



**National Council of
Women of New Zealand**

Te Kaunihera
Wahine O Aotearoa

National Office
Level 4 Central House
26 Brandon Street
PO Box 25-495
Wellington 6146
(04)473 76 23
www.ncwnz.org.nz

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Submission to the Law and Order Select Committee on the Parole Amendment Bill 73-1

The National Council of Women of New Zealand (NCWNZ) is an umbrella organisation representing 30 organisations affiliated at national level and a further 40 organisations affiliated at branch level. It has 22 branches throughout the country attended by representatives of these organisations, 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 and the Parliamentary Watch Committee after consultation with the membership of NCWNZ.

Introduction

NCWNZ has a long history of advocating for access to justice by women and children who are victims. Responding members are aware of the balance required to address the rights of the offender and at the same time the right of the victim to be heard and their needs addressed.

Comments on specific clauses

Part 1 Clause 10

New section 21A inserted (Board must specify date by which offender must be considered for further parole)

21A Board must specify date by which offender must be further considered for parole

**When the Board declines to release an offender on parole, the Board in its decision-
(b) may specify the risk milestones (if any) that the Board expects will be achieved by the specified date;**

A number of respondents questioned how will risk milestones be identified and assessed and how would the offender be protected from moveable milestones.

It is a concern that there are no limits or guidelines as to how risk milestones will be set and what parameters will be used.

There was a comment that good support needs to be available on release of the offender and querying if there would be sufficient resources in place for assisting the offender to achieve the milestones.

Several members commented that there needs to be rehabilitation available, literacy and job courses and courses specific to the offender's needs such as stopping violence and anger managements and job opportunities and treatment for mental illness.

There were also suggestions that suitable milestones would be that the offender demonstrates understanding of the gravity of the offence and shows general remorse.

Part 1 Clause 12

Section 27 replaced (Postponement of consideration for parole)

Replace section 27 with:

27 Board may make postponement order

The majority of responding members supported the proposed amendment especially if there is no significant change in the offender's behaviour or the offender does not make any effort.

Part 1 Clause 14

Section 29 replaced (Release conditions applying to parole)

Replace section 29 with:

29 Standard release conditions

A minority of responding members commented that the period for standard release conditions to apply should ensure the safety of the community, eg non-association with a gang. The period should also correspond with the assessed risk to the community and dependent on rehabilitation having been completed.

29AA Special Release Conditions

The majority of responding members supported the proposed amendment and opined that the conditions should ensure that child and/or vulnerable victims receive special protection and the offender being released to a suitable address, being directed to complete anger management courses and/or drug or alcohol rehabilitation courses and restorative justice processes or other procedures which are intended to prevent reoffending.

Part 2 Clause 24

New Section 118E Attendance at hearings

The majority of responding members agreed with the victim being able to attend the hearing by way of remote access, especially to relieve the financial and/or emotional cost of attending a hearing in person.

Some members commented that phone access can be difficult to hear and nuances of language and body are not visible and access should be by way of video or Skype.

Conclusion

NCWNZ is in general agreement with the aims to protect victims and the community. There must be fully resourced rehabilitation courses and treatment programmes available to an offender so that the offender can be successfully rehabilitated back into the community.

Barbara Arnold
National President

Cleone Campbell
Justice & Law Reform SC Convenor