

04 MAR 2015

Sam  
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Tēnā koe Sam

#### **Official Information Act 1982 Request**

I am replying to your email of 7 February 2014 in which you have requested, under the Official Information Act 1982, information relating to charge withdrawals.

You have requested to see all relevant documents and statistics for drink driving cases that have been dropped for any reason between 2010 and 2015 year to date. You have also asked to see information on discarded driving under the influence charges dropped due to hardship for travelling required for careers/charitable work.

Documents relating to drink driving cases form part of the court record. Courts are excluded from the scope of the Official Information Act 1982 under sections 2(6)(a) and (b).

Also forming part of the court record is information relating to reasons for charges being dropped, for example, due to hardship for travelling required for careers/charitable work. The Ministry can access some information for statistical purposes; however, without searching every court record we cannot be sure if a conviction for a drink drive charge is in relation to someone travelling for work or a general member of the community. This level of detail is not available in the datasets that we use to analyse statistical data.

For statistics relating to charges withdrawn by the New Zealand Police before a person appears in Court, you will need to approach the Police directly as the Ministry does not hold this information.

For outcomes of charges that are laid in the courts, this information is publically available on the Statistics New Zealand website under Criminal Conviction and Sentencing tables:  
[http://www.stats.govt.nz/browse\\_for\\_stats/people\\_and\\_communities/Crime\\_and\\_justice.aspx](http://www.stats.govt.nz/browse_for_stats/people_and_communities/Crime_and_justice.aspx)

The Statistics New Zealand website allows you to filter offences and outcomes, including whether a charge was withdrawn. You can find 'Exceeding the prescribed content of alcohol or other substance limit' under Traffic and vehicle regulatory offences and Regulatory driving offences.

Please note with the data:

- prosecution statistics are considered 'official statistics', and are subject to a range of protocols governing their public release. The most recently-released data by calendar year covers the period to the end of December 2013. Because of this, we are unable to release the data for 2014. We have therefore provided New Zealand Statistics the data to the end of 2013. Data for the 2014 calendar year will be available on 24 March 2015
- the offence category for 'Exceeding the prescribed content of alcohol or other substance limit' also includes drug related offences.

If you require any clarification of the information contained in this response to your Official Information Act 1982 request, please contact Antony Paltridge, Team Leader, Media and External Relations, at [Antony.Paltridge@justice.govt.nz](mailto:Antony.Paltridge@justice.govt.nz) or call (04) 918 8980 or 027 689 0667.

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 1982. The Ombudsman may be contacted by writing to PO Box 10-152, Wellington.

Heoi anō, nā



Tony Fisher  
**General Manager, District Courts**

Ref: 51949