

Independent Review of Ara Poutama's Community Notification and Engagement Process

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Executive Summary

1. In December 2022 the author was engaged by Ara Poutama to review their community notification and engagement process. The review was prompted by the murder of Julianna Bonilla-Herrera by her neighbour Joseph Brider, who was on parole following his release from prison 10 weeks prior to the murder. The author was asked to consider the following:
 - The current community notification and engagement process to ensure it is clear, transparent, fit for purpose and contributes to enhancing the safety of communities
 - Recent changes in legislation, policy and practice relating to the assessment and management of accommodation in the community as far back as the previous review undertaken in 2018 (*summary provided to the author*).
 - A review of a sample of the cases where notification occurred in the 12-month period from 1 November 2021 to 1 November 2022 (*provided to the author*).
 - Supported accommodation services provided or accessed in the sample of cases above to prevent the risk of further harm to the community (*provided to the author*)
2. The report is comprised of four main sections: Part 1 provides an overview of international research into the aims and effectiveness of community notification, Part 2 overviews the Aotearoa New Zealand context, including an overview of the evolution of Ara Poutama's community notification and engagement process, Part 3 reports on the methodology and findings of the author's review of current practice, and Part 4 discusses findings in the context of research reviewed in Part 1 and concludes with a set of recommendations.
3. The impetus behind community notification legislation and policy was to increase community safety through providing information about people with convictions for sexual offences residing in a community. Community notification can take various forms ranging from passive notification requiring community members to search online registers, to active notification whereby authorities directly notify residents that an individual convicted for sexual offence(s) is residing or due to reside in their community. The Sex Offender Registration and Notification (SORN) legislation in the US whereby online registers of persons convicted for sex crimes are publicly accessible is the most widely researched form of community notification. Considering SORN research in its entirety, SORN legislation has failed to contribute to enhanced public safety.
4. Several countries outside the US, including Aotearoa New Zealand, have attempted to learn from the U.S. experience and limit the extent of community notification, including restricting notification to those individuals presenting the greatest risk to the public. Ara Poutama's notification and engagement process delineates nonspecific and specific engagement, the former focused on proactive engagement with key community stakeholders (e.g., about how Ara Poutama manage people on sentence in the community), and the latter focused on a person being released to (or already residing) in a community. Specific engagement is restricted to individuals presenting the greatest risk to communities, and no identifying information is disclosed.
5. The current review of Ara Poutama's approach to notification and engagement involved (i) interviews with key staff involved in each stage of the community notification and engagement

process, (ii) an analysis of notification decision data per region, and (iii) a review of cases considered notifiable during the 12-month period from 1 November 2021 to 1 November 2022. Interviewees consistently identified the value of general, nonspecific engagement with key stakeholders, including schools. Despite attempts to minimise the risk for negative impacts of specific notification, findings highlighted that at least in some regions, negative impacts were observed both for community members and individuals subject to notification. Of concern, the existence of community notification added an additional obstacle to the already difficult task of community (re)integration planning, at times compromising release plan quality. Regional differences were observed, including the frequency of “yes” decisions to notify, and the extent to which renotification of the same individual was considered.

6. Select elements of Ara Poutama’s notification and engagement process appear to support community safety, whereas several features risk compromising community safety. Supporting community safety, nonspecific engagement activity can help raise community awareness about child sexual abuse, and serve an educative function. Also supporting community safety, District Planning Panel forums (DPPs) bring together key people with relevant expertise and intel, and facilitate robust discussion concerning release planning. However, the practice of specific notification demonstrated potential to compromise the cornerstones of effective reintegration. Additionally, concerns were raised about the possibility for specific notification to saturate risk in vulnerable communities, instil fear, traumatise vulnerable community members, reinforce the stranger danger myth, and detract attention from more salient risks.
7. Considering findings of the current review alongside relevant research, Ara Poutama’s notification and engagement process cannot be considered fit for purpose in terms of enhancing community safety. However, the purpose of notification and engagement extends to public interest in housing and management of people under Corrections supervision in the community. The extent to which the current process, or elements of it, satisfy public interest could be further explored through follow up engagements with community members and stakeholders.
8. This report concludes with the following recommendations, based on findings from the current review and best practices in community-based risk management. Importantly, recommendations offered are tentative until the review is discussed with the Ara Poutama Māori Partnerships Team and other relevant Māori stakeholders:
 - i. That emphasis is placed on general, nonspecific community engagement; that a consistent approach to community engagement is adopted across all regions; and that SA-CEARs are provided with specific training in community engagement.
 - ii. That planning panels continue, with a focus on release planning and reintegration.
 - iii. That the criteria for consideration of cases at planning panels is explicitly updated to include people with convictions for sexual offences against adults and/or general violence assessed with an above average risk for sexual and/or violent reoffending. This recommendation aligns with the recommendation made in an independent review of advice provided to the New Zealand Parole Board concerning accommodation options for Joseph Brider. Specifically, Victoria Heine KC recommended that decisions to withdraw referrals for Intensive Reintegration Services (IRS) are made with oversight from the IRS panel, comprised of senior Ara Poutama staff.

- iv. That empirically supported risk management strategies are favoured over specific notification, and their intensity is informed by a comprehensive recidivism risk assessment. Comprehensive risk assessments require (i) informed use of relevant risk assessment tools including sexual offence specific tools, (ii) consideration of protective factors that may buffer (sexual) reoffence risk, and (iii) recognition that risk is contextual (meaning one proposed release environment may offer greater protection than others).
- v. That specific notification is not used as a risk management strategy and is considered only as a mechanism to inform communities about how Ara Poutama safely manage individuals on sentence in the community.
- vi. That Corrections regularly collate feedback from community members and key stakeholders to help inform how notification and engagement activity might best address community interest.
- vii. It is recommended that specific notification is restricted to select circumstances (i.e., considering recidivism risk and offence process) and is complemented with readily accessible information repeating key messages about how Ara Poutama manages risk in the community, and education surrounding sexual abuse prevention.

Introduction and Terms of Reference

9. In December 2022 the author was engaged by Ara Poutama to review their community notification and engagement process. The review was prompted by the murder of Julianna Bonilla-Herrera by her neighbour Joseph Brider, who was on parole following his release from prison 10 weeks prior to the murder. The author was asked to focus the review on:
 - The current community notification and engagement process to ensure it is clear, transparent, fit for purpose and contributes to enhancing the safety of communities.
10. In addition, the author was asked to consider:
 - Recent changes in legislation, policy and practice relating to the assessment and management of accommodation in the community as far back as the previous review undertaken in 2018 (*summary provided to the author*).
 - A review of a sample of the cases where notification occurred in the 12-month period from 1 November 2021 to 1 November 2022 (*provided to the author*).
 - Supported accommodation services provided or accessed in the sample of cases above to prevent the risk of further harm to the community (*provided to the author*)

Report Structure

11. The current report is comprised of four main sections. Part 1 provides an overview of international research into the aims and effectiveness of community notification and engagement. Part 2 focuses on the Aotearoa New Zealand context, including an overview of the evolution of community notification and engagement in Aotearoa New Zealand, and a summary of recent changes to legislation, policy, and practice related to accommodation in the community. Part 3 reports on the methodology and findings of the author's review of current practice. Part 4 discusses findings in the context of research reviewed in Part 1 and concludes with a set of recommendations.

PART 1: Community Notification and Engagement Research

12. The impetus behind community notification legislation and policy was to increase community safety through providing information about people with convictions for sexual offences residing in a community. Community notification was based on the premise that holding information will enable community members to take proactive steps to protect children and other vulnerable people from victimisation (Anderson & Sample, 2008).
13. Community notification can take varied forms ranging from passive notification requiring community members to search online registers, to active notification whereby authorities directly notify residents that an individual convicted for sexual offending is residing or due to reside in their community.
14. The Sex Offender Registration and Notification (SORN) legislation in the US, also referred to as Megan's Law, is the most widely researched form of community notification. A small number of studies have explored alternative approaches to community notification. The U.S. SORN research is reviewed first, followed by a review of alternative approaches and associated research.

Sex Offender Registration and Notification (SORN) Effectiveness

15. Although distinct processes, registration and community notification have functioned in tandem in the US as SORN since 1996. SORN was introduced following the 1994 high profile rape and murder of seven-year old Megan Kanka by an individual twice convicted for child sex offences who lived in her neighbourhood. The aim of registration was to provide law enforcement with a list of persons convicted for sex offences to assist with criminal investigations, and to act as a deterrent owing to increased scrutiny. The aim of notification was to enhance community safety by making the public aware of the identity and whereabouts of persons subject to SORN laws (Matson & Lieb, 1997). Under SORN legislation, registration information (including registrants' photographs and residential addresses) is made publicly accessible via online databases that can be searched by a registrant's name, or geographically by searching a specified radius of a given address (which returns a list of all individuals subject to SORN in that area). Notification can additionally take the form of written notification (e.g., flyers), social media notifications, and community meetings (Cubellis et al., 2018). Evaluations of the effectiveness of SORN include (i) consideration of sexual recidivism rates pre and post SORN implementation, (ii) exploring public responses to community notification, and (iii) exploring the impact of SORN on persons subject to SORN.

Sexual Recidivism Pre and Post SORN Implementation

16. A recent meta-analysis synthesised results from 18 studies investigating the effects of SORN legislation on adult recidivism over 25 years (Zgoba & Mitchell, 2023). The authors found no effects of SORN on sexual or nonsexual recidivism, concluding that SORN legislation had failed to achieve its aim of enhancing community safety. Zgoba and Mitchell's study was the first meta-analysis of recidivism studies, and their conclusions were consistent with those reached in an earlier systematic review (Call, 2018).

Public Responses to SORN

17. SORN legislation has attracted widespread public support (for a review of research, see Sample, 2021), which persists despite the knowledge that SORN does not reduce recidivism (Campbell & Newheiser, 2019). Despite widespread support, research suggests that less than half the U.S. population have accessed registry information. Public surveys in Nebraska (Anderson & Sample, 2008) and Michigan (Kernsmith et al., 2009) found that although a majority of respondents in both states (89.8% and 88.9%, respectively) were aware of their state's online registry, far fewer reported accessing registry information (34.8% and 37%, respectively), with a similar pattern reported in Nebraska several years later (Sample et al., 2011). More recently, in a random, nationally representative U.S. sample, 45% of respondents reported they had accessed registry information; however, access was typically driven by curiosity rather than safety concerns (Harris & Cudmore, 2018).
18. Unsurprisingly, active notification methods result in greater awareness of registrant information than passive notification via online registries (Beck & Travis, 2006). Law enforcement agencies in several states hold community notification meetings to disseminate information about specific individuals and their modus operandi. Meetings are usually held in public places, in the evening, and last up to two hours. Meeting attendees often receive handouts including information about the specific individual concerned, and educational information about recidivism rates and preventing victimisation. Community meetings additionally provide an opportunity for residents to ask questions; however, community members are unable to influence decisions about where notifiable people will live (Gesser, 2021). Community notification meetings are usually reserved for persons classified in the highest registration tier. Importantly, in most states, and in federal legislation, registration tiers are informed by offence type rather than assessed recidivism risk (Harris & Walfield, 2021).
19. Zevitz and Farkas (2000) examined the impact of community notification meetings on community members themselves through surveying 704 attendees who participated in 22 notification meetings across Wisconsin. Their findings were somewhat mixed, with 38% of attendees expressing they were left feeling more concerned following the meeting than before, and 35% expressed less concern. A recent reanalysis of the same survey data found that attendees' pre-existing expectations were the strongest predictors of post-meeting concerns (Gesser, 2021). Specifically, when community members attended meetings with expectations of community empowerment (e.g., expecting to be told about their rights and collectively influence outcomes concerning an individual's whereabouts), they expressed greater concern at the end of the meeting compared to attendees without such pre-existing expectations. By contrast, characteristics of the meetings themselves (e.g., meeting content and organisation) did not predict post-meeting levels of concern. In their discussion of policy implications, Gesser highlighted the importance of considering alternative approaches to community notification, offering Circles of Support and Accountability (CoSA) and prerelease community engagement as promising examples. Both afford opportunities for community member involvement in the reintegration process, and potential for community empowerment.
20. A modest but statistically significant relationship was found between active community notification via community meetings, and adoption of altruistic protective behaviours in Minnesota (Bandy, 2011). In Minnesota, community meetings are reserved for individuals assessed with a high risk of sexual reoffending, as assessed using an actuarial risk assessment tool (versus offence type). Facilitated by police, community meetings are used to notify residents within an approximate three-block radius of the individual's residence about their presence in the community. Representatives from police, community corrections, state department of corrections, as well as sexual assault advocates attend every meeting and make themselves available to residents on an ongoing basis following meetings. Bandy (2011) found

no statistically significant relationship between notification via meeting attendance and the adoption of self-protective behaviours; however, notified parents demonstrated more protective behaviours towards children compared to nonnotified parents. Notwithstanding such a finding, as discussed by Bandy, the contribution of altruistic protective behaviours to preventing child sexual abuse is arguably limited. Protective behaviours examined included avoiding areas considered unsafe, not speaking to strangers, increasing awareness about persons subject to SORN, and improving home security systems. Such behaviours do not protect against the most likely perpetrators of child sexual abuse: persons without prior convictions who are known to the child. Accordingly, there is the risk that community notification may detract attention away from more salient risks.

The Impact of SORN on Persons Subject to SORN

21. Lasher and McGrath (2012) reviewed eight quantitative studies examining the social and psychological impact of SORN on persons registered across several states ($N = 1503$). Considering social impacts, 44% of registrants reported that they were threatened or harassed by neighbours, 20% reported general threats/harassment, 20% reported job loss, 19% reported loss of housing, 14% reported property damage, and 8% reported physical assaults. Greater destabilisation was observed for registrants subject to more “intrusive” community notification strategies, namely community meetings. Negative psychological consequences were common and included interference with recovery and causing stress (60%), shame and embarrassment (57%), hopelessness (52%), loss of friends or a close relationship (51%), and feeling lonely and isolated (49%). Although a majority (74%) of participants reported SORN increased their motivation to avoid reoffending, empirical research exploring the potential deterrent effects of SORN has produced inconsistent and inconclusive findings (for a review of relevant studies, see Lussier & Mathesius, 2019a).
22. The negative impacts of SORN extend to family members of persons subject to SORN, including their partners and children. In a survey of 584 family members of persons subject to SORN, financial hardship resulting from their family member’s registrant status was frequently endorsed (82%). In addition, 44% of family members reported harassment and 7% reported physical assault or injury. Negative psychological impacts were also widespread for adult family members and children of registrants (Levenson & Tewksbury, 2009).

Overall Evaluation of SORN

23. As highlighted by Lussier and Mathesius (2019b) in their critique of SORN legislation, “the gap between the empirical literature on sexual offending and the underlying assumptions of American SORN policy cannot be overstated” (pg 111). Several scholars have contended that from a public perspective, SORN legislation is more symbolic than instrumental (Gesser, 2021; Sample, 2021; Zgoba & Mitchell, 2023).
24. Sample (2021) encouraged rethinking public dissemination of registry information, including (i) that information is only disseminated in relation to individuals most at risk for sexual recidivism, and (ii) providing empirical information about sexual offending – including, for example, that the vast majority of sex crimes are committed by nonstrangers, that most sex offences are committed by people without a history of sexual offending (and therefore would not be subject to community notification), and that residential proximity to people on the register is not associated with increased rates of sex crime victimisation (see Agan & Prescott, 2014, for an examination of crime rates as a function of neighbourhood registrant concentration). Sample (2021) emphasised that “Such information would likely far better serve public safety than lists of where prior offenders live” (p. 70).

International Community Notification Practices

25. Internationally, community notification legislation and practices vary between and within countries. A recent report from the Federal Research Division, Library of Congress attempted to compile information for 41 countries identified to have registration and notification systems, and readers are directed to that report for a detailed overview of country specific legislation, including the extent to which registration information is made public (Library of Congress, 2022).
26. In some countries including Aotearoa New Zealand, nonlegislated *defacto* notification occurs, which may come from authorities, the media, or members of the public (Anderson, 2020). Details surrounding defacto notification practices are not readily accessible. Accordingly, the following section overviews international approaches to community notification based on academic research and publicly accessible information, alongside limited consultation with the author's international collaborators and wider networks. Attempts were made to generate an understanding of the breadth of community notification practices internationally; however, what follows cannot be considered exhaustive.

The United Kingdom

27. The UK operates a Child Sex Offender Disclosure Scheme (CSODS) also referred to as "Sarah's Law" after Sarah Payne, an eight-year-old girl murdered by someone known to Police for sexual offences. The scheme allows members of the public to register with the Police their child protection interest in a named individual who has contact with children. When a risk is identified, information is disclosed to a relevant member of the public who can act to prevent harm (i.e., parent, carer, or guardian).
28. A pilot of the disclosure scheme operated for 12 months from September 2008 across four police force areas in England. Uptake of the scheme was lower than expected, with 585 public enquiries made against a projected 2400 enquiries. Of the 585 enquiries made, 315 met criteria and proceeded to full applications, which resulted in 21 disclosures across the four pilot areas (Kemshall & Wood, 2010). In an evaluation of public experiences of the pilot scheme, Kemshall et al. (2012) concluded:

The disclosure scheme, while aimed at alleviating anxiety about child sexual offending risks, actually had the paradoxical effect of increasing anxiety about future risks. Where there was a disclosure, applicants were left feeling more aware of risks than previously but were not always well equipped to manage such risks (p. 11).

29. The CSODS rolled out nationally in 2011. Any concerned member of the public can make an application about a person who has contact with a child or children, and when a potential risk is identified, information is disclosed to the person best placed to keep a child safe (e.g., parent), who may not be the person initiating the application. As documented in CSODS Police Guidance:

In the event that a subject has convictions for sexual offences against children, poses a risk of causing harm to the child concerned, and disclosure is **necessary** to protect the child and is a **proportionate** response to manage that risk, there is a presumption that

this information will be disclosed. However, it is important to note that **any disclosure under CSODS will only be made to the person best placed to protect the child** (Home Office, 2023a, p. 6). [emphasis in original].

30. The Police Guidance recognises that many child sex offences are committed by persons without official child sex offence convictions, and allows for case-by-case disclosure of information concerning individuals without child sex offence convictions, when relevant intel is held (e.g., convictions for domestic violence or child cruelty/neglect). All disclosures require recipients to sign a confidentiality agreement, prohibiting them from sharing information received with any third party (Home Office, 2023b).
31. When applications raise concerns about an individual's current behaviour towards children (e.g., grooming) and Police hold no relevant information to disclose, there is an expectation that concerning behaviour will be investigated: **"The CSODS is not simply about whether disclosure of information is required; it is a gateway to allow safeguarding concerns to be raised to the police which will need to be investigated accordingly (Home Office, 2023a, p. 17)"** [emphasis in original].
32. Consistent with the pilot scheme, uptake of the CSODS has been low (for an overview, see McCartan et al., 2017). McCartan (2013) explored public perceptions of the CSODS via focus groups in Northern Ireland and Wales. Several concerns were raised, including the confidentiality agreement preventing recipients from sharing information with other community members, and mistrust of Police.
33. Alongside CSODS Guidance documents for the public and Police, the Home Office recently produced a document "Protecting Children from Sexual Abuse" accessible on the CSODS guidance website <https://www.gov.uk/government/publications/child-sex-offender-disclosure-scheme-guidance>
34. The CSODS in Scotland, known as Keeping Children Safe, was developed and piloted independently of the England pilots, and in collaboration with Stop it Now! Scotland. Pilot findings highlighted a need for more aftercare of applicants, which led to the development of the Upstream community engagement programme, designed to support adults identify potential risks early, and intervene to prevent child sexual abuse. The Keeping Children Safe disclosure scheme became embedded within a broader Upstream online resource (Manson, 2015; see also <https://www.theupstreamproject.org.uk/>).

Canada

35. Information available to the author suggests defacto community notification operates in Canada. Notification may be considered for individuals nearing release from federal custody who are assessed with a high risk for sexual recidivism, and who have made limited progress addressing their recidivism risk (K. Hanson, personal communication, December 15, 2022). The Correctional Service of Canada notifies local police jurisdictions about an individual's pending release, and notification decisions are at the discretion of local police. Community notification takes the form of a press release, which is picked up by local media. Additionally, some provinces have made information concerning persons considered "high risk" available through official websites (Lussier & Mathesius, 2019a).

Australia (selected states)

36. *New South Wales*. No community notification processes operate in New South Wales, with the exception of notifying victims about an individual's pending release (K. Seidler, personal communication, April 9, 2023).
37. *Queensland*. In Queensland, by law Corrective Services can disclose confidential information about a specific individual to residents, local schools, and childcare centres "if it is in the public interest" (see <https://www.qld.gov.au/law/crime-and-police/crime-prevention-and-statistics/managing-sex-offenders-in-the-community?fbclid=IwAR1MSjlpGpoBm-7r4iesKgw9qxIGRNhURP7JAFiBWrcJSeOvvlU7k-2NAHQ>). Confidential information is only disclosed when recipients sign a confidentiality agreement. Without a signed confidentiality agreement, only general information is disclosed (e.g., that an individual convicted for sexual offending is living in the local neighbourhood).
38. *Western Australia*. Western Australia operates a disclosure scheme allowing parents/guardians to make enquiries with Police about any person who has unsupervised contact with their child or children. They also maintain a Community Protection website (www.communityprotection.wa.gov.au) listing identifying information about individuals considered dangerous and high risk, and individuals whose location is unknown to Police and/or who have failed to comply with reporting requirements¹.
39. The Western Australia scheme drew from elements of the U.S. and U.K. community notification models, incorporating three tiers of notification. As described by Whitting et al. (2016):

The first tier pertains to offenders who have failed to comply with their reporting obligations or who have provided false or misleading information, and whose whereabouts are unknown to police. The name, date of birth, gender, physical description and photograph of such persons are published on an online register that can be viewed by anyone. The second tier allows residents of the state to perform a search that will return the photographs of dangerous, high-risk and recidivist offenders who reside in close proximity to them (i.e., in the same suburb or an adjoining suburb). The criteria are restrictive, capturing only a small proportion (< 5%) of registered sex offenders. The third tier was modelled on the schemes introduced in the UK and allows parents and guardians to enquire whether a particular individual who has unsupervised contact with their child or children is a registered sex offender (p. 263).
40. Several safeguards were introduced to minimise the risk of vigilantism including (i) the enactment of legislation criminalising vigilantism, (ii) the requirement for members of the public to verify their identity before performing a local search, (iii) watermarking digital photographs of notifiable persons with the full name of the person who performed the search, and (iv) ensuring persons subject to tier two notification "had an 'extraction plan' in place, to be followed in the event of a vigilante attack" (Whitting et al., 2017, p. 349).
41. In an impact evaluation of the Western Australia scheme, Whitting et al. (2017) reported descriptive data on notifications for the period 15 October 2012 (when the website launched) to 27 February 2015, alongside Police officer perspectives of the scheme. Data were available for 2047 of the 2426 individuals sentenced for a reportable offence

¹ The author was not able to access the Community Protection website to verify the current status of the Western Australia scheme. It is possible that website access is restricted to residents of Western Australia.

(84.38%), which included “sexual and other serious offences against children, as well as select serious sexual offences against adults and serious non-sexual offences against adults if the person has prior convictions of a similar nature” (p. 353). Thirty nine individuals (1.9%) were subject to tier one notification, and 86 individuals (4.2%) met criteria for tier two notification, meaning members of the public who performed a local search were notified of the individual’s presence in their community. Persons subject to tier 1 notification were significantly younger ($M = 34.7$ years) and significantly more likely indigenous (56.4%) compared to persons not subject to notification ($M = 44.1$ years, 15.5% indigenous). Persons subject to tier two notification were also more likely indigenous (34.9%) compared to persons not subject to notification. Persons subject to either tier 1 or tier 2 notification were assessed with higher scores on the Risk Matrix 2000 (Thornton et al., 2003) than individuals not subject to notification.

42. Considering tier 3 notifications, Whitting et al. (2017) reported that ten applications were received during the evaluation period, of which two were duplicates and one was withdrawn after the applicant learned from outside sources that the person of interest had convictions for sexual offences. Most persons of interest were immediate or extended family members. Of the seven applications processed, one resulted in a tier 3 disclosure to the father applicant (person of interest was their ex-wife’s father).
43. Whitting et al. (2017) reported that most Police officers interviewed on their perspectives of the notification scheme were not aware of vigilantism linked to the scheme, consistent with just one individual charged with a vigilante offence in the first 29 months of the scheme’s operation. Police officers perceived that the scheme had improved reporting compliance amongst some individuals; however, improved compliance did not generalise across all persons sentenced for a reportable offence, including indigenous persons living in remote areas.

Norway

44. No community notification processes operate in Norway. The correctional service is not permitted to disclose information concerning an individual’s release to the public. Notification is only considered for victims of an individual’s index offence(s), or their bereaved (and not victims of past offending; C. Friestad and I. Sandbukt, personal communication, December 6, 2022).

Summary

45. Early community notification legislation represented a reactive response to high profile, low frequency offending against children, and public demand for information about persons convicted for sexual offences. Thus, from the outset, community notification laws weren’t grounded in empirical research into what works to reduce reoffending and promote desistance from crime. It is therefore unsurprising that considering SORN research in its entirety, SORN legislation has failed to contribute to community safety. Of concern, SORN may compromise desistance processes by obstructing an individual’s ability to integrate into a community.
46. In some jurisdictions community notification applies broadly to any person convicted for a sexual offence (against a child or adult), and occasionally to persons convicted for serious nonsexual violent offences. Elsewhere notification practices are limited to persons with convictions for child sex offences. No research was identified that explicitly sought to compare outcomes of community notification when applied to persons with differing offence histories.

47. Several countries outside the US have attempted to learn from the U.S. experience and limit the extent of community notification, including restricting notification to those individuals presenting the greatest risk to the public, and limiting disclosures to persons best positioned to protect children. Socia (2021) reflected that such approaches may result in fewer desistance compromising outcomes for individuals subject to notification compared to SORN legislation. No studies were found exploring the effectiveness of limited notification schemes on offending and reoffending outcomes.
48. In the absence of empirical support for community notification making meaningful contributions to community safety, it is imperative to highlight extant knowledge concerning effective post-custodial risk management practices. Research on desistance from crime is highly relevant (for more on desistance theory and research, see Göbbels et al., 2012; Harris, 2021; Laws & Ward, 2011). Practices consistent with a desistance-oriented approach to risk management include (and are certainly not limited to):
- Comprehensive release planning in relation to stable housing, employment, and social support (e.g., Scoones et al., 2012; Willis & Grace, 2008, 2009)
 - Circles of Support and Accountability (CoSA; for a systematic review of outcomes, see Clarke et al., 2017)
 - Post-prison supervision/parole (e.g., Duwe & Freske, 2012; Polaschek et al., 2018)
 - Strengthening personal and environmental protective factors associated with reduced recidivism risk (for examples, see Kelley et al., 2022)

PART 2: The Aotearoa New Zealand Context

Evolution of Community Notification and Engagement in Aotearoa New Zealand

49. This section provides a summary of the evolution of community notification and engagement in Aotearoa New Zealand, and is based on the following information provided to the author:

Sources of Information

- Notification and engagement guide (one page overview of notification scenarios, not dated)
- Neighbourhood notification process (one page overview of approval process, March 2021)
- CSO Accommodation Review (December 2018)
- New notification guidance (April 2017)
- Notifying Specified Individuals and Groups in the Community about Child Sex Offenders (update of “New notification guidance,” 2018)
- Senior Advisor – Community Engagement and Reintegration Job Description (September 2016)
- Presentation by Darius Fagan summarising the current notification process and its evolution (6 December 2022)

50. The evolution of community notification and engagement in Aotearoa New Zealand can be summarised in three phases: (i) community notification for people on Extended Supervision Orders, (ii) a refined approach to community notification and introduction of specific guidance, and (iii) emphasising community engagement alongside notification.

Phase One: Community Notification for People on Extended Supervision Orders (2004 – 2016)

51. Community notification in Aotearoa New Zealand was instigated by the enactment of Extended Supervision Orders (ESOs) in 2004 and associated public interest in persons subject to ESOs. For the first 10 – 12 years of ESO legislation, anyone subject to an ESO was subject to community notification. ESOs were initially introduced to allow for continued monitoring of persons convicted for child sex offences. In 2014, the Parole (Extended Supervision Orders) Amendment Act extended the scope of ESOs, allowing for their application to people with convictions for sexual offences against adults and violent offences.

52. Towards the end of the first phase of community notification, decision making concerning who was notifiable became more risk-informed (rather than solely sentence-based), meaning notification was considered for individuals with child sex offence convictions not subject to ESOs. District Managers were responsible for the community notification process and no specific guidance was available to support their decision making or notification practice.

Phase Two: A Refined Approach to Community Notification and Specific Guidance (2017 – 2018)

53. Community notification processes were refined following the Government Inquiry into Tony Douglas Robertson’s management, which made five specific recommendations relating to community notification (Smith, 2016, p. 71):

- i. Corrections should make a decision about whether to notify people (provided there is an address to make a decision about) as soon as possible and preferably before a child sex offender moves into an address.
 - ii. Corrections must keep records of decision-making about whether to notify people and the reasons for the decision.
 - iii. Corrections and Police should always consult one another about whether to notify people regardless of which organisation initiated the proposal.
 - iv. Corrections and Police should reconsider a decision about whether to notify people, if a child sex offender's circumstances change.
 - v. Corrections and Police should consider not only clarifying but also aligning their notification guidelines. Where the guidelines relate to notifying schools, they should consult the Ministry of Education.
54. Refinements were implemented in mid-2017. Specific guidance was provided to District Managers concerning community notification decision making processes and practices ("New notification guidance – April 2017"). Within the new guidance, the purpose of community notification was described as follows:
- "The purpose of community notification is to support the safety of children. It informs key community members of the risks, so that steps can be taken to reinforce safety messages and to assist communities to take the commonsense normal everyday precautions to keep themselves and children safe. Information should be provided that informs the community of the risk and what strategies are in place to manage this risk." (p. 1)
55. The new guidance outlined criteria concerning who was notifiable, when notification should begin, and who should be involved in the notification process. Concerning who was notifiable, the guidance stated clearly that:
- "Notification only applies to CSOs currently subject to parole, release on conditions (with an ASRS score of 3 or more), extended supervision (including those subject to Intensive Monitoring), returning offenders with child sex offences and preventive detention" (p. 1)
56. An "opt out" approach was introduced to allow for some discretion concerning notification decisions for persons subject to ESOs, whereas notification was mandatory for persons on ESOs with Intensive Monitoring, and persons serving sentences of Preventive Detention for child sex offending. For persons on parole or release conditions, notification decisions were "risk-based" (not further defined). The guidance encouraged engaging with communities early, ideally 8 – 9 months prior to an individual's release when their release location was known.
57. Nine new Senior Advisor Community Engagement and Reintegration (SA-CEAR) positions were created to support community engagement and implementation of the community notification process. The SA-CEAR role purpose, as stated in the SA-CEAR job description, was to "proactively engage with communities and provide specialist advice, ongoing education, operational support and monitoring for the placement of Child Sex Offenders (CSO) in the community."
58. Two tiers of community notification were introduced, both tiers included notifying "immediate neighbours and those who fall in direct line of sight from offenders [sic] residence," schools and

ECEs within a 1.5km radius, and local council. Tier two broadened the scope of notification (e.g., to community groups and in-home childcare). The notification tier was informed by the profile of the community and assessed risk of the notifiable individual. Additional refinements included:

- Establishment of District Planning Panels (DPPs), chaired by the District Manager and including Service Managers, Principal Psychologists, Police Case Managers, and SA-CEARs, to support decision making concerning who is notifiable, and plan notifications
- Development of a database to forecast and plan community notifications (Placement, Accommodation, Notification; PLAN)
- Providing key messages for notifications (note these were edited in Phase 3 and are therefore detailed under Phase 3)
- Requirement for at least annual community notification in neighbourhoods with supported accommodation houses where people with child sex offence convictions reside

Phase Three: Emphasising Community Engagement alongside Notification (2019 – 2023)

59. Further refinements were introduced to the community notification guidance following the 2018 CSO Accommodation Review, which was instigated by public concern that schools were not informed about multiple people with child sex offence convictions residing in a South Auckland boarding house. The review highlighted that although the notification guidance stated engagement should occur prerelease, in practice, given limited accommodation options, accommodation was often not confirmed until around the time of release. Therefore, engagement and notification often occurred postrelease. The review noted that negative community reactions, although uncommon relative to the volume of notification activity completed, had resulted in some accommodation options becoming unsuitable for persons with child sex offence convictions. The review highlighted that “specific notifications generate the most emotive reactions where wider, less specific engagement is proving to achieve better outcomes while maintaining transparency in the community” (p. 26). The review recommended a single engagement approach that could be scaled according to reoffence risk and community considerations.

60. The resulting approach delineated nonspecific engagement and specific engagement, with the former focused on proactive engagement and information sharing with key community stakeholders (e.g., about how Ara Poutama manage people on sentence in the community), and specific engagement focused on a person being released to (or already residing) in a community. Guidance was revised and renamed (“Notifying Specified Individuals and Groups in the Community about Child Sex Offenders”, hereon in referred to as “practice guidance”). Specific revisions included:

- Removing the criteria that notification was “mandatory” for persons on ESOs with Intensive Monitoring, and persons serving sentences of Preventive Detention for child sex offending (instead, “notification will usually be carried out” and Ops director approval required if a decision is made not to notify)
- A greater focus on community engagement, described as speaking with community groups about the possibility of people with child sex offence convictions being released into their community
- Removal of notification tiers, and addition of three options for specific engagement: (i) make a decision not to undertake any notification or engagement activity, (ii) engage

with specific stakeholders and provide information, particularly schools, councils or MPs, (iii) engagement with specific stakeholders **AND** conduct door knock notification in the general area [emphasis in original]

- Greater national office support for community notification decisions and planning through fortnightly National Planning Panel (NPP) teleconferences

61. Consistent with the earlier guidance, the revised guidance highlighted that “information shared should be proportionate to the level of risk identified.” The following key messages were provided:

- That a person with child sex offence conviction(s) has moved (or is moving) into the immediate neighbourhood
- That notification is being undertaken to help manage and reduce the risk to the community
- That the person will be managed and monitored in the community by CP
- When the offender has granted permission to notify
- Contact details of CP staff if those receiving the notification have further questions or concerns
- Specific actions those receiving the notification can undertake if they notice suspicious behaviour from any individual
- That there are risk management strategies in place to reduce the risk of offending

62. Further refinements were introduced in March 2021, including improving documentation processes with respect to notification plans and outcomes, and requiring Regional Commissioner approval for final notification decisions.

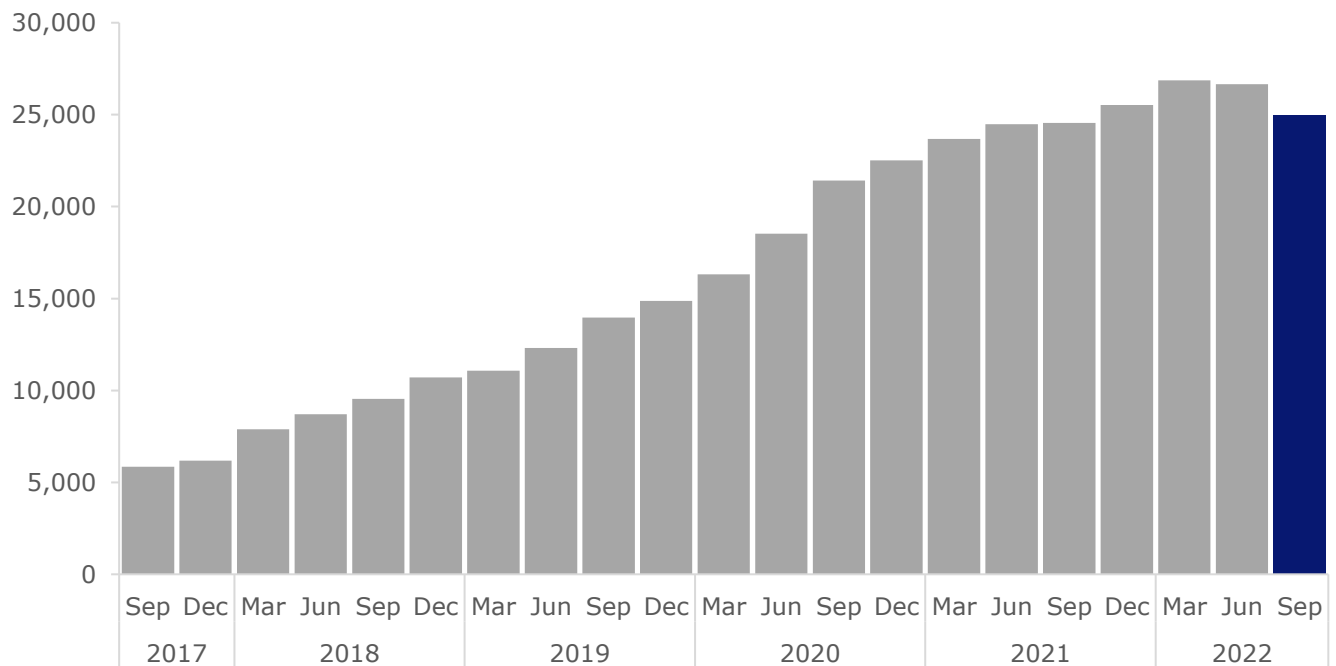
63. No empirical research was identified exploring outcomes of the Ara Poutama notification and engagement process, with the exception of a doctoral thesis exploring responses to community notification in three communities: Ōtāhuhu (South Auckland), Napier, and Whanganui (Anderson, 2021). Community leaders were interviewed to explore the lived experience of notification in their communities. Differences emerged between communities, with stronger and more negative reactions generated in Ōtāhuhu and Whanganui compared to Napier. Differences were attributed to differences in the makeup of communities, and differences in levels of trust for authorities as a result of differential exposure to risk over many years.

Housing Context

64. The current section provides an update on legislation, policy and practice relating to the assessment and management of accommodation in the community since the 2018 CSO Accommodation Review. Information in this section was compiled by Ara Poutama and provided to the author.

65. Demand and competition for affordable accommodation in New Zealand has been increasing, particularly in urban areas. A key indicator of this is the housing register of applicants eligible for social housing administered by the Ministry of Social Development. As at the end of September 2022 there were 24,996 people on the social housing register who had not currently been housed and a further 5,037 registered to transfer from their existing social housing. These figures are close to triple of what they were in 2018, as illustrated in Figure 1.

Figure 1: Social housing register chart from MSD quarterly reporting as at September 2022



- 66. People managed by Corrections in the community are often reliant on social housing due to lower levels of income and reduced family or social connections. As pressure in the housing market, and subsequently social housing availability increases, the options for people managed by Corrections reduce. This is further compounded for people with sexual offending backgrounds who face significant barriers to finding accommodation due to the public concern and stigma associated with their offending.
- 67. The difficulty of finding and approving accommodation for higher risk cases takes a considerable amount of frontline staff time. Often multiple addresses need to be vetted before a suitable address can be located. In situations where there are high levels of offending risk and need, are also unstable in the community resulting in significant transience. Transience compounds the accommodation issues as some people move in and out of different accommodation options or prison. Each time this occurs the process for finding and vetting a new residence can essentially start from scratch.

Corrections’ Involvement in Housing has Expanded over the Past Decade

- 68. Transitional and supported housing within the justice system began on a small scale in the 1990s. At that stage, a small number of beds were contracted by Corrections in existing services for people with high and complex needs. Over the next twenty years, the number of beds grew gradually through further investment.
- 69. A significant increase in justice system housing support and services was enabled by investment in Budget 2018. This investment recognised the gaps in services available to people seeking parole, and people who were likely to receive an intensive community sentence.

70. The Housing and Support Services programme was established to deliver transitional and supported housing in partnership between Corrections, Kāinga Ora, and iwi. Housing and Support Services is on track to exceed the projected 209 bed increase to housing supply, although not all of this additional capacity will be suitable for people with sexual offending backgrounds. A key focus has been developing 'by Māori, for Māori' services with kaupapa Māori frameworks. People can leave services at any time, although they may need to secure a new bail or parole address to remain in the community. In light of significant changes within the prison population since 2018, the focus has since broadened to include people on short sentences and bail.
71. Corrections' transitional and supported housing has the capacity to support up to 1,400 people each year in 400 beds. Transitional and supported housing is generally delivered by contracted providers, and some services have specific focuses such as mental health or employment. People enter housing of their own volition, although they may need to secure a new bail or parole address and can generally stay in services for three to 18 months.
72. The growth of the remand population has prompted the development of around 40 beds in bail housing, but there is still significant need. Housing has been developed on Corrections' land to support people with high and complex needs who have exhausted all other housing options delivered by contracted providers or directly by Corrections. Creating Positive Pathways has supported people into public housing with appropriate support to maintain tenancies.
73. Corrections does not currently own or lease housing infrastructure except where it is located on Corrections land. Responsibility for the infrastructure, including lease requirements, currently sits with Kāinga Ora. Corrections is primarily funded to deliver housing services through contracted providers. Corrections has worked closely alongside Kāinga Ora and iwi partners to identify potential sites for development and undertake risk assessments.
74. Over this period, there has been significant growth in capability and capacity both in terms of developing further housing supply, and also in terms of the delivery of services. This provides a strong foundation as we look to our next steps.

Navigating Risks, Challenges, and Trade-offs as Ara Poutama Look to Next Steps

75. Ara Poutama are navigating a series of trade-offs and potential unintended consequences as justice sector involvement in housing increases. As they have stepped further into delivering housing, key questions have emerged about why they are involved in housing and where roles and responsibilities sit across government.
76. This strategy is clear that the primary role for housing sits with the housing sector, through policy responses led out of the Ministry for Housing and Urban Development and the Ministry for Social Development. Their transitional and supported housing is not a replacement for services and supports within the housing system, and instead fills gaps in those wider supports and services.
77. It is likely that as justice system involvement in housing increases, this delineation will be less clear, which risks displacing people from other housing options and could mean that equivalent supports and services are not developed in the housing system. There are already areas where Corrections has assumed a level of responsibility, such as for high-risk groups who need emergency housing.

78. Another risk is that transitional and supported housing delivered within the justice system will displace other housing options. This could mean, for example, that services developed for people on bail may support people who are currently successfully completing bail instead of the group that is moving between bail and remand – reducing the net benefit of intervention. This also can have the effect of a lower risk / lower need case blocking a place that could be available for a higher risk / need case.
79. Against a backdrop of broader public concern about housing availability, affordability and safety, communities may perceive that people in contact with the justice system are prioritised for housing. Communities often have concerns about justice-related housing being established in their area, which Corrections need to continue to navigate through engagement. Corrections need to continue to engage with communities about the role that stable housing plays in community wellbeing and safety.

RMA Changes and Impacts

80. In that context, on a number of occasions in the past three years, Corrections has sought confirmation from the relevant local authorities that housing of those within its care in the community constitutes a standard residential activity (or equivalent) under the relevant district plan. Corrections has adopted this approach on the basis that:
 - (a) The essential components of accommodating those in Corrections’ care are fundamentally the same as any other residential activity. When placed in the house, the residents carry out all the domestic activities which are common across residential accommodation – cooking, cleaning, sleeping and domestic recreation activities. The residents live in these houses and they comprise a household.
 - (b) The fact that the residents, in some cases, are subject to sentences which limit their freedom in certain ways does not make their activity on the site less “residential” nor does the fact that they may receive support (even on a 24/7 basis). There are many different examples of people within the community who receive that form of support at home and who are still considered to engage in residential activity within the relevant district plan definitions.
 - (c) There is no effects-basis for excluding the accommodation of people within Corrections’ care from the definition of residential activity.
 - (d) There are significant issues with determining that a single person on a sentence of home detention in a residential home is “permitted” but some greater number of people living in the same arrangement and perhaps with support from Corrections or third party providers is inherently different.
 - (e) Seeking to classify accommodation of those within Corrections’ care as something other than standard residential activity perpetuates the idea that those people are not part of our communities – which is incorrect and it poses a risk to effective implementation of our justice system. § 9(2)(h)
[REDACTED]
[REDACTED]
81. The impact of this on community notification and engagement is that even when Corrections has the ability to invest in developing community accommodation options these opportunities are extremely limited through the interpretation of the law outlined above. Effectively

secondary legislation, through the RMA, is interfering with Corrections' ability to deliver on primary legislative responsibilities of providing rehabilitation and reintegration under the Corrections Act. This results in people continuing to reside in transitional accommodation options, reducing their ability to reintegrate fully in the community with a degree of stability.

Community Engagement and Response to Housing Those with Justice Involvement

82. As Corrections involvement in social and community housing has increased so has the need to engage communities in these processes. Essentially there are two drivers for this:
 - (i) In instances where Corrections is involved in setting up entire accommodation services this is likely to be deemed consented activity under the local District Council. To achieve consents, it is a likely requirement that residents in the area need to be notified and given the opportunity to respond to the proposal.
 - (ii) In instances where Corrections is involved in the placement decisions of people who have committed serious sexual or violent offences there is an implied responsibility under the Corrections Act to inform communities impacted by these decisions.

83. In both of the instances above an issue of timing arises; it is common where communities are notified before individual placement or construction that communities become fearful of the proposal and oppose the placement or set up of a service. If communities are engaged or notified after a placement has occurred or service set up subsequent concerns can arise where the Department is perceived to be disingenuous in these processes. Both scenarios can undermine the ability to establish services or progress individual placements.

PART 3: Review of Current Practice

84. The current review aimed to understand community notification and engagement practices in Aotearoa New Zealand, including identifying consistencies and inconsistencies with practice guidance summarised in Part 2. Current practice was reviewed through (i) interviews with key staff involved in each stage of the community notification and engagement process, (ii) an analysis of notification decision data per region, and (iii) a review of cases considered notifiable during the 12-month period from 1 November 2021 to 1 November 2022.

Methodology

Interviewees

85. Interviews were conducted with 22 Ara Poutama staff and two Police staff with extensive involvement in the Ara Poutama community notification process ($N = 24$). The author was provided with a list of potential Ara Poutama interviewees, the majority of whom accepted an interview request, and interview times were made with support from Ara Poutama staff. Interviewees represented all regions and the following roles and service divisions: Regional Commissioners/Deputy Regional Commissioners, District Managers, Regional Accommodation Managers, Senior Advisor Community Engagement and Reintegration (SA-CEARs), Communications managers/advisors, psychologists, Operations staff, and National Office managers.

Interview Schedule and Procedure

86. Interviews aimed to understand current practices against practice guidance, explore whether the guidance was “clear and transparent”, and explore outcomes of community notification. A semi structured interview protocol was developed which included several prompts under four key content areas: (i) the community notification decision-making process, (ii) the practice of community notification and engagement, (iii) community responses, and (iv) interviewee reflections on current practice, including the clarity of guidance provided and perceived outcomes with respect to community safety. Following introductions, interviews started with clarification of each interviewee’s role with respect to the notification and engagement process to identify which sections of the interview protocol were more/less relevant. Interviews were all conducted via Microsoft Teams and recorded with interviewee consent. Interviews ranged in length from 50 mins to 1 hour 45 mins; with most interviews lasting approximately 1 hour.
87. The author reviewed all recordings by region and made detailed notes in relation to each content area. Recordings were reviewed by region to support identification of any differences between regions. Notes were then carefully reviewed to identify patterns in the data, and key findings were summarised. Within allocated timeframes, it was not possible to conduct a more comprehensive qualitative analysis of interview data (which would have required production of written transcripts of all interview data).

Notification Decisions by Region

88. Data from PLAN were analysed to examine the frequency for which cases considered at District Planning Panels (DPPs) were considered notifiable. The author was provided with an Excel file containing data extracted from PLAN for cases allocated to DPP meetings for the period 1 February 2018 to 15 February 2023. Cases allocated to DPP meetings for the week prior to data extraction were excluded from analyses, given many were missing a DPP decision. Data

provided included the DPP meeting date, district, status (draft; final; new report) and DPP decision (No, community notification should not be carried out at this time; Yes, community notification should be carried out at this time; no decision recorded). Decisions not marked as final in the status field (draft $n = 91$, new report $n = 34$) were deleted, leaving 2904 entries. DPP decisions were analysed by region to identify (i) the percentage of Yes and No decisions per region, and (ii) how often the same cases were discussed at a subsequent DPP. Data were analysed using SPSS (Version 26).

Review of Cases

89. A review of cases considered notifiable at DPPs and escalated to the National Planning Panel (NPP) for discussion were reviewed to supplement interview data and the analysis of DPP decision data. The NPP is a national advisory panel chaired by the Chief Probation Officer. Cases are presented to the NPP panel, by the relevant District Manager and SA-CEAR, after a decision has been endorsed at the district level that a case meets the threshold for notification and/or engagement. The panel's role is to put a national lens across the plan and to provide feedback. Following presenting the case to NPP, the plan is drafted up by the district with any additional considerations from NPP, and then forwarded to the Regional Commissioner for sign off.
90. The review of cases focused on the 12-month period from 1 November 2021 to 1 November 2022, and was completed by Rowena Cullen, Senior Practice Advisor at Ara Poutama. Fifteen cases were escalated to the NPP during this period. The following documentation was reviewed for each case:
 - Records held in the PLAN database system
 - Records held in the NPP G-Drive folder
 - Information held on the Integrated Offender Management System

Findings

91. Findings from interviews are presented first, by content area (decision-making processes, practice of community notification and engagement, community responses, and interviewee reflections on current practice). Next, DPP decisions by region are presented, followed by the review of cases.

Interview Findings

Decision Making Process

92. Consistent with practice guidance, interviewees described a decision-making process whereby cases were reviewed at a district planning panel (DPP). Across regions, the makeup of DPPs appeared consistent with guidance, including psychologists and representatives from Police. Interviewees described a more nuanced decision-making process concerning who was notifiable compared to that described in current guidance. The guidance document gives primary weight to an individual's sentence, whereas interviewees described a process whereby greater weight was given to an individual's offence pathway, regardless of sentence, and whether or not notification and/or engagement might help mitigate or manage risk. For example, irrespective of sentence, individuals convicted for sexual offences against known children, and/or involving a high degree of planning were not usually considered notifiable, whereas individuals following a quick or impulsive offence pathway, offending outside the home and against nonfamilial victims (and especially if victims were neighbours), were considered notifiable. Although current guidance states that "notification will usually be carried out" for individuals subject to

Extended Supervision (or when an ES application has been initiated), Preventive Detention, and individuals returning to New Zealand with a child sex offence conviction; in practice, for the majority of such cases, interviewees stated that the “opt-out” option was applied.

93. Interviewees spoke positively about the DPP process, highlighting that the DPP meetings provided a useful “MDT-like” forum for robust discussions around risk mitigation and risk management which resulted in carefully considered reintegration plans. Interviewees described various considerations in the notification decision-making process. They highlighted that the expected community response to notification was often an “overriding consideration.” Across most regions, when there were concerns that notification might compromise an individual’s (re)integration, alternative accommodation options were considered. Often, alternative options were considered less ideal than original proposals and included accommodation on prison land. Also across most regions, it appeared concerns about adversarial community responses to notification did not result in reversing a decision to notify; however, when no alternative accommodation options were available (an issue especially salient in the Northern region), decisions to notify were sometimes reversed and alternative risk management strategies were considered (e.g., installing cameras, increasing level of supervision, psychologist referral). In such cases the risk posed to the community by potential transience or homelessness was considered greater than the risk of not notifying.
94. Intelligence about specific communities informed some decisions. For example, concern that notification would traumatise a community impacted by a suicide meant that notification was not considered appropriate, and an individual considered notifiable was unable to return to his own home.
95. Additional considerations in the notification decision-making process included:
- Actuarial risk (although notification was still considered when ASRS scores were low if an offence pathway was of concern).
 - High profile cases and/or media interest. On seemingly rare occasions, DPP decisions not to notify were overruled by the Operations Director and/or National Commissioner when cases were high profile or attracting media interest. Interviewees reported such decisions were based on a perceived reputational risk of not notifying, rather than a community safety risk.
 - Treatment status and response to treatment.
 - The presence of protective factors that might mitigate reoffence risk. A few interviewees highlighted protective factors including an individual’s engagement with supervision and progress on release were relevant considerations.
 - Safety of staff. For example, if household door knocks were considered unsafe due to the presence of gangs, decisions were sometimes made to limit specific notification to community organisations and leaders, or consider alternative accommodation options.
 - On seemingly isolated occasions, community notification was used as a mechanism to make an address suitable. An example was offered of an individual considered not notifiable for a long period and moving to a new address that “didn’t sit comfortably” with a district manager.

96. Consistent with practice guidance, the focus of notification activity across regions was on individuals convicted for child sex offences. Similarly, Police interviewees highlighted that their information sharing guidelines focused on individuals convicted for child sex offences and that they were not aware of any formal guidelines permitting sharing of information for persons convicted for adult sex offences (unless family harm related). There were within and between region differences concerning whether persons with convictions for sexual offences against adults or general violence were considered for discussion at a DPP. Southern region reported never considering such cases at a DPP. Across the Northern, Central and Lower North regions, information provided by interviewees from the same region was sometimes mixed, suggesting a lack of clarity about whether people with convictions for adult sex offences or violence could be discussed at a DPP and considered for community notification and engagement. Of the interviewees mentioning such cases had been brought to a DPP, none were able to offer examples, and highlighted their rarity. The only example offered of a community notification plan for someone with convictions for adult sex offences (without any child sex offences) was a returning individual (501 deportee), and this case was discussed at the national teleconference but not at a DPP (because, in the words of one interviewee, “the criteria for DPP is CSO”). There was acknowledgement that some supported accommodation services housed individuals with adult sex offence convictions, and regular engagement was undertaken with those communities.

Practice of Community Notification and Engagement

97. Although practice guidance states that “In the majority of cases, the SA-CEARs will engage with the community approximately 8 – 9 months prior to a person’s release”, interviewees consistently identified that in practice, early engagement was rare. Difficulties finding accommodation meant that notification and engagement activity often happened shortly prior to, or around the time of release. In addition to difficulties finding accommodation, several interviewees noted that an “elongated approval process” of the notification plan delayed notification, sometimes resulting in notification happening after release. Additionally, when persons concerned were engaged in prison-based treatment programmes, it was helpful to make notification decisions post-treatment when more information about potential risk mitigators was available. Interviewees also noted that the timing of notifications was sometimes impacted by the time of year (e.g., notifications were avoided during school holidays and local body or national elections).
98. Across most regions, it appeared that efforts were made to reengage with neighbourhoods surrounding supported/contracted accommodation at least annually, and more often when indicated (e.g., acute risk concerns, movement within a community). Some regional differences were evident; for example, sometimes reengagement was limited to schools and community leaders, elsewhere SA-CEARs would canvas movement within a community to gauge when to reengage with neighbours. At least in some regions, the same logic was applied to renotifying about specific individuals (i.e., at least annual reengagement).
99. Messaging appeared largely consistent with practice guidance, and focused on (i) advising community members that an individual convicted for child sex offence(s) was moving into (or residing in) their community, (ii) sharing information about how Ara Poutama manage risk (including specific release/parole conditions), and (iii) inviting questions from community members, and providing a point of contact for any future questions/concerns. Interviewees were asked how, in practice, “information shared is proportional to risk” (per practice

guidance). Interviewees consistently identified that their key messages were the same regardless of an individual's risk, given they were unable to share specific information about an individual or their past offending. Interviewees identified that the only differences in messaging pertained to special conditions an individual was subject to.

100. In contrast to practice guidance stating neighbour notification is limited to "immediate neighbours and those who fall in direct line of sight," interviewees often described extending the footprint of neighbourhood notification (e.g., to residential blocks) to help mitigate the possibility a notifiable individual's residence was identified.

Community Responses

101. Interviewees consistently identified positive responses to proactive nonspecific engagement, especially with schools. Regional differences were noted in response to door knock notifications about a specific individual. Southern region interviewees reported that most go well, whereas interviewees from other regions reported door knock notifications were often not well received.

102. Positive responses to specific notifications were often attributed to general nonspecific engagement (e.g., "we've saturated communities with knowledge"), and completing due diligence regarding address suitability. Negative responses to specific notification were often attributed to a lack of earlier engagement and failing to complete due diligence regarding address suitability. In addition, interviewees highlighted the influence of community member perceptions, values, and lived experiences on how information was received. Several interviewees offered the example that notifications could be traumatising for people with lived experience of sexual abuse.

103. Several interviewees described involvement in community engagement concerning new accommodation facilities and highlighted that the Resource Management Act (see Part 2) alongside negative community responses were the biggest barriers to establishing new accommodation. Community engagement concerning plans to establish new accommodation facilities was often met with greater reactivity and hostility than notifying about a specific individual returning to a community. Several interviewees reflected that communities were more understanding of the need to house an individual released from prison, than establishing housing for multiple people. Moreover, hostility was greater for plans to set up accommodation for people convicted for child sex offences, with some facilities only approved when eligibility criteria were changed to exclude persons with convictions for child sex offences.

104. Negative responses to plans to establish new accommodation were often attributed to community dynamics including affluence and resources to "fight," concerns about house value, and "NIMBYism." Some interviewees considered the geographic reach of engagement concerning new facilities too broad. Concerns were also raised about early engagement allowing "too much time for community pushback." Interviewees highlighted that precedents were set in several communities that had successfully stopped earlier accommodation proposals, resulting in strong pushback against any new proposals.

105. A few interviewees reflected that the purpose of community engagement concerning new facilities was not always clear. Interviewees contrasted community consultation and engagement, with notifying/informing communities about plans to establish new

accommodation.

106. Positive community responses to plans for new accommodation facilities were also attributed to community dynamics, including knowledge of existing residences in a community for people with complex needs and recognition of the need to house persons returning from prison who might otherwise be homeless. Positive iwi partnerships were also attributed to positive community responses to the establishment of accommodation facilities. Interviewees highlighted a gap in partnerships with iwi and with te ao Māori providers concerning housing for individuals with child sex offence convictions.

Reflections on Current Practice

107. Interviewees volunteered extensive reflections on current practice. Recurring themes were identified and are summarised below.

108. Interviewees consistently reflected on the value of general community engagement, highlighting that individuals can be released to any community and it's important that Ara Poutama engage with all communities. Interviewees highlighted that effective general engagement might negate any need for specific engagement. General engagement was also considered more consistent with Hōkai Rangī than door knock notifications, given it afforded opportunities to develop community relationships, and potentially connect with community members/organisations who may be willing to support individuals in their community (re)integration. Several interviewees encouraged extending the scope of general engagement to include, for example, iwi, victim support, neighbourhood watch, and resident associations.

109. Many interviewees questioned the value of specific notification/engagement via door knocking. Some interviewees highlighted that they were unable to share any risk-relevant information about an individual (e.g., victim profile, offence pathway), and that the general information provided (that an individual convicted for child sexual offending will be released/is residing in your neighbourhood) was not helpful. Several interviewees highlighted that information provided often left community members fearful, and that some community members were especially vulnerable to a fear response (e.g., people with mental health difficulties and/or suicidal ideation, parents of young children, and people with their own sexual abuse victimisation history). Concerns were raised that specific notification might be perceived as handing risk over to often vulnerable communities, and "the threshold that neighbours should be aware of somebody is also the threshold they shouldn't be there...if someone is sufficiently dangerous to warrant notifying neighbours, they shouldn't be there."

110. Although not extending to all regions, some interviewees voiced concern that current practice equated to finding any excuse not to notify. In the words of one interviewee, "...we've created a policy that we take the off ramp to get out of at every opportunity and then it just makes it look like um we're not following a policy, when in fact the policy is flawed because it's fundamentally not based on research...doesn't make people safe...we should focus on proactive education."

111. Several interviewees highlighted that the practice guidance lacked clarity on when to renotify (e.g., if someone previously considered notifiable was demonstrating success in the community for several years – is renotification on a new residence necessary?). Some interviewees also mentioned that guidance was lacking around potential risk mitigators/protective factors that

might negate a perceived need for notification.

112. Some interviewees voiced concern that the guidance was focused on an individual, but decision making often centred on the individual's proposed accommodation (e.g., we wouldn't have a concern here, but in another environment we would). Other interviewees noted that although someone might meet the threshold for notification considering their risk and offence pathway, in particular environments their risk might be mitigated.
113. Interviewees consistently identified the lack of guidance concerning people with adult sex offence or violence convictions, and what notification and engagement would look like in such cases (including key messages). Some interviewees voiced concern that if someone was pervasively violent there's little community members can do to protect themselves (vs. proactive steps they might take to keep children safe). Moreover, some interviewees voiced concern that extending notification to individuals convicted for adult sex offence(s) and/or violence would exacerbate accommodation issues, and result in "dumping" more people in already vulnerable, lower income communities. Concerns were also raised that individuals with convictions for adult sex offence(s) and/or violence often had a higher risk of reoffending and shorter time to reoffence compared to individuals with convictions for child sex offences with no history of sexual offending against adults or violence. There was consensus on a need for greater focus on reintegration planning for individuals convicted for sexual offending against adults and/or violence, who do not currently receive the same level of oversight as individuals convicted for child sexual offences (yet might present greater risk to communities).
114. The lack of training for SA-CEARs was a commonly raised concern. Interviewees noted that SA-CEARs may not have specialist knowledge about sexual offending, and they're not provided with key messages for community engagement. Relatedly, several interviewees mentioned that it would be useful to have consistent collateral information (e.g., on the Ara Poutama website and/or printed) in multiple languages that repeat key messages, especially given recipients of notification may not be able to digest information provided when in a heightened affective state.
115. SA-CEARs' reporting line (to Regional Accommodation Managers) was another commonly raised concern. Interviewees reflected that the SA-CEAR focus on accommodation meant that general engagement wasn't sufficiently prioritised. In addition, procedures were lacking for recording SA-CEAR engagement activity, meaning it wasn't possible, for example, to look up a specific school and identify when the last engagement occurred (which might be important information to access quickly, e.g., when covering leave). Some interviewees voiced concern that other regions disguised notification as engagement (i.e., door knock engagement without advising that an individual with child sex offence conviction(s) was moving into or residing in their community). Some interviewees suggested that the SA-CEAR role might be better utilised if all SA-CEARs reported to the same person in national office, which could help promote consistency in practice across regions.

Analysis of Community Notification Decisions by Region

116. DPP decision data were analysed for cases allocated to DPP meetings for the period 1 February 2018 to 7 February 2023. Of the 2904 PLAN entries during this period, $n = 1562$ (53.8%) represented the first time a case was allocated to a DPP, and $n = 1342$ (46.2%) were duplicate entries (i.e., reconsideration of a case at a subsequent DPP). Table 1 summarises decisions per

region based on the first time a case was discussed at a DPP. As illustrated in Table 1, decision data were missing for a substantial number of cases in the Northern region (41.4%), where yes decisions were also less likely (2.3% of cases considered at a DPP) when compared to other regions (6.8% - 20.1% of cases considered at a DPP). A statistically significant difference in decisions between regions was found, corresponding to a large effect size ($\chi^2(6, n = 1562) = 335.71, p < .001, \text{Cramer's } V = .33$)

Table 1: DPP Decisions by Region

Region	Cases considered (n)	No decision recorded	Yes to notification	No to notification
Northern	563	233 (41.4%)	13 (2.3%)	317 (56.3%)
Central	308	45 (14.6%)	62 (20.1%)	201 (65.3%)
Lower North	369	20 (5.4%)	45 (12.2%)	304 (82.4%)
Southern	322	11 (3.4%)	22 (6.8%)	289 (89.8%)

117. Considering duplicate entries, there were between one and 13 repeat entries for the same case, indicating that the same case was discussed at a subsequent DPP meeting up to 13 times; however, more than three repeat entries was rare. Information providing context to repeat DPP discussions was not available; possible reasons include needing to discuss a new notification plan for a new residence, and annual reviews. Table 2 summarises the frequency cases were discussed at subsequent DPP meetings, by region. Compared to other regions, cases were less likely to be discussed at a subsequent DPP meeting in the Lower North region, where the majority of cases were not discussed in more than one meeting (63.5%). A statistically significant difference between regions was found, corresponding to a medium effect size ($\chi^2(12, n = 2904) = 323.57, p < .001, \text{Cramer's } V = .19$).

Table 2: Repeat DPP Discussions of the Same Cases per Region

Region	Frequency of Repeat DPP Discussions for an Individual Case				
	0	1	2	3	4+
Northern	290 (25.7%)	273 (24.2%)	271 (24.0%)	123 (10.9%)	170 (15.1%)
Central	157 (24.0%)	151 (23.1%)	149 (22.7%)	77 (11.8%)	121 (18.5%)
Lower North	296 (63.5%)	73 (15.7%)	65 (13.9%)	23 (4.9%)	9 (1.9%)
Southern	145 (22.1%)	177 (27.0%)	189 (28.8%)	75 (11.4%)	70 (10.7%)

Review of Cases

118. From 1 November 2021 to 1 November 2022, 15 cases were escalated to the NPP with a notification and engagement plan. This means that all 15 cases were deemed to meet the threshold for specific engagement by the DPP. These cases comprised eight Extended Supervision Orders (ESO), three Parole orders, two Preventive Detention orders, one Release on Conditions (ROC) and one Returning Offender Order (ROO). Thirteen cases were in relation to Child Sex Offending (CSO), one case (ROO) was in relation to Adult Sex Offending (ASO) and one case (ROC) was in relation to both child and adult sexual offending.

119. At the time cases were discussed at the NPP, four individuals were residing in prison, and the remaining 11 cases were in the community. Of the community cases, eight were living at the address for which notification was being considered (including one case being considered for

renotification). For the remaining three community cases, notification was being considered for a new address.

120. Considering supported accommodation services accessed, just one case was residing in supported accommodation (which, as illustrated in Table 3, meant that notification did not proceed).
121. During the same period, seven providers were also escalated to the NPP with a notification and engagement plan. Four of these providers were based in the Southern region (one in Invercargill, three in Canterbury), the remaining three providers were from the Central region, all based in Hamilton. Six of these plans were for re-engagement; one (in Canterbury) was a new engagement plan.
122. Eight of the 15 cases presented at the NPP did not proceed to notification or community engagement. Information for these cases is presented in Table 3.

Table 3: Cases Not Proceeding to Specific Notification or Engagement

Sentence	Region	Risk Assessment Information			Offence Pathway	Did Notification occur	Rationale
		ASRS	Stable	VRS-SO			
S 9(2)(a)	Southern	3			CSO- S 9(2)(a) [redacted] S 9(2)(a) [redacted]	No	The plan was reconsidered at DPP and it was decided that he no longer met threshold for notification
	Northern	1		Level III (Average)	CSO- S 9(2)	No	Address was assessed as unsuitable and release was declined by the NZPB
	Central	3		Level III (Average)	CSO- S 9(2)(a) [redacted]	No	Had lived at the address for 5 months, no issues raised, support people all aware of offence pathway
	Southern	4		Level IVb (Well Above Average Risk)	CSO- S 9(2)(a) [redacted]	No	Notification was delayed due to COVID and then he changed address so was put on hold.
	Central	1			CSO- S 9(2)(a) [redacted]	No	Low risk, is engaged with PO and S 9(2) - does not meet threshold to notify.
	Central	6		High Risk Category	CSO- S 9(2)(a) [redacted]	No	Notification was being planned, was not carried out in time period
	Lower North	1		Moderate-High Category	CSO- S 9(2)(a) [redacted]	No	Was declined release by the NZPB
	Northern	3 (static 99)	Moderate	Average (STATIC-99R)	ASO- S 9(2)(a) [redacted]	No	Was housed at S 9(2)(a) [redacted] notification will be reconsidered when he has another address

123. There were several factors identified which led to notification not being completed. Of the eight cases:

- Two cases were declined release by the NZPB.
- Notification was not completed in two cases during the identified time frame however it was being planned.
- One plan was reconsidered at the DPP and it was decided the person no longer met the threshold for notification.
- Two cases were considered low risk and not requiring notification.
- One case was housed at a facility on prison land where notification was not required (notification will be revisited when the person changes address).

124. The offence pathway of the majority of these cases was CSO offending against victims known to them, or through trusted relationships. Of note, the two cases where the people were subject to Preventive Detention/Life Parole were not released by the Board. The only ASO case (subject to a ROO) is currently housed on prison land however this case was assessed as meeting the threshold for notification and will be reconsidered when a further address is sourced.

125. Information for the seven cases that proceeded to a community door knock and/or specific engagement is presented in Table 4.

Table 4: Cases Proceeding to Specific Notification/Engagement

Sentence	Region	Risk Assessment Informat			Offence Pathway	Did Notification occur	Scope of notification		Rationale	Scope of Engagement
		ASRS	Stable	VRS-SO			Engagement	Door Knock		
S 9(2)(a)	Lower North	4	11	Level IVb (Well Above Average)	CSO - S 9(2)	Yes	Yes	No	The decision was made that it did not meet the threshold for a door knock but to complete high level engagement to the Mayor, MP,	Several schools in the Napier area, including suburb S 9(2)(a) were engaged with
	Central	2	3		CSO - S 9(2)(a)	Yes	Yes	Yes	Did not meet threshold for notification given the offence pathway and overall risk, however the immediate community was aware of him given previous offending for which was found not guilty (against a	Engagement completed with three identified neighbours; Mayor and MP informed
	Southern	4	High		CSO - S 9(2)(a)	Yes	Yes	Yes	Ongoing non-compliance with ESO conditions (in excess of 15 breaches), particularly with regard to having contact with children, and continuously placing self in high risk	MP, Community Board, Police engaged with; S 9(2)(a) S 9(2)(a) Primary were engaged with; Door
	Central	3	13	High risk, 95th percentile	CSO - S 9(2)	Yes	Yes	No	Given his engagement with psych and motivation, door knock not considered necessary	MOE and local ECE were notified
	Lower North	3	6	High Risk, 88th percentile	CSO - S 9(2)	Yes	Yes	No	Had lived in the same community for over 12 months, with no issues - general high level engagement	Mayor and several nearby primary schools notified
	Lower North	1	High		CSO - S 9(2)(a) S 9(2)(a) S 9(2)(a) CSO/ASO - S 9(2)	Yes	Yes	Yes	Door knock completed to re-engage with any new occupants.	Engagement also occurred with S 9(2)(a) who run a S 9(2)(a) facility across the road
	Southern	4				Yes	Yes	No	Specific engagement completed only as there are no residential addresses in the area (S 9(2)) in the middle of town).	Specific engagement completed with S 9(2)(a) club, and Early Childhood centre

126. The majority of the cases that proceeded to specific notification/engagement had an opportunistic/impulsive element to their offending pathway. All cases were in relation to sexual offences against children; one included indecent exposure offending against adult females.

127. Some level of community engagement with local schools, businesses, MP's and the Mayor was completed for all cases. Three of the seven cases also included a door knock in the local community/neighbouring properties as part of the notification process.

128. Door knocks were not included for four cases due to the following reasons:

- Offence pathway was grooming over the internet so did not meet threshold for door knock as this would not mitigate risk.
- The person on sentence was well engaged with a psychologist and was highly motivated to address offending.
- The person on sentence was well engaged with Community Corrections and had lived in the same community (different address) for over 12 months with no issue.
- A door knock would have occurred however the address was in the middle of town and there were no residential addresses in close proximity.

PART 4: Discussion and Recommendations

129. The final section of this report provides a brief summary and discussion of key findings, followed by a series of recommendations as they relate to the practice of community notification and engagement in Aotearoa New Zealand.

Discussion

130. Ara Poutama’s community notification and engagement process appears to heed international research through attempting to balance public interest in notification about individuals with child sex offence convictions, with minimising the potential for negative social and psychological impacts on persons subject to notification. Such a balance is sought through restricting specific notification to individuals presenting the greatest risk to communities, and limiting information disclosed to nonidentifying, general information. In addition, an emphasis on general community engagement is consistent with alternative approaches to SORN proposed by some scholars (e.g., Gesser, 2021).

131. Interviewees consistently identified the value of general, nonspecific engagement with key stakeholders, including schools. Despite attempts to minimise the risk for negative impacts of specific notification, findings highlighted that at least in some regions, negative impacts were observed both for community members and individuals subject to notification. Of concern, the existence of community notification added an additional obstacle to the already difficult task of community (re)integration planning, at times compromising release plan quality. Compromised release plans have potential to increase, not decrease, risk for sexual reoffending (e.g., Willis & Grace, 2008, 2009).

132. Plans to establish accommodation facilities were often met with community resistance, especially if the planned residence was to house individuals convicted for child sex offences. Such findings are unsurprising and consistent with the NIMBY phenomenon (e.g., Garland et al., 2017) and national and international literature on community attitudes towards individuals with sexual offence convictions (Harper et al., 2017; Willis et al., 2010; Willis et al., 2013). Interviewees demonstrated awareness of the impact of their language use on community member attitudes (Harris & Socia, 2016; Lowe & Willis, 2020), and modelled person-first language to describe people subject to notification.

133. Decisions concerning who and under what circumstances an individual was notifiable were complex. Although practice guidance prioritised an individual’s sentence and risk for recidivism in notification decision making, in practice, decisions were informed largely by an individual’s offence pathway and the expected community response to notification. Of note, dynamic risk assessment information was not available for three of the 15 cases presented at the NPP, raising questions about the relative importance of assessed risk on decisions to notify. Also, although some interviewees questioned the logic of centring decision making on proposed accommodation rather than the individual, risk is contextual and certain environments may afford greater levels of protection than others. Both individual *and* contextual variables are therefore relevant to risk formulations.

134. Considering frequencies of DPP “yes” decisions, substantial variation was observed by region, ranging from 2.3% (Northern) to 20.1% (Central) for all first-time discussions of a case at a DPP.

Excluding Northern region data (where the frequency of “yes” decisions was considered unreliable given the volume of decisions not recorded), “yes” decisions ranged from 6.8% (Southern) to 20.1% (Central). The target group for notification (i.e., considering risk and offence process) represents a minority of all cases of childhood sexual abuse, with the Southern region statistic best approximating rates of stranger perpetrated child sexual abuse reported to authorities (U.S. Department of Justice, 2000). Of note, the review of cases highlighted that approximately half of all DPP “yes” decisions did not proceed to specific notification during the review period. DPP decision data may therefore overestimate actual notification activity. Consistent with the focus of practice guidance described in Part 2, the focus of notification and engagement activity was on individuals with convictions for sexual offences against children.

135. Across data sources (i.e., interview data, DPP data, and the review of cases), regional variation was observed in the extent of individual renotification, and interviewees highlighted a lack of guidance informing renotification decisions. Research demonstrates that recidivism risk decreases as time offence-free in the community increases (Hanson et al., 2018; Thornton et al., 2021); accordingly, time offence-free is a relevant consideration in risk management decision making.
136. Attempts were made to create communication channels with community members should they have concerns following specific notification; however, the extent to which community members took up invitations to contact staff was unknown. Moreover, outside the invitation to contact staff, no information about Ara Poutama’s notification and engagement process or educational resources about sexual abuse prevention were made readily available. Accordingly, there is a risk that specific notification may instil fear and detract attention away from more salient risks (i.e., persons without prior convictions who are known to children).

Does Ara Poutama’s Notification and Engagement Process Contribute to Enhancing Community Safety?

137. The author was asked to review Ara Poutama’s notification and engagement process to ensure it was fit for purpose and contributes to enhancing the safety of communities. Select elements of the current process appear to support community safety, whereas several features risk compromising community safety.
138. Supporting community safety, nonspecific engagement activity can help raise community awareness about child sexual abuse, educate parents and community organisations through providing safety messages, identify vulnerable people in a community, and help connect people with additional support when needed. Also supporting community safety, District Planning Panels (DPPs) bring together key people with relevant expertise and intel, and facilitate robust discussion concerning release planning. The National Planning Panel adds another layer of oversight, as illustrated when regional decisions to notify were reversed following discussion at the national level.
139. The practice of specific notification demonstrated potential to compromise the cornerstones of effective reintegration. Otherwise suitable housing was sometimes deemed no longer suitable (given the expected community response to notification), and reintegration and desistance processes were sometimes obstructed (e.g., when notification requirements presented a barrier to an individual moving out of supported accommodation). Moreover, concerns were raised about the possibility for specific notification to saturate risk in vulnerable communities,

instil fear, traumatise vulnerable community members, reinforce the stranger danger myth, and detract attention from more salient risks.

140. Considering findings of the current review alongside international research reviewed in Part 1, Ara Poutama's notification and engagement process cannot be considered fit for purpose as a risk management strategy. However, the purpose of notification and engagement extends to public interest in housing and management of people under Corrections supervision in the community.

Limitations

141. It is important that findings of the current review are considered in view of its limitations.

Although attempts were made to interview staff across all relevant roles and regions, experiences and views of staff interviewed may not generalise to all staff involved in Ara Poutama's notification and engagement process. Also, exploration of community responses to notification and engagement activity was based on Ara Poutama staff reports. Without stakeholder and community member perspectives, understanding the impacts of notification and engagement on communities is limited.

142. The review of cases was restricted to a recent 12-month period, and the extent to which findings reflected general patterns in specific notification activity since the inception of current practice guidance was unclear. It is possible that Covid restrictions were associated with reduced notification activity, and it is noteworthy that the time period reviewed overlapped to some extent with ongoing Covid restrictions (especially in the Northern region).

143. Finally, and most importantly, time constraints limited Māori partnership in completing the current review. Recommendations that follow are therefore tentative.

Recommendations

144. The following recommendations are offered, based on findings from the current review, and best practices in community-based risk management. Importantly, these recommendations are tentative until the review is discussed with the Ara Poutama Māori Partnerships Team and other relevant Māori stakeholders.

- i. That emphasis is placed on general, nonspecific community engagement; that a consistent approach to community engagement is adopted across all regions; and that SA-CEARs are provided with specific training in community engagement.
- ii. That planning panels continue, with a focus on release planning and reintegration.
- iii. That the criteria for consideration of cases at planning panels is explicitly updated to include people with convictions for sexual offences against adults and/or general violence assessed with an above average risk for sexual and/or violent reoffending. This recommendation aligns with the recommendation made in an independent review of advice provided to the New Zealand Parole Board concerning accommodation options for Joseph Brider. Specifically, Victoria Heine KC recommended that decisions to withdraw referrals for Intensive Reintegration Services (IRS) are made with oversight from the IRS panel, comprised of senior Ara Poutama staff.
- iv. That empirically supported risk management strategies are favoured over specific notification, and their intensity is informed by a comprehensive recidivism risk assessment. Comprehensive risk assessments require (i) informed use of relevant risk assessment tools

including sexual offence specific tools, (ii) consideration of protective factors that may buffer (sexual) reoffence risk, and (iii) recognition that risk is contextual (meaning one proposed release environment may offer greater protection than others).

- v. That specific notification is not used as a risk management strategy and is considered only as a mechanism to inform communities about how Ara Poutama safely manage individuals on sentence in the community.
- vi. That Corrections regularly collate feedback from community members and key stakeholders to help inform how notification and engagement activity might best address community interest.
- vii. It is recommended that specific notification is restricted to select circumstances (i.e., considering recidivism risk and offence process) and is complemented with readily accessible information repeating key messages about how Ara Poutama manages risk in the community, and education surrounding sexual abuse prevention.

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