

16 JAN 2018

Zane Collins

fyi-request-5790-fca1141b@requests.fyi.org.nz

fyi-request-5827-902ad03b@requests.fyi.org.nz

fyi-request-5829-2d6142e2@requests.fyi.org.nz

Dear Mr Collins

Official Information Act 1982 request

I acknowledge your Official Information Act 1982 (OIA) requests of 26 April, 4 May and 5 May 2017 requesting information on protection order applications. The Ministry has discovered a mistake in the data that we originally supplied you with. Please accept our apologies and find the corrected data attached.

You initially requested the following information:

1. Total Temporary protection orders applications by males and females from year 2004 to year 2016 grouped by year:
 - i. How many were granted?
 - ii. Group them by 'Abuse Type' like physical, sexual, psychological according to section 3 in the DV Act 1995.
 - iii. How many of the temporary protection orders applications were accompanied by parenting orders?
 - iv. How many children didn't reach the threshold and were placed on 'with notice' instead.
2. Total final protection orders granted in the favour of males and females from year 2004 to year 2016 grouped by year.
 - i. How many were granted?
 - ii. Group them by 'Abuse Type' like physical, sexual, psychological according to section 3 in the DV Act 1995.
 - iii. How many of the temporary protection orders applications were accompanied with parenting orders?
 - iv. How many children were included automatically under the final protection order applications granted?

Within our initial response of 22 June 2017, there was an error in the code that resulted in the outcome type 'Application lapsed, withdrawn or discontinued where temporary Protection Order granted' being grouped together with 'Application lapsed, withdrawn or discontinued where temporary Protection Order not granted'. This meant lapsed/withdrawn/discontinued applications where a temporary protection order had been granted were being recorded as not having a temporary protection order granted. The new data distinguishes between the two outcome types.

A new response to your request can be found in the attachment. The Ministry records information on the number of applicants in the Family Court per year, by applicant gender, by outcome and where the applications were 'On Notice' or 'Without Notice'.

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.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'JSh', followed by a long horizontal line extending to the right.

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

Ref: 64823

Number of protection order applicants in the family court per year, by applicant gender and application outcome

Without notice protection order applications

Applicant gender	Application outcome	Without notice Protection Order												
		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Female	Application granted	2,281	2,186	2,186	2,296	2,187	2,295	2,293	2,029	1,782	1,935	2,165	2,259	2,285
	Dismissed or struck out	398	430	378	378	423	394	394	328	322	311	328	360	300
	Application lapsed, withdrawn or discontinued where temporary Protection Order not granted	398	416	392	371	392	441	407	339	248	276	320	317	335
	Application lapsed, withdrawn or discontinued where temporary Protection Order granted	481	519	496	530	524	568	556	504	489	544	655	736	638
	Application still active	.	.	.	.	.	.	.	.	.	1	4	15	139
Male	Application granted	116	105	115	109	118	106	116	82	91	86	97	127	116
	Dismissed or struck out	51	57	67	54	72	48	64	51	44	46	51	59	65
	Application lapsed, withdrawn or discontinued where temporary Protection Order not granted	81	71	68	83	80	72	74	74	64	41	64	78	74
	Application lapsed, withdrawn or discontinued where temporary Protection Order granted	51	37	40	55	43	37	44	41	34	48	73	54	65
	Application still active	.	.	.	.	.	.	.	.	.	.	.	2	17
Unknown	Application granted	71	86	25	23	26	42	27	27	30	31	37	36	40
	Dismissed or struck out	15	18	6	8	2	4	6	5	5	6	2	4	12
	Application lapsed, withdrawn or discontinued where temporary Protection Order not granted	12	13	12	8	2	15	10	5	6	3	8	6	1
	Application lapsed, withdrawn or discontinued where temporary Protection Order granted	10	20	6	5	13	6	5	2	3	5	10	8	8
	Application still active	.	.	.	.	.	.	.	.	.	.	.	.	1

The applicant makes a Without notice application if they want urgent protection. If the judge agrees the situation is urgent they will grant a temporary Protection Order, which usually lasts for 3 months. To keep the applicant safe the respondent is not informed of (served with) the application until after the temporary Order has been granted. If the respondent wants to defend the Order during the 3 months, the court will set a hearing date to listen to both sides. At the hearing, the judge could make it a final Protection Order, or discharge the temporary Order (the application is dismissed). If the respondent does not defend the temporary Order (they do nothing during the 3 months), then the temporary Order automatically becomes a final Protection Order. The judge may decide after reviewing a Without notice application that urgent protection is not needed and may transfer it to the On notice track. The respondent will then be served with the application and given the opportunity to defend themselves in court. No temporary Order is granted in that instance.

This data does not include other protected people or children associated with applications.

The number of applicants each year will not equal the number of Protection Order applications.

Applicants have been counted once per year for each type of application they have filed. The number of applicants filing a without notice application and the number of applicants filing an on notice application should **not** be added together because the sum may be greater than the total number of applicants per year if some people have filed more than one type of application.