

2 5 JAN 2013

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Tēnā koe Mr Kern

Official Information Act request

Thank you for your email of 6 December 2012 requesting, under the Official Information Act 1982, statistics on cases and convictions for perjury.

You have requested:

- 1. Total number of cases raised/total number of succeeded prosecutions under sections 108-117 of Crimes Act (perjury).*
- 2. Total number of cases raised/total number of succeeded prosecutions under section 115 of the Crimes Act (conspiring to bring false accusation), with a list of relevant sections/Acts and number of false accusations behind them.*
- 3. Total number of cases raised/total number of succeeded prosecutions for section 24 of the Summary Offences Act (false allegation or report to Police) with a list of relevant sections/Acts and number of false accusations behind them.*

The information requested is provided in the tables attached.

For your second request, information on the offence 'Obstruct/Pervert/Defeat Course of Justice (Crimes Act s115-117)' has been provided. There is no specific offence code for section 115 of the Crimes Act.

Table one provides the number of charges (cases raised) for 'misleading justice' and 'false accusation' type offences. Table two provides the number of convictions (succeeded prosecutions) for 'misleading justice' and 'false accusation' type offences. Data has been provided for the 10 financial years, 2002/03 – 2011/12.

Please note:

- The Ministry of Justice does not hold data on the number of false accusations behind the charges.
- For the purposes of this response the term 'succeeded prosecutions' has been interpreted to mean convictions.

If you are not satisfied with the response to your requests you have the right under section 28(3) of the Official Information Act 1982 to complain to the Ombudsman.

I trust this information is of assistance to you.

Heoi anō, nā



Tony Fisher
General Manager, District Courts

Ref: 42912

Table two: Number of convictions given for 'misleading justice' and 'false accusation' type offences for the 2002/03 - 2011/12 financial years.

Question	Offence Description	Legislative Reference	Year												
			2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012			
1	Perjury	Crimes Act 1961 Section 109	6	12	8	3	2	1	1	3	1	1	3	3	4
	False Oath	Crimes Act 1961 Section 110		1	1	1	3	1				4		1	2
	False Statement/ Declaration Etc	Crimes Act 1961 Section 111	13	18	32	42	33	33	33	53		32	53	49	38
	Fabricating Evidence	Crimes Act 1961 Section 113	1		3	1				1					
2	Other Offences Against Judicial Procedure	Crimes Act 1961 Section 114	15	15	18	9	10	13				6	3	5	6
	Obstruct/Pervert/Defeat Course Of Justice	Crimes Act 1961 Sections 115-117	132	160	180	190	209	174	206	208		206	166	183	
3	False Statement That Offence Committed	Summary Offences Act 1981 Section 24	208	194	216	199	188	204	235	232	228	228	228	151	
	Total		356	369	417	399	407	391	447	444	399	447	399	340	