

17 May 2024

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Tēnā koe [REDACTED]

Thank you for your email of 19 March 2024 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about community work sentences in the West Coast Region. Your request has been considered under the Official Information Act 1982 (OIA).

Community work is a low-tariff sentence imposed by the court, which requires people to do unpaid work in the community to pay something back for the offence that they have committed. A large number of community work sentences are for traffic offences or the non-payment of fines.

Community work can be completed in two ways, either through a centre or agency placement. Centre placement is where groups of people attend for community work at a service centre and may go out in work parties to complete community projects under the supervision of a community work supervisor. Agency placement is where the person is connected with a not-for-profit community organisation or sponsor and the supervision is provided by that agency, although Corrections retains responsibility for the overall management of the sentence.

In smaller towns and rural areas with fewer people on community work, such as the West Coast of the South Island, our preferred approach is to pursue agency placement as the main way for people to complete their community work hours. This is not unique to Westport and is also used in places such as Karamea, Franz and Haast for instance, where centre placements are challenging due to logistics or distance to a main Community Corrections Service centre. In addition, people subject to community work in Westport may be required to complete their hours at the Community Corrections Service Centre under the supervision of delegated Community Corrections staff, such as a Probation Officer or Community Work Supervisor.

Further information on Community Work is available on our website here:

https://www.corrections.govt.nz/our_work/in_the_community/sentences_and_orders/community_work

You requested:

Questions below. They relate to the role of a CW supervisor in Westport, and the situation of CW sentences in general.

1. *How many CW supervisors does the Coast have?*
2. *Are any based in Westport?*
3. *If so, when were they employed and based here?*
4. *If not, why not?*

There are currently no community work supervisors for the West Coast region or Westport specifically. Community work centre placement hours are currently completed at the site or under the supervision of a Probation Officer or Service Manager. Corrections also utilises agency placement options and work and living skills to meet the community work need across the West Coast. This situation has no effect on people coming through the courts and people in Westport are still able to be sentenced to a community work sentence. This is delivered via agency placement or as outlined above, through working around the Service Centre under the supervision of delegated staff. As we have stated, agency placement is a common approach for small towns and rural areas where there are lower volumes of people on sentence.

Corrections has, however, recently hired one community work supervisor for the West Coast region, which will include Westport, who is due to start on 5 June 2024. One full time community work supervisor is predicted to be sufficient to provide community work services to the region at this time. Additionally, we intend on hiring one casual community work supervisor to cover annual or sick leave.

5. *How many hours of centre placement are held in Westport each week?
(I understand centre placement to be the method where a supervisor is required for a group, please correct me if I'm wrong.)*

Currently Westport completes two hours of centre placements each week. This is expected to increase once a community work supervisor is hired.

6. *How long can people not do CW for, before not doing it becomes an offence?*

People on community work sentences must complete at least 100 hours of their community work sentence every six months, or the remaining balance of their sentence. If a person sentenced to community work is sentenced to 80 or more hours of community, the court can authorise the conversion of up to 20 percent of community work hours to be spent learning basic work and living skills. Additionally, some discretion can be afforded to a person on community work if they are committed to completing their community work hours but do not complete 100 hours within the allocated timeframe. If a person is unable to complete their required hours within this timeframe due to circumstances outside of their control, they will not be considered in breach of their sentence.

If someone doesn't comply with their community work sentence, we have a range of options to hold them to account, including an internal sanction or warning, formal breach action (which may result in a further conviction, another sentence, or imprisonment), and making an application to the court to cancel the sentence and replace it with a more restrictive sentence.

7. How many people are serving CW sentences in Buller?

Nineteen people have a current listed address in the Buller area, which includes those completing Community Work via agency placements.

8. On average, how long would it take someone to serve 100 hours?

The table below presents the mean and median number of weeks taken to complete a 100-hour community work sentence for people who had completed their 100 hours community work sentences in Nelson/Marlborough/West Coast Region in the financial year 2022-2023. Please note that Nelson/Marlborough/West Coast Region was considered as a proxy for Buller.

Region	Mean (Weeks)	Median (Weeks)
Nelson/Marlborough/West Coast Region	55.0	46.0

9. How many of those have overdue time owing?

While the managing probation officer or senior community work supervisor will be able to advise whether a person is in arrears in respect of their sentence obligations, this data is not recorded in Corrections' Integrated Offender Management System in a way that can be reported at an aggregated level. To identify this type of specific information, we would be required to manually review a large number of individual files.

In accordance with the OIA, we have considered whether to affix a charge or extend the time limit for responding. However, given the scale of the request we do not consider that this would be an appropriate use of our publicly funded resources. Therefore, this part of your request is refused under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research.

As per section 18B of the OIA, we have considered whether consulting with you would enable the request to be made in a form that would remove the reason for the refusal. However, we do not consider that the request can be refined in this instance.

10. How does this compare to other districts?

The table below presents the mean and median number of weeks taken to complete a 100-hour community work sentence for people who had completed their 100-hour community work sentences in the Canterbury Region and Otago/Southland Regions in the 2022-2023

financial year. Please note that the other two South Island regions were considered most comparable to the data for the Nelson/Marlborough/West Coast Region used in response to question eight.

Region	Mean (Weeks)	Median (Weeks)
Canterbury Region	49.17	38
Otago/Southland Region	35.45	27

11. Anything else important or interesting to note?

There are 378 people serving a community work sentence in the Nelson/Marlborough/West Coast Region at the month end 31 March 2024.

Please note that this response may be published on Corrections' website. Typically, responses are published quarterly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

I trust the information provided is of assistance. I encourage you to raise any concerns about this response with Corrections. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



Sean Mason
DCE Communities Partnerships and Pathways