

1 July 2026

Justice Committee
Parliament Buildings
WELLINGTON

Via email: ju@parliament.govt.nz

Tēnā koe

**DUNEDIN CITY COUNCIL SUBMISSION ON THE SUMMARY OFFENCES (MOVE-ON ORDERS)
AMENDMENT BILL**

1. Thank you for the opportunity to submit on the Summary Offences (Move On Orders) Amendment Bill (the Bill).
2. The Dunedin City Council (DCC) has several concerns about the implications of the proposed changes in the Bill on the most vulnerable members of our community.

The Ōtepoti Dunedin Context

3. The DCC is committed to ensuring its residents live in safe, healthy homes through its Housing Plan, which includes the guiding principle that decent housing is a human right.
4. This commitment is also reflected in the DCC's Social Wellbeing Strategy, through which the DCC provides 940 Community Housing units that meet Healthy Homes standards.
5. The DCC's Housing Policy team, along with other DCC staff, work proactively with the local Police, central government department, and social agencies to care for the city's homeless whānau. This includes connecting them with health, mental health and wraparound support, and facilitating and supporting them into stable accommodation.
6. The DCC is currently in the process of implementing an in-house outreach service approved by Council in April 2026. This service is designed to support vulnerable people and tackle rising homelessness in Ōtepoti Dunedin. The service will directly assist individuals sleeping rough or living in tenuous situations by connecting them with stable housing solutions.

Submission

7. The DCC notes that the Summary Offences Act (the Act) already includes punitive powers to address threatening, obstructive, and intimidating behaviour. These are used when public safety is threatened, but sparingly. The approach taken in Ōtepoti Dunedin is mindful that it is often the most vulnerable people in the city — those facing extreme hardship, and many with complex needs related to mental health and addiction — that are perceived as a threat to public safety.
8. The DCC does not support the new powers in the Bill that will effectively criminalise behaviour that is not inherently harmful, and could undermine local efforts to both address city safety and support people experiencing homelessness and poverty.

9. The DCC notes that the Act already provides for a wide range of low-level crimes such as intimidation, disorderly behaviour, and offensive behaviour, as well as several low-level offences such as urinating in a public place.
10. The DCC notes that some behaviours in a proposed amendment in the Bill — the ability to issue a move-on order — while new, is already covered by the Summary Offences Act and subject to fines or imprisonment. These include:
 - Disorderly behaviour
 - Offensive behaviour or language
 - Disorderly behaviour (three or more people, threat of violence)
 - Intimidation
 - Obstructing a public way.
11. The DCC notes that a proposed amendments in the Bill to include breaching the peace in the Act. Breaching the peace is already in the Crimes Act 1961, which allows for people to be arrested for doing so.
12. The DCC also notes that there are other regulatory powers such section 164 of the Local Government Act 2002 (seizure of property not on private land), which enables a Council officer to seize property. The Council may delegate these powers to the Police. Councils and private property owners also have powers under the Trespass Act 1980.

Begging

13. The DCC is concerned that begging will be subject to a move-on order, with non-compliance being an offence.
14. The DCC notes that begging is a discrete behaviour not always associated with homelessness, but with poverty and is often a temporary or last resort for people.
15. The DCC notes that begging is often passive and not associated with any other negative behaviour. The DCC is concerned that making begging subject to a move-on order could lead to criminalisation through non-compliance with the order.
16. The DCC urges that instead of a move-on order, there are systemic approaches to support people through well-resourced government and non-government organisations that can provide support.
17. The definition of begging in the Bill requires clarity. For example, some fundraising not associated with registered charities could be interpreted as begging within the scope of the definition. Likewise activities such as busking, which are covered by the DCC's Trading in Public Places bylaw, could be read ambiguously .

Rough Sleeping

18. The DCC is concerned about the following risks to people's safety under the amendment to add rough sleeping to the Act, including:
 - Individuals may relocate to areas with reduced CCTU coverage, fewer Police patrols, and less community safety presence

- The perceived risks of a more punitive response may make our homeless whānau less willing to engage with all types of service providers
 - Perceived risk of identifying as homeless makes it harder to engage with and support members of our homeless whānau
 - Existence of the proposed powers may increase expectations on Police to act in cases where there are no related safety issues, occupying their resource and impeding collaborative cross-agency approaches
 - Issuing more fines to people who can't afford them may bring them in, or further in, to the criminal justice system.
19. The DCC is concerned about safety issues for people who are moved on, particularly women and young people. It notes recent research by the Wellington City Council that shows people who are rough sleeping may choose well-lit places to sleep in because they feel relatively safer, or will choose to sleep in daylight.

Conclusion

20. Thank you again for the opportunity to provide feedback on this consultation.
21. The DCC would welcome the opportunity to speak to its submission at any hearings.

Nāku noa, nā



Sophie Barker
MAYOR OF DUNEDIN
TE KOROMATUA O ŌTEPOTI