

Parole (Mandatory Completion of Rehabilitative Programmes) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The policy objective of this Bill is to provide a requirement for individuals in a corrections facility to complete skills and rehabilitation programmes prior to being considered for parole.

Prisoners face many barriers to gaining employment post-release, such as poor literacy, numeracy and educational underachievement. This results in many offenders falling back into criminal activity that sees them back within a corrections facility.

The current approach sees more New Zealanders becoming victims, more costs being incurred for taxpayers, and lost potential for those who end up in a corrections facility.

This Bill would create an incentive for people in a corrections facility to participate in practical, educational and rehabilitation programmes in order to be better equipped with the skills to lead a more productive life upon release.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause and provides for this Bill to come into force on the day after it receives the Royal assent.

Clause 3 identifies the Parole Act 2002 as the Act being amended by the Bill (the **principal Act**).

Clause 4 amends section 4 of the principal Act, which is the interpretation provision, to insert a definition of **rehabilitative programme**.

Clause 5 inserts a *new section 24A* into the principal Act to require that an offender who has not completed a rehabilitative programme identified in their management

plan under section 51 of the Corrections Act 2004 must not be considered for parole. Instead the Parole Board must set a new date by which the offender must be considered for parole (which must not be more than 12 months after the date they were due to be considered for parole) in order to provide time for the offender to complete the relevant programme.

Clause 6 amends section 26 of the principal Act, which provides for other times when the Parole Board may consider an offender for parole, to provide for an offender to be considered for parole once the manager of the prison in which the offender is detained considers that the relevant programme has been completed and notifies the Board of that fact.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Parole (Mandatory Completion of Rehabilitative Programmes) Amendment Act **2024**.

2 Commencement

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

3 Principal Act

This Act amends the Parole Act 2002 (the **principal Act**).

4 Section 4 amended (Interpretation)

In section 4(1), insert in its appropriate alphabetical order:

rehabilitative programme has the same meaning as in section 3(1) of the Corrections Act 2004

5 New section 24A inserted (Consideration of offenders with uncompleted rehabilitative programmes) 5

After section 24, insert:

24A Consideration of offenders with uncompleted rehabilitative programmes

- (1) An offender who has not completed a rehabilitative programme that has been identified in their management plan under section 51 of the Corrections Act 2004 by the date on which they are due to be considered for parole must not be considered by the Board for parole. 10
- (2) When **subsection (1)** applies, the Board must specify a date (the **specified date**) by which the offender must be considered for parole, which must not be more than 12 months after the date they were due to be considered for parole. 15
- (3) The offender’s next parole hearing may be brought forward if the manager of the prison in which the offender is detained considers that the relevant rehabilitative programme has been completed earlier than the specified date.

6 Section 26 amended (Other times when Board may consider offenders for parole) 20

In section 26(3),—

- (a) after “relevant activities specified under section 21A(b)”, insert “or the relevant rehabilitative programme to which section 24A(1) applies”; and
- (b) after “under section 21A(a)”, insert “or **section 24A(2)** (as the case may be)”. 25