



4 April 2022

Terry Bourke
fyi-request-18102-83e6be3d@requests.fyi.org.nz

Ref: DOIA 2122-1351

Dear Terry Bourke,

I refer to your email of 7 March 2022 requesting clarification of an Official Information Act 1982 response sent to you dated 14 February 2022:

“Question 1 has not been answered - how many temporary class visa holders did MBIE become aware of...

Question 3 - Table 2 - the first column heading makes no sense - DLN cancelled / no / yes / total.

Question 3 - Table 2 - what does 'Other' encapsulate?

Question 5 has not been answered - how many residence class visa holders did MBIE become aware of...

Question 7 - Table 3 does not make sense. Example - year 2016, only 6 x DLN's were served, but 134 were suspended. Do you mean pre-DLN service that liability was suspended perhaps?”

Our Response

Question 1 has not been answered - how many temporary class visa holders did MBIE become aware of...

The original response letter stated:

Please note that it is only possible for Immigration New Zealand (INZ) to collate the number of cases where a DLN has been served, not just those that may have a driving offence noted. This is because it is only possible to search INZ's case management systems for results where a DLN has been served. This applies to questions 1 and 5 of your request.

We can further advise that Immigration New Zealand's case management system does not record all temporary visa holders who are 'driving offenders'. This is because INZ is only able to report on driving offenders if there is a record created for Compliance activity related to that offending. This is the data provided in question 2 of the original response.

Question 3 - Table 2 - the first column heading makes no sense - DLN cancelled / no / yes / total.

The original question asked for the number of people served, or deemed served, what was the outcome, DLN cancelled, DLN suspended or deported.

There is no ability to suspend a Deportation Liability Notice (DLN) for a temporary entry visa so there are no results for this.

The table in the original response shows the number of DLNs cancelled (either 'Yes' or 'No') and the outcomes.

There were 93 DLNs served or deemed served (the answer from the original question 2). Ten (10) of those 93 were cancelled, meaning there were 83 that were not cancelled. Thirty-five of the remaining 83 either resulted in a deportation or a self-deportation, leaving 48 with an outcome of other (see below).

Question 3 - Table 2 - what does 'Other' encapsulate?

'Other' encapsulates the following alternatives to deportation or self-deportation:

- Voluntary departure,
- Ministerial or Immigration and Protection Tribunal directives,
- immigration status regularised,
- no longer liable for deportation,
- could not be located,
- no further action, or
- outcome not recorded.

Question 5 has not been answered - how many residence class visa holders did MBIE become aware of....

Please refer to the response to question 1 in this letter as the information provided is also applicable to residence visa holders.

Question 7 - Table 3 does not make sense. Example - year 2016, only 6 x DLN's were served, but 134 were suspended. Do you mean pre-DLN service that liability was suspended perhaps?

When a decision-maker decides to suspend a resident class visa holder's liability for deportation they are served with a deportation liability notice and a suspension notice at the same time. The suspension notice overrides the deportation liability notice so when the decision is recorded by INZ it is recorded as "DLN suspended" rather than being recorded under both "DLN served" and "DLN suspended".

You have the right to seek an investigation and review of my response 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 INZOfficialCorrespondence@mbie.govt.nz.

Yours sincerely,



Geoff Scott
General Manager – Verification and Compliance
Immigration New Zealand
Ministry of Business, Innovation and Employment