

13 September 2023

Section 9(2)(a)

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Our ref: OIA 106760

Tēnā koe Section 9(2)(a)

### Sentencing information

Thank you for your email of 11 August 2023 to the Ministry of Justice (the Ministry) requesting, under the Official Information Act 1982 (the Act), information regarding sentencing. Specifically, you requested:

*I'm trying to find detailed sentencing data for the NZ justice system: ie duration of sentence in addition to the type of sentence, broken down by offense, age and ethnicity of offender and victim, dating back to 2010 at the latest.*

On 17 August 2023, the Ministry contacted you to clarify your request. On the same day you confirmed that your request could be clarified to the following:

*Average duration of a sentence resulting in imprisonment is correct. If it's possible to calculate the means, I'd like that too. Calendar year data is fine.*

In response to your request, please refer to tables 1 to 3, appended to this letter. These tables provide the average duration of a sentence resulting in imprisonment (excluding life and preventive detention imprisonments) for the calendar years 2010 to 2022. Please note, life and preventative detention imprisonment sentences were removed from this data. As these sentences have an indefinite sentence length, an average duration cannot be calculated from them.

Regarding your request for information on victims involved in sentencing cases, I must advise that the Ministry does not record information at this level. Therefore, this part of your request is refused under section 18(e) of the Act as the information does not exist. The only instance where a victims information may be recorded is when they have been granted name suppression. However, due to the sensitive nature of these cases, the victims information would be withheld under section 9(2)(a), to protect the privacy of natural persons.

If you require any further information, please contact Media & Social Media Manager Joe Locke at [media@justice.govt.nz](mailto: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/](https://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](mailto: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: Average sentence length (in months) of people sentenced to imprisonment, by offence type, for the 2010 to 2022 calendar years**

Offence type (ANZSOC division)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
01: Homicide and related offences	68	63	55	59	60	49	75	69	60	55	54	66	60
02: Acts intended to cause injury	15	16	17	16	16	16	16	18	17	17	17	17	17
03: Sexual assault and related offences	58	63	59	61	62	59	58	58	60	59	63	57	63
04: Dangerous or negligent acts endangering persons	10	7	9	12	10	11	10	11	11	12	9	12	15
05: Abduction, harassment and other offences against the person	15	13	16	14	16	12	15	17	16	16	15	14	14
06: Robbery, extortion and related offences	34	35	35	35	37	37	33	37	37	34	34	32	30
07: Unlawful entry with intent/burglary, break and enter	16	16	16	16	16	18	18	19	18	19	18	17	19
08: Theft and related offences	7	7	8	7	7	8	8	8	8	9	9	9	10
09: Fraud, deception and related offences	14	16	17	17	17	14	15	14	15	15	15	15	17
10: Illicit drug offences	28	31	33	33	37	41	38	42	39	38	33	37	38
11: Prohibited and regulated weapons and explosives offences	7	8	9	9	9	9	11	11	11	12	11	12	13
12: Property damage and environmental pollution	13	11	10	16	12	16	12	13	12	15	13	14	14
13: Public order offences	9	6	17	11	10	9	9	9	15	10	13	14	14
14: Traffic and vehicle regulatory offences	7	7	7	7	7	8	8	8	9	9	9	9	9
15: Offences against justice procedures, government security and government operations	3	4	4	4	5	5	5	6	6	6	6	6	6
16: Miscellaneous offences	12	9	12	12	12	15	8	13	13	12	26	7	15

**Notes for Table 1:**

- The year recorded is based on the charge outcome date (e.g., the calendar year that a conviction is entered against a charge).
- This data shows the average number of months people have been imprisoned, excluding sentences of life and preventive detention.
- A person is counted once per calendar year for their most serious conviction each year. 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
- The Australian and New Zealand Standard Offence Classification (ANZSOC) is used to categorise offences into 16 divisions, within which subdivisions and groups exist. More information on ANZSOC can be obtained from: [abs.gov.au/ausstats/abs@.nsf/mf/1234.0](http://abs.gov.au/ausstats/abs@.nsf/mf/1234.0).
- Tier 1 statistics are the key official statistics by which New Zealand's performance as a country is measured. Tier 1 statistics are published twice a year in March (calendar year) and September (financial year). There are principles and protocols that govern their production and release. More information about Tier 1 statistics is available from [www.data.govt.nz/use-data/showcase/official-statistics/](http://www.data.govt.nz/use-data/showcase/official-statistics/)
- Data includes cases from the High Court and District Court.



**Table 2: Average sentence length (in months) issued to people sentenced to imprisonment, by age group, for the 2010 to 2022 calendar years**

Age group (years)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
19 and under	14	14	14	16	15	15	16	21	23	19	20	22	29
20-24	13	13	14	15	15	15	14	18	17	18	16	20	22
25-29	15	14	16	16	16	15	15	16	17	16	16	19	19
30-34	16	16	18	16	17	17	17	18	16	16	15	16	19
35-39	17	18	19	19	18	17	18	19	18	18	16	17	17
40-44	17	17	17	19	20	19	18	21	18	17	19	19	19
45-49	18	19	21	21	20	20	18	16	21	18	20	19	20
50-54	17	19	20	19	22	23	21	20	22	19	16	21	26
55-59	21	28	19	18	25	21	22	21	21	24	19	22	21
60-64	16	28	20	26	25	25	30	24	26	33	27	31	18
65 and over	26	32	30	36	22	20	23	30	31	28	37	28	27
Unknown	31	38	30	39	33	28	58	36	38	43	37	52	46

**Notes for Table 2:**

- The age recorded is the person's age at the date of their most serious event, per calendar year. A small number of records in the Ministry of Justice database are missing some details. Blank or missing details are labelled as Unknown.
- This data shows the average number of months people have been imprisoned, excluding sentences of life and preventive detention.
- A person is counted once per calendar year for their most serious conviction each year. 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, bail and maximum offence penalties.
- Calendar year is based on the charge outcome date (e.g., the year that a charge is convicted).
- Tier 1 statistics are the key official statistics by which New Zealand's performance as a country is measured. Tier 1 statistics are published twice a year in March (calendar year) and September (financial year). There are principles and protocols that govern their production and release. More information about Tier 1 statistics is available from [www.data.govt.nz/use-data/showcase/official-statistics/](http://www.data.govt.nz/use-data/showcase/official-statistics/).
- Data includes cases from the High Court and District Court.

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**Table 3: Average sentence length (in months) issued to people sentenced to imprisonment, by ethnicity, for the 2010 to 2022 calendar years**

Ethnicity	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
European	15	16	17	18	18	18	17	19	19	18	18	20	22
Māori	14	14	15	15	15	15	15	16	16	16	15	17	17
Pacific Peoples	21	22	20	23	24	20	21	25	26	22	22	24	27
Asian	39	36	29	30	37	38	35	38	33	39	27	31	35
Other	25	23	41	26	31	39	20	20	23	20	18	25	33
Unknown	10	14	17	16	19	23	23	32	31	31	37	39	29

**Notes for Table 3:**

- We advise caution when interpreting different average sentence lengths given to people, in different ethnic groups. Such differences will be driven by a range of factors. It is important to note that the mix of the offences committed by individuals in different ethnic groups will have the biggest impact on the overall average sentence length.
- The calendar year recorded is based on the charge outcome date (e.g., the calendar year that a charge is convicted).
- 'Multiple ethnicity' information is used in this table. This means that for each ethnicity a person is, it's counted once per year (e.g., they will be counted as both European and Māori). As some people have multiple recorded ethnicities this will result in the sum of ethnicities being greater than the total number of people each year.
- This data shows the average number of months people have been imprisoned, excluding sentences of life and preventive detention.
- A person is counted once per calendar year for their most serious conviction each year. 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.
- Tier 1 statistics are the key official statistics by which New Zealand's performance as a country is measured. Tier 1 statistics are published twice a year in March (calendar year) and September (financial year). There are principles and protocols that govern their production and release. More information about Tier 1 statistics is available from [www.data.govt.nz/use-data/showcase/official-statistics/](http://www.data.govt.nz/use-data/showcase/official-statistics/).
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