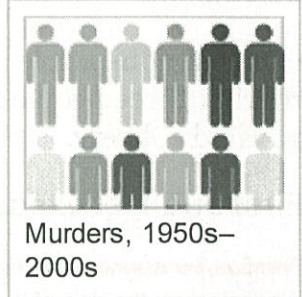




Murder and manslaughter

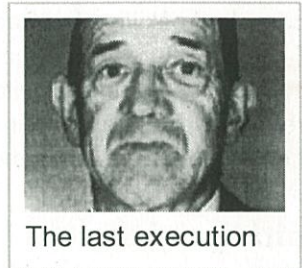
Types of homicide

There are two main categories of culpable homicide (the illegal killing of one person by another) – murder and manslaughter. Murder is when one person kills another deliberately or while acting recklessly, knowing that death is likely. Manslaughter generally refers to accidental homicide arising from an unlawful act or failure to act, where death could not reasonably be expected.

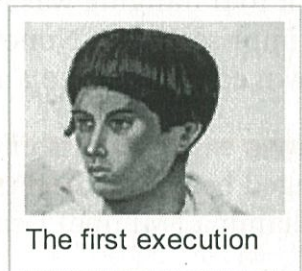


Murder and manslaughter rates

Rates of reported murder and manslaughter increased steadily from an average of 18 a year in the 1950s to 43 in the 1970s. They reached a peak of over 90 per year between 1990 and 1992. After 2000, reported homicides stabilised at an average of 66 per year.



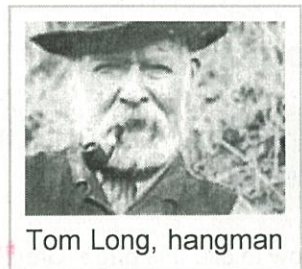
Before the 1970s about 10 murders a year were reported to the police. Numbers of reported murders rose in the 1970s and 1980s, with an average of 65 a year between 1985 and 1992. Reported murders have been stable since 2000, averaging 54 a year.



Reasons for increases

There are a number of possible reasons for murder and manslaughter increases in the 1990s.

- During the 1980s and 1990s a number of high-profile multiple killings increased the homicide rate.
- Unemployment, which peaked in 1991 at 11% of the workforce, coincided with increased rates of homicide. As unemployment fell, there was a drop in recorded violence, including homicide.



Reasons for decreases

The decrease in the murder and manslaughter rate in the 2000s may be due to several factors.

- Toughened gun control laws after the Aramoana massacre of 1990 restricted legal access to firearms, which were used in about 25% of all murders.
- The expansion of women's refuges and the full implementation of presumptive arrest in domestic-violence cases in the 1990s reduced the number of domestic homicides (which account for 40% of all murders).
- Constant improvements in medical technology have reduced the number of deaths which result from potentially fatal trauma.

Penalties for homicide

Imprisonment

In nearly all cases of murder, life imprisonment is mandatory. This usually means a non-parole period of at least 10 years, unless the sentencing judge imposes an extended non-parole period. If one of a number of aggravating features is present – for instance, more than one person is killed, or the crime involves extreme cruelty – the automatic non-parole minimum is 17 years.

In the case of manslaughter a judge has discretion to impose any penalty up to and including life imprisonment.

The longest non-parole period ever given in New Zealand was 30 years, to William Bell for murdering three people at the Mt Wellington–Panmure RSA club in 2001 while on parole for aggravated robbery.

First and last executions

The first person to be executed in New Zealand was Maketū Wharetōtara, the son of the Ngāpuhi chief Ruhe of Waimate. He was publicly hanged in Auckland in 1842, aged about 16, after being convicted of killing five people. The last person to be hanged was Walter Bolton, a 68-year-old Whanganui farm manager who was executed in 1957 for poisoning his wife, Beatrice. The Crown alleged that Bolton had regularly put small amounts of powdered sheep dip (with arsenic) into her tea. Between 1842 and 1957, 85 people were executed for murder.

Capital punishment

Until 1941 hanging was mandatory for murder, although many death sentences were commuted to life imprisonment. Nonetheless, 77 people were executed between the time New Zealand became a Crown colony in 1840 and abolition of the death penalty in 1941.

In 1950 capital punishment resumed as a result of public pressure, and eight more men were hanged before it was finally abolished in 1961. Only one woman was executed in New Zealand – Williamina (Minnie) Dean was hanged at Invercargill in 1895 for the murder of a baby.

Biographies



Wiremu Kingi Maketu, ?–1842

How to cite this page: Greg Newbold. 'Violent crime - Murder and manslaughter', Te Ara - the Encyclopedia of New Zealand, updated 22-Mar-11
URL: <http://www.TeAra.govt.nz/en/violent-crime/2>