

Predicting the impact of changing NZ's sentencing laws

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NZ justice system

- Ministry of Justice
 - Lead agency in justice sector
 - Includes running court system
- NZ Police
- Department of Corrections
- Department of Child Youth and Family Services

Objectives of Sentencing and Parole Reform Bill

- Greater clarity, consistency and transparency in sentencing
- Rationalise sentences
- Address inconsistencies in proportion of custodial sentences served
- Improve parole decisions
- Respond to 1999 referendum which revealed public concern over sentencing of serious violent offenders

Main changes in Sentencing and Parole Reform Bill

- Codification of purposes and principles
- Clear hierarchy of penalties (principle of least restrictive outcome)
- Greater flexibility in penalty for murder
- Preventive detention reformed
- Power to impose minimum non-parole periods modified
- Suspended sentences and corrective training abolished

Main changes in Sentencing and Parole Reform Bill

- Community-based sentences rationalised from four into two distinct sentences
- Stronger presumption in favour of reparation and reparation available for consequential loss or damage
- Specific provision for restorative justice processes and outcomes
- Change in calculation of key dates for parole
- New Parole Board structure

The modelling process

- Impact of individual changes were estimated, and then an overall impact was estimated
- Used model of CJ system for some estimates and one-off models for others
- Became part of the policy team

Example 1: key dates for parole

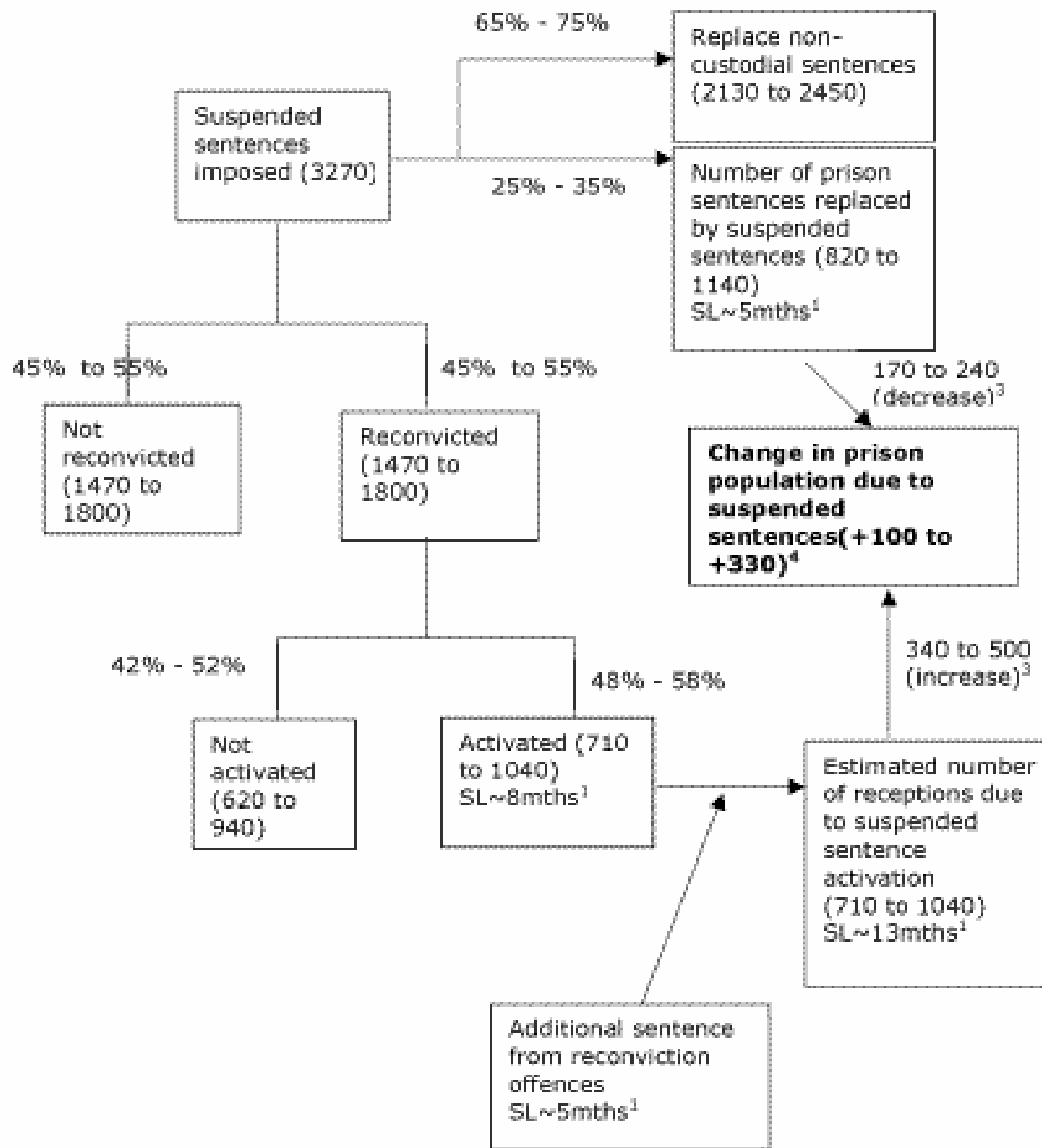
- Key dates for ‘long-term sentences’ are:
 - Parole eligibility date
 - Statutory release date (aka final release date)
- Also important:
 - Definition of a ‘short-term sentence’
 - Abolishment of ‘serious violent offender’ classification

Example 1: key dates for parole

	‘short-term’ release at half	‘long-term’ parole eligibility
Option 1	1 year or less	Half
Option 2	1 year or less	One-third
Option 3	2 years or less	Half
Option 4	2 years or less	One-third

Example 1: key dates for parole

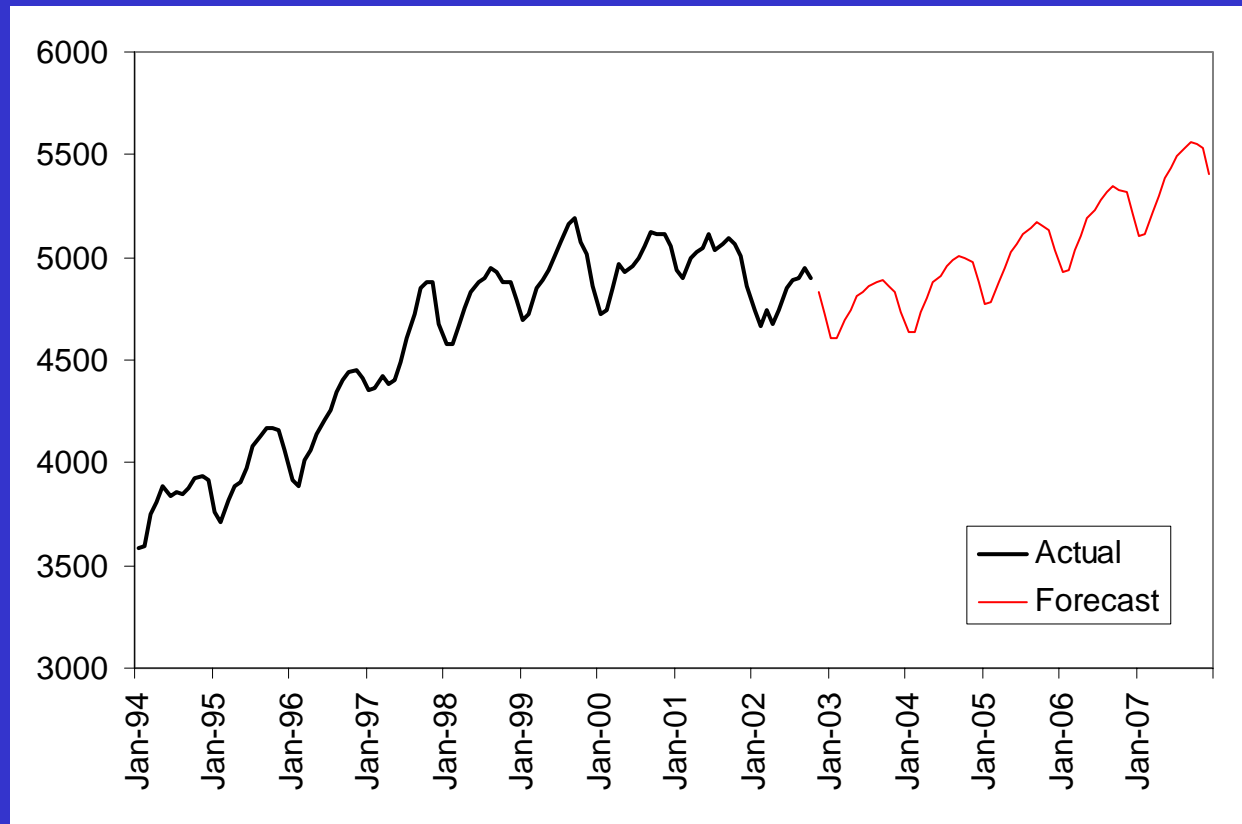
	Increase in prison population					
	Yr1	Yr2	Yr3	...	Yr9	Yr10
Option 1	+ 150	+ 240	+ 380	...	+ 820	+ 840
Option 2	+ 100	+ 160	+ 190	...	+ 380	+ 390
Option 3	+ 160	+ 290	+ 470	...	+ 920	+ 940
Option 4	+ 100	+ 170	+ 220	...	+ 410	+ 410



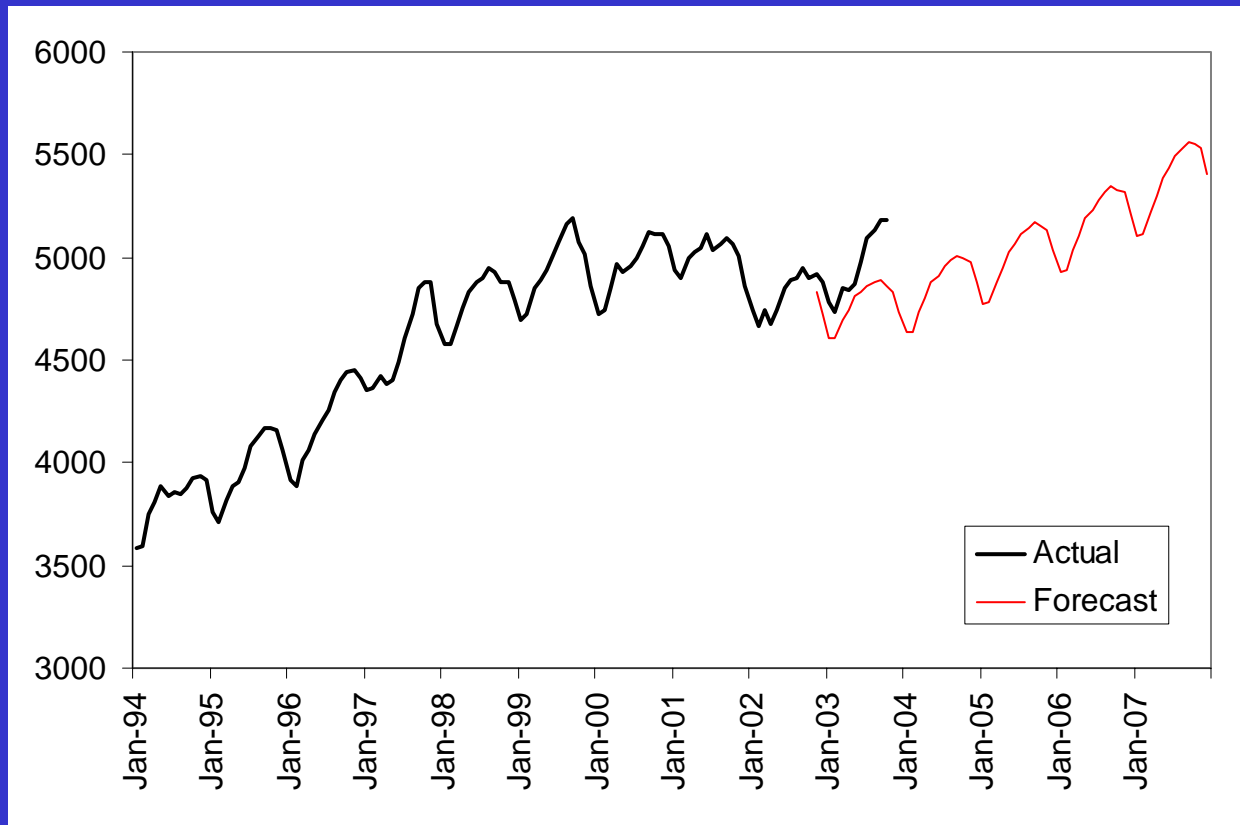
Overall estimates of all changes

- Expected fewer receptions, but those that went to prison would, on average, serve more
- Increase of 300 inmates by year four, over and above current forecast
- No change to number of offenders on home detention

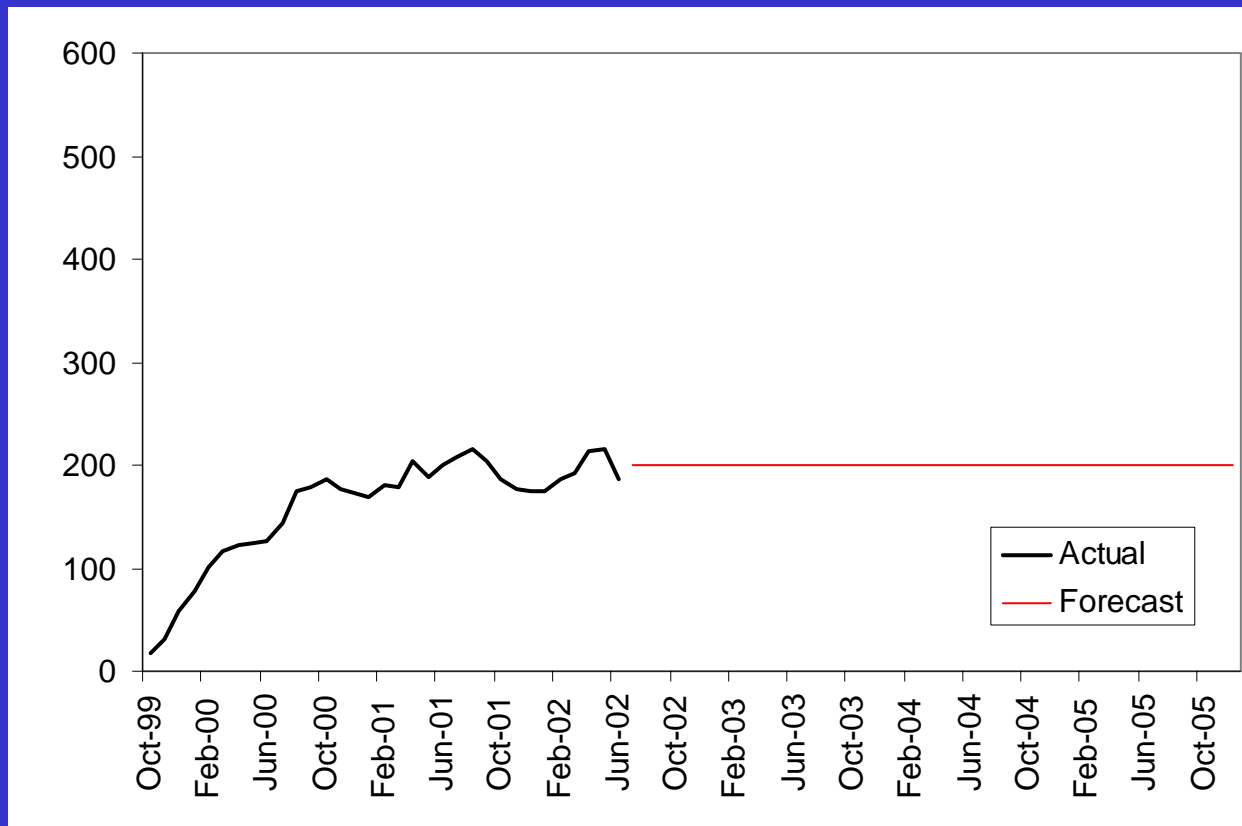
Sentenced inmate population



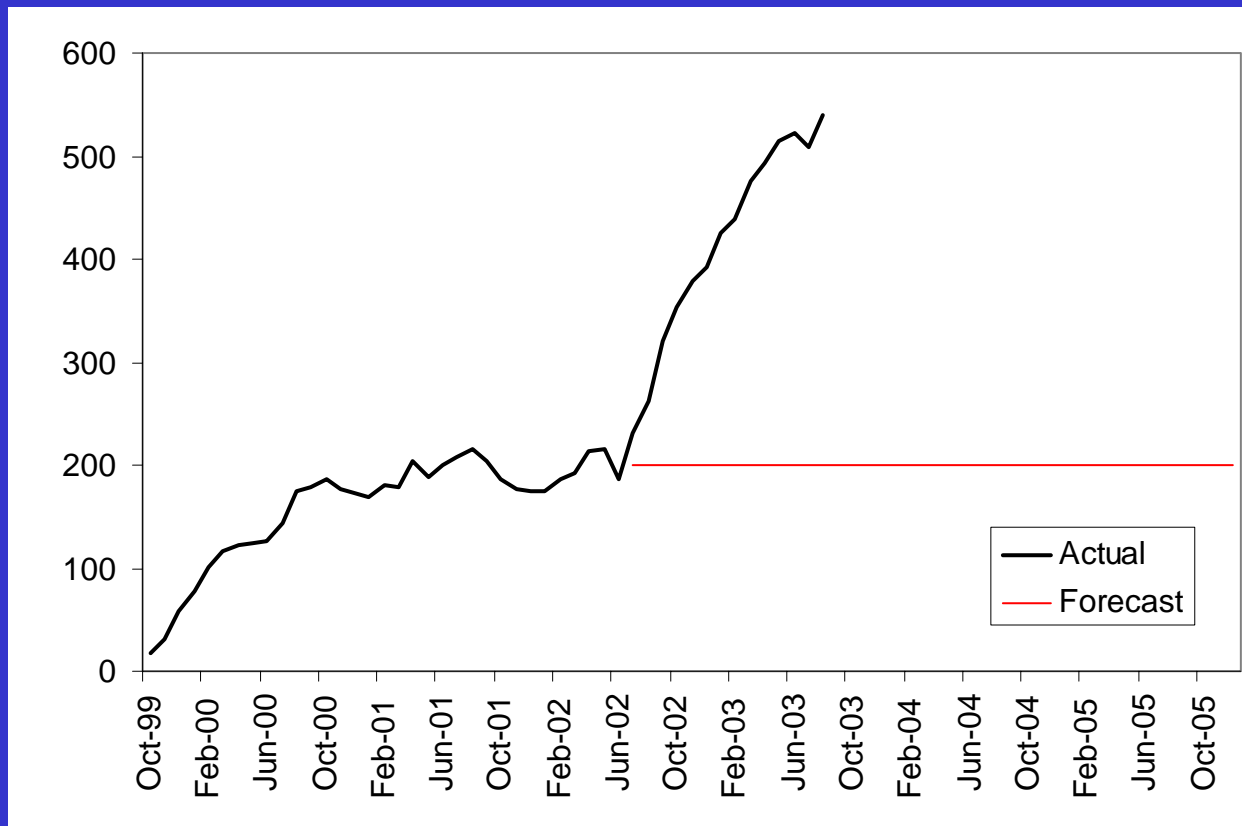
Sentenced inmate population



Offenders on home detention



Offenders on home detention



Lessons

- Become part of the policy team
- Use a single model for packages of forecasts
- Remain involved in policy process until project finalised

Discussion

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Background to NZ legislative process

