

07 MAY 2019

Ti Lamusse
fyi-request-9969-18d83490@requests.fyi.org.nz

Dear Ti Lamusse

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 1 April 2019. Your requests and my responses are set out below.

1. *Broken down by year as far back as records permit, the total number of people under the age of 18 being arrested, broken down by ethnicity, sentencing outcome and age group.*

On 4 April 2019, question 1 was transferred to the New Zealand Police for response. They will respond to you directly.

Broken down by year as far back as records permit, the total number of people under the age of 18 being processed through the adult justice system, broken down by ethnicity, sentencing outcome and age group.

I have interpreted this question as:

2. *Broken down by year as far back as records permit, the total number of people under the age of 18 with charges finalised in the District or High Court, broken down by ethnicity, sentencing outcome and age group.*

In response to question 2, please refer to Tables 1, 2, 3 and 4 attached. Note that this data shows people with charges finalised in a District or High Court. People aged 17 years have all their charges in the District or High Court.

3. *Broken down by year as far back as records permit, the total number of people under the age of 18 sentenced to life imprisonment or preventive detention, broken down by ethnicity, sentencing outcome and age group.*

In response to question 3 of your request, please refer to Tables 5 and 6 attached.

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

Yours sincerely



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

Ref: 74605

Table 1: Number of people aged under 18 years with charges finalised in the District or High Court, 1992 – 2018

Charge outcome	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Convicted	4,527	4,511	4,692	5,049	5,144	5,161	5,472	5,310	4,896	4,948	5,375	5,663	5,507	5,745
Other proved	196	221	251	276	281	335	343	356	402	390	384	1,161	2,419	2,313
Not proved	1,722	1,519	1,716	2,110	2,162	2,170	2,448	2,380	2,625	2,624	2,600	1,947	1,197	1,015
Other	5	5	3	9	5	6	3	2	3	4	5	4	7	2
Total	6,450	6,256	6,662	7,444	7,592	7,672	8,266	8,048	7,926	7,966	8,364	8,775	9,130	9,075

Charge outcome	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Convicted	6,302	6,573	6,855	6,431	5,480	4,131	3,407	2,853	2,287	2,060	1,964	1,876	1,563
Other proved	2,219	2,471	2,478	2,400	2,074	1,394	1,038	869	676	639	617	593	488
Not proved	1,056	1,006	994	826	710	586	479	357	313	254	283	264	266
Other	4	9	5	2	6	8	10	9	13	7	12	13	8
Total	9,581	10,059	10,332	9,659	8,270	6,119	4,934	4,088	3,289	2,960	2,876	2,746	2,325

- This data counts a person once per calendar year for their most serious charge finalised in a District or High Court
- 'Other proved' charge outcomes include 'discharge without conviction' and 'adult diversion'. 'Not proved' outcomes include being acquitted, or the charge being withdrawn or dismissed. 'Other' charge outcomes include being found 'not guilty by reason of insanity' or 'unfit to stand trial'.

Table 2: Number of people aged under 18 years with charges finalised in the District or High Court, by ethnicity, 1992 – 2018

Ethnicity	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
European	3,007	2,950	3,139	3,421	3,444	3,447	3,895	3,794	3,713	3,746	3,860	4,074	4,019	4,062
Māori	1,964	1,966	2,069	2,383	2,435	2,568	2,636	2,632	2,582	2,473	2,649	2,841	2,985	3,059
Pacific Peoples	369	395	424	484	531	594	509	528	492	527	537	550	591	619
Other	108	132	150	153	204	242	234	243	298	372	441	787	1,384	686
Unknown	1,002	813	880	1,003	978	881	992	851	841	848	877	523	151	649
Total	6,450	6,256	6,662	7,444	7,592	7,672	8,266	8,048	7,926	7,966	8,364	8,775	9,130	9,075

Ethnicity	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
European	4,490	4,739	4,812	4,741	4,015	2,788	2,098	1,676	1,182	1,052	910	886	680
Māori	3,300	3,400	3,632	3,425	3,100	2,433	2,071	1,745	1,506	1,344	1,360	1,261	1,041
Pacific Peoples	744	835	836	809	619	529	466	413	347	297	272	238	215
Other	244	252	268	265	216	170	119	103	93	71	83	50	39
Unknown	803	833	784	419	320	199	180	151	161	196	251	311	350
Total	9,581	10,059	10,332	9,659	8,270	6,119	4,934	4,088	3,289	2,960	2,876	2,746	2,325

- This data counts a person once per calendar year for their most serious charge finalised in a District or High Court
- Ethnicity information originates from the Police.

Table 3: Number of people aged under 18 years with charges finalised in the District or High Court, by age, 1992 – 2018

Age (years)	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
12-13 years	0	0	0	0	0	1	0	0	0	0	1	0	0	0
14	40	37	36	44	44	51	33	44	49	54	66	74	74	62
15	197	227	213	243	271	263	287	244	282	264	328	328	315	325
16	746	683	702	773	773	862	940	878	869	854	925	895	857	870
17	5,466	5,309	5,711	6,383	6,504	6,495	7,006	6,882	6,726	6,794	7,044	7,478	7,884	7,818
Unknown	1	0	0	1	0	0	0	0	0	0	0	0	0	0
Total	6,450	6,256	6,662	7,444	7,592	7,672	8,266	8,048	7,926	7,966	8,364	8,775	9,130	9,075

Age (years)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
12-13 years	0	0	0	0	1	0	1	0	0	1	0	0	0
14	65	56	44	39	31	28	17	16	8	11	10	9	6
15	277	286	229	211	158	80	64	50	44	30	32	33	21
16	833	791	661	575	450	297	215	187	151	127	126	84	88
17	8,406	8,926	9,398	8,834	7,630	5,714	4,637	3,835	3,086	2,790	2,707	2,618	2,208
Unknown	0	0	0	0	0	0	0	0	0	1	1	2	2
Total	9,581	10,059	10,332	9,659	8,270	6,119	4,934	4,088	3,289	2,960	2,876	2,746	2,325

- This data counts a person once per calendar year for their most serious charge finalised in a District or High Court
- Age is the person's age at the offence date of their most serious offence each year. Where a person's age is recorded as 'unknown' other information was used to determine they were a child or young person, or a person aged 17 years.

Table 4: Number of people aged under 18 years with convicted charges finalised in the District or High Court, by most serious sentence, 1992 – 2018

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Most serious sentence														
Imprisonment	171	219	228	239	304	350	349	358	330	336	367	421	461	480
Home detention, other custodial	245	236	213	264	255	233	198	190	111	74	13	0	1	2
Community detention	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Intensive supervision	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Community work	1,432	1,416	1,406	1,447	1,403	1,466	1,568	1,546	1,337	1,309	1,407	1,579	1,426	1,470
Supervision	290	334	341	385	391	379	355	317	282	230	162	116	126	147
Monetary	1,821	1,744	2,005	2,259	2,336	2,309	2,445	2,390	2,299	2,492	2,792	2,958	2,850	2,975
Deferment	235	215	158	138	184	139	166	141	139	119	170	150	146	138
Other	82	82	73	73	59	81	99	110	101	99	132	110	140	140
No sentence recorded	251	265	268	244	212	204	292	258	297	289	332	329	357	390
Total	4,527	4,511	4,692	5,049	5,144	5,161	5,472	5,310	4,896	4,948	5,375	5,663	5,507	5,745

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Most serious sentence													
Imprisonment	472	478	384	451	369	324	260	250	227	200	186	180	118
Home detention, other custodial	3	28	160	167	183	121	141	126	93	90	83	104	74
Community detention	5	46	162	230	257	206	209	180	156	143	141	113	120
Intensive supervision	1	19	94	124	82	82	73	79	77	80	103	109	94
Community work	1,671	1,649	1,705	1,727	1,440	1,136	920	715	597	470	367	327	232
Supervision	124	137	190	152	151	169	147	140	94	121	142	136	145
Monetary	3,267	3,387	3,311	2,808	2,327	1,611	1,236	1,029	774	724	701	681	617
Deferment	170	197	241	237	238	189	160	145	110	76	90	74	49
Other	195	212	252	194	154	108	113	75	41	66	66	73	62
No sentence recorded	394	420	356	341	279	185	148	114	118	90	85	79	52
Total	6,302	6,573	6,855	6,431	5,480	4,131	3,407	2,853	2,287	2,060	1,964	1,876	1,563

- This data counts a person once per calendar year for their most serious charge finalised in a District or High Court
- Additional community sentences were introduced in 2007. These included home detention, community detention and intensive supervision. Prior to 2002 'home detention, other custodial' included corrective training
- A person may receive more than one type of sentence when convicted of a charge. The most serious sentence is used in these tables. Sentences include (in order of seriousness):
 - ❖ Imprisonment (includes life imprisonment, preventive detention and imprisonment)
 - ❖ Community sentences (home detention, community detention, intensive supervision, community work and supervision)
 - ❖ Monetary (includes reparation, fine and order for restitution of property)
 - ❖ Deferment (which includes 'to come up for sentence if called upon')
 - ❖ Other (includes orders related to driving (eg disqualification from driving, alcohol interlock order, zero alcohol order), orders related to forfeiture and confiscation (eg Order for forfeiture and Order for confiscation of motor vehicle), Final Protection Order (Sentencing Act), and committed to a facility on conviction)
 - ❖ No sentence recorded (includes where a person has been 'convicted and discharged' and where a person has been ordered to pay court costs).

Table 5: Number of people aged under 18 years who were convicted and sentenced to life imprisonment or preventive detention, by ethnicity, 1992 – 2018

Ethnicity	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
European	3	0	1	0	1	0	0	1	1	0	1	0	0	0
Maori	1	1	3	0	4	1	0	1	3	1	3	2	3	1
Pacific Peoples	1	2	0	1	0	3	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	5	3	4	1	5	4	0	2	4	1	4	2	3	1

Ethnicity	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
European	0	0	1	0	3	0	1	0	1	0	1	0	1
Maori	2	3	0	3	2	1	1	0	1	1	1	2	2
Pacific Peoples	0	0	1	0	0	0	0	0	2	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	2	3	2	3	5	1	2	0	4	1	3	1	3

- This data counts a person once per calendar year for their most serious charge finalised in a District or High Court
- Ethnicity information originates from the Police.

Table 6: Number of people aged under 18 years who were convicted and sentenced to life imprisonment or preventive detention, by age, 1992 – 2018

Age (under 18 years)	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Total	5	3	4	1	5	4	0	2	4	1	4	2	3	1
Age (under 18 years)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	
Total	2	3	2	3	5	1	2	0	4	1	1	3	1	3

- This data counts a person once per calendar year for their most serious charge finalised in a District or High Court
- Age is the person's age at the offence date of their most serious offence each year.