

11 September 2023

Section 9(2)(a)

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Our ref: OIA 106373

Tēnā koe Section 9(2)(a)

Official Information Act request

Thank you for your email of 27 July 2023 to the Ministry of Justice (the Ministry) where you asked under the Official Information Act 1982 (the Act):

- 1) *What is the total cost of Prison per year?*
- 2) *What is the total cost of Courts; Police; Ancillary staff, per year for those that are convicted?*
- 3) *What is the total cost of Crimes per year. i.e., Ram Raid would include the stolen car damaged; broken building; items stolen.*

On 7 August 2023, we sought clarification on questions 2 and 3 of your request, as the Ministry is unable to breakdown the costs of running courts by those that were convicted or to provide the total cost of crimes per year. However, we advised you the Ministry can provide the total costs of running the criminal court/jurisdiction. On the same day, you replied to our clarification email requesting:

- 2) *The costs of running the Criminal court/jurisdiction for the past 20 years please.*
- 3) *How is the cost in financial terms to society deduced? and can I have the total of each of the past 20 years? Does insurance change anything?*

On 8 August 2023, we advised you that question 1 and part of question 2 relating to ancillary staff has been transferred to the Department of Corrections for response. The Ministry also endeavoured to transfer part of question 2 of your request to the New Zealand Police, however they declined to accept the transfer because they do not collect that information in a way that would make it possible to identify when costs are incurred in relation to specific cases. Therefore, the Ministry must refuse the parts of your request related to Police costs under section 18(g)(i) of the Act as the information requested is not held by the Ministry and there are no grounds for believing it is held by another agency subject to the Act.

In response to question 2, please find attached Table 1, which shows the total costs of running the criminal court/jurisdiction in New Zealand, for the 2004/05 – 2022/23 financial years. Due to historical changes in the financial information systems, the Ministry is only able to provide nineteen years of financial information.

We have interpreted your request for 'running' costs to mean departmental operational costs only. This includes overheads¹ for supporting the criminal court/jurisdiction within Senior Courts, District Courts, and Youth Courts and personnel costs of Ministry staff working in the criminal jurisdiction of the courts. These figures do not include costs such as legal aid, the remuneration of judicial officers or any Crown prosecution-related expenditure as these costs are not operational expenses to run the criminal court/jurisdiction.

Regarding part 3 of your revised request, the Ministry does not hold this information. Therefore, this part of your request is refused under section 18(g)(i) of the Act on the grounds the information is not held by the Ministry or any other agency subject to the Act.

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 Office of the Ombudsman may be contacted by email to info@ombudsman.parliament.nz or by phone on 0800 802 602.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'JRS', with a horizontal line extending to the right.

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

¹ Overhead costs are those that are not directly related to the production of goods or services, but necessary for the operation of a business

Table 1: Total costs of the criminal jurisdiction in New Zealand, for the 2004 – 2023 financial years

Financial year	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Cost of Criminal Jurisdiction (millions)	\$103,590	\$113,372	\$125,008	\$129,282	\$138,348	\$158,120	\$162,074	\$176,228	\$180,847	\$175,406

Financial year	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Cost of Criminal Jurisdiction (millions)	\$174,060	\$185,862	\$183,471	\$192,858	\$199,209	\$216,308	\$214,432	\$223,926	\$237,273

Notes for Table 1:

- The total is departmental operation costs only, including overheads, for supporting all criminal court/jurisdictions within Senior Courts and District Courts, including Youth Courts, Criminal Summary² and Jury trials.
- Data in the table does not include legal costs like lawyers, legal aid, Judges costs or any Crown related expenditure

² An offence not punishable by a term of imprisonment but punishable by a community-based sentence.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982