

18 FEB 2015

Gregory Soar  
Fyi-request-2418-2e8b012c@requests.fyi.org.nz

Tēnā koe Mr Soar

**Official Information Act 1982 request**

I am replying to your request of 20 January 2015, in which you have requested, under the Official Information Act 1982 (the Act), information about people being discharged without conviction after being found guilty of cultivating or possessing cannabis. You are seeking this information in relation to the period from 2004 until the end of 2013.

In response to your request, please find the following table:

**Table 1: Number of people who received a discharge without conviction for the cultivation or possession of cannabis, by most serious offence, financial year 2003/04 to 2013/14**

ANZSOC Group	2003 - 2004	2004 - 2005	2005 - 2006	2006 - 2007	2007 - 2008	2008 - 2009	2009 - 2010	2010 - 2011	2011 - 2012	2012 - 2013	2013 - 2014
Cultivate illicit drugs	19	19	4	10	8	19	25	16	20	17	11
Possess illicit drugs	154	158	103	132	110	102	98	62	67	65	38
<b>Total</b>	<b>173</b>	<b>177</b>	<b>107</b>	<b>142</b>	<b>118</b>	<b>121</b>	<b>123</b>	<b>78</b>	<b>87</b>	<b>82</b>	<b>49</b>

Please note that the data includes all people who were discharged without conviction for a cannabis offence including cultivating illicit drugs and possessing illicit drugs. I have provided the data by financial year in order to give you the most recent data available. Individuals are counted for their most serious offence per year. They are only counted once a year however they may be counted in several years in the data.

**1. Discharges for medical reasons only.**

Information about the reasons for individual discharges forms part of the court record. This is judicial information and is not subject to the Act under section 2(6)(a) and (b). If there is a specific case you are interested in, you will need to approach the relevant court and make a request to search the court record.

**2. Discharges for secondary reasons related to medical reasons.**

I am unable to provide you with the information you have requested regarding discharges made for or related to medical reasons as the Ministry of Justice systems do not record this level of detail about a defendant's case.

Therefore, your request for this information is declined pursuant to section 18(g) of the Act on the grounds that this 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.

You have the right, by way of complaint to an Ombudsman under section 28(3) of the Act, to seek an investigation and review of the refusal to provide you with the information you have requested.

If you require any clarification of the information contained in this response to your Official Information Act 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.

I trust this information is helpful.

Heoi anō, nā

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

Tony Fisher  
**General Manager, District Courts**

Ref: 51769