

Attrition and progression

Reported sexual violence victimisations in the criminal justice system

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Summary

The Government is focused on improving the justice response for victims of sexual violence. Sexual violence is prevalent in New Zealand, with a quarter of adults experiencing it sometime in their lives. However, only a small proportion is reported to Police, and of those reported only a small proportion results in conviction.

Trends for people charged with or convicted of sexual violence offences are reasonably well understood. However, the same cannot be said for sexual violence victims and the experiences they report to Police; where research has been undertaken it has not provided a complete view.

The Wellbeing Budget 2019 included funding to support initiatives to prevent and respond to sexual violence. As a result, it is anticipated that over time more people will report victimisations to Police, more will progress to court following investigation, and more perpetrators will be convicted.

This analysis describes attrition and progression for reported sexual violence victimisations

This research quantifies the proportion of reported sexual violence victimisations that currently progress through the justice system to a conviction. Additionally, it aims to determine if differences exist over time, for children and young people, adults reporting historic childhood offences, different offence types, Māori and different perpetrator relationship types. An initial analysis of the time taken to progress through the system is also undertaken.

A large-scale analysis of this type has not previously been undertaken in New Zealand. It differs from previous research, in that it includes all sexual violence victimisations reported to Police over a four-year period and includes both adult and child victims.

More than half the reported victimisations related to children and young people

The progression of all 23,739 sexual violence victimisations reported to Police between July 2014 and June 2018 was analysed:

- 61% occurred when the victim was a child or young person (aged 17 years or younger)
- 53% were reported when the victim was an adult
- 55% were indecent assault, which was more frequently reported by children and young people
- 43% were sexual violation (including rape and unlawful sexual connection), which was more frequently experienced and reported by adults.

Many victimisations do not progress past the initial stages of the system

The overall proportion of victimisations reported over the four years that progressed from the Police investigation, to the court outcome and sentencing is visualised in Figure 2 on page 5. This includes victimisations reported relatively recently, which have not had the same opportunity to progress as those reported in earlier years.

Overall, there was substantial attrition for victimisations that were reported to Police and most occurred at the Police investigation stage. For example, by early 2019, only:

- 31% of reported victimisations resulted in a perpetrator being charged
- 11% resulted in a conviction
- 6% had a prison sentence.

This means that if only 10% of sexual violence is reported to Police, for every 100 victimisations only three results in a perpetrator being charged, and only one results in a conviction.

In this study, 8% of all the reported victimisations had an investigation that was continuing (by early 2019). However, for more than half (56%) of victimisations reported to Police, an investigation was undertaken but Police were unable to proceed against the perpetrator. This included where:

- Police deemed the reported victimisations to not be a crime
- the victim withdrew (they no longer wanted to be involved in the process) – this outcome category was only introduced in early 2017 so this outcome type is likely to be vastly underrepresented
- Police were unable to take action – such as when no perpetrator is identified, there is insufficient evidence to prosecute or no public interest to proceed, a perpetrator is identified but Police are unable to take action due to the perpetrator's death or mental incapacity, or no formal complaint is made by the victim.

These investigations may however be resumed if new evidence becomes available later (i.e. the victim decides to proceed or the situation changes).

It can take a long time to progress through the system

Overall, the investigation and court process took a long time for many victimisations. Only one-fifth (21%) of victimisations with a charge outcome received the outcome within six months of reporting. For half (51%) it took up to a year in total to receive a charge outcome and most (87%) had an outcome after a total of two years. For the remaining 13% of victimisations it took two years or more.

The time taken for the court process appears to contribute substantially to the overall time taken for victimisations to progress from reporting to a charge outcome.

More victimisations have been reported over the last four years

There was a 21% increase in the number of sexual violence victimisations reported to Police between 2014/2015 and 2017/2018. The number of unique victims who reported victimisations each year also increased by 7%. However, it is not currently possible to determine how much of this is a result of an increase in sexual violence experienced, or increased reporting to, and recording by, Police.

More victimisations resulted in court action, and there was a substantial decrease in 'no crime' investigation outcomes

In the most recent year, 2017/2018, the proportion of reported victimisations resulting in court action increased to 34%, despite some investigations continuing. Over the four years there was a substantial decrease in victimisations deemed to not be a crime (from 17% to 2%). However, for a large proportion of reported victimisations the investigation did not result in action against a perpetrator.

It is difficult to determine if the proportion of victimisations which result in a conviction or prison sentence has actually changed over time as nearly half (46%) of the victimisations from 2017/2018 that progressed to court were still active (awaiting a charge outcome), and a fifth (21%) of those already with a conviction were awaiting sentencing.

Characteristics of the reported victimisations influence progression

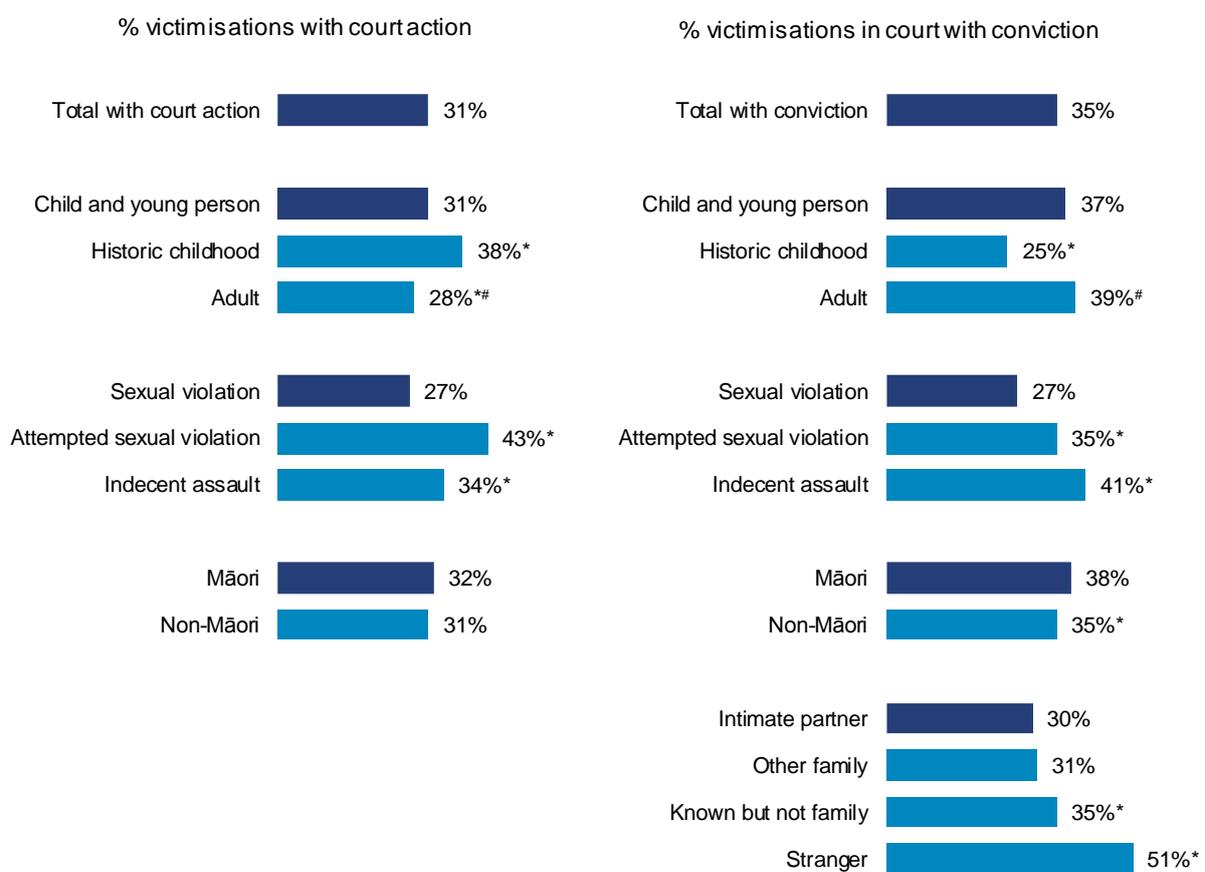
We analysed whether there were different patterns of progression for different victimisation characteristics. The following differences are summarised in Figure 1:¹

- **Child or young person victimisations** – around half of all victimisations were reported when the victim was a child or young person (aged 17 years and under). These took longer to progress from reporting to charge outcome.
- **Historic childhood victimisations** – most likely to result in court action but also more likely to still be active in court and awaiting sentencing. Overall these took the longest time from reporting to charge outcome.
- **Adult victimisations** – less likely to result in court action, but once in court were more likely to have a not guilty outcome. When convicted these were less likely to receive a prison sentence.
- **Offence types** – were associated with the age of the victim. Victimisations for sexual violation (the most serious offence type, including rape and unlawful sexual connection) were less likely to result in court action and less likely to be convicted. Once in court, indecent assault was more likely to be convicted, but less likely to receive a prison sentence. Sexual violation victimisations took longer to progress from reporting to charge outcome.

¹ Note that the comparisons did not take into account how these different characteristics interact with each other.

- **Māori victims** – court action was similar for Māori and non-Māori victims, but once in court, victimisations for Māori were more likely to have a conviction and a prison sentence.
- **Relationship types** – the relationship between the perpetrator and victim was analysed for victimisations that resulted in court or non-court action. The perpetrator was usually known to the victim (74%). Compared to strangers, intimate partner victimisations in court were less likely to be convicted; but when convicted they were more likely to receive a prison sentence.

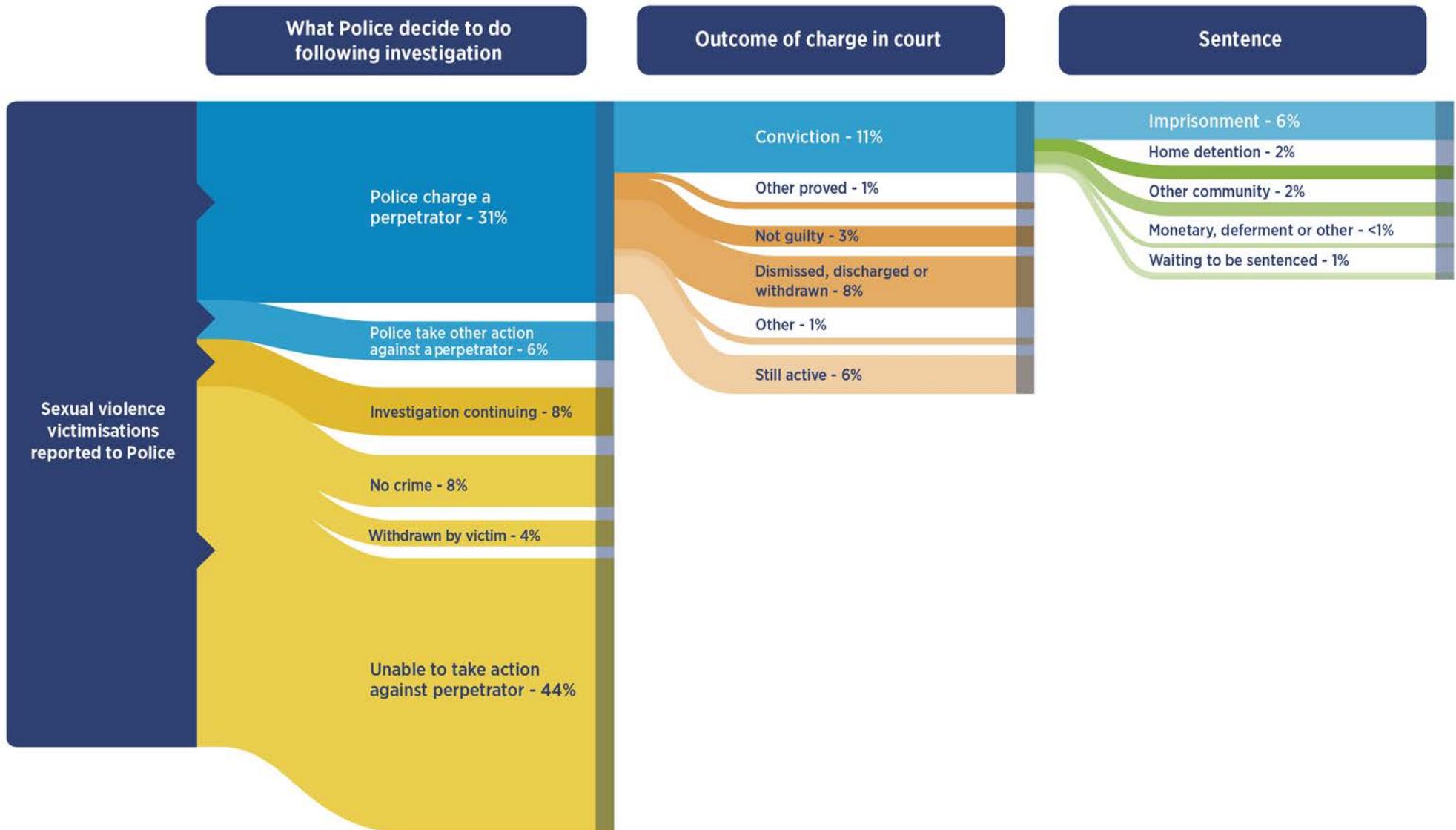
Figure 1: Comparison of reported victimisations with different characteristics, resulting in court action, and of those, resulting in conviction



Note: An * indicates where the proportion is statistically different ($p < 0.05$) from the proportion in the dark blue bar (e.g. for victimisations with court action, there was no difference where the victim was Māori or non-Māori, but of the victimisations that progressed to court, more victimisations with Māori victims resulted in conviction than those with non-Māori victims).

A # indicates where the proportion for adult victimisations is statistically different ($p < 0.05$) from the proportion for historic childhood victimisations.

Figure 2: Points of attrition and progression for reported sexual violence victimisations in the criminal justice system



Note: This includes all sexual violence victimisations reported to Police between July 2014 and June 2018.

Note:

This diagram includes all sexual violence victimisations reported to Police between July 2014 and June 2018. This includes victimisations for children and young people and for adults.

When the analysis was performed in early 2019 some victimisations had investigations that were continuing, or charges in court that were active (awaiting a charge outcome) or waiting to be sentenced. Victimisations reported in the most recent year were the most impacted by this. Therefore, in time, the proportions of each outcome of investigation, charge outcome and sentence type may change.

Each reported victimisation is represented once (if the diagram was magnified, you could see one line for each victimisation). The percentage of reported victimisations is represented by the width of each path. The paths can diverge at three decision points in the criminal justice system:

- Outcome of the Police investigation (what Policed decided to do). This indicates:
 - Police identified and were able to take action against a perpetrator:
 - Police charged a perpetrator (court action)
 - Police take other action against a perpetrator (non-court action), such as a formal or informal warning, or a referral to the youth justice process for young people.
 - investigation was continuing, an interim outcome which may ultimately result in action against a perpetrator.
 - investigation was undertaken but Police were unable to proceed against a perpetrator, although this does not prevent reconsideration at a later date. This included:
 - it was deemed to not be a crime
 - the victim withdrew from the process (note this outcome category was only introduced in early 2017 so this outcome type is likely to be vastly underrepresented)
 - Police were unable to take action against the perpetrator due to the perpetrator not being identified, insufficient evidence, it was not deemed in the public interest to proceed, a perpetrator was identified but Police were unable to take action due to the perpetrators death or mentally incapacity, or the victim did not make a formal complaint.
- Charge outcome in court for victimisations that progressed to court. This indicates whether the charge was convicted or there was another type of outcome. The proportion convicted may increase once the charges still active receive an outcome.
- Sentence imposed for victimisations with a conviction. The proportion with imprisonment may increase once the convicted charges awaiting sentencing are sentenced.

The percentages on the diagram may not sum to 100% due to rounding. We have not included lines on the diagram where a link could not be made from the victim data to perpetrator and court data (1% of victimisations could not be linked to a perpetrator; 3% of victimisations with a 'court action' outcome could not be linked to court data).

This diagram has also been published as a standalone document.

Attrition and progression for sexual violence victimisations: the context

Summary

The justice sector has a good understanding of trends in people charged with or convicted of sexual violence offences.² However, most analysis tends to focus on how perpetrators progress through the criminal justice system, rather than the victimisations reported by victims and their experiences. Where qualitative information on victims' experiences is available it is also often not a complete view.

The Government is focused on improving the justice response for victims of sexual violence. As such, the Wellbeing Budget 2019 included funding to support initiatives to prevent and respond to sexual violence. The 'Improving the Justice Response to Sexual Violence Victims' initiative aims to reduce the risk of sexual violence victims experiencing further trauma due to their participation in the justice system. As a result, it is anticipated that over time more people will report victimisations to Police, more will progress to court following investigation, and more perpetrators will be convicted.

This research quantifies the proportion of reported sexual violence that progresses to conviction. It also determines if any differences in progression exist over time, for children and young people, adults reporting historic childhood offences, different offence types, Māori and different perpetrator relationship types.

The analysis differs from previous research conducted in New Zealand in that it includes all sexual violence victimisations reported to Police (rather than a sample of specific files) over a four-year period and includes both adult and child victims. It complements other qualitative research, covering a similar time-period, on the perspectives of sexual violence victims in the justice system, and provides some evidence to support the comprehensive change programme undertaken by New Zealand Police in recent years.

The terms 'victim', 'perpetrator' and 'victimisation' have been used

Some people dislike the term 'victim', however for others 'victim' validates the harm they have experienced. Some people prefer the term 'survivor', while others dislike it and prefer to be described as the 'person who has been victimised', or not labelled at all. The use of the

² Sexual violence is often committed by someone known to the victim and might not include physical violence. It can occur within relationships or marriage. Anyone can be a victim of sexual violence regardless of their age, gender, status, culture, ability or sexuality. In this report, sexual violence includes all aggravated and non-aggravated sexual assault offences reported to Police.

term 'victim' in this report is not intended as a value judgement on those who have experienced crime or to exclude those who do not identify with that term.

The term 'perpetrator' has been used to describe people accused of committing the sexual violence victimisations reported to Police. Some may prefer these people be described as 'alleged' perpetrators or offenders, or defendants (while charges are prosecuted), and only be described as a perpetrator or offender when found guilty in court. Others would prefer the terminology 'people who offend'. However, for consistency across the different parts of the justice system, and to reflect the perspective of victims who perceive that the person committed sexual violence against them, 'perpetrator' is used.

A 'victimisation' is an individual criminal offence that a victim experiences (e.g. if a person is raped by their ex-partner, they are the victim, the ex-partner is the perpetrator and the act of the rape is the victimisation). A victim may experience more than one victimisation over a period of time, from one or more perpetrators. A victimisation may or may not be reported to Police.

The Glossary at the end of the report contains further descriptions of the specific language that can be used to describe people who experience sexual violence and the people accused of or found to have committed it.

Prevalence of sexual violence in New Zealand

Attrition rates are high

It is estimated that less than 10% of sexual violence is reported to Police (Ministry of Justice 2015). Within the justice system, further attrition occurs when victimisations that are reported to Police do not progress to prosecution and conviction; a low percentage of convictions indicates high attrition as most reported victimisations have not progressed. There are many reasons progression does not occur at the investigation stage, including:

- the perpetrator is not identified
- there is insufficient evidence to prosecute a perpetrator and provide a reasonable prospect of conviction
- it is not in the public interest to proceed
- a perpetrator is identified but Police are unable to take action against them due to their death or mental incapacity
- a formal complaint isn't made by the victim
- the victim withdraws (they no longer want to be involved in the process)
- following the investigation Police determine that no crime occurred.

Experiences of children and young people

Several New Zealand studies have found that a number of children and young people experience some form of sexual abuse as children, ranging from unwanted comments and

touching to serious sexual violence (such as Carroll-Lind et al 2011, Clark et al 2012, Fanslow et al 2007 and van Roode et al 2009). The largest of these studies found that 15% of secondary school students interviewed in 2012 (20% of females and 9% of males) said they had been touched in a sexual way or made to do unwanted sexual things in the previous 12 months (Clark et al 2012). More than half these students said they had not told anyone about it.

Information is lacking on how much sexual abuse experienced by children is reported to Police.

Experiences of adults

In 2018, according to the New Zealand Crime and Victims Survey (NZCVS), approximately 87,000 New Zealand adults (aged 15 years or more) were the victim of around 193,000 incidents of sexual violence. Of these adult victims, 71% were female, 81% were European, 18% were Māori, and 66% were aged between 15 - 19 years. Additionally, 904,000 adults (23% of New Zealand adults) were estimated to have experienced one or more incidents of sexual violence at some point during their lives. It is estimated that less than 10% of adult sexual violence victimisations are reported to Police.³

Research by Professor Jan Jordan and associates over the last 20 years has demonstrated some improvements in how Police investigate reports of sexual violence (against adults) and how cases progress. However, their review of Police files has shown little change in the prosecution and conviction of perpetrators (Jordan 2004, Triggs et al 2009, Jordan & Mossman 2019). The 1997 review of rape and sexual assault files found that Police questioned the credibility of many victims and the legitimacy of their reports; this resulted in a third of files being treated as false complaints and recorded as 'no crime'. The 2009 Ministry for Women review of 2,000 adult victimisation files found that more than a third were classified as 'no crime'; and while perpetrators were identified in more than half, a perpetrator was only proceeded against for 31% of cases and convicted 13% of the time.

Commission of Inquiry into Police Conduct

Between 2004 and 2007 a Commission of Inquiry into Police Conduct was undertaken, resulting in recommendations for how Police deal with reports of adult sexual assault (New Zealand Police 2017). The inquiry found that attitudes and behaviours within Police needed to change, not just systems and procedures. As a result, Police initiated a comprehensive programme to change their attitudes and behaviour and improve the treatment of victims' reports of sexual assault. The change programme was monitored for 10 years and Police have reported giving greater priority to adult sexual assault investigations, having improved

³ The New Zealand Crime and Safety Survey (NZCASS) estimated that 9% of sexual violence offences against adults were reported in 2005 (Ministry of Justice 2015). There is no more recent information on reporting of sexual offences to Police as the value in the 2018 cycle of the NZCVS, which replaced the NZCASS, was suppressed (the percentage has a high margin of error and is too unreliable to use) (Ministry of Justice 2019b).

case management and training, and a stronger focus on and communication with victims. They have also worked to improve their organisational diversity and work-place culture and introduced a code of conduct along with clear ethical and behavioural expectations.

Around 2013, Police changed their practice for closing 'no crime' files and samples of these files are now routinely reviewed to audit the appropriateness of the 'no crime' outcomes.

There have been some positive changes in recent years

More recent research, which reviewed adult rape and attempted rape files from 2015, found improvement in the way Police appear to handle and investigate the victimisations (the files showed more evidence of comprehensive investigations than files from 1997) (Jordan & Mossman 2019). There was a reduction in the use of the 'no crime' investigation outcome (from 39% of files in 1997 to 15% in 2015), and the proportion of files with a 'recorded offence' increased to more than half (57%). However, the percentage of files with a resulting prosecution and conviction of a perpetrator remained low (in 2015, still less than a third of files resulted in prosecution).

Importantly, as that research reviewed the contextual material included in individual case files, factors associated with case progression could be analysed. Several of the key factors present in cases that did not progress, and thought to influence decision making, included:

- victim deciding not to proceed (35% of cases coded as an offence) - e.g. they made an initial complaint but did not continue further to a formal interview, withdrew after the formal interview, or they did not provide evidence
- unreliable evidence (31%) - e.g. there were inconsistencies, the influence of alcohol and/or drugs on the victim's memory, or previous complaints deemed to not be a crime
- mental health concerns associated with the victim (15%).

Some of the reasons listed for the victim withdrawing from the process included the victim wanting to manage their mental health or stress, their reluctance or ambivalence to continue, having moved on or wanting to put the victimisation behind them, fearing the perpetrator, not wanting anyone to know, not wanting to go to court, and wanting to continue the relationship with the perpetrator.

Other recent research for the Ministry of Justice explored the experiences of sexual violence victims who had contact with the justice system over the three years prior to 2018 (Boyer et al 2018).⁴ The victims who were interviewed were generally satisfied with the process of reporting their victimisation to Police (e.g. the initial reporting was straightforward, and the officers were compassionate). But, the investigation (particularly the formal interview) and process of going to court was traumatising for some, especially when there were long delays. Lack of information on, or understanding of, the process was problematic for some victims. Some also considered the sentences the perpetrators received when convicted to be too lenient.

⁴ For all the victims involved, but one, the investigation resulted in court action for the perpetrator.

Achieving a full-system view for victimisations of sexual violence

To achieve a complete view of reported victimisation numbers in the criminal justice system, we needed to identify and link reported victimisations, perpetrators, court outcomes and sentences. This requires linking multiple datasets, each containing information on different stages of the system.

The current analysis seeks to provide up-to-date quantitative information about the response of the criminal justice system to victims of sexual violence, including victims under the age of 18 and for Māori. Police victim and perpetrator data was linked with court data to track victimisations reported to Police, and three decision points in the criminal justice system were analysed for the reported victimisations:

- outcome of the Police investigation
- outcome in court
- sentence imposed.

Research questions

The analysis was designed to answer the following questions about the progression (and therefore the attrition) of reported sexual violence victimisations in the criminal justice system:

1. What is the progression for reported sexual violence victimisations in the criminal justice system?
2. Has there been any change in progression over the last four years (the financial years 2014/2015, 2015/2016, 2016/2017, 2017/2018)?
3. Is there a difference for victimisations reported by children and young people?
4. Is there a difference for historic childhood victimisations reported by adults?
5. Is there a difference for different offence types?
6. Is there a difference for victimisations experienced by Māori?
7. What are the relationships between perpetrators and victims and are there any differences in progression related to the type of relationship?

Reported victimisations included in the analysis

Reported victimisations can be counted in different ways. This analysis counted all victimisations reported to, and recorded by, Police, as the main analysis unit. It did not count

individual victims or cases, or the 'principal' sexual violence victimisation in an occurrence.⁵ These alternative counting units are used for a variety of purposes, including operationally, for Police file research, and as a way of aggregating statistics for official reporting.⁶

The victim dataset was provided by Police. This included all sexual violence⁷ victimisations reported to Police between 01 July 2014 and 30 June 2018.⁸ The analysis dataset included information usually included in the victim dataset, along with some additional operational information, such as the most recent outcome of investigation.

The victim dataset was linked to the perpetrator dataset, which is a record of people proceeded against by Police, and then to court data which holds information on how charges progress through the court. Appendix A describes these datasets and the linking method.

The data was extracted and analysed between February and May 2019, allowing at least six months for Police investigation since the most recent victimisations were reported. This means however, that as investigations and the court process can take many months, that there were still some victimisations included in the analysis with ongoing investigations or court proceedings (including a large number reported in 2018/2019).

The analysis is descriptive, including tables of counts and proportions. Comparisons were made between population groups using a test for two proportions. Many of the factors associated with the population groups will be related. However, no regression modelling was undertaken to account for these interactions. This would be undertaken in future analysis.

⁵ Following discussion with Police, victimisations was deemed the most appropriate counting unit for this analysis to represent sexual violence reported to Police.

An occurrence is a single criminal incident, which may involve multiple offences if they are reported at the same time, involve the same people, and either occur at the same time and place or are the same type of offence repeated over time. In some instances, a victim will report more than one victimisation related to an occurrence. When this occurred, all reported victimisations were included in the analysis. Using the 'principal' victimisation in an occurrence may undercount the total number of victimisations that progress to court action as the outcome of investigation is not included in the determination of the 'principal' offence.

Counting victims would also not capture where a victim experienced more than one victimisation (in a single or over multiple occurrences), and a representative victimisation would need to be selected (based on criteria such as the relative seriousness of the offence or investigation and court outcome).

⁶ The number of sexual violence victimisations in this analysis differs from figures published by New Zealand Police on their website (policedata.nz). Those count single sexual violence victimisations within occurrences for each victim, include victimisations that may not have an identifiable victim or may be duplicate records, and do not include victimisations with a 'no crime' outcome of investigation (Stats NZ & New Zealand Police 2016).

⁷ Aggravated and non-aggravated sexual assault offences within ANZSOC (Australian and New Zealand Standard Offence Classification) subdivision 031: Sexual assault. More information on ANZSOC categorisation is included in the Glossary. Appendix B holds more information on the individual offences identified in the analysis.

⁸ Victimisation data has only been available since 01 July 2014.

Who were the victims who experienced the reported victimisations?

Summary

From July 2014 to June 2018, 23,739 sexual violence victimisations were reported to Police. The majority of reported victimisations were experienced by children or young people (although many were not reported until they were an adults); this is a different victim profile to other New Zealand research.

Most reported victimisations were experienced by females and involved someone they knew. More than half (55%) of reported victimisations were for indecent assault offences and 43% were for sexual violation (including rape and unlawful sexual connection). However, different offence types were associated with:

- the age of the victim, with indecent assault reported for 67% of child and young person victimisations, compared to 52% of historic childhood victimisations (reported as adults) and 42% of adult victimisations (experienced and reported as adults)
- different relationship types, with sexual violation most frequent for intimate partners and indecent assault most frequent for strangers.

Most victims who reported a sexual violence victimisation reported experiencing a single victimisation.

Victimisations were categorised as child and young person, historic childhood or adult victimisations

This analysis grouped victimisations based on the victim's age when they reported to Police, as investigations for both child and young person and historic childhood victimisations are treated differently to those for adults; the court experience may also differ. For example, the process for child and young person victimisations can take longer than for adults (as was found in this analysis), and it includes a specialist child interview and other extra processes to protect the young person. Whereas, for historic childhood victimisations the investigation may:

- be more complicated and take longer to investigate, as the details provided by the victim may be less complete and there may be difficulties locating the perpetrator and/or witnesses and verifying circumstances
- also have a lower level of urgency compared to others where there is a higher level of immediate risk to other potential or current victims.

Of the 23,739 sexual violence victimisations reported to Police between July 2014 to June 2018:

- 47% were child and young person victimisations (experienced and reported as children and young people aged 17 years or younger)
- 15% were historic childhood victimisations (experienced as children and young people aged 17 years or younger and reported as adults aged 18 years or over)
- 38% were adult victimisations (experienced and reported as adults aged 18 years or over).⁹

Victimisations experienced by adults and reported to Police many years later (historic adult victimisations) were not separated for analysis from other victimisations experienced by adults.

The profile of victimisation and offence types was very different to that in other New Zealand research involving the review of rape case files for women aged 16 years or more (such as Triggs et al 2009 and Jordan & Mossman 2019).

Most victimisations were experienced by people aged under 25 years

Of the sexual violence victimisations reported to Police, more than three-quarters (77%) occurred when the victim was aged 24 years or less (Figure 3). For 63% the victim was a child or young person aged 17 years or younger, including:

- children aged 11 years or younger (27%)
- young people aged between 12 and 17 years (34%)
- children and young people whose exact age was not known (2%).

For a further 14% the victim was aged between 18 and 24 years when the victimisation occurred.

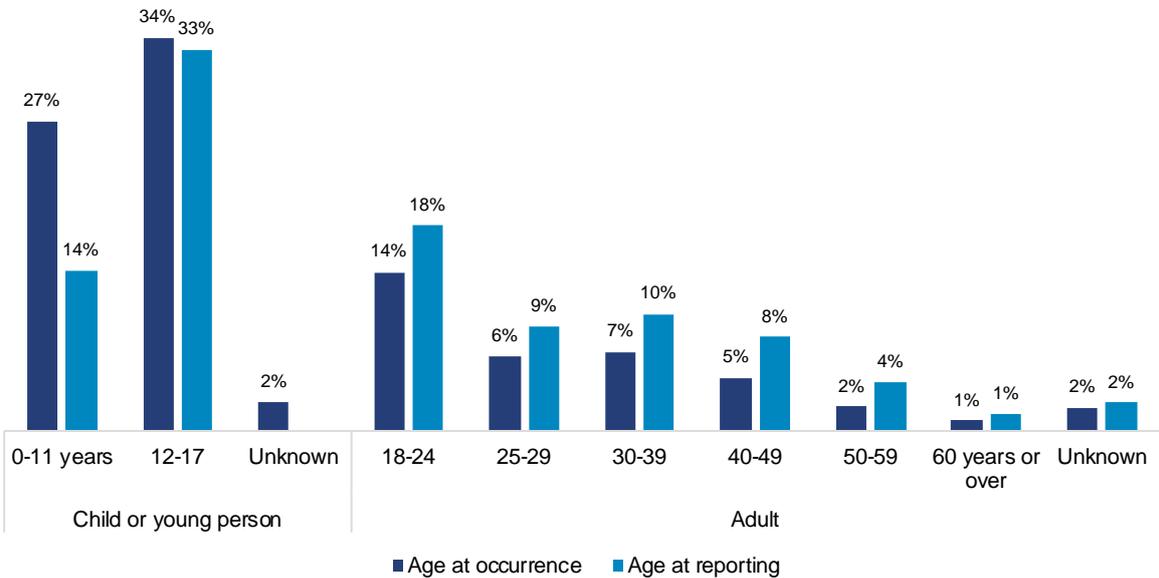
There was a slightly different age profile for when the victimisation was reported to Police, with 65% reported by victims aged 24 years or less. Just under half (47%) the victimisations were reported when the victim was aged 17 years or under and 53% were reported by adults aged 18 years or more.

The historic childhood victimisations comprised more than a quarter (28%) of all the victimisations reported to Police by people aged 18 years or more.

For adult victimisations (experienced and reported by adults aged 18 years or more) 40% occurred to victims aged under 25 years and 57% to victims aged under 30 years.

⁹ Adult victimisations included 391 victimisations that occurred when the victim was aged 17 and reported when they were aged 18 years or more but treated as adult victimisations by Police (rather than child and young person or historic childhood victimisations).

Figure 3: Nearly two-thirds of victimisations occurred when the victim was under 18 years and half were reported when the victim was an adult



Note: A small proportion (4%) of victimisations Police treated as adult victimisations occurred when the victim was aged 17 years.

The results from the 2018 NZCVS are not directly comparable to this analysis, however its estimate for victimisations experienced by adults aged under 30 is not too dissimilar. The NZCVS found that the majority of sexual violence experienced by adults aged 15 years or more over a 12-month period was for adults aged between 15 and 29 years.

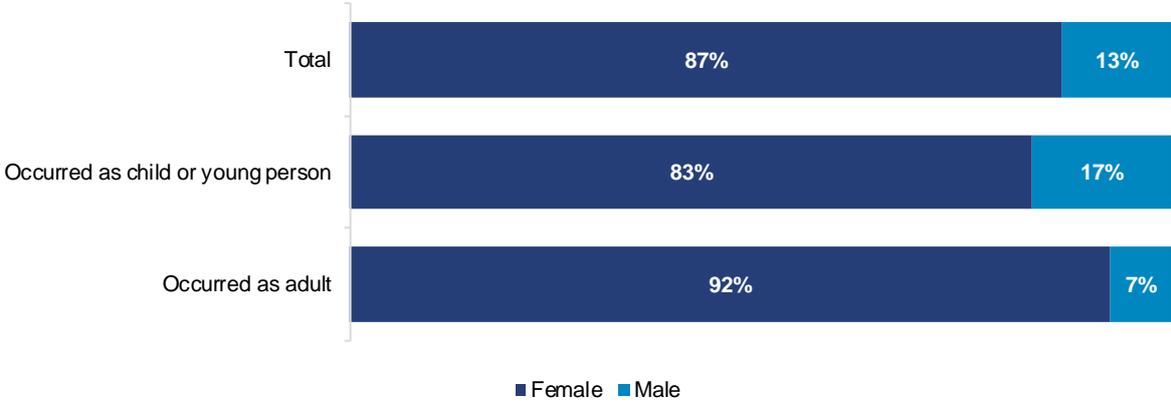
Most victimisations were experienced by females

Females experienced 87% of the reported victimisations and males 13% (Figure 4). The gender breakdown was slightly different for victimisations experienced by adults compared to children and young people. For victimisations that occurred when the victim was a child or young person, 17% had male victims, compared to 7% where the victim was an adult.

The 2018 NZCVS found that 80% of adult sexual violence victimisations over a 12-month period were experienced by women and 20% were experienced by men. However, no information on the proportion who reported their victimisation to Police is available by gender.¹⁰ There may be a difference in the proportion of men who report sexual violence to Police, as only 7% of reported victimisations experienced by adults had male victims.

¹⁰ The NZCASS estimated less than 10% of adult sexual violence is reported to Police but this was not broken down by gender.

Figure 4: Most victimisations were reported by females, but more that occurred when the victim was a child or young person had male victims



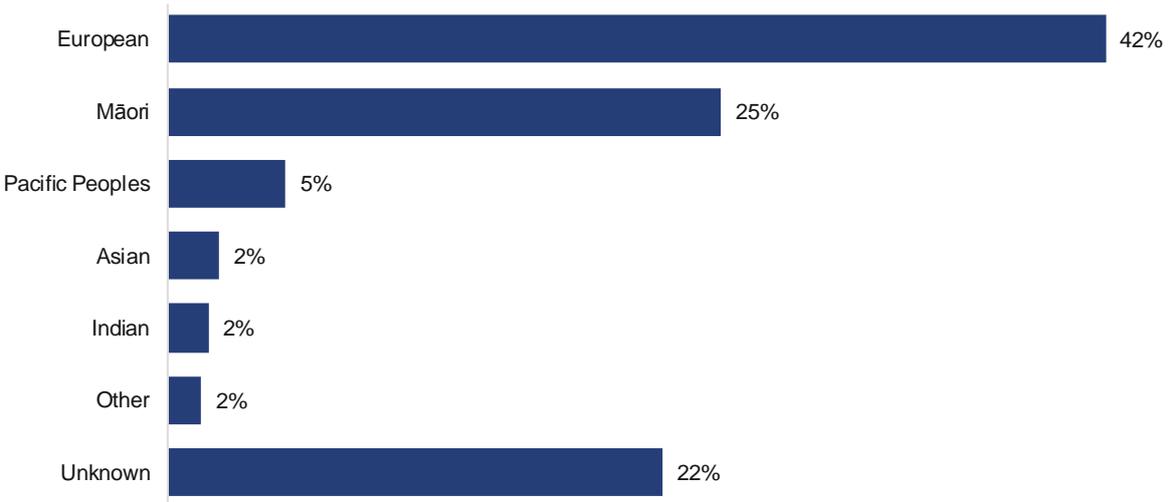
Note: For less than 1% of victimisations gender was unknown and are not shown on this figure.

Ethnicity was missing for a quarter of victimisations

The ethnicity of the victim was not recorded for nearly a quarter (22%) of the reported victimisations. The collection of information about a victim’s ethnicity is not compulsory as it is not appropriate in some circumstances.

Less than half (42%) the victimisations were for people of European ethnicity and 25% were for Māori (Figure 5); 5% were for Pacific Peoples, 2% were Asian and 2% were Indian.

Figure 5: Most victimisations were reported by Europeans or Māori, but for a quarter ethnicity was unknown



A range of offence types were experienced

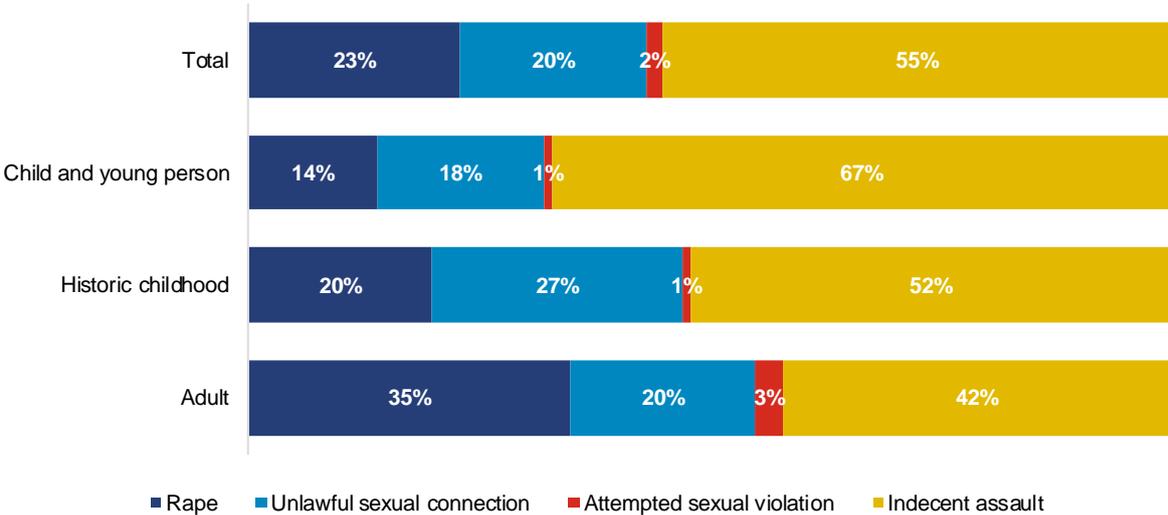
There are several ways to categorise different types of sexual offences. The categories used in this report are based on the sections in the Crimes Act 1961. Appendix B contains a list of all offences identified in this analysis.

In total, more than two-fifths (43%) of the reported victimisations were sexual violation offences (23% were rape and 20% were unlawful sexual connection), 2% were attempted sexual violation and 55% were indecent assault (Figure 6). Indecent assault included:

- sexual conduct with a child under 12 years (17%)
- sexual conduct with a young person under 16 years (18%)
- indecent assault of an adult aged 16 years or over (17%)
- incest (less than 1%)
- other forms of indecent assault (2%).

As this analysis included victimisations experienced and reported by both adults and children and young people, this had an impact on the distribution of offence types identified. As such, if only victimisations experienced and reported by adults were included, the overall proportion of sexual violation would have been larger and indecent assault much smaller.

Figure 6: More than half the victimisations were indecent assault, but offence type is related to the age of the victim



The majority of child and young person victimisations were indecent assault, which differed to adults

A third (32%) of the victimisations reported by children and young people were sexual violation, including 14% for rape and 18% for unlawful sexual connection. For the remaining two-thirds (67%) indecent assault was reported. The most frequently reported offence types

overall were the indecent assault offence types 'sexual conduct with a young person under 16' (33%) and 'sexual conduct with a young person under 12' (28%).

Almost half (46%) of the historic childhood victimisations (reported by adults) were sexual violation (20% were rape and 27% unlawful sexual connection) and half (52%) were indecent assault. The other most frequent offence type was 'sexual conduct with a child under 12' (26%).

In comparison, more than half (55%) of the adult victimisations were sexual violation; 35% were rape and 20% were unlawful sexual connection. Indecent assault was reported for 42% of adult victimisations, of which most were indecent assault of an adult aged 16 or over. Adult victimisations had the highest proportion of attempted sexual violation (3%).

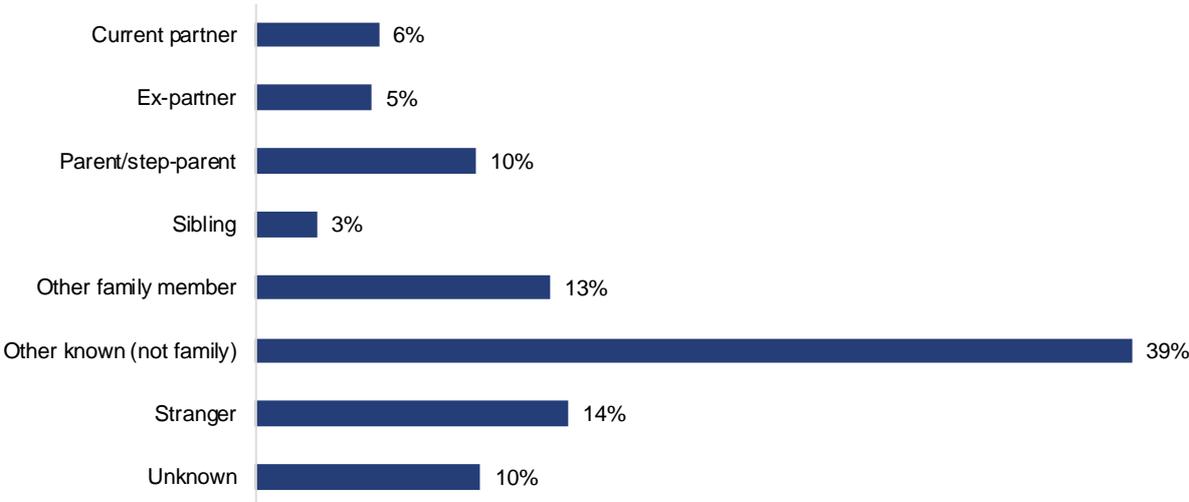
Most victims knew the perpetrator

The relationship between the perpetrator and victim (at the time the victimisation occurred) was analysed for the 8,721 victimisations where the Police investigation resulted in court or non-court action (Figure 7). For:

- 76% the victim knew the perpetrator
- 14% the perpetrator was a stranger
- 10% the relationship was not stated.

For more than one-third (37%) the perpetrator was a family member, including 11% who were a partner or ex-partner and 10% who were a parent or step-parent. The perpetrator for a further 39% was another type of person known to the victim, such as a friend, flatmate or colleague.

Figure 7: For more than a third of victimisations with court or non-court action the perpetrator was a family member and for another third someone else the victim knew



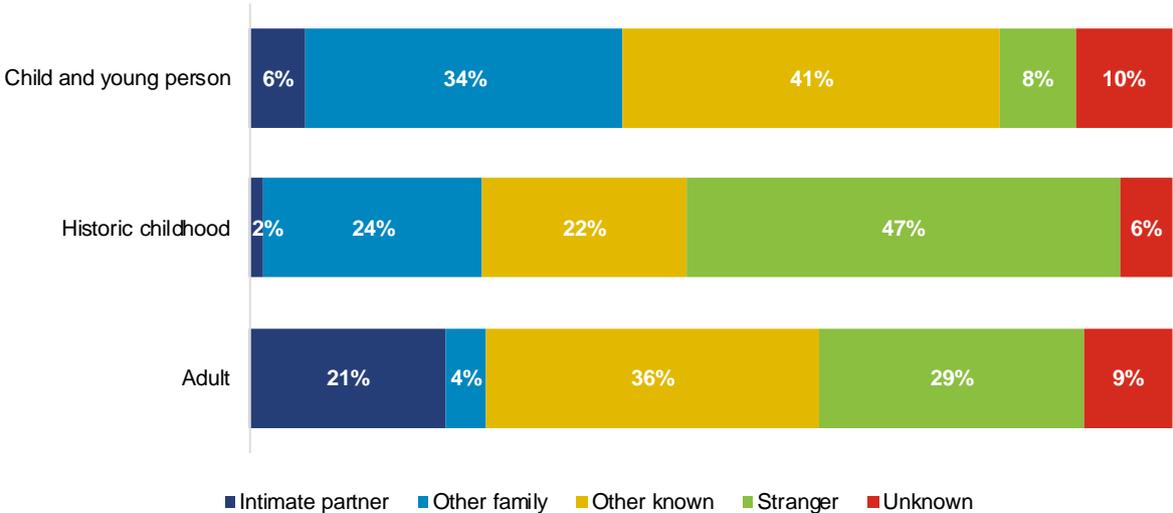
Child and young person victims were most likely to know the perpetrator

There are two ways to look at the types of perpetrator relationship associated with different types of victim. Firstly, by the type of victimisation, and secondly by the type of relationship.

For the type of victimisation (Figure 8):

- Child and young person – had the highest proportion of perpetrators who were known to the victim; 34% involved a family member who wasn't an intimate partner and 41% someone they knew who wasn't a family member. Only 8% involved a stranger.
- Historic childhood – nearly half (47%) involved a stranger, while another half were family members who weren't intimate partners (24%) and other people they knew who wasn't a family member (22%). The large proportion of stranger relationships was surprising, compared to child and young person victimisations. This needs to be investigated further.
- Adult – had the highest proportion of intimate partners (21%). More than a third (36%) involved someone they knew who wasn't a family member, and 29% involved a stranger.

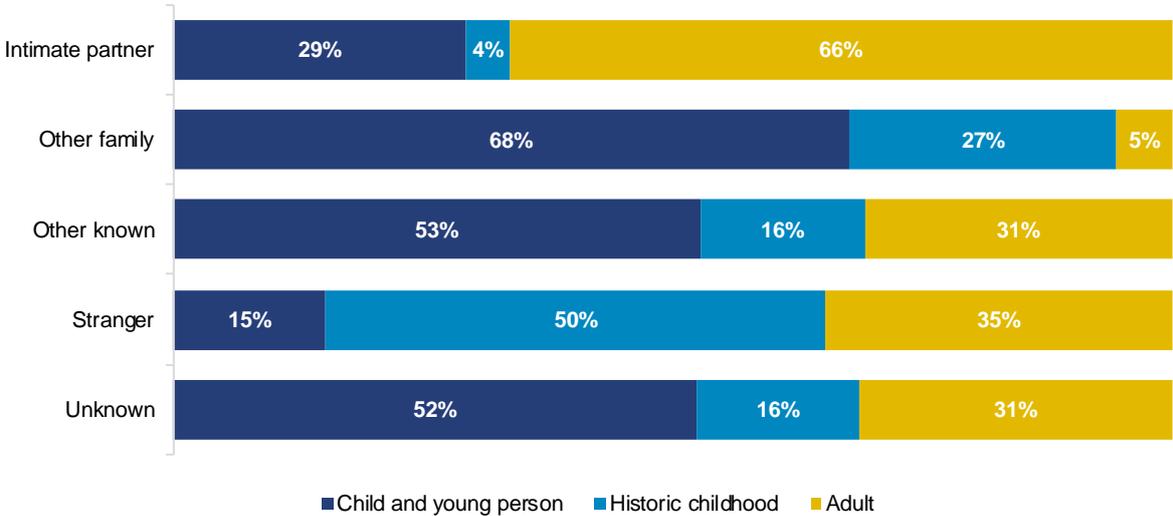
Figure 8: Adult victimisations were more likely to have stranger relationship than child and young person victimisations



For the relationship type (Figure 9):

- Intimate partner – two-thirds (66%) were adult victimisations while 29% were experienced and reported by children and young people.
- Other family member – more than two-thirds (68%) were reported by children and young people and 27% were historic childhood victimisations.
- Known to the victim who wasn't a family member – half (53%) were child and young person victimisations and 31% were experienced by adults.
- Stranger – half (50%) were historic childhood victimisations and 35% were experienced by adults. The large proportion of historic childhood victimisations needs to be investigated further.

Figure 9: While the majority of intimate partner victimisations were experienced by adults, a third occurred when the victim was less than 18 years old

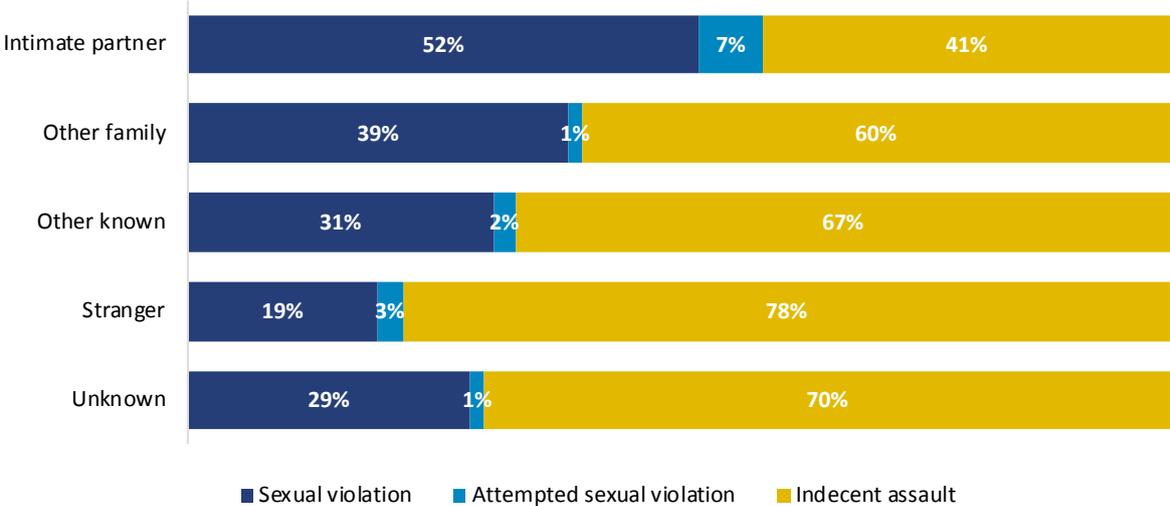


Different offence types were also associated with different relationship types

There was also a different distribution of offence types associated with different relationship types between perpetrators and victims (Figure 10). When the relationship with the victim was:

- Intimate partner – half (52%) were sexual violation (this is the most serious offence type and the highest proportion for all the relationship types). Attempted sexual violation was also the highest (7%) for this relationship type. A third were experienced by young people, with 24% for sexual conduct with a young person under 16 and victims aged under 12.
- Other family member – 39% were sexual violation and 60% indecent assault; 35% were ‘sexual conduct with a child under 12’ and 19% ‘sexual conduct with a young person under 16’. This corresponds to the large proportion of child and young person and historic childhood victimisations involving ‘other’ family members.
- Known to the victim who wasn’t a family member – (31%) were sexual violation and two-thirds (67%) indecent assault.
- Stranger – this relationship type had the lowest proportion for sexual violation (19%; rape was 10%). Conversely, most (78%) of these victimisations were indecent assault, with 58% ‘indecent assault of an adult aged 16 or over’.

Figure 10: Different offence types are associated with different relationship types



Relationship information has improved over time

There appears to have been some improvement in the recording of the relationship between the perpetrator and victim. Over the four years of this analysis, the number of victimisations resulting in Police action against a perpetrator where the relationship was inadequately stated decreased by 33%, with most improvement between 2014/2015 and 2015/2016 (the first and second years of the data series). This contributed to an increased number of reported victimisations with relationship information across almost all relationship types

There were some differences in perpetrator age for different types of victimisation

While this report did not focus on the characteristics of the perpetrators involved, the age of the perpetrator was examined when court or non-court action resulted (and perpetrator age was known). The age of the young perpetrators involved in the victimisations could influence the type of action pursued by Police following investigation and/or the charge outcome in court. This is because non-court action may be appropriate for a young perpetrator, and young people in the Youth Court usually do not receive a conviction but a charge outcome type that is included in ‘other proved’.

A higher proportion of perpetrators were aged 16 years or under (which was the jurisdiction of the youth justice system) at the time of the offence for victimisations reported by children and young people compared to those reported by adults (9% vs 1%).

There was also a higher proportion of perpetrators aged 16 years or under for victimisations involving ‘other’ family members (15%), where the perpetrator was known to the victim but not a family member (13%) or where the relationship type was not recorded (15%). For 7% of both intimate partner and stranger victimisations the perpetrator was aged 16 years or under.

Most victims experienced a single victimisation

The 23,739 sexual violence victimisations reported to Police represented 19,147 unique victims over the four years. Of these:

- 85% reported a single victimisation
- 10% reported two victimisations
- 5% experienced three or more.

Where a victim reported more than more one victimisation these tended to relate to separate 'occurrences';¹¹ 92% of occurrences included a single victimisation. However, there were some differences in the number of victims who reported each year, along with the number of victimisations recorded for each occurrence. This is described in a later chapter.

¹¹ An occurrence is a single criminal incident, which may involve multiple offences if they are reported at the same time, involve the same people, and either occur at the same time and place or are the same type of offence repeated over time.

Victimisations and their progression through the justice system

Summary

Of all the sexual violence victimisations reported to Police between 2014/2015 and 2017/2018, by early 2019:

- 37% had Police action taken against a perpetrator
- 11% resulted in a conviction
- 6% had a prison sentence.

However, 56% of reported victimisations had an investigation undertaken but Police were unable to proceed against a perpetrator at that time. This included where:

- Police deemed no crime had occurred
- the victim withdrew from the process
- Police were unable to take action, for a range of reasons.

The overall progression (and therefore attrition) between 2014/2015 and 2017/2018 is shown in the Sankey diagram in Figure 2 on page 5. Of the 23,739 sexual violence victimisations reported to Police, 11% resulted in a perpetrator being convicted by early 2019; no perpetrator had been convicted for 89% by that time.

The purpose of this analysis was to determine the proportion of reported victimisations that progressed to court action and conviction. To do this, progression was calculated based on the total number of victimisations reported to Police, including victimisations with investigations that were not yet finalised or had active charges in court.

As already noted, most of the reported victimisations were experienced by children or young people (although many were reported as adults) and more than half (55%) were indecent assault.

Appendix B includes descriptions of all the categories used in the analysis. The number and overall percentage of reported victimisations with each outcome of investigation, charge outcome in court and type of sentence is included in Appendix Table A 5.

Outcome of the Police investigation

Most attrition occurred in the initial stages of the process. By May 2019, action had been taken against a perpetrator following the Police investigation for only 37% of all the victimisations reported between 2014/2015 and 2017/2018.

Police charge a perpetrator or take other action against a perpetrator

Where Police took action against a perpetrator, this was usually court action, where the perpetrator was charged and went to court (31% of all reported victimisations; Table 1). Police took non-court action against a perpetrator for 6% of all reported victimisations. This includes:

- Formal warnings – pre-charge warnings given following an arrest and recorded in the Police operational database.
- Informal warnings – given at the discretion of officers where there may be sufficient evidence but no public interest to prosecute a perpetrator. These constitute a warning that engaging in certain conduct is against the law and that there are serious sanctions that can be applied by the Police to prevent and punish such conduct.
- Referrals to youth aid and/or family group conferences for young people, where their behaviour and its consequences are discussed, and undertakings may be imposed.

Table 1: Action taken by Police following investigation of reported victimisation

Action taken by Police following investigation		Count	Percentage
Action taken against a perpetrator	Police charge a perpetrator	7,367	31%
	Police take other action against a perpetrator	1,354	6%
Investigation continuing	Investigation continuing	1,785	8%
Investigation undertaken but Police unable to proceed against perpetrator	No crime	1,795	8%
	Withdrawn by victim	1,026	4%
	Unable to take action	10,412	44%
Total reported victimisations		23,739	100%

Note: The category for 'withdrawn by victim' was introduced in early 2017 and so will be underrepresented overall.

Investigation continuing

For a small proportion (8%), the investigation was continuing in early 2019. These are interim investigation outcomes which may ultimately result in action against a perpetrator. Alternatively, following investigation Police may be unable to proceed against a perpetrator.

Investigation undertaken but Police unable to proceed against perpetrator

For more than half (56%) of victimisations reported to Police an investigation was undertaken but Police were unable to proceed against a perpetrator at that time. From a Police perspective, the outcome of these investigations has not been finalised (although they are not being actively investigated), as they may be resumed if new evidence becomes available later (i.e. the victim decides to proceed or the situation changes). However, from a victim perspective, this non-action is likely to be perceived differently.

There are several reasons an investigation may be undertaken but Police are unable to proceed against a perpetrator:

- No crime (8%)¹² – Police can deem a reported victimisation to not be a crime if it is clear to them that the incident did not constitute an offence (for example, they considered the report to have no foundation after investigation, the person who reported admits to making a false report, or there is evidence to suggest they made a false report). Use of the ‘no crime’ outcome of investigation has decreased significantly over time and is discussed in more detail in a subsequent chapter.
- Withdrawn by victim (4%) – a victim may choose not to proceed and withdraw their complaint. This can happen before or after the formal interview, but before court action or non-court action begins. As highlighted by Jordan and Mossman (2019), a victim may withdraw from the process (or not make a formal complaint) for many reasons, including to avoid stress, their reluctance or ambivalence to proceed, having moved on or wanting to forget, and fear of the perpetrator.

However, this proportion (4%) of victimisations ‘withdrawn by victim’ underrepresents the total proportion of victimisations where the victim withdrew. This is because:

- the specific ‘withdrawn by victim’ outcome category was only introduced and used from early 2017 onwards
- these outcomes will have otherwise been recorded in ‘unable to take action’. This is because when officers record an outcome for an investigation, they follow a specific process to determine the outcome, and ultimately can only choose one outcome. There may be several contributing factors to the outcome, one of which may be the victim withdrawing from the process, and this may not be the option recorded.

An additional limitation is that this data does not provide information on when in the investigation the victim withdrawals occurred. We can’t determine if these happened before or after the formal interview, or later in the investigation.

- Unable to take action (44%) – this includes where:
 - the perpetrator was not identified
 - there was insufficient evidence to prosecute a perpetrator and provide a reasonable prospect of conviction
 - it was deemed not in the public interest to proceed
 - a perpetrator was identified but Police were unable to take action against them due to their death or mental incapacity
 - a formal complaint wasn’t made by the victim.

¹² Note that when Police calculate the rate of ‘no crime’ investigation closures for audit purposes they count offences within case files, where the investigation has a final outcome at 30 days after reporting (e.g. where court or non-court action occurred, or the victimisation was deemed to not be a crime, at 30 days); ongoing investigations and those where Police are unable to take action at that time are not included in the calculation. The differences in counting rules make it difficult to compare those closure rates with the proportion of all reported victimisations deemed to be no crime in this report.

Unfortunately, the outcome of investigation categories do not provide sufficient detail to determine the relative contributions of each of these to the overall 'unable to take action against a perpetrator' category, particularly where no formal complaint was made.

Outcome in court and sentencing

Around one third of victimisations with court action resulted in a conviction

In total, 31% of the victimisations reported to Police resulted in charges in court by early 2019. Of the victimisations that progressed to court, 36% had resulted in a conviction by this time. Overall, this means that only 11% of all reported victimisations resulted in a conviction (Table 2). However, we can expect this proportion to increase over time as investigations that were continuing result in court action, and those still active in court receive a charge outcome.

Table 2: Charge outcome for victimisations that resulted in court action

Outcome of victimisation in court	% of total in court	% of total reported
Convicted	36%	11%
Other proved	4%	1%
Not guilty	9%	3%
Dismissed, discharged, withdrawn	26%	8%
Other	2%	1%
Still active	20%	6%
Could not be linked to a perpetrator or court record	3%	1%
Total victimisations where Police charged a perpetrator	100%	31%

Note: Victimisations that could not be linked included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

For 20% of victimisations that progressed to court the charge was still active – it was not yet finalised as at May 2019.¹³ This means that charges have been filed but a charge outcome

¹³ Note that this analysis included all victimisations that progressed to court, including those still active and awaiting a charge outcome. In other research (such as Triggs et al 2009) a charge outcome was assigned based on the probability for finalised court cases. However, in this research, as one of the aims was to determine if there was any change in conviction over time, we deemed it inappropriate to impute this.

Similarly, to avoid potentially misleading results, we did not exclude the victimisations with active charges. Unpublished Ministry of Justice analysis has shown sexual violence cases that proceed to trial result in a smaller proportion of guilty outcomes and a larger proportion of not guilty outcomes, compared to all sexual violence cases. Therefore, if we had excluded the victimisations with active charges, the proportion convicted each year would appear higher due to guilty pleas occurring early in the court process (e.g. before a trial). The remaining victimisations still active would likely be those where the perpetrator pled 'not guilty' and a judge-alone or jury trial is held. A large proportion of these would not result in conviction, and the perpetrator would be found not guilty.

has not been determined yet (as the court hearings have not been completed). The number and proportion that were still active in court was highest in the most recent year. The high proportion still active was not ideal for analysis purposes. This suggests that more time was required between reporting to Police and performing analysis, to allow more victimisations to have progressed through the court process.

The remaining victimisations that progressed to court resulted in the following outcomes:

- Other type of proved outcome (4%) – such as discharge without conviction or where the perpetrator was a young person, so the case was heard in the Youth Court.
- Not proved (35%):
 - charge that was dismissed, discharged or withdrawn (26%) – there are many possible factors for these outcomes, which may include insufficient or new contradictory evidence, the victim no longer being willing to cooperate, the charge being replaced with another charge, or procedural reasons.¹⁴
 - perpetrator was found not guilty (9%) – this doesn't mean that the crime did not occur, only that the evidence did not prove beyond reasonable doubt that the crime occurred.
- Other type of charge outcome (2%) – where the perpetrator was found unfit to stand trial or not guilty by reason of insanity, due to a current mental impairment or their mental state at the time of the offence.

There were a small number of victimisations (less than 1% overall, or 3% of victimisations that progressed to court) where the victim or perpetrator datasets indicated that court action had occurred, but no link could be made to the court data.

More than half of victimisations with a conviction resulted in a prison sentence

For 55% of victimisations that resulted in a conviction (or 6% of all victimisations reported to Police) a prison sentence was imposed (Table 3). A further 16% of convictions received home detention and 18% another form of community sentence (such as community detention, intensive supervision, community work or supervision) as their most serious sentence. For a small proportion with a conviction (4%) the perpetrator received another type of sentence ('monetary, deferment or other') as their most serious sentence.¹⁵

In some instances (7% of convictions) the perpetrator had been convicted but was awaiting sentencing or their imposed sentence was being appealed. Once sentencing has occurred we would expect the proportion with imprisonment (or another type of sentence) to increase.

¹⁴ A charge can be dismissed, discharged or withdrawn at various stages through a court case, but unfortunately this data is not able to provide information on the stage this occurred, or the initiating circumstances.

¹⁵ These included being ordered to pay reparation, deferment (where they may be ordered to return to court for resentencing if they reoffend or don't comply with their sentence conditions) and being committed to a secure hospital or facility.

Table 3: Sentence imposed on convicted perpetrator

Most serious sentence imposed	% of total convictions	% of total victimisations
Imprisonment	55%	6%
Home detention	16%	2%
Other community	18%	2%
Monetary, deferment or other	4%	<1%
Waiting to be sentenced	7%	1%
Total victimisations with a convicted outcome	100%	11%

It can take a long time to progress through the system

Summary

The time taken for the Police investigation to progress can be long:

- after one month most investigations were continuing
- after six months more than a third were continuing, but a quarter had resulted in action against a perpetrator
- as of May 2019, more action had been taken against perpetrators with a total of 31% resulting in court action.

When the investigation resulted in court or non-court action:

- this usually occurred within six months (73%), and within a year for most (90%); however, for 10% action didn't occur for a year or more
- the court process usually took many months, with a third taking a year more
- half the victimisations had an overall time from reporting, including the Police investigation and court process, of up to a year to receive a charge outcome; most (87%) had an outcome in two years.

The time taken for the court process appears to contribute substantially to the overall time taken for victimisations to progress from reporting to a charge outcome.

In addition to the decision points throughout the criminal justice system where the outcome of a reported victimisation is decided, there can be many delays to the progression of victimisations through the system.

Some types of victimisation take longer than others to progress. This is discussed in the relevant sections of the report.

The time taken for the Police investigation to progress can be long

In the victim dataset, the outcome of investigation is captured at different time points after the victimisation is reported to Police, along with the latest outcome. However, the actual date when an outcome is assigned to an investigation is not included.¹⁶

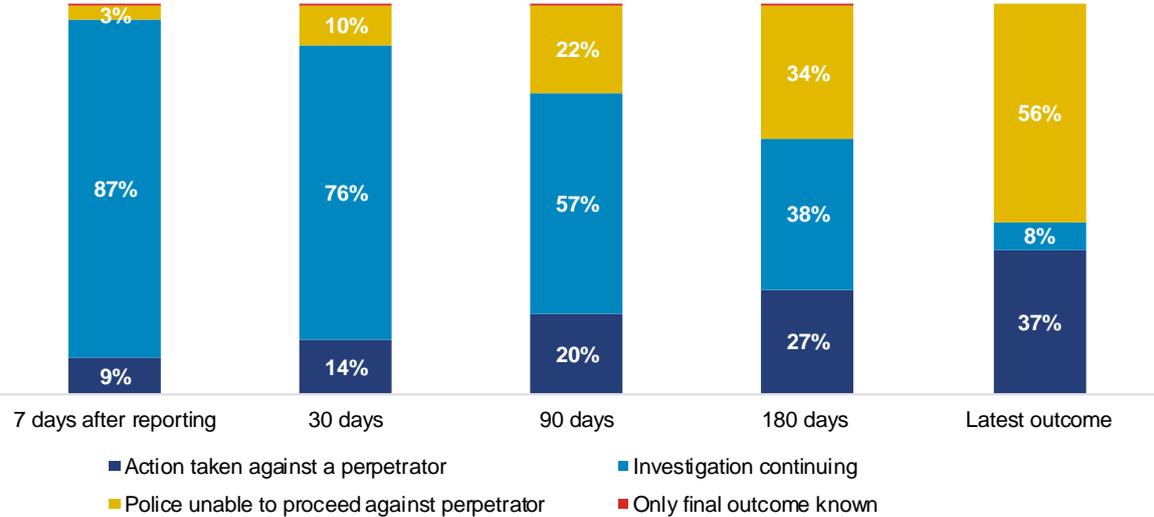
¹⁶ Some investigations will have had a much longer time than others between the outcome of investigation captured at six months after reporting and the latest outcome of investigation obtained in early 2019.

After one month most investigations were continuing

Initially, 87% of investigations were continuing one week after reporting. After a month this had decreased to 76% (Figure 11).

One month after reporting 14% of victimisations had resulted in action against a perpetrator (12% court action and 2% non-court action). Another 10% of victimisations had an investigation undertaken but Police were unable to proceed against a perpetrator at that time.

Figure 11: Police action over time for all sexual violence victimisations reported to Police



After six months more than a third of investigations were continuing, but more than a quarter resulted in action against a perpetrator

Six months (180 days) after reporting to Police just over a third (38%) of investigations were continuing, but by early 2019 this has decreased to 8%.

More than a quarter (27%) of investigations had resulted in action against a perpetrator after six months (23% court action and 4% non-court action). As of May 2019, more perpetrators had action taken against them (37%), with a total of 31% resulting in court action and 6% in non-court action by the time of this analysis.

Within six months of reporting, the proportion of victimisations where an investigation had been undertaken but Police were unable to proceed against a perpetrator increased to 34%.

The proportion of victimisations where an investigation had been undertaken but Police were unable to proceed against a perpetrator increased even further over time to ultimately represent more than half (56%) of the reported victimisations.

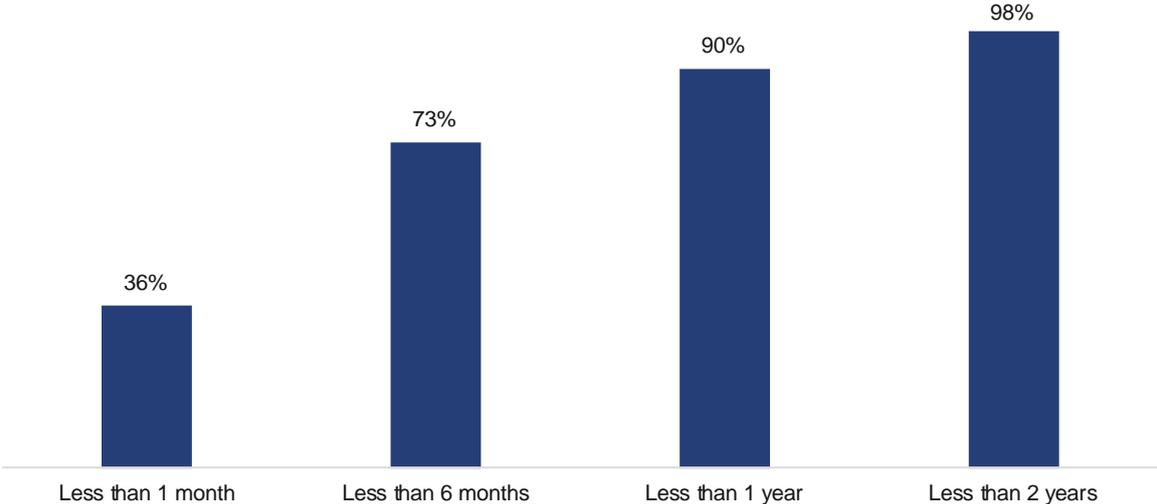
Court or non-court action could also take a long time

If Police took action against a perpetrator it usually occurred within six months

Court or non-court action was taken against a perpetrator for nearly a third of victimisations (by early 2019). When Police took action against a perpetrator it occurred in less than a month for a third (36%) of victimisations, but usually occurred within six months (73%); (Figure 12).¹⁷ For most (90%) victimisations action was taken in less than a year.

Of course, the circumstances surrounding the victimisation may influence the length of time taken to investigate it and act against a perpetrator. Some of those differences are described in later chapters.

Figure 12: Time taken from reporting to action against a perpetrator



Note: Only victimisations that resulted in court or non-court action are included (excluding those that could not be linked in the perpetrator dataset, so no information was available on the time for Police to take action).

The court process usually took many months

For the victimisations with a charge outcome, a third (33%) received the outcome (not including sentencing) in less than six months of the decision to charge the perpetrator (Figure 13).¹⁸ Only two-thirds (67%) had a charge outcome in less than a year, with almost all (96%) having the charge outcome in less than two years.

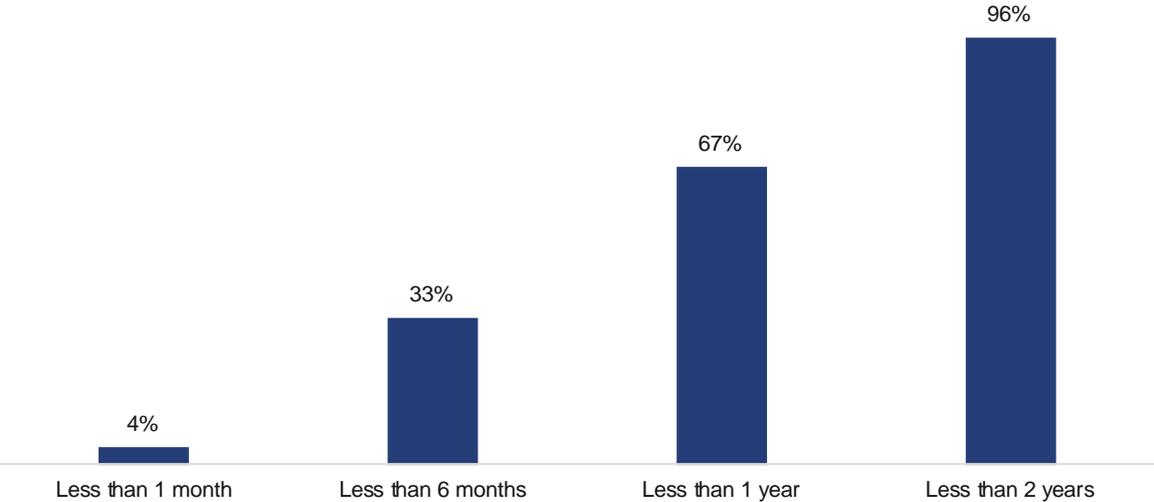
¹⁷ The date Police first took action against the perpetrator is used (when they decided to charge them).

¹⁸ This analysis used the first date Police took action against the perpetrator and the latest charge outcome date recorded. The charge outcome date can be updated at sentencing and due to appeals. The length of time a charge takes to progress through court can be impacted by many things, including when a perpetrator has failed to appear and there is a warrant for their arrest.

Note that as Figure 13 does not include victimisations with charges still active in court the distribution may change as more are resolved (especially those that took longer due to a judge-alone or jury trial).

The length of time it takes for a charge to progress through court can depend on many things, including whether the perpetrator pleads guilty or there is any concerns of mental impairment, if it is a judge-alone or jury trial, the availability of court scheduling, whether a perpetrator remanded on bail fails to appear (and a warrant is issued for their arrest), and if a charged is dismissed, discharged or withdrawn and the stage that this occurs.

Figure 13: Time taken from action against a perpetrator to charge outcome



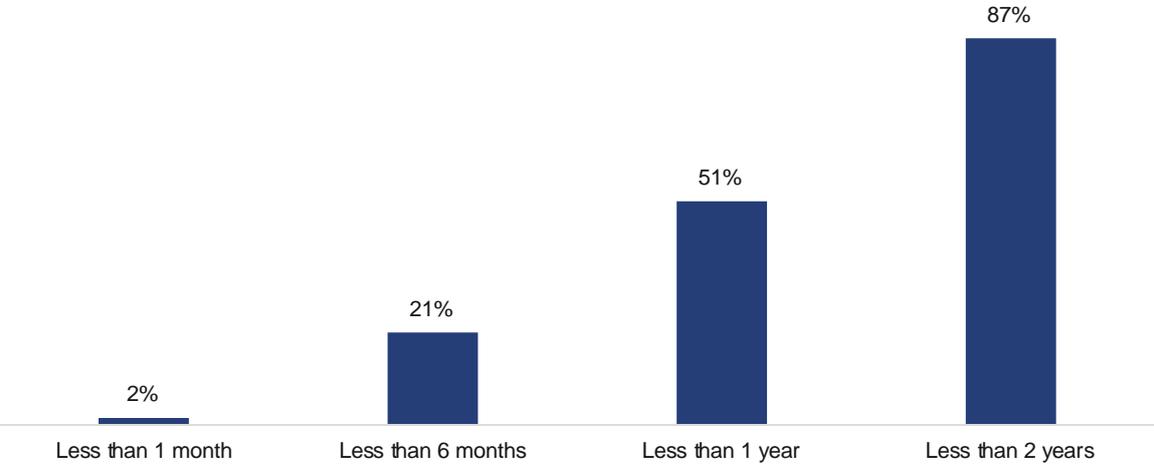
Note: Only victimisations that resulted in court action are included (excluding those that could not be linked in the perpetrator dataset, so no information was available on the time for Police to take action).

Overall, for half of victimisations it took a year or more after reporting for a court outcome

Overall, the investigation and court process took a long time for many victimisations. For a fifth (21%) of victimisations that received a charge outcome this occurred in less than six months of reporting to Police (Figure 14). For half (51%) it took up to a year in total to receive a charge outcome and most (87%) had an outcome after a total of two years. For the remaining 13% of victimisations it took two years or more.

The time taken for the court process appears to contribute substantially to the overall time taken for victimisations to progress from reporting to a charge outcome.

Figure 14: Total time taken from reporting to charge outcome



Note: Only victimisations that resulted in court action, could be linked and were not still active are included.

There have been some changes over the last four years

Summary

Between 2014/2015 and 2017/2018, the number of reported victimisations increased, due to more victims reporting and more victimisations recorded per occurrence.

Although there were some differences in progression, many comparisons over time were problematic.

Following the Police investigation, compared to 2014/2015:

- victimisations reported in 2017/2018 were more likely to result in court action, and less likely to have other non-court action (despite a larger proportion of investigations continuing)
- fewer victimisations were deemed to be 'no crime' each year.

Comparing court and sentence outcomes over time was the most problematic, due to the increasing number of charges still active in court and awaiting sentencing.

Of the victimisations that progressed to court:

- almost half (46%) reported in 2017/2018 had charges still active.

Of the victimisations with a conviction:

- 21% reported in 2017/2018 were awaiting sentencing.

We wanted to determine if there were any differences in the progression of reported victimisations compared to 2014/2015. This analysis compared each subsequent year with the reference year, 2014/2015.

Further information on the number and overall proportion of reported victimisations is also available in Appendix Table A 5.

The number of reported victimisations increased

Between 2014/2015 and 2017/2018 the number of reported victimisations increased 21% (from 5,616 to 6,803 reported victimisations), with the largest increase between 2016/2017 and 2017/2018 when 1,000 more victimisations were recorded (Table 4).¹⁹ Unfortunately as the victim dataset only began in July 2014 we do not have a longer time series to compare this to.

¹⁹ As noted previously, these figures differ from figures published by New Zealand Police due to differences in counting rules.

Table 4: Number of reported victimisations each year, 2014/2015 – 2017/2018

	2014/2015	2015/2016	2016/2017	2017/2018	Total
Total reported victimisations	5,616	5,515	5,805	6,803	23,739

We are unable to determine whether the increased number of reported victimisations reflects an actual increase in the number of victimisations experienced by victims, or if it is solely an increase in reporting to Police. However, it is also possible that more individual victimisations reported to Police are being recorded by Police.

In relation to this:

- the number of unique victims who reported victimisations each year increased 7%, from 4,918 in 2014/2015 to 5,261 in 2017/2018.
- the proportion of victims with a single reported victimisation was consistent from 2014/2015 to 2016/2017 (90%). However, in 2017/2018 this decreased to 85% (more victims had multiple victimisations recorded).
- the proportion of victims with a single reported victimisation was related to the proportion of occurrences with a single reported victimisation. This was also consistent from 2014/2015 to 2016/2017 (94%) but decreased in 2017/2018 to 88% (there were more occurrences with multiple victimisations recorded).

The increase in multiple victimisations per occurrence (and hence per victim in 2017/2018) needs to be investigated further, as there doesn't appear to be any clear reason for the increase (e.g. such as a change in Police policy). However, there may be greater awareness of sexual violence in general (e.g. the #MeToo movement), resulting in more disclosure to and/or more recording by Police.

As such, the increased number of reported victimisations is a result of the 7% increase in victims reporting to Police, along with more individual victimisations being recorded by Police within each reported occurrence in 2017/2018. The increases were apparent across all three victimisation types (child and young person, historic childhood and adult victimisations).

Comparing 2014/2015 to more recent years was problematic

Some comparisons over time were problematic. These differences should be treated with caution.

Police have made changes to outcomes of investigation

In early 2017 there was a Police system change that introduced several new outcomes, including 'withdrawn by victim', and took other outcomes out of use. This change impacted outcomes within the 'investigation undertaken but Police unable to proceed against perpetrator' outcome of investigation.

Some victimisations reported to Police prior to the system change will have outcome of investigation types from before the change, while others will have outcomes from after the

system change. This makes it difficult to accurately compare some of the sub-groups over time, especially given that accurate investigation outcome dates were not available where investigations were undertaken but Police were unable to proceed against the perpetrator.

Additionally, from approximately 2013 onwards, Police changed their practice for closing investigations deemed not to be a crime. They now routinely audit a sample of these investigations to confirm the most appropriate outcome has been used.

Some victimisations had continuing investigations and active charges in court

The length of time taken to investigate some victimisations (as discussed in the previous chapter) means that for some the investigation was continuing when the analysis was performed in early 2019. This had the largest impact on victimisations reported in 2017/2018.

The court process can also take a long time, resulting in victimisations that progressed to court still being active (awaiting a charge outcome) or awaiting sentencing. This also had the largest impact on victimisations reported in 2017/2018. Ideally, the analysis would have been conducted when all the Police investigations had been undertaken and court proceedings had been finalised.

Over time, more investigations resulted in court action and were continuing and less were deemed to be 'no crime'

Action taken against a perpetrator

The proportion of reported sexual violence victimisations that resulted in court action was constant until 2017/2018 when it increased to 34% (from 30%). This was despite a larger proportion of victimisations reported in 2017/2018 having continuing investigations. Conversely, the proportion with non-court action decreased, from 7% in 2014/2015 to 5% in 2016/2017 and to 4% in 2017/2018 (Table 5).

It is possible that the increase in court action in 2017/2018 is related to the large increase in reported victimisations that year (1,000 more compared to the year before). The additional victimisations, while representing more victims, also included more occurrences with multiple victimisations recorded. It is likely that where several victimisations were investigated together, and court action resulted, that this resulted for them all.

Investigation continuing

In each successive year, a higher proportion of investigations were continuing (as might be expected given the time required for an investigation); the proportion increased from 3% in 2014/2015 to 14% in the most recent year (2017/2018).

Table 5: Action taken by Police following investigation of reported victimisation, 2014/2015 – 2017/2018

Action taken by Police following investigation		2014/2015	2015/2016	2016/2017	2017/2018
Action taken against a perpetrator	Police charge a perpetrator	30%	30%	29%	34%*
	Police take other action against a perpetrator	7%	7%	5%*	4%*
Investigation continuing	Investigation continuing	3%	5%*	7%*	14%*
Investigation undertaken but Police unable to proceed against perpetrator	No crime	17%	8%*	5%*	2%*
	Withdrawn by victim	<1%	1%*	5%*	10%*
	Unable to take action	43%	49%*	49%*	35%*
Total reported victimisations		100%	100%	100%	100%

Note: An * indicates where the proportion for 2015/2016, 2016/2017 or 2017/2018 is statistically different ($p < 0.05$) from the proportion for 2014/2015.

The 'withdrawn by victim' outcome category was introduced in early 2017. Victimisations reported prior to this can have this outcome where the investigation took a long time and had an outcome after the introduction.

Investigation undertaken but Police unable to proceed against perpetrator

The overall proportion of victimisations where the investigation was undertaken but Police were unable to proceed against a perpetrator was smaller in 2017/2018 compared to 2014/2015 (48% vs 60%), likely due to ongoing investigations. The 'investigation undertaken but Police unable to proceed against a perpetrator' category has three sub-groups:

- No crime – decreased each year from 17% in 2014/2015 to 8% in 2015/2016, 5% in 2016/2017 and 2% in 2017/2018. The substantial decrease occurred over the period since Police have become more rigorous about using this outcome type. In addition, since early 2017 officers have had additional, and possibly more appropriate, outcome of investigation types to choose from.
- Withdrawn by victim – was introduced in early 2017. As would be expected the proportion with this outcome increased and was 10% in 2017/2018. There are victimisations reported prior to early 2017 with this outcome where the investigation took a long time and had an outcome after the introduction.
- Unable to take action – increased from 43% in 2014/2015 to 49% in 2015/2016 and 2017/2018, before decreasing to 35% in 2017/2018. This decrease is likely due to the use of the 'withdrawn by victim' category and ongoing investigations (some of which will result in this outcome over time).

Over time, the investigations that are currently continuing will be re-categorised as either 'action taken against a perpetrator' or 'investigation undertaken but Police unable to proceed against a perpetrator'.

Comparing court and sentencing outcomes over time is impacted by the proportion awaiting outcomes

Caution should be used when interpreting 'differences' observed in 2017/2018

As discussed previously, it can take some time for a victimisation, once investigated, to progress through the court system. This means that comparing court and sentencing outcomes between 2014/2015 and 2017/2018 is problematic.

It is important not to interpret the smaller proportion of victimisations with a conviction in 2017/2018 (26% compared to 40% in 2014/2015) as a decrease in the conviction rate (Table 6). It is smaller due to nearly half (46%) the victimisations that progressed to court still being active in May 2019 (i.e. they had not yet received a charge outcome), while only 2% of victimisations reported in 2014/2015 were still active.

Similarly, it is important not to interpret the smaller proportion with a prison sentence in 2017/2018 (41% vs 59% in 2014/2015) as a decrease in imprisonment (Table 7). The smaller proportion is due to a larger proportion of those reported in 2017/2018 waiting to be sentenced in May 2019 (21%) compared to those reported in 2014/2015 (less than 1%).

More victimisations reported in 2017/2018 have charges in court that are still active than those reported in earlier years, as they had less time in which to obtain an outcome. Over time, the proportion with a conviction and prison sentence will increase as the active charges are finalised.

Court and sentencing outcomes in 2014/2015 should only be compared with 2015/2016 and 2016/2017

There was no difference in the proportion with a conviction, 'other proved' or not guilty outcome in 2015/2016 and 2016/2017, compared to 2014/2015 (Table 6). But the proportion dismissed, discharged or withdrawn was smaller in both years (32% in 2014/2015 compared to 29% in 2015/2016 and 24% in 2016/2017). However, this is likely to be related to the proportion of charges still active.

There was also no difference in victimisations with a conviction that received any of the sentence types in 2014/2015 and 2015/2016 (Table 7). However, there were more awaiting sentencing in 2016/2017, as might be expected.

Table 6: Charge outcome of victimisations which resulted in court action, 2014/2015 – 2017/2018

Outcome of victimisation in court	2014/2015	2015/2016	2016/2017	2017/2018
Convicted	40%	41%	39%	26%*
Other proved	6%	6%	4%	2%*
Not guilty	11%	12%	11%	3%*
Dismissed, discharged, withdrawn	32%	29%*	24%*	21%*
Other	3%	4%	2%	1%*
Still active	2%	5%*	17%*	46%*
Could not be linked to a perpetrator or court record	7%	4%*	2%*	<1%*
Total victimisations where Police charged a perpetrator	100%	100%	100%	100%

Note: An * indicates where the proportion for 2015/2016, 2016/2017 or 2017/2018 is statistically different ($p < 0.05$) from the proportion for 2014/2015.

Victimisations which could not be linked included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Table 7: Sentence imposed on convicted perpetrator, 2014/2015 – 2017/2018

Most serious sentence imposed	2014/2015	2015/2016	2016/2017	2017/2018
Imprisonment	59%	62%	56%	41%*
Home detention	16%	15%	19%	15%
Other community	20%	18%	18%	18%
Monetary, deferment or other	4%	3%	4%	5%
Waiting to be sentenced	<1%	1%	5%*	21%*
Total victimisations with a convicted outcome	100%	100%	100%	100%

Note: An * indicates where the proportion for 2015/2016, 2016/2017 or 2017/2018 is statistically different ($p < 0.05$) from the proportion for 2014/2015.

Progression is different for child and young person, historic childhood and adult victimisations

Half (47%) the victimisations were reported when the victim was a child or young person; 15% were historic childhood victimisations and 38% occurred as an adult.

There were differences in progression for child and young person, historic childhood and adult victimisations.

Child and young person victimisations:

- more likely to result in non-court action and be deemed not a crime
- more likely to have an 'other proved' charge outcome (after progressing to court)
- had longer investigations
- overall took a longer time from reporting to charge outcome than adult victimisations.

Historic childhood victimisations:

- most likely to result in court action but were also more likely to still be active in court and awaiting sentencing
- had longer investigations and took longer in court
- overall took the longest time from reporting to charge outcome.

Adult victimisations:

- less likely to result in court action and more likely to result in Police unable to take action
- more likely to have a not guilty outcome (after progressing to court) and less likely to still be active in court
- less likely to receive a prison sentence and more likely to receive other community sentences once convicted
- had the shortest investigations and time from reporting to charge outcome.

This section describes the progression for different types of victimisation. Further information on the number and overall proportion of reported victimisations is also available in Appendix Table A 6.

Half the victimisations were reported when the victim was a child or young person

As discussed previously, the reported victimisations were categorised as:

- child and young person victimisations (47%) - experienced and reported as children and young people aged 17 years or younger
- historic childhood victimisations (15%) - experienced as children and young people aged 17 years or younger and reported as adults aged 18 years or over
- adult victimisations (38%) experienced and reported as adults aged 18 years or over).

As shown earlier (Figure 10), the offence types reported by children and young people differed to those reported by adults. The majority of victimisations reported by children and young people (67%) and as historic childhood victimisations (52%) were indecent assault, while the majority of adult victimisations were sexual violation (55%).

As shown in Figure 8, child and young person victims were the most likely to know the perpetrator (including intimate partners, other family members and other people they knew), and only 8% involved a stranger. In comparison, 29% of adult victimisations involved a stranger.

Historic childhood victimisations were most likely to result in court action

Two-fifths (40%) of reported child and young person victimisations resulted in Police taking action against a perpetrator, including court action (31%) and non-court action (9%) (Table 8). For 6% the investigation was continuing, 9% were deemed to not be a crime, 3% were withdrawn by the victim, and for 42% Police were unable to take action.

Table 8: Action taken by Police following investigation of child and young person, historic childhood and adult victimisations

Action taken by Police following investigation		Child or young person	Historic childhood	Adult
Action taken against a perpetrator	Police charge a perpetrator	31%	38%*	28%##
	Police take other action against a perpetrator	9%	1%*	4%##
Investigation continuing	Investigation continuing	6%	15%*	6%#
Investigation undertaken but Police unable to proceed against perpetrator	No crime	9%	5%*	7%##
	Withdrawn by victim	3%	5%*	5%*
	Unable to take action	42%	36%*	49%##
Total reported victimisations		100%	100%	100%

Note: An * indicates where the proportion for historic childhood and adult victimisations is statistically different ($p < 0.05$) from the proportion that were child and young person victimisations.

A # indicates where the proportion for adult victimisations is statistically different ($p < 0.05$) from the proportion for historic childhood victimisations.

The investigation outcomes for historic childhood victimisations differed. More resulted in court action (38% vs 31%) and fewer had non-court action (1% vs 9%). Historic childhood victimisation investigations were more likely to be continuing (15% vs 6%). Fewer were deemed not to be crime (5% vs 9%) or resulted in Police unable to take action (36% vs 42%).

There were also differences for adult victimisations, including less action against perpetrators; 28% had court action (compared to 31%) and 4% had non-court action (compared to 9%). There were also fewer victimisations deemed to be no crime (7% vs 9%), although more resulted in Police unable to take action (49% vs 42%).

There were also differences in outcomes when comparing historic childhood and adult victimisations. More historic childhood victimisations were finalised with action taken against

a perpetrator (39% vs 32%); with more court action (38% vs 28%) but fewer non-court action (1% vs 4%). There were also more historic childhood victimisations with an investigation that was continuing (15% vs 6%). Fewer were deemed to not be a crime (5% vs 7%) and had Police unable to take action (36% vs 49%).

Historic childhood victimisations were more likely to still be active in court and awaiting sentencing

More than a third (37%) of child and young person victimisations that progressed to court resulted in conviction (12% of all reported child and young person victimisations). A further 6% had an 'other proved' outcome such as a discharge without conviction or where the charge was proved in the Youth Court (Table 9). For another quarter (27%) the charge was dismissed, discharged or withdrawn and 8% had a not guilty charge outcome. As at May 2019, 17% of child and young person victimisations that progressed to court were still active.

There was no difference in the proportion of adult victimisations that progressed to court and were convicted. But, there were fewer with a 'not proved' outcome (3% vs 6%) and more with a not guilty outcome (12% vs 8%). Slightly fewer adult victimisations in court were still active (14% vs 17%).

The court outcomes for historic childhood victimisations differed to both child and young person and adult victimisations; this was due to historic childhood victimisations having the highest proportion (40%) still active at that time. This suggests that these victimisations take longer to progress. Once these are finalised, we can assume that the conviction rate (and potentially the rate for not guilty outcomes) will increase.

Table 9: Charge outcome of child and young person, historic childhood and adult victimisations which resulted in court action

Outcome of charge in court	Child or young person	Historic childhood	Adult
Convicted	37%	25%*	39%#
Other proved	6%	<1%*	3%#
Not guilty	8%	6%*	12%#
Dismissed, discharged, withdrawn	27%	24%*	26%
Other	2%	2%	3%#
Still active	17%	40%*	14%#
Could not be linked to a perpetrator or court record	3%	3%	3%
Total victimisations where Police charged a perpetrator	100%	100%	100%

Note: An * indicates where the proportion for historic childhood and adult victimisations is statistically different ($p < 0.05$) from the proportion that were child and young person victimisations.

A # indicates where the proportion for adult victimisations is statistically different ($p < 0.05$) from the proportion for historic childhood victimisations.

Victimisations which could not be linked included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

More than half (57%) of child and young person victimisations with a conviction resulted in a prison sentence (7% of all reported child and young person victimisations) (Table 10). Another fifth (20%) with a conviction received home detention, 15% received another type of

community sentence, and 2% received another type of sentence as the most serious sentence. Finally, 6% were awaiting sentencing.

Adult victimisations with a conviction were less likely to receive a prison sentence than child and young person victimisations (48% vs 57%), and more likely to receive community sentences (other than home detention) (28% vs 15%). Slightly fewer were waiting to be sentenced (4% vs 6%).

Historic childhood victimisations also had the highest proportion of convicted charges waiting to be sentenced (14%). Despite this, more historic childhood victimisations received a prison sentence (66%) than both child and young person (57%) and adult victimisations (48%).

Table 10: Sentence imposed on convicted perpetrator for child and young person, historic childhood and adult victimisations

Most serious sentence imposed	Child or young person	Historic childhood	Adult
Imprisonment	57%	66%*	48%##
Home detention	20%	16%	12%#
Other community	15%	3%*	28%##
Monetary, deferment or other	2%	2%	7%#
Waiting to be sentenced	6%	14%*	4%*##
Total victimisations with a convicted outcome	100%	100%	100%

Note: An * indicates where the proportion for historic childhood and adult victimisations is statistically different (p<0.05) from the proportion that were child and young person victimisations.

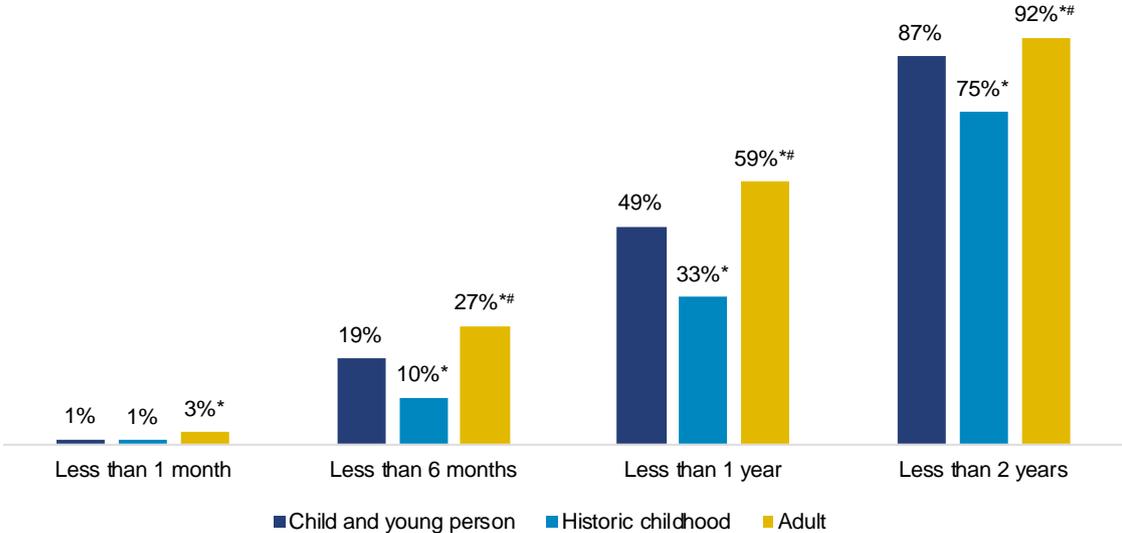
A # indicates where the proportion for adult victimisations is statistically different (p<0.05) from the proportion for historic childhood victimisations.

Child or young person and historic childhood victimisations take longer overall, largely due to longer Police investigations

Child and young person victimisations took longer to progress from reporting to charge outcome than adult victimisations, but historic childhood victimisations took the longest (Figure 15).

Only 10% of historic childhood victimisations had a charge outcome in less than six months, compared to 19% of child and young person and 27% of adult victimisations. There was a similar pattern at both one year and two years, with only three-quarters (75%) of historic childhood victimisations having a charge outcome in under two years (compared to 87% of child and young person and 92% of adult victimisations).

Figure 15: Total time taken from reporting to charge outcome for child and young person, historic childhood and adult victimisations

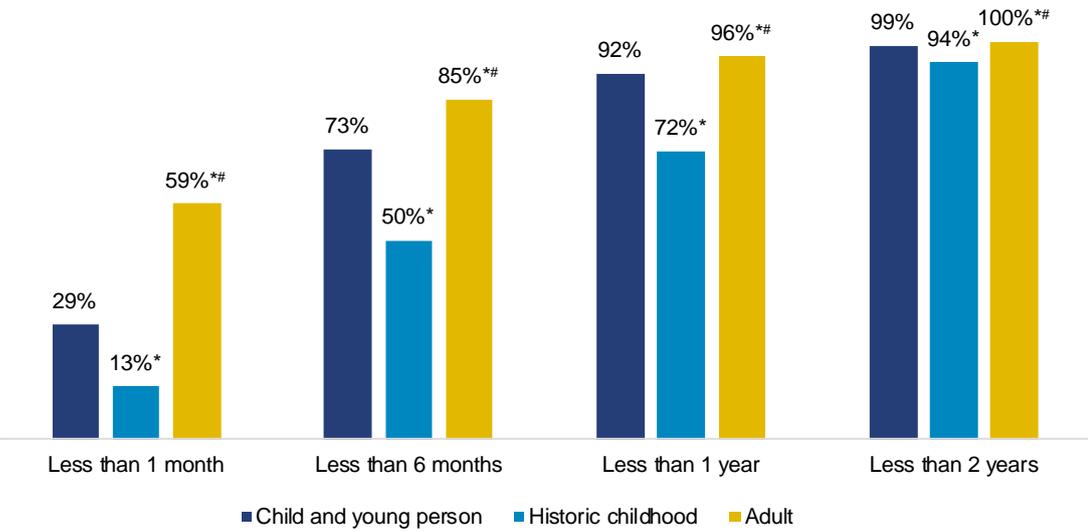


Note: Only victimisations that resulted in court action, could be linked and were not still active are included.
 An * indicates where the proportion was statistically different ($p < 0.05$) from the proportion for historic childhood victimisations.
 A # indicates where the proportion for adult victimisations is statistically different ($p < 0.05$) from the proportion for historic childhood victimisations.

While longer progression times for child and young person and historic childhood victimisations were seen at both the Police and court stages, the difference was more pronounced at the Police investigation stage.

For more than half (59%) of adult victimisations action was taken against a perpetrator within a month of reporting (Figure 16). In contrast, only 13% of historic childhood and 29% of child or young person victimisations had action taken within a month. Most investigations for adult (85%) and child and young person (73%) victimisations were completed in less than six months, but only 50% of historic childhood victimisations had action by this time. Only 94% of historic childhood victimisations with action against a perpetrator had this action undertaken within two years. For the remainder the investigation took two years or more.

Figure 16: Time taken from reporting to action against a perpetrator, for child and young person, historic childhood and adult victimisations



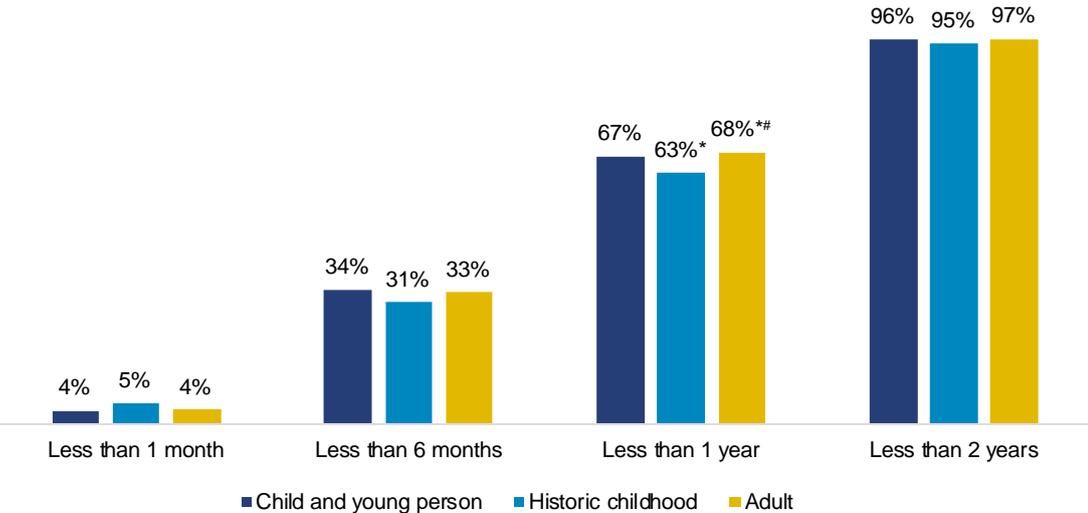
Note: Only victimisations that resulted in court or non-court action are included (excluding those that could not be linked in the perpetrator dataset, so no information was available on the time for Police to take action).

An * indicates where the proportion was statistically different ($p < 0.05$) from the proportion for historic childhood victimisations.

A # indicates where the proportion for adult victimisations is statistically different ($p < 0.05$) from the proportion for historic childhood victimisations.

There were smaller differences in the length of the court process. By one year 63% of historic childhood victimisations had received a charge outcome compared to 68% of adult and 67% of child or young person victimisations (Figure 17).

Figure 17: Time taken from action against a perpetrator to charge outcome, for child and young person, historic childhood and adult victimisations



Note: Only victimisations that resulted in court action, could be linked and were not still active are included.

An * indicates where the proportion was statistically different ($p < 0.05$) from the proportion for historic childhood victimisations.

A # indicates where the proportion for adult victimisations is statistically different ($p < 0.05$) from the proportion for historic childhood victimisations.

Progression is different for different offence types

Summary

There were differences in the progression of sexual violation, attempted sexual violation and indecent assault victimisations. Victimisations for sexual violation (the most serious offence type) were compared to attempted sexual violation and indecent assault.

Following the Police investigation:

- sexual violation was least likely to result in court action and likely to have Police unable to take action
- attempted sexual violation was less likely to be deemed not a crime
- indecent assault was most likely to result in non-court action and less likely to have a continuing investigation.

Of the victimisations that progressed to court:

- sexual violation was the least likely to be convicted, most likely to have a not guilty outcome and still be active in court.

Of the victimisations with a conviction:

- sexual violation was least likely to receive less serious community sentences, and most likely to be awaiting sentencing
- indecent assault was less likely to receive a prison sentence, but more likely to receive other types of sentence.

Of the victimisations that resulted in action against a perpetrator, sexual violation victimisations:

- had longer investigations
- took longer in court to receive a charge outcome
- overall took a longer time from reporting to charge outcome.

This section describes the progression for different types of sexual violence offences; comparing sexual violation victimisations (which are the most serious offence type) to attempted sexual violation and indecent assault. There are also additional breakdowns for rape and unlawful sexual connection. Further information on the number and overall proportion of reported victimisations is available in Appendix Table A 7 and Table A 8.

As described earlier, there were differences in the distribution of offences for different victimisation types. Indecent assault was the most frequent offence type for child and young person (67%) and historic childhood victimisations (52%) but reported for only 42% of adult victimisations.

Further analysis needs to be undertaken to determine whether the interaction of victim age, perpetrator relationship and offence type impacts these results.

Sexual violation

Overall, there were 10,254 reported victimisations for sexual violation; 53% for rape and 47% for unlawful sexual connection.

More than a quarter (27%) of sexual violation victimisations had an investigation resulting in court action while 2% resulted in non-court action (Table 11). Another 9% had the investigation continuing. However, for 62% an investigation was undertaken but Police were unable to proceed against a perpetrator.

Table 11: Action taken by Police following investigation of reported victimisations for different offence types

Action taken by Police following investigation		Sexual violation	Attempted sexual violation	Indecent assault
Action taken against a perpetrator	Police charge a perpetrator	27%	43%*	34%*
	Police take other action against a perpetrator	2%	3%	9%*
Investigation continuing	Investigation continuing	9%	8%	6%*
Investigation undertaken but Police unable to proceed against perpetrator	No crime	8%	4%*	8%
	Withdrawn by victim	6%	3%*	3%*
	Unable to take action	49%	38%*	40%*
Total reported victimisations		100%	100%	100%

Note: An * indicates where the proportion for attempted sexual violation or indecent assault is statistically different ($p < 0.05$) from the proportion for sexual violation.

A quarter (27%) of the sexual violation victimisations that progressed to court (or 7% of all reported victimisations) resulted in a conviction (Table 12). For another quarter (28%) the charge was dismissed, discharged or withdrawn and 12% had a not guilty outcome. As at May 2019, 25% were still active.

Table 12: Charge outcome of reported victimisations for different offence types which resulted in court action

Outcome of charge in court	Sexual violation	Attempted sexual violation	Indecent assault
Convicted	27%	35%*	41%*
Other proved	3%	5%	5%*
Not guilty	12%	3%*	7%*
Dismissed, discharged, withdrawn	28%	36%*	24%*
Other	1%	2%	3%*
Still active	25%	18%*	17%*
Could not be linked to a perpetrator or court record	4%	3%	2%
Total victimisations where Police charged a perpetrator	100%	100%	100%

Note: An * indicates where the proportion for attempted sexual violation or indecent assault is statistically different ($p < 0.05$) from the proportion for sexual violation.

Victimisations which could not be linked included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Most convictions for sexual violation resulted in a prison sentence (77% of convictions; 5% of all victimisations) (Table 13). For 10% of convictions, home detention was the most serious sentence, 3% received another type of community sentence, and less than 1% received another type of sentence; 9% were awaiting sentencing.

Table 13: Sentence imposed on convicted perpetrator for different offence types

Most serious sentence imposed	Sexual violation	Attempted sexual violation	Indecent assault
Imprisonment	77%	74%	45%*
Home detention	10%	14%	19%*
Other community	3%	10%*	25%*
Monetary, deferment or other	<1%	0%	5%*
Waiting to be sentenced	9%	1%*	6%*
Total victimisations with a convicted outcome	100%	100%	100%

Note: An * indicates where the proportion for attempted sexual violation or indecent assault is statistically different (p<0.05) from the proportion for sexual violation.

There were differences between sexual violation and attempted sexual violation

Attempted sexual violation was the smallest subset of offences, with 459 victimisations reported to Police.

A higher proportion of attempted sexual violation resulted in action against a perpetrator (46% vs 28%). This was almost completely due to the higher likelihood of court action compared to sexual violation (43% vs 27%). Overall, fewer attempted sexual violation victimisations had an investigation that was undertaken but Police were unable to proceed against a perpetrator (46% vs 62%). This included fewer ‘no crime’ (4% vs 8%), ‘withdrawn by victim’ (3% vs 6%), and ‘unable to take action’ (38% vs 49%) outcomes.

Overall, the conviction rate for attempted sexual violation was higher than for sexual violation due to both the increased likelihood of a perpetrator being charged and the increased likelihood of a conviction following progression to court (35% vs 27%). Of the attempted sexual violation that progressed to court, fewer had a not guilty outcome (3% vs 12%), but more had a dismissed, discharged or withdrawn charge (36% vs 28%). Fewer attempted sexual violation victimisations were still active (18% vs 25%).

For victimisations with a conviction, there was no difference in imprisonment, however more attempted sexual violation received a community sentence (other than home detention) as their most serious sentence (10% vs 3%).

There were differences between sexual violation and indecent assault

There were 13,026 reported victimisations for indecent assault.

A higher proportion of indecent assault victimisations resulted in action against a perpetrator than for sexual violation (43% vs 28%), with a higher likelihood of court action (34% vs 27%) and non-court action (9% vs 2%). Fewer had a continuing investigation (6% vs 9%), the victim withdraw from the process (3% vs 6%) or Police were unable to take action (40% vs 49%).

In addition to more indecent assault victimisations progressing to court, those that did progress were more likely to result in conviction (41% vs 27%) or an 'other proved' outcome (5% vs 3%). Fewer indecent assault had the perpetrator found not guilty (7% vs 12%) or the charge dismissed, discharged or withdrawn (24% vs 28%). However, more had an 'other' court outcome which is usually when the defendant is found unfit to stand trial or not guilty by insanity (3% vs 1%). Additionally, there were fewer still active in court (17% vs 25%).

For victimisations with a conviction, a lower proportion of indecent assault received a prison sentence (45% vs 77%). But, more received home detention (19% vs 10%), other types of community sentences (25% vs 3%) or other types of sentences (5% vs less than 1%) as their most serious sentence.

The difference in sentencing is not surprising due to the large difference in maximum sentences for indecent assault compared to sexual violation offences meaning that community sentences may be appropriate for indecent assault where they generally are not for sexual violation.

There were also differences between rape and unlawful sexual connection

There were also differences in progression for the rape and unlawful sexual connection offences included in sexual violation. This suggested that rape had worse progression than sexual violation overall.

Less than a quarter (22%) of reported rape victimisations resulted in action against a perpetrator compared to 36% of unlawful sexual connection; for rape there was less court action (21% vs 32%) and non-court action (1% vs 3%) (Table 14). Additionally, more were deemed to not be a crime (9% vs 7%), were withdrawn by the victim (7% vs 4%) or had Police unable to take action (53% vs 45%).

Of the victimisations that progressed to court, there was no difference in conviction, but fewer rape victimisations had an 'other proved' outcome (2% vs 5%) and more had a not guilty outcome (15% vs 9%) (Table 15).

More rape victimisations with a conviction received a prison sentence than unlawful sexual connection (83% vs 73%) and less received home detention (7% vs 13%) or another community sentence (2% vs 4%) as their most serious sentence (Table 16).

Further information on the number and overall proportion of rape and unlawful sexual connection, is available in Appendix Table A 8.

Table 14: Action taken by Police following investigation of reported victimisations for rape and unlawful sexual connection

Action taken by Police following investigation		Rape	Unlawful sexual connection
Action taken against a perpetrator	Police charge a perpetrator	21%*	32%
	Police take other action against a perpetrator	1%*	3%
Investigation continuing	Investigation continuing	9%	10%
Investigation undertaken but Police unable to proceed against perpetrator	No crime	9%*	7%
	Withdrawn by victim	7%*	4%
	Unable to take action	53%*	45%
Total reported victimisations		100%	100%

Note: An * indicates where the proportion for rape is statistically different ($p < 0.05$) from the proportion for unlawful sexual connection.

Table 15: Charge outcome of reported victimisations for rape and unlawful sexual connection which resulted in court action

Outcome of charge in court	Rape	Unlawful sexual connection
Convicted	25%	27%
Other proved	2%*	5%
Not guilty	15%*	9%
Dismissed, discharged, withdrawn	26%	30%
Other	1%	1%
Still active	25%	24%
Could not be linked to a perpetrator or court record	5%	3%
Total victimisations where Police charged a perpetrator	100%	100%

Note: An * indicates where the proportion for rape is statistically different ($p < 0.05$) from the proportion for unlawful sexual connection.

Victimisations which could not be linked included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Table 16: Sentence imposed on convicted perpetrator for rape and unlawful sexual connection

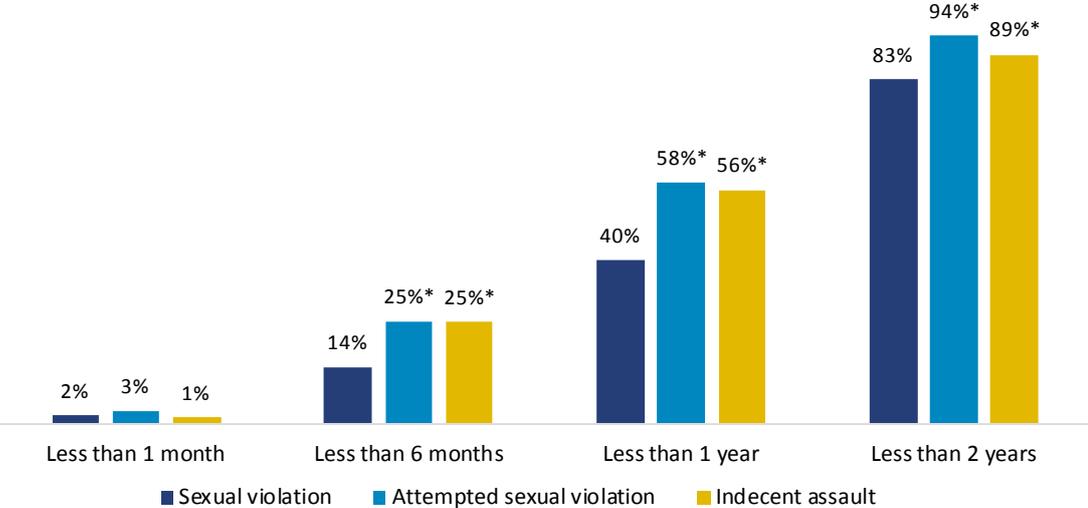
Most serious sentence imposed	Rape	Unlawful sexual connection
Imprisonment	83%*	73%
Home detention	7%*	13%
Other community	2%*	4%
Monetary, deferment or other	1%	<1%
Waiting to be sentenced	8%	9%
Total victimisations with a convicted outcome	100%	100%

Note: An * indicates where the proportion for rape is statistically different ($p < 0.05$) from the proportion for unlawful sexual connection.

Sexual violation victimisations tend to take longer to progress to a charge outcome

For 60% of sexual violation victimisations it took a year or more after reporting to Police to go through the investigation and court process to receive a charge outcome (Figure 18). In comparison, 58% of attempted sexual violation and 56% of indecent assault victimisations received an outcome in less than a year.

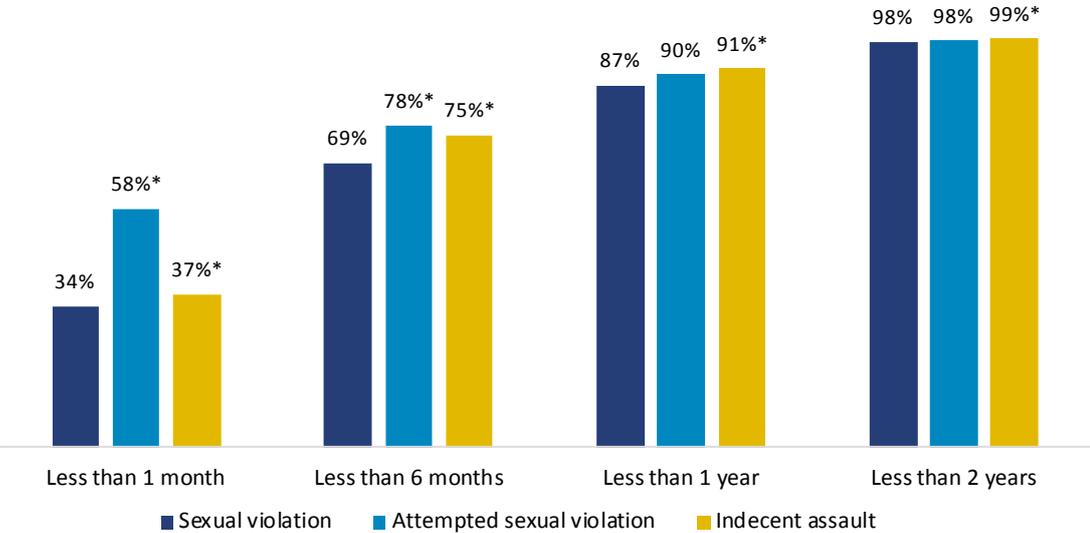
Figure 18: Total time taken from reporting to charge outcome for victimisations with different offence types



Note: Only victimisations that resulted in court action, could be linked and were not still active are included. An * indicates where the proportion is statistically different (p<0.05) from the proportion for sexual violation victimisations.

The Police investigations were usually longer for sexual violation and shorter for attempted sexual violation. Only a third (34%) of sexual violation victimisations resulted in action in less than a month compared to 58% of attempted sexual violation and 37% of indecent assault victimisations. Two-thirds (69%) had action taken by six months (compared to 78% and 75%). However, for 13% of sexual violation victimisations it took a year or more for action to be taken (Figure 19).

Figure 19: Time taken from reporting to action against a perpetrator for victimisations with different offence types

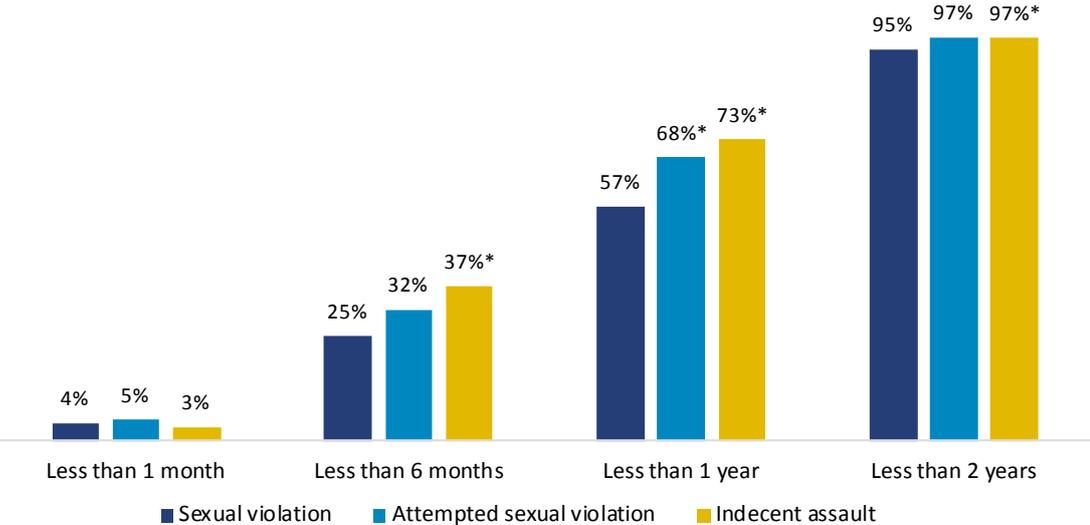


Note: Only victimisations that resulted in court or non-court action are included (excluding those that could not be linked in the perpetrator dataset, so no information was available on the time for Police to take action).

An * indicates where the proportion is statistically different (p<0.05) from the proportion for sexual violation victimisations.

Once a perpetrator had been charged, the time in court also tended to be longer for sexual violation compared to attempted sexual violation and indecent assault (Figure 20). By one year, 57% of the sexual violation victimisations had a charge outcome compared to 68% of attempted sexual violation and 73% of indecent assault. A small proportion had not received a charge outcome within two years (5%).

Figure 20: Time taken from action against a perpetrator to charge outcome for victimisations with different offence types



Note: Only victimisations that resulted in court action, could be linked and were not still active are included.

An * indicates where the proportion is statistically different (p<0.05) from the proportion for sexual violation victimisations.

Progression is different for Māori victims

Summary

There were some differences in progression for victimisations known to be experienced by Māori victims.

Following the Police investigation victimisations experienced by Māori were:

- as likely to result in court action, but less likely to result in non-court action
- more likely to have the investigation continuing
- more likely to be deemed not a crime and withdrawn by the victim
- less likely to have Police unable to take action.

Of the victimisations that progressed to court, victimisations experienced by Māori were:

- more likely to be convicted.

Of the victimisations with a conviction, victimisations experienced by Māori were:

- more likely to receive a prison sentence
- less likely to receive home detention or another community sentence
- more likely to be awaiting sentencing.

This section describes the progression for victimisations experienced by Māori victims compared to non-Māori victims. Further information on the number and overall proportion of reported victimisations is also available in Appendix Table A 9.

There were 5,895 reported victimisations associated with Māori victims²⁰ (25% of all reported victimisations), with the remainder for other ethnicities or where ethnicity was unknown. Note that as ethnicity was unknown for 22% of victimisations, this analysis probably underrepresents the total number of Māori victimisations (although by how much we do not know).

Victimisations experienced by Māori and non-Māori had a similar likelihood of court action

For nearly a third (32%) of reported victimisations experienced by Māori, a perpetrator was charged, and for 5% there was non-court action (Table 17). For 8% the investigation was continuing, while 8% were deemed to not be a crime, 5% were withdrawn by the victim and for 41% Police were unable to take action.

²⁰ This analysis did not include the perpetrator's ethnicity, as we did not focus on the characteristics of the perpetrator. Therefore, we are unable to determine whether victimisations associated with Māori victims are more or less likely to involve Māori perpetrators.

There was no difference between Māori and non-Māori in the likelihood of court action, but a slightly smaller proportion had non-court action (5% vs 6%). Slightly more Māori victimisations had a continuing investigation (8% vs 7%) and were deemed to be 'no crime' (8% vs 7%) and less had Police unable to take action following an investigation (41% vs 45%).

Table 17: Action taken by Police following investigation of reported victimisations for Māori and non-Māori victims

Action taken by Police following investigation		Māori victim	Non-Māori victim
Action taken against a perpetrator	Police charge a perpetrator	32%	31%
	Police take other action against a perpetrator	5%*	6%
Investigation continuing	Investigation continuing	8%*	7%
Investigation undertaken but Police unable to proceed against perpetrator	No crime	8%*	7%
	Withdrawn by victim	5%*	4%
	Unable to take action	41%*	45%
Total reported victimisations		100%	100%

Note: An * indicates where the proportion for victimisations with Māori victims is statistically different ($p < 0.05$) from the proportion with non-Māori victims.

More Māori victimisations resulted in conviction

More than a third (38%) of reported victimisations experienced by Māori that progressed to court resulted in a conviction (12% of all victimisations). For another quarter (25%) the charge was dismissed, discharged or withdrawn and 9% had a not guilty charge outcome. As at May 2019, 20% were still active (Table 18).

Victimisations experienced by Māori were more likely to result in conviction than those for non-Māori (38% vs 35%). There was little difference for the other charge outcomes.

Table 18: Charge outcome of reported victimisations for Māori and non-Māori victims which resulted in court action

Outcome of charge in court	Māori victim	Non-Māori victim
Convicted	38%*	35%
Other proved	3%	4%
Not guilty	9%	9%
Dismissed, discharged, withdrawn	25%	27%
Other	2%*	3%
Still active	20%	20%
Could not be linked to a perpetrator or court record	3%	3%
Total victimisations where Police charged a perpetrator	100%	100%

Note: An * indicates where the proportion for victimisations with Māori victims is statistically different ($p < 0.05$) from the proportion with non-Māori victims.

Victimisations which could not be linked included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

More Māori victimisations resulted in a prison sentence

The majority of Māori victimisations with a conviction resulted in a prison sentence (62% of convictions; Table 19). A further 13% received home detention, 14% received another type of community sentence, and 3% received another type of sentence as their most serious sentence. Finally, 8% were awaiting sentencing.

The differences between Māori and non-Māori for sentencing were larger. More resulted in a prison sentence (62% vs 52%), but fewer received home detention (13% vs 18%) or other community sentences (14% vs 20%) as their most serious sentence. There were also more waiting to be sentenced compared to non-Māori (8% vs 6%).

Table 19: Sentence imposed on convicted perpetrator for victimisations experienced by Māori and non-Māori

Most serious sentence imposed	Māori victim	Non-Māori victim
Imprisonment	62%*	52%
Home detention	13%*	18%
Other community	14%*	20%
Monetary, deferment or other	3%	4%
Waiting to be sentenced	8%*	6%
Total victimisations with a convicted outcome	100%	100%

Note: An * indicates where the proportion for victimisations with Māori victims is statistically different ($p < 0.05$) from the proportion with non-Māori victims.

Progression is different for different perpetrator relationship types

Summary

The type of relationship between the perpetrator and victim was important. This was analysed when the victimisation resulted in court or non-court action.

The perpetrator was known to the victim for most victimisations; more than a third were a family member and more than a third were known to them but not a family member; however, the distribution of relationship types differed for different offence types.

There were some differences in progression for victimisations by intimate partners compared to other family members, other people known to them and strangers.

Of the victimisations that progressed to court:

- other family members were more likely to have an ‘other proved’ outcome and less likely to have a not guilty outcome
- people known to the victim who weren’t family members were more likely to have a conviction or ‘other proved’ outcome and less likely to have a charge that was dismissed, discharge or withdrawn
- strangers were also more likely to have a conviction or ‘other proved’ outcome, but less likely to be found not guilty or have the charge dismissed, discharge or withdrawn
- strangers were more likely to have an ‘other’ charge outcome associated with mental health outcomes.

Of the victimisations with a conviction:

- other family members were less likely to receive home detention or other type of community sentence, and more likely to be awaiting sentencing
- people known to the victim who weren’t family members had no differences in sentencing
- strangers were less likely to receive a prison sentence or home detention and more likely to receive another type of community or other sentence.

There were some differences in progression between relationship types

As relationship type is only included in the victim and perpetrator datasets when a perpetrator has been identified and Police have taken some form of action against them, we were unable to determine if there are any differences in Police investigation outcomes for different relationship types. However, we could examine court and sentencing outcomes.

We compared intimate partners (grouping current and ex-partners together) with the other relationship types (all other family, other people known to them, and strangers).

Further information on the number and overall proportion of reported victimisations is also available in Appendix Table A 10.

Intimate partners

Nearly a third (30%) of intimate partner victimisations that progressed to court resulted in a conviction; 10% had a not guilty outcome and 32% were dismissed, discharged or withdrawn (Table 20). Of these, 21% were still awaiting a charge outcome in May 2019.

More than half (59%) of intimate partner victimisations with a conviction resulted in a prison sentence; 21% received home detention and 14% another form of community sentence as the most serious sentence (Table 21). A small group (2%) received another type of sentence and 3% were awaiting sentencing.

Table 20: Charge outcome of reported victimisations with different relationship types which resulted in court action

Outcome of charge in court	Intimate partner	Other family	Other known	Stranger	Unknown
Convicted	30%	31%	35%*	51%*	28%
Other proved	1%	4%*	5%*	5%*	3%*
Not guilty	10%	8%*	10%	7%*	8%
Dismissed, discharged, withdrawn	32%	29%	25%*	20%*	28%
Other	1%	2%	2%*	7%*	2%
Still active	21%	24%	21%	9%*	25%
Could not be linked to a perpetrator or court record	5%	3%	2%	1%	6%
Total victimisations where Police charged a perpetrator	100%	100%	100%	100%	100%

Note: An * indicates where the proportion of victimisations where the perpetrator was a family member other than an intimate partner, known (but not family member) or a stranger is statistically different ($p < 0.05$) from the proportion for intimate partner (including current and ex-partners) victimisations.

Victimisations which could not be linked included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Table 21: Sentence imposed on convicted perpetrator for victimisations with different relationship types

Most serious sentence imposed	Intimate partner	Other family	Other known	Stranger	Unknown
Imprisonment	59%	63%	53%	47%*	56%
Home detention	21%	15%*	20%	9%*	14%
Other community	14%	9%*	18%	30%*	22%
Monetary, deferment or other	2%	1%	3%	9%*	5%
Waiting to be sentenced	3%	12%*	6%	4%	4%
Total victimisations with a convicted outcome	100%	100%	100%	100%	100%

Note: An * indicates where the proportion of victimisations where the perpetrator was a family member other than an intimate partner, known (but not family member) or a stranger is statistically different ($p < 0.05$) from the proportion for intimate partner (including current and ex-partners) victimisations.

Other family members

Where a victimisation progressed to court, there was no difference in conviction between 'other' family member and intimate partner relationships. However, more had an 'other proved' charge outcome (4% vs 1%) and fewer had a not guilty outcome (8% vs 10%).

Of the victimisations with convictions, there was no difference in the proportion with a prison sentence, but proportionally fewer other family members received home detention (15% vs 21%) or other community sentences (9% vs 14%) as the most serious sentence. A higher proportion of other family member victimisations were awaiting sentencing (12% vs 3%).

The higher proportion of young perpetrators observed for other family member victimisations could have bearing on the higher likelihood of 'other proved' charge outcomes. This is because in the Youth Court charges are not usually convicted (although serious charges for young people can be heard and sentenced in the District Court).

People known to victims who weren't family members

Of the victimisations involving other people known to the victim (who weren't family members), more resulted in conviction than for intimate partners (35% vs 30%). They also had a higher proportion of 'other proved' outcomes (5% vs 1%), and fewer dismissed, discharged and withdrawn outcomes (25% vs 32%).

Of victimisations with convictions, there were no differences in sentencing.

As for 'other family members', the higher proportion of young perpetrators observed for this relationship type could have bearing on the higher likelihood of 'other proved' charge outcomes.

Strangers

There were large differences in charge outcomes for victimisations involving strangers. Following progression to court, strangers were more likely to be convicted (51% vs 30%) or have an 'other proved' charge outcome (5% vs 1%). Strangers were also less likely to have not proved outcomes; there were fewer not guilty outcomes (7% vs 10%) as well as charges that were dismissed, discharged or withdrawn (20% vs 32%). More stranger victimisations resulted in an 'other' charge outcome such as unfit to stand trial or not guilty by reason of insanity (7% vs 1%), but fewer were still active in court (9% vs 2%).

Of the victimisations with a conviction, fewer stranger victimisations received a prison sentence (47% vs 59%) or home detention (9% vs 21%) as their most serious sentence. But more received another type of community sentence (30% vs 14%) or other type of sentence (9% vs 2%).

Conclusions

This analysis shows that there is considerable attrition of reported sexual violence victimisations in the New Zealand criminal justice system and that it can take a long time to progress through the system. This is the first time that all sexual violence victimisations reported to Police have been analysed in this way, including those for children and young people. The analysis also shows there are differences in progression (and therefore attrition) for children and young people, adults reporting historic childhood offences, different offence types, Māori, and different perpetrator relationship types.

Over the four years of the data analysed, 31% of victimisations reported to Police resulted in court action for the perpetrator by early 2019, and 11% resulted in a conviction. There was an increase in the number of victimisations reported over time, and an increase in the proportion of investigations resulting in court action in the most recent year. There was also a substantial decrease in the proportion of victimisations deemed not to be a crime. This shows some of the progress achieved by Police as a result of their comprehensive change programme following the Commission of Inquiry into Police Conduct. However, a large proportion of victimisations continue to remain unresolved.

While this analysis provides a more up-to-date and comprehensive view of attrition for victimisations than previous research, the data sources used could not provide information about victims' experiences or the other factors contributing to the overall outcome that are available through reviews of Police case files. This additional contextual information would have provided valuable information for investigations where Police were unable to take action against a perpetrator. Additionally, due to the length of time it can take for the Police investigation and court process, a large proportion of victimisations had an investigation that was continuing or were awaiting a charge outcome in court (especially in the most recent year, as well as for certain types of victimisation). Further analysis could take into account how the characteristics of the victim or victimisation interact with each other and whether some have more influence on progression and attrition than others, along with how the perpetrator's characteristics and circumstances contribute.

Several new initiatives are under way to improve the experience for sexual violence victims in the criminal justice system. We will now be able to monitor whether these have an impact on the number of victimisations reported to Police and the progression to court and conviction of perpetrators. However, to enable the justice sector to improve its response to victims of sexual violence, the differences identified in the analysis should be explored further, along with improving the clarity and understanding of the factors which contribute to investigations where Police are unable to proceed against a perpetrator.

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Appendix A: Datasets and linking

This appendix includes technical information on the datasets and how they were linked together.

Recorded Crime Victims Statistics (RCVS or victim dataset)

Data in the RCVS ('victim') dataset relates to offences reported to, and recorded by, Police where there is a victim (New Zealand Police 2016b). Each record is referred to as a 'victimisation' or 'offence'. The data series began in July 2014 and, along with other offence types, includes all criminal incidents ('occurrences') for sexual violence reported to Police. There may be multiple victimisations within each occurrence (if multiple offences happened during that incident). Similarly, there may be multiple victims associated with each occurrence, and/or multiple perpetrators per victim.

The victim dataset includes information on the type of victimisation that occurred (e.g. male rapes female over 16, indecently assaults female under 12 etc), when it occurred, when it was reported to Police, a unique identifier for the victim (no name information is included) and other non-identifiable details about the victim such as their age, gender, ethnicity and the type of relationship between the perpetrator and the victim. The dataset also includes information on what Police did following an investigation, at certain time points up to six months following reporting.

Police provided the Ministry of Justice with a version of the victim dataset containing all sexual violence victimisations reported between July 2014 and June 2018.^{21,22} This included additional variables not included in the version normally accessible at the Ministry of Justice, including the latest outcome of investigation, indicators of whether the victimisation was reported by a child or young person (aged 17 years or under), and if it was an historic childhood victimisation (occurring when the victim was a child or young person but reported when they were an adult). The dataset provided by Police was linked to the May 2019 version of victim dataset held at the Ministry of Justice.

Recorded Crime Offenders Statistics (RCOS or perpetrator dataset)

Data in the RCOS ('perpetrator') dataset relates to people who have been 'proceeded against' by Police (Police have taken some form of action against an alleged perpetrator) (New Zealand Police 2016a). A proceeding is any legal action initiated against an alleged

²¹ All the victimisation records had an identifiable victim.

²² A small number of victimisations (284 records) were labelled as 'duplicate' records in the dataset received and were not included in the analysis based on advice from Police. Duplicates are recorded in the data when an offence has been recorded and information has been received that the offence is already recorded.

perpetrator by Police and includes formal and informal warnings. We used the version of the perpetrator dataset accessible at the Ministry of Justice, which includes all offences for alleged perpetrators.

The perpetrator dataset includes information on the type of offence Police took action against a perpetrator for, unique identifiers for the perpetrator (no name information is included) and other non-identifiable details about the perpetrator such as their age and gender. The dataset also includes information on when Police first made the decision to proceed (take action) against the perpetrator and what that action was (e.g. court action).

Victimisations in the victim dataset were linked to offences in the May 2019 version of the perpetrator dataset using the unique identifier for the victimisation and the occurrence.

Case Management System (CMS or court data)

CMS ('court data') is a series of tables containing information on how charges progress through court. This includes information on all charges filed in court (when Police charge a perpetrator), such as when a charge outcome occurred, what the charge outcome was, and for convicted charges, what the imposed sentence was.²³

Offences in the perpetrator dataset were linked to offences in the court data in May 2019, using the unique identifier for the perpetrator and occurrence and information on the type of offence.

Final dataset included one row per victimisation

The final dataset included one row of data for each reported victimisation. In a small number of instances there was more than one perpetrator associated with a victimisation record. When this occurred, the information associated with the most serious outcome of investigation, court outcome and sentence was kept.

Most victimisation records were linked to the other datasets

For victimisations whose outcome of investigation indicated that Police took action against a perpetrator (either by charging them or taking other non-court action), 98% could be linked to a perpetrator record and 2% could not be linked.

²³ Sometimes the Crown withdraws charges filed by Police and files new replacement charges. This analysis was based on the offence originally reported to Police and the charge outcome of the original charge filed. A small number of victimisations that received a 'discharged, dismissed or withdrawn' charge outcome were replaced by other charges that were convicted or had another charge outcome. The number of replacements (less than 1% of all court action) was too small to change the overall proportion of victimisations with each charge outcome and sentence type. However, replacement charges should be taken into account for any future analysis.

A link between victimisation and perpetrator data was required to link to court data. For victimisations where the Police investigation resulted in Police charging a perpetrator and where there was a link to the perpetrator dataset, 99% could be linked to court data (1% of perpetrator records could not be linked to court data). This means that overall, 3% of victimisations where the outcome of investigation indicated progression to court could not be linked to court data, either because of an inability to link to the perpetrator or court data.

Appendix B: Definitions and categories

Police investigation and court outcome categories

This section details the outcome of investigation, charge outcome and sentence types extracted from the Police and court datasets, and how they have been categorised for use in this analysis. Only the actual outcome types present in the analysis dataset are shown in the tables.

What happened following the Police investigation

After a victim reports a victimisation to Police, Police investigate and decide what action to take (Table A 1).²⁴ Where the outcome is court action (Police charging a perpetrator) or non-court action (taking other action against a perpetrator), these are the ultimate outcome of investigation. Non-court action includes:

- Formal warnings – pre-charge warnings given following an arrest and recorded in the Police operational database.
- Informal warnings – given at the discretion of officers where there may be sufficient evidence but no public interest to prosecute a perpetrator. These constitute warning that engaging in certain conduct is against the law and that there are serious sanctions that can be applied by the Police to prevent and punish such conduct.
- Referrals to youth aid and/or family group conferences for young people, where their behaviour and its consequences are discussed, and undertakings may be imposed.

A continuing investigation is an interim outcome. These investigations may ultimately result in action against a perpetrator or be coded as ‘investigation undertaken but Police unable to proceed against perpetrator’.

The remaining outcomes represent investigations where Police were unable to proceed against a perpetrator at that time. These investigations may however be resumed if new evidence becomes available at a later date (i.e. the victim decides to proceed or the situation changes). There are several reasons an investigation may be completed but Police are unable to proceed against a perpetrator:

- No crime – Police can deem a reported victimisation to not be a crime if it is clear to them that the incident did not constitute an offence (for example, they considered the report to have no foundation after investigation, the person who reported admits to making a false report, or there is evidence to suggest they made a false report).
- Withdrawn by victim – a victim may choose not to proceed and withdraw their complaint. The withdrawal occurs before court action or non-court action against a perpetrator

²⁴ More information on the investigation process is described in the Glossary at the end of the report.

begins. A victim may withdraw from the process (or not make a formal complaint) for many reasons.

- Unable to take action – this includes instances where:
 - the perpetrator was not identified
 - there was insufficient evidence to prosecute a perpetrator and provide a reasonable prospect of conviction
 - it was not in the public interest to proceed
 - a perpetrator was identified but Police were unable to take action against them due to their death or mental incapacity
 - a formal complaint wasn't made by the victim.

Table A 1: What Police decided to do following investigation

What Police decided to do following investigation	Outcome of investigation	
Action taken against a perpetrator	Police charge a perpetrator	Court action
	Police take other action against a perpetrator	Formal warning
		Informal warning
		Youth aid
		Other family group conference
		Mental health
Investigation continuing	Investigation continuing	
Investigation undertaken but Police unable to proceed against perpetrator	No crime	
	Withdrawn by victim	
	Unable to take action	Unable to proceed
		Transferred to another jurisdiction
		No offender proceeded against, not further defined
		Investigation suspended
		Unresolved after investigation
		No proceeding – initial attendance only
Not pursued – Police discretion		

Note that the 'Withdrawn by victim' category included withdrawals by victims and by witnesses. Only 2% of the withdrawals were by witnesses.

More information on the individual categories within the outcome of investigation categories can be obtained from the Recorded Crime - Victims User Manual (New Zealand Police 2016b).

Outcomes of charges

In court, the outcome is what happens when the charge is finalised; i.e. whether the perpetrator is convicted or not (Table A 2). 'Proved' outcomes (where a perpetrator is found to be, or pleads, guilty) include being convicted, discharged without conviction and Youth Court outcomes. 'Not proved' outcomes include 'not guilty' and where the charge is dismissed, discharged or withdrawn. 'Other' charge outcomes include being found 'not guilty by reason of insanity' or 'unfit to stand trial'.

Table A 2: Outcome type in court

Outcome type	Charge outcome
Conviction	Convicted and sentenced
	Convicted
	Convicted and discharged
	Committed to hospital or facility on conviction
	Jurisdiction declined
Other proved	Discharged without conviction
	Youth court proved and sentenced
	Youth court proved and discharged
	Admonished - s283(b) Oranga Tamariki Act 1989
	Discharged - s283(a) Oranga Tamariki Act 1989
Not proved (Not guilty)	Not guilty
	Conviction quashed after appeal
Not proved (Dismissed, discharged, withdrawn)	Dismissed
	Discharged
	Withdrawn
	No case to answer
	Not proceeded with
Other	Unfit to stand trial
	Not guilty by reason of insanity
	Stay of proceedings

Sentence types imposed

After a perpetrator is convicted they are sentenced (Table A 3). The most serious sentence type is imprisonment. Other sentences in this data, in order of seriousness, include the community sentences home detention, community detention, intensive supervision, community work and supervision; monetary sentences such as reparation or fine; deferment (to come up for sentence if called upon); and being committed to a secure hospital or facility.

Table A 3: Most serious sentence type imposed for convicted charge outcomes

Sentence type	Sentence
Imprisoned	Imprisonment
	Preventive detention
Home detention	Home detention
Other community	Community detention
	Intensive supervision
	Community work
	Supervision
Monetary, deferment, other	Reparation/restitution
	Fine
	Deferment
	Committed to hospital or facility on conviction
	No sentence recorded (perpetrator convicted and discharged)

Sexual violence offences

The Australian and New Zealand Standard Offence Classification (ANZSOC) was used to define sexual offences. For this analysis, sexual violence offences were those within ANZSOC subdivision 031: Sexual assault. This includes both aggravated and non-aggravated sexual assault (including threat of sexual assault). Non-assaultive sexual offences (such as child pornography offences) are excluded as these are not included in the victim dataset. Table A 4 (continued over the next 2 pages) shows the offences identified in the analysis, and their frequency.

The offences are grouped into three overall categories: sexual violation, attempted sexual violation and all other indecent assault offences, based on the section of the Crimes Act 1961 under which they fall. This includes:

- sexual violation (s128/128B Crimes Act; maximum penalty 20 years imprisonment) - includes offences for rape (s128(1)(a) and s128B) and unlawful sexual connection (s128(1)(b) and s128B).
- attempted sexual violation (s129 Crimes Act; maximum penalty 10 years imprisonment) - includes offences for attempted rape and attempted sexual violation/sexual connection.
- indecent assault (s129A - s142 Crimes Act; maximum penalties ranging from 5 to 14 years) - includes offences for incest and sexual conduct with a dependent family member (s130 and s131), sexual conduct with consent induced by threats (s129A), sexual conduct with child under 12 (s132), indecency with girl under 12 (s133), sexual conduct with young person under 16 (s134), indecent assault (s135), conspiracy to induce sexual intercourse (s136), inducing sexual intercourse under pretence of marriage (s137), sexual exploitation of person with significant impairment (s138), indecent act between woman and girl (s139), indecency with boy under 12 (s140), indecency with boy between 12 and 16 (s140A), indecent assault on man or boy (s141), anal intercourse (s142).

Note that some of these offences may have had no reported victimisations between 2014/2015 and 2017/2018.

Table A 4: Offence type of victimisations included in analysis (sexual violence victimisations reported to Police between 2014/2015 and 2017/2018)

Offence type		Offence description	Number of victimisations
Sexual violation	Rape	Males Rapes Female Under 12	550
		Males Rapes Female 12-16	1188
		Males Rapes Female Over 16	3629
		Husband Rapes Wife	114
	Unlawful sexual connection	Unlawful Sexual Connection Female Under 12	1119
		Unlawful Sexual Connection Female 12-16	894
		Unlawful Sexual Connection Female Over 16	1587
		Unlawful Sexual Connection With Spouse	45
		Other Sexual Violation Offences	261
		Unlawful Sexual Connection Male Under 12	370
		Unlawful Sexual Connection Male 12-16	216
		Unlawful Sexual Connection Male Over 16	281
	Attempted sexual violation	Attempt To Rape Female Under 12	17
		Attempt To Rape Female 12-16	21
Attempt To Rape Female Over 16		46	
Attempt To Rape Spouse		2	
Attempted Unlawful Sexual Connection Female Under 12		21	
Attempted Unlawful Sexual Connection Female 12-16		22	
Attempted Unlawful Sexual Connection Female Over 16		37	
Attempted Unlawful Sexual Connection Spouse		2	
Other Attempt To Commit Sexual Violation Offence		17	
Assault With Intent To Commit Rape Female Under 12		4	
Assault With Intent To Commit Rape Female 12-16		15	
Assault With Intent To Commit Rape Female Over 16		121	
Assault With Intent To Commit Rape Spouse		6	
Assault Intent Commit Sex Connection Female 12-16		3	
Assault Intent Commit Sexual Connection Female Over 16		55	
Assault Intent Commit Sex Connect-Spouse		3	
Other Assault With Intent To Commit Sexual Violation		34	
Attempted Unlawful Sexual Connection Male Under 12		13	
Attempted Unlawful Sexual Connection Male 12-16		10	
Attempted Unlawful Sexual Connection Male Over 16		10	
Indecent assault	Incest	Parent Incest Child Under 12	2
		Parent Incest Child 12-16	3
		Parent Incest Child Over 16	22
		Brother Incest Sister Under 12	5
		Brother Incest Sister 12-16	16
		Brother Incest Sister Over 16	4
		Other Incest	6
		Sexual Connection Dependent Family Member	27
		Attempt Sex Connection Dependent Family Member	1
		Indecent Act On Dependent Family Member	15

Offence type		Offence description	Number of victimisations
Indecent assault (continued)	Sexual conduct with a child under 12	Permits Indecent Act/Male With Female Under 12	1
		Indecently Assaults Female Under 12	2551
		Indecent Assault On Boy Under 12	765
		Sexual Intercourse With Female Under 12	1
		Sexual Connection With Child Under 12	192
		Attempted Sexual Intercourse Female Under 12	1
		Attempt Sex Connection With Child Under 12	9
		Female Indecently Assaults Girl Under 12	24
		Does Indecent Act Upon Girl Under 12	188
		Does Indecent Act Female With Boy Under 12	4
		Does Indecent Act Male With Girl Under 12	154
		Permits Indecent Act Male With Girl Under 12	8
		Does Indecent Act With/Upon Boy Under 12	139
		Sexual conduct with a young person under 16	
Indecent Assault On Boy 12-16	352		
Sexual Intercourse With Female 12-16	1		
Sexual Connection With Young Person 12 - 16	1392		
Attempt Sex Connection With Person 12 - 16	15		
Female Indecently Assaults Girl 12-16	8		
Does Indecent Act Upon Girl 12-16	124		
Does Indecent Act Female With Boy 12 - 16	3		
Does Indecent Act Male With Girl 12-16	95		
Does Indecent Act With/Upon Boy 12-16	49		
Indecent assault of an adult aged 16 or over		Indecently Assaults Female Over 16	3711
		Indecent Assault On Man/Boy Over 16	361
		Female Indecently Assaults Female Over 16	14
Other indecent assault		Other Indecent Assault	377
		Induce Sexual Connection	22
		Induce Indecent Act	18
		Other Inducing Sexual Connection Offences	14
		Other Sexual Offences Against Male Victim	19
		Other Unlawful Sexual Intercourse	11
		Other Unlawful Sexual Intercourse	1
		Other Indecent Assaults	39
		Sex Exploitation Significant Impairment	45
		Attempt Sex Exploitation Significant Impairment	2
		Does Indecent Act-Person Significant Impairment	22
		Other Indecency (Male-Female)	16

Appendix C: Additional data tables

Table A 5: Outcomes of all sexual violence victimisations reported to Police, 2014/2015 – 2017/2018

What Police decide to do following investigation	Outcome of charge in court	Most serious sentence imposed	Count					% of total victimisations reported in the year				
			2014/15	2015/16	2016/17	2017/18	Total	2014/15	2015/16	2016/17	2017/18	Total
Police charge a perpetrator	Convicted	Imprisonment	395	431	362	249	1,437	7%	8%	6%	4%	6%
		Home detention	107	105	121	94	427	2%	2%	2%	1%	2%
		Other community	132	123	115	109	479	2%	2%	2%	2%	2%
		Monetary, deferment or other	27	23	23	29	102	<1%	<1%	<1%	<1%	<1%
		Waiting to be sentenced	3	8	31	130	172	<1%	<1%	1%	2%	1%
		Total convicted	664	690	652	611	2,617	12%	13%	11%	9%	11%
	Other proved	94	101	71	38	304	2%	2%	1%	1%	1%	
	Not guilty	191	193	178	82	644	3%	3%	3%	1%	3%	
	Dismissed, discharged, withdrawn	537	478	410	498	1,923	10%	9%	7%	7%	8%	
	Other	53	63	38	28	182	1%	1%	1%	<1%	1%	
Still active	26	78	291	1,079	1,474	<1%	1%	5%	16%	6%		
Could not be linked to a perpetrator or court record	112	64	37	10	223	2%	1%	1%	<1%	1%		
Total - Police charge a perpetrator			1,677	1,667	1,677	2,346	7,367	30%	30%	29%	34%	31%
Police take other action against a perpetrator			395	375	308	276	1,354	7%	7%	5%	4%	6%
Investigation continuing			194	275	383	933	1,785	3%	5%	7%	14%	8%
No crime			941	435	295	124	1,795	17%	8%	5%	2%	8%
Withdrawn by victim			1	39	275	711	1,026	<1%	1%	5%	10%	4%
Unable to take action			2,408	2,724	2,867	2,413	10,412	43%	49%	49%	35%	44%
Total reported victimisations			5,616	5,515	5,805	6,803	23,739	100%	100%	100%	100%	100%

Note: Victimisations which could not be linked to court data included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Table A 6: Outcomes of sexual violence victimisations reported to Police, by victimisation type

What Police decide to do following investigation	Outcome of charge in court	Most serious sentence imposed	Count			% of reported victimisations		
			Child and young person	Historic childhood	Adult	Child and young person	Historic childhood	Adult
Police charge a perpetrator	Convicted	Imprisonment	741	217	479	7%	6%	5%
		Home detention	254	54	119	2%	2%	1%
		Other community	189	10	280	2%	<1%	3%
		Monetary, deferment or other	26	5	71	<1%	<1%	1%
		Waiting to be sentenced	83	45	44	1%	1%	<1%
	Total convicted		1293	331	993	12%	9%	11%
	Other proved		215	3	86	2%	<1%	1%
	Not guilty		262	76	306	2%	2%	3%
	Dismissed, discharged, withdrawn		946	318	659	9%	9%	7%
	Other		71	23	88	1%	1%	1%
	Still active		594	533	347	5%	15%	4%
Could not be linked to a perpetrator or court record		99	43	81	1%	1%	1%	
Total - Police charge a perpetrator		3480	1327	2560	31%	38%	28%	
Police take other action against a perpetrator		959	46	349	9%	1%	4%	
Investigation continuing		672	537	576	6%	15%	6%	
No crime		950	179	666	9%	5%	7%	
Withdrawn by victim		359	176	491	3%	5%	5%	
Unable to take action		4,707	1,258	4,447	42%	36%	49%	
Total reported victimisations		11127	3523	9089	100%	100%	100%	

Note: Victimisations which could not be linked to court data included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Table A 7: Outcomes of sexual violence victimisations reported to Police, by offence type

What Police decide to do following investigation	Outcome of charge in court	Most serious sentence imposed	Count			% of all victimisations in offence type		
			Sexual violation	Attempted sexual violation	Indecent assault	Sexual violation	Attempted sexual violation	Indecent assault
Police charge a perpetrator	Convicted	Imprisonment	557	51	829	5%	11%	6%
		Home detention	75	10	342	1%	2%	3%
		Other community	24	7	448	<1%	2%	3%
		Monetary, deferment or other	3	0	99	<1%	0%	1%
		Waiting to be sentenced	63	1	108	1%	<1%	1%
		Total convicted	722	69	1,826	7%	15%	14%
	Other proved	94	9	201	1%	2%	2%	
	Not guilty	319	6	319	3%	1%	2%	
	Dismissed, discharged, withdrawn	769	71	1083	7%	15%	8%	
	Other	38	3	141	<1%	1%	1%	
	Still active	670	36	768	7%	8%	6%	
	Could not be linked to a perpetrator or court record	108	5	110	1%	1%	1%	
Total - Police charge a perpetrator	2,720	199	4,448	27%	43%	34%		
Police take other action against a perpetrator			195	14	1,145	2%	3%	9%
Investigation continuing			960	36	789	9%	8%	6%
No crime			795	19	981	8%	4%	8%
Withdrawn by victim			566	15	445	6%	3%	3%
Unable to take action			5,018	1,76	5,218	49%	38%	40%
Total reported victimisations			10,254	459	13,026	100%	100%	100%

Note: Victimisations which could not be linked to court data included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Table A 8: Outcomes of sexual violation victimisations reported to Police, by sexual violation offence type

What Police decide to do following investigation	Outcome of charge in court	Most serious sentence imposed	Count			% of all victimisations in offence type		
			Rape	Unlawful sexual connection	Total sexual violation	Rape	Unlawful sexual connection	Total sexual violation
Police charge a perpetrator	Convicted	Imprisonment	247	310	557	5%	6%	5%
		Home detention	20	55	75	0%	1%	1%
		Other community	5	19	24	0%	0%	<1%
		Monetary, deferment or other	2	1	3	0%	0%	<1%
		Waiting to be sentenced	24	39	63	0%	1%	1%
	Total convicted		298	424	722	5%	9%	7%
	Other proved		18	76	94	0%	2%	1%
	Not guilty		180	139	319	3%	3%	3%
	Dismissed, discharged, withdrawn		311	458	769	6%	10%	7%
	Other		17	21	38	0%	0%	<1%
	Still active		297	373	670	5%	8%	7%
	Could not be linked to a perpetrator or court record		55	53	108	1%	1%	1%
Total - Police charge a perpetrator		1,176	1,544	2,720	21%	32%	27%	
Police take other action against a perpetrator		44	151	195	1%	3%	2%	
No crime		482	313	795	9%	7%	8%	
Investigation continuing		504	456	960	9%	10%	9%	
Withdrawn by victim		384	182	566	7%	4%	6%	
Unable to take action		2,891	2,127	5,018	53%	45%	49%	
Total number of sexual violation victimisations		5,481	4,773	10,254	100%	100%	100%	

Note: Victimisations which could not be linked to court data included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Table A 9: Outcomes of sexual violence victimisations reported to Police for Māori and non-Māori victims

What Police decide to do following investigation	Outcome of charge in court	Most serious sentence imposed	Count		% of reported victimisations	
			Māori victim	Non-Māori victim	Māori victim	Non-Māori victim
Police charge a perpetrator	Convicted	Imprisonment	437	1000	7%	6%
		Home detention	90	337	2%	2%
		Other community	101	378	2%	2%
		Monetary, deferment or other	22	80	<1%	<1%
		Waiting to be sentenced	58	114	1%	1%
		Total convicted	708	1909	12%	11%
	Other proved	64	240	1%	1%	
	Not guilty	168	476	3%	3%	
	Dismissed, discharged, withdrawn	464	1459	8%	8%	
	Other	29	153	<1%	1%	
	Still active	376	1098	6%	6%	
Could not be linked to a perpetrator or court record	55	168	1%	1%		
Total - Police charge a perpetrator		1864	5503	32%	31%	
Police take other action against a perpetrator		282	1072	5%	6%	
Investigation continuing		490	1295	8%	7%	
No crime		501	1294	8%	7%	
Withdrawn by victim		314	712	5%	4%	
Unable to take action		2,444	7,968	41%	45%	
Total reported victimisations		5895	17844	100%	100%	

Note: Victimisations which could not be linked to court data included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Table A 10: Outcomes of sexual violence victimisations that resulted in action against a perpetrator, by perpetrator relationship type

What Police decide to do following investigation	Outcome of charge in court	Most serious sentence imposed	Count				
			Intimate partner	Other family	Other known	Stranger	Unknown
Police charge a perpetrator	Convicted	Imprisonment	137	396	546	268	90
		Home detention	49	97	207	52	22
		Other community	33	56	185	170	35
		Monetary, deferment or other	5	6	30	53	8
		Waiting to be sentenced	8	76	58	23	7
		Total convicted	232	631	1,026	566	162
	Other proved	5	87	136	60	16	
	Not guilty	77	152	292	75	48	
	Dismissed, discharged, withdrawn	249	577	711	226	160	
	Other	6	32	60	75	9	
	Still active	163	476	600	95	140	
	Could not be linked to a perpetrator or court record	42	66	67	12	36	
Total - Police charge a perpetrator	774	2,021	2,892	1,109	571		
Police take other action against a perpetrator		164	234	532	114	310	
Total reported victimisations where Police took action against a perpetrator		938	2,255	3,424	1,223	881	

Note: Victimisations which could not be linked to court data included those where there was a 'court action' outcome of investigation in the victim data, but either it could not be linked to the perpetrator data or from the perpetrator data to the court data.

Glossary

Adult	<p>As a victim of sexual violence in this report, an adult is anyone aged 18 years or more (note that a victim may be a child when a victimisation occurred and an adult when it was reported to Police).</p> <p>This differs to the age used in the Youth jurisdiction (where in most instances, up until June 2019, people are treated as adults if aged 17 years or more) and the samples used in previous New Zealand research (which included people aged 16 years or more).</p>
ANZSOC	<p>Australian and New Zealand Standard Offence Classification - used to categorise offences into 16 divisions, within which subdivisions and groups exist. More information can be obtained from: abs.gov.au/ausstats/abs@.nsf/mf/1234.0</p>
Attrition	<p>This occurs when offences reported to Police do not progress through the entire criminal justice system; a small proportion of victimisations resulting in conviction indicates high attrition.</p>
Beyond reasonable doubt	<p>Standard of evidence needed to prove a crime occurred.</p>
Charge	<p>A formal statement (usually by a Police officer) that a person is accused of having committed an offence. This is filed in court. A person can be “charged” (or “prosecuted”).</p>
Charge outcome	<p>The outcome of a charge - whether a perpetrator is convicted or not:</p> <ul style="list-style-type: none">- proved outcomes (where a person is found to be, or pleads, guilty) include 'convicted' and 'other proved' (Youth Court proved (s283 order), Discharge without conviction and Adult diversion/Youth Court discharge)- not proved outcomes include the person being found not guilty and where the charge is withdrawn or dismissed.- other charge outcomes include being found not guilty by reason of insanity or unfit to stand trial.
Child and young person	<p>As a victim of sexual violence in this report, a child or young person is anyone aged 0 - 17 years (an adult is aged 18 years or more). There are specific offences related to victims aged under 12 years and aged under 16 years. However, many offences are for victims aged 16 years or over. This differs to the age grouping in the Organa Tamariki Act 1989 for children and young people which is 10 - 16 years.</p>
CMS or court data	<p>Ministry of Justice electronic case management system – used to record a person’s charges in court, the associated events and hearings, outcomes and sentences.</p>
Convicted or conviction	<p>The most serious proved charge outcome, where the perpetrator is found to be, or pleads, guilty.</p>
Court action	<p>A Police final outcome of investigation where a perpetrator is charged and goes to court.</p>
Court case	<ul style="list-style-type: none">• After the Police investigation and charges have been filed, a defendant may appear in court a few times.• The defendant will be asked whether they plead guilty or not guilty. If they plead guilty there's no trial - the case goes to sentencing (restorative justice may be offered). If the defendant pleads not guilty, the case goes to trial.• The most common trial for sexual violence cases is by jury, but the defendant may choose a Judge-alone trial. For young people the trial will usually be held in the Youth Court.• There may be a number of charges so there could be a combination of guilty and not guilty verdicts. Guilty: the jury or Judge have decided that the defendant is guilty, beyond reasonable doubt. Not guilty: if found not guilty on all charges, the defendant is free to go without any

conviction - they couldn't be proven to be guilty beyond a reasonable doubt. It doesn't mean that the crime didn't happen. **No verdict:** sometimes the jury is unable to decide on a verdict - the Judge may decide to end the trial and there could be a new trial with a new jury.

Defendant	Person accused of a crime. Police refer to all people accused of a crime as an offender. In this report we have used the universal term "perpetrator" to describe both people accused of and people found to have committed a crime.
Evidence	Various things presented in court to prove an alleged fact, including written or spoken testimony from witnesses, and other material such as documents, photographs, maps and videotapes.
Formal complaint	A formal interview is conducted with the victim after they have made their initial report to Police, to gather more detail. The interview is recorded and is the basis of the victim's statement for any criminal proceedings.
Formal warning	A formal warning is a pre-charge warning given after arrest and processing at a Police station. This warning does not go on a person's criminal record but is recorded in the Police operational database.
Home detention	Home detention is when a person serves their prison sentence, or part of the sentence, at an approved location. People on home detention wear an electronic device so their movements can be monitored.
Imprisonment or prison	One of the sentences a person convicted of an offence could receive – to be held in custody, usually in a prison.
Informal warning	An informal warning is given at the discretion of Police officers where there may be sufficient evidence but no public interest to prosecute a perpetrator.
Investigation	What happens after a victim reports their victimisation to Police – Police find out more about what happened and gather the evidence needed to prove that a crime occurred.
Investigation continuing	A Police investigation outcome that is an interim outcome. These investigations may ultimately result in action against a perpetrator or be coded as 'investigation undertaken but Police unable to proceed against perpetrator'.
Investigation undertaken but Police unable to proceed against perpetrator'	A Police investigation outcome, where Police were unable to proceed against a perpetrator at that time. These investigations may however be resumed if new evidence becomes available at a later date (i.e. the victim decides to proceed or the situation changes). There are several reasons an investigation may be completed but Police are unable to proceed against a perpetrator, including 'no crime', 'withdrawn by victim' and 'unable to take action'.
Judge-alone trial	A hearing where a judge alone hears from both sides and makes a decision (rather than a jury deciding).
Jury	Twelve people from the community who decide if the person is guilty or not guilty.
No crime or no offence	A Police outcome of investigation within the subgroup 'Investigation undertaken but Police unable to proceed against perpetrator'. Police can deem a reported victimisation to not be a crime if it is clear to them that the incident did not constitute an offence (for example, they considered the report to have no foundation after investigation, or the person who reported admits to making a false report, or there is evidence to suggest they made a false report).
Non-court action	A Police final outcome of investigation where Police take other action (not court action) against a perpetrator. Non-court action includes: <ul style="list-style-type: none"> • Formal warnings - pre-charge warnings given following an arrest and recorded in the Police operational database. • Informal warnings - given at the discretion of officers where there may be sufficient evidence but no public interest to prosecute a perpetrator. These constitute warning that engaging in certain conduct is against the

	<p>law and that there are serious sanctions that can be applied by the Police to prevent and punish such conduct.</p> <ul style="list-style-type: none"> • Referrals to youth aid and/or family group conferences for young people, where their behaviour and its consequences are discussed, and undertakings may be imposed.
Occurrence	An occurrence is a single criminal incident. It may involve multiple offences if the offences are reported at the same time, involve the same people, and either occur at the same time and place or are the same type of offence repeated over time.
Offence	An act or omission that one may be prosecuted for and punished under criminal law.
Offender	<p>Person convicted of the crime. Before being found guilty, the person charged with the offence is called the 'defendant'. Police refer to all people accused of a crime as an offender.</p> <p>In this report we have used the universal term "perpetrator" to describe both people accused of and people found to have committed a crime.</p>
Other proved	Type of proved charge outcome where the person is found, or pleads, guilty, but is not convicted. This includes discharge without conviction, Police diversion and the Youth Court outcomes Youth Court proved (s283 order) and Youth Court discharge.
Outcome of investigation	<p>This is what is recorded when Police have investigated a reported victimisation. The outcome while the investigation is continuing is an interim one. These investigations may ultimately result in action against a perpetrator. An investigation may result in court or non-court action. The remaining outcomes represent investigations where Police were unable to proceed against a perpetrator at that time. These investigations may however be resumed if new evidence becomes available at a later date (i.e. the victim decides to proceed or the situation changes). This includes the victimisation being deemed not a crime, the victim withdrawing and Police being unable to take action.</p> <p>See Appendix B for a full breakdown of outcome of investigation types.</p>
Perpetrator	<p>The term perpetrator is used throughout this report to describe people accused of committing the sexual violence victimisations reported to Police. Some may prefer these people be described as 'alleged' perpetrators or offenders, or defendants (while charges are prosecuted), and only be described as a perpetrator or offender when found guilty in court. Others would prefer the terminology "people who offend". However, for consistency across the different parts of the justice system, and to reflect the perspective of victims who perceive that the person committed sexual violence against them, 'perpetrator' is used.</p>
Plea	A formal answer to a charge e.g. guilty or not guilty.
Proceeding/proceeded against	<p>The type of action Police take against a person accused of an offence, following an investigation. This could include:</p> <ul style="list-style-type: none"> • Police charge a person with a criminal offence (court action) • Police take other action (non-court action) – the person receives a formal or informal warning, or if a young person, are referred to youth aid or a family group conference.
Reporting to Police	<ul style="list-style-type: none"> • It is a victim's choice whether they tell Police about what happened to them. If they aren't sure about making a formal complaint to Police they can still talk to them to find out what their options are and to get help and support. Police have specially trained staff and can put victims in touch with specialist sexual violence support services, arrange a medical examination, referrals to ACC and other services. • A victim can telephone Police to arrange a time to visit a Police station or for someone to visit them, or they can visit a Police station and talk to someone in private.

- A detective will interview the victim to establish what happened and make sure the victim is safe.
- A medical exam may be undertaken to ensure everything is OK and to gather evidence.
- An investigator will undertake a more in-depth interview.
- Police then find out more about what happened and gather the evidence needed to prove that a crime occurred.
- Once Police have all the evidence and have spoken to the relevant people, they'll decide whether to make an arrest and file charges. If they decide the evidence is strong enough, they'll arrest the suspect.
- The decision to charge will be based on several factors, including the evidence available.
- Sometimes, no matter how thorough the investigation, there isn't enough evidence to make an arrest or take a case to court. This doesn't mean that the Police don't believe the victim.

RCOS	The perpetrator dataset used in this analysis. It is the Police Recorded Crime Offender Statistics dataset, which contains all offences where Police proceed against (take action against) a perpetrator.
RCVS	The victim dataset used in this analysis. It is the Police Recorded Crime Victims Statistics dataset, which contains all victimisations reported to Police.
Sentence	<p>The consequences of the crime for the perpetrator. A person may receive more than one type of sentence when convicted of a charge. The most serious sentence is used in these tables. Sentences include (in order of seriousness):</p> <ul style="list-style-type: none"> • imprisonment - includes life imprisonment, preventive detention and imprisonment • home detention – the most serious community sentence • other community sentences - including community detention, intensive supervision, community work, supervision • monetary, deferment and other sentences - the sentences types present in this analysis include reparation, fine, deferment (to come up for sentence if called upon) and committed to a secure facility on conviction, and where a person has been convicted and discharged.
Sentencing	<p>This is when the Judge decides what will happen to the convicted perpetrator. They're required to take into account:</p> <ul style="list-style-type: none"> • the seriousness of the offence • the impact it has had on the victim, and others • the offender's personal, family, whānau, community and cultural background, as well as their age and health • what sentences have been given for similar crimes • reports about the offender (such as a pre-sentence report).
Sexual violence	<p>In this report sexual violence includes all offences within ANZSOC subdivision 031: Sexual assault (aggravated and non-aggravated sexual assault offences).</p> <p>Note that sexual violence is often committed by someone known to the victim and might not include physical violence. It can occur within relationships or marriage. Anyone can be a victim of sexual violence regardless of their age, gender, status, culture, ability or sexuality.</p> <p>Sexual violence can include:</p> <ul style="list-style-type: none"> • any unwanted touching, such as a kiss • vaginal, anal or oral penetration • forcing you to touch them • forcing someone to do something sexual, such as masturbate • forcing someone to watch or make pornography (not included as sexual violence in this report)

	<ul style="list-style-type: none"> image based sexual abuse or what most know as 'revenge pornography' e.g. sending a nude photo to someone else without the permission of the person in the photo (not included in this report).
Unable to take action	<p>A Police outcome of investigation subgroup of 'Investigation undertaken but Police unable to proceed against perpetrator'. Unable to take action includes instances where:</p> <ul style="list-style-type: none"> the perpetrator was not identified there was insufficient evidence to prosecute a perpetrator and provide a reasonable prospect of conviction it was not in the public interest to proceed a perpetrator was identified but Police were unable to take action against them due to their death or mental incapacity a formal complaint wasn't made by the victim.
Verdict	Formal court decision whether someone is guilty or not guilty.
Victim	<p>A person (child/young person or adult) who has a wrongful action committed against them (e.g. sexual assault). They do not have to have reported the offence to the Police to be a victim.</p> <p>In this report we have chosen to use the terminology 'victim' rather than 'victim-survivor'. Some people dislike the term 'victim', however for others 'victim' validates the harm they have experienced. Some people prefer the term 'survivor', while others dislike it and prefer to be described as the 'person who has been victimised', or not labelled at all. The use of the term 'victim' in this report is not intended as a value judgement on those who have experienced crime or to exclude those who do not identify with that term.</p>
Victimisation	<p>A 'victimisation' is an individual criminal offence that a victim experiences (e.g. if a person is raped by their ex-partner, they are the victim, the ex-partner is the perpetrator and the experience of the rape is the victimisation). A victim may experience more than one victimisation over a period of time, from one or more perpetrators. A victimisation may or may not be reported to Police. However, only victimisations reported to Police are included in this analysis.</p>
Withdrawn by victim	<p>A Police outcome of investigation introduced in early 2017. A victim may choose not to proceed and withdraw their complaint. This can happen before or after the formal interview, but before court action or non-court action against a perpetrator begins. A victim may withdraw from the process (or not make a formal complaint) for many reasons, including to avoid stress, their reluctance or ambivalence to proceed, having moved on or wanting to forget, and fear of the perpetrator.</p>
Youth Court	<p>The Youth Court has the jurisdiction to deal with young people charged with criminal offences.</p>

Note that some of these definitions have been adapted from terms described on the Ministry of Justice website for people affected by sexual violence (<https://sexualviolence.victiminfo.govt.nz/>).

Ministry of Justice
Tāhū o te Ture

justice.govt.nz

info@justice.govt.nz

0800 COURTS
0800 268 787

National Office
Justice Centre | 19 Aitken St
DX SX10088 | Wellington | New Zealand