

14 December 2022

C161059

S 9(2)(a)

Tēnā koe S 9(2)(a)

Thank you for your request of 4 November 2022 under the Official Information Act 1982 (OIA) made to the Ministry of Justice (MoJ) for statistics on those that have been sentenced to time served. As part of your request more closely relates to the functions of the Department of Corrections – Ara Poutama Aotearoa, it was partially transferred to Corrections on 11 November 2022, in accordance with section 14 of the OIA. Your request has been considered under the OIA.

You requested:

I want to request statistics regarding offenders sentenced and receiving time served. I would like to know how many offenders have received such a sentence in the current financial year (July 1 2022 – now) as well as the number for each of the previous ten financial years. I would like this information broken down by financial year.

Corrections does not determine whether a person is sentenced to prison or the length of their sentence. Corrections also does not determine whether someone is remanded in custody, or the length of time they are on remand. Corrections manages individuals at the direction of the courts and New Zealand Parole Board.

The amount of time a person can spend in prison on remand is dependent on how long it takes for the judicial process to be completed by the courts. This is influenced by many factors, including the complexity of the case and the plea entered. Corrections does not manage court proceedings. The court system is overseen by the Ministry of Justice. Any further questions regarding this process are best directed to their agency.

Although decisions to remand a person in custody are determined by the Courts, Corrections is continuing to work towards long term reductions in the remand population through the High Impact Innovation Programme (HIIP).

HIIP has operated a number of initiatives to prevent unnecessary delays for people in the justice system, both for people on remand and those who have been sentenced. The initiatives improve information flow and access to information, which enables informed decision-making by the judiciary or New Zealand Parole Board as quickly and safely as possible. The initiatives also provide increased support to people in the justice system, reduce harm and improve the likelihood of someone complying with any conditions imposed on them by the Courts or New Zealand Parole Board.

An example of a long-standing HIIP initiative being implemented into Corrections as business as usual following a successful pilot is the Bail Support Services (BSS). BSS is a multi-year programme of work that aims to better support people in the application and maintenance of bail, and achieve positive change early in their justice system journey. BSS offers tailored support for people to address their social needs, while navigating through the justice sector. An example of support provided through BSS is the assistance people are offered in finding suitable bail accommodation where possible. BSS is currently being implemented across New Zealand with support from justice sector partners, including the Ministry of Justice.

Corrections is also working across the country to reduce the time it takes for people remanded in custody to be sentenced after conviction. HIIP's Sentencing Ready team works with parties who contribute to sentencing hearings to help make sure all necessary information is available at sentencing hearings. When all required information is presented at a hearing, Judges are better able to make decisions without having to adjourn the hearing and delay sentencing. This can mean people spend less time remanded in custody awaiting a sentencing outcome. Once their community-based or prison sentence begins people have more opportunity to access rehabilitation.

The table below provides the number of time-served releases and the percentage of all releases that time-served releases represent.

Financial Year	Total number of releases	Time-served Releases	Percentage of releases that were time-served
2012/13	14,538	1,322	9%
2013/14	13,876	1,221	9%
2014/15	13,438	1,198	9%
2015/16	14,504	1,480	10%
2016/17	16,040	1,910	12%
2017/18	16,349	2,245	14%
2018/19	14,803	2,363	16%
2019/20	13,631	2,591	19%
2020/21	12,307	2,548	21%
2021/22	10,047	2,075	21%
2022/23*	6,164	1,290	21%

*as at 31 October 2022

Please note that this response may be published on Corrections' website. Typically, responses are published quarterly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

I trust the information provided is of assistance. I encourage you to raise any concerns about this response with Corrections. 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.

Ngā mihi

A handwritten signature in blue ink, appearing to read 'Leigh Marsh', is positioned above the printed name.

Leigh Marsh
National Commissioner