

29 April 2021

Blake Monk
fyi-request-14902-81bb2570@requests.fyi.org.nz

Ref: IR-01-21-8271

Dear Blake

Request for information

Thank you for your request dated 11 March 2021, requesting information regarding warnings issued for indecent assault.

You requested:

Under the Official Information Act, I request information relating to the number of pre charge warnings (also described as "formal police warnings") issued for the offence of "indecent assault" (s135 of the Crimes Act 1961), across all policing districts in New Zealand between 01 January 2019 to present, being the date on which you receive this request.

If this request is made easier by dividing the number of warnings by the policing district in which they were issued, that is acceptable. However, if not, I request please that the number which have been issued in the Auckland City policing district be made clear.

Your request has been considered in accordance with the Official Information Act 1982.

Please note, the offence of indecent assault, under section 135 of the Crimes Act 1961, could not be resolved through the Pre-Charge Warning process as it did not meet the criteria for this process. Police still have discretion to formally warn offenders for indecent assault and that process was followed in these cases.

In respect to this response, 'Formal Warning' pertains to cases where the offender has been formally warned and the warning is recorded in the Police database.

In response to your request, the following table shows the number of proceedings against offenders for 'indecent assault' offences under Section 135 of the Crimes Act 1961 that were dealt with through formal warning for the period from January 2019 to February 2021.

The data is broken down by Police Districts.

Police National Headquarters

180 Molesworth Street, Thorndon, Wellington SX11149
Telephone: (04) 474 9499. www.police.govt.nz

Table 1: the number of proceedings against offenders for ‘indecent assault’ offences under Section 135 of the Crimes Act 1961 that were dealt with through formal warning for the period from January 2019 to February 2021, broken down by Police District.

DISTRICT	2019	2020	Jan – Feb 2021
Northland	2	0	0
Waitemata	3	2	1
Auckland City	3	6	1
Counties/Manukau	5	3	0
Waikato	5	2	0
Bay of Plenty	1	3	0
Central	2	5	1
Eastern	2	2	0
Wellington	0	1	0
Tasman	0	4	0
Canterbury	2	3	0
Southern	4	5	1
Total	29	36	4

A proceeding counts each separate occasion when Police deal with an alleged offender for one or more offences. Proceedings for official statistics are usually classified according to the most serious offence that the offender is dealt with on that occasion.

We note that the figures provided herein count all proceedings involving at least one ‘indecent assault’ offence and thereby may not have been the most serious offence proceeded against on that occasion. Therefore, please note that these figures may differ to figures published elsewhere.

If you are not satisfied with my response to your request, you have the right to ask the Ombudsman to seek an investigation and review of my decision.

If you have any queries about the information provided, please contact Detective Senior Sergeant Patea by email at james.patea@police.govt.nz

Yours sincerely,

A handwritten signature in black ink, appearing to read 'DK', with a long horizontal stroke extending to the right.

David Kirby
Detective Inspector
Manager
Sexual Violence and Child Protection Team
National Criminal Investigations Group