

04 APR 2018

C. Morton

fyi-request-7433-7b12de62@requests.fyi.org.nz

Dear Mr Morton

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 12 March 2018 regarding the Land Transport Act 1998. Your request and my response are set out below.

Please note that section 52A of the Land Transport Act 1998 (Act) relates to the contravention of section 114 of the Act.

Can you please provide the information as to the sentences given to individuals charged with "failing to stop" under Section 114 of the Land Transport Act 1998 since 1st January 2010. Please include any occasion where the defendant was convicted and discharged.

Please list by year and sentence.

Table 1: Number of people convicted under section 52A of the Land Transport Act 1998 nationally, by most serious sentence per person per year, 2010 - 2017

Sentence	2010	2011	2012	2013	2014	2015	2016	2017
Imprisonment	12	21	17	27	34	38	56	79
Home detention	0	3	1	4	2	7	4	8
Community detention	4	16	8	8	9	11	11	12
Intensive supervision	1	3	4	2	5	8	8	12
Community work	21	22	26	32	33	31	30	40
Supervision	2	1	1	0	0	2	6	8
Monetary	287	256	263	294	237	293	337	371
Deferment	11	14	14	12	16	11	12	7
Other	201	401	476	507	515	624	748	954
No sentence recorded	865	632	529	390	378	415	438	450
Total	1,404	1,369	1,339	1,276	1,229	1,440	1,650	1,941

Note:

- This data counts an individual convicted once per year according to their most serious conviction under section 52A of the Land Transport Act 1998, which refers to contravention of section 114.
- 'Other' sentences may include Final Protection Order (Sentencing Act), Committed to a facility on conviction, Order for forfeiture and Disqualification from driving.
- Instances of 'No sentence recorded' include where an offender has been Convicted and discharged and where an offender has been ordered to pay court costs.
- 'Deferment' means an imprisonment sentence with a deferred start date.

If you are not satisfied with this response, you have the right to complain to the Ombudsman under section 28(3) of the OIA. You can contact the Office of the Ombudsman by writing to PO Box 10152, Wellington 6143; calling 0800 802 602; or emailing info@ombudsman.parliament.nz

I trust that this information assists.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'JS', followed by a horizontal line.

Jacquelyn Shannon
Group Manager, Courts and Tribunals, Regional Service Delivery

Ref: 67121