

07 APR 2016

Adele Redmond
fyi-request-3725-85b0f61a@requests.fyi.org.nz

Tēnā koe Ms Redmond

Official Information Act 1982 request

I am replying to your Official Information Act 1982 (the Act) request of 8 March 2016 in which you have requested a breakdown of data from 2010 relating to cannabis charges nationally and for Nelson High and District Court.

Your request was for the following:

- annual breakdown of national data from 2010 for the number of convictions for charges of possession, cultivation, manufacture or supply of cannabis in which the defendant claimed the offence was undertaken for medicinal and/or therapeutic purposes
- the sentence given for each convicted charge including any fine amount
- the sentencing judge
- the court in which the sentence was given.

Some of the information you have requested forms part of the court record. The courts are excluded from the operation of the Act under section 2(6)(a) and (b). Therefore, I am declining part of your request as permitted by s 18(g) of the Act. Antony Paltridge, Team Leader, Media and External Relations, advised you that the following parts of your request are not available:

- whether the offence involved the use of cannabis for medicinal and/or therapeutic purposes
- the specific sentence given for each case
- the name of the sentencing judge

In response to the remainder of your request please see the information below and attached tables. The data is court statistical and operational information that the Ministry is able to provide.

It is important to note that the data provided counts charges, not people convicted. A person may face more serious charges alongside cannabis-related charges at the same time. In these instances the most serious sentence for the case has been provided. For example, if someone faces serious violence or sexual offending charges alongside cannabis-related charges, the sentence given in table 3 will reflect the gravity of the overall offending.

Cannabis related charges are not dealt with by the High Court unless joined with more serious charges required or directed to be heard in the High Court.

If you require any clarification of the information contained in this response please contact Antony Paltridge, Team Leader, Media and External Relations, at media@justice.govt.nz or call (04) 918 8980.

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



 Tony Fisher
General Manager, District Courts

Ref: 56444

Table 1: Number of cannabis charges with a convicted outcome

Court	2010	2011	2012	2013	2014	2015
Nelson District Court	296	261	317	240	129	120
Nelson High Court	2	1	7	7	1	5
National District Courts Total	10681	8711	7644	6390	5175	4694
National High Court Total	606	241	347	235	53	59

Table 2: Average fine amount where the most serious sentence is monetary

Court	2010	2011	2012	2013	2014	2015
Nelson District Court	\$342	\$420	\$376	\$352	\$384	\$374
Nelson High Court	\$0	\$0	\$0	\$0	\$0	\$0
National Total District Courts	\$266	\$296	\$297	\$442	\$326	\$328
National Total High Court	\$250	\$100	\$667	\$0	\$0	\$0

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Table 3: Most serious sentence for convicted cannabis charges¹

Court	Sentence Type	2010	2011	2012	2013	2014	2015
Nelson District Court	Imprisonment	18	23	31	33	22	13
	Home Detention	26	26	25	14	11	15
	Community Detention	17	13	77	21	15	5
	Intensive Supervision	11	2	7	2	0	0
	Community work	129	101	122	93	29	45
	Supervision	12	10	9	7	7	7
	Monetary	65	65	38	57	41	28
	Deferment	4	2	0	2	1	0
	Discharge	14	19	8	11	3	7
	Total Nelson District Court		296	261	317	240	129
Nelson High Court	Imprisonment	0	0	4	3	1	5
	Home Detention	2	1	3	2	0	0
	Community work	0	0	0	1	0	0
	Discharge	0	0	0	1	0	0
	Total Nelson High Court	2	1	7	7	1	5
Total District Courts	Imprisonment	1,545	1,348	1,094	1,245	977	880
	Home Detention	891	736	717	788	639	628
	Community Detention	717	610	674	539	441	424
	Intensive Supervision	232	200	176	173	142	137
	Community work	3,273	2,618	2,435	1,679	1,439	1,269
	Supervision	374	372	323	276	228	241
	Monetary	2,200	1,658	1,340	996	726	598
	Deferment	335	317	205	172	150	120
	Other ²	16	11	15	9	13	8
	Discharge	1,098	841	665	513	420	389
	Total District Courts	10,681	8,711	7,644	6,390	5,175	4,694
Total High Courts	Imprisonment	432	160	223	150	42	45
	Home Detention	118	58	104	67	8	7
	Community Detention	3	5	4	10	0	1
	Intensive Supervision	0	1	1	0	0	0
	Community work	5	8	4	2	0	4
	Supervision	0	2	0	1	2	0
	Monetary	1	1	3	0	0	0
	Deferment	3	2	1	0	0	0
	Other ²	2	1	2	0	0	0
	Discharge	42	3	5	5	1	2
	Total High Courts	606	241	347	235	53	59

¹ It is important to note the data provided counts charges, not people convicted. A person may face more serious charges alongside cannabis related charges at the same time. In these instances the most serious sentence for the case has been provided.

² Please note 'other' outcomes include the following:

- Disqualification From Driving
- Order For Forfeiture
- Instrument Forfeiture Order
- Committed to a secure facility