



New Zealand House of Representatives
Te Whare Māngai o Aotearoa

Social Services and Community Committee
Komiti Whiriwhiri Take Ratonga Pāpori, Take Hapori

54th Parliament
February 2026

**Social Security (Accident Compensation and
Calculation of Weekly Income) Amendment
Bill**

248—1

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Social Security (Accident Compensation and Calculation of Weekly Income) Amendment Bill

Recommendation

The Social Services and Community Committee has examined the Social Security (Accident Compensation and Calculation of Weekly Income) Amendment Bill and recommends by majority that the bill be passed, and that the House take note of our report.

About the bill

This bill proposes to amend the Social Security Act 2018 to confirm the longstanding policy intent behind the Ministry of Social Development's (MSD) practice in relation to backdated Accident Compensation Corporation (ACC) payments and charging income against past periods.

According to the bill's explanatory note, it is intended to:

- reflect the principles of a targeted welfare system (where people receive financial assistance relative to their income levels)
- prevent inequities between people who receive ACC weekly compensation payments during, or soon after, the period for which their entitlement to those ACC payments arises, and people who receive, long after a past period, backdated ACC payments earned for that past period.

Interaction between ACC compensation and benefit payments

People receive compensation from ACC when they are unable to work or undertake their usual duties as a result of injury. In some cases, it takes time for ACC to make a final determination on a person's entitlement to compensation. ACC claims may also be made some years after the incident occurred (for example, claims are commonly made for childhood abuse years after the fact). Many people receive financial assistance from MSD during this waiting period.

If ACC determines that a person is entitled to compensation, it will pay the person a backdated payment of ACC weekly compensation. This could mean that ACC compensation is provided for the same, or an overlapping, period that MSD assistance was received. In these cases, ACC reimburses MSD for the specified benefit amount once MSD has completed the review and advised ACC of the overpayment amount. The specified benefit is commonly referred to as a "main benefit".¹ MSD will also:

¹ The specified benefits are defined in section 198(3) of the Social Security Act. These are Jobseeker Support, Sole Parent Support, Supported Living Payment, Youth Payment, Young Parent Payment, Emergency Benefit, Orphans Benefit, Unsupported Child's Benefit and a Veteran's Pension subject to abatement under section 171 of the Veterans' Support Act 2014.

- retrospectively review any payments of supplementary assistance the person received over the period they were entitled to ACC weekly compensation²
- determine whether any overpayments should be established (and therefore if any debt is recoverable) for the period the ACC payment related to.

The welfare system is targeted based on a person's income. If MSD determines that a person's backdated ACC payment reduces their main benefit rate to zero, it will consider this person a "non-beneficiary" for the retrospective period. MSD will then charge the backdated ACC payment as income against past supplementary assistance. A person in this situation would be subject to different rules regarding supplementary support, given their non-beneficiary status.

2024 Appeal Authority and 2025 High Court decisions

In 2024, one such case regarding supplementary support and retrospective ACC compensation was brought before the Social Security Appeal Authority. In this situation, a client received a backdated ACC payment covering a period of 12 years. MSD sought a refund from ACC of the amount of main benefit paid to that person over the same period. MSD also found an overpayment of supplementary assistance, which it sought to recover.

Section 252 of the Accident Compensation Act 2001 sets out the relationship between specified benefits and ACC entitlements. Its purpose is to explain how situations such as the one discussed here should be dealt with, and provide mechanisms to prevent dual payments. While section 252 states that the ACC payment would, in essence, replace the MSD payment, it does not say that the main benefit should be treated as never being received.

The Appeal Authority found that MSD was not operating in accordance with current legislative provisions.³ One of its findings was that although section 252 enables MSD to recover main benefit payments directly from ACC, it does not change a person's status as a beneficiary during the reimbursement period. The Appeal Authority also found that MSD had not properly exercised its discretion under clause 13 of Schedule 3 of the Social Security Act, as it had not considered the client's personal circumstances and any inequities created by charging income against a past period.

MSD appealed this finding to the High Court on the first issue (status as a beneficiary). It submitted that the finding could be seen as unfair and inequitable. This is because current recipients of ACC compensation whose benefits are being offset would have their supplementary payments affected, while those receiving retrospective payments would not. The High Court upheld the Appeal Authority's decision, stating that a "greater inequity" would arise if a recipient of retrospective ACC payments was required to repay supplementary assistance after waiting for ACC payments.⁴ MSD did not appeal the High Court's decision.

² Supplementary assistance means the Accommodation Supplement, Winter Energy Payment, Disability Allowance, Temporary Additional Support, Special Benefit, and Temporary GST Assistance.

³ [NZSSAA 10 \(5 September 2024\); Social Security Appeal Authority decisions | Ministry of Justice—Te Tāhū o te Ture.](#)

⁴ [Chief Executive of the Ministry of Social Development v B \[2025\] NZHC 3042 \[14 October 2025\] | Ministry of Justice—Te Tāhū o te Ture.](#)

Introduction of this bill

We understand that the High Court’s decision does not reflect the intentions of a targeted welfare system based on income. It also does not align with MSD’s policy intent for charging income against past periods. This bill is intended to clarify this longstanding policy intent, as well as MSD’s operational practices in how it treats backdated ACC payments within the welfare system. It would do so by amending the Social Security Act to specify how section 252 of the Accident Compensation Act affects the entitlement to, and rate of, specified supplementary assistance, in line with MSD’s longstanding practice. It would clarify MSD’s position that when a person’s backdated ACC payment is equal to the amount of their main benefit, they will be treated as a “non-beneficiary” for the purposes of supplementary payments.

The bill would also clarify practice when charging income against past periods by removing discretion and creating rules that state which periods all income should be charged against. This includes special rules for holiday pay which reflect the intention for income to be charged against the period it best represents.

The bill was referred to us on 17 February 2026. The House instructed us to report back no later than 26 February 2026.

Our process for considering this bill

We requested written submissions from the public, and received 869 submissions from 855 unique submitters. Because of the time frame for our consideration of the bill, we carried out several processes differently, including running a targeted hearings process. Members of the committee provided names of those they wished to prioritise hearing from, which we did at hearings on 23 February 2026. We also did not seek to recommend draft amendments to the bill. We instead chose to focus on gathering information to inform later debates on the bill. Several issues were raised with us that we consider should be followed up on during the Committee of the whole House stage. We discuss these issues later in our report.

Written submissions received

We have not been able to include all submissions in our detailed analysis of the bill due to the bill’s time frame. We received several submissions that included personal and sensitive information about submitters with their names attached. When considering these, we balanced the need for transparency in parliamentary proceedings with the need to make sure that sensitive personal information is only disclosed with a person’s informed consent.

Fortunately, we were able to contact all of these submitters to confirm they were comfortable with their stories being made publicly available, and we offered anonymity to those who wanted it. However, we were unable to contact all of them in time for their submissions to be included in our detailed analysis. Nevertheless, we consider that it is important that these submissions form a part of the public record. We encourage people to read the submissions we received, which are published on the Parliament website.⁵

⁵ [Social Security \(Accident Compensation and Calculation of Weekly Income\) Amendment Bill: Submissions and Advice | New Zealand Parliament—Pāremata Aotearoa.](#)

We also received a number of submissions that were self-anonymised. Given the sensitive nature of some of these, we chose to accept self-anonymised submissions where the submitter disclosed personal information about finances or injuries, or self-identified as a beneficiary or an ACC recipient. To uphold transparency in the parliamentary process, we chose to return submissions where no clear reason was given for anonymity.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation's design to bring to the attention of the House.

Main issues considered

The following comprise the main themes that were raised by submitters, along with additional issues we considered and our response to some of the issues raised. An in-depth overview of all themes raised through written and oral submissions is available in the departmental report we received from advisers from the Ministry of Social Development.⁶

People affected by the bill

Between 1998 (when the practice in scope of the High Court's decision began) and October 2025, approximately 37,470 people have been affected by the policy that the bill seeks to confirm. MSD provided a breakdown of data related to the people affected by this policy across benefit type, type of supplementary assistance, partner status, ethnicity, and gender. This is available in the departmental report we received from advisers.

Because of the complexity of the data involved and the time available to us, we could not receive further information in time about what types of claims these people have. Some of us are concerned that this means we do not have a good understanding of the situations that people who are captured by this bill are in, and what kinds of injuries they are seeking cover for. Some of us would like to hear from ACC directly about the kinds of claims these people are making. We note that ACC may take longer to process sensitive claims than it might for other claims. We do not know definitively that there is a higher amount of debt to MSD from people who are sensitive claimants. We were advised that a manual process would be required to match up client files and deduction notices from MSD, which would not be possible in the time frames.

Reassessment of supplementary assistance

Submitters suggested that it is unfair to reassess supplementary assistance retrospectively, because people will be treated as if they had income that they did not have access to at the time. We note that reassessment of a person's entitlement to assistance following notification of an income increase is a standard part of the welfare system.

Submitters asserted that particular forms of supplementary assistance should not be included within the bill. We considered this within the context of the Disability Allowance.

⁶ [Ministry of Social Development \(Departmental report\): Submissions and Advice | New Zealand Parliament—Pāremata Aotearoa.](#)

Someone who received their main benefit as well as the Allowance, and then received ACC compensation that reduced their main benefit to zero, would have that ACC weekly compensation charged as income against their past entitlement. This may result in them being required to pay back the Allowance. However, the Allowance may have been used to cover costs that ACC would have covered anyway if compensation had been granted sooner, such as rehabilitation supports. Some of us have concerns about this practice, and consider that ACC could cover services related to recovery that would be initially paid for through the Allowance.

Some of us are concerned that ACC normally pays rehabilitation costs on top of compensation. Claimants who have missed out may end up paying their compensation for these very costs. Particularly vulnerable people need to be looked after. People on lower incomes are most affected, and some of us consider that a waiver or discretion would be appropriate.

While noting that the bill is confirming longstanding practices, some of us consider that MSD should be given more discretion to be able to remove or reduce debt from people who are struggling, so that they are not landed with debts that they will not be able to pay back. Some of us consider that there should be some criteria set, and flexibility allowed, to consider various mitigating circumstances to write off part or all of the debt.

Longstanding MSD practice is that income from ACC will be assessed to determine if a person is eligible for the Allowance. This is consistent with how all other types of income are treated for the purposes of determining eligibility for the Allowance under the welfare system. Any change to how supplementary assistance interacts with ACC compensation would be quite a significant shift in the welfare system, due to the focus on income in relation to entitlement support. We understand that comprehensive analysis would be needed to explore whether certain supplementary assistance could be excluded from this process. We note that analysis at this stage would not be possible, given the time needed to explore this issue properly, and the short window for our consideration.

Narrow savings provisions

Clause 8 of the bill would amend Schedule 1 of the Act, and relates to transitional, savings, and related provisions. The amendment includes savings for proceedings that have been decided, or have been lodged, with the Appeal Authority or the Courts. Consequently, changes proposed by the bill would not interfere with previous or ongoing litigation, and would maintain a separation between the legislative and judicial branches. Some submitters suggested that the savings provisions should be broadened to include people who were already engaged in review processes, but had not yet lodged their case with the Appeal Authority or the Courts (for example, cases before MSD internal reviewers or a Benefits Review Committee (BRC)). These concerns were based, in part, on the length of time it can take for Reviews of Decisions (ROD) and BRC cases to be processed.

We understand that, following MSD's acceptance of the High Court ruling, its priority was to engage with clients who had active cases before the High Court or the Appeal Authority. Because of the complexity of some of these cases, MSD has established a dedicated specialist team to ensure decisions are accurate and consistent. We heard that extending the scope of the savings provisions would result in more people being treated in line with the

High Court decision. This would result in lower amounts of debt being recovered by the Crown. We understand that six relevant cases are before the Appeal Authority, and no remaining cases are before the High Court. There are 64 relevant cases at the ROD stage, and 27 before a BRC.

We sought reassurance that cases before the ROD and a BRC since the High Court ruling are still being worked on, and that they have not paused while decisions have been made for this bill. We asked why the processing times for cases at ROD and BRC stage related to backdated ACC payments were longer than the average processing times. MSD told us that these cases are generally more complex and take longer to process. Often these cases would take longer to resolve than the time since the High Court ruling. For instance, the average number of working days since cases have been received for consideration is 108 at the ROD stage and 193 for cases before the BRC.

We are also aware that once MSD's dedicated specialist team has worked through the active cases before the High Court or the Appeal Authority it will shift its focus to clients with active cases pending a ROD or that are before a BRC.

Some of us consider that it may be worth considering whether cases currently at these two stages should also be included in the savings provisions. Some of us encourage the House to consider this matter further.

Reversal of the High Court's decision

Submitters told us that they considered the bill's reversal of the High Court's decision to be inappropriate, and suggested that legislation should reflect the decision rather than confirming longstanding policy intent and operational practices. We understand that MSD did not consider that there were any grounds to appeal the High Court's decision. However, the decision reached is inconsistent with the status quo, which this bill aims to fix. We note that the bill aligns with MSD's current practices, and that nothing in the bill differs from how MSD currently operates.

Passage under Urgency

Submitters raised concerns about the bill being passed under Urgency, and that this prevented people from being able to submit an appeal through the Courts. We understand that the bill is being progressed quickly for several reasons. They are to ensure that longstanding policy and practice relating to backdated ACC payments is upheld for as many cases as possible, while ensuring financial and operational effects for the Crown and MSD are low.

Retrospective application

The bill would apply retrospectively, and in essence would mean that any past decisions made in line with the policy intent would be valid when the bill is passed and in force (unless a savings provision applies). Submitters said that the bill's retrospectivity is not justified, and could risk public trust in legislative processes. We understand that the bill is intended to be retrospective to ensure that the policy intent is applied legally for all cases involving ACC compensation for those on benefits.

Unfair punishment of MSD clients over an administrative issue

Delays in ACC assistance are often caused by administrative issues, which sit with ACC itself. Submitters told us that delays are not something that beneficiaries have any control over, and that they should not be punished for delays in the system.

Effect on vulnerable people

We heard from submitters that the bill could increase stress for vulnerable people, and could risk putting them in financial hardship if they became indebted to MSD. We note that the bill would not affect past or ongoing payments for hardship assistance, such as Special Needs Grants. MSD is also authorised to consider a client's individual circumstances when determining a debt recovery process, and can set the recovery amount at a low weekly rate.

Submitters also felt that the bill will disproportionately affect people with sensitive ACC claims, such as survivors of abuse in State care. Some suggested excluding people with sensitive claims from the bill. We note that historic claims payments related to abuse in State care are not included in the bill, as these payments are exempt from income and cash asset testing for MSD assistance.⁷ Submitters also said that other marginalised groups would feel disproportionately affected. Examples include Māori (as people overrepresented in the welfare system) and disabled people (as people more likely to have long-term impairments requiring extended ACC compensation).

We note our earlier comments about some of us to give MSD the discretion to allow part or all of a debt to be written off in particular circumstances.

Alignment with New Zealand's overall legislation and obligations

Submitters were concerned that the bill does not align with New Zealand's overall legislation and obligations. They include the New Zealand Bill of Rights Act 1990, the Treaty of Waitangi, and the United Nations Convention on the Rights of Persons with Disabilities (CRPD). We note that the Attorney-General has determined that the bill is consistent with the New Zealand Bill of Rights Act. MSD acknowledged that Māori are disproportionately represented in the welfare system. However, it did not conduct analysis of the bill's alignment with the Treaty of Waitangi or the CRPD as the bill reflects longstanding policy and practice.

Suggested change to consider at Committee of the whole House

While we did not seek to redraft the bill, we do have one matter we wish to bring to the attention of the House. We would like this change to be further considered during the Committee of the whole House stage of the bill.

Clause 2 of the bill states that the bill would come into force on the day after Royal assent. Subclause (2) specifies that the exception is clause 5(2) of the bill, which would come into force on 2 March 2026. Clause 5(2) would insert a reference to a new section 310B, which is

⁷ See, for example, the income exemptions in regulation 294 and clause 1 of Schedule 8 (items 6 and 8) of the [Social Security Regulations 2018 \(as at 17 November 2025\) | New Zealand Legislation](#).

inserted through the Social Security (Mandatory Reviews) Amendment Act 2025. The 2 March date was set because it is when that amendment Act comes into force.

Because this bill is now intended to be passed after 2 March 2026, a separate commencement date is not required. We suggest that the House consider removing clauses 2(2) and 5(2), and amending proposed new section 198A(3)(a) to include reference to section 310B.

Our conclusion

We would like to acknowledge the efforts of all submitters on the bill, given the shortened time frames for lodging a written submission. We thank them for sharing their personal stories with us, so we could understand how the themes raised in this bill affect people directly. We also thank those we heard from during our public hearings for their insights.

Our consideration of this bill focused on receiving and considering public submissions. We did not seek to draft recommended amendments and substantively consider proposed changes to the bill, and consequently do not make any recommendations for amendments. However, we consider that the bill could be improved through changes to the commencement dates (and consequential amendments), as set out above. We recommend that the House consider these changes further in the Committee of the whole House. We look forward to considering this bill further during its journey through the House, and hope that the information we considered during our committee process can help inform further debates.

Overall, we recommend, by majority, that the bill proceed without amendment.

Green Party of Aotearoa New Zealand differing view

While the Government has the right to progress the Social Security (Accident Compensation and Calculation of Weekly Income) Amendment Bill, it does not mean it should. The bill will retrospectively entrench debts for almost 40,000 people, including some of the poorest. Caught by this are people who have gone through significant trauma, including sensitive ACC claimants who are survivors of sexual violence.

We support the ruling of the High Court in October and echo the comments from Justice Grice: “the recipient of the supplementary assistance needed and was eligible for the assistance at the time”, she found. “The Ministry’s interpretation could result in the state retrospectively imposing potentially significant debts on persons of limited means, through no fault of their own.”

This bill is not about equity, but entrenches inequities. People who had to wait on welfare to access the support unlocked by ACC are often not able to access rehabilitation, therapy, and other support services. On top of this, they were and are still made to live on below-poverty-line incomes that result in compounding harm, including entering into debt with MSD to access advances, or debt from private entities like loan companies. The people affected by this bill have not been double-dipping, but have been reliant on incomes that do not allow them to adequately meet their essential needs due to the burden placed on people who

need ACC support. On top of this, the debts people are burdened with can push them further into poverty and prevent them from accessing essentials once they transition out of welfare.

The current provisions of the bill also trample over the dozens of Review of Decision and Benefit Review Committee hearings that are yet to be processed, due to the fact that only people who have challenged the Government's current policy in the Social Security Appeal Authority will be able to continue with proceedings. This further undermines people's trust in the systems MSD has in place for people to seek recourse.

Instead of progressing with the bill, the Government ought to overhaul our welfare and ACC support systems so that they allow people to live well. We recommend the Government introduce a Guaranteed Minimum Income and change ACC to an Agency of Comprehensive Care that provides support to those who need it. We take this opportunity to thank the people who submitted on this bill, with only two days given to be able to participate. We particularly acknowledge survivors of sexual violence who have come forward to share their experiences and perspectives with us.

Te Pāti Māori differing view

Te Pāti Māori does not support this bill. We oppose both its retrospective architecture and its failure to protect those who will bear its consequences. The bill prioritises administrative consistency over equity, accountability, and the lived realities of people who relied on lawful support while waiting for ACC decisions. It validates past unlawful practice and enables the creation or recovery of debt years after assistance was paid and spent in good faith.

This legislation responds to a High Court ruling by retrospectively changing the law to authorise conduct previously found to be outside it. We reject the use of Parliament to extinguish rights after the fact, particularly where the financial burden is transferred from the State to individuals. Retrospective validation in this context removes legal remedy and undermines confidence in public administration.

In practical terms, the bill empowers MSD to reassess supplementary assistance once backdated ACC payments are made, and to create or recover debt for past periods. Many people affected waited extended periods for ACC entitlements due to administrative delay, evidential processes, reviews, or appeal pathways. Those delays were not of their making. Reopening settled periods and imposing debt compounds hardship and punishes reliance on support that was lawfully received at the time.

The impacts are not evenly distributed. Māori are overrepresented among both ACC claimants and income support recipients. As a result, the debt, recovery action, and financial stress enabled by this bill will fall disproportionately on Māori whānau. Equal application of a rule in unequal circumstances entrenches inequity. The bill contains no Te Tiriti clause, no equity test, and no requirement to assess disproportionate impact before recovery action is taken.

Te Pāti Māori proposed a suite of amendments to address these defects and to reduce foreseeable harm. We sought the insertion of a Te Tiriti o Waitangi clause requiring MSD to give effect to Te Tiriti, including ensuring equitable outcomes for Māori, actively protecting

Māori from disproportionate financial harm, recognising Māori authority, and partnering with Māori in operational policy development. That amendment was not adopted.

We proposed removing retrospective financial harm by prohibiting any amendment in the Act from being applied in a way that creates, increases, or validates a debt or overpayment. That amendment was not adopted.

We sought to insert a mandatory hardship and equity test before any reassessment, requiring MSD to assess financial hardship, consider reliance on assistance, examine equity impacts on Māori, and apply a presumption against creating debt. That amendment was not adopted.

We proposed a no-debt rule where ACC backdated payments relate to periods more than 12 months prior, recognising that prolonged delays are often systemic and outside a claimant's control. We also sought explicit protection where delays arose from ACC administrative error, system delay, or review processes. Those amendments were not adopted.

We moved to protect survivors of sensitive claims and families dealing with fatal injuries from further harm through retrospective reassessment, and to exempt disability-related assistance from the scope of reassessment by removing disability allowance from specified supplementary assistance. These amendments were not adopted.

To address process inequities, we proposed Māori co-design of income-charging rules, a fairness test preventing income from being allocated to past periods where hardship or unforeseeable debt would result, an independent review panel with Māori representation for any retrospective reassessment, and plain-language and te reo Māori rights notifications so people understand review and hardship protections. None of these structural safeguards were accepted.

Finally, we sought systemic accountability measures: a mandatory Māori Impact Assessment prior to commencement, annual equity reporting on reassessments, debt levels and hardship outcomes, and a sunset clause requiring Parliament to reconsider retrospective provisions after 12 months following public consultation. These transparency and oversight mechanisms were not adopted.

The departmental report acknowledges that some individuals will experience financial stress and debt as a result of the bill, yet recommends proceeding in the interests of consistency. We do not accept that administrative alignment justifies foreseeable and disproportionate harm.

For these reasons, and in light of the committee's decision not to adopt amendments that would have embedded Te Tiriti obligations, prevented retrospective debt, protected against hardship, and required equity oversight, Te Pāti Māori does not support the bill as reported back.

Mariameno Kapa-Kingi differing view

As the independent MP for Te Tai Tokerau, I oppose this bill in strongest sense. It blames the vulnerable for systemic failures and places them into further hardship during a time when support was needed most.

Reversing High Court decisions

Reversing a High Court decision that favoured the claimant should intimidate all of New Zealand. It undermines the law and those who are charged with ruling on it.

This bill is born out of the 2025 High Court decision that exposed serious flaws in MSD's approach, ruling that people should have remained beneficiaries during the period that ACC later compensates for. This bill completely undermines this decision and in fact overturns it, allowing MSD to claim for compensation.

It is a complete misuse of power. Undermining the independence of judicial interpretation by retaliating with this bill should deeply concern the public. It illustrates that not even the law can protect us when it is manipulated by those in power to protect their banks over public wellbeing.

Retrospective provisions

The retrospective provisions within this bill are alarming and dangerous. They will place an already vulnerable group of people into further hardship and misfortune. The bill retrospectively treats people as though they were receiving ACC compensation at the same as they were receiving MSD support. Requiring people to reimburse for these "over payments" is a disgusting practice. It fails to acknowledge ACC's performance in timely decision-making.

Charging vulnerable and low-income people back for support that was desperately needed while experiencing systemic delays from ACC raises serious ethical concerns.

Those with their cases currently before the court will no longer receive the benefit of the initial High Court ruling, creating unjust treatment. One group has had their rights upheld while the other will receive punitive debt. This erodes the trust of the public. It denies people who sit on the other side of the High Court ruling the same benefits as others simply because of slow administrative pipelines. It criminalises the poor, places them in debt and punishes them for receiving support in a time they needed it most.

The consequences of this choice will be dire. Mortality rates will likely weaken following these legislative changes.

Disproportionate penalising of Māori

There has been absolutely no analysis on whether this bill implicates Te Tiriti o Waitangi, so I will provide one here. Māori are overrepresented in the welfare system with low-income work and experiences of hardship. Māori are also overrepresented in careers involving physical labour where we are prone to work-related injuries. Further to that, Māori are overrepresented as victims to violence, of which sensitive claims are a result.

The Crown has a duty of equity under Te Tiriti o Waitangi. That's *ōritetanga*. It too has a duty of active protection. In the context of this bill, the Crown must ensure that Māori will not be disproportionately harmed.

No steps have been made to ensure that disproportionate harm will not be inflicted onto Māori. There has been no analysis made on whether the retrospective application of this bill will lock our people into inescapable debt cycles generated by administrative delays.

This is yet another fracture on an agreement the Crown made to fulfil Te Tiriti o Waitangi in actively protecting our people and sharing in the equitable treatment of Māori on our own whenua.

Our people will bear the brunt of a policy that entrenches inequity and misery of the vulnerable. The fact that this bill has been pushed under Urgency highlights continuous Crown failure in partnering with Māori. It completely sidelines our voices and any humanity that is embedded in meaningful engagement.

Survivors of abuse in care

Survivors of abuse in State and faith-based care are often recipients of approved supplementary assistance. These payments are critical in financially supporting those who await their claims, for extended periods of time, with ACC.

It is cruel and unjust that systemic delays between ACC and MSD should be a cost on any beneficiary, especially survivors of abuse in care. This cohort often live with mental and physical health issues directly connected to the abuse they endured in State and faith-based institutions. These facts alone highlight the extreme disadvantage survivors experience throughout their lives. After decades of such disadvantage, it is extreme to expect that survivors reimburse the State for the State's own mismanagement.

After a national apology and promise of restorative justice, this bill will deepen hardship and punish survivors of abuse in State and faith-based care. The "State" has no right to continue harming survivors.

Concluding comments

This bill is riddled with provisions that will cause irreversible harm to vulnerable communities. It will lock whānau into inescapable debt cycles and place blame onto beneficiaries for systems that are so poorly designed they cannot respond to the needs of the people. Punishing the poor for system failure is an unforgivable misuse of power and has no place in creating further harm against Māori or survivors of abuse in State and faith-based care.

Appendix

Committee procedure

The Social Security (Accident Compensation and Calculation of Weekly Income) Amendment Bill was referred to the committee under Urgency on 17 February 2026. The House instructed us to report the bill back no later than 26 February 2026. The closing date for submissions was 20 February 2026. We received and considered written submissions from 855 interested groups and individuals. We heard oral evidence from 8 submitters.

We received advice on the bill from the Ministry of Social Development. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office was available to assist with legal drafting.

Committee members

Joseph Mooney (Chairperson)
Jamie Arbuckle
Kahurangi Carter
Hon Willie Jackson (until 18 February 2026)
Dana Kirkpatrick
Laura McClure
Maureen Pugh
Hon Jan Tinetti (from 18 February 2026)
Helen White

Oriini Kaipara, Mariameno Kapa-Kingi, and Ricardo Menéndez March participated in our consideration of this bill.

Related resources

The documents that we received as advice and evidence are [available on the Parliament website](#). Recordings of our hearings on 23 February 2026 are available on Vimeo at the following links:

- [23 February 2026, part one: Community Law Centres Aotearoa, AC Law, & Physio NZ Pelvic Health Specialist Group.](#)
- [23 February 2026, part two: Beneficiaries and Unwaged Workers Trust & New Zealand Law Society.](#)
- [23 February 2026, part three: John Miller Law, Alexandra Hodgson, & Hazel Armstrong \(Armstrong Thompson Law\).](#)