

29 SEP 2016

Anon
fyi-request-4622-19c8c13b@requests.fyi.org.nz

Dear Anon

Official Information Act 1982 request

I am replying to your Official Information Act 1982 (the Act) request of 18 September 2016, requesting information on the number of times women have been convicted of perjury in the Family Court.

While the Ministry records statistics on the number of people convicted of perjury under section 109 of the Crimes Act 1961, our system does not show if this occurred in the Family Court. This level of information forms part of the court record. The courts are excluded from the Act under section 2(6)(a). Accordingly, I am declining your request for this information as permitted by section 18(g) of the Act.

The decision to lay charges to prosecute someone for perjury would be up to the individual prosecuting authority based on any evidence they may have. If a person is convicted of perjury, it is the judge presiding over a case who makes the decision about the sentence to impose on a person. The judge will consider all aspects of the legislation and the case, as well as other circumstances surrounding the offending. Perjury is covered by sections 108 and 109 of the Crimes Act 1961 which can be found at the following link:
legislation.govt.nz/act/public/1961/0043/latest/DLM327382.html

You may wish to try searching online legal databases for perjury cases. This will allow you to see if the perjury occurred in the Family Court and the details surrounding the case. Please note this may not provide you with an accurate picture of the total number of perjury cases involving women in the Family Court. Some judicial decisions are publically available online, such as:

- Ministry of Justice – Judicial decisions online: forms.justice.govt.nz/jdo/Introduction.jsp
- Ministry of Justice – District Courts: districtcourts.govt.nz
- New Zealand Legal Information Institute: nzlii.org

If you require any clarification of the information contained in this response please contact Antony Paltridge, Team Leader, Media and External Relations, at media@justice.govt.nz or call (04) 918 8980.

If you are not satisfied with my response to your request, you have the right to make a complaint to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by writing to PO Box 10-152, Wellington.

Yours sincerely



JP

Jacquelyn Shannon
Group Manager, Courts and Tribunals, Regional Service Delivery

Ref: 58931