

25 MAR 2019

A.S.Higgins
fyi-request-9671-cc2ad5cc@requests.fyi.org.nz

Dear A.S. Higgins

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 26 February 2019 regarding the proportion of people with an intellectual disability found unfit to stand trial.

Your original request is set out below:

I wish to request information regarding the proportion of people with an intellectual disability found unfit to stand trial each year between 2004 and 2018. I would like this in the form of raw data per calendar year e.g. Total number of all people found unfit to stand trial each calendar year as well as the total number of people with intellectual disability found unfit to stand trial each calendar year.

If the data exists I would also like a breakdown by age group in bands of five years beginning with 10-14 years, 15-10 years etc up to 80+ years for people with intellectual disability who were found unfit to stand trial for each calendar year over the period 2004 and 2018.

I am unable to provide you with the number of people with an intellectual disability who have been found unfit to stand trial. The information you are seeking may form part of the court record. Courts are excluded from the operation of the OIA under section 2(6)(a). The Ministry can access some information for statistical purposes; however, without searching every court record we cannot be sure if a person found unfit to stand trial had an intellectual disability. This level of detail is not available in the datasets that we use to analyse statistical data. Therefore, I am refusing your request under section 18(g)(i) of the OIA as there are no grounds for believing that the information is held by another department, Minister of the Crown, organisation, or local authority.

The total number of all people found unfit to stand trial is available and can be found on the Ministry of Justice website: <https://www.justice.govt.nz/justice-sector-policy/research-data/justice-statistics/data-tables/#unfit-insanity>

If you require any clarification of the information contained in this response please contact Julia Goode, Team Leader, Media and External Relations, by calling (04) 918 8836; 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 assists.

Yours sincerely



Richard Williams
Group Manager (Acting), Courts and Tribunals, Regional Service Delivery

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