

23 OCT 2013

Mike Davenport
Fyi-request-1150-667ae009@requests.fyi.org.nz

Tēnā koe Mr Davenport

Official Information Act request

I am replying to your email of 21 September 2013 to the New Zealand Police requesting under the Official Information Act 1982 information relating to drink drivers discharged without conviction. The Police transferred this request to the Ministry of Justice as they do not hold this information.

Please note that data has been extracted using the Australian and New Zealand Standard Offence Classification subdivisions 0411 (driving under the influence of alcohol or other substance) and 1431 (exceeding the prescribed content of alcohol or other substance limit).

The data is only available until 30 June 2013 because conviction and sentencing statistics are considered official statistics and are subject to a range of protocols governing their public release. The most recently-released data covers the period to the end of June 2013. The full 2013 calendar year conviction and sentencing statistics will be available at the end of March 2014.

An offender may have more than one discharge without conviction for drink driving in a year, which will not be shown in this data.

I have set out your requests and my responses below.

The number of drink drivers discharged without conviction since 1 January 2012, broken down by:

a) Age

Table 1, enclosed, shows the number of people discharged without conviction for drink driving charges between 1 January 2012 and 30 June 2013, by age. I have also provided the total number of offenders convicted for drink driving over this period, also broken down by age group.

A discharge without conviction may be granted by a judge when the offender's circumstances mean the consequences of the conviction would far outweigh the gravity of the offence. As you can see from Table 1, this discretion is only rarely exercised.

b) Gender

Table 2, enclosed, shows the number of people discharged without conviction for drink driving charges between 1 January 2012 and 30 June 2013, by gender.

c) Occupation

Information on the occupation of those convicted is not routinely captured in the Ministry's Case Management System and therefore your request is refused under section 18(g)(i) of the Act as the information is not held by the Ministry and there are no grounds for believing it is held by another department, Minister of the Crown, organisation or local authority.

If you are not satisfied with my response to your request, you have the right to make a complaint to the Ombudsman under section 28(3) of the Official Information Act. The Ombudsman may be contacted by writing to PO Box 10-152, Wellington.

Heoi anō, nā

A handwritten signature in black ink, appearing to read 'Tony Fisher', with a stylized, flowing script.

Tony Fisher
General Manager, District Courts

Ref: 46452

Table 1: Number of people discharged without conviction for drink driving charges between 1 January 2012 and 30 June 2013, by age.

Age	Offenders discharged without conviction	Offenders Convicted	Total
15-19	50	5003	5053
20-24	34	8140	8174
25-29	24	5503	5527
30-34	8	3770	3778
35-39	7	3236	3243
40-44	8	3053	3061
45-49	7	2591	2598
50+	8	4223	4231
Unknown/Not Recorded	1	20	21
Total	147	35539	35686

Table 2: Number of people discharged without conviction for drink driving charges between 1 January 2012 and 30 June 2013, by gender

Gender	Offenders discharged without conviction	Offenders Convicted	Total
Female	37	8592	8629
Male	109	26881	26990
Unknown/Not Recorded	1	66	67
Total	147	35539	35686