



18 December 2019

H Campbell  
(by email: [fyi-request-11639-aa2e22f7@requests.fyi.org.nz](mailto:fyi-request-11639-aa2e22f7@requests.fyi.org.nz))

File No: DOIA 1920-0777

Dear H Campbell,

I refer to your request received by the Ministry on 12 November 2019 requesting the following information from Immigration New Zealand ("INZ"):

- *1. How many people having convictions have been granted permission by Immigration Minister Iain Lees-Galloway to remain in New Zealand since the 2017 election?*
- 2. How many people having convictions have been granted permission by former Associate Immigration Minister Kris Faafoi to remain in New Zealand since the 2017 election?*
- 3. How many people having convictions have been granted permission by the current Associate Immigration Minister Poto Williams to remain in New Zealand since the 2017 election?*
- 4. How many allegations of fraudulent marriage have been received by Immigration New Zealand since the 2017 election?*
- 5. How many investigations have been conducted into fraudulent marriage and/or partnership arrangements received by Immigration New Zealand since the 2017 election?*
- 6. How many prosecutions of those accused of fraudulent marriage and/or partnership arrangements have been conducted by Immigration New Zealand since the 2017 election?*
- 7. How many deportations of those found to have been involved in fraudulent marriage and/or partnership arrangements have been conducted by Immigration New Zealand since the 2017 election?*

#### Our response

1. A total of eleven people having convictions have been granted permission by Immigration Minister Iain Lees Galloway to remain in New Zealand since the 2017 election. Ten of those people had their liability for deportation suspended for between two and five years with conditions. Those conditions are that they are not convicted of any offence during the period of suspension, and they can include other conditions such as completion of community work, completion of parole and that they do not provide false or misleading information, or conceal relevant information, in their interactions with any government agency during the suspension period. This has the effect of providing them with a second chance to demonstrate that they will abide by New Zealand laws. One person had their liability for deportation cancelled.

2 & 3. Information regarding the number of people having convictions who have been granted permission to remain in New Zealand by former Associate Minister Kris Faafoi and Associate

Minister Poto Williams is refused in reliance on section 18(f) of the Official Information Act 1982 as the information requested is not held in a readily reportable format.

As such it would involve a manual search of every request for Ministerial intervention in relation to a persons' immigration status, under the Immigration Act, to establish whether any of those requesting individual case intervention from the former or current Associate Minister had criminal convictions and the outcome of the request. As there are approximately 1000-1500 requests per year this would require substantial collation or research. In accordance with section 18A I have considered whether extending the time within which to respond to your request or fixing a charge would assist but due to the scale of the task I do not believe that either would.

4. Allegations of fraudulent marriage could potentially lead to prosecution for the provision of false or misleading information. It is not an immigration offence in itself. Investigations or prosecutions for provision of false or misleading information can arise from a broad range of allegations and factual circumstances, not just fraudulent marriage.

There have been 895 allegations of fraudulent marriage received by Immigration New Zealand since 1 November 2017.

5. Information regarding the number of investigations into fraudulent marriage is refused in reliance on section 18(f) of the Official Information Act 1982 as this information is not recorded in an easily reportable format. Manual collation would be required to search each allegation to see if that allegation was investigated.

In accordance with section 18A I have considered whether extending the time within which to respond to your request or fixing a charge would assist but due to the scale of the task I do not believe that either would.

6. There have not been any prosecutions of those accused of fraudulent marriage since 2017. While there have not been any recent prosecutions for fraudulent marriage investigations, there are, however, other avenues other than prosecution, open to Immigration New Zealand. For example where it has been determined that a client has provided false and misleading information deportation liability may arise, leading to deportation and cancellation of the visa.

7. Information regarding the number of deportations because of an allegation of fraudulent marriage is refused in reliance on section 18(f) of the Official Information Act 1982 as this information is not recorded in an easily reportable format. Manual collation would be required to search each allegation to see if that allegation culminated in deportation.

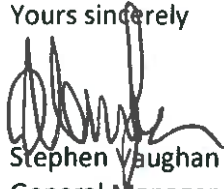
In accordance with section 18A I have considered whether extending the time within which to respond to your request or fixing a charge would assist but due to the scale of the task I do not believe that either would.

You have the right to contest the decision to withhold information from your request by seeking an investigation and review of that decision by the Ombudsman, whose address for contact purposes is:

The Ombudsman  
Office of the Ombudsman  
P O Box 10-152  
WELLINGTON

If you wish to discuss any aspect of your request or this response, please contact Martin Prowse, Business Advisor, Business Support, Immigration New Zealand at [martin.prowse@mbie.govt.nz](mailto:martin.prowse@mbie.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stephen Vaughan', written over the printed name.

Stephen Vaughan

General Manager – Verification and Compliance

Immigration New Zealand

Ministry of Business, Innovation and Employment