

01 JUL 2019

Elliot Ikilei
fyi-request-10444-d912975e@requests.fyi.org.nz

Dear Mr Ikilei,

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 4 June 2019 regarding the annual rates of home detentions. Specifically, you requested:

1. The annual rates of home detentions used in sentencing, from 2004-2019
2. The most serious conviction concluding with the above data: GBH, assault, sexual assault, etc.

Clarification of your request

On 13 June 2019 we sent an email to clarify your request in order to provide you with statistics held by the Ministry of Justice (the Ministry). Unfortunately, we never received a response, so we have interpreted the question to be:

The number of convicted people who received a home detention sentence by most serious offence, 2007-2018.

As we mentioned in the clarification email, the sentence of home detention was introduced mid-2007 as a result of the Sentencing Amendment Act. Therefore, we are only able to provide data from 2007 onwards. Also, the data is extracted based on calendar year statistics (i.e. January - December), hence why the statistics end at 2018 (December).

Response

I attach one table to this response which outlines the number of people sentenced to home detention by their most serious offence, 2007 – 2018. See Table 1.

If you are not satisfied with this response, you have the right to complain to the Ombudsman under section 28(3) of the OIA. You can contact the Office of the Ombudsman by writing to PO Box 10152, Wellington 6143; calling 0800 802 602; or emailing info@ombudsman.parliament.nz

Thank you for taking the time to write.

Yours sincerely



Jacquelyn Shannon
Group Manager, Courts and Tribunals, Regional Service Delivery
Ref: 75706

Table 1: Number of people sentenced home detention by their most serious offence, 2007 - 2018

Charge outcome	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
01: Homicide and related offences	1	10	3	9	7	9	5	16	9	16	17	19
02: Acts intended to cause injury	63	368	367	460	441	451	413	425	465	506	561	570
03: Sexual assault and related offences	7	92	76	103	90	113	134	120	143	151	142	153
04: Dangerous or negligent acts endangering persons	15	80	74	71	63	51	72	62	60	53	82	83
05: Abduction, harassment and other offences against the person	7	34	29	39	30	31	33	36	46	47	53	51
06: Robbery, extortion and related offences	12	101	114	137	95	111	111	100	90	98	129	146
07: Unlawful entry with intent/burglary, break and enter	35	216	227	255	241	288	272	213	243	246	284	305
08: Theft and related offences	39	211	184	211	152	173	202	198	197	200	210	223
09: Fraud, deception and related offences	59	279	281	323	283	322	343	346	288	308	277	200
10: Illicit drug offences	40	308	348	496	410	424	446	396	317	336	337	346
11: Prohibited and regulated weapons and explosives offences	4	42	36	26	31	38	46	44	40	59	57	85
12: Property damage and environmental pollution	9	65	70	54	55	71	60	51	52	49	43	56
13: Public order offences	4	14	19	26	24	37	37	21	21	23	13	27
14: Traffic and vehicle regulatory offences	133	769	837	923	715	788	637	688	610	634	653	579
15: Offences against justice procedures, government security and government operations	34	168	211	298	269	233	235	214	239	227	266	245
16: Miscellaneous offences	6	21	23	29	23	19	31	16	23	30	20	26
Total	468	2,778	2,899	3,460	2,929	3,159	3,077	2,946	2,843	2,983	3,144	3,114

Notes:

1. This data counts a person once per calendar year if their most serious sentence was home detention.
2. The Australian and New Zealand Standard Offence Classification is used to categorise offences into 16 divisions, within which subdivisions and groups exist. More information on ANZSOC can be obtained from: abs.gov.au/ausstats/abs@.nsf/mf/1234.0
3. Offences within each ANZSOC category can change over time as new offences are created or other offences become obsolete or are replaced. For example:
 - a. Changes to the Sale and Supply of Alcohol Act 2012 meant that instead of being charged with offences categorised as 'consumption of legal substances in regulated spaces' a person can now receive an infringement notice for drinking or having an open container.
 - b. Changes to combined offences for 'driving causing death or injury' in ANZSOC 041 occurred in 2012, which resulted in 'driving causing death' being coded to 0132: Driving causing death, and offences related to 'driving causing injury' remaining in 041: D
4. Initiatives such as Policing Excellence can also impact the offences appearing in different ANZSOC categories over time. The focus on alternate resolutions meant that certain types of low level offences (e.g. graffiti), were dealt with without needing to go to court.
5. This data is extracted based on the charge outcome year of each charge (e.g. the year that a charge is convicted). Calendar years start in January and end in December.
6. Note the sentence of home detention was introduced in mid-2007 as a result of the Sentencing Amendment Act.