

1 July 2020

By email: [REDACTED]
Ref: H202002967

Dear [REDACTED]

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health (the Ministry) on 5 May 2020 for information on exemption applications to visit someone close to death.

On 3 June 2020, the due date for responding to your request was extended in accordance with section 15A of the Act as further research and consultation was required.

The full wording of your request and the Ministry's responses to each part of your request is outlined in Appendix 1, attached to this letter.

For your reference, up to date information on exemption applications are published on the Ministry website: <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-current-situation/covid-19-border-controls/covid-19-managed-isolation-and-quarantine>.

I trust this information fulfils your request. You have the right, under section 28 of the Act, to ask the Ombudsman to review my decision to refuse your request.

Please note that this response, with your personal details removed, may be published on the Ministry website.

Yours sincerely



Natalie Richardson
Director
COVID-19 Health System Response

Appendix 1: Information in response to your request as at 5 May 2020

#	Requested information	Response
1	<i>In the 24 (pls advise if there are more now on top of that) cases of people applying for exemption to visit someone close to death</i>	As of 4 June 2020, the Ministry has received 550 applications for an exemption on compassionate grounds, which include requests to visit someone close to death and requests to attend a funeral or grieve with family. The Ministry does not have the ability to break this number down into subcategories. Please note, the following responses refer to this broad group of 550 applications.
2	<i>In how many cases did the person die while the applicant was still in managed isolation?</i>	The Ministry does not hold this information and there is no reason to believe this information is held by another agency subject to the Act. For this reason, these parts of your request are refused under section 18(g) of the Act.
3	<i>... was the person still alive when the applicant's managed isolation ended?</i>	
4	<i>Where the person was still alive, that the person leaving managed isolation was then permitted to travel to visit them</i>	As of 8 June 2020, the Ministry has approved 147 applications on compassionate grounds for requests to visit someone close to death and requests to attend a funeral or grieve with family. The Ministry cannot break this number down into subcategories. Please be advised, prior to 9 June 2020, the country of origin was not included on the application form however, it is now.
5	<i>Did the applicant(s)'s travel originate in Australia</i>	The Ministry does not hold this information in a readily available format. To provide this information would involve going through each application and retrieving the relevant information. For this reason, your request for this information is refused under section 18(g) of the Act, as the information requested is not held by the Ministry or another agency subject to the Act.
6	APPEALS <i>How many applicants have the option to appeal rejecting of their application?</i>	All decisions issued to applicants can be reviewed or appealed.
7	<i>How many did appeal?</i>	The Ministry does not collect data on appeals. To provide this information would involve a substantial amount of manual research and collation to go through each case to determine whether a rejected application was appealed. For this reason, your request for this information is refused under section 18(f) of the Act.
8	<i>How many appeals were accepted?</i>	Eight appealed applications were accepted.

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9	<i>On what grounds were the appeals rejected?</i>	Applications were declined as they did not meet the criteria for exemption. Listed below are examples for reasons the applications were declined: <ul style="list-style-type: none"> • Applicant was not attending the funeral • Travel between the North and South Island • No travel plans • Risk of contact with others was high • Medical conditions were deemed manageable in self-isolation • Transport plan did not comply • Information provided was not sufficient.
10	PLANS <i>How many - if any - applicants offered a plan for self-managing their own self-isolation? i.e. so they could leave the hotel and visit the dying person</i>	The Ministry does not hold this information and has no reason to believe another agency subject to the Act would hold this information. As such, these parts of your request are refused under section 18(g) of the Act. Please be advised, applications have been approved on compassionate grounds for individuals to self-isolate. For an application to be accepted for self-isolation, the individual must provide an appropriate self-isolation plan.
11	<i>How many such plans were accepted by MOH.? If none, why not?</i>	
12	<i>Did MOH develop any such plan that it could offer applicant(s) for management of isolation while making a visit to dying person (eg, supervision while on visit, provision of PPE on visit, etc). If not, why not?</i>	The Ministry has developed guidance around an appropriate self-isolation plan and has worked with applicants to try and develop an appropriate plan.
13	<i>Was any alternative such plan offered to applicant(s) by MOH?</i>	
14	CRITERIA <i>Pls provide the criteria your team uses to assess applications</i>	The criteria is publicly available on the Ministry website and is updated regularly: https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-current-situation/covid-19-border-controls . For this reason, this part of your request is refused under section 18(d) of the Act.
15	<i>Pls advise if ANY weighting at all is given to financial considerations, and if so how much (i.e. considering any cost that might be incurred by the public in granting the exemption).</i>	Financial considerations are not part of the Ministry's criteria.
16	OTHER CASES <i>How many non-returning</i>	The Ministry did not provide any authorisation to non-returning travellers during the Alert Level 3 and 4 travel restrictions. This was the responsibility of the

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	<i>travellers, i.e. people in NZ already, has the MOH allowed to travel between regions to see someone who was dying, since the start of lockdown till now?</i>	National Crisis Management Centre Travel team. For this reason, this part of your request is refused under section 18(g) of the Act, as the information is not held by the Ministry or another agency subject to the Act.
17	<i>Are there any requirements a person needs to fulfil to make such an inter-region visit?</i>	An applicant is required to provide sufficient evidence to meet the compassionate travel criteria. If approval is given, the applicant must agree to maintain social distancing while travelling and making minimal stops unless it was essential.
18	<i>How many of the 24 if any were offered a test for Covid-19?</i>	At the date of your request, if an applicant met the new criteria and was granted an exemption, a condition of the exemption was that they had to undertake a test for COVID-19.
19	<i>How many were tested?</i>	As of 16 June 2020, the Minister of Health temporarily suspended compassionate exemptions from managed isolation. Further information is publicly available on the Ministry website: https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-current-situation/covid-19-border-controls/covid-19-managed-isolation-and-quarantine .
20	<i>How many asked for or sought a test but were not given a test</i>	Of the 24 applicants referenced in your request, zero applicants were denied a COVID-19 test.
21	<i>How many tested positive?</i>	Of the 24 applicants referenced in your request, zero tested positive.
22	<i>Did MOH provide the option for applicants to ask for and be tested?</i>	Testing was only undertaken in the case of an accepted application.