

26 OCT 2018

Laydan Mortensen
Fyi-request-8776-6a381415@requests.fyi.org.nz

Dear Mr Mortensen

Official Information Act 1982 request

Thank you for your email dated 27 September 2018, in which you requested, under the Official Information Act 1982 (OIA), statistics of previous convictions for people convicted of murder and manslaughter.

Your questions and my responses are set out below:

1. *How many previous convictions did people convicted of murder or manslaughter between 2007 and 2016 have?*
 - a. *the mean average and standard deviation; and*
 - b. *the 10th, 25th, 50th (median), 75th and 90th percentile.*

In response to question 1, I have provided you with the number of people convicted of murder, and the number of people convicted of manslaughter, between 1 July 2007 and 30 June 2017, who had previous convictions. Please see Tables 1 and 2, attached.

In response to part 1a and 1b of your request, I have provided you with the mean and standard deviation of previous convicted charges for people convicted of murder, and people convicted of manslaughter, between 1 July 2007 and 30 June 2017. Please see Tables 3 and 4, attached.

2. *How many previous convictions for Category 3 and 4 offences (as defined by section 6 of the Criminal Procedure Act 2011) did people convicted of murder or manslaughter between 2007 and 2016 have?*
 - a. *the mean average and standard deviation; and*
 - b. *the 10th, 25th, 50th (median), 75th and 90th percentile.*

In response to question 2, I have provided you with the number of people who had previous convicted charges for category 3 or 4 offences who were convicted of murder, and the number of people who had previous convicted charges of manslaughter, between 1 July 2007 and 30 June 2017. Please see Tables 5 and 6, attached.

In response to part 2a and 2b of your request, I have provided you with the mean and standard deviation of previous convicted charges for category 3 or 4 offences for people convicted of murder, and people convicted of manslaughter, between 1 July 2007 and 30 June 2017. Please see Tables 7 and 8, attached.

3. *For all the people convicted of murder or manslaughter between 2007 and 2016, how many (and what percentage) had at least one previous conviction that is a serious violent offence (as defined by section 86A of the Sentencing Act 2002)? Could you break this down by year, please.*

In response to question 3, I have provided you with the number of people convicted of murder, and the number of people who were convicted of manslaughter, who had previous convicted charges for serious violent offences, between 1 July 2007 and 30 June 2017. Please see Tables 9 and 10, attached.

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

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 is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'JS', followed by a horizontal line extending to the right.

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

Ref: 71076

Table 1: Number of people convicted of murder between 1 July 2007 and 30 June 2017, who had previous convicted charges

	Number of people	% of people
Convicted of murder	303	
Convicted of murder with previous convicted charges	231	76%

Notes for Table 1:

- This data counts people convicted of murder offences between 1 July 2008 and 30 June 2018 once, for their most recent convicted charge.
- Previous convictions are counted as all convicted charges, since 1980/1981, with a conviction date prior to the filing date of the reference charge.
- Murder includes offences in ANZSOC group 0111: Murder.

Table 2: Number of people convicted of manslaughter between 1 July 2007 and 30 June 2017, who had previous convicted charges

	Number of people	% of people
Convicted of manslaughter	314	
Convicted of manslaughter with previous convicted charges	230	73%

Notes for Table 2:

- This data counts people convicted of manslaughter offences between 2008/2009 and 2017/2018 once, for their most recent convicted charge.
- Previous convictions are counted as all convicted charges, since 1980/1981, with a conviction date prior to the filing date of the reference charge.
- Manslaughter includes offences in ANZSOC group 0131: Manslaughter.

Table 3: Mean number of previous convicted charges for people convicted of murder between 1 July 2007 and 30 June 2017

	Number of convicted charges
Mean	23
Standard deviation	32
10th percentile	0
25th percentile	1
50th percentile	9
75th percentile	33
90th percentile	66

Table 4: Mean number of previous convicted charges for people convicted of manslaughter between 1 July 2007 and 30 June 2017

	Number of convicted charges
Mean	15
Standard deviation	27
10th percentile	0
25th percentile	0
50th percentile	4
75th percentile	20
90th percentile	48

Table 5: Number of people convicted of murder between 1 July 2007 and 30 June 2017, who had previous convicted charges for category 3 or 4 offences

	Number of people	% of people
Convicted of murder	303	
Convicted of murder with previous convicted charges for category 3 or 4 offences	196	65%

Notes for Table 5:

- This table is a subset of Table 1.
- This data counts people convicted of murder offences between 1 July 2008 and 30 June 2018 once, for their most recent convicted charge.
- Category 3 and 4 offences are defined in section 6 Criminal Procedure Act 2011. Category 3 includes offences punishable by imprisonment for life or by imprisonment for 2 years or more; or that, if committed by a body corporate, is punishable by only a fine, but that would be punishable by imprisonment for life or by imprisonment for 2 years or more if committed by an individual. Category 4 offences are listed in schedule 1 and include offences such as murder and manslaughter.
- Previous convictions are counted as all convicted charges, since 1980/1981, with a conviction date prior to the filing date of the reference charge.

Table 6: Number of people convicted of manslaughter between 1 July 2007 and 30 June 2017, who had previous convicted charges for category 3 or 4 offences

	Number of people	% of people
Convicted of manslaughter	314	
Convicted of manslaughter with previous convicted charges for category 3 or 4 offences	163	52%

Notes for Table 6:

- This table is a subset of Table 4.
- This data counts people convicted of manslaughter offences between 1 July 2008 and 30 June 2018 once, for their most recent convicted charge.
- Category 3 and 4 offences are defined in section 6 Criminal Procedure Act 2011. Category 3 includes offences punishable by imprisonment for life or by imprisonment for 2 years or more; or that, if committed by a body corporate, is punishable by only a fine, but that would be punishable by imprisonment for life or by imprisonment for 2 years or more if committed by an individual. Category 4 offences are listed in schedule 1 and include offences such as murder and manslaughter.
- Previous convictions are counted as all convicted charges, since 1980/1981, with a conviction date prior to the filing date of the reference charge.

Table 7: Mean number of previous convicted charges for category 3 or 4 offences for people convicted of murder between 1 July 2007 and 30 June 2017

	Number of convicted charges
Mean	8
Standard deviation	15
10th percentile	0
25th percentile	0
50th percentile	2
75th percentile	11
90th percentile	26

Table 8: Mean of previous convicted charges for category 3 or 4 offences for people convicted of manslaughter between 1 July 2007 and 30 June 2017

	Number of convicted charges
Mean	5
Standard deviation	9
10th percentile	0
25th percentile	0
50th percentile	1
75th percentile	5
90th percentile	15

Table 9: Number of people convicted of murder who had previous convicted charges for serious violent offences, 1 July 2007 - 30 June 2017

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017
Total number of people convicted of murder	30	31	38	35	25	26	39	29	28	22
Number of people with previous convicted charges for serious violent offences	9	8	10	8	6	4	6	6	8	3
Percentage of people with previous convicted charges for serious violent offences	30%	26%	26%	23%	24%	15%	15%	21%	29%	14%

Notes for Table 8:

- This table differs to Table 1 and Table 5, as this data counts people convicted of murder offences each year. If a person had more than one convicted charge for murder in a year, their most recent convicted charge is counted.
- Serious violent offences are defined as offences included in s86A Sentencing Act, which lists the qualifying offences for the three strikes legislation (Sentencing and Parole Reform Act 2010).
- Previous convictions are counted as all convicted charges, since 1980/1981, with a conviction date prior to the filing date of the reference charge.

Table 10: Number of people convicted of manslaughter who had previous convicted charges for serious violent offences, 1 July 2007 - 30 June 2017

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017
Total number of people convicted of manslaughter	25	32	52	46	33	20	31	20	28	27
Number of people with previous convicted charges for serious violent offences	3	6	4	4	7	3	6	2	2	3
Percentage of people with previous convicted charges for serious violent offences	12%	19%	8%	9%	21%	15%	19%	10%	7%	11%

Notes for Table 9:

- This table differs to Table 2 and Table 6, as this data counts people convicted of manslaughter offences each year. If a person had more than one convicted charge for manslaughter in a year, their most recent convicted charge is counted.
- Serious violent offences are defined as offences included in s86A Sentencing Act, which lists the qualifying offences for the three strikes legislation (Sentencing and Parole Reform Act 2010).
- Previous convictions are counted as all convicted charges, since 1980/1981, with a conviction date prior to the filing date of the reference charge.