



NCWNZ Action Item Response Sheet

Please send your responses to the National Office: [ncwnz@ncwnz.org.nz](mailto:ncwnz@ncwnz.org.nz)

and please put **Action Item - Parole Amendment Bill** in the Subject Line.

<b>Document</b>	Parole Amendment Bill 73-1
<b>Committee/Writer</b>	Justice & Law Reform/Cleone Campbell
<b>Action Item due date</b>	22 November 2012
<b>Responder, eg Branch, NOS, individual</b>	
<b>Number of people contributing to response</b>	

The purpose of the Bill is to reduce the number of unnecessary parole hearings where the offender has little prospect of release. The reduction in hearings will reduce unnecessary stress for victims while also providing incentives for offenders to address their offending behaviour.

The Bill also improves the efficiency of the parole system by simplifying pre-hearing processes and clarifying issues around attendance at hearings conducted by the NZ Parole Board (**Board**).

At present the Board must consider an offender for release on parole as soon as practicable after the offender's parole eligibility date and thereafter at least once in every 12 months.

The Minister of Justice has stated that it makes no sense to hold parole hearings where offenders refuse to acknowledge their offending and have made little or no effort at rehabilitation.

The Bill gives greater flexibility by increasing the maximum interval between parole hearings, where a postponement order has not been made, from 12 months to 2 years. The Board will be able to align future hearings with completion of components of offender plans.

The Bill requires the Board, when it declines to release an offender on parole, to specify when the offender will next be considered for parole and also to identify any milestones relating to the risk that the offender poses to the safety of the community that it expects to be achieved before the next hearing.

At present the Board may make a postponement order where it is satisfied that in the absence of a significant change in the offender's circumstances, an offender will not be suitable for release at the time when s/he is next due to be considered for parole.

The Bill restricts postponement orders to offenders serving an indeterminate sentence and determinate sentences of 10 years or more. The maximum term of a postponement order will be increased to 5 years for all eligible offenders.

In making a postponement order, the Board will be able to identify risk milestones that it expects to be achieved before the next consideration of the offender for release on parole.

There is an interesting article about the Bill in NZ Lawyer, "I tell you I am innocent" by Michael Bott, see [www.nzlawyermagazine.co.nz/CurrentIssue/Issue194](http://www.nzlawyermagazine.co.nz/CurrentIssue/Issue194)

You can download the Bill at

<http://www.legislation.govt.nz/bill/government/2012/0073/latest/versions.aspx>

## Questions

- 1. “Risk milestone” means a milestone relating to the risk that the offender poses to the safety of the community.**  
*Please state what you think should be included as risk milestones and reasons for these.*
- 2. The Board may make a postponement order if the offender is serving an indeterminate sentence or a determinate sentence of 10 years or more. The Board may specify any risk milestones that the offender is expected to achieve by a specified date.**  
*Do you agree or disagree with the imposition of a postponement order and please give reasons.*  
*What risk milestones should be imposed and please give reasons.*
- 3. Standard release conditions apply to every offender who is released on parole. The Board may specify a period for the standard release conditions to apply to an offender who is subject to one or more determinate sentences.**  
**The standard release conditions apply for the rest of the offender’s life where the offender is subject to an indeterminate sentence.**  
*Please comment on the periods for the standard release conditions to apply and please give reasons.*
- 4. Special release conditions may be imposed by the Board. If the offender is subject to 1 or determinate sentences the special conditions may not be in force for a longer period than the standard release conditions are in force.**  
*Please state what you think should be included in the special release conditions and reasons for these.*
- 5. Any person, including the victim, may make submissions on, or give information relevant to, the matter to be decided at parole hearings.**  
**The victim may write to the Board to make submissions or give information.**  
**If the Board agrees, a victim may attend by way of remote access, such as by telephone, video or Internet link.**  
*Please comment on these provisions and please give any examples from life experience.*