

Hon Kelvin Davis

MP for Te Tai Tokerau

Minister for Māori Crown Relations: Te Arawhiti

Minister for Children

Minister of Corrections

Associate Minister of Education (Māori Education)



7 August 2023

James

fyi-request-23421-92086799@requests.fyi.org.nz

Tēnā koe James

Thank you for your email of 7 July 2023, seeking, under the Official Information Act 1982 (the **Act**), further information about the prison population.

Specifically, you asked:

Any data, research or reports you or your office has received that shows/demonstrates the NZ prison population has been safely reduced since 2017.

Firstly, we note that the decision around whether a person is imprisoned or not is a matter for judges, not the Government of the day. Where Corrections has had an impact on the prison population is largely by helping eligible prisoners with the bail process. This is through supported accommodation options for those who have none, and things as simple as assisting in reading and filling out application forms for those who are illiterate.

As a Government, we have strengthened a range of laws related to sentencing since coming into office, including by introducing an aggravating factor when an offence happens in a family violence context, changes related to the new offence of strangulation or suffocation, and introduced firearms prohibition orders against offenders who are charged with a specified violent offence. We repealed the 'Three Strikes' law because it was ineffective and did little to deter individuals from committing strike offences.

There is therefore nothing to suggest that the reduction that the Government is responsible for has led to any reduction in community safety, as the changes are fundamentally procedural or have increased accountability. The office has received no reports that indicate any correlation between recent crime statistics and changes in the prison population.

As noted, the decision around whether a person is imprisoned or not is a matter for judges. People who have committed crimes that demonstrate they are a threat to community safety have been, and will continue to be, held accountable.

The office regularly receives information on a range of topics relating to the prison population and community safety which could be used to demonstrate that the prison population has been reduced safely.

For example, we are regularly updated on the number of people in prison, and note that these prison population numbers, demonstrating the decline between 2018 and late 2022, are made available on the [Department of Corrections' website](#).

We have also released through Written Parliamentary Questions information on the proportion of violent offenders in prison, which demonstrates that the majority of the reduction in the prison population is for offences outside the violent category, that the proportion of prisoners in prison for violent offences has increased under the current Government, and that in raw numbers the change in this category is just 5% since June 2017, all of which highlight that those who commit violent crimes continue to be held accountable.

Furthermore, we have received publicly available information on the reduction in resentencing and reimprisonment rates over the period accompanying a reduction in the prison population, as seen in the [2021/22 Corrections Annual Report](#), which demonstrate that the reduction in the prison population has resulted in no measurable spike in recidivism, and in fact coincides with a reduction in recidivism.

Figure 1: 12- and 24-month re-sentencing and re-imprisonment rates for people released from prison 2017/18 to 2021/22

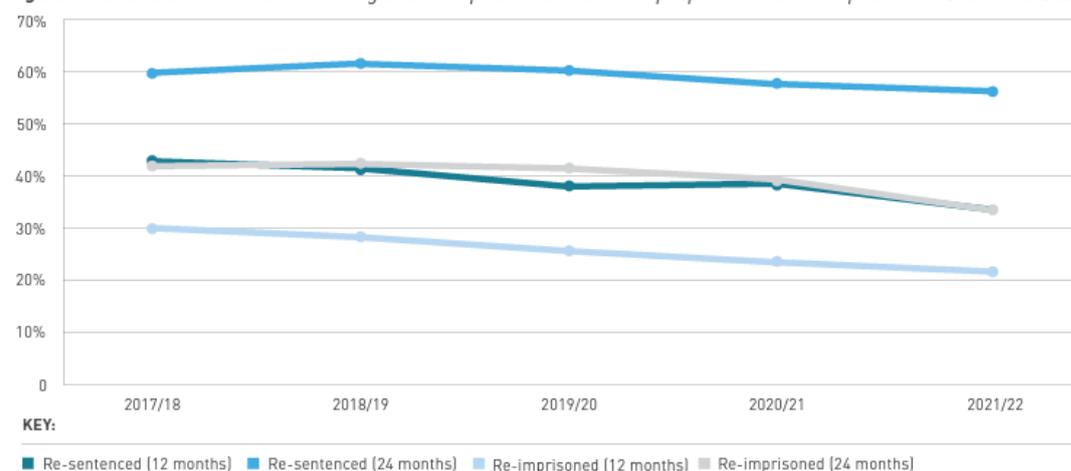
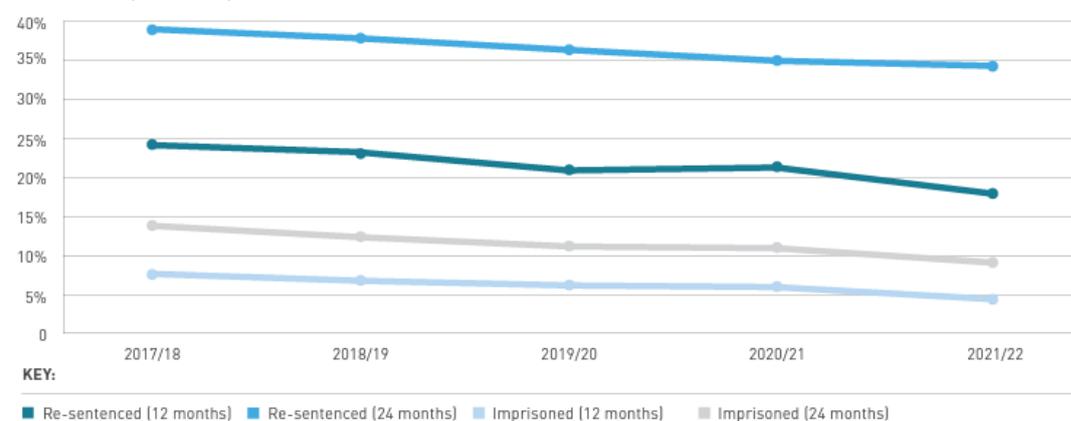


Figure 2: 12- and 24-month re-sentencing and imprisonment rates for people who completed community sentences 2017/18 to 2021/22



Likewise, the Office possesses publicly available advice presented by the Prime Minister's Chief Science Advisor, which states that "...not only does imprisonment not reduce the crime rate here, it does not enhance a sense of public safety, nor address the risk factors that set children on a pathway to lifetime offending."¹

In addition, we have received the Justice Sector Long-Term Insights Briefing (LTIB). The LTIB provides detailed information about how and why the prison population has changed, and future risks opportunities and policy options for the Justice Sector. This briefing is available on the Ministry of Justice website [here](#).

In summary, the office has received a significant volume of information relevant to your request, and we hope the above is helpful. However, assembling 'any' relevant information together to prove a statement true, when it constitutes a significant proportion of all information received by this office, would require significant collation that is unjustifiable for the purposes of this response and is not required by the OIA. This request is therefore declined in accordance with section 18(f).

We trust the information provided is of assistance. If you have any concerns with this response you may raise them with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā

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¹ Gluckman, Professor Sir Peter, KNZM FRSNZ FMedSci FRS, [Using evidence to build a better justice system: The challenge of rising prison costs](#), p.8.