

1 September 2023

Section 9(2)(a)

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Ref: OIA 106275

Tēnā koe Section 9(2)(a)

Official Information Act request: Self-representation cases in courts

Thank you for your email of 21 July 2023, requesting, under the Official Information Act 1982 (the Act) information about self-represented parties in courts. Specifically, you sought:

Active court cases that involved a self-represented party for each year between 2013 and 2023. The year ending at May as was in the previous table is acceptable unless there are more up to date numbers.

- 1. The data required is the total number of active cases for each court type, for each year.*
- 2. The number of cases involving a self-represented party for each court type.*
- 3. And the percentage of cases involving a self representing party for each court type.*
- 4. In addition, could I also please get a gender breakdown of how many individuals were male and female for both the total number of active cases and for cases involving a self representing party as both a number and a percentage.*

On 18 August 2023, the Ministry advised you that under section 15(1) of the Act the Ministry had decided to grant your request, but that more time was required to finalise the information for release.

In response to parts 1, 2 and 3, please find attached to this letter a spreadsheet with the information requested. You can filter as you see fit, however this is conditional that you do not change or alter the source data. This has been released to you in full.

Regarding part 4, the Ministry is unable to provide this information as it is not recorded in the Case Management System used by the courts. The Act only applies to information that is already held by the Ministry and there is no obligation to create information in order to respond to a request. Therefore, I am refusing this part of your request under section 18(g)(i) as the Ministry does not hold the information sought and have no grounds for believing it is held by another agency subject to the Act.

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 Ombudsman under section 28(3) of the Act. 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 and Tribunals, Regional Service Delivery

Table 1: Number and percentage of active cases in the Family Court which involved a self-represented party, as at 30 June for the years 2013 to 2023

Example interpretation:

“1,915 (or 12%) of cases in the Family Court involved a self-represented party (applicant or respondent) at the end of June 2023, compared to 947 (or 6%) at the same time in 2018”

As at	30-Jun-2013	30-Jun-2014	30-Jun-2015	30-Jun-2016	30-Jun-2017	30-Jun-2018	30-Jun-2019	30-Jun-2020	30-Jun-2021	30-Jun-2022	30-Jun-2023
Total active cases	15,361	16,307	15,154	15,516	16,102	16,513	16,221	17,942	16,554	16,146	16,457
Cases involving self-represented party*	.	576	674	726	779	947	1,125	1,189	1,249	1,515	1,915
Percentage Cases involving self-represented party*	-	4%	4%	5%	5%	6%	7%	7%	8%	9%	12%

Notes:

This data may differ from previously released or published data. This data was extracted from the Ministry of Justice's case management system on 11 August 2023.

The representation status of a case party may change over the course of a case.

This table counts cases active as at the same date each year

A case may involve a mix of self-represented parties, parties with lawyers, and parties of an unknown status.

A party may be involved in one or more cases at the same point in time, e.g. Care of Children Act 2004 case and a Family Violence Act 2018 case.

This data includes cases filed under the following case types:

Adoption, Alcohol & Drugs, Substance Addiction, Child Support, Oranga Tamariki Act (Children Young Persons and their Families - CYPF), Dissolution/Marriage, Domestic Violence, Family Violence, Estates, Family Proceedings, Care of Children Act (CoCA) - Guardianship, Hague Convention, Mental Health, Protection of Personal and Property Rights (PPPR), Relationship Property and Miscellaneous.

*It has only been possible to record a party as self-represented in a standardised way since mid-2013, as such self-represented statistics near this date may be subject to undercounting while usage of the new functionality increased.

You can filter this information as you see fit, however this is conditional that you do not change or alter the source data.

Table 2: Number and percentage of active Criminal cases in the District Court which involved a self-represented defendant, as at 30 June for the years 2013 to 2023

Example interpretation:

“1,092 (or 3%) of Criminal cases in the District Court involved a self-represented defendant at the end of June 2023, compared to 259 (or 1%) at the same time in 2018”

As at	30-Jun-2013	30-Jun-2014	30-Jun-2015	30-Jun-2016	30-Jun-2017	30-Jun-2018	30-Jun-2019	30-Jun-2020	30-Jun-2021	30-Jun-2022	30-Jun-2023
Total active cases	29,619	27,745	28,312	31,287	31,999	34,268	35,850	37,254	32,965	34,417	37,523
Cases involving self-represented party*	66	989	901	1,191	886	259	143	125	203	235	1,092
Percentage Cases involving self-represented party*	0%	4%	3%	4%	3%	1%	0%	0%	1%	1%	3%

Notes:

This data may differ from previously released or published data. This data was extracted from the Ministry of Justice's case management system on 11 August 2023.

The representation status of a case party may change over the course of a case.

This table counts cases active as at the same date each year

A case may involve a mix of self-represented parties, parties with lawyers, and parties of an unknown status.

A party may be involved in one or more cases at the same point in time.

This data includes Criminal cases active in the District Court (excluding the Youth Court)

*It has only been possible to record a party as self-represented in a standardised way since mid-2013, as such self-represented statistics near this date may be subject to undercounting while usage of the new functionality increased.

You can filter this information as you see fit, however this is conditional that you do not change or alter the source data.

Table 3: Number and percentage of active Civil cases in the District Court which involved a self-represented party, as at 30 June for the years 2013 to 2023

Example interpretation:

"7,232 (or 72%) of Civil cases in the District Court involved a self-represented party (applicant or respondent) at the end of June 2023, compared to 4,454 (or 52%) at the same time in 2018"

As at	30-Jun-2013	30-Jun-2014	30-Jun-2015	30-Jun-2016	30-Jun-2017	30-Jun-2018	30-Jun-2019	30-Jun-2020	30-Jun-2021	30-Jun-2022	30-Jun-2023
Total active cases	9,784	8,944	8,059	7,727	8,798	8,559	9,836	9,029	8,720	7,992	10,093
Cases involving self-represented party*	.	200	4,175	3,584	4,221	4,454	5,735	5,492	5,843	5,238	7,232
Percentage Cases involving self-represented party*	-	2%	52%	46%	48%	52%	58%	61%	67%	66%	72%

Notes:

This data may differ from previously released or published data. This data was extracted from the Ministry of Justice's case management system on 11 August 2023.

The representation status of a case party may change over the course of a case.

This table counts cases active as at the same date each year

A case may involve a mix of self-represented parties, parties with lawyers, and parties of an unknown status.

A party may be involved in one or more cases at the same point in time.

*It has only been possible to record a party as self-represented in a standardised way since mid-2013, as such self-represented statistics near this date may be subject to undercounting while usage of the new functionality increased.

You can filter this information as you see fit, however this is conditional that you do not change or alter the source data.

Table 4: Number and percentage of active cases in the Court of Appeal which involved a self-represented party, as at 30 June for the years 2013 to 2023

Example interpretation:

“129 (or 18%) of cases in the Court of Appeal involved a self-represented party (applicant or respondent) at the end of June 2023, compared to 105 (or 18%) at the same time in 2018”

As at	30-Jun-2013	30-Jun-2014	30-Jun-2015	30-Jun-2016	30-Jun-2017	30-Jun-2018	30-Jun-2019	30-Jun-2020	30-Jun-2021	30-Jun-2022	30-Jun-2023
Total active cases	722	560	581	501	493	583	584	599	677	646	698
Cases involving self-represented party	138	103	99	88	66	105	102	90	139	138	129
Percentage Cases involving self-represented party	19%	18%	17%	18%	13%	18%	17%	15%	21%	21%	18%

Notes:

This data may differ from previously released or published data. This data was extracted from the Ministry of Justice's Appeal Management System on 11 August 2023.

The representation status of a case (i.e, application) party may change over the course of a case.

This table counts cases (i.e, applications) active as at the same date each year

A case may involve a mix of self-represented parties, parties with lawyers, and parties of an unknown status.

A party may be involved in one or more cases at the same point in time.

This data includes Criminal Appeals, Civil Appeals and other types of applications

You can filter this information as you see fit, however this is conditional that you do not change or alter the source data.