

16 February 2015

Mr Liam Stoneley  
fyi-request-2413-9bfd2986@requests.fyi.org.nz

Dear Mr Stoneley,

Thank you for your email of 17 January 2015, making a request under the Official Information Act (Act) about the number of individuals surveyed by Statistics New Zealand, the number of people who refuse to participate in surveys and decisions about prosecutions.

Statistics NZ is not able to provide you with answers to the specific questions you have raised as the information requested is not held by Statistics New Zealand ( Please refer to section 18(g) of the Act). However Statistics NZ has endeavoured to provide you with similar information that may address your questions. I have responded to each of your questions below.

*1. How many individuals have you selected to be interviewed in the past 15 years for all surveys conducted by your 100+ field interviewers, apart from the Census. It is my understanding you may wish to (and do) interview people on more than one occasion, maybe on a yearly basis. I wish only to know the total number of individuals, not double-ups of people in this number.*

It is not possible to identify exactly how many individuals have been selected to be interviewed in the past 15 years. This is because while some of our surveys select individuals (a specific person), the majority of our surveys select households (a physical address) for which we don't know who or how many individuals there are in the household until we make contact and capture this information during the interview.

What we can say, is that between 2000 and 2014, we selected 327,000 households in surveys of households and 123,000 individuals in surveys of individuals.

*2. How many of those selected to be interviewed over the past 15 years have "refused" to do so when either rung or approached at their home by an interviewer?*

Statistics NZ is unable to determine the total number of individuals who have refused at least once. For surveys of households if the whole household refuses, Statistics NZ may not know how many refusing individuals there were in that household. Statistics NZ may not always be able to match the same individual over time in a longitudinal survey.

Based on the available data, our best estimate is that between 2000 and 2014 Statistics NZ made approximately 2.9 million requests for data from the people selected into our surveys of households and individuals, of which we had about 95,000 refusals. This translates to a 3.3% refusal rate. For the purposes of this analysis, in determining the refusal rate the "individuals we made contact with" includes an estimate of the number of individuals in a fully refusing household and excludes those with valid reasons not to take part in the survey such as illness, language barriers, or the death of a respondent or family member. It also excludes households and individuals that we were unable to make contact with.

3. *How many of those who "refused" received a letter from your office explaining that by law they must participate in the survey?*

4. *How many of those who refused, and subsequently received the letter of required compliance, continued to refuse to participate?*

All households and individuals that are selected into our surveys are sent a pre-notification letter prior to being surveyed for the first time. This letter provides information about the survey and details the statutory requirement to participate.

Interviewing is conducted either by telephone through our contact centre or by face-to-face interviews at the household or individual's place of residence. Face-to-face interviewing is mostly used when we know the person's address but not the telephone number of the household or individual that is being surveyed.

For face-to-face interviewing, if the household or individual refuses to participate when an interviewer visits, then providing the interviewer's safety is not at risk, they will repeat that they have a statutory obligation to participate and encourage them to willingly participate. If the interviewer is unsuccessful then our Respondent Management & Relations Advisor will contact them by phone (if a phone number exists) or send a letter that reiterates the statutory obligation.

In the Contact Centre, if a person refuses to participate a supervisor will encourage them to participate and remind them of their statutory obligation.

For our Household Labour Force Survey, all households or individuals that continue to refuse are sent a paper questionnaire to complete with a letter that reiterates the statutory obligation. It's not practical to send paper questionnaires for our other surveys.

A large proportion of households and individuals who initially refuse to respond eventually do so as a result of our refusals process, however, we are unable to quantify the number.

5. *Of the above number of people for Question 4, how many were considered for prosecution by the Government Statistician when they considered "complexity of the case, a need for consistent application of the prosecution policy across New Zealand, and any other relevant factors including budget constraints"?*

6. *Since none of the number of people identified in Question 4 were prosecuted (found in your response to my previous request, in the link above, where you said "All prosecutions under the Statistics Act 1975 taken in recent history (the last 15 years) have been related to a census"), what was the main consideration that prevented these people from being prosecuted for the crime they had committed?*

7. *Finally, how were the Solicitor-General's Guidelines applied when considering prosecution? Which limb did they prosecution fail to meet? Please give reasons why they fail the particular limb*

Statistics New Zealand has no records of any active consideration of prosecution in relation to non-census activity in the last 15 years. There are therefore no records relating to why potential cases were not prosecuted nor any specific analysis which considered the Solicitor-General's Guidelines.

There is no obligation on any regulatory agency to consider prosecuting every instance of likely offending, every prosecuting agency must prioritise their resources in accordance with its statutory and strategic objectives.

Statistics New Zealand has not conducted any specific research into past decisions or practices regarding prosecutions. However, the current levels of compliance in relation to surveys (which has allowed sufficient information to be collected to support the production of statistics of a suitable quality) has meant that it has not been considered worthwhile to use resources to actively consider prosecution.

You have the right, by way of complaint to the Office of the Ombudsman under section 28(3) of the Act, to seek an investigation and review of this response to your request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget Hamilton-Seymour', with a long, sweeping underline that extends to the right.

Bridget Hamilton-Seymour

**Director, Office of the Government Statistician and Chief Executive**