



# Criminal conviction and sentencing statistics

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# Criminal conviction and sentencing statistics

## Abstract

Criminal conviction and sentencing tables (for both fiscal and calendar years) are available on *NZ.Stat* – our free web tool for creating, finding, customising, and downloading datasets. These tables include data on:

- Adults convicted in court by sentence type – most serious offence
- Adults prosecuted in court – most serious offence
- Charges prosecuted against adults by offence type
- Children and young people charged in court – most serious offence
- Children and young people given an order in court – most serious offence.

## Criminal conviction and sentencing statistics (series)

Criminal conviction and sentencing tables (for both fiscal and calendar years) are available on *NZ.Stat* – our free web tool for creating, finding, customising, and downloading datasets. These tables include data on:

- Adults convicted in court by sentence type – most serious offence
- Adults prosecuted in court – most serious offence
- Charges prosecuted against adults by offence type
- Children and young people charged in court – most serious offence
- Children and young people given an order in court – most serious offence.

## Methodology

### About the data

This page gives the source of the data in the criminal conviction and sentencing tables and explains what statistics have been included or excluded. It also provides important information about data quality, the effect of appeals, and describes situations where published data may be revised.

### Source

The criminal conviction and sentencing tables contain data from the Ministry of Justice's statistical reporting datasets. The data were sourced from the courts' operational data systems. The Law Enforcement System (formerly known as the Wanganui Computer and used by justice agencies from the late 1970s until 2005) was used as the source of these data up until 2003. From 2004, the data have been sourced from the Ministry of Justice's Case Management System.

Identifying details have been removed, and data have been aggregated to ensure information is anonymous. For *Child and youth prosecution statistics* data have been randomly rounded to base 3.

### Inclusions and exclusions

Adults (aged 17 and over; or from 1 July 2019 onwards aged 18 and over) or charges against adults are counted in the *Adults prosecuted - calendar year*, *Adults prosecuted - fiscal year*, *Adults convicted - calendar year*, *Adults convicted - fiscal year*, *Charges against adults - calendar year*, and *Charges against adults - fiscal year* tables.

Children and young people (aged 10 to 16 or from 1 July 2019 onwards aged 10 to 17 ) are counted in the *Children and young people charged - calendar year*, *Children and young people charged - fiscal year*, *Children and young people given an order - calendar year*, and *Children and young people given an order - fiscal year* tables. *Read how children and young people are defined.*

### Quality of data

Data in the tables has been simplified and categorised for high-level analysis. Like all operational data, it could contain anomalies that would not affect its day-to-day use but could cause errors for statistical analysis.

For example, incorrect coding of some data items may not affect how charges or cases progress through the court system. However, coding errors can impact on how the data is categorised and counted when reporting statistical summaries.

The chance of such anomalies occurring is minimal. There are rigorous processes in place to verify, and ensure that, operational data is accurate and therefore suitable for statistical analysis.

### Effect of appeals

Data from the previous two years should be considered provisional as appeals can influence charge outcomes and sentences. Any comparison between previous versions of the criminal conviction and sentencing tables can show differences caused by these appeal changes.

Re-sentencing data needs to be treated with caution as it may not have been reported in all cases.

### Revision of published data

Changes in legislation, improved analysis methods, corrections to earlier data or changes in classifications may mean that the statistics are slightly different to those published in previous years. For example, a conviction may be overturned on appeal or a sentence changed, which would affect conviction and sentencing statistics. Each year's release recalculates figures from previous years and may not be comparable with previous releases.

Conviction and sentencing statistics were compiled using cases through to the 2008 release of the statistics, but from 2009 onwards were released on the basis of counting charges and people. The new approach was adopted after extensive consultation with stakeholders who considered it to be more consistent, intuitive, and easier to understand.

## Criminal conviction and sentencing tables: Fiscal year and Calendar years

This page has links to criminal conviction and sentencing tables (for fiscal and calendar years) on *NZ.Stat* – our free web tool for creating, finding, customising, and downloading datasets. Fiscal years run from 1 July to 30 June and calendar years run from 1 January to 31 December.

### Prosecutions

*Charges prosecuted against adults by offence type fiscal year*

*Charges prosecuted against adults by offence type calendar year*

Statistics for 1980 onwards about the number of charges finalised against people aged 17 and over in criminal courts during a fiscal or calendar year. Information includes the court location, type of offence, and outcome of the charge. Note that from 1 July 2019 onwards 17-year olds became part of the youth jurisdiction.

*Adults prosecuted in court – most serious offence fiscal year*

*Adults prosecuted in court – most serious offence calendar year*

Statistics for 1980 onwards about adults (aged 17 and over) with charges finalised in criminal courts during a fiscal or calendar year. Information includes court location, and the outcome of a person's most serious prosecution – by offence category. Note that from 1 July 2019 onwards 17-year olds became part of the youth jurisdiction.

### Convictions

*Adults convicted in court by sentence type – most serious offence fiscal year*

*Adults convicted in court by sentence type – most serious offence calendar year*

Statistics for 1980 onwards about adults (aged 17 and over) with convicted charges in a criminal court during a fiscal or calendar year. Information includes age, gender, and ethnicity; court location; type of sentence; and the most serious sentence given for the most serious offence. Note that from 1 July 2019 onwards 17-year olds became part of the youth jurisdiction.

### Child and youth prosecution statistics

*Children and young people charged in court - most serious offence fiscal year*

*Children and young people charged in court - most serious offence calendar year*

Statistics for 1992 onwards about children and young people who were charged in criminal court during a fiscal or calendar year for their most serious offence in that year. Information includes age, gender, ethnicity, offence type, and outcome of their most serious offence. Note that from 1 July 2019 onwards 17-year olds became part of the youth jurisdiction.

*Children and young people given an order in court - most serious offence fiscal year*

*Children and young people given an order in court - most serious offence calendar year*

Statistics for 1992 onwards about children and young people with a Youth Court proved (s283 order) outcome or who are convicted and sentenced in the District or High Court during a fiscal or calendar year. Information includes age, gender, ethnicity, offence type, and most serious order type for their most serious proved/convicted offence. Note that from 1 July 2019 onwards 17-year olds became part of the youth jurisdiction.

## Methodology

The tables available here contain data from the *Ministry of Justice's* statistical reporting datasets. The data were sourced from the courts' operational data systems. The Law Enforcement System (formerly known as the Wanganui Computer and used by

justice agencies from the late 1970s until 2005) was used as the source of these data up to 2003. From 2004, the source of these data was the Case Management System (CMS) of the Ministry of Justice.

#### **Adults convicted in court by sentence type - most serious offence fiscal or calendar year**

The 'Adults convicted' table contains the number of adults (aged 17 and over; or from 1 July 2019 onwards aged 18 and over) with convicted charges in a criminal court during a fiscal or calendar year.

This data only shows the most serious offence per adult per year. Where an adult has more than one offence in a year, the data shown (e.g. offence type, outcome, sentence) relates to the most serious offence.

This means that using data counting the most serious offence in isolation can result in an undercount of the number of adults charged with specific offence types (e.g. for illicit drug offences, out of approx. 6000 people charged in 2016, only half had illicit drug offences as their most serious offence).

Note that the size of undercounts will vary depending on the offence or charge outcome type.

For more representative information on specific offence or charge outcome types refer to the data tables on the *Ministry of Justice website*.

'Multiple ethnicity' information is used in this table. This means for each ethnicity an adult is counted once per fiscal or calendar year (e.g. they may be counted in both European and Māori). As some adults have multiple recorded ethnicities, this will result in the sum of ethnicities being greater than the total number of people each year.

Identifying details have been removed and the data have been aggregated to protect individuals' privacy.

From 29 April 2016, we source courts data from the new Enterprise Data Warehouse (EDW), rather than the justice sector data warehouse (ISIS) used over recent years. Changes in data processing may cause small differences if you compare current output with similar results produced before 29 April.

#### **Adults prosecuted in court - most serious offence fiscal or calendar year**

The 'Adults prosecuted' table contains statistics for 1980 onwards about adults (aged 17 and over, or from 1 July 2019 onwards aged 18 and over) with charges finalised in criminal courts during a fiscal or calendar year.

This data only shows the most serious offence per adult per year. Where an adult has more than one offence in a year, the data shown (e.g. offence type, outcome, sentence) relates to the most serious offence.

This means that using data counting the most serious offence in isolation can result in an undercount of the number of people charged with specific offence types (e.g. for illicit drug offences, out of approx. 6000 people charged in 2016, only half had illicit drug offences as their most serious offence).

Note that the size of undercounts will vary depending on the offence or charge outcome type.

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From 29 April 2016, we source courts data from the new Enterprise Data Warehouse (EDW), rather than the justice sector data warehouse (ISIS) used over recent years. Changes in data processing may cause small differences if you compare current output with similar results produced before 29 April.

#### **Charges prosecuted against adults by offence type fiscal or calendar year**

The 'Charges prosecuted against adults' table contains statistics for 1980 onwards about the number of charges finalised against adults (aged 17 and over, or from 1 July 2019 onwards aged 18 and over) in criminal courts during a fiscal or calendar year.

Identifying details have been removed and the data have been aggregated to protect individuals' privacy.

From 29 April 2016, we source courts data from the new Enterprise Data Warehouse (EDW), rather than the justice sector data warehouse (ISIS) used over recent years. Changes in data processing may cause small differences if you compare current output with similar results produced before 29 April.

#### **Children and young people charged in court - most serious offence fiscal or calendar year**

The 'Children and young people charged' table contains statistics for 1992 onwards about children and young people who were charged in a criminal court during a fiscal or calendar year for their most serious offence in that year.

This data only shows the most serious offence per child or young person per year. Where a child or young person has more than one offence in a year, the data shown (e.g. offence type, outcome, most serious order/sentence) relates to the most serious offence.

This means that using data counting the most serious offence in isolation can result in an undercount of the number of people charged with specific offence types (e.g. for illicit drug offences, out of approx. 6000 people charged in 2016, only half had illicit drug offences as their most serious offence).

Note that the size of undercounts will vary depending on the offence or charge outcome type.

'Multiple ethnicity' information is used in this table. This means for each ethnicity a person is counted once per fiscal or calendar year (e.g. they may be counted in both European and Māori). As some people have multiple recorded ethnicities, this will result in the sum of ethnicities being greater than the total number of people each year.

A modified version of Statistics NZ's method of base 3 random rounding has been applied to protect the confidentiality of individuals. In the standard version, all counts are randomly rounded up or down to one of the adjoining multiples of 3 (e.g. a count of 5 would be displayed as either 3 or 6, and a count of 1 would be displayed as either 0 or 3).

In the modified version, 1s and 2s are always rounded up to 3. Only zero counts are displayed as 0.

Identifying details have also been removed, and data have been aggregated.

From 29 April 2016, we source courts data from the new Enterprise Data Warehouse (EDW), rather than the justice sector data warehouse (ISIS) used over recent years. Changes in data processing may cause small differences if you compare current output with similar results produced before 29 April.

### Children and young people given an order in court - most serious offence fiscal or calendar year

The 'Children and young people given an order' table contains statistics for 1992 onwards about children and young people with a 'Youth court proved (order under s283)' outcome or who are convicted and sentenced in the District or High Court during a fiscal or calendar year.

This data only shows the most serious proved offence per child or young person per year. Where a person has more than one proved offence in a year, the data shown (e.g. offence type, outcome, order/sentence) relates to the most serious proved offence.

Note that statistics for children and young people with orders/sentences use a slightly different counting rule to children and young people with proved charges. The most serious 'Youth court proved (order under s283)' or 'Convicted and sentenced in adult court' charge outcome and order/sentence is counted regardless of whether the charge was for a non-imprisonable traffic offence heard in the District Court or not.

This means that using data counting the most serious offence in isolation can result in an undercount of the number of people charged with specific offence types (e.g. for illicit drug offences, out of approx. 6000 people charged in 2016, only half had illicit drug offences as their most serious offence).

Note that the size of undercounts will vary depending on the offence or charge outcome type.

'Multiple ethnicity' information is used in this table. This means for each ethnicity a person is counted once per fiscal or calendar year (e.g. they may be counted in both European and Māori). As some people have multiple recorded ethnicities, this will result in the sum of ethnicities being greater than the total number of people each year.

A modified version of Statistics NZ's method of base 3 random rounding has been applied to protect the confidentiality of individuals. In the standard version, all counts are randomly rounded up or down to one of the adjoining multiples of 3 (e.g. a count of 5 would be displayed as either 3 or 6, and a count of 1 would be displayed as either 0 or 3).

In the modified version, 1s and 2s are always rounded up to 3. Only zero counts are displayed as 0.

Identifying details have also been removed, and data have been aggregated.

From 29 April 2016, we source courts data from the new Enterprise Data Warehouse (EDW), rather than the justice sector data warehouse (ISIS) used over recent years. Changes in data processing may cause small differences if you compare current output with similar results produced before 29 April.

### Frequency

4 Annual

## Related Materials

### Other

- [More information about the court system on the Ministry of Justice website](#)
- [Ministry of Justice publications about conviction and sentencing](#)
- [More information about crime and justice from Statistics NZ's website](#)

## Variables

## Concepts

### Criminal conviction and sentencing statistics (series)

Name	Description
Calendar year	<b>Calendar year</b> Calendar years run from 1 January to 31 December.

## Charges

**Charges****\*\*Charge statistics\*\***

Charge statistics measure the volume and type of offences processed by courts. The statistics provide information on the numbers of offences prosecuted and convicted each year.

**\*\*How data in the prosecuted charges table differs\*\***

Statistics in the prosecuted charges table are based on criminal charges finalised in a calendar year. The other tables available provide person-based statistics.

Each offence committed by a person may result in a charge being filed in court. Sometimes one incident may lead to several charges (for example, people convicted of fraud often face a number of charges). Each charge will have a separate outcome and sentence (if convicted).

See [\\*\[Counting people\]\(http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/c4adb79f-4d9c-4109-914e-bf2973f79102\)\\*](http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/c4adb79f-4d9c-4109-914e-bf2973f79102) for information about how people are counted in the criminal conviction and sentencing tables.

## Comparability with police-sourced crime data

**Comparability with police-sourced crime data****\*\*Differences between police- and court-sourced data\*\***

Note the following differences between police- and court-sourced data when comparing recorded crime figures with prosecution, conviction, or sentencing figures:

- Not all offences recorded by Police are resolved, and there are vastly different resolution rates by type of offence.
- Not all offences resolved by Police result in a person being prosecuted in court. A person can be cautioned or warned, or ordered to undergo some diversionary action or attend a family group conference.
- The police and court figures relate to different time periods. The court figures include all charges finalised in a year. The police figures include all proceedings within a given year (calendar or fiscal).
- Agencies other than the Police may prosecute people (e.g. Customs Service, Ministry for Primary Industries, the Serious Fraud Office etc). Justice data include both police and non-police prosecutions.

**\*\*Police crime data\*\***

See [\\*\[policedata.nz\]\(http://www.police.govt.nz/about-us/publications-and-statistics/statistics/policedatanz\)\\*](http://www.police.govt.nz/about-us/publications-and-statistics/statistics/policedatanz) for the latest available New Zealand Police crime statistics.

Counting people

**Counting people**

**\*\*Table differences\*\***

The way the tables count people differs as follows:

- The prosecuted adult and the convicted adult tables only ever count an adult once. Sometimes one adult may be prosecuted in court several times within a year. That adult will only be counted once, and will be shown in the offence category for which they received their most serious charge outcome and sentence. This method is consistent with international best practice.

**\*\*How counts for geographic locations are recorded\*\***

Counts for geographic locations are recorded as follows:

- The prosecuted adult and the convicted adult tables only record the court location of the most serious offence for adults prosecuted by different courts in a calendar year. This method ensures that data for an adult is only counted once in tables.

**\*\*Other points to note\*\***

- People are counted and identified by an identifier, issued by either the police or the courts.

- It is possible that a particular person may have multiple identities or aliases. Such people could be counted more than once within a calendar year.

Court

**Court**

**\*\*Information about the court data in the tables\*\***

Totals shown for the courts are the combined figures for the applicable District and High Courts in a particular location. Where cases have been transferred between courts, only the court of the most recent appearance is counted.

Totals in most of the tables have been aggregated to a 'justice service area' level, which is the Ministry of Justice's reporting area.

Court data only includes information for courts that are currently open. Statistics on historic cases heard in a court that has since been closed are included in data for the court now serving that area. For instance, statistics on historic cases held at the Otahuhu Court are included in data for the Manukau Court (which opened in 2001).

The Court of Appeal is included in the category 'Wellington court' at the justice service area level.

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<table class="tftable" border="1" style="text-align: center;">
<tr><th colspan = 4>Locations with a high and/or District
Court</th></tr>
<tr><td colspan = 4>The following table provides information about
which locations have a High Court as well as a District
Court.</td></tr>
<tr><th style="text-align: center;">Reporting area</th><th style="text-
align: center;">Court district</th><th style="text-align: center;">District
court</th><th style="text-align: center;">High court</th></tr>
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4>Taitokerau</td><td>Whangarei</td><td>*</td><td>*</td></tr>
<tr><td>Dargaville</td><td>*</td><td>*</td></tr>
<tr><td>Kaikohe</td><td>*</td><td>*</td></tr>
<tr><td>Kaitaia</td><td>*</td><td>*</td></tr>
<tr><td rowspan = 3>Waitematā</td><td>North Shore
</td><td>*</td><td>*</td></tr>
<tr><td>Waitakere </td><td>*</td><td>*</td></tr>
<tr><td> Warkworth </td><td>*</td><td>*</td></tr>
<tr><td rowspan = 3>South
Auckland</td><td>Auckland</td><td>*</td><td>*</td></tr>
<tr><td>Manukau</td><td>*</td><td>*</td></tr>
<tr><td>Papakura</td><td>*</td><td>*</td></tr>
<tr><td> Pukekohe</td><td>*</td><td>*</td></tr>
<tr><td rowspan =
6>Waikato</td><td>Hamilton</td><td>*</td><td>*</td></tr>
<tr><td>Huntly</td><td>*</td><td>*</td></tr>
<tr><td> Morrinsville</td><td>*</td><td>*</td></tr>
<tr><td> Te Awamutu</td><td>*</td><td>*</td></tr>
<tr><td> Te Kuiti</td><td>*</td><td>*</td></tr>
<tr><td> Thames</td><td>*</td><td>*</td></tr>
<tr><td rowspan = 4>Bay of
Plenty</td><td>Tauranga</td><td>*</td><td>*</td></tr>
<tr><td> Opotiki</td><td>*</td><td>*</td></tr>
<tr><td>Waihi</td><td>*</td><td>*</td></tr>
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4>Waiariki</td><td>Rotorua</td><td>*</td><td>*</td></tr>
<tr><td>Taupo</td><td>*</td><td>*</td></tr>
<tr><td>Tokoroa</td><td>*</td><td>*</td></tr>
<tr><td>Taumarunui</td><td>*</td><td>*</td></tr>
<tr><td rowspan = 6>East
Coast</td><td>Gisborne</td><td>*</td><td>*</td></tr>
<tr><td>Ruatoria</td><td>*</td><td>*</td></tr>
<tr><td> Wairoa</td><td>*</td><td>*</td></tr>
<tr><td>Napier</td><td>*</td><td>*</td></tr>
<tr><td>Hastings</td><td>*</td><td>*</td></tr>
<tr><td>Waipukurau</td><td>*</td><td>*</td></tr>
<tr><td rowspan = 5>Taranaki / Whanganui</td><td>New
Plymouth</td><td>*</td><td>*</td></tr>
<tr><td>Hawera</td><td>*</td><td>*</td></tr>
<tr><td> Marton</td><td>*</td><td>*</td></tr>
<tr><td>Taihape</td><td>*</td><td>*</td></tr>
<tr><td>Whanganui</td><td>*</td><td>*</td></tr>
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North</td><td>*</td><td>*</td></tr>
<tr><td> Dannevirke</td><td>*</td><td>*</td></tr>
<tr><td> Feilding</td><td>*</td><td>*</td></tr>
<tr><td>Levin</td><td>*</td><td>*</td></tr>
<tr><td>Masterton</td><td>*</td><td>*</td></tr>
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Wellington</td><td>Porirua</td><td>*</td><td>*</td></tr>
<tr><td>Lower Hutt</td><td>*</td><td>*</td></tr>
<tr><td>Upper Hutt</td><td>*</td><td>*</td></tr>

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## Demographic data

**Demographic data**

**\*\*When demographic data is recorded\*\***

Information on the gender, age group, and ethnicity of a person who offends is usually recorded by the prosecuting authority (mostly the Police) at the time a person is arrested or prosecuted.

**\*\*Gender and age\*\***

Data on the gender and date of birth (used to calculate age) of people who offend is generally accurate. The age (in years) is calculated at the time the sentence is handed down.

In New Zealand, criminal responsibility begins at 10 years of age. However, under the Oranga Tamariki Act 1989, children less than 14 years old cannot be prosecuted except for murder, manslaughter, or for particularly serious offending for 12-13 year olds.

Charges heard in the Youth Court cannot result in a conviction. However, more serious charges involving children or young people who offend may be transferred to a District or High Court where they may be convicted.

**\*\*Ethnicity\*\***

'Multiple ethnicity' information is used in this table. This means for each ethnicity a person is counted once per fiscal or calendar year (e.g. they may be counted in both European and Māori). As some people have multiple recorded ethnicities this will result in the sum of ethnicities being greater than the total number of people each year.

Measures of ethnicity can be influenced by the context in which these measures are collected. Assigning ethnicity can be subjective, or people alleged to have offended may not want to provide this information to Police.

**\*\*Company/organisation prosecutions and convictions\*\***

The term 'corporation' in the tables refers to convictions against companies or organisations (ie not against a specific person). Company convictions are grouped in the gender, age bands, and ethnicity categories under the heading 'Unknown/corporation'.

**\*\*How children and young people are defined\*\***

In the children and young people tables, children and young people are people with charges finalised in any court who were aged between 10 and 16 years at the date of the offence:

- Child/children - aged 10, 11, 12 or 13 years

- Young person/young people - aged 14, 15 or 16 years (and from 1 July 2019 onwards includes 17-year olds).

Most children and young people in court are aged between 14-16 years old. Children aged 10 or 11 years can only be charged with murder or manslaughter. Children aged 12 or 13 years can be charged with murder or manslaughter. From October 2010, children aged 12 or 13 can also be charged with particularly serious offences (eg offences which have a maximum sentence of 14 years or more, or if they have an offending history, offences with a maximum sentence of 10 years or more).

From July 2019, this the jurisdiction of the Youth Court has been extended to also include 17-year olds. 17-year olds charged with an offence will first appear in the Youth Court. If the offence is specified in Schedule 1A Oranga Tamariki Act 1989 they will automatically be transferred to the District or High Court.

## Fiscal year

**Fiscal year**

Fiscal years run from 1 July to 30 June.

## Offence categories

**Offence categories**

**\*\*How the most serious offence is determined in tables\*\***

A range of information is used to determine which charge is a person's most serious in a year. This includes information such as charge outcome, sentence/order type, sentence length/amount, remands in custody and bail and maximum offence penalties.

See \*[Sentence types](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/89c40e5d-4b13-4a2b-8e92-dd67f2514392>)\* for information about how sentence types are ranked in the adult conviction and sentencing tables.

**\*\*Change of method for classifying offences\*\***

From 1 July 2010, all New Zealand justice sector statistics have classified offences using the Australian and New Zealand Standard Offence Classification (ANZSOC).

In the past, each justice sector agency had its own method of categorising offences, which made it difficult to compare agency statistics. Such comparisons are now much easier using the common classification method.

See \*[Australian and New Zealand Standard Offence Classification (ANZSOC), 2011](<http://www.abs.gov.au/ausstats/abs@.nsf/mf/1234.0>)\* from the Australian Bureau of Statistics website for further information.

**\*\*ANZSOC divisions\*\***

Offences under ANZSOC are classified into 16 divisions:

- \*[01: Homicide and related offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/7969fd5c-a58d-4dc2-a56b-53c8471a7b6c>)\*
- \*[02: Acts intended to cause injury](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/5fed08d9-17b5-45b6-9d23-3cdc0bc382e6>)\*
- \*[03: Sexual assault and related offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/f411189e-fe66-49b1-96d4-9180256b84f8>)\*
- \*[04: Dangerous or negligent acts endangering persons](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/1353fd75-88cd-4c8b-80bf-66ea75c35b9d>)\*
- \*[05: Abduction, harassment, and other offences against the person](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/79593f12-3e86-4d7f-9506-eed31f217325>)\*
- \*[06: Robbery, extortion, and related offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/d0683b73-7251-449b-92c5-ece3dc04cb6e>)\*
- \*[07: Unlawful entry with intent/burglary, break and enter](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/43bfb6a-85ef-403a-9f3e-d709b89cf166>)\*
- \*[08: Theft and related offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/929af382-b30a-41cb-9fde-7f864fa7de2b>)\*
- \*[09: Fraud, deception, and related offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/b620c25f-0559-4c4b-bbff-cab5d1c3461b>)\*
- \*[10: Illicit drug offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/56741de7-edf4-4fe7-ae6e-f90b22ca893e>)\*
- \*[11: Prohibited and regulated weapons, and explosives offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/2f8261e9-e658-4578-a9d3-72900593abbf>)\*
- \*[12: Property damage and environmental pollution](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/bd07161d-6c5a-4f38-b012-01d3bb8e2373>)\*
- \*[13: Public order offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/27c4462c-3c89-4331-a70a-e5215c583dad>)\*
- \*[14: Traffic and vehicle regulatory offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/3d0cda33-fdb8-4904-ba36-62047a50a4d4>)\*
- \*[15: Offences against justice procedures, government security, and government operations](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/613938f2-c44c-4574-b4be-56b00eb0c718>)\*
- \*[16: Miscellaneous offences](<http://datainfolplus.stats.govt.nz/Item/nz.govt.stats/e73f23b4-2bd8-4457-b6e0-9d20e4fbb52b>)\*.

Abduction, harassment, and other offences against the person	<p><b>Abduction, harassment, and other offences against the person</b> Offences in this category include:</p> <ul style="list-style-type: none"> <li>- abduction and kidnapping</li> <li>- deprivation of liberty/false imprisonment</li> <li>- harassment and private nuisance</li> <li>- threatening behaviour.</li> </ul>
Acts intended to cause injury	<p><b>Acts intended to cause injury</b> Offences in this category include:</p> <ul style="list-style-type: none"> <li>- assault.</li> </ul>
Dangerous or negligent acts endangering persons	<p><b>Dangerous or negligent acts endangering persons</b> Offences in this category include:</p> <ul style="list-style-type: none"> <li>- driving under the influence of alcohol or other substance</li> <li>- dangerous or negligent operation (driving) of a vehicle</li> <li>- neglect or ill-treatment of persons under care</li> <li>- other dangerous or negligent acts endangering persons.</li> </ul>
Fraud, deception, and related offences	<p><b>Fraud, deception, and related offences</b> Offences in this category include:</p> <ul style="list-style-type: none"> <li>- obtain benefit by deception</li> <li>- counterfeiting of currency</li> <li>- forgery of documents</li> <li>- possess equipment to make false/illegal instrument</li> <li>- fraudulent trade practices</li> <li>- misrepresentation of professional status</li> <li>- illegal non-fraudulent trade practices</li> <li>- dishonest conversion.</li> </ul>
Homicide and related offences	<p><b>Homicide and related offences</b> Offences in this category include:</p> <ul style="list-style-type: none"> <li>- murder</li> <li>- manslaughter - includes manslaughter involving the use of a vehicle</li> <li>- attempted murder</li> <li>- driving causing death.</li> </ul>
Illicit drug offences	<p><b>Illicit drug offences</b> Offences in this category include:</p> <ul style="list-style-type: none"> <li>- import illicit drugs</li> <li>- export illicit drugs</li> <li>- deal or traffic in illicit drugs – commercial quantity</li> <li>- deal or traffic in illicit drugs – non-commercial quantity</li> <li>- manufacture illicit drugs</li> <li>- cultivate illicit drugs.</li> <li>- possess illicit drugs</li> <li>- use illicit drugs.</li> </ul>
Miscellaneous offences	<p><b>Miscellaneous offences</b> Offences in this category include:</p> <ul style="list-style-type: none"> <li>- defamation and libel</li> <li>- offences against privacy</li> <li>- sanitation offences</li> <li>- disease prevention offences</li> <li>- occupational health and safety offences</li> <li>- transport regulation offences</li> <li>- dangerous substances offences</li> <li>- licit drug offences</li> <li>- public health and safety offences</li> <li>- commercial/industry/financial regulation</li> <li>- environmental regulation offences</li> <li>- bribery excluding government officials</li> <li>- quarantine offences</li> <li>- import/export regulations</li> <li>- procure or commit illegal abortion.</li> </ul>

Offences against justice procedures, government security, and government operations

**Offences against justice procedures, government security, and government operations**

Offences in this category include:

- breach of custody offences
- breach of home detention
- breach of community service order
- breach of parole
- breach of bail
- breach of bond – probation
- breach of bond – other
- breach of violence order
- breach of non-violence order
- resist or hinder government official (excluding police officer, justice official or government security officer)
- bribery involving government officials
- immigration offences
- resist or hinder government officer concerned with government security
- subvert the course of justice
- resist or hinder police officer or justice official
- prison regulation offences
- offences against justice procedures.

Prohibited and regulated weapons, and explosives offences

**Prohibited and regulated weapons, and explosives offences**

Offences in this category include:

- import or export prohibited weapons/explosives
- sell, possess and/or use prohibited weapons/explosives
- unlawfully obtain or possess regulated weapons/explosives
- misuse of regulated weapons/explosives
- deal or traffic regulated weapons/explosives offences.

Property damage and environmental pollution

**Property damage and environmental pollution**

Offences in this category include:

- property damage by fire or explosion
- graffiti
- air pollution offences
- water pollution offences
- noise pollution offences
- soil pollution offences.

Public order offences

**Public order offences**

Offences in this category include:

- trespass
- criminal intent
- riot and affray
- disorderly conduct
- betting and gambling offences
- liquor and tobacco offences
- censorship offences
- prostitution offences
- offences against public order sexual standards
- consumption of legal substances in regulated spaces
- offensive language
- offensive behaviour
- vilify or incite hatred on racial, cultural, religious or ethnic grounds
- cruelty to animals.

Robbery, extortion, and related offences

**Robbery, extortion, and related offences**

Offences in this category include:

- aggravated robbery
- non-aggravated robbery
- blackmail and extortion.

Sexual assault and related offences

**Sexual assault and related offences**

Offences in this category include:

- aggravated sexual assault
- non-aggravated sexual assault
- non-assaultive sexual offences against a child
- child pornography offences
- non-assaultive sexual offences.

Theft and related offences	<p><b>Theft and related offences</b> Offences in this category include:</p> <ul style="list-style-type: none"> <li>- theft of a motor vehicle</li> <li>- illegal use of a motor vehicle</li> <li>- theft of motor vehicle parts or contents</li> <li>- theft from a person (excluding by force)</li> <li>- theft of intellectual property</li> <li>- theft from retail premises</li> <li>- receive or handle proceeds of crime</li> <li>- illegal use of property (except motor vehicles).</li> </ul>
Traffic and vehicle regulatory offences	<p><b>Traffic and vehicle regulatory offences</b> Offences in this category include:</p> <ul style="list-style-type: none"> <li>- drive while licence disqualified or suspended</li> <li>- drive without a licence</li> <li>- vehicle registration offences</li> <li>- vehicle roadworthiness offences</li> <li>- exceed the prescribed content of alcohol or other substance limit</li> <li>- exceed the legal speed limit</li> <li>- parking offences</li> <li>- pedestrian offences.</li> </ul>
Unlawful entry with intent/burglary, break and enter	<p><b>Unlawful entry with intent/burglary, break and enter</b> Offences in this category include unlawful entry with intent/burglary, break and enter.</p>
Order types	<p><b>Order types</b> Children and young people usually receive different orders or sentences to adults. A person may receive more than one type of order or sentence when their charge is proved or convicted. The most serious order or sentence is used in these tables. These include (in order of seriousness, based on the seven distinct 'response' categories in section 283 of the Oranga Tamariki Act 1989):</p> <ul style="list-style-type: none"> <li>- s283(o) adult sentences - such as imprisonment or community sentences.</li> <li>- s283(n) supervision with residence - the child/young person is ordered to spend time in a secure youth justice residence (for between 3 and 6 months).</li> <li>- s283(m) supervision with activity, intensive supervision - the child/young person is placed under supervision (eg of Oranga Tamariki) for up to 6 months, where they attend a specified centre or complete some special programme or activity.</li> <li>- s283(k)-(l) youth supervision, community work - the child/young person is placed under supervision (eg of Oranga Tamariki) for up to 6 months, or make a community work order (of between 20 and 200 hours).</li> <li>- s283(ja)-(jc) education, rehabilitation programmes - the child/young person and/or their parents are required to attend a parenting education programme, or the child/young person is required to attend a mentoring programme, or alcohol or drug rehabilitation programme.</li> <li>- s283(c)-(j) monetary, confiscation, disqualification - the child/young person is ordered to return to court, if called upon within 12 months so that the court can take further action, such as ordering: payment of a fine, court costs, reparation or restitution, or forfeiture of property, or confiscation of a vehicle, or disqualification from driving.</li> <li>- s283(a)-(b) discharge, admonish - the child/young person is discharged without further penalty.</li> </ul> <p>All supervision type orders are counted together for the years 1992 to 2003. This is because the various types of supervision orders were not separately coded until 2004.</p> <p>Education and rehabilitation programmes were only introduced in October 2010.</p>

Main offence	<p><b>Main offence</b> The main offence (ANZSOC) is the most serious offence that a person was charged in a calendar or fiscal year.</p>
Prosecution outcome	<p><b>Prosecution outcome</b> <b>**Categories used in the prosecuted charges and the prosecuted people tables**</b></p> <p>'Prosecution outcome' refers to the final ruling on the charges laid in the District or High Court.</p> <p><b>**Outcome categories**</b></p> <p>The prosecution outcome categories are:</p> <ul style="list-style-type: none"> <li>- Convicted – only charges finalised in the District or High Court can result in a person being convicted.</li> <li>- Other proved – these charges are not recorded as convictions, and include charges where: <ul style="list-style-type: none"> <li>- The Police offer diversion</li> <li>- The person is discharged without conviction under section 106 of the Sentencing Act 2002 or section 19 of the Criminal Justice Act 1985. This occurs where, after the person is found guilty or pleads guilty, the court considers the consequence of a conviction for the defendant outweighs the seriousness of the offence committed.</li> <li>- Not proved – includes the person being found not guilty and where the charge was dismissed, discharged, withdrawn, or other not proved outcomes</li> <li>- Other – includes outcomes such as where: <ul style="list-style-type: none"> <li>- There was a stay of proceeding</li> <li>- The person was found unfit to stand trial</li> <li>- The person was found not guilty by reason of insanity and an order was made.</li> </ul> </li> </ul> </li> </ul> <p><b>**Charge outcome categories for children and young people**</b></p> <p>'The outcome of a prosecution. Children and young people usually receive different charge outcomes to adults. These include:</p> <ul style="list-style-type: none"> <li>- Youth Court proved (absolute discharge under s282) - when a child/young person admits their offending and successfully completes the plan agreed in their Family Group Conference. The absolute discharge means it is as if the child or young person was never charged.</li> <li>- Youth Court proved (order under s283) - when a child/young person commits more serious offences or they don't stick to their Family Group Conference plan. This is used when a child/young person admits their offending or the judge determines that the charges are proven and are serious enough to warrant an order under section 283 of the Oranga Tamariki Act 1989.</li> <li>- Dismissed, discharged, withdrawn</li> <li>- Convicted and sentenced in adult court</li> <li>- Other outcome - includes being found not guilty by reason of insanity or unfit to stand trial.</li> </ul>

## Sentencing legislation

**Sentencing legislation****\*\*Changes to legislation\*\***

During the period covered by the criminal conviction and sentencing tables, there have been a number of changes to sentencing legislation, including changes in the types of sentences available and in the combinations of sentences that may be imposed.

The Sentencing Act 2002 replacing the Criminal Justice Act 1985 introduced a number of significant changes to sentences that could be imposed. The Sentencing Amendment Act 2007 introduced some further changes.

**\*\*Sentences available under the Criminal Justice Act 1985\*\***

Descriptions for some of the sentences available under the Criminal Justice Act 1985 are as follows:

**\*\*Life imprisonment\*\*** – an indeterminate sentence of imprisonment (i.e. the sentence continues to apply for the entire life of the person who offended, although they can be released on parole). This sentence is generally only imposed on people convicted of murder.

**\*\*Preventive detention\*\*** – an indeterminate sentence of imprisonment generally imposed only on serious, repeat sex-offenders. Parole may be sought after the court-imposed non-parole period.

**\*\*Determinate imprisonment\*\*** – a sentence of imprisonment for a fixed term.

**\*\*Corrective training\*\*** – a three-month custodial sentence for people aged between 16 and 19 years who offended, involving hard physical work and strict discipline, followed by six months of supervision.

**\*\*Suspended sentence of imprisonment\*\*** – a sentence of determinate imprisonment that is suspended unless the person who offended is reconvicted within a set period of time.

**\*\*Periodic detention\*\*** – a noncustodial sentence that involves the person who offended reporting to a work centre and undertaking community work projects.

**\*\*Community service\*\*** – a noncustodial sentence that involves the person who offended undertaking work for an approved community agency.

**\*\*Community programme\*\*** – a sentence that involves placing the person who offended in the care of an approved organisation, group, or individual.

**\*\*Supervision\*\*** – a sentence under which the person who offended is required to comply with various reporting, residential, association, and other conditions.

**\*\*Reparation\*\*** – a sentence where financial payment is ordered to be made by the person who offended to the victim.

**\*\*Fine\*\*** – a sentence where financial payment is ordered to be made by the person who offended to the state. Before 30 June 2002, the court could, in certain circumstances, order the full or part payment of a fine to the victim.

**\*\*Driving disqualification\*\*** – a sentence where the person who offended must surrender their driver's licence for a fixed term or indefinitely.

To come up for sentence if called on – an order where a person who offended is re-sentenced for an offence if subsequently convicted of a further offence within a fixed term.

**\*\*Changes to sentences as result of the Sentencing Act 2002\*\***

The major changes that the Sentencing Act 2002 made to sentences were as follows:

- A new sentence structure was created for people convicted of murder.

- Preventive detention became available for a wider range of offences and convicted people.

- Corrective training was abolished.

- Suspended sentences of imprisonment were abolished.

- A new sentence called 'community work' replaced periodic detention and community service. Community work is aimed at compensating the community. The person who offended will be placed at a community work centre, with another agency, or a combination of

## Sentence types

**Sentence types**

**\*\*How sentences are determined for the tables\*\***

Multiple sentences may be imposed for the same charge. However, for the 'adults convicted' table, only the person's most serious sentence in that year is shown in the tables.

The most serious sentence for each charge is determined by its seriousness ranking. For example, imprisonment sentences are the highest rank, followed by home detention and other community sentences (e.g. community detention, intensive supervision, community work and supervision). Monetary sentences (reparation and fine) have a lower seriousness. A final protection order (Sentencing Act) has a higher rank than disqualification from driving, which is higher than order for forfeiture. Court costs and no sentence recorded have the lowest seriousness ranks.

A range of information is used to determine which charge is a person's most serious in a year. This includes charge outcome, sentence types, sentence length/amount, remands in custody, and bail and maximum offence penalties.

**\*\*Effect on numbers of less serious sentence types\*\***

Care should be taken when using sentence information, as only the most serious sentence is shown. This means that sentence types usually used in combination with other more serious sentence types will be undercounted in these tables. For example, the number of people who receive a monetary sentence as their most serious sentence will be fewer than the number of people who receive a monetary sentence overall. In comparison, the number of people who receive an imprisonment sentence as their most serious sentence will equal the number who receive imprisonment overall.

**\*\*Legislative changes\*\***

The Sentencing Act 2002 and the Sentencing Amendment Act 2007 made a number of changes to the types of sentences available.

Note that statistics for some sentences may appear in the criminal conviction and sentencing tables before their relevant legislation came into effect. For example, community detention data is recorded from 2002 onwards, even though this sentence was introduced as a result of the Sentencing Amendment Act 2008. This happens because the recorded year is based on date of conviction, not the date of sentencing.

See [\\*\[Sentencing legislation\]\(http://datainfolplus.stats.govt.nz/item/nz.govt.stats/bf5e1419-a506-4d01-b1c5-470aee677c44\)\\*](http://datainfolplus.stats.govt.nz/item/nz.govt.stats/bf5e1419-a506-4d01-b1c5-470aee677c44) for more information about legislative changes.

**\*\*Sentence types in the tables\*\***

The sentence types shown in the criminal conviction and sentencing tables are as follows:

**\*\*Imprisonment sentences\*\*** – include life imprisonment, preventive detention, imprisonment.

**\*\*Community sentences\*\*** – include home detention (from 2007), community detention (from 2007), intensive supervision (from 2007), community work, and supervision (from 2007).

**\*\*Monetary penalties\*\*** – are fines or reparation.

**\*\*Other\*\*** – includes obsolete sentences that were abolished with the implementation of the Sentencing Act 2002 (such as borstal training, corrective training, detention centre, and suspended imprisonment). It also includes:

- orders for committal to a secure facility (under section 118 Criminal Justice Act 1984 (for 2003 and prior) or section 34 of the Criminal Procedure (Mentally Impaired Persons) Act 2003 (for 2004 and onwards)).

- order to come up for sentence if called upon (where a person is re-sentenced for an offence if subsequently convicted of a further offence within a fixed term).

- sentences disqualification from driving, alcohol interlock order and zero alcohol licence (from 2012), order for forfeiture (from 2004), instrument forfeiture (from 2010), confiscation of motor vehicle, and Final Protection Order (from 2010).

**\*\*No sentence recorded\*\*** – includes court costs and instances where

## Community sentences

**Community sentences**

There are five community-based sentences in New Zealand – home detention, community detention, intensive supervision, community work, intensive supervision, and supervision.

Before the implementation of the Sentencing Act 2002, the four community-based sentences were periodic detention, community service, community programme, and supervision. The Sentencing Act 2002 resulted in community work replacing both periodic detention and community service. Supervision was also changed to include the care aspect of the community programme sentence.

The Sentencing Amendment Act 2007 increased the sentencing options available, with home detention and other forms of supervision in the community now being imposed as alternatives to imprisonment, monetary penalties, and community work.

**\*\*Home detention\*\***

This sentence requires a person who offended to remain at an approved residence at all times under electronic monitoring and close supervision by a probation officer. People who offend can be placed under home detention for a minimum period of 14 days and a maximum of 12 months.

**\*\*Community detention\*\***

This is a community-based sentence that requires the person who offended to comply with an electronically monitored curfew imposed by the court. People who offend can be placed under curfew for up to six months, for between two and 84 hours per week.

**\*\*Intensive supervision\*\***

This is a rehabilitative, community-based sentence similar to supervision (see below). However, it may be imposed for up to two years, may include participation in residential treatment and training programmes, and requires regular reports to be made to the court about sentence compliance.

**\*\*Community work\*\***

The amount of community work imposed can range from a minimum of 40 hours to a maximum of 400 hours. The person who offended must report to a probation officer who will determine the appropriate placement of the person (i.e. at a community work centre or another agency, or a combination of both). Sentences of periodic detention, community service, and community programme that were handed down prior to the implementation of the Sentencing Act 2002 are also included under community work in the tables.

**\*\*Supervision\*\***

Supervision can be imposed for a period of between six months and two years. The person who offended is under the supervision of a probation officer and must report to the probation officer, as and when instructed. Prior to the Criminal Justice Act 1985, supervision was known as probation.

Everyone sentenced to supervision is subject to standard conditions (e.g. restrictions relating to the person's work, residence, or associates) and to any special conditions imposed by the court (e.g. relating to programmes).

## Imprisonment sentences

**Imprisonment sentences**

Imprisonment sentences include life imprisonment, preventive detention, and imprisonment.

**\*\*Life imprisonment and preventive detention\*\***

Life imprisonment and preventive detention are both indeterminate sentences (i.e. the sentence continues to apply for the entire life of the person who offended, although they can be released on parole). These sentences are generally only imposed on people convicted of murder or on serious repeat sex-offenders.

Prior to the commencement of the Sentencing Act 2002 and the Parole Act 2002, people sentenced to these indeterminate sentences were not eligible for parole until they had served 10 years in custody. However, for both sentences, a minimum non-parole period longer than 10 years could be imposed by the court. Under section 89 of the Sentencing Act 2002, people sentenced to preventive detention must be ordered to serve a minimum period of imprisonment of at least five years.

**\*\*Imprisonment\*\***

Determinate sentences of imprisonment are sentences with a fixed term that can be imposed at the discretion of the court, up to a maximum period set out in legislation.

## Monetary penalties

**Monetary penalties**

Monetary penalties shown in the criminal conviction and sentencing tables include fines and reparation sentences. They do not include court costs (which are included in 'no sentence recorded').

Fines resulting from the issue of infringement notices (for speeding or parking offences etc.) are not included in these tables.