

# The criminal justice system

Only a fraction of people who enter the system end up in prison

The criminal justice system is made up of the proceeding, prosecution, court and sentencing stages. People 'flow' through the criminal justice system, taking different paths at each stage. Overall, only a small number of people who enter the criminal justice system end up with a prison sentence. Māori are disproportionately represented at all stages, and this rate of disproportion increases the further through the criminal justice system they go. This factsheet is supported by a visual representation of the system (Figure 1, on the back).

## Police proceedings are the most common way of entering the system

Between July 2016 and June 2017, around 106,000 people were proceeded against by Police, 41% of whom were Māori. Around 7,000 people entered the system after being prosecuted by other agencies, such as Corrections (mostly for breaching sentence conditions), the Ministry of Social Development, or the Ministry for Primary Industries.

## For every 10 people proceeded against by Police, 7 are prosecuted

When dealing with a person, Police can take court action or proceed out of court. Police took court action against around 73,000 people in the year ended June 2017, 43% of whom were Māori. On the other hand, Police dealt with 33,000 people out of court, by issuing formal or informal warnings, referring to Youth Aid or family group conferences.

## Most people in court are convicted

Around 65,000 people (80% of people in court) were convicted of at least one charge in the past year. Most of these people were sentenced, however 4% of them were discharged without a sentence.

A total of 15,000 people were prosecuted, but not convicted. Either their charges were not proved (for example, the person was found not guilty, the charge was withdrawn or dismissed, or the person was found unfit to stand trial or not guilty by reason of insanity), or the person was found guilty but was not convicted (for example, the charge was dismissed without conviction, a diversion was offered, or the charge was proved in Youth Court).

During the year ended June 2017, 12,000 people were remanded in custody at least once during the court process (around 15% of the number of people prosecuted). Māori made up 58% of those remanded.

## 14% of people sentenced received a prison sentence

Between July 2016 and June 2017, 62,000 people were sentenced in court.

Of people sentenced, 14% (9,000 people) received a period of imprisonment. This is fewer than the number of people remanded, however prison sentences tend to be longer than remand periods.

Nearly half (44%) of people sentenced received a community-based sentence such as home detention, community detention, community work or supervision as their most serious sentence.

A fine was the most serious sentence for 37% of people sentenced (23,000), however around 2,000 of these people later had their fine remitted to a community sentence. The remaining sentences include deferred sentences, driving disqualifications and final protection orders.

Māori were disproportionately represented among all people sentenced, especially among more serious sentences. More than half (58%) of people sentenced to prison in the year ended June 2017 were Māori.

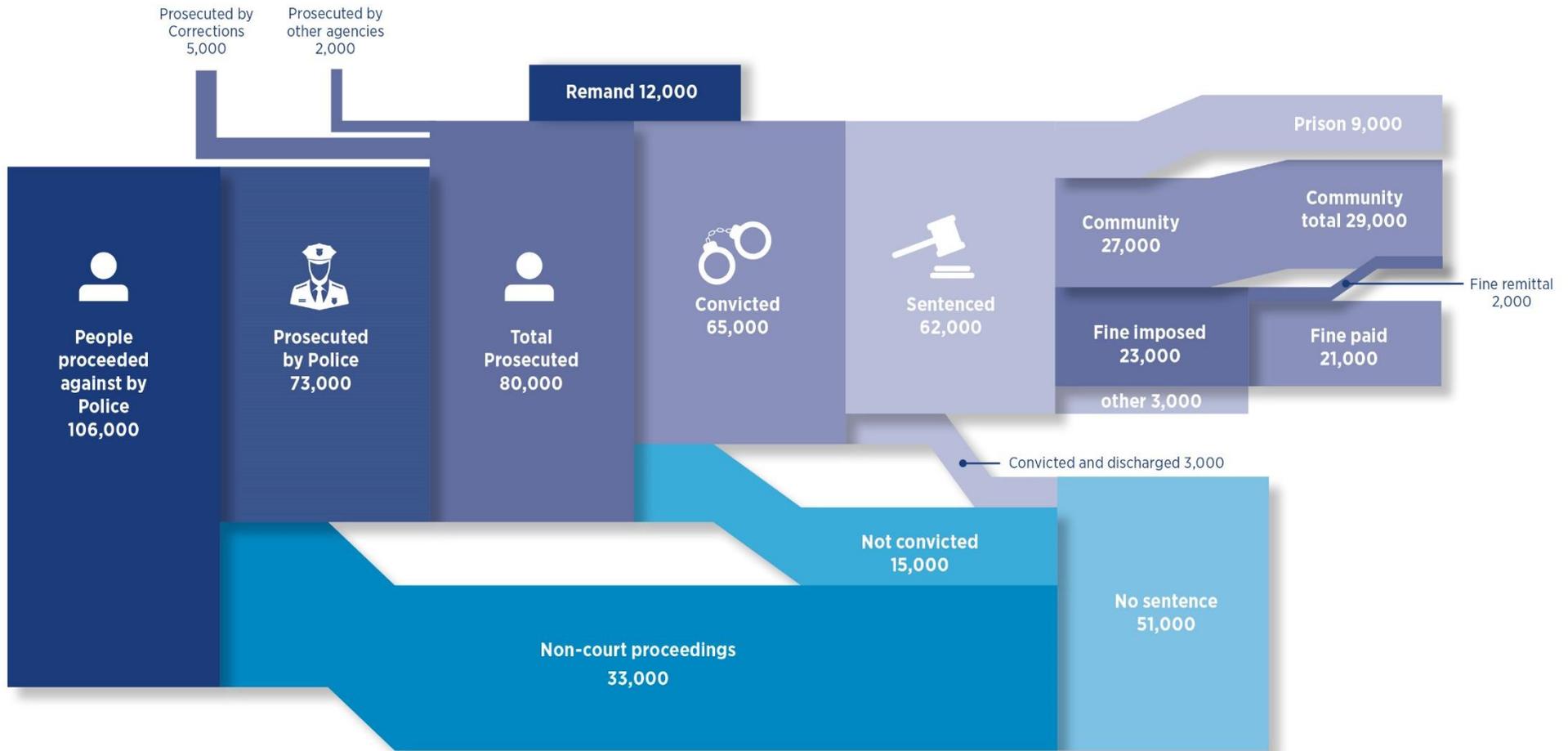
Date published: 17 AUG 2018

**For more information, go to  
[justice.govt.nz/justice-sector](http://justice.govt.nz/justice-sector)**

## Figure 1: The criminal justice system

This diagram shows the number of people who entered each stage of the criminal justice system at least once between July 2016 and June 2017<sup>1</sup>. The height of each bar represents the number of people at that stage of the system.

For each person, the most serious court outcome and sentence are shown. Categories are prioritised from the top of the diagram (for example, 9,000 people started a prison sentence during the reference year, 29,000 started a community sentence but did not start a prison sentence in that year, and so on).



<sup>1</sup>It takes time to move through the system, therefore the same people are not necessarily counted at each stage.