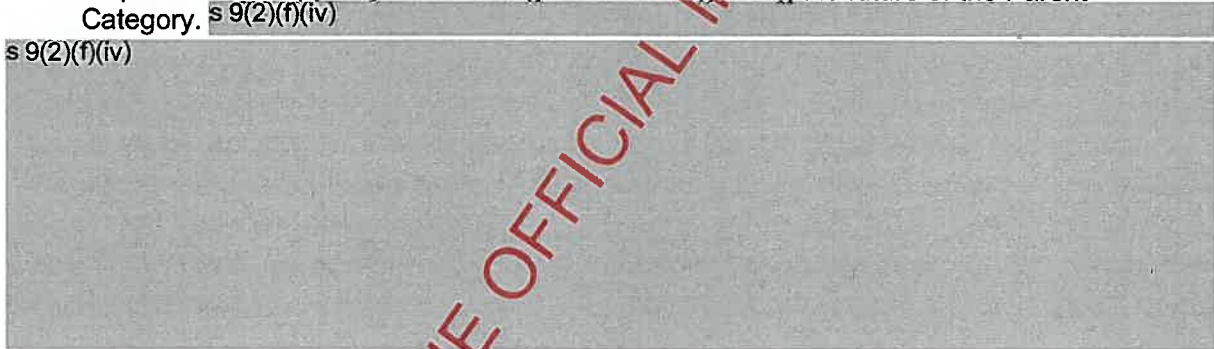
s 9(2)(f)(iv)



Next steps

- 93. Officials will update you by the end of February to advise what further information can be provided to support you in making decisions regarding the future of the Parent Category. s 9(2)(f)(iv)

s 9(2)(f)(iv)



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**Minister of Immigration
Regular Policy Session with MBIE**

20 December 2017, 3:30-4:00pm
4.5 EW

Attendees

Ruth Isaac (General Manager, Labour and Immigration Policy)
Shane Kinley (Policy Director, Labour and Immigration Policy)
Nick Aldous (Policy Director, Immigration New Zealand)
Siân Roguski (Manager, Immigration Policy)
Zoe Wyatt (Principal Policy Advisor, Immigration Policy)
Frederique Bertrand (Policy Advisor, Immigration Policy)
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Agenda

Context

Following a review of the New Zealand Residence programme, including the planning range in 2016, officials were invited to review the family categories (Parent, Partnership and Dependent Child). These reviews have been completed. From today's discussion officials are seeking:

- a. To update you on the findings of the reviews
- b. To discuss with you the timing, approach and priorities within the broader Immigration work programme for addressing the findings of the Parent, Partnership and Dependant Child category reviews.

Officials will table slides for the discussion at the meeting.

1. Parent Category

- a. The findings of the review, and the potential for reopening the category in 2018 with changes aimed at better managing demand and fiscal costs.

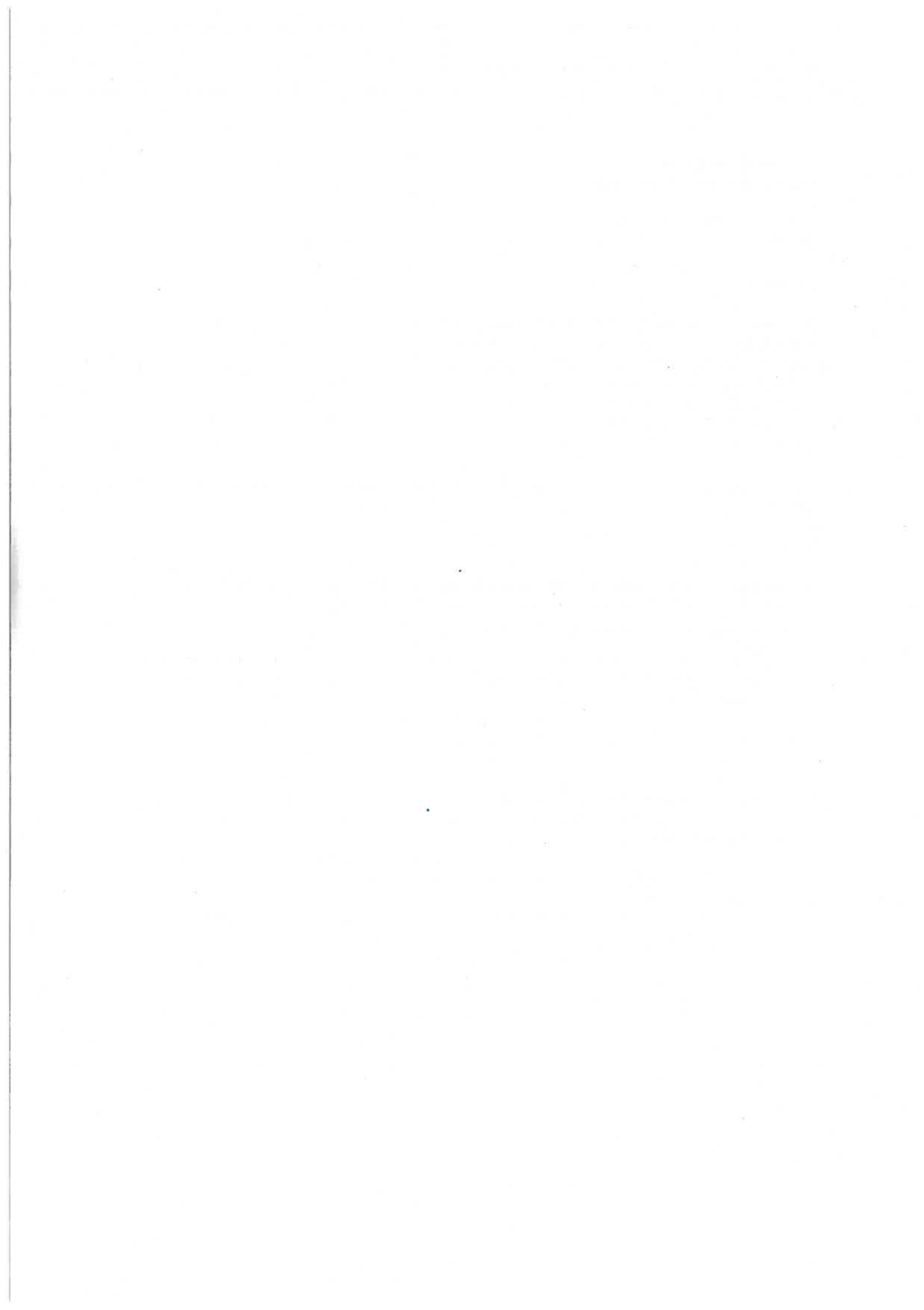
2. Partnership Category

- a. The findings of the review, and discussion on where future work could potentially fit within the medium term Immigration work programme.

3. Dependant child Category

- a. The findings of the review, and discussion on where future work could potentially fit within the medium term Immigration work programme.

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The NZRP Family Category reviews

- Slides to support policy discussion
- Wednesday 20 December 2014
- 3:00pm

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20 December policy discussion

The purpose of this discussion

Following a review of the New Zealand Residence programme, including the planning range in 2016, officials were invited to review the family categories (Parent, Partnership and Dependent Child). These reviews have been completed.

From today's discussion officials are seeking:

- To update you on the findings of the reviews
- To discuss with you the timing, approach and priorities within the broader Immigration work programme for addressing the findings of the Parent, Partnership and Dependant Child category reviews.

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The New Zealand Residence Programme and the family category reviews

Permanent (The NZRP)

- Managed through a two-yearly planning range
- The current programme runs July 2016 to June 2018
 - The current planning range is 85,000 to 95,000
 - The current proportions of the stream are set at:
 - Business/Skilled – 60% (e.g. SMC)
 - Humanitarian – 7/8% (e.g. refugees)
 - Family – 32-33%

Temporary migration

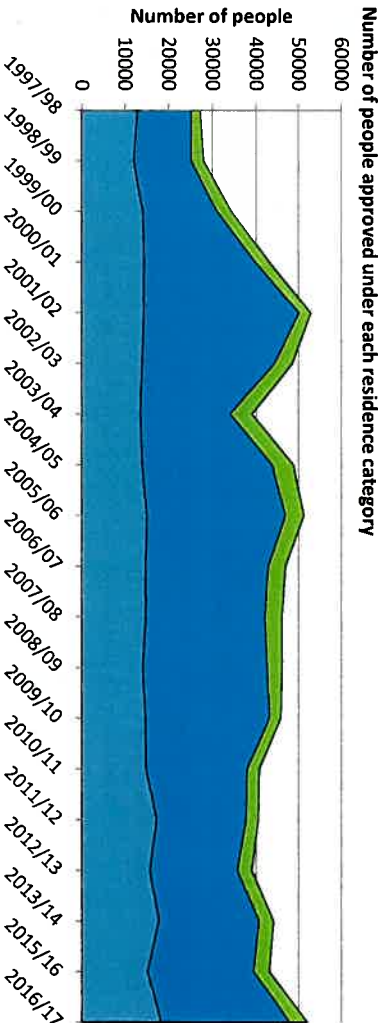
- Set at 32-33% of the NZRP planning range, and includes
- Parent (Tier 1 and Tier 2) Capped at 4,000 places
 - Parent Retirement (Uncapped)
 - Partnership (Uncapped)
 - Dependant Child (Uncapped)



- Business/Skilled
- Set at 60% of the NZRP planning range – includes the SMC.

- Humanitarian
- Set at 7-8% of the NZRP planning range – includes refugees and PAC and Samoan Quota

- The intent of the family categories (in immigration instructions) is to:
- bring maximum benefit to New Zealand, including social benefit
 - attract and retain skilled migrants and New Zealanders in the New Zealand labour market
 - ensure the integrity of the immigration system.



The family category reviews

What did the reviews look at?

All three reviews have considered whether the operation of the policies is consistent with the stated policy intent:

- to strengthen families and communities while reinforcing the Government's objectives; and
- contribute to New Zealand's economic and social transformation.

Possible changes to settings were assessed against:

- The ability of changes to be enforced and implemented
- The human rights implications and international obligations
- Managing international relationships including in the Pacific
- In addition the Parent Category review considered:
 - Managing fiscal costs.
 - The effectiveness in managing the numbers of those likely to be eligible with the current cap on the category.

The reviews are consistent with your incoming commitments

Your commitments as an incoming Minister included several items related to the family category reviews:

- to have an immigration system that is focused on welcoming people with the skills we need to make New Zealand a more prosperous nation that can deliver a good standard of living for New Zealanders;
- that there will be no direct changes to the Family Stream visas, although there will likely be a flow-on decrease from the other changes to the Skilled Migrant Category (SMC); and
- to maintain the family reunification categories (and Pacific quota) to ensure that they are accessible for Pacific people.

The Family Stream reviews are consistent with these commitments and are not seeking large scale changes to the policies.

The reviews are instead focused on ensuring that the policies are still fit for purpose and operating as intended in the immigration system.



The Parent Category: The Review

What is the Parent category?

The Parent Category provides a pathway for migrants who have been resident in New Zealand for at least three years to sponsor their parent's application for residence.

It recognises that having an extended family together can make a positive impact on settlement outcomes and migrant retention, and is made up of two tiers:

- **Priority is given to Tier One**
- Guaranteed minimum annual income of NZ\$27,898 (single person) **OR**
- NZ\$41,046 (couple) **OR**
- at least \$NZ500,000 (which can be gifted) **OR**
- sponsor has annual income of \$NZ65,000 (single) or \$NZ90,000 (joint)

Remaining places are then extended to Tier Two

- Sponsor must have an annual income of at least NZ \$ 33,675 per annum

Recent changes to the category

Since 2016, the sponsorship period for Parent Category residents was extended to 10 years (within which visa holders should not be accessing benefits).

In September 2016, Cabinet agreed to temporarily close the Parent Category to new applications. However, INZ held a sufficient number of Expressions of Interest (EOIs) on hand to process applications to meet the newly agreed cap of 4,000 places over the two year period.

Research undertaken for the review

As part of the Parent category review, research was undertaken to assess use of benefits, healthcare and the average wage of sponsoring children. This analysis compared fiscal costs associated with:

- an earlier version of the Parent Category (the first cohort) that had humanitarian rather than financial requirements; with
- the current Parent Category (the second cohort) that has financial requirements.



The Parent Category: The findings of the review

Who uses the policy?

As the category is capped at 4,000 places, its use is not increasing, however the demand for the category has historically exceeded the available places.

In addition, the Tier Two category is never used in practice as there are always sufficient Tier One applications to fill available places.

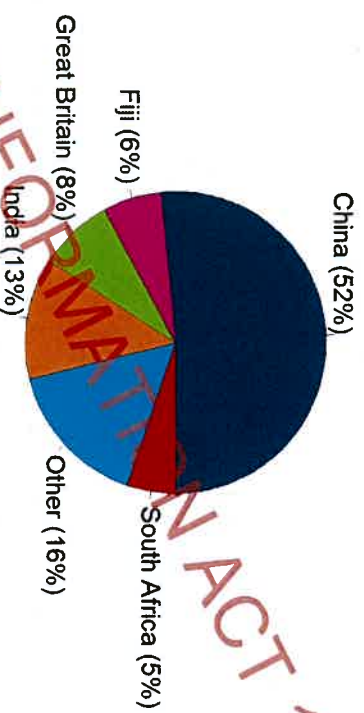
The highest users of the category are Chinese nationals, at over 50%.

The key findings of the review

The review found that the introduction of the financial requirements in 2012 contributed to a reduction in the fiscal costs of the category. In particular:

- when financial criteria were applied Parent Category visa holders had much lower uptake of benefits
- contrary to popular anecdote, high numbers of sponsors remain in New Zealand
- both cohorts (mentioned on the previous slide) had similar uptake of healthcare over time.

Parent Residence Category by Top Nationality : 2016/17



The Parent Category: Next steps and decisions being sought

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The Partnership Category: What the review looked at

What is the Partnership category?

The Partnership Category allows the partners of New Zealand citizens and residents to get a resident visa and live with their partner in New Zealand.

Applicants must show that:

- they are living with their partner as couple (and have been for at least 12 months); and
- their relationship is genuine and stable

The New Zealand partner must also:

- not pose an undue risk of domestic violence; and
- not have previously supported more than one foreign partner in a residence application.

Research undertaken for the review

As part of the review, officials looked at:

- The longevity of relationships for partnership visa holders in comparison to New Zealanders, using relationship status on subsequent applications as an indicator
- Visa pathways to residence under the Partnership Category
- Outcomes at 2 and 5 years after getting residence (employment status, income, benefit uptake, etc)
- Operational insights from Immigration New Zealand

Not included:

- Temporary entry visas, partners as secondary applicants
- NZ partner character requirements & domestic violence

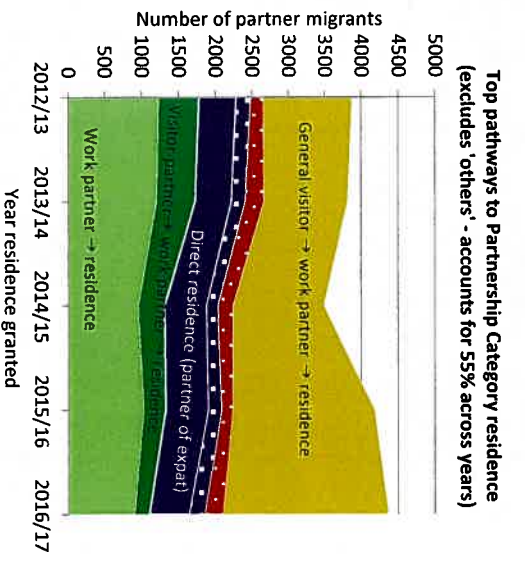
Recent trends in application numbers under the Partnership Category

- Very high approval rate: $\geq 95\%$.
- More residents now support Partnership Category visas than citizens likely related to SMC migrants being younger and single, meeting & bringing a partner to NZ after having gained residence



- $\geq 90\%$ have had a *partnership work visa* before getting residence, but the pathways to get there are varied.

- Declining numbers of relationships assessed before coming to NZ
- Increasing numbers of general visitor visas granted instead of a partnership visa to avoid requirements (esp. living together)

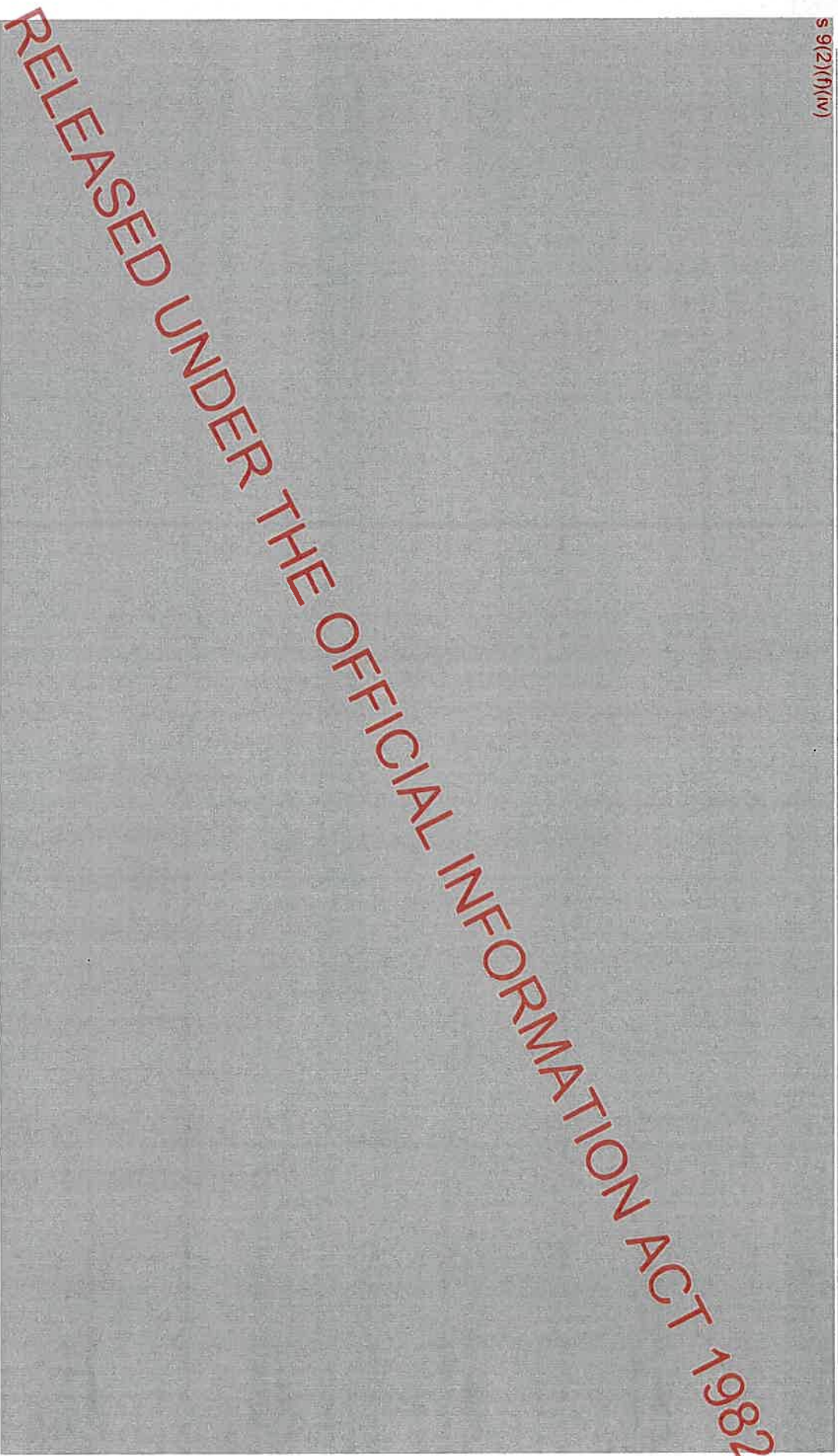


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The Partnership Category: Next steps and options for addressing issues

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The Dependant Child Category: What the review looked at

Who is a dependant child under immigration instructions?

Regardless of what visa category they enter on, a dependant child must be:

- **Aged 21 to 24**, with no child(ren) of their own, single and totally or substantially reliant on an adult (whether their parent or not) for financial support, whether they live with them or not; or
- **Aged 18 to 20**, with no child(ren) of their own and single; or
- **Aged 17 or younger** and single (A person is single if they are not living with a partner in a genuine and stable partnership)

Which dependants were included in the review?

This review focused on the Dependent Child Visa Category, rather than a review of all visas through which a dependent child could be supported to enter New Zealand.

Not included

temporary visas:

- visitor visas
- children of temporary workers
- children of students

Secondary applicants:

- dependent children of a partnership visa applicant;
- children of refugees;
- dependent children under the humanitarian categories (the Samoan Quota and Pacific Access Category); and
- Dependent Child of a Principal Applicant in the Business/Skilled Stream.

Research

The review included recent research out of INZ's Settlement team on long term settlement outcomes for migrant youth (People under 24, regardless of visa category).

The review also drew on IBI data and visa services data to assess factors including benefit uptake, employment and placement in education.

Further research is being undertaken



The Dependant Child Category: The findings of the review

The review found that outcomes are mostly good

- That the category was producing mostly good settlement outcomes.

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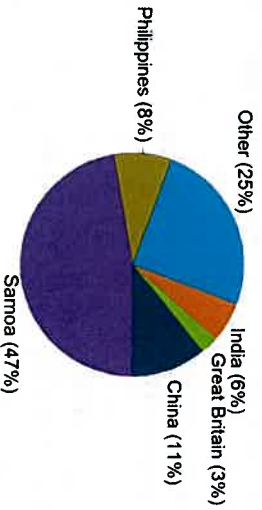
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People approved in the 2016/17 year
Dependant Child Residence Category by Top Nationality



Samoa Nationals have consistently accounted for nearly half the people approved under the Dependant Child Visa Category.

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The Dependant Child Category: Next steps and options for addressing issues
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