



29 OCT 2015

Mr Josuha Grainger  
[fyi-request-3053-ad9a1758@requests.fyi.org.nz](mailto:fyi-request-3053-ad9a1758@requests.fyi.org.nz)

Dear Mr Grainger

On 17 August 2015 you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *Any advice documents relating to the Child Protection (Child Sex Offender Register) Bill, including briefs, Cabinet Papers, Cabinet Minutes, regulatory impact statements, or other documents.*

I apologise for the delay in responding to your request for information.

Hon Anne Tolley, in her capacity as Minister of Police and Corrections, proposed the establishment of a child sex offender register in 2012. The 2012 White Paper for Vulnerable Children established a need for better monitoring of high risk offenders against children. The intent of the Child Protection (Child Sex Offender Register) Bill is to reduce the risk of serious harm to children from known child sex offenders living in the community.

Although the Child Sex Offender Register is within the mandate of the Vulnerable Children's Board, this is a recent development, and the Ministry of Social Development has not been a lead agency in establishing the register. Minister Tolley, in her capacity as Minister of Police and Minister of Corrections, tasked these departments with jointly conducting the work required to establish the register. The Ministry of Social Development was consulted over the process, along with other government agencies.

Minister Tolley became the lead Minister for the Bill in July 2015, when the Register was also placed under the mandate of the Vulnerable Children's Board.

The Regulatory Impact Statement for the Child Protection Offender Register is available on New Zealand Police's website at <http://www.police.govt.nz/about-us/publication/child-protection-offender-register-and-risk-management-framework-regulatory>.

The following documents have been assessed as in scope of your request, however they are withheld under section 9(2)(g)(i) as they contain free and frank advice from Ministry officials to Hon Anne Tolley, Minister for Social Development and her predecessor Hon Paula Bennett, regarding the development and implementation of the Child Sex Offender Register.

The release of this information is likely to prejudice the ability of government to consider advice and the wider public interest of effective government would not be served. I believe the greater public interest is in the ability of individuals to express opinions in the course of their duty.

- Aide-Memoire titled '*Protecting the public from serious harm by child sex offenders and other offenders (suite of three papers)*', dated 6 December 2013.
- Aide-Memoire titled '*Child Protection Offender Register and risk management framework*', dated 28 February 2014.
- Aide-Memoire titled '*Child Protection Offender Register and risk management framework*', dated 13 June 2014.
- Aide-Memoire titled '*Child Protection Offender Register and risk management framework*', dated 9 April 2015.
- Aide-Memoire titled '*Child Protection (Child Sex Offender Register) Bill: Approval for Introduction*', dated 24 April 2015.

You will find enclosed the following two documents, which propose widening the mandate of the Vulnerable Children's Board. The associated Aide-Memoire outlined a number of changes to the proposed recommendations in the Cabinet paper. Please note that some information has been removed from the Cabinet paper and the aide memoire because it is out of scope of your request.

- Cabinet paper titled '*Streamlining social sector leadership and accountabilities: Bringing together arrangements for a range of child and youth-related work*' dated 25 June 2015.
- Aide-Mémoire titled '*Streamlining social sector leadership and accountabilities: Bringing together arrangements for a range of child and youth-related work*' dated 30 June 2015.

The following Cabinet papers were also identified however are out of scope of your request as these papers were drafted by New Zealand Police, and any request for these papers should be directed to that agency.

- Cabinet paper and associated minutes titled '*Child Protection Offender Register and Risk Management Framework*', dated 5 and 10 March 2013 respectively.
- Cabinet paper and associated minutes titled '*Child Protection Offender Register and Risk Management Framework*', dated 16 June 2014.
- Cabinet paper and associated minutes titled '*Child Protection Offender Register: Additional Policy Approvals*', dated 13 and 20 April 2015.
- Cabinet paper and associated minutes titled '*Child Protection (Child Sex Offender Register) Bill: Approval for Introduction and Additional Policy Approval*', dated 29 April 2015.

You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman  
Office of the Ombudsman  
PO Box 10-152  
WELLINGTON 6143

Yours sincerely



Maree Roberts  
**General Manager, Child, Family and Community Policy**

# Aide-mémoire



MINISTRY OF SOCIAL  
DEVELOPMENT  
TE MANATŪ WHAKAHIATO ORA

Cabinet paper

**Date:** 30 June 2015

**Security Level:** Cabinet Sensitive

**For:** Hon Anne Tolley, Minister for Social Development

**File Reference:** REP/15/6/683

## Streamlining social sector leadership and accountabilities: Bringing together arrangements for a range of child and youth-related work

**Cabinet Committee** Social Policy

**Date of meeting** 1 July 2015

**Minister** Hon Anne Tolley, Minister for Social Development

**Proposal** The paper seeks agreement to widen the mandate of the Vulnerable Children's Board (VCB) to become the common umbrella group for the Children's Action Plan; Social Sector Trials, and the Child Sex Offender Register.

**Key issues** Outside scope of request.

- 
- Outside scope of request.

[Redacted]

- YCAP removed from recommendation (7)
- old recommendation (8), that set out the changes for YCAP, removed.

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**Our advice**

We provided you with an aide memoire on the paper for the discussion at the Social Sector Priorities Ministers meeting on Monday 29 June 2015.

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**Revised Recommendations attached**

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OFFICIAL INFORMATION ACT

**STREAMLINING SOCIAL SECTOR LEADERSHIP AND ACCOUNTABILITIES: BRINGING TOGETHER ARRANGEMENTS FOR A RANGE OF CHILD AND YOUTH-RELATED WORK**

**Recommendations**

1 It is recommended that the Committee:

1 **agree** that the mandate of the Vulnerable Children's Board be widened to be accountable for the Children's Action Plan; Social Sector Trials; and the Child Sex Offender Register

2 **Outside scope of request.**

3 **agree** that the Chief Executive of Corrections be added to the Vulnerable Children's Board

4 **Outside scope of request.**

5

6

7 **note** that the Ministerial Oversight Group for the Vulnerable Children's Board includes most of the relevant Ministers for the Social Sector Trials and the Child Sex Offender Register

8 **agree** that the Ministerial Oversight Group for the Vulnerable Children's Board be expanded to include the Minister of Corrections

9 **note** that the membership of the Ministerial Oversight Group for the Vulnerable Children's Board will be the Minister for Social Development (Chair), Minister of Finance, Minister of Health, Minister of Justice, Minister of Education, Minister of Police, Minister of Corrections, and the Minister for Whānau Ora

10 **note** that the Minister of Police is the current lead Minister for the Child Protection (Child Sex Offender Register) Bill and that when passed the legislation is intended to be jointly administered by Police and Corrections

11 **agree** to change the leadership and accountability arrangements for the Child Sex Offender Register, so that it comes under the responsibilities of the Vulnerable Children's Board, with the Ministerial Oversight Group, chaired by the Minister for Social Development

- 12 **note** that the arrangements for the Child Sex Offender Register will not affect the powers of the Minister of Police
- 13 **note** that the Joint Venture Board for the Social Sector Trials will become part of the Vulnerable Children's Board, with the Minister for Social Development as lead Minister, supported by the Ministerial Oversight Group for the Vulnerable Children's Board
- 14 **note** that, in conjunction with the Ministerial Oversight Group, the various Terms of References involved will be updated to reflect these changes.

Hon Anne Tolley

Minister for Social Development

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Chair  
Cabinet Social Policy Committee

**STREAMLINING SOCIAL SECTOR LEADERSHIP AND ACCOUNTABILITIES:  
BRINGING TOGETHER ARRANGEMENTS FOR A RANGE OF CHILD AND YOUTH-  
RELATED WORK**

**Proposal**

- 1 This paper seeks Cabinet's agreement to proposals to streamline social sector leadership and accountabilities in respect to a range of child and youth-related work. The paper proposes widening the mandate of the Vulnerable Children's Board (VCB) to be accountable for the:
  - Children's Action Plan
  - Social Sector Trials
  - Youth Crime Action Plan
  - Child Sex Offender Register.

Outside scope of request.

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Outside scope of request.

### Child Sex Offender Register

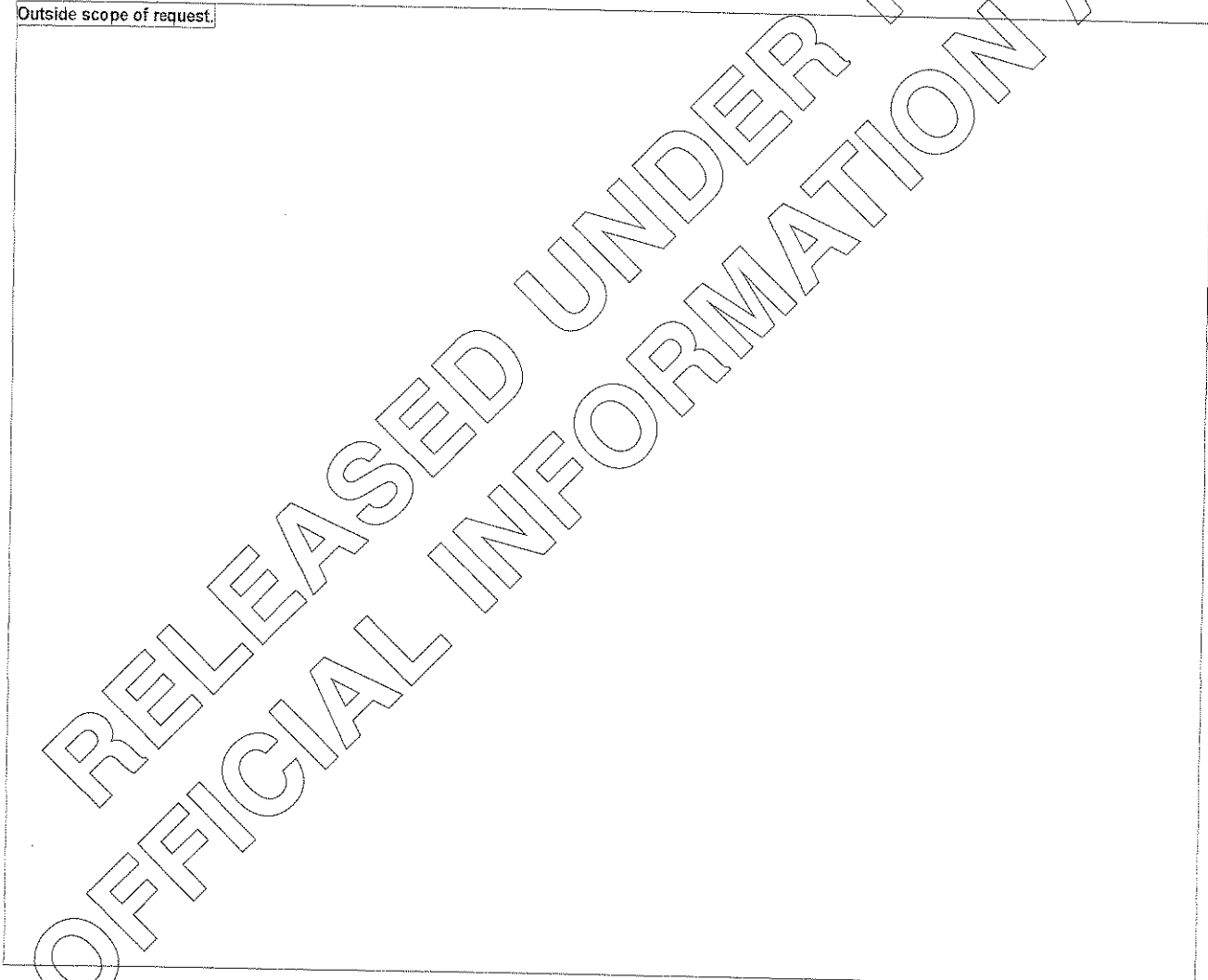
- 27 The introduction of Child Harm Protection Orders (CHPOs), supporting the Children's Action Plan, were proposed as part of the draft Vulnerable Children Bill. These new Civil Orders would have imposed conditions on people considered to be at high risk of abusing children whether they had been convicted or not.
- 28 Given the range of other protective measures the Government was introducing, such as the development of a Child Sex Offender Register, it was considered that improved protection of children would be achieved without the need for these Orders.
- 29 The Child Sex Offender Register will contain a range of up-to-date personal information about registered child sex offenders on a secure database. Offenders convicted of a qualifying child sex offence will be required to report annually to Police to confirm their details and to Police or Corrections whenever the details provided change. A dedicated unit of Police and Corrections staff will use this information to provide risk assessments and intelligence products to inform the Corrections and Police staff managing and monitoring these offenders in the community. This information will assist staff to manage the risks presented by child sex offenders and potentially prevent re-offending. The registered offender's period on the register will depend on the offence for which they were convicted and the sentence received. For the majority of registered offenders the monitoring and risk management will continue beyond the end of their sentence.

30 Authorised Police and Corrections staff and authorised staff from specified agencies such as Child, Youth and Family, the Ministry of Social Development, and Housing New Zealand, will be able access and exchange relevant information, allowing them to work together in the interests of public safety. The Commissioner of Police will be authorised to share information from the Register with overseas law enforcement agencies which have corresponding registers and offences. New Zealand citizens who commit corresponding offences while overseas, and anyone convicted of a corresponding offence overseas who intends to reside in New Zealand, will be required to register.

31 I propose that the Child Sex Offender Register come under the responsibilities of the VCB, with the Ministerial Oversight Group, chaired by the Minister for Social Development.

32 This arrangement does not affect the powers exercised by the Minister of Police.

Outside scope of request.



### Recommendations

39 It is recommended that the Committee:

- 1 **agree** that the mandate of the Vulnerable Children's Board be widened to be accountable for the Children's Action Plan; Social Sector Trials; Youth Crime Action Plan; and the Child Sex Offender Register

Outside scope of request.

- 5 **note** that the Ministerial Oversight Group for the Vulnerable Children's Board includes most of the relevant Ministers for the Social Sector Trials, the Child Sex Offender Register, and the Youth Crime Action Plan
- 6 **agree** that the Ministerial Oversight Group for the Vulnerable Children's Board be expanded to include the Minister of Corrections
- 7 **note** that the membership of the Ministerial Oversight Group for the Vulnerable Children's Board will be the Minister for Social Development (Chair), Minister of Finance, Minister of Health, Minister of Justice, Minister of Education, Minister of Police, Minister of Corrections, and the Minister for Whānau Ora

8 Outside scope of request.

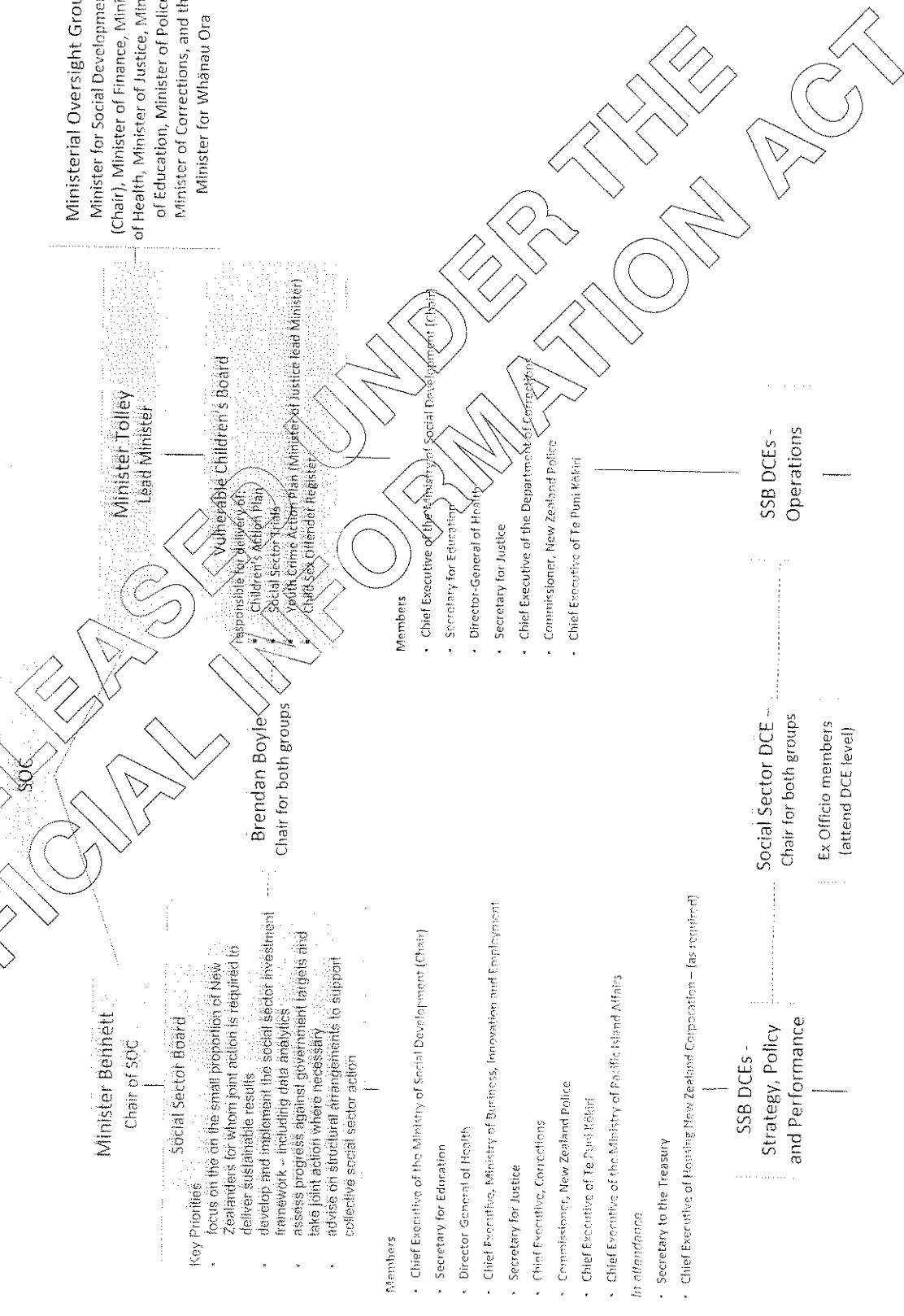
- 9 **note** that the Minister of Police is the current lead Minister for the Child Protection (Child Sex Offender Register) Bill and that when passed the legislation is intended to be jointly administered by Police and Corrections
- 10 **agree** to change the leadership and accountability arrangements for the Child Sex Offender Register, so that it comes under the responsibilities of the Vulnerable Children's Board, with the Ministerial Oversight Group, chaired by the Minister for Social Development
- 11 **note** that the arrangements for the Child Sex Offender Register will not affect the powers of the Minister of Police

Outside scope of request.

Hon Anne Tolley  
Minister for Social Development

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# Social Sector Board and Vulnerable Children's Board Leadership and Accountability Arrangements



Ministerial Oversight Group  
Minister for Social Development  
(Chair), Minister of Finance, Minister of Health, Minister of Justice, Minister of Education, Minister of Police, Minister of Corrections, and the Minister for Whānau Ora

Minister Tolley  
Lead Minister

Vulnerable Children's Board  
responsible for delivery of:  
• Children's Action Plan  
• Social Sector Plans  
• Youth Crime Action Plan (Minister of Justice lead Minister)  
• Child Sex Offender Register

Minister Bennett  
Chair of SOC

Social Sector Board  
focus on the on the small proportion of New Zealanders for whom joint action is required to deliver sustainable results  
develop and implement the social sector investment framework – including data analytics  
assess progress against government targets and take joint action where necessary  
advise on structural arrangements to support collective social sector action

Brendan Boyle  
Chair for both groups

- Members
- Chief Executive of the Ministry of Social Development (Chair)
  - Secretary for Education
  - Director-General of Health
  - Chief Executive, Ministry of Business, Innovation and Employment
  - Secretary for Justice
  - Chief Executive, Corrections
  - Commissioner, New Zealand Police
  - Chief Executive of Te Puni Kōhiri
  - Chief Executive of the Ministry of Pacific Island Affairs

- In attendance
- Secretary to the Treasury
  - Chief Executive of Housing New Zealand Corporation – (as required)

- SSB DCEs - Strategy, Policy and Performance
- Social Sector DCE - Chair for both groups
  - Ex Officio members (attend DCE level)

- SSB DCEs - Operations

- Members
- Chief Executive of the Ministry of Social Development (Chair)
  - Secretary for Education
  - Director-General of Health
  - Chief Executive of the Department of Corrections
  - Commissioner, New Zealand Police
  - Chief Executive of Te Puni Kōhiri

- In attendance
- Secretary to the Treasury
  - Chief Executive of Housing New Zealand Corporation – (as required)

- SSB DCEs - Strategy, Policy and Performance
- Social Sector DCE - Chair for both groups
  - Ex Officio members (attend DCE level)

- SSB DCEs - Operations

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