

12 September 2018

C98615

Lance O'Riley
fyi-request-8400-839a9b04@requests.fyi.org.nz

Dear Mr O'Riley

Thank you for your emails of 28 July and 19 August 2018, requesting information about conviction and three strikes offences. Your request has been considered under the Official Information Act 1982 (OIA).

When assessing the information below, please note that Corrections has conviction and sentencing data only for offenders who have been managed by Corrections.

It is also important to note that sentencing, including severity and length, is imposed by the courts and outside the remit of Corrections. Our responsibility is to administer these sentences in a manner that is safe, secure and humane, in accordance with legislation and while maintaining public safety.

1. *How many convictions on average does the overall prison population have?*

As at 31 July 2018, the average number of convictions for a remand or sentenced prisoner is 39.

2. *How many convictions on average does an offender sentenced to a period of incarceration for their second qualifying offence under the Sentencing and Parole Reform Act have.*

The average number of convictions for an offender who has been convicted of their second qualifying offence is 37.4.

3. *How many convictions on average does an offender sentenced to a period of incarceration for their third qualifying offence under the Sentencing and Parole Reform Act have.*

The average number of convictions for an offender who has been convicted of their third qualifying offence is 63.5. Please note there have only been four offenders who have received a custodial sentence with a third strike.

4. *How many convictions have been made for each of the offences listed in the Sentencing and Parole Reform Act.*

Please find attached at Appendix One the number of convictions for each qualifying offence.

5. *For all offenders who have been convicted and released after their first strike offence, how many have reoffended for any crime (not just those which qualify for a second strike).*

3,712 prisoners have been released after receiving a custodial sentence with a first strike offence since the legislation came into force. In 1,926 of these cases the offender has been convicted for new offending since their release date (up until 13 August 2018).

6. *For all offenders who have received a period of incarceration for an offence which would not qualify as an offence under the Sentencing and Parole Reform Act, how many have reoffended for any crime after they were released (not just those which qualify for a first strike).*

54,931 prisoners have been released since 1 June 2010 after receiving a custodial sentence for non-qualifying offences. In 40,211 of these cases the offender has received convictions for new offending since their release date (up until 13 August 2018).

On 19 August 2018, you requested the following information:

7. *Number of all offenders currently incarcerated for their first strike offence, second strike offence and third strike offence.*

Please see the table below for the number of prisoners who have been convicted of a strike offence as at 31 July 2018.

Number of strike convictions	Number of offenders
One	3,089
Two	184
Three	4

I trust the information provided is of assistance. Should you have any concerns with this response, I would encourage you to raise these with the Department. Alternatively you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Jo Field'.

Jo Field
Deputy Chief Executive
Service Development

Appendix One - list of offences from all convictions that have a three strikes warning associated with it.

Please note that the total number exceeds the number of offenders with strike warnings, as offenders may be convicted of multiple offences and given warnings in relation to each qualifying offence on a single sentencing occasion.

Offence Code	Offence	Number of Convictions
1111	MURDERS (FIREARM)	21
1112	MURDERS (OTHER WEAPON)	40
1113	MURDERS (MANUALLY)	55
1114	INCITE/COUNCEL/ATTEMPT PROCURE MURDER	1
1116	MURDERS (STABBING/CUTTING WEAPON)	49
1121	ATTEMPTS TO MURDER (FIREARM)	14
1122	ATTEMPTS TO MURDER (OTHER WEAPON)	4
1123	ATTEMPTS TO MURDER (MANUALLY)	9
1124	ATTEMPTS TO MURDER (STAB/CUT WEAPON)	23
1131	MANSLAUGHTER(FIREARM) LEGAL DUTY	3
1132	MANSLAUGHTER(FIREARM) NO LEGAL DUTY	7
1133	MANSLAUGHTER(WEAPON) LEGAL DUTY	1
1134	MANSLAUGHTER(WEAPON) NO LEGAL DUTY	9
1135	MANSLAUGHTER(OTHER MEANS) LEGAL DUTY	28
1136	MANSLAUGHTER(OTHR MEANS) NO LEG DUTY	48
1138	MANSLAUGHTER (STAB/CUT WEAP) NO LEGAL DUTY	20
1139	OTHER MANSLAUGHTER	51
1211	KIDNAPS (FOR GAIN)	55
1212	KIDNAPS (NO GAIN)	72
1219	OTHER KIDNAPPING	460
1311	AGGRAVATED ROBBERY(CAUSE GBH)F/ARM	3
1312	AGGRAVATED ROBBERY(CAUSE GBH)OTH WPN	10
1313	AGGRAVATED ROBBERY(CAUSE GBH)MANUAL	20
1314	AGGRAVATED ROBBERY(FIREARM)	452
1315	AGGRAVATED ROBBERY(OTHER WEAPON)	279
1316	AGGRAVATED ROBBERY (MANUALLY)	51
1317	AGGRAVATED ROBRY (CSE GBH) (STAB/CUT WEAP)	1
1318	AGGRAVATED ROBBERY (STAB/CUT WEAPON)	413
1319	OTHER AGGRAVATED ROBBERY	589
1321	ROBBERY (BY ASSAULT)	456
1322	NON AGG ROBBERY (THREATS TO PERSON)	160
1323	ROBBERY (BY THREATS TO PROPERTY)	24
1329	OTHER ROBBERY	157
1331	ASSAULTS INTENT TO ROB (FIREARM)	56
1332	ASSAULTS INTENT TO ROB(OTHER WEAPON)	43
1333	ASSAULTS INTENT TO ROB (MANUALLY)	119

Offence Code	Offence	Number of Convictions
1334	ASSAULT INTENT TO ROB (STAB/CUT WEAPON)	56
1335	ASSAULTS INTENT TO ROB (WITH ANOTHER PERSON)	57
1336	ASSAULTS WITH INTENT TO ROB - CAUSE GBH	3
1339	OTHER ASSAULTS WITH INTENT TO ROB	6
1361	AGGRAVATED ROBBERY (TOGETHER WITH ANOTHER PERSON/S) - S235(B)	531
1411	WOUNDS - INTENT TO GBH (F/ARM)	24
1412	WOUNDS - INTENT TO GBH (OTH WPN)	372
1413	WOUNDS - INTENT TO GBH (MANUALLY)	258
1414	WOUNDS ETC. INTENT TO INJURE/RECKLESS DISREGARD (FIREARM)	37
1415	WOUNDS ETC. INTENT TO INJURE/RECKLESS DISREGARD (OTHER WEAPON)	341
1416	WOUNDS ETC. INTENT TO INJURE/RECKLESS DISREGARD (MANUALLY)	662
1417	WOUND WITH INTENT TO GBH (STAB/CUT WEAP)	241
1418	WOUNDS ETC. INTENT TO INJURE/RECKLESS DISREGARD (STABBING/CUTTING WEAPON)	247
1419	OTHER WOUNDING WITH INTENT	56
1421	INJURES - INTENT TO GBH (FIREARM)	1
1422	INJURES - INTENT TO GBH (OTHER WEAPON)	131
1423	INJURES - INTENT TO GBH (MANUALLY)	318
1425	INJURES INTENT TO INJURE/RECKLESS DISREGARD (OTHER WEAPON)	2
1426	INJURES INTENT TO INJURE/RECKLESS DISREGARD (MANUALLY)	1
1427	INJURES-INTENT TO GBH (STAB/CUT WEAP)	24
1428	INJURES INTENT TO INJURE/RECKLESS DISREGARD (STABBING/CUTTING WEAPON)	1
1429	OTHER INJURING WITH INTENT	1
1432	AGGRAVATED WOUNDING (OTHER WEAPON)	10
1433	AGGRAVATED WOUNDING (MANUALLY)	8
1435	AGGRAVATED INJURY (OTHER WEAPON)	14
1436	AGGRAVATED INJURY (MANUALLY)	26
1437	AGGRAVATED WOUNDING (STAB/CUT WEAPON)	24
1438	AGGRAVATED INJURY (STAB/CUT WEAP)	6
1439	OTHER AGGRAVATED WOUNDING/INJURY	3
1449	OTHER DISABLING/STUPEFYING	1
1451	DANG ACT - INTENT TO GBH (FIREARM)	22
1453	DANG ACT - INTENT TO GBH (FIRE)	2
1454	DANG ACT - INTENT TO INJ (FIREARM)	32
1455	DANG ACT - INTENT TO INJ (EXPLOSE ETC)	6
1456	DANG ACT - INTENT TO INJ (FIRE)	3
1459	OTHER DANGEROUS ACT WITH INTENT	2
1481	USE F/ARM AGAINST LAW ENFORCEMENT OFFICER	37
1482	USE FIREARM TO RESIST ARREST/DETENTION	6

Offence Code	Offence	Number of Convictions
1483	COMMISSION OF CRIME WITH FIREARM	30
1489	OTHER OFFENCES SECTION 198 OF CRIMES ACT	2
1498	OTHER ASSAULTS WITH WEAPON SECTION 202C	1
1523	ASSAULTS WTH INTENT TO INJ'(MANUALLY)	1
2215	INDECENT ACT (MALE OFFENDER)	1
2619	OTHER ABDUCTION FOR SEX	3
2624	ABDUCTION FOR SEX - GIRL UNDER 12	4
2625	ABDUCTION FOR SEX - GIRL 12 - 16	12
2626	ABDUCTION FOR SEX - FEMALE OVER 16	33
2631	INDECENTLY ASSAULTS FEMALE UNDER 12	835
2632	INDECENTLY ASSAULTS FEMALE 12 - 16	781
2633	INDECENTLY ASSAULTS FEMALE OVER 16	1,501
2634	INDECENT ASSAULT ON BOY UNDER 12	145
2635	INDECENT ASSAULT ON BOY BETWEEN 12 - 16	158
2636	INDECENT ASSAULT ON MAN/BOY OVER 16	129
2639	OTHER INDECENT ASSAULT	28
2645	INDUCE SEXUAL CONNECTION	1
2649	OTHER INDUCING SEXUAL CONNECTION OFFENCES	1
2651	MALE RAPES FEMALE UNDER 12	139
2652	MALE RAPES FEMALE 12 - 16	241
2653	MALE RAPES FEMALE OVER 16	441
2654	HUSBAND RAPES WIFE	18
2655	UNLAWFUL SEXUAL CONNECTION FEMALE UNDER 12	536
2656	UNLAWFUL SEXUAL CONNECTION FEMALE 12 - 16	450
2657	UNLAWFUL SEXUAL CONNECTION FEMALE OVER 16	544
2658	UNLAWFUL SEXUAL CONNECTION WITH SPOUSE	19
2659	OTHER SEXUAL VIOLATION OFFENCES	40
2661	ATTEMPT TO RAPE FEMALE UNDER 12	9
2662	ATTEMPT TO RAPE - FEMALE 12 - 16	22
2663	ATTEMPT TO RAPE - FEMALE OVER 16	15
2665	ATTMPTD UNLAW SEX CONNECT-FEMALE UNDER 12	9
2666	ATTMPTD UNLAWFUL SEX CONNECT-FEMALE 12-16	12
2667	ATTEMPT UNLAW SEX CONNECT-FEMALE OVER 16	17
2669	OTH ATTEMPT COMMIT SEX VIOLATION OFFENCES	14
2671	ASSAULT INTENT COMIT RAPE-FEMALE UNDER 12	1
2672	ASSAULT INTENT COMMIT RAPE - FEMALE 12-16	7
2673	ASSAULT INTENT COMMIT RAPE-FEMALE OVER 16	26
2674	ASSAULT INTENT COMMIT RAPE-SPOUSE	1
2675	ASSLT INTNT COMIT SEX CONECT-FML UNDER 12	1
2676	ASSLT INTNT COMIT SEX CONECT-FML 12-16	2
2677	ASSLT INTNT COMIT SEX CONECT-FML OVER 16	18
2678	ASSAULT INTENT COMMIT SEX CONNECT-SPOUSE	2

Offence Code	Offence	Number of Convictions
2679	OTHER ASSAULT INTENT TO COMMIT SEX VIOLTN	13
2693	UNLAWFUL SEXUAL CONNECTION MALE UNDER 12	82
2694	UNLAWFUL SEXUAL CONNECTION MALE 12 TO 16	73
2695	UNLAWFUL SEXUAL CONNECTION MALE OVER 16	42
2696	ATTEMPTED U/L SEXUAL CONNECTN MALE UND 12	2
2697	ATTEMPTED U/L SEXUAL CONNECTN MALE 12-16	2
2698	ATTEMPTED U/L SEXUAL CONECTN MALE OVER 16	2
2731	SEXUAL CONNECTION DEPENDENT FAMILY MEMBER	41
2732	ATTMPT SEX CONNECTION DEPENDENT FAMILY MEMBER	3
2816	SEXUALCONNECTION WITH CHILD UNDER 12	28
2817	SEXUAL CONNECTION WITH YOUNG PERSON 12 - 16	986
2819	OTHER UNLAWFUL SEXUAL INTERCOURSE	1
2826	ATMPT SEX CONNECTION WITH CHILD UNDER 12	8
2827	ATMPT SEX CONNECTION WITH PERSON 12 - 16	17
2833	FEMALE INDECENTLY ASSAULTS GIRL OVER 16	11
2839	OTHER INDECENT ASSAULTS	42
2841	DOES INDECENT ACT UPON GIRL UNDER 12	305
2842	DOES INDECENT ACT UPON GIRL 12-16	321
2848	DOES INDECENT ACT FEMALE WITH BOY 12 - 16	9
2851	SEX EXPLOITATION SIGNIFICANT IMPAIRMENT	40
2853	DOES INDECENT ACT- PERSON SIGNIFICANT IMPAIRMENT	1
2861	DOES INDECENT ACT MALE WITH GIRL UNDER 12	141
2862	DOES INDECENT ACT MALE WITH GIRL 12-16	179
2871	DOES INDECENT ACT WITH/UPON BOY UNDER 12	115
2873	DOES INDECENT ACT WITH/UPON BOY 12-16	114
4126	BURGLES(OTH PROP)(UNDER \$500)BY NGT	1
4129	OTHER BURGLARY (OTHER PROPERTY)	2
4155	COMMITTING BURGLARY WITH A WEAPON (FIREARM)	77
4156	COMMITTING BURGLARY WITH A WEAPON (OTHER WEAPON)	372
4157	REMAINED AFTER BURGLARY (FIREARM)	3
4158	REMAINED AFTER BURGLARY (OTHER WEAPON)	44
4159	OTHER AGGRAVATED BURGLARY OFFENCES	3
4353	THEFT EX PERSON (\$500-\$1,000)	1
4373	THEFT PROPERTY (UNDER \$500)	1
4998	ACCESSORY AFTER THE FACT (GENERAL)	1
6851	UNLAW CARRY/POSSESS F'ARM/RES WPN/EX/AMM	1
		16,709