

Notifying Specified Individuals and groups in the Community about Child Sex Offenders

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Community Notification is different to the routine information sharing that occurs between Corrections and other government agencies. It is the formal process for notifying identified members of a community once an address for a CSO is confirmed, and is undertaken by a district manager and another person (service manager, police, etc.). Information is provided to specified individuals and groups in communities, such as neighbours or schools.

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.

Community engagement is different to community notification. It is where the [Senior Advisers Community Engagement and Reintegration \(SACEAR\)](#) and other identified parties, speak to specified community groups about the possibility of child sex offenders being placed in their community. They will discuss what this means for their community, how they are managed and monitored by corrections, and how agencies work together to keep the community safe.

Identification of People to be Notified

For the purposes of notification, a child sex offender is defined as a person currently serving any sentence/order for a child sex offence.

Reference: [Corrections Act 2004 \(s182b\)](#) and [Parole Act 2002 \(s107b\)](#).

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.

The notification criteria (outlined below) reflect an 'opt-out' approach to notifying for cases of ESO with IM, ESO, preventive detention, parole where an ESO application has been made and ROO. Should there be rationale for not notifying about a person subject to these sentences/orders, this must be escalated to the operations director to make a final decision.

- Examples of this include if the safety of the person was compromised or if notification might expose the identity of any victims.

In the cases of release conditions and parole, a case by case decision is made by the District Planning Panel.

Notification Criteria

RELEASE CONDITIONS	Risk based decision where the offender is currently subject to release on conditions for a child sex offence and has an ASRS score of 3 or above
PAROLE	Risk based decision where the offender is on Parole for a child sex offence
PAROLE ESO APPLICATIONS	Notifications will usually be carried out for all Parolees where an ESO application is made
EXTENDED SUPERVISION	Notification will usually be carried out for all ESOs.
RETURNING OFFENDERS	Notification will usually be carried out for all Returning Offenders with a Child Sex Offence
ESO WITH INTENSIVE MONITORING	Notification will usually be carried out for ESO cases with IM conditions
PREVENTIVE DETENTION	Notification will usually be carried out for Preventive Detention where the sentence was imposed for child sex offending.

Ops director approval required if decision not to notify

Responsibility

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Service Manager

The Service Manager (SM) is responsible for commencing the notification process. It is expected that they, in conjunction with the Senior Advisor Community Engagement and Reintegration (SA CEAR) will identify who will be likely to be the subject of notification when they are allocating parole assessment reports for those long servers who will leave prison on parole. The SM will complete the Placement Accommodation Notification (PLAN) online at this time. Community engagement by the SA CEAR should begin 8-9 months prior to the person's release, or when the confirmed pathway for that person is determined.

For people being released on RoC, community engagement (by the SA CEAR) will begin as soon as possible, ideally as soon as the person is sentenced and we have information about where that individual will return to. The SM will start the PLAN when they allocate the RoC sentence.

Identification will also need to be undertaken:

- Prior to a person transferring to a new district
- If there is a change in the person's circumstances such as new neighbours moving in
- Prior to a person moving to a new address
- If there is an escalation in risk in relation to the person's pathway to offending

For people who are moving address, the SM will complete the PLAN online and community engagement soon as an appropriate address has been identified.

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The SM is responsible for providing information to the District Manager (DM) to aid in the decision making process.

This information should include:

- Copies of any relevant psychologists reports, sentencing notes and any other necessary information
- the completed PLAN online

The completion of the online tool will alert the DM of the need to consider the case for notification. The tool is then used to provide information necessary for the DM to liaise with the DPP and any other relevant parties.

District Manager

The DM is responsible for the notification process including planning and carrying out the notification. This will often be undertaken in conjunction with the SA CEAR.

If any activity (including engagement with schools and the mayor) is delegated to the SA CEAR or an experienced SM, the DM is responsible for ensuring the SM has the skills and knowledge to carry out the notification successfully.

The **Communications team/Comms Service desk** at National Office should be alerted to all instances where community notification is occurring.

Name Suppression

Where there is a name suppression order and the decision to notify is required to enhance public safety then the decision to notify must be approved by the regional commissioner. The DPP will seek this approval through the Operations Director.

Process for a Person Being Released from Prison (Parole)



Making a Decision Whether to Notify

It is a requirement that a DPP meet to consider all notification assessments. When making a decision whether to notify, the district manager should use these key considerations to assist with decision making:

- What is the likelihood of the threat posed by the person being realised?
- What is the likely severity of the consequences if this threat is realised?
- What is the time at which the threat may be realised? Notification that occurs very close to the release date can increase the risk of the individual being identified.

Consultation with other agencies

Multi-agency liaison is critical when undertaking notification particularly with Police and Oranga Tamariki.

Consultation with other agencies allows for:

- Sharing information critical to risk management.
- Early detection of escalating risk.

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District Planning Panels

The following people should be involved in the DPP to consider notifications:

- DM
- SM responsible for the case
- Other SMs who have experience in managing CSO notifications
- Principal psychologists and those involved in the person's assessment or treatment
- Senior Advisor Community Engagement and Reintegration (SA CEAR)
- Police Case Manager or local police

Others to involve:

- High Risk Response Team.

Note: The Operations Director must be consulted regarding notifications for CSO's who are high profile and should be advised of all cases where the decision is made to notify.

All DPPs should meet at least once per month to discuss potential notifications. However, districts that have higher volumes of CSOs will be convening more often than this.

Senior Advisor Community Engagement and Reintegration

The Senior Advisors Community Engagement and Reintegration (SA CEAR) have a crucial role in planning notification based on the knowledge of communities they will have and relationships built in those communities that will support notification.

If a person is being released from prison and an address has been identified prior to their release, the community will have been engaged with and notification planning begun.

This planning includes deciding:

- When notification will be made.
- What information will be disclosed during notification.
- Who will be notified.

Online Planning Tool

When making the decision whether to notify, the district manager should complete further online fields in the PLAN online.

This tool is used to guide the district manager through the decision making process and to record the rationale behind any decision about notification. It is also used to plan the notification itself.

Key Considerations before Notifying

The decision to notify needs to be balanced between:

- The rights of the person and their rehabilitation/reintegration, and
- The duty to inform specified individuals of the increased risk of the person.

Where the person is proposing to return to an area where the offence occurred or where they were initially arrested, the impact of notification on raising the person's profile and the possibility of community reaction will also need to be taken into account.

Risks and Impacts of Notification

The risk that notification will result in identification of the victims and/or other protected parties must be taken into account to ensure that the Department is not in contempt of court. Care must be taken to ensure that victims or witnesses are not identified.

The following details should be considered:

- The relationship the CSO had with the victim (i.e. sibling, cousin or relative).
- The area where the offence took place.
- Nature of offending e.g. grooming or opportunistic
- Any other details that are likely to lead to the identification of the victim, witnesses or any other person(s) whose details have been suppressed.

Risk Management Strategies

The extent to what risk management strategies are in place for the offender will need to be considered. The service manager should discuss with the allocated probation officer (PO) when completing the risk mitigation section of the notification document to understand what is in place and provide feedback.

The risk to specified individuals may be mitigated by other strategies, such as:

- Consulting with SA CEAR for information about the community and relationships in the community
- Sharing information with other agencies.
- Support planning meetings.
- Engaging whānau and other support agencies.
- A higher degree of supervision.

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Supported Accommodation / Programmes / Intensive Monitoring

Any notification for CSO's in supported accommodation, subject to intensive monitoring or residential programmes must be discussed first with the Operations Director.

Being in a programme does not exclude the individual from notification; however, the impacts on the programme, and on the provider, and other residents living at the accommodation and the person's rehabilitation will need to be carefully considered.

All cases of ESO IM are subject to notification. Planning for the notification must include the intensive monitoring provider. Staff undertaking notifications in these circumstances should liaise with the Community Partnerships team.

Note: If notification is decided for an individual in supported accommodation the National High Risk Response Team must be informed, as well as the Provider, ahead of the planned notification. Supported accommodation houses where CSOs are regularly placed should be the subject of regular notification (at least annually).

Exceptional Circumstances

In exceptional circumstances, a decision to notify may need to be made immediately. If this occurs, the OD and the SA CEAR must be advised as soon as possible.

Planning with the Ministry of Education (MOE)

Following confirmation that notification will occur, Corrections has a planning meeting with MOE. Prior to this meeting the SA CEAR will have identified the education facilities within a 1.5 km radius of the person's address.

- Corrections and MOE will discuss the identified area and geospatial information from MOE is used to determine if other schools/early childhood centres (ECEs) should be notified.
- MOE makes contact with the schools/ECEs and notification is to occur. That may include meeting with the relevant principals/heads of ECEs dependent on the local arrangements through Memoranda of Understanding.

Planning the Notification

The District Planning Panels are responsible for planning the extent of a notification. In the majority of cases, the SA CEARs will engage with the community approximately 8-9 months prior to a person's release. Once a placement is confirmed the engagement continues and the specific individuals/groups in the community who have been identified for notification are provided with information.

This notification is to occur prior to the placement wherever possible. The scale of engagement and notification is dependent on the risk profile of the person as well as other factors such as media profile. Column 1 of the table below shows who is normally notified. Column 2 refers to other people that might be engaged with and subsequently notified if assessed as necessary and appropriate.

Who we would usually notify	Who else we might engage with in specific circumstances
<ul style="list-style-type: none"> • Immediate neighbours and those who fall in direct line of sight from offenders residence • Schools (principals to notify boards) and other ECEs within a 1.5 km radius • Mayor/council (this notification will be an FYI following the earlier engagement) 	<ul style="list-style-type: none"> • Iwi • MPs • Landlords • Community groups • In-home childcare

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Recording Decisions

All decisions regarding the notification and all planning tasks that are completed must be recorded in the PLAN online.

Note: The operations director must be notified about any notification that is being planned.

Liaison with the Person

Notification and consent should be canvassed with the person before the notification takes place. Discussion should also include strategies to deal with potential adverse reaction following the notification. This should include identifying possible alternative accommodation and what the person could say if confronted by neighbours.

The [CSO Notification Consent Form](#) must be used to record the person's consent. However, the person does not have to consent for notification to take place. Obtaining consent ensures that there is an additional level of compliance with the provisions of the [Privacy Act 2020](#).

After discussion with the individual, a case note should be entered in IOMS confirming the discussion and about when notification will take place.

Alternative Accommodation

The notification plan should include emergency accommodation in the event that the person is unable to remain at their address after notification. This could include accommodation that is provided by:

- The person or their support people.
- The Department - such as supported accommodation or other temporary accommodation.

How to Notify

Notification should be done face-to-face; it should not be made by telephone or through leaflet drops, letters, posters or newspaper articles.

Police presence during notification is valuable and demonstrates a joint approach between Police and Department of Corrections in contributing to community safety.

If the Police are not involved in the notification, they must be informed when notifications are being completed.

If notification is being carried out without the Police, inform your Operations Director.

Visiting the addresses

All people identified as specified individuals must be notified. This may involve:

- Returning to some addresses where neighbours could not be contacted at the first attempt. If neighbours are not contacted on the first attempt a professional decision should be made with regards to how many times is necessary to return to an address in order to attempt notification.
- Sending a letter or make a telephone call to arrange a meeting to notify or request they contact CP for a meeting.

Relaying the key messages

The way the key messages are relayed is important. Notifications should:

- Maintain a focus on keeping safe in the community rather than offender details
- Be professional, calmly approached, and not involve any negative discussions or stereotyping.

Key messages

Information shared should be proportionate to the level of risk identified. Key messages should include:

- That a person with sexual offences against children 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.

Note: This message should be adjusted depending on the audience e.g. focus on community safety, awareness and education when notifying the mayor or a school principal.

What not to disclose

The notification should not include:

- The person's name or address.
- Any information that could lead to the identification of the offender's name or occupation.
- Details of the offending history such as specific convictions or the length of time spent in prison.
- Information that may identify the victims and or witnesses.
- The date of occupancy.
- Areas of the street or surrounds where it is safe/not safe for children to play.

After notification

After notification, the District Manager must:

- Record the details in the community notification regional spreadsheet.
- Update IOMS case notes. If the district manager has not completed the notification themselves then their delegate who attended in their place must update IOMS case notes.
- Update the PLAN online.

Timing of Notification

Notification should take place after the address has been confirmed and prior to the person's release/prior to taking occupancy.

Discussions with the Police Case Manager and local police should involve:

- Any notification they are considering carrying out
- Any issues specific to the area/affected neighbours
- Any issues specific to the CSO
- Agreement on when notification will occur
- Any further involvement, such as Police attendance at the notification

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