

14 JUL 2017

Andrew Crow
fyi-request-6010-ed1e6244@requests.fyi.org.nz

Dear Mr Crow

Thank you for your email dated 16 June 2017, requesting statistics on reparation. Your request has been referred to me for a response and is being administered under the provisions of the Official Information Act 1982.

1. *The amount of debt owed by 20 top people*

As at 18 June 2017, the total value of the 20 highest reparation debts is \$6,237,911.54. This figure excludes reparation that has been cancelled or is pending a re-hearing.

2. *Offences that debt caused by*

The total figure in question one is comprised from reparation ordered as a result of the following offences:

- Cause Loss By Deception (Over \$1,000)
- Obtain By Deception (Over \$1,000)
- Male Assaults Female (Manually)
- Careless Driving
- Theft By Person In Special Relationship
- Fails To Make Deduction/Withhold Of Tax
- Applies/Permits Deduction/Withholding Tax
- Take/Obtain/Use Doc For Pecuniary Advantage
- Obtains By False Pretences (Not Cheque) Over \$500
- Obtains By Cheque Over \$500 By False Pretence
- Other False Pretences (Not Involving Cheques)
- Evades/Attempts Evade Assess/Payment Tax
- Used Forged Documents
- Mislead Info To Obtain Benefit/Finance
- Other Arson
- False Accounts/Dividends Issued Re Funds

3. *Repayment rates for each case*

Reparation payment timeframes vary. This is because individual circumstances such as the ability to pay are considered. Possible reasons that affect the time of repayment are the offender being in prison or the offender not having the means to pay in full. For privacy reasons, I am unable to provide specific information regarding individual repayment amounts. This part of your request is therefore declined under Section 9(2)(a) of the Official Information Act, protecting the privacy of natural persons.

4. *Any other documentation you feel is relevant to reparation debts*

Reparation orders are made by judges and the Ministry is unable to comment on judicial decisions. The Ministry does prioritise reparation payments over collection of offender levies, fines and court costs.

When reparation is ordered, the court works with the offender to arrange payment. Sometimes a judge may make specific instructions for how reparation is to be paid, (such as ordering the sale of an asset or for reparation to be paid by a set date and/or set amount). Some offenders are able pay all at once and do so, while in other cases, the court works with offenders to settle an amount to pay off the debt over time.

If an offender does not pay their reparation, the Court has a range of powers to enforce payment, including placing orders against an offender's wages and benefits, seizing and selling assets, or arresting them.

If reparation is determined by the Court to be un-payable, the offender can be bought back before a judge, who can order alternative sentences to be served in lieu of the reparation amount.

More information on the reparation process can be found online at: <https://www.justice.govt.nz/fines/about-reparation/>

You have the right under section 28(3) of the Official Information Act to seek a review by the Ombudsman about the decision to refuse parts of your request.

Thank you for writing. I hope that this information is of use to you.

Yours sincerely



Bryre Patchell
Group Manager, National Service Delivery
2017-63045

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