



Scout Barbour-Evans
fyi-request-5601-1a53667f@requests.fyi.org.nz

147 Lambton Quay, Wellington 6011
Phone +64 4 495 7200
Fax +64 4 382 3589
Email OIA@dia.govt.nz
Website www.dia.govt.nz

Dear Scout Barbour-Evans

Official Information Act 1982 request 1617-0271

Thank you for your Official Information Act 1982 (Act) request, which was received by the Department of Internal Affairs (Department) on 23 March 2017.

You requested:

1) How many people have had New Zealand citizenship granted under "exceptional circumstances" in the 7 years since 2010?

2) How many people have had New Zealand citizenship denied based on criminal activities in the 7 years since 2010?

2a) Of those people, how many had criminal records that showed only one act of crime, such as Michael's one trespass conviction?

2b) Of those people, how many had criminal records that showed acts of violence towards another person or animal?

3) How does the Ministry of Internal Affairs work alongside mana whenua as per their obligations under Te Tiriti o Waitangi to ensure that New Zealand citizenships are granted appropriately?

4) How has Mr Peter Thiel's citizenship allowed him to work in the interest of every day New Zealanders since 2011?

Response to Part 1

The Minister of Internal Affairs may approve citizenship under section 9(1)(c) of the Citizenship Act 1977, to those applicants who do not meet the core eligibility requirements for citizenship, if satisfied that it would be in the public interest because of exceptional circumstances. The Department has publicly released statistics showing the yearly number of applications approved under section 9(1)(c) of the Citizenship Act 1977 over the period from 2008 – 2016.

Therefore part one of your request is declined under section 18(d) of the Act, as the information is publicly available.

The information can be viewed here: <https://www.dia.govt.nz/Citizenship-of-Mr-Peter-Thiel>

Response to Part 2

A person applying for citizenship must meet the good character requirement, as per section 8(2)(c) of the Citizenship Act. In addition under section 9(a) of the Citizenship Act, the Minister must not authorise a grant of citizenship to those applicants who have been convicted of an offence within a stated period of time, depending on the sentence received for the conviction.

In respect of your request for the number of applications which have been declined based on criminal activities since 2010, our records indicate that since 2012 a total of 119 applicants did not have their application approved, as they did not meet either section 8(2)(c) or section 9(a) of the Citizenship Act due to criminal activities.

This information is not available electronically for applications considered prior to 2012. In order to provide this information for 2010 and 2011, the Department would be required to retrieve all paper based submission files that have been considered by the Minister of Internal Affairs. Therefore, we have provided what information we can provide, and advise that this part of your request is refused under section 18(f) as substantial collation and research would be necessary to make this information available.

Response to Part 2a and Part 2b

The Department does not record electronically details of the specific content of an applicant's criminal history. This information is held in the police character checks which are provided and kept as a hard copy on file. The Department would be required to retrieve all paper based submission files that have been considered by the Minister of Internal Affairs over the last seven years, in order to respond to your request. We would also need to consider privacy implications of any feedback that could be provided once the manual collation had been complicated. Therefore, this part of your request is refused under section 18(f) as substantial collation and research would be necessary to make this information available.

Response to Part 3

The eligibility requirements for New Zealand citizenship are stated in the Citizenship Act, which the Department is required to follow and uphold. The Department requests information from a number of Government agencies (both in New Zealand and overseas) in order to seek information which may be relevant to assess the character of an individual and to ensure that citizenship is granted appropriately. This includes the Police, who provide a police clearance report.

The Department takes its obligations of Te Tiriti o Waitangi seriously. Where possible and appropriate the Department works with tāngata whenua to gain an understanding of how citizenship policies and procedures can reflect the importance of Māori culture.

Under section 8(2)(d) of the Citizenship Act applicants are required to have sufficient knowledge of the responsibilities and privileges attached to New Zealand citizenship. Inherent in this is an understanding of the importance of Te Tiriti o Waitangi. The Department provides information to all applicants on the Te Tiriti o Waitangi and how citizenship is very closely linked to the Treaty. This can be seen through information included on the citizenship website, through the application process and in the Choice Whiriwhiria Book, which is provided to all new citizens. An electronic version of this book can be found here: http://www.dia.govt.nz/diawebsite.nsf/wpg_URL/Services-Citizenship-Choice-The-New-Zealand-citizenship-story?OpenDocument

In addition, the Department encourages all local councils to incorporate Māori cultural aspects into the citizenship ceremonies, which are held on behalf of the Department. Several councils hold citizenship ceremonies on local marae, with many including kaumatua and kapa haka groups in the events welcoming people when they become New Zealanders. This is an area of ongoing development, and we work with councils to improve the citizenship ceremonial experience.

Response to Part 4

The Department manages the citizenship application process, and upon becoming a New Zealander that individual is not required to be monitored by the Department in regards to their citizenship. As this information is not held by the Department, under section 18(g) your request for information in relation to part 4 is refused.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you would like to discuss your request further, please email OIA@dia.govt.nz with your contact details, and we can arrange a time for us to call you.

Yours sincerely



Briget Ridden
Manager Business Improvement and Support
Births Deaths Marriages Citizenship and Translations