

Adults convicted and sentenced

Data notes and trends for 2019

Statistics for adult conviction and sentencing are produced by the Ministry of Justice and published by Stats NZ.¹ The statistics include information on adults (aged 17 years or older; and from 1 July 2019, 18 years and older)² with charges finalised in court from the year ending December 1980 to the year ending December 2019.³ This summary compares 2019 with previous years.

The number of charges and the number of adults charged has continued to fall

In 2019, there were 204,341 charges for adults (counting each charge individually). This decreased by 2% (3,897 charges) compared to 2018.

From 1 July 2019, 17-year olds became part of the youth justice system. This means the 369 finalised charges for 17-year olds filed from July 2019 onwards are not included in these adult statistics.² This change is too small to account for the 2% drop in adult charges.

In 2019, 70,944 adults were charged with at least one offence (Figure 1).⁴ This is 2,595 (4%) fewer than in 2018. The number of adults charged has fallen by 44% since the peak in 2009.

The decrease in the rate per 10,000 adults has followed the same pattern. In 2019, 185 adults were charged for every 10,000 New Zealand adults.

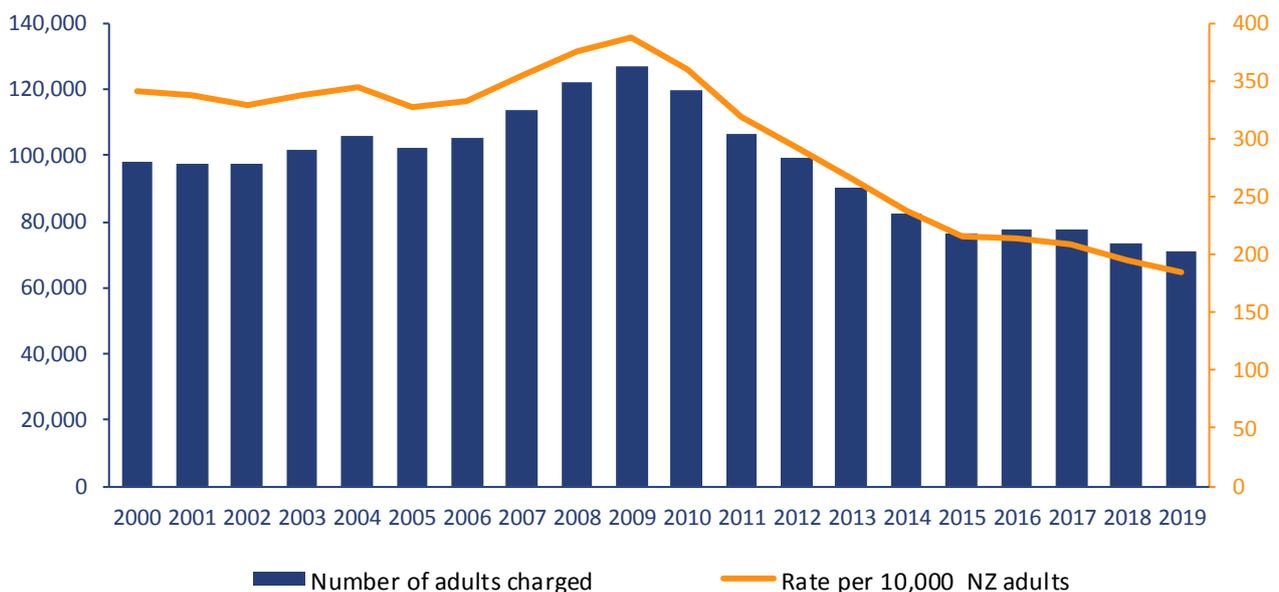
Offences against justice and traffic offences are the most common convicted charges

In 2019, most charges were convicted (75%; 153,795 charges). The most common offence types⁵ for convicted charges were:

- offences against justice, such as breaching a community sentence (23%; 34,687)
- traffic offences (22%; 34,587)
- theft (11%; 17,653)
- assault (9%; 14,186)
- drug offences (6%; 9,979).

Since records began in 1980, traffic offences have been the most frequent offence type each year. In 2019, it is the first time there have been more convicted charges for offences against justice (in 2018, there were 1,586 more convicted charges for traffic offences than for offences against justice).

Figure 1: The number of adults charged continued to fall in 2019, down 4% from 2018



Most adults charged receive a conviction

People may be convicted of multiple charges per year as they can appear in court and be convicted more than once (for repeat offending) or be convicted of multiple offences (each of which is a separate charge) at the same time. The following figures count adults once per year for their most serious convicted charge in that year.⁶

In 2019, 57,065 adults (80% of all adults charged) were convicted of at least one offence. A further 8% had an 'other proved' outcome (discharge without conviction or diversion), 12% a 'not proved' outcome (including being found not guilty, and withdrawal or dismissal of the charge) and less than 1% had an 'other' outcome (they were found unfit to stand trial or not guilty by reason of insanity) as their most serious outcome.

In 2019, the number of convicted adults was 6% lower than in 2018 (when 60,653 adults were convicted). The percentage who are convicted (80%) has also decreased (in 2018 it was 82%). Meanwhile, the percentage of adults whose most serious outcome was 'not proved' has continued to increase (from 10% in 2018 to 12% in 2019). This change is mostly due to an increased rate of withdrawal, and therefore decreased conviction rate.

The most serious offence type for convicted adults was different to all convicted charges

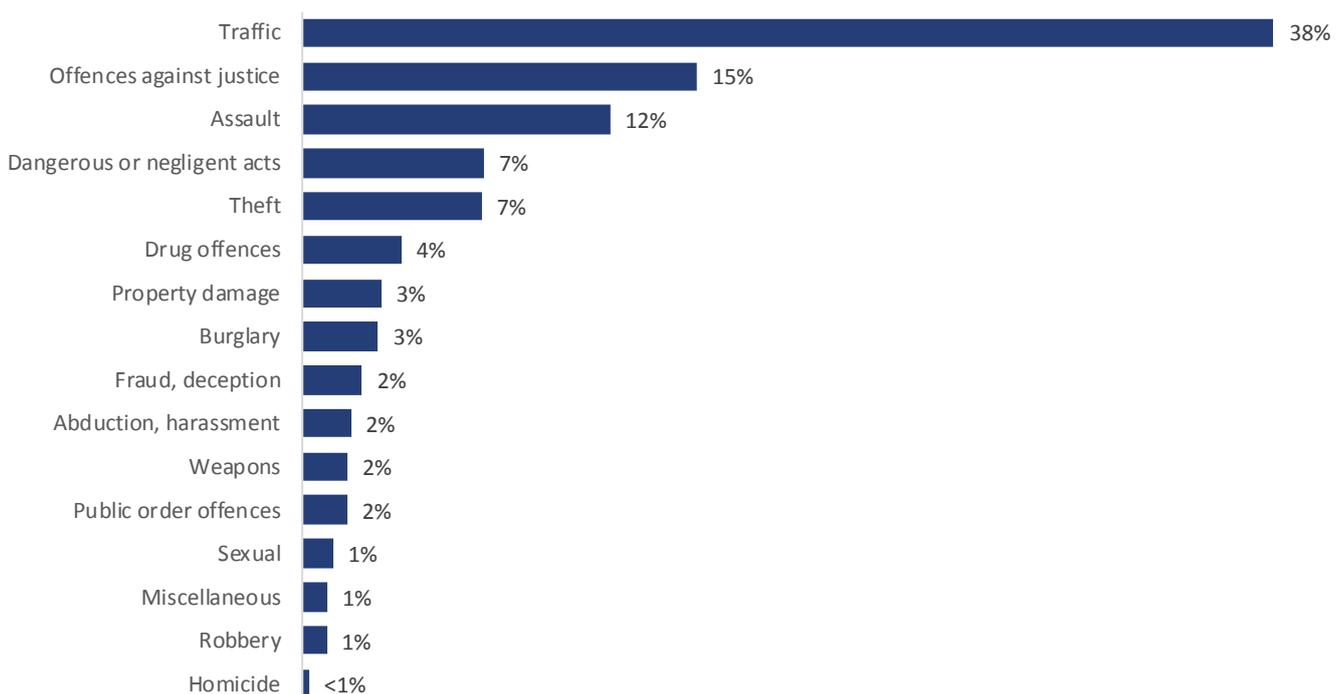
When we count offence types for convicted adults, we only count their most serious offence each year. This means the order of most common offence types can be different to the order for *convicted charges* as not all convicted charges are counted. For example, while drug convictions (e.g. for possession offences) are common, they are often not an adult's most serious offence in the year (they are likely to also have other more serious convicted offences).

In 2019, the most common offence types for convicted adults (their most serious offence) were (Figure 2):

- traffic offences (38%)
- offences against justice, such as breaching a community sentence (15%)
- assault (12%)
- dangerous or negligent acts (mostly dangerous driving) (7%)
- theft (7%).

Over time, traffic offences have consistently been the most serious offence for convicted adults.

Figure 2: More than a third of people have a traffic conviction as their most serious offence



Proportion of convicted adults who are Māori has risen over the past 10 years

In 2019, 44% of convicted adults were Māori and 37% were European. A smaller proportion were Pacific Peoples (10%), Asian (3%), or other ethnicities (2%) and 10% were unknown.⁷

Over the last 10 years, the number of convicted adults has fallen across all ethnicities (except for those whose ethnicity is unknown which has increased over the last 5 years) (Figure 3).

While the number of Māori adults has fallen, the number of Europeans has fallen at a faster rate. As a result, Māori comprised 44% of adults convicted in 2019, compared with 39% of adults convicted in 2010.

Most convicted adults are male

Three-quarters (78%) of adults convicted in 2019 were male and 21% were female. The proportion of males to females with a convicted charge has changed little over the past three decades.

Almost half of convicted adults are less than 30 years old

In 2019, a quarter (27%) of convicted adults were aged under 25 years and almost half (47%) were less than 30 years old. The proportion of adults convicted

who are under 25 years old has been steadily decreasing since 2009 (when it was 43%), mostly driven by the decrease in the proportion of 17-19-year olds (e.g. through initiatives such as Policing Excellence, where alternate resolutions such as warnings are used for low-level offending). This decrease is expected to continue, now that 17-year olds are part of the youth justice system (from 1 July 2019) and will be treated and counted as children and young people in future.

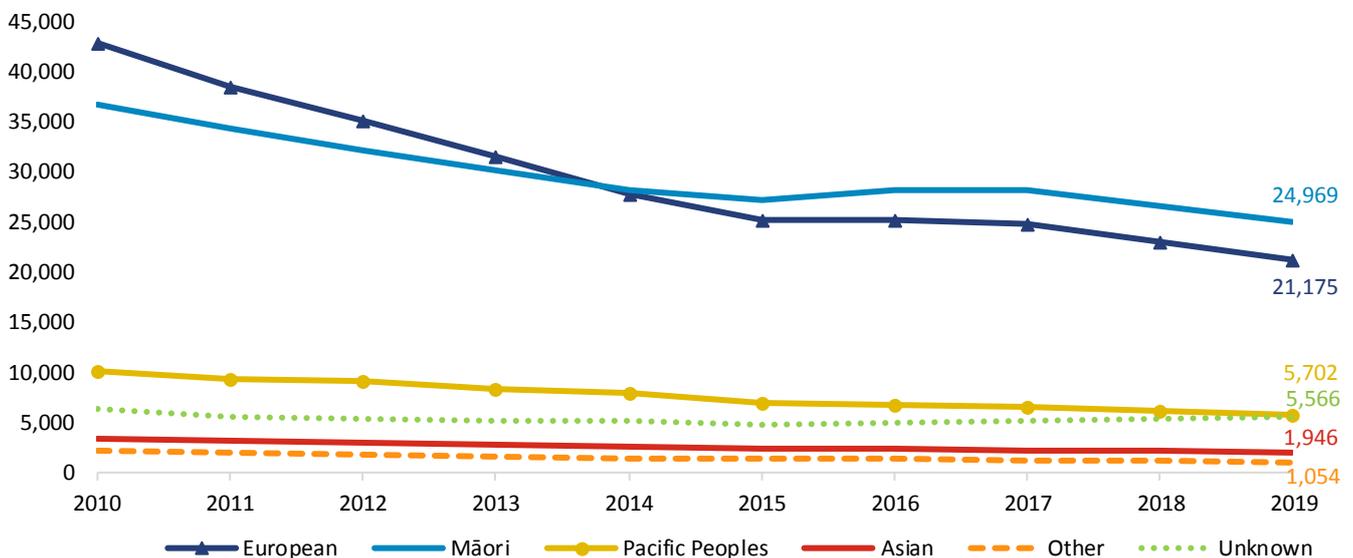
Community and monetary sentences were the most common sentence types

A person may receive more than one sentence when convicted of a charge.⁸ These statistics count the most serious sentence received by each adult in a year.

In 2019, the most serious sentences received by convicted adults were (in order of seriousness):

- imprisonment (12%)
- community sentence (including home detention, community detention, intensive supervision, community work or supervision) (44%)
- monetary penalties (32%)
- other sentence types (6%)
- no sentence recorded (where a person has been 'convicted and discharged' or ordered to pay court costs) (6%).

Figure 3: The number of convicted adults fell across all known ethnicities in 2018 and in 2019

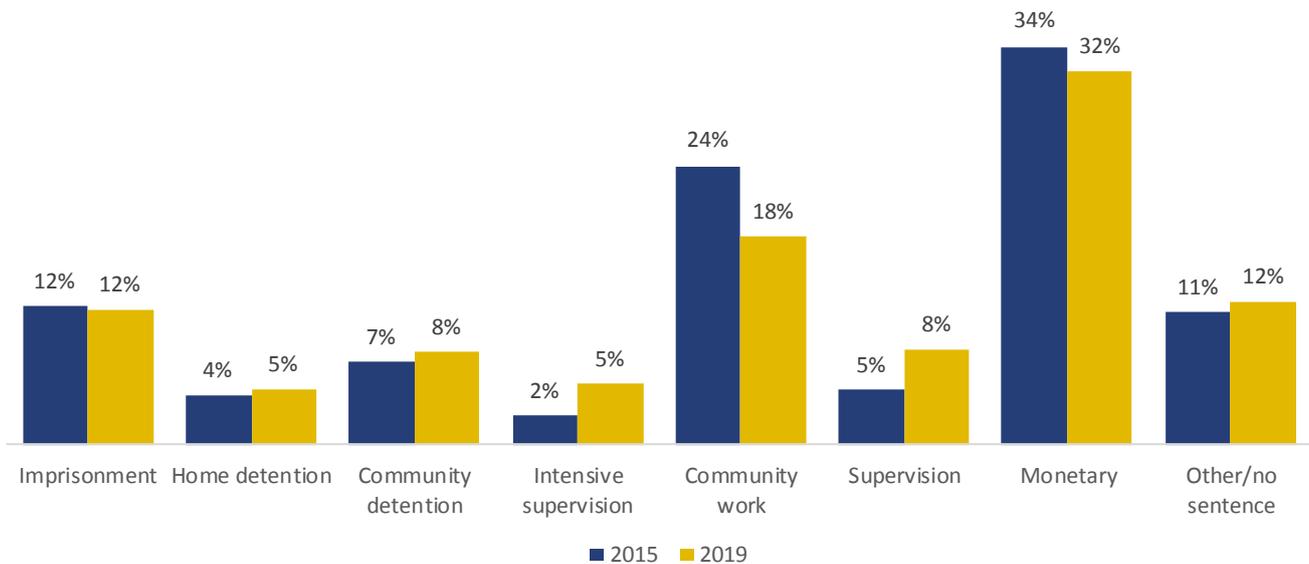


The proportion of adults receiving a prison sentence in 2019 (12%) is similar to 2015 (12%) (Figure 4). However, between these years, the number of adults receiving a prison sentence increased (from 7,599 in 2015 to 8,664 in 2017), before decreasing over the last two years to 6,637 adults in 2019.

Over the last 5 years, the percentage of convicted adults receiving the more serious community sentences (home detention, community detention

and intensive supervision) as their most serious sentence has increased (from 14% to 18%); the biggest increase was in intensive supervision (from 2% to 5%). Over the same period the proportion with community work as their most serious sentence decreased (from 24% to 18%), along with monetary penalties (from 34% to 32%).

Figure 4: Over the last 5 years the percentage of convicted adults receiving the more serious community sentences increased, while community work and monetary penalties decreased



¹ <http://nzdotstat.stats.govt.nz> under 'Justice'. More detailed information on specific offences and charge outcome types are available in the data tables published on the Ministry's website <https://www.justice.govt.nz/justice-sector-policy/research-data/justice-statistics/data-tables/>

² From 1 July 2019, 17-year olds became part of the youth justice system. Charges for 17-year olds, filed from 1 July onwards, are treated and counted as 'child and young person' charges, and are not included in the adult statistics; they are included in the 'child and young person' statistics. Charges filed prior to this date are 'adult' charges and are therefore included in these statistics.

³ Stats NZ publishes separate tables for children and young people (aged 10 - 16 years; and from 1 July 2019 up to 17 years).

⁴ People may have multiple charges in court each year as they may be brought to court more than once in the year for repeat offending or be charged with multiple offences at one time. When counting the number of adults per year, each adult is counted once for each year where they were charged with at least one offence, regardless of the number of charges against them in that year.

⁵ The Australian and New Zealand Standard Offence Classification (ANZSOC) is used to categorise offences into 16 divisions (which are further categorised into

subdivisions and groups). More information can be obtained from:

<http://www.abs.gov.au/ausstats/abs@.nsf/mf/1234.0>

⁶ 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 type, sentence length/amount, remands in custody and bail and maximum offence penalties.

⁷ 'Multiple ethnicity' information is used for these statistics. This means for each ethnicity a person is counted once per year (e.g. they may be counted in both European and Māori).

⁸ Sentences include (in order of seriousness): imprisonment (life imprisonment, preventive detention and imprisonment), community sentences (home detention, community detention, intensive supervision, community work and supervision), monetary, other (including deferment, and orders related to driving (e.g. disqualification from driving, alcohol interlock order, zero alcohol order), orders related to forfeiture and confiscation (e.g. order for forfeiture and order for confiscation of motor vehicle), Final Protection Order (Sentencing Act), and order to be committed to a facility on conviction) and no sentence recorded (where a person is convicted and discharged and where a person is ordered to pay court costs).