



## NATIONAL COUNCIL OF WOMEN OF NEW ZEALAND

TE KAUNIHERA WAHINE O AOTEAROA

21 June 2012

S12.21

### **Submission to the Law and Order Committee on the Administration of Community Sentences and Orders Bill**

The National Council of Women of New Zealand (**NCWNZ**) is an umbrella organisation representing 47 nationally organised societies and national members. It has 22 branches throughout the country attended by representatives of those societies and some 150 other societies as well as individual members. NCWNZ's function is to represent and promote the interests of New Zealand women through research, discussion and action.

This submission has been prepared by the NCWNZ Justice and Law Reform Standing Committee after consultation with the membership of NCWNZ, and review by the Parliamentary Watch Committee and the Board of NCWNZ.

#### **Introduction**

NCWNZ has been party to numerous consultations, conferences and reports where the issue of women's access to justice has been advocated.

NCWNZ also has specific policies in regard to the support for both the protection of the community and the rehabilitation of the prisoner. Our organisation has a long-held tradition of support for both the protection of the community and the rehabilitation of the offender. NCWNZ has always believed that constructive rehabilitation makes a practical and lasting contribution to community safety.

NCWNZ generally is supportive of the proposed reforms. The possible reforms are viewed as enhancing the likelihood of women and children feeling more secure and safer in the community, while having regard to an optimal outcome for the offenders.

NCWNZ has focused on the amendments to the Parole Act 2002.

#### **Part 3 Clause 37**

##### **Conditions applying to release at statutory release date**

##### **Section 18 amended by repealing subsection (2A) and substituting a new subsection.**

Members commented that ongoing support and mentoring of the offender is essential and that the mentor/s should be in regular contact with the Parole Board Supervisor/Probation Officer. There was a comment that in rural and isolated areas there is little community work available which could cause difficulties in what is available for offenders.

There were also comments that special conditions should include residential requirements, consorting restrictions and curfew hours.

Members made the observation that Home Detention should not be seen as a cheaper option/solution, but rather as ongoing rehabilitation, nor should Home Detention be available to violent offenders.

### **Part 3 Clause 38**

#### **Release conditions applying on Parole**

Members commented that there should be frequent monitoring to ensure that the conditions are being complied with and misdemeanours are dealt with promptly. The local community should also be listened to so that the community's safety and security are ensured. There was a comment that anything that rehabilitates the offender has to be good.

There was an observation that the Parole Board needs more fiscal resources to enable effective monitoring as there are many reports of offenders re-offending.

### **Part 3 Clause 40**

#### **Prior report on suitability of residential restrictions**

**Section 34(1) is amended by omitting "a probation officer" and substituting "the chief executive".**

#### **Section 34 is amended by inserting subsections (1A) and (1B)**

Members endorse the need for full reports to be prepared which should also take into account the safety and security of the victim and the community. There were comments that there should also be evaluation of the rehabilitation efforts of the offender.

Several members have concerns about the impact of home detention on the wives and partners of male offenders with the possibility of increased tension in the home, and the possibility of not reporting domestic violence to avoid the return of the offender to prison. Such scenarios need to be adequately canvassed and therefore there needs to be adequate resourcing. There is also support for a mandatory requirement that the reports comment specifically on the impact on the partners and children and family members of the offender.

There was an observation that there needs to be adequate resourcing of Safe Houses/Women's Refuges so that the family members can escape to safety if family violence should escalate because of pressure on the offender to comply with restrictions. Also that contact details of the alternative safe accommodation and/or assisting agencies should be provided to the offender's family.

## **Conclusion**

NCWNZ generally supports the possible reforms in regards to the amendments to the Parole Act 2002. The possibility to rehabilitate offenders is to be encouraged for the good of the offenders' families and the wider community and at the same time having regard to the safety and security of the community and the offenders' families.

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