



10 October 2018

S Dellow

[fyi-request-8572-84307cb9@requests.fyi.org.nz](mailto:fyi-request-8572-84307cb9@requests.fyi.org.nz)

Dear Mr Dellow

Thank you for your email of 29 August 2018 requesting under the Official Information Act 1982 (OIA), the following information:

*I am requesting all statistics held on the country of origin of ALL asylum seekers that have made a claim for asylum to Refugee Status Branch (or any predecessors) since 2004 to 2018, as well as their respective success or failure rates.*

*I further request all statistics held on the country of origin of ALL asylum seekers that have made a subsequent appeal for their declined claim, and those respective success or failure rates.*

*I additionally request statistics on applications for work visas by ALL asylum seekers whose claims were still being processed at the time of their application for the work visa, and corresponding success or failure rates of those work visa applications by country of origin of the asylum seekers.*

*Please note that I request this information for all asylum seekers that have made a claim for asylum in New Zealand - not only those from the top ten countries of origin.*

**Response**

*I am requesting all statistics held on the country of origin of ALL asylum seekers that have made a claim for asylum to Refugee Status Branch (or any predecessors) since 2004 to 2018, as well as their respective success or failure rates.*

Please find attached data on the total number of claims, by nationality of the claimants, lodged with and decisions made by the Immigration New Zealand (INZ) Refugee Status Branch between 1 January 2004 and September 2018.

Some of the detailed information you have requested has been refused in reliance on section 18(c)(i) of the OIA, as releasing it would be contrary to section 151 of the Immigration Act 2009.

Please note "Other" includes nationalities for which data is between 1 and 4 to ensure confidentiality of claims (section 151 of the Immigration Act 2009).

*I further request all statistics held on the country of origin of ALL asylum seekers that have made a subsequent appeal for their declined claim, and those respective success or failure rates.*

Appeals to INZ decisions on refugee and protected person status are made to the Immigration and Protection Tribunal, which is administered by the Ministry of Justice. I have made enquiries with the Ministry of Justice and they have informed me that its agency does not hold this information in this format. They advise that while there is a field for nationality information on the appeal form, this is not

a mandatory field and many records do not have this information entered. Therefore, on behalf of the Ministry of Justice this part of your request is refused as allowed by section 18(g)(i) of the OIA as there are no grounds for believing that the information is held by another department, Minister of the Crown, organisation, or local authority. Information that is publicly available online about the Immigration and Protection Tribunal at this link:

<https://www.justice.govt.nz/tribunals/immigration/immigration-and-protection/>

*I additionally request statistics on applications for work visas by ALL asylum seekers whose claims were still being processed at the time of their application for the work visa, and corresponding success or failure rates of those work visa applications by country of origin of the asylum seekers.*

On 12 September 2018, we sought clarification from you on this part of your request. As per your clarification as outlined on the FYI website, the attached data provides information on the total number of first work visas applications and decisions on those applications by nationality by individuals while their claim for refugee or protected person was being determined between 1 January 2004 and 27 September 2018. Please note that in some cases, people may have made applications multiple work and other visas (depending on their personal circumstances) which may have been approved or declined while their claims were being determined. This attached data only reports on the first work visa application while their refugee and protected person claim was being determined.

Some of the detailed information you have requested has been refused in reliance on section 18(c)(i) of the OIA, as releasing it would be contrary to section 151 of the Immigration Act 2009.

Please note "Other" includes nationalities for which data is between 1 and 4 to ensure confidentiality of claims (section 151 of the Immigration Act 2009).

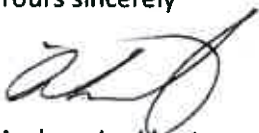
Please note to support the process in responding to OIA requests, we would encourage in the future that replies to requests for clarification are directed to the relevant MBIE email address.

I have considered under section 9(1) of the Act whether there are any countervailing public interest considerations in making the information withheld under section 9(2) available to you, however, in my view there are none.

You have the right to seek an investigation and review of our decision to extend the time limit by the Ombudsman, whose address for contact purposes is:

The Ombudsman  
Office of the Ombudsman  
PO Box 10-152  
WELLINGTON 6143

Yours sincerely



Andrew Lockhart  
National Manager Refugee and Protection  
Immigration New Zealand, Ministry of Business, Innovation and Employment