

19 August 2022

Rob Sewell
fyi-request-19988-54e63403@requests.fyi.org.nz

Our ref: OIA 97833

Tēnā koe Rob

Official Information Act 1982 request: Information relating to people appearing in District Courts

Thank you for your email of 22 July 2022 to the Ministry of Justice (the Ministry) requesting information under the Official Information Act 1982 (the Act), about research or policies on gender diverse and/or sexually diverse people appearing in District Courts.

Please find the Ministry's response to each part of your request below.

- 1. Has the Ministry of Justice (or any contractors on behalf of the Ministry) conducted research into gender diverse and sexually diverse (LGBTIQ+, Takatāpui, queer) people appearing in criminal District Courts? If so, please provide me with the titles of those pieces of research, and the dates they were completed.*
- 2. Please provide me with all documents identified in relation to question 1.*

The Ministry has not conducted any research into the gender diversity of people appearing in criminal District Court. Therefore, these parts of your request are refused under section 18(e) of the Act as the information does not exist.

- 3. The number cases involving gender diverse defendants currently before the criminal District Court (or the most recently available data set) compared to the total number of cases (broken down by gender identity).*

The Case Management System used by the District Court registries does not record case information on gender diversity. This part of your request is therefore refused under section 18(e) of the Act as the information does not exist.

However, you may find useful statistical information for people charged and convicted, available at: justice.govt.nz/justice-sector-policy/research-data/justice-statistics/data-tables

- 4. All Ministry of Justice policies relating to gender diverse and sexually diverse (LGBTIQ+, Takatāpui, queer) people appearing in criminal District Courts.*

The Ministry does not have any policies that would be in scope of this part of your request. This part of your request is therefore refused under section 18(e) of the Act as the information does not exist.

5. *All policies relating to the implementation of Te Ao Mārama including any documentation relating to Te Ao Mārama and gender diverse and sexually diverse (LGBTIQ+, Takatāpui, queer) people appearing in criminal District Courts.*

For the District Court, Te Ao Mārama envisages a place where all people can come to court to seek justice, regardless of their culture or ethnicity, regardless of their means or abilities and regardless of who they are or where they are from. Te Ao Mārama is currently being established and a business case is being developed to access Government support provisioned through Budget 2022 programme funding. More information about the programme's vision can be found at: districtcourts.govt.nz/reports-publications-and-statistics/publications/norris-ward-mckinnon-annual-lecture-2020.

As there are no specific policies in place, this part of your request is refused under section 18(e) of the Act as the information does not exist.

6. *All training documents relating to court staff interacting with gender diverse and sexually diverse (LGBTIQ+, Takatāpui, queer) people.*

The Ministry does not hold any training documents that would be in scope of this part of your request. Therefore, it is refused under section 18(e) of the Act as the information does not exist.

However, an e-learning module *Including Rainbow Communities* is currently being developed for Ministry employees. This module will outline how Rainbow communities can be included in diverse and inclusive practices. It is planned to be launched to all kaimahi across the Ministry and Te Arawhiti this year.

We also have e-learning modules available that focus on addressing bias/unconscious bias, racism and discrimination. While those modules are not specific to Rainbow communities, they do include the experiences of Rainbow community members, particularly around:

- the correct use of pronouns with a description of each pronoun
- education and understanding around sexuality, gender and the correct use of terms across the LGBTQIA+ community.

In addition, the Ministry's Tātou Tātou Rainbow Network hosted Out @ PSA for their Gender and Sexual Diversity at Work training module in July 2021. While the training was not targeted specifically at court staff, some court staff did attend it. A resource is enclosed, which was given to the attendees of this event.

Should you have any concerns with this response, I would encourage you to raise these with the Ministry. Alternatively, you are advised of your right under section 28(3) of the Act to also raise any concerns with the Office of the Ombudsman. The Ombudsman may be contacted by email to: info@ombudsman.parliament.nz

Nāku noa, nā



Jenna Bottcher Hansen
Manager, Ministerial Relations and Services