

Adults convicted and sentenced

Data highlights for 2018

This summary highlights key data trends in the statistics for adult conviction and sentencing. These are produced by the Ministry of Justice and published by Stats NZ.¹ The statistics include information on adults (aged 17 years or older) with charges finalised in court from 1980 to 2018.²

Number of charges and number of adults charged fell slightly in 2018

In 2018 there were 208,356 charges against adults (counting each charge individually). This is a 5% decrease compared to 2017, and a 42% decrease compared to the peak in 2009 when there were 338,272 charges against adults.

Like the trend in the number of charges, the number of adults³ charged in 2018 has also fallen compared with the previous year, following a period of relative stability since 2015 (Figure 1). In 2018, 73,557 adults were charged with at least one offence, which is 4,164 (5%) fewer than the number charged in the previous year.

The number of adults charged has fallen by 42% since the peak in 2009, mostly due to steady decreases between 2009 and 2015.

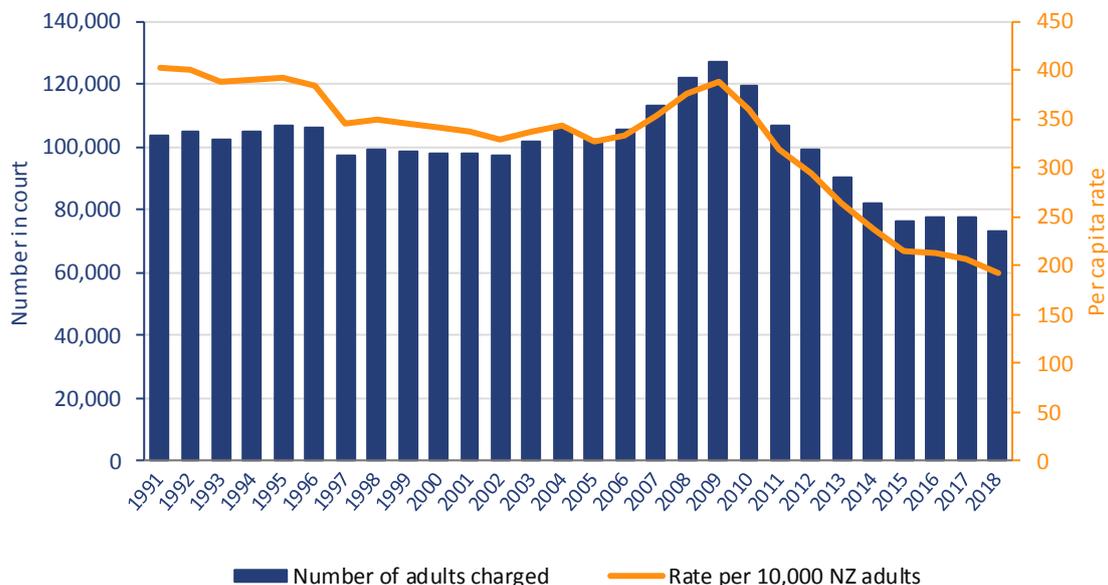
Traffic offences and breaches of community orders are the most common convicted charges

When counting convicted charges individually, the most common offence types⁴ in 2018 were:

- traffic offences, such as excess breath alcohol (36,015 convicted charges)
- offences against justice, such as breaching a community work order (34,423 convicted charges)
- theft (17,560 convicted charges)
- assault (14,764 convicted charges)
- drug offences (10,527 convicted charges).

People may be convicted of multiple charges per year as they may be brought to court and convicted more than once in the year for repeat offending or be convicted of multiple offences (each of which is a

Figure 1: The number of adults charged in court has decreased by 42% over the last 10 years



separate charge) at the same time. The total number of convicted charges against adults will be larger than the number of adults convicted in the year

The following figures count an adult once per year for their most serious convicted charge in that year.⁵ In 2018, adults were most likely to have the following offence types as their most serious convicted charge:

- traffic offences (22,634 people convicted; 7% decrease compared with 2017)
- offences against justice, such as breaching a community work order (8,854 people convicted, 2% decrease)
- assault (7,275 people convicted, 8% decrease)
- dangerous or negligent acts (mostly dangerous driving) (4,569 people convicted, 1% decrease)
- theft (4,249 people convicted, 7% decrease).

The different order shows that only looking at an adult's most serious convicted offence in a year hides other convicted offending also occurring in that year and is therefore not a good indication of the overall level of offending. For example, while drug convictions are common, they are less likely to be an adult's most serious offence in the year (i.e. adults convicted of drug offences are likely to also be convicted of other more serious offences).

Most adults charged receive a conviction

In 2018, 60,715 adults (83% of all adults charged) were convicted of at least one offence. This

decreased by 6% since 2017, closely following the trend in the number of adults charged. The percentage of adults charged who received a conviction has been relatively stable over the last five years.

In the past year, 8% of adults charged received an 'other proved' outcome (discharge without conviction or diversion) as their most serious charge outcome. A further 10% of adults received a 'not proved' outcome (including acquittal, withdrawal and dismissal of the charge) as their most serious outcome

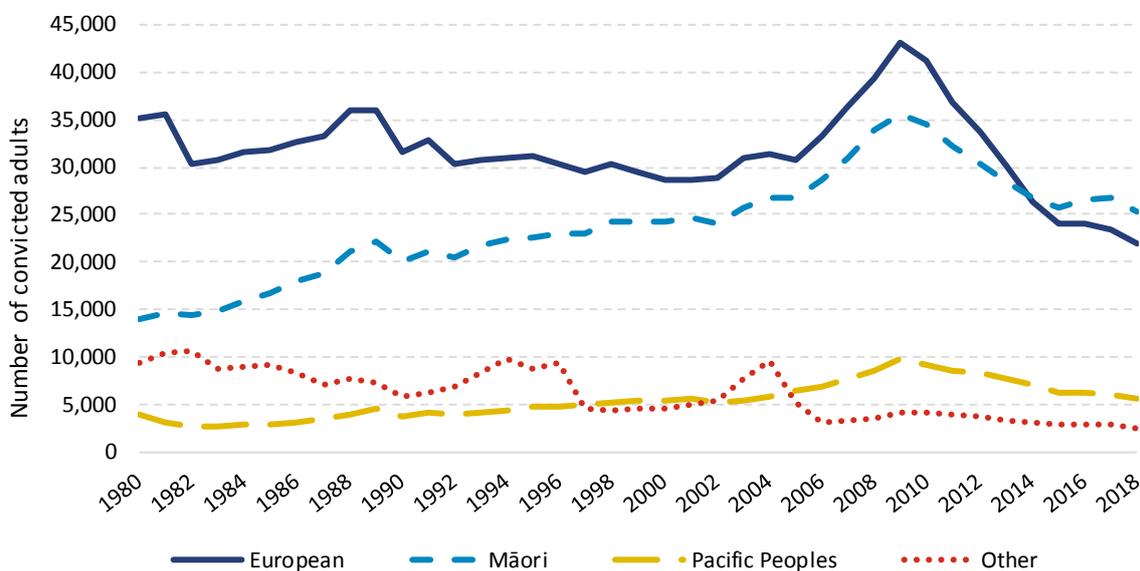
Most convicted adults are male

Three-quarters (78%) of adults convicted in 2018 were male. The proportion of males to females with a convicted charge has changed little over the past three decades.

Half of convicted adults are less than 30 years old

Half of the adults convicted in 2018 were under 30 years old (30% 17 - 24 years, 20% 25 - 29 years, 25% 30 - 39 years and 25% 40 years or older).⁶ The proportion of adults convicted who are under 25 years old has been steadily decreasing since 2009, mostly driven by the decrease in the proportion of 17-19-year olds.

Figure 2: The number of convicted adults fell across all ethnicities in 2018



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

In 2018, there were 25,222 Māori adults who were convicted of at least one offence. This fell by 1,615 (6%) compared with 2017 (Figure 2).⁷ In comparison, there were 21,886 European adults convicted of an offence in 2018, which was a 7% reduction (1,626 fewer convicted adults) compared to 2017.

While the number of Māori adults convicted has fallen by 29% over the last 10 years, the number of Europeans convicted has fallen at a faster rate (by 49%) over the same period. As a result, Māori comprised 42% of adults convicted in 2018, compared with 36% of adults convicted in 2009

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 2018, the most serious sentences received by convicted adults were:

- monetary penalties (33%; 20,279 adults)
- community work (20%; 11,990 adults)

- imprisonment (12%; 7,367 adults)
- community detention (8%; 4,666 adults)
- supervision (7%; 4,111 adults)
- home detention (5%; 2,982 adults)
- intensive supervision⁹ (4%; 2,498 adults)
- other sentence types (6%; 3,649 adults)
- no sentence imposed (5%; 3,173 adults).

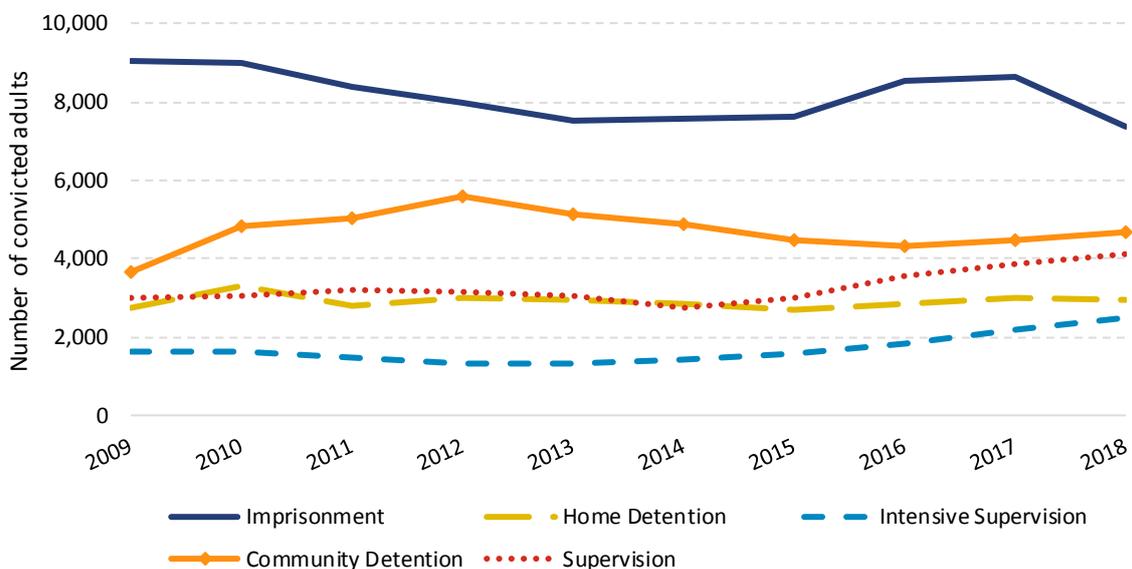
The number of adults receiving a prison sentence increased between 2015 and 2017, however over the past year it has decreased by 15%, bringing it back to levels seen before the increase (Figure 3).

The decrease in people sentenced to imprisonment over the past year has been offset by an increase in non-custodial sentences such as community detention.

There was an increase in the number of people receiving non-custodial community-based sentences such as intensive supervision (14% increase, 2,186 to 2,498), supervision (6% increase, 3,895 to 4,111) and community detention (4% increase, 4,504 to 4,666).

In contrast, there was a decrease in the number of adults receiving community work (13% decrease, 13,818 to 11,990), and monetary penalties (5% decrease, from 21,245 to 20,279) as their most serious sentence over the past year.

Figure 3: The number of people whose most serious sentence was prison fell in 2018, while the number with a non-custodial community sentence increased



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 Stats NZ publishes separate tables for children and young people (aged 10 - 16 years).

³ 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.

⁴ 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>.

⁵ 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.

⁶ Age percentages were calculated excluding organisations and people of unknown age from the total.

⁷ 'Unknown' ethnicities are not shown. In 2004 the Ministry changed to the CMS electronic case management system. This resulted in an increase in the number of children and young people with ethnicities classified as 'Other' around this time.

⁸ Sentences include (in order of seriousness): imprisonment (life imprisonment, preventive detention and imprisonment), home detention, community detention, intensive supervision, community work, supervision, monetary, other (including deferment, and orders related to driving (eg Disqualification from driving, Alcohol interlock order, Zero alcohol order), orders related to forfeiture and confiscation (eg 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).

⁹ These sentence types were introduced by the Sentencing Amendment Act 2007. Home detention requires a person to remain at an approved residence (except for approved reasons such as attending rehabilitation programmes or employment) and includes electronic monitoring. Community detention restricts a person's movements during their curfew. Intensive supervision is a longer sentence requiring a person to report to a probation officer more regularly and attend programmes to address the issues that led to offending.