

29 JAN 2013

Brendon Mills
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Tēnā koe Mr Mills

Thank you for your email of 20 December 2012 requesting the following information under the Official Information Act 1982:

How often plea bargaining (ie an offender pleads guilty in return for a lesser charge/sentence) is used in the New Zealand justice system.

While discussions between defence counsel and prosecutors may well result in defendants pleading guilty to a lesser charge in exchange for a more serious charge being withdrawn, this will not be recorded by the court as a 'plea bargain', as the court is not involved in those discussions and there may be other reasons for the prosecution deciding to withdraw a more serious charge.

As the Ministry of Justice does not hold any records of instances of plea bargaining, and has no reason to believe that such records are held by any other agency subject to the Official Information Act, your request must be refused under section 18(g) of the Official Information Act.

You have the right, by way of complaint to an Ombudsman under section 28(3) of the Official Information Act, to seek an investigation and review of the refusal to provide you with the information you have requested.

Heoi anō, nā



Tony Fisher
General Manager, District Courts

Ref: 43128