



9 September 2026

OIA 0121

Tēnā koe

I refer to your request dated 27 July 2026, which has been considered under the Official Information Act 1982 (OIA). You requested the following information:

1/ How many people currently in our prisons were wards of the state as children and spent time in the custody of state institutions and/or foster homes?

2/ How many of those individuals were abused while in the state's custody as children? What kind of abuse? How many have made claims against the state for that abuse?

3/ How many gang members are there in the country and how many of them were wards of the state as children and how many spent time in the custody of state institutions or foster homes? How many of them were abused while in the custody of the state as children? What kind of abuse? How many gang members were raped while they were children in the custody of the state?

4/ How many gang members are descendants of soldiers who served in the 28th Maori Battalion?

5/ How many people have been excluded from state abuse redress because of previous convictions? What crimes were committed against them when they were children in the custody of the state?

On 24 August 2026 the first question of part five of your request was transferred to the Crown Response Office from the office of Hon Mark Mitchell as the information sought in this question is more closely connected to our functions.

Response to your request

The Redress System for Abuse in Care Act 2026 (the Act) includes a presumption against financial redress for survivors, who have been convicted of certain serious violent and/or sexual offences and sentenced to five or more years in prison for that offence. It does not apply to survivors with lesser convictions.

The presumption only applies to financial redress. Survivors who fall in scope of the presumption can still access wellbeing support and receive an apology from a State redress agency.

As at 31 August 2026, seven survivors have been identified as falling within the scope of the presumption.

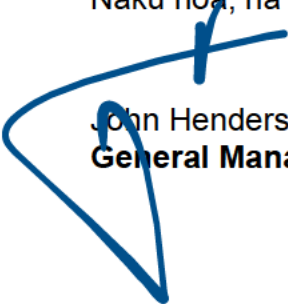
Survivors falling within the scope of the presumption can choose to apply to an independent Redress Officer to have the presumption overturned. The Redress Officer can overturn the presumption where they consider financial redress can be made available without bringing the redress system into disrepute. In making their decision, the Redress Officer may take into account a range of matters including the age at offending, any rehabilitation activities undertaken since the offending, and the length of time since the offending took place.

If a survivor applies and is not granted financial redress, they can reapply to the Redress Officer after three years.

We may publish this OIA response on www.abuseinquiryresponse.govt.nz (with your personal details having been removed). Publishing responses to OIA requests increases the availability of information to the public and is consistent with the purpose of the OIA to enable effective participation in the making and administration of law and policies, and to promote the accountability of Ministers and officials.

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 via www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



John Henderson
General Manager, Enabling Services