



NCWNZ Action Item Response Sheet

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Document	Public Safety (Public Protection Orders) Bill
Committee/Writer	Justice & Law Reform/Cleone Campbell
Action Item due date	1 November 2012
Responder, eg Branch, NOS, individual	
Number of people contributing to response	

This Bill is aimed at a small number of people who reach the end of a finite prison sentence or are subject to the most intensive form of an extended supervision order and pose a very high risk of imminent and serious sexual or violent reoffending.

The public protection order (**PPO**) would allow for detention of the offender in a secure residence located in a prison precinct. There would be pathways for the release of the offender such as a management plan, rehabilitation, treatment, regular and early reviews of status and post-release supervision.

A review panel will review the PPO annually. The court must review the PPO within 5 years after the order is made and then 5 yearly or whenever the review panel directs.

The Bill provides that any money earned or a benefit due to the offender are to be paid to a trust account. There will be guidelines or instructions which may require deduction from the trust account to offset the cost of the offender's care.

If an offender is deemed by the court to pose such an unacceptably high risk to the offender and/or others that the offender cannot be safely managed in the secure residence, then the court can order that the offender is to be detained in prison (**PDO**) instead of a secure residence. This order may be made as soon as a PPO is made against the offender.

If the court is satisfied that there is no longer a very high risk of imminent serious sexual or violent offending by the offender then the court can issue a protective supervision order (**PSO**). The court can include requirements in the PSO to provide for the reasonable concerns of victims of the offender.

The court may cancel the PSO if the offender has not committed any serious sexual or violent offences nor breached any requirements included in the order for a period of 5 years. The cancellation must be notified to the victim of the offender.

The Bill provides for the management of the secure residences by private sector contractors.

You can view the Bill at

<http://www.legislation.govt.nz/bill/government/2012/0068/latest/DLM4751015.html>

Questions

1. Public Protection Order

The Bill provides for the Department of Corrections Chief Executive to apply to the High Court for a PPO. The application is to be accompanied by at least two reports, one must be by a registered psychologist and the other can be by a psychiatrist or another psychologist.

It is not mandatory for the victim of the offender to receive notice of the application nor the making of the order. Do you agree or disagree? Please give reasons.

2. Review of Public Protection Order

The Bill provides that the victim of the offender is to be notified of the outcome of the court's review of the PPO.

It is not mandatory for the victim of the offender to receive notice of the review. Do you agree or disagree? Please give reasons.

3. Cancellation of Protective Supervision Order

The Bill provides that on a review or on an application by the Department of Corrections or the offender the court may cancel the PSO.

It is not mandatory for the victim of the offender to receive notice of the review or the application. Do you agree or disagree? Please give reasons.

4. Please add any other comments.