

15 JUL 2020

C. Morton
fyi-request-13150-fbb3b644@requests.fyi.org.nz

Dear C Morton

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 25 June 2020 regarding the Land Transport Act 1998. Your request and my response are set out below.

Can you please provide the information as to the sentences given to individuals charged with "failing to stop" under Section 114 of the Land Transport Act 1998 since 1st January 2010. Please include any occasion where the defendant was convicted and discharged. Please list it by year and age and supply in Excel format.

Please also provide the information as to the age of individuals charged with "failing to stop" under Section 114 of the Land and Transport Act 1998 Since January 2010. Please include any occasion where the defendant was convicted and discharged. Please list by year and age and supply in an Excel format.

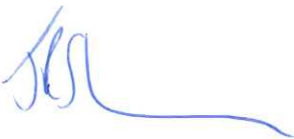
In response to your request, please refer to excel tables 1 and 2 attached.

If you require any further information, please contact Jerram Watts, Acting Media Manager at media@justice.govt.nz or call (04) 918 8980.

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

I trust that this information assists.

Yours sincerely



Jacquelyn Shannon
Group Manager, Courts and Tribunals, Regional Service Delivery

Ref: 82442

Table 1: Number of people charged under section 52, 52A and 114 of the Land Transport Act 1998 for 'failing to stop' offences by age, 2010 - 2019

A person is counted once per year. When a person has more than one charge for 'failing to stop', with an outcome in a year, the details of the most serious offence are included in the statistics. This data counts only disposed charges (i.e. charges finalised in court). Year is based on the charge outcome date of each charge.

The years are a full calendar year

Age is the person's age at the offence date of their most serious charge each year.

Example interpretation: In 2011, there were 505 people aged 20-24 years old who were charged with a 'failing to stop' offence.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
16 years and under	123	102	84	95	105	127	153	189	184	151
17-19	381	369	292	288	240	332	323	365	316	315
20-24	460	505	508	434	419	433	549	533	542	521
25-29	249	261	287	286	280	337	369	490	479	526
30-34	162	127	158	172	148	210	229	317	316	412
35-39	142	109	127	98	101	123	137	194	214	238
40-44	98	97	94	64	87	84	105	115	118	119
45-49	62	69	52	40	55	51	61	89	67	89
50-54	35	31	35	34	33	35	32	36	39	43
55-59	15	17	16	21	16	13	20	16	21	26
60-64	8	7	4	8	9	7	6	7	9	11
65 years and over	6	6	6	5	4	5	4	2	8	10
Unknown	0	1	0	1	0	0	0	0	1	2
Total	1,741	1,701	1,663	1,546	1,497	1,757	1,988	2,353	2,314	2,463

Table 2: Number of people convicted under section 52, 52A and 114 of the Land Transport Act 1998 for 'failing to stop' offences by sentence type, 2010 - 2019

A person is counted once per year. When a person has more than one convicted charge for 'failing to stop', with an outcome in a year, the details of the most serious offence are included in the statistics. This data counts only disposed charges (i.e. charges finalised in court). Year is based on the charge outcome date of each charge.

This data only includes convicted outcomes (convicted and sentenced and convicted and discharged).

Other proved outcomes (Youth Court proved (s283 order), discharge without conviction and adult diversion/Youth Court discharge) are not counted in this data.

A person may receive more than one type of sentence when convicted of a charge. The most serious sentence is used in these tables. Sentences include (in order of seriousness):

- imprisonment (includes life imprisonment, preventive detention and imprisonment)
- community sentences (home detention, community detention, intensive supervision, community work, supervision)
- monetary (includes reparation, fine and 'order for restitution of property')
- deferment (which includes 'to come up for sentence if called upon')
- other (includes orders related to driving (eg disqualification from driving, alcohol interlock order, zero alcohol order), orders related to forfeiture and confiscation (eg 'order for forfeiture' and 'order for confiscation of motor vehicle'), Final Protection Order (Sentencing Act), and 'committed to a facility on conviction')
- no sentence recorded (includes where a person has been 'convicted and discharged' and where a person has been ordered to pay court costs).

The years are a full calendar year

Sentences may reflect the seriousness of other charges in the case, and are influenced by the offending history of the person charged.

Example interpretation: In 2012, there were 17 people who received an imprisonment sentence for their most serious convicted 'failing to stop' charge that year.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Imprisonment	12	21	17	27	34	38	56	78	57	94
Home detention	0	3	1	4	2	7	4	8	8	16
Community detention	4	16	8	8	9	11	11	11	9	32
Intensive supervision	1	3	4	2	5	8	8	10	16	31
Community work	21	22	26	32	33	31	30	41	40	45
Supervision	2	1	1	0	0	2	6	8	8	17
Monetary	287	256	263	294	237	293	337	371	339	332
Deferment	11	14	14	12	16	11	12	7	7	8
Other	201	401	476	507	515	624	748	955	1,012	1,079
No sentence recorded	865	632	529	390	378	415	438	450	378	370
Total	1,404	1,369	1,339	1,276	1,229	1,440	1,650	1,939	1,874	2,024