

13 October 2022

I Brown

fyi-request-20295-692470f9@requests.fyi.org.nz

Our ref: OIA 98535

Tēnā koe I Brown

Official Information Act 1982 request

Thank you for your email sent on 19 August 2022 requesting, under the Official Information Act 1982 (the Act), information relating to case review hearings for criminal cases. Specifically, you requested:

1. *The number of criminal cases that went to case review hearing in the years 2017, 2018, 2019, 2020, and 2021; and*
2. *The number of criminal cases in total in the years 2017, 2018, 2019, 2020, and 2021; and*
3. *The number of cases where case review hearings were adjourned at least once in the years 2017, 2018, 2019, 2020, and 2021; and*
4. *The number of cases where case review hearings were adjourned at least twice in the years 2017, 2018, 2019, 2020, and 2021; and*
5. *The number of cases where case review hearings were adjourned at least three times or more in the years 2017, 2018, 2019, 2020, and 2021; and*
6. *The number of case review hearings that had disclosure issues raised by the defence on the case management memorandum in the years 2017, 2018, 2019, 2020, and 2021; and*
7. *The number of case review hearings that were adjourned due to disclosure issues raised by the defence in the years 2017, 2018, 2019, 2020, and 2021; and*
8. *The number of cases where sanctions were imposed upon or awarded against the New Zealand Police, or an individual Police officer, for delays in providing disclosure in the years 2017, 2018, 2019, 2020, and 2021; and*
9. *A breakdown of the types of sanctions imposed upon or awarded against the either the New Zealand Police or individual Police officers for delays in providing disclosure in the years 2017, 2018, 2019, 2020, and 2021 and the numbers of each type sanction imposed for each year.*

In response to part 1 of your request, please refer to Table 1 attached, which provides you with the number of cases each year from 2017 and 2021 that had a case review hearing.

In response to part 2 of your request, please refer to Table 2 attached, which provides you with the total number of criminal cases disposed of each year from 2017 and 2021.

I have interpreted parts 3, 4 and 5 of your request as follows:

3. *The number of cases where case review hearings were adjourned once in each of the years 2017, 2018, 2019, 2020, and 2021; and*
4. *The number of cases where case review hearings were adjourned twice in each of the years 2017, 2018, 2019, 2020, and 2021; and*
5. *The number of cases where case review hearings were adjourned three times or more times in each of the years 2017, 2018, 2019, 2020, and 2021.*

Please refer to Table 3 attached, which provides you with the number of case review hearings that were adjourned once, twice, three times or more, between 2017 and 2021.

In response to parts 6 and 7 of your request, the Ministry of Justice (the Ministry) does not hold the information you have requested. This information may be held on the court files, but court information is not subject to the Act as per section 2(6)(a). I am therefore refusing these parts of your request.

In response to parts 8 and 9 of your request, the Ministry does not hold this information. We contacted New Zealand Police to see whether these parts of your request should be transferred to them, but they confirmed they do not hold the information either. Parts 8 and 9 of your request are therefore refused under section 18(g)(i) of the Act on the grounds that the information requested is not held by the Ministry.

If you require further information, please contact Joe Locke, Media Manager on 021 636 416, or email media@justice.govt.nz

If you are not satisfied with this response, you have the right to make a complaint to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by phone on 0800 802 602 or by email to info@ombudsman.parliament.nz.

Nāku noa, nā

A handwritten signature in dark ink, appearing to be 'BF' followed by a stylized flourish.

Bruce Findlay
Acting Group Manager, Courts and Tribunals, Regional Service Delivery

Table 1: Number of cases with a case review hearing, broken down by court and calendar year from 2017-2021

Court Type	2017	2018	2019	2020	2021
District Court	27,615	28,859	28,088	26,543	23,258
Youth Court	136	119	107	112	85
High Court	41	41	67	50	22
Total	27,792	29,019	28,262	26,705	23,365

Notes for Table 1:

- Year is based on the year the case review hearing occurred.
- This data is based on regular reporting datasets, and several business rules have been applied to remove data with quality issues.
- The numbers for the High Court will generally only apply to Category 4 cases as protocol cases will have their case review hearings in the District Court before any determination is made.
- A case is counted once per year. For example, one case that may have had two case review hearings in the same year is counted once only in that calendar year.
- This data includes cases in the High Court, District Court, and Youth Court.

Table 2: Number of cases disposed of, by court and calendar year from 2017-2021

Court Type	2017	2018	2019	2020	2021
District Court	102,992	95,099	90,158	79,572	68,214
Youth Court	2,263	1,927	1,720	1,724	1,428
High Court	170	173	158	146	173
Total	105,425	97,199	92,036	81,442	69,815

Notes for Table 2:

- This data counts criminal cases disposed of in Categories 1 to 4.
- Year is based on the case disposal date.
- High Court numbers include cases that were completed at the Admin/Review/Trial stages in the District Court and/or Youth Court and transferred to the High Court for sentencing only.
- This data includes cases in the High Court, District Court, and Youth Court.

Table 3: Number of case review hearings that were adjourned once, twice and three times or more, by calendar year from 2017-2021

Number of adjournments	2017	2018	2019	2020	2021
Adjourned once	3,888	4,064	4,113	4,149	4,008
Adjourned twice	852	879	938	1,008	971
Adjourned three times or more	314	284	323	364	405

Notes for Table 3:

- This data counts cases where case review hearing events were adjourned in the review stage by number of adjournments.
- Year is based on the last case review hearing date.
- This data is based on regular reporting datasets, and several business rules have been applied to remove data with quality issue.
- Case review hearings may be adjourned for a variety of reasons attributed to the court, defence, prosecution, and probation.
- This includes data from the High Court, District Court, and Youth Court.