



Cabinet

Minute of Decision

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Repeal of the Three Strikes Law

Portfolio **Justice**

On 14 June 2021, Cabinet:

Background

- 1 **noted** that in 2009, the previous National-led government agreed to the worst repeat offenders (three strikes) policy [DOM Min (09) 1/2] and approved for introduction the Sentencing and Parole Reform Bill [CAB Min (09) 5/6];
- 2 **noted** that there is little evidence that the three strikes law has reduced serious offending and, in some cases, has led to disproportionate and excessive sentences for the crime;

Repeal

- 3 **agreed** to repeal the three strikes law;
- 4 **noted** that officials are putting in place a support plan to minimise stress for victims impacted by the repeal of the three strikes law;
- 5 **agreed** that no transitional arrangements will be introduced;
- 6 **agreed** that, on introduction of the Bill, the Minister of Justice invite the Select Committee to consider the issues around transitional arrangements;
- 7 **agreed** that people who have already completed sentences of imprisonment for second or third strike offences will not be eligible to have their sentences modified;
- 8 **agreed** that the legislation should specify that being convicted and/or sentenced under the three strikes regime does not give rise to a claim for compensation or damages;

Legislation

- 9 **noted** that the Three Strikes Legislation Repeal Bill holds a Category 3 priority on the 2021 Legislation Programme (to be passed if possible in 2021);
- 10 **invited** the Minister of Justice to issue drafting instructions to Parliamentary Counsel Office to give effect to the above decisions;

- 11 **authorised** the Minister of Justice, in consultation with the Minister of Corrections, to make additional minor policy decisions in relation to the drafting of legislation which are consistent with the contents of this paper, without further reference to Cabinet.

Michael Webster
Secretary of the Cabinet

RELEASED BY THE MINISTER OF JUSTICE