

House of Representatives

Supplementary Order Paper

Wednesday, 1 June 2016

Child Protection (Child Sex Offender Register) Bill

Proposed amendments

Darroch Ball, in Committee, to move the following amendments:

Clause 3

Replace *clause 3(a)* (page 4, lines 11 to 13) with:

- (a) providing government agencies with, and making publicly available, the information needed to monitor child sex offenders in the community, including after the completion of the sentence; and

Clause 10

Replace *clause 10* (page 8, lines 17 to 27) with:

10 Administration of registers

- (1) The Commissioner is responsible for the administration of the restricted and unrestricted registers.
- (2) Before making significant operational decisions about the way in which the registers are administered, the Commissioner must consult with the chief executive of the Department of Corrections.
- (3) For the purpose of administering the registers, the Commissioner may appoint any of the following to be authorised persons:
 - (a) 1 or more Police employees (within the meaning of section 4 of the Policing Act 2008):
 - (b) 1 or more employees of the Department of Corrections nominated by the chief executive of the Department.

Clause 39

In the *clause 39 heading* (page 25, line 8), replace “**Access to register to be restricted**” with “**Access to restricted register**”.

Replace *clause 39(1) and (2)* (page 25, lines 9 to 20) with:

- (1) The Commissioner must ensure that the restricted register is accessed only by a person, or a class of persons, that is authorised to do so by the Commissioner in accordance with the guidelines issued in accordance with this section.
- (2) The Commissioner must issue guidelines in relation to access to the restricted and unrestricted registers to ensure that—
 - (a) information contained in the register is used only for the purpose of investigating offences listed in **Schedule 2** and resolving cases of child sex offending; and
 - (b) access to information contained in the register is available to enable the monitoring of child sex offenders in the community, including after completion of their sentence or order.

New clause 39A

After *clause 39* (page 25, after line 34), insert:

39A Access to unrestricted register

- (1) A registrable offender’s name, town or suburb, occupation, photo, and conviction details will be recorded in the unrestricted register.
- (2) The unrestricted register will be accessible to the general public to enable people to monitor child sex offenders in their communities.

Clause 45

Replace *clause 45(1)* (page 27, lines 18 to 23) with:

- (1) A person authorised to have access to the restricted register or any part of the restricted register must not disclose any personal information in the register, including information recorded in the unrestricted register, unless the person is—
 - (a) authorised by the Commissioner to disclose the information; or
 - (b) otherwise permitted or required, under any enactment or other law, to disclose the information.

Explanatory note

This Supplementary Order Paper amends *clauses 3, 10, 39, and 45*, and inserts *new clause 39A*, to ensure that details of name, town or suburb, occupation, photo, and conviction details contained in the Child Sex Offender Register are publicly accessible.

For this purpose the Child Sex Offender Register will exist in a restricted and non-restricted format.

The public of New Zealand have the right to know who in their neighbourhoods the convicted child sex offenders are.

This would allow the public to be the eyes and ears for the Police and their management of the register. It would allow the most vulnerable in our society to have the extra protection they need, thereby ensuring a reduction in sexual offending against child victims.

New Zealand First is against using ideology that places the rights of the perpetrator above the protection and rights of the child. Public safety concerns and the safety of children, who are the most vulnerable and defenceless, outweigh the privacy or equal-protection claims of a sex offender.