

# Adults convicted and sentenced

## Data highlights for 2018/2019

This summary highlights key data trends in the adult conviction and sentencing statistics. The statistics are produced by the Ministry of Justice and published by Stats NZ.<sup>1</sup> The statistics include information on adults (aged 17 years or older) with charges finalised in court from the year ending June 1981 to the year ending June 2019 (2018/2019).<sup>2</sup>

### The number of charges and the number of adults charged continued to fall in 2018/2019

In 2018/2019 there were 205,533 charges against adults (counting each charge individually). This decreased by 3% compared to 2017/2018, and by 38% compared to 2009/2010.

Similarly, the number of adults<sup>3</sup> charged in court in 2018/2019 fell compared to the previous year (Figure 1). In 2018/2019, 72,594 adults were charged with at least one offence, which is 2,881 (4%) fewer than the number charged in the previous year.

The number of adults charged in court has fallen by 42% since the peak in 2009/2010, mostly due to steady decreases between 2009/2010 and 2015/2016.

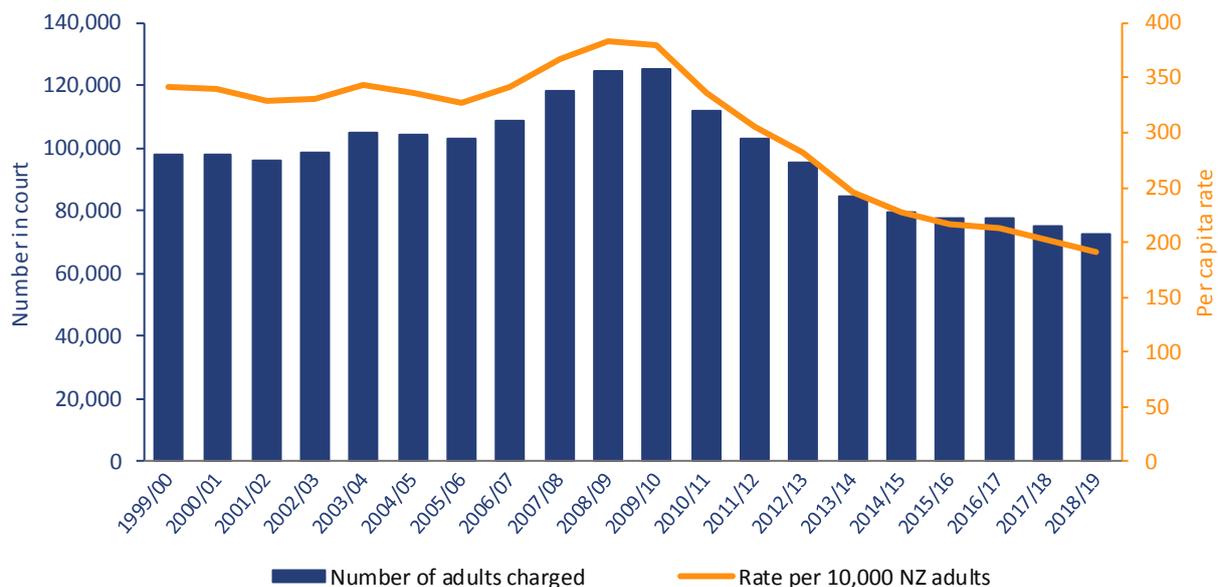
### Traffic offences and breaches of community orders are the most common convicted charges

Counting convicted charges individually, the most common offence types<sup>4</sup> in 2018/2019 were:

- traffic offences, such as excess breath alcohol (35,453 convicted charges)
- offences against justice, such as breaching a community work order (34,710 convicted charges)
- theft (17,408 convicted charges)
- assault (14,389 convicted charges)
- drug offences (10,004 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 separate charge) at the same time.

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



Therefore, the total number of convicted charges against adults is larger than the number of adults convicted in the year.

The following figures count adults once per year for their most serious convicted charge in that year.<sup>5</sup> In 2018/2019, adults were most likely to have the following offence types as their most serious convicted charge:

- traffic offences (22,414 people convicted; 4% decrease compared to 2017/2018)
- offences against justice, such as breaching a community work order (8,797 people convicted, no change compared to 2017/2018)
- assault (7,061 people convicted, 5% decrease)
- dangerous or negligent acts (mostly dangerous driving) (4,208 people convicted, 11% decrease)
- theft (4,112 people convicted, 6% decrease).

The order of the most common offence types for *convicted adults* is different from the order for *convicted charges*. This is because the figures for *convicted adults* only count the adult's most serious convicted offence in the year. This hides other convicted offending occurring in that year and is therefore a poor 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 have other more serious convicted offences).

## Most adults charged receive a conviction

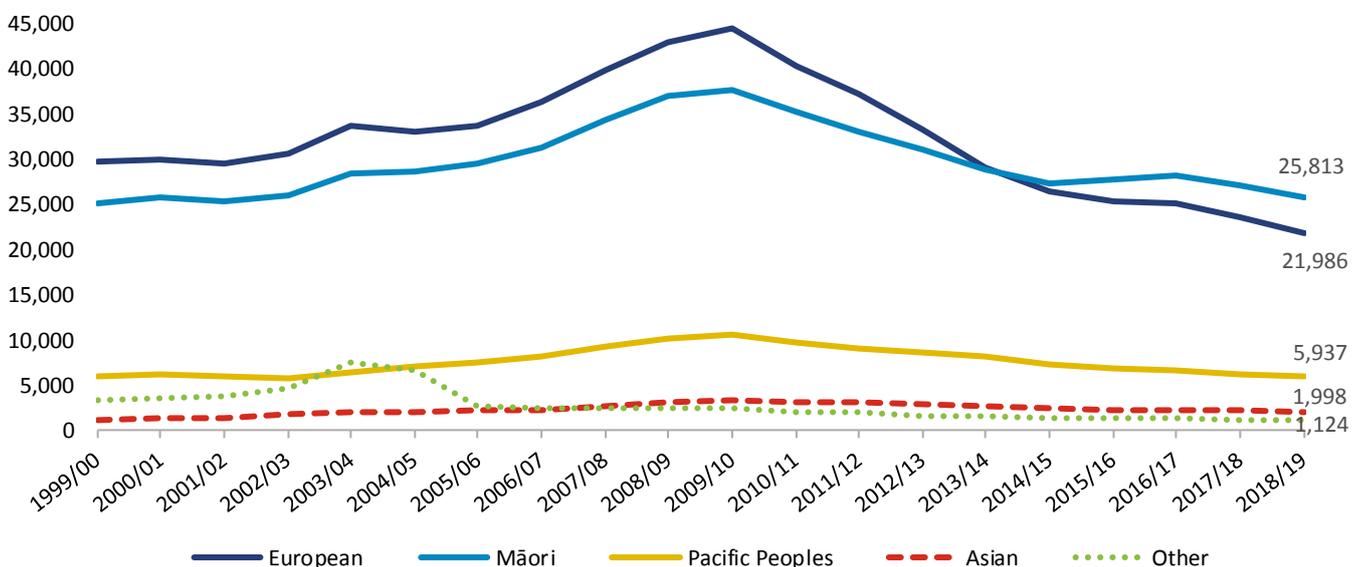
In 2018/2019, 58,991 adults (81% of all adults charged in court) were convicted of at least one offence. A further 8% received an 'other proved' outcome (discharge without conviction or diversion), and 11% received a 'not proved' outcome (including being found not guilty, and withdrawal or dismissal of the charge) as their most serious outcome in the year.

Following steady decreases since 2015/2016, the percentage of adults charged in court who received a conviction has continued to drop in 2018/2019 (from 82% in 2017/2018 to 81% in 2018/2019). Meanwhile, the percentage of adults whose most serious outcome was 'not proved' has continued to increase (from 10% in 2017/2018 to 11% in 2018/2019). This change is mostly due to an increased rate of withdrawal, and therefore decreased conviction rate, for adults with an offence against justice as their most serious offence.

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

In 2018/2019, there were 25,813 Māori adults convicted of at least one offence. This fell by 1,375 (5%) compared with 2017/2018 (Figure 2).<sup>6</sup> In comparison, there were 21,986 European adults convicted of an offence in 2018/2019, which was a 7% reduction (1,762 fewer convicted adults) compared to 2017/2018.

**Figure 2: The number of convicted adults fell across all ethnicities in 2018/2019**



While the number of Māori adults convicted has fallen by 31% over the last 10 years, the number of Europeans convicted has fallen at a faster rate (by 51%) over the same period. As a result, Māori comprised 44% of adults convicted in 2018/2019, compared with 38% of adults convicted in 2009/2010.

### 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.

### Almost half of convicted adults are less than 30 years old

In 2018/2019, almost half of convicted adults were less than 30 years old (28% were 17 – 24 years, 20% 25 – 29 years, 25% 30 - 39 years, and 26% 40 years or older).<sup>7</sup> The proportion of adults convicted who are under 25 years old has been steadily decreasing since 2009/2010, mostly driven by the decrease in the proportion of 17-19-year olds.

### Community and monetary sentences were the most common sentence types

A person may receive more than one sentence when convicted of a charge.<sup>8</sup> These statistics count the most serious sentence received by each adult in a year.

In 2018/2019, the most serious sentences received by convicted adults were:

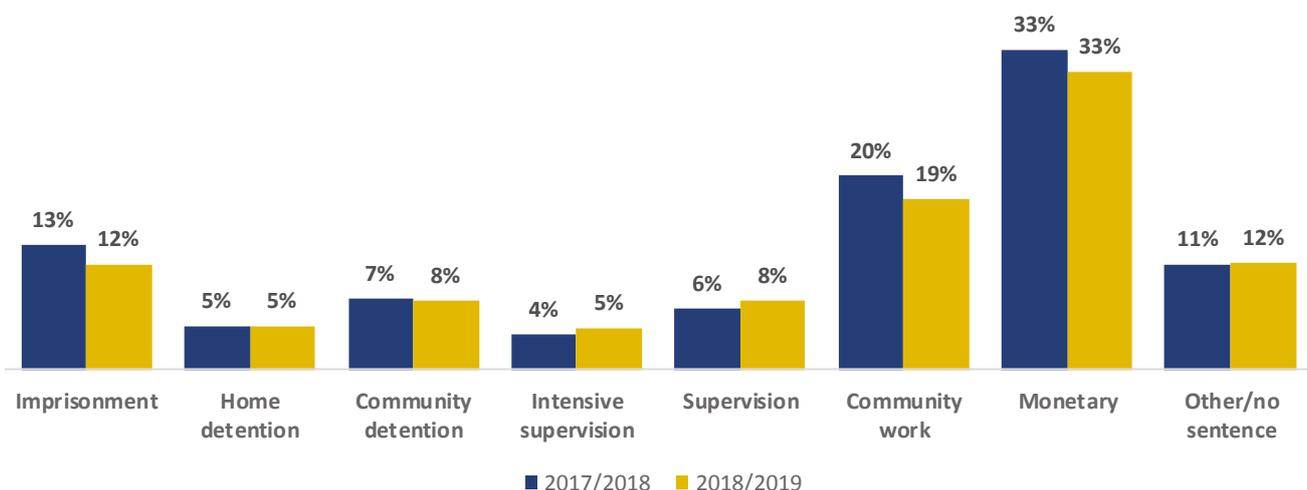
- imprisonment (12%)
- home detention<sup>9</sup> (5%)
- community detention (8%)
- intensive supervision (5%)
- community work (19%)
- supervision (8%)
- monetary penalties (33%)
- other sentence types (6%)
- no sentence imposed (6%).

The number of adults receiving a prison sentence increased between 2013/2014 and 2016/2017, however over the past year it has decreased from 8,130 people (13%) in 2017/2018 to 6,883 (12%) in 2018/2019. This has brought the number of adults receiving a prison sentence 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 community-based sentences such as intensive supervision (20% increase, 2,279 to 2,729), and supervision (14% increase, 3,949 to 4,521). Other non-custodial sentences such as home or community detention were relatively stable over the past year (Figure 3).

In contrast, there was a continued decrease in the number of adults receiving community work (12% decrease, from 12,636 to 11,116), and monetary penalties (7% decrease, from 20,845 to 19,423) as their most serious sentence.

**Figure 3: Fewer people had imprisonment as their most serious sentence in 2018/2019, while more had supervision or intensive supervision**



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<sup>1</sup> <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/>

<sup>2</sup> Stats NZ publishes separate tables for children and young people (aged 10 - 16 years).

<sup>3</sup> 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.

<sup>4</sup> 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>.

<sup>5</sup> 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.

<sup>6</sup> 'Multiple ethnicity' information is used for these statistics. This means for each ethnicity a person is counted once per year (e.g. they may be counted in both European and Māori). '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.

<sup>7</sup> Age percentages were calculated excluding organisations and people of unknown age from the total.

<sup>8</sup> 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 (e.g. disqualification from driving, alcohol interlock order, zero alcohol order), orders related to forfeiture and confiscation (e.g. 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).

<sup>9</sup> Home detention, community detention and intensive supervision were introduced in 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.

For more, go to  
[justice.govt.nz/justice-sector-policy/research-data/justice-statistics](https://www.justice.govt.nz/justice-sector-policy/research-data/justice-statistics)