



**National Council of
Women of New Zealand**

Te Kaunihera
Wahine O Aotearoa

National Office
Level 4 Central House
26 Brandon Street
PO Box 25-498
Wellington 6146
(04)473 76 23
office@ncwnz.org.nz
www.ncwnz.org.nz

27 September 2016

S16.20

**Submission to the Social Services Committee on the
Social Security (Stopping Benefit Payments for Offenders
who Repeatedly Fail to Comply with Community Sentences)
Amendment Bill**

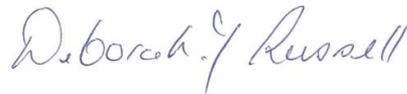
1. The National Council of Women of New Zealand, Te Kaunihera Wahine O Aotearoa (NCWNZ) is an umbrella group representing 288 organisations affiliated at either the national level or to one of our 20 branches. In addition to our organisational membership, about 260 women are individual members of branches. 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 Economics Standing Committee and the Parliamentary Watch Committee.
2. At the inaugural meeting of The National Council of Women in 1896 the members agreed that "No system can be satisfactory which does not distinguish and classify the different kinds of criminal and aim at individual reform." This remains NCWNZ policy to this day (NCW policy 12.10.1.2).
3. NCW policy on support for parents with children affirms that the cause of a person requiring sole parent support should not affect the amount of the benefit they receive (NCW policy 16.3.4.1). NCWNZ also supports universal child benefits (NCW policy 16.3.5.14). The NCWNZ submission to the Submission to the Law and Order Committee on the Sentencing (Protection of Children from Criminal Offending) Amendment Bill 94-1 (13.21) endorsed the need to protect children from the harmful effects of adult offending.
4. Taken together, these longstanding policies and earlier submissions reflect a clear commitment to supporting children, and to ensuring that children are not penalised for adults' misdeeds.
5. The Social Security (Stopping Benefit Payments for Offenders who Repeatedly Fail to Comply with Community Sentences) Amendment Bill seeks to encourage or compel offenders to comply with community sentences by reducing or removing financial support provided by the state.
6. It is not clear why offenders who are in receipt of a benefit should be subject to a financial penalty for failing to comply with a sentence when offenders who receive employment income are not similarly penalised. It amounts to a double punishment for offenders who are beneficiaries.
7. Notwithstanding this concern, even if the principle of imposing sanctions through reduced benefits is accepted, special consideration should be given to ensuring that children are not adversely affected.

Clause 183 (3) caps the sanction at 50% of gross benefit where an offender is responsible for a dependent child. However any reduction in benefit negatively affects children. The children end up being sanctioned for the caregiver's behaviour.

8. Women in particular may be negatively affected by this proposal. Women are more likely to have caring responsibilities for dependent children, and those caring responsibilities can make it harder for women to fulfil the requirements of their community sentence, due to the need to arrange childcare. The cost of caring for children and paying for childcare can encourage women to re-engage in offending (Bevan and Wehipeihana, 2015). Cutting benefits for people who have children to encourage them to comply with community sentences may actually encourage them back into the behaviour that resulted in the community sentence in the first place.
9. No data is available as to how many of the people who have community sentences also have caregiving responsibilities. However, about 22% of all people who have community sentences are female, and of those female offenders, about 48% are Maori (data sourced from <http://nzdotstat.stats.govt.nz/>).
10. The bill contains an exemption for people who receive New Zealand superannuation or a veteran's pension [clause 182 (2)]. It is not clear why senior citizens should be exempted from the financial sanction of a benefit cut, when children, who have committed no offence, are not.
11. NCWNZ submits that clause 182 (2) should be amended to include offenders who are in receipt of a sole parent benefit.



Rae Duff
National President



Dr Deborah Russell
Convener, Economics Standing Committee

References

Bevan, M., and Wehipeihana, N. 2015. *Women's Experiences of Re-Offending and Rehabilitation*. Department of Corrections: Wellington