



New Zealand House of Representatives
Te Whare Māngai o Aotearoa

Justice Committee

Komiti Whiriwhiri Take Ture

54th Parliament

June 2026

Petition of Sam Troth on behalf of The Road to Healing Aotearoa: Implement a minimum sentence of eight years for sexual offending

Petition of Jacinta McGregor: Reform bail and sentencing laws for sex offenders

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Petition of Sam Troth on behalf of The Road to Healing Aotearoa

Petition of Jacinta McGregor

Recommendation

The Justice Committee has considered the following petitions:

- Petition of Sam Troth on behalf of The Road to Healing Aotearoa: Implement a minimum sentence of eight years for sexual offending
- Petition of Jacinta McGregor: Reform bail and sentencing laws for sex offenders.

The committee recommends that the House take note of its report.

Requests for reform of sentencing laws for sexual offending

The petition of Sam Troth on behalf of The Road to Healing Aotearoa was signed by 7,982 people on the Parliament website. It was presented to the House by Laura McClure on 30 October 2025 and transferred to us on 11 December 2025, and requests:

That the House of Representatives implement a minimum sentence of eight years for sexual offending.

The petition of Jacinta McGregor was signed by 1,376 people on the Parliament website. It was presented to the House by Hon Chris Penk on 15 October 2025 and transferred to us on 11 December 2025, and requests:

That the House of Representatives tighten bail and sentencing laws for sex offenders in New Zealand.

Due to the petitions' similar subject matter, we decided to consider them together.

Legislation related to sentencing for sexual offending

The Crimes Act 1961 specifies the maximum possible sentences for people who have been convicted of specific crimes. Part 7 of the Act sets out sexual offences.

While the Crimes Act sets the maximum sentences, the Sentencing Act 2002 provides principles and guidelines to be applied by courts in dealing with offenders. The purposes for which a court may sentence an offender include:

- holding the offender accountable for harm done to the victim
- denouncing the conduct in which the offender was involved
- protecting the community from the offender
- assisting in the offender's rehabilitation and reintegration.

The Sentencing Act specifies that the court must take into account several considerations before determining the length of a sentence. Considerations include mitigating factors,

balancing the desirability of keeping an offender in the community with the safety of the community, and whether a sentence other than imprisonment could be imposed.

Comments from Sam Troth

Sam Troth's petition requests that the House implement a minimum sentence of eight years for sexual offending.

Mr Troth cited a study by the Helen Clark Foundation which stated that approximately 209,000 New Zealanders experience sexual violence each year. According to the petitioner, sexual violence is a leading cause of drug and alcohol addiction, criminal behaviour, gang involvement, and is a precursor to domestic violence.

We heard that one of the core problems with sentencing laws is the inconsistency of sentences for comparable sexual offending. Mr Troth told us there have been cases where an offender has been sentenced to a year of home detention and community work, while another offender has received four years in prison for similar forms of sexual violence. The petitioner considers that allowing sentence discounts based on mitigating factors, such as a guilty plea, lack of prior convictions, good character, or expressions of remorse, is another problem with sentencing laws. He also thinks that early release and parole can undermine public confidence in the justice system and can leave survivors feeling unsafe and questioning whether the justice system provides meaningful accountability.

Mr Troth told us he considers that an eight-year minimum sentence would be an appropriate response to the gravity and lifelong harm caused by sexual offending. He offered several reasons for this view:

- An eight-year minimum sentence would be a serious deterrent for potential offenders by signalling that sexual offending would be met with serious consequences.
- The sentence would provide ample time for an offender to receive the appropriate rehabilitation treatment that could enable them to be released back into the community.
- It would also reduce the wide variety of sentences by establishing a clear standard of accountability that would benefit survivors and the wider community.

Comments from Jacinta McGregor

Jacinta McGregor's petition requests that the House tighten bail and sentencing laws for sex offenders.

According to the petitioner, more than 80 percent of sexual offenders who plead guilty are granted bail while awaiting sentencing. Ms McGregor believes that an offender released on bail, coupled with a lack of appropriate bail conditions, puts victims and communities at risk. She told us that there have been numerous cases of victims encountering their abusers in public places, such as supermarkets, cinemas, and parks, which could be a distressing and retraumatising experience for the victim. Ms McGregor pointed out that once an offender has admitted guilt, the justice system's priorities should be victim safety, community protection, and justice.

In the petitioner's view, another concern is the use of subjective sentencing discounts, especially for good character and showing remorse. She said that, based on anecdotal

evidence, victims find it contradictory and insulting that their abusers receive a reduced sentence for good character and remorse.

Ms McGregor proposes stronger bail conditions for sexual offenders after they have pleaded guilty and are awaiting sentencing. She suggests mandatory electronic monitoring, such as GPS tracking and exclusion zones, and tightening bail conditions to ensure that the offender cannot access public spaces or reside near their victim while on bail. The petitioner also proposes removing sentencing discounts for good character and remorse and including all convicted sexual offenders on a sex offender registry, unless there are exceptional circumstances (for example, a consensual sexual relationship between minors).

Comments from the Ministry of Justice

We sought and received written comments on the two petitions from the Ministry of Justice.

Ministry comments on Sam Troth's petition

The Ministry of Justice explained that a judge can impose a sentence up to the maximum penalty prescribed for the offence in legislation. While sentencing is subject to judicial discretion, a judge must adhere to the principles and purposes of the Sentencing Act. When deciding what sentence to impose on an offender, a judge must consider the gravity of the offending, the seriousness of the offence, and consistency with similar offenders who have committed similar offences. A judge is also required to impose the least restrictive sentence that is appropriate in the circumstances to align with section 9 of the New Zealand Bill of Rights Act 1990.

The ministry told us that it does not recommend mandatory minimum sentences for sexual offending. It pointed out that mandatory minimum sentences could lead to unjust outcomes for minor offending, with significant New Zealand Bill of Rights Act implications, such as being subjected to disproportionately severe treatment or punishment. An eight-year mandatory sentence could also incentivise the offender to plead not guilty, which might result in more cases going to trial, leading to delays.

The ministry explained that within each category of offending there is a spectrum of conduct, from minor through to serious. The current system allows a judge to tailor a sentence to the individual circumstances of the case, so that the penalty is proportionate to the gravity of the offending.

Ministry comments on Jacinta McGregor's petition

Regarding Jacinta McGregor's concerns about bail conditions, the ministry noted that once a person has been found guilty, that person needs to show why they should be granted bail. It explained that a judge, when deciding whether to grant bail, needs to consider:

- whether the person is likely to receive a sentence of imprisonment
- the length of time before the person will be sentenced
- the personal circumstances of the person and their family
- anything else that the judge thinks is relevant.

The ministry pointed out that the views of the victim are considered in any bail decision for serious offences. It noted that bail conditions vary from case to case, but common conditions include specifying the place of residence, non-association with particular individuals, a ban on alcohol consumption, a curfew, and surrendering their passport. The ministry stated that bail can be monitored electronically, but this condition cannot be imposed if less restrictive conditions will suffice.

The ministry questioned the petitioner's claim that over 80 percent of individuals who plead guilty to a sexual offence are released on bail. The ministry told us that this statistic related to the number of people who were released on bail at any stage of the proceedings, not just after they plead guilty or were found guilty. It was unable to provide information on the percentage of offenders who were granted bail between conviction and sentencing for sexual offences.

Recent reforms to sentencing laws

The ministry noted that the Government has made several changes to strengthen sentencing laws. The Sentencing (Reform) Amendment Act 2025, that came into force on 29 June 2025, will prevent unduly lenient sentences by:

- capping sentence discounts that judges can apply at 40 percent when considering personal mitigating factors, such as previous good character
- preventing repeat discounts for youth and expressions of remorse
- introducing new aggravating factors
- limiting the credit that offenders receive for late-stage guilty pleas
- promoting the use of cumulative sentences for offences committed while on bail, in custody, or on parole
- requiring judges to consider any information provided to the court about the victim's interests.

We note that the Government reinstated the three-strikes regime via the Sentencing (Reinstating Three Strikes) Amendment Act 2024, that came into force in June 2025. This regime imposes mandatory escalating penalties for repeat serious violent and sexual offending. Offenders who are convicted of any of the 42 serious violent or sexual offences are given a formal warning with the first conviction, no parole for a subsequent conviction, and the maximum sentence without parole for the third subsequent conviction. The ministry told us that these reforms are expected to increase the number of offenders sentenced to imprisonment and lengthen the term of imprisonment. It said it is monitoring the effects of these reforms.

Our response to the petition

We thank both Mr Troth and Ms McGregor for their advocacy on behalf of victims of sexual offending and expressing concern over bail conditions and subjective sentencing discounts. We recognise that sexual offending causes lifelong harm to the victim and acknowledge that some outcomes determined by the courts do not meet the expectations of victims.

We note that the Crimes Act provides for a spectrum of maximum sentences for sexual offending, from 3 years for an indecent act on a dependent family member under the age of

18, to 20 years for sexual violation. We consider that this range enables a judge to determine a sentence that is appropriate for the type of sexual offending that takes place.

We consider that the changes made by the Sentencing (Reform) Amendment Act 2025 address some of the concerns raised by Ms McGregor about subjective sentencing discounts. This Amendment Act prevents any reduction to a sentence for convictions relating to further offending using the youth or remorse mitigating factors. Further, the Amendment Act also caps any sentence reductions to 40 percent if a sentence of imprisonment is reduced under one or more personal mitigating factors, unless it is manifestly unjust. These factors include:

- the age of the offender
- whether and when the offender pleaded guilty
- whether the offender has, or had at the time of offending, diminished intellectual capacity
- any remorse showing by the offender
- whether the offender has taken steps during the proceedings to shorten the proceedings or reduce their cost
- any evidence of the offender's previous good character.

We consider that these issues are significant. Therefore, we encourage the Justice Committee of the upcoming 55th Parliament to examine how effective these reforms have been when it next considers the annual review of the Ministry of Justice.

Appendix

Committee procedure

The petition of Sam Troth on behalf of The Road to Healing Aotearoa was signed by 7,982 people on the Parliament website. It was presented to the House by Laura McClure on 30 October 2025 and transferred to us on 11 December 2025.

The petition of Jacinta McGregor was signed by 1,376 people on the Parliament website. It was presented to the House by Hon Chris Penk on 15 October 2025 and transferred to us on 11 December 2025.

We met between 29 January and 18 June 2026 to consider both petitions. We received written submissions from Sam Troth, Jacinta McGregor, and the Ministry of Justice and heard oral evidence from Sam Troth and Jacinta McGregor.

Committee members

Hon Andrew Bayly (Chairperson)
Hon Ginny Andersen (until 25 March 2026)
Jamie Arbuckle
Carl Bates
Camilla Belich (from 25 March 2026)
Tākuta Ferris
Rima Nakhle
Dan Rosewarne (from 25 March 2026)
Tom Rutherford
Todd Stephenson
Vanushi Walters (until 25 March 2026)
Hon Dr Duncan Webb
Dr Lawrence Xu-Nan

Related resources

The documents we received as evidence in relation to these petitions are available on the Parliament website:

- [Petition of Sam Troth on behalf of The Road to Healing Aotearoa: Implement a minimum sentence of eight years for sexual offending](#)
- [Petition of Jacinta McGregor: Reform bail and sentencing laws for sex offenders.](#)

A recording of our hearings can be accessed online on [the Parliament website](#), from 1:06.