

DRAFT FOR CONSULTATION

Corrections (School Notification of Sex Offenders) Amendment Bill

Member's Bill

Explanatory note

General policy statement

Currently, the Department of Corrections is placing some sex offenders in a community without informing the local school or schools. This bill seeks to ensure that, when a sex offender is placed in a community, the principals of the local schools are notified of this placement. By receiving notification from the Department of Corrections, local schools will be able to make informed decisions about the risk of the sex offenders placement.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides that the Act comes into force the day after the date it receives the Royal assent.

Clause 3 provides that the Act amends the Corrections Act 2004 (**principal Act**).

Clause 4 makes a consequential amendment to the definition of **probation area** in section 24(7) of the principal Act.

Clause 4 inserts *new section 25A* to provide that probation officers must notify a principal of school that a person convicted of a sex offence placed under supervision of the probation officer resides within 5 km of that school, or if a school is not within the 5 km area, the closest school to the offenders's home. In addition, the probation officer may notify other principals of schools in a probation area at the probation officer's discretion. When notifying principals on this matter, the probation officer must provide details of the name and address of the offender, and their sentence or order.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Corrections (School Notification of Sex Offenders) Amendment Act **2019**.

2 Commencement

This Act comes into force on the day after the date it receives the Royal assent.

3 Principal Act

This Act amends the Corrections Act 2004 (the **principal Act**).

4 Section 24 amended (Probation officers)

In section 24(7), after “sections 25,”, insert “**25A**,”.

5 New section 25A inserted

After section 25, insert:

25A Probation officers to notify schools

- (1) This section applies to a offender who is—
 - (a) under the supervision of a probation officer; and
 - (b) convicted of an offence listed in section 107B(2) of the Parole Act 2002.
- (2) A probation officer must notify—
 - (a) a principal of a school if a offender described in **subsection (1)** resides within 5 km of that school; or
 - (b) the principal of the closest school to where a offender described in **subsection (1)** resides if **paragraph (a)** does not apply.
- (3) In addition to **subsection (2)**, a probation officer may notify, at his or her discretion, a principal of a school in a probation area if a offender described in **subsection (1)** resides within that probation area.
- (4) The probation officer must notify a principal under **subsection (2)** or **(3)**—
 - (a) at least 48 hours before the release of the offender from detention if the offender described in **subsection (1)** was subject to a sentence of imprisonment; or
 - (b) if **paragraph (a)** does not apply, as soon as possible, but not later than 72 hours, after the probation officer knows a new residential address of the offender described in **subsection (1)**.
- (5) The notification to principals under **subsection (2)** or **(3)** must include the following details:
 - (a) the name and residential address of the offender described in **subsection (1)**; and
 - (b) the sentence or order imposed on the offender.