

12 November 2021

Chuck Schooner

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Tēnā koe Chuck

Your Official Information Act request, reference: GOV-014681

Thank you for your request of 11 October 2021, partially transferred to ACC on 14 October 2021, asking for the following information under the Official Information Act 1982 (the Act):

Up to and including 18 September 2021 a total of 68 deaths were reported to CARM after the administration of the Comirnaty vaccine. Also up to 30 June within 21 days of the administration of either one or two vaccines a total of 749 people died. From this information can the relevant agencies please provide

- 1. How many of these recorded deaths received compensation for the deaths and what amounts?*
- 2. With these compensation payouts can you provide copies of the non-disclosure agreements?*
- 3. A total payout to date for these deaths?*

Background information about treatment injury claims

Before responding to your request, we would first like to provide you some background information about treatment injuries.

A physical injury resulting from a vaccination, including the COVID-19 vaccine, can be considered for cover by ACC if the criteria for treatment injury are met.

ACC has provided cover for treatment injuries since 1 July 2005. The treatment injury provisions replaced the medical misadventure provisions of the Accident Compensation Act 2001, to bring it more in line with the no-fault nature of the scheme.

A treatment injury is a personal injury caused as a result of seeking or receiving medical treatment from, or at the direction of, a registered health professional. In order to fulfil the criteria for cover, the person must have suffered a personal injury and there must be a clear causal link between the treatment and the injury, and the injury must not be a necessary part or ordinary consequence of the treatment.

When considering treatment injury data, it is important to note that the number of claims lodged with ACC cannot be taken as an accurate indication of the occurrence of injury during treatment or the quality of care. This is because, among other reasons, not all occurrences of injury during treatment are lodged with ACC.

More information about lodging a treatment injury claim is available on our [website](#) and in our [treatment injury claim lodgement guide](#).

Covid-19 vaccine related treatment injury claims

Please note that we can only respond based on the vaccine related claims lodged with ACC, and the figures may differ to those previously reported or supplied. Up-to-date data on the number of adverse effects reported from the COVID-19 vaccine can be found on the MedSafe website, [here](#).

As at 8 November 2021, no claims for fatalities in relation to the COVID-19 vaccination had been lodged with ACC. As there have been no claims for fatalities in relation to the COVID-19 vaccination, we are refusing to provide you the total payout, as this information does not exist. This decision has been made under section 18(e) of the Act.

Copies of the Non-Disclosure Agreements (NDAs)

ACC does not require an NDA when providing compensation for a claim. Therefore, we are refusing to provide you copies of non-disclosure agreements, as the information does not exist. This decision has been made under section 18(e) of the Act.

Further information may be available from the Ministry of Health

You could send your request to the Ministry of Health via their online form [here](#) or email them at xxxxx@xxxxxx.xxxx.xx as they may hold additional data regarding COVID19 vaccine injuries and/or deaths.

How to contact us

If you have any questions, you can email me at GovernmentServicxx@xxx.xx.nz.

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

Yours sincerely / Nāku iti noa, nā



Sasha Wood
Manager Official Information Act Services
Government Engagement & Support