Headquarters
New Zealand Defence Force
Defence House
Private Bag 39997
Wellington Mail Centre
Lower Hutt 5045
New Zealand

OIA-2024-5104

23 August 2024

Dear ██████████

I refer to your email of 26 July 2024 requesting, under the Official Information Act 1982 (OIA), the following:

- *The length of time claims to VANZ have taken to process from the date the claim is made, broken down the number of claims, the stage at which they have reached the four stages described in s14-16 of the Veterans' Support Act 2014, and by any review by a review officer, and by any decision by the Veterans' Entitlement Appeal Board;*

- *The information sought is for each of the past three years, by financial year;*

- *Copies of any and all communications to and from members of the Veterans' Entitlement Appeal Board since the the High Court decision in the case of The General Manager of Veterans' Affairs New Zealand v The Estate of Lieutenant Colonel Tā Harawira Gardiner KNZM [2023].*

The below table provides Veterans' Affairs claims data for the past three financial years:

Measure	2021/22	2022/23	2023/24
Claims received	3,185	3,236	3,065
Claims processed	2,004	2,563	2,984
Average process time (days)	210	270	309
Decision reviews completed by Veterans' Affairs	36	59	42
Decisions by Veterans' Entitlement Board	6	1	0

The data excludes ex-gratia claims, of which there were over 1,000 in the 2022/23 financial year. The "Claims received" data is taken from an active 'live' client system. Reported numbers will vary based on the date the data is retrieved. Of the claims processed, a claim in a given financial year may or may not have been received in that same period.

The measure for the average time to process claims was developed for veterans to understand the time it may take from when their claim is lodged until they receive a decision. It includes weekends, statutory holidays, and the time required to obtain specialist medical advice (currently 196 days on average). As such, the measure is not indicative of the time Veterans' Affairs takes to reach a decision, as described in sections 14 to 16 of the Veterans' Support Act 2014. For the data for reviews by the Veterans'

Entitlement Board, the figure for financial year 2021/22 includes the Gardiner appeal, which remains an interim decision.

Additionally, a number of performance measures for Veterans' Affairs are provided in the New Zealand Defence Force (NZDF) Annual Report, which can be found on the NZDF website. Veterans' Affairs also has information regarding processing times for claims on its website[1].

Regarding your request for *the stage at which they have reached the four stages described in s14-16 of the Veterans' Support Act 2014*, Veterans' Affairs does not track or report this information, and to provide it would require manual review of every claim processed over the specified timeframe. This part of your request is therefore declined in accordance with section 18(f) of the OIA as the information requested cannot be made available without substantial collation or research.

Because the functions of the Veterans' Entitlement Board are judicial in nature, the Veterans' Entitlement Board is considered a tribunal and therefore excluded from the definition of 'organisation' under the OIA. The Veterans' Entitlement Board is therefore not subject to the requirements of the OIA. As all communications with members of the Veterans' Entitlement Board inherently reflect this judicial function, this information will not be released to you.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

AJ WOODS
Air Commodore
Chief of Staff HQNZDF

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[1] www.veteransaffairs.mil.nz/for-clients/information-about-claims/processing-times-for-claims