

21 August 2023

Section 9(2)(a)

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Our ref: OIA 105785

Tēnā koe Section 9(2)(a)

Official Information Act request: Judge-alone and jury trials

Thank you for your email of 6 July 2023 in which you requested, under the Official Information Act 1982 (the Act), the following information about the number of jury trials that are being elected by defendants. Specifically you requested:

The number of judge-only trials, and the number of jury trials in New Zealand for each year over the past five years (e.g. in 2018, 2019, 2020, 2021 and 2022 respectively).

On 19 July 2023, the Ministry of Justice (the Ministry) contacted you to clarify your request as it could be interpreted as active or disposed cases for the respective years. On 24 July 2023, you advised you wanted data for both active and disposed cases.

On 3 August 2023, the Ministry contacted you to advise that, pursuant to section 15(1) of the Act, a decision had been made to grant your request. We also advised that more time was required to finalise the information for release, and that it would be provided to you on or before 22 August 2023.

In response to your request, please see the attached two tables regarding Category 3 cases (as it is only in Category 3 cases that a defendant can elect a Jury trial).

- **Table 1:** The number of active cases at the Judge-alone trial and Jury trial stage, as at 31 December each year from 2018 to 2022, for Category 3 cases, in the District Court and Youth Court.
- **Table 2:** The number of Judge-alone trial and Jury trial cases disposed each year from 1 January 2018 to 31 December 2022, for Category 3 cases, in the District Court and Youth Court.

Note that Table 1 provides data on new business in both the judge-alone and jury trial stages. It counts all charges in those stages that are progressing toward a trial. This may be all charges with a plea of not guilty; or charges with no plea yet entered. Table 2 provides data on disposals after judge-alone or jury trial. The difference in the comparable data between the two tables shows that a high number of cases resolve earlier than the trial stage. This may be because there is a guilty plea entered, or the charges are withdrawn, for example.

Information about offence categories can be found on the Ministry website at justice.govt.nz/about/lawyers-and-service-providers/criminal-procedure-act/offence-categories-and-types-of-trials/

If you require any further information, please contact Media & Social Media Manager Joe Locke at media@justice.govt.nz.

Please note that this response, with your personal details removed, may be published on the Ministry website at: justice.govt.nz/about/official-information-act-requests/oia-responses/

If you are not satisfied with this response, you have the right to make a complaint to the Office of the Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to info@ombudsman.parliament.nz or by phone on 0800 802 602.

Nāku noa, nā



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

Table 1: The number of active cases at the Judge-alone trial and Jury trial stage, as at 31 December each year from 2018 to 2022, for Category 3 cases, in the District Court and Youth Court

Stage	31-Dec-18	31-Dec-19	31-Dec-20	31-Dec-21	31-Dec-22
Judge-alone trial	15,952	16,960	16,417	17,424	17,354
Jury trial	4,131	4,897	5,585	5,902	6,792

Notes for Table 1:

- This data is limited to Category 3 cases. This is because only in Category 3 cases can a defendant elect a Jury trial. Information on trials for different categories of charges is published at: justice.govt.nz/courts/criminal/charged-with-a-crime/types-of-trials/
- The Ministry collates data at the end of each month.
- Not all cases will have a trial hearing. For example, a defendant can plead guilty at any point before the trial, not requiring a trial and going to sentencing, or the charge being withdrawn or not proceeded with.
- Multi-day jury trials may still be in progress at the time of data extraction.
- This data counts all criminal cases that are active or on hold in the criminal process at the end of the workload report business date.
- Judge-alone trials awaiting a reserved decision may have already occurred at the time of data extraction.
- Data is provided for the District Court and the Youth Court.
- Statistics are based on the Court's Case Management System as at June 2023. Since this is an operational system, data for earlier months may have been updated since any previous publications.

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Table 2: The number of Judge-alone trial and Jury trial cases disposed each year from 1 January 2018 to 31 December 2022, for Category 3 cases, in the District Court and Youth Court

Hearing type	2018	2019	2020	2021	2022
Judge-alone trials	1,637	1,560	1,538	1,130	1,224
Jury trials	492	427	320	457	410

Notes for Table 2:

- This data is limited to cases disposed at either a Jury trial or Judge-alone trial.
- This data is limited to Category 3 cases. This is because only in Category 3 cases can a defendant elect a Jury trial. Information on trials for different categories of charges is published at: justice.govt.nz/courts/criminal/charged-with-a-crime/types-of-trials/
- A case is disposed when final stage charge outcomes are established on all case charges.
- Year is based on the case disposal date.
- Data is provided for the District Court and the Youth Court.
- Statistics are based on the Court's Case Management System as at June 2023. Since this is an operational system, data for earlier months may have been updated since any previous publications.

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