



s 9(2)(a)

Tēnā koe s 9(2)(a)

Thank you for your email dated 5 November 2025 to Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (the Ministry) requesting the following information under the Official Information Act 1982 (the Act):

Copies of all briefings, reports, aide-mémoire, presentations, internal or inter-agency advice, Cabinet or Ministerial papers, talking points, email communications, or any other documents (including drafts or attachments) that provide information or advice to Ministers, Ministerial offices, senior officials, or other public sector agencies about any proposals, options, or policy work relating to making it illegal, restricted, or otherwise prohibited for homeless people (or people without fixed accommodation) to live, sleep, or stay in particular public areas or localities (for example, central business districts or similar places).

This request also includes copies of all briefings, notes, emails, reports and other papers discussing the potential ramifications or consequences of any such legislation or proposals, including analysis of how such measures might be enforced by Police or other agencies, and the potential social, legal, or human rights impacts of such laws or policies.

This request covers the period from 1 August 2024 to the date of this request, and includes (but is not limited to) any material:

- considering, commenting on, or analysing the potential for legislation, regulatory changes, or local government bylaws with similar intent or effect;*
- relating to enforcement, compliance, policing, or legal frameworks connected to such restrictions;*
- addressing human rights, social policy, housing, or justice implications of such measures;*
- exchanged between your agency and other departments, local authorities, or Ministers' offices on this subject.*

Please include material regardless of whether the proposal proceeded, was rejected, or was only discussed informally or conceptually.

For clarity, this request is deliberately directed to your agency specifically because I am seeking to understand each agency's own involvement, perspectives, or records on this issue. I therefore do not consent to the transfer of this request under section 14 of the Act. If your agency believes another agency may also hold relevant information, please treat this as a request for the material held by your agency, including any correspondence or engagement with those other agencies.

Where a document that falls under scope of this request cannot be released, please supply a summary of that document's contents. Where any document falls under the scope of this request, please release it in full, including sections which might otherwise be considered out of scope.

On 17 November 2025, you refined your request, as it relates to email communications, to:

any sent by Manager-level Ministry employees or above, that provide substantive advice about any proposals, options, or policy work relating to making it illegal, restricted, or otherwise prohibited for homeless people to live, sleep, or stay in particular public areas or localities, or the potential ramifications or consequences of any such legislation or proposals, including analysis of how such measures might be enforced by Police or other agencies, and the potential social, legal, or human rights impacts of such laws or policies.

Thirty-one documents have been found to be within scope of your request. I am refusing to release eight documents under section 18(d) of the Act, on the grounds that they will soon be publicly available. The Ministry is currently preparing our Weekly Reports for publication on our website, and they will soon be available at: www.hud.govt.nz/about-us/open-government-and-official-information-requests.

I have decided to grant your request for 20 documents. These documents will be released to you with some information withheld under the Act. Unfortunately, we require additional time to finalise these documents for release. We will endeavour to provide them to you as soon as possible.

I am releasing three documents to you today with some information withheld under the following sections of the Act:

Section of Act	Reason to withhold
9(2)(a)	To protect the privacy of natural persons.
9(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
9(2)(f)(iv)	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

The documents are detailed in the attached document schedule.

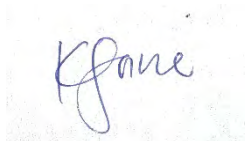
Please note that some correspondence identified as in scope included attachments that were produced by the Ministries of Justice and Social Development. Under normal circumstances we are required under section 14 to transfer your request to these agencies, as it relates to these documents. However, as your request was also made to these agencies, who have advised us that the documents are in scope of their OIA requests, I am not providing them to you in this response.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the decision to withhold information under section 9 of the Act is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review of my response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website at: www.ombudsman.parliament.nz.

As part of our ongoing commitment to openness and transparency, the Ministry proactively releases information and documents that may be of interest to the public. As such, this response, with your personal details removed, may be published on our website.

Nāku noa, nā

A handwritten signature in blue ink that reads "K Garvie". The signature is written in a cursive style with a large initial 'K'.

Kate Garvie

Policy Manager Responding to Severe Housing Need

Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development

Annex A: Document schedule

Documents released – HUD2025-008549			
	Date	Document	Section of the Act applied
2.	22 August 2025	HUD2025-007819: Weekly Report Friday 22 August 2025	Refused under section 18(d)
7.	29 August 2025	HUD2025-007881: Weekly Report Friday 29 August 2025	Refused under section 18(d)
10.	19 September 2025	HUD2025-008103: Weekly Report Friday 19 September 2025	Refused under section 18(d)
11.	26 September 2025	HUD2025-008169: Weekly Report Friday 26 September 2025	Refused under section 18(d)
14.	3 October 2025	HUD2025-008232: Weekly Report Friday 3 October 2025	Refused under section 18(d)
18.	17 October 2025	HUD2025-008346: Weekly Report Friday 17 October 2025	Refused under section 18(d)
22.	23 October 2025	HUD2025-008399: Progress report on short-term actions to address homelessness	9(2)(a) 9(2)(b)(ii) 9(2)(f)(iv)
26.	24 October 2025	HUD2025-008417: Weekly Report Friday 24 October 2025	Refused under section 18(d)
27.	31 October 2025	HUD2025-008479: Weekly Report Friday 31 October 2025	Refused under section 18(d)
30.	4 November 2025 7:45 PM	RE: Update on Auckland Housing First Provider meeting	9(2)(a)
31.	4 November 2025 8:50 PM	RE: Update on Auckland Housing First Provider meeting	9(2)(a)

Documents to be released – HUD2025-008549

	Date	Document	Section of the Act applied
1.	20 August 2024 11:13 AM	FW: IN CONFIDENCE - consultation request re draft briefing on antisocial behaviours in CBDs	9(2)(a)
3.	22 August 2025 2:07 PM	RE: MAG paper for comment by 21 August - anti-social behaviour (homelessness seems to be a key driver)	9(2)(a) 9(2)(f)(iv)
4.	22 August 2025 3:37 PM	FW: Homelessness and Public Disorder	9(2)(a) 9(2)(f)(iv)
5.	22 August 2025	Homelessness briefing for Minister Goldsmith – Summary of HUD information	9(2)(f)(iv)
6.	28 August 2025 2:35 PM	FW: Weekly report things - Justice Ministers and Reset work	9(2)(a) 9(2)(f)(iv)
8.	1 September 2025 10:08 AM	RE: Draft note for Justice Sector Ministers Meeting - public disorder	9(2)(f)(iv)
9.	12 September 2025	HUD2025-007978: Justice Sector Ministers Group Meeting 17 September 2025	9(2)(a) 9(2)(f)(iv)
12.	30 September 2025 1:37 PM	FW: Consultation request re draft briefing on public disorder	9(2)(a)
13.	30 September 2025	HUD feedback Anti-Social Behaviour	9(2)(f)(iv)
15.	9 October 2025	HUD feedback – Public Disorder V2	9(2)(f)(iv)
16.	14 October 2025 4:14 PM	"Move-On Orders" - HUD2025-008366	N/A
17.	15 October 2025 5:28 PM	ASB feedback and information to support next steps	9(2)(f)(iv)
19.	20 October 2025	Summary – Anti-social behaviour	N/A
20.	21 October 2025	HUD2025-008415: Justice Sector Ministers Group Meeting 22 October 2025	9(2)(a)
21.	23 October 2025 9:01 AM	FW: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025 Version.docx [UNCLASSIFIED]	9(2)(a) 9(2)(f)(iv) 18(d)
23.	23 October 2025 1:56 PM	RE: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025 Version.docx UNCLASSIFIED	9(2)(a) 9(2)(f)(iv)
24.	24 October 2025 2:16 PM	RE: For comment: Draft Brief Public disorder - Outstanding policy decisions - due Friday 24 October	N/A
25.	24 October 2025	HUD feedback – Strengthening responses to public disorder – outstanding policy decisions	N/A
28.	31 October 2025	Short Term Actions to Reduce Homelessness dashboard	9(2)(a)

29	31 October 2025 8:51 AM	Auckland CBD meetings 30/10	9(2)(a) 9(2)(b)(ii) 9(2)(f)(iv) 18(d)
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Aide mémoire

PROGRESS REPORT ON SHORT-TERM ACTIONS TO ADDRESS HOMELESSNESS			
To Ministers	Hon Chris Bishop	Portfolio	Housing
	Hon Tama Potaka	Portfolio	Associate Housing
cc	Hon Louise Upston	Portfolio	Social Development and Employment
Date	23/10/2025	Priority	Medium
Tracking number	HUD2025-008399		

CONTACT FOR DISCUSSION			
Name	Position	Telephone	1st contact
Malo Ah-You	General Manager, Place-based	s 9(2)(a)	✓
Rebekah Hood	Policy Manager, Operational Policy	s 9(2)(a)	

OTHER AGENCIES CONSULTED
The Ministry of Social Development (MSD)



Purpose

1. A progress update on the short-term actions to address homelessness led by the Ministry of Housing and Urban Development (HUD), and outline of the planned approach for monitoring and reporting. You will receive an update on the Ministry of Social Development (MSD) led actions through their monthly report.

Context

2. On 5 September 2025, you announced a package of short-term actions to address rough sleeping. The actions are led by HUD and MSD and are focused on people who are living without shelter, including rough sleepers in the main centres of Auckland, Hamilton, Christchurch and Wellington.
3. The actions are:
 - a. Up to 300 additional social homes for people already getting support through Housing First (HUD-led).
 - b. Additional provider-led, local responses for rough sleepers (HUD-led).
 - c. Using transitional housing effectively (HUD-led).
 - d. Strengthening staff guidance on using discretion in assessing emergency housing grants (MSD-led)
 - e. Redirection of benefits towards housing costs (MSD-led).
4. These actions are immediate responses, with further medium- and long-term actions being considered as part of broader system reviews.
5. In addition to these immediate actions, there is existing support for people who are experiencing homelessness. For example, HUD programmes and services such as transitional housing, sustaining tenancies, Housing First, outreach services, and rangatahi supported accommodation.
6. MSD has also implemented a tactical plan that enhances existing relationships with providers and community outreach. The plan enables proactive identification and support for people without shelter to access MSD supports. This includes active engagement with providers, and dedicated MSD staff providing a direct line of support for clients.
7. The short-term actions led out by MSD to strengthen staff guidance on using discretion in assessing emergency housing grants and redirection of benefit have now been implemented and rolled out to staff. The updated guidance provides clear direction on the appropriate use of discretion and redirection, including practical examples to support staff decision making.
8. This report provides you with a progress update on all HUD-led actions as of mid-October and builds on the previous update you have received [HUD2025-008327].



Provider engagement has informed design and implementation

9. Following your announcement, engagement sessions took place in each of the four main centres. This brought together contracted HUD providers who deliver housing and other support services to people who are living without shelter. This was with the aim of utilising their experience and existing contracts to make a difference quickly.
10. These sessions aimed to give providers more detailed information about the package of short-term actions and to discuss options to deliver the intended outcomes. A limited number of Māori providers were involved in this engagement and in the delivery of the actions.
11. Providers were asked to submit proposals for impactful local responses for those living without shelter or at imminent risk of living without shelter. Contract-level discussions were held individually with Housing First providers and associated Community Housing Providers (CHPs) on the additional social homes.
12. Over the past 6 weeks, we have engaged extensively with providers to finalise proposals and work through individual operational and contracting considerations, resulting in steady implementation progress.

Leasing is underway for additional social homes

13. This action delivers up to an additional 300 social housing places (at a cost of \$7.0 million in FY25/26) that are the right typology in the right place for Housing First households who are currently rough sleeping.
14. All providers will have contracts or contract variations by 24 October for their allocations. In Auckland, 62 places have lease agreements with the provider, with s 9(2)(a) . The breakdown across the main centres is outlined below in Table 1.

Table 1: Additional social housing places for Housing First households rough sleeping at mid-October 2025

	AUCKLAND	WELLINGTON	HAMILTON	CHRISTCHURCH	TOTAL
Allocated¹	207	36	31	26	300
Contracted with lease approved²	62	0	0	0	62
Tenanted³	s 9(2)(a)	0	0	0	s 9(2)(a)

¹ **Allocated** refers to the number of housing places that HUD has assigned to providers based on the assessed need (the volume of rough sleepers reported in each region).

² **Contracted with lease approved** refers to the total number of IRRS housing places that have been formally approved by HUD for the provider to lease, passing all necessary pre-contract checks.

³ **Tenanted** means the formal lease agreement has commenced between the provider and the property owner or landlord, a tenancy agreement has been signed, and the tenant has moved in. s 9(2)(a) to date will not appear in official social housing reporting, until the end of October data is published in November.



20. An overview of the confirmed locally-led responses is included in Annex A, which are broadly in the three categories below:
 - a. low barrier immediate access accommodation and enhanced transitional housing services to support more households with complex needs
 - b. housing assistance centres for rough sleepers to feel safe and connect with housing supports
 - c. outreach services that include mental health and addiction support.
21. Additionally in Auckland, Hamilton and Christchurch, approximately \$1.5 million has been allocated from the local response funding to support four providers delivering services above their contracted Housing First volumes. This one-off funding boost is intended to support the identified unhoused Housing First households into the additional 300 places and support these clients to be ready to enter into and maintain their Housing First social housing tenancy.
22. Due to the time-limited nature of the funding, responses have been designed for rapid implementation and easy wind-down, which means that no new buildings or places are being contracted. However, providers have expressed concerns that without additional accommodation, the impact of these services may be constrained. They also noted that the scheduled end of funding in mid-winter could disrupt continuity of support for rough sleepers.
23. A further implementation risk is recruitment, as providers must secure experienced staff quickly. To mitigate this risk we have provided written confirmation of allocated funding in advance of finalising contract variations, to enable providers to start recruiting. We will work closely with providers as they progress implementation to support them with any challenges or delays.

Progress has been made on transitional housing optimisation

24. s 9(2)(f)(iv) [Redacted]
25. s 9(2)(f)(iv) [Redacted]
26. s 9(2)(f)(iv) [Redacted]



27. s 9(2)(f)(iv)
28. HUD revised the transitional housing guidelines on 6 October based on sector feedback, regulatory changes and operational learnings. The changes are operational in nature and clarify operational matters for transitional housing providers in the delivery of the service.
29. We do not anticipate major month-on-month changes in the transitional housing occupancy data due to the size of the portfolio and changes in processes requiring time to take effect. The work we have been doing with providers to improve occupancy is producing small incremental changes, with across-the-month transitional housing occupancy increasing from 88.7% in March 2025 to 90.3% in September, with a 0.5% increase month-on-month to September. More data points are required to confirm a trend and there may be slight fluctuations over time.

A monitoring and reporting dashboard will be shared monthly

30. Ministers will receive a monthly dashboard reporting progress on the HUD actions that will include:
- Summary figures on what has been delivered and how many people have been supported as a result across the three HUD actions.
 - Headline reporting on how many of the **300 social housing places** have been tenanted, and their distribution across Auckland, Hamilton, Wellington and Christchurch.
 - Headline reporting for each of the interventions being funded for the **locally-led responses**, covering what has been spent, and how many people were supported as a result. Where possible this will also include reporting on the characteristics of those supported and what outcomes have been achieved.
 - The change in length of transitional housing place vacancies, month to month, for the **transitional housing optimisation** action.
31. The reporting will be focussed on how many people have been supported by this funding through the actions delivered. The reporting will not cover the impact on the levels of homelessness in a particular place. While actions are delivered, wider socio-economic factors will continue to have a potential impact on the number of people experiencing homelessness.
32. The Homelessness Insights Report will continue to be used to monitor changes in homelessness at a population and local level every 6 months. In the short term it may not be possible to identify any shifts directly resulting from the implementation of these short-term actions in the data for this report, though we do expect to gather some anecdotal insights through our provider sector engagement.



Next steps

33. Ministers will receive the first monthly dashboard (via the HUD Weekly Report) in early December 2025, following finalisation of contracts and as services are stood up. We will continue to provide updates in the weekly report until that time.
34. HUD will continue to work closely with other agencies on homelessness related issues in the main centres and across New Zealand, including monitoring the Ministry of Justice-led work around anti-social behaviour for impact on the effectiveness of actions to address homelessness.

Annexes

Annex A: Place based overview at mid-October 2025.

Annex A Place based overview at mid-October 2025

AUCKLAND

Additional social housing places for Housing First households rough sleeping	
Providers	Visionwest, Kāhui Tū Kaha, LinkPeople
Allocated places	207 places
Contracted with lease approved	62
Tenanted	s 9(2)(a)

Locally-led responses		Costs
Providers	Visionwest, Kāhui Tū Kaha, Auckland City Mission, Lifewise, LinkPeople, Strive, Mā te Huruuru	
Allocated	Enhanced transitional housing to provide immediate access to short term accommodation with additional support services	\$1,820,000
	Increased outreach	\$920,000
	Housing assistance centre	\$940,000
	Additional Housing First support	\$1,343,000
	Total	\$5,023,000

WELLINGTON

Additional social housing places for Housing First households rough sleeping	
Providers	He Herenga Kura/ Poua ki Raro Limited and Downtown City Mission / Dwell
Allocated places	36
Contracted with lease approved	0
Tenanted	0

Locally-led responses		Costs
Providers	Wellington City Mission, Tākiri Mai te Ata, Te Rūnanga O Toa Rangatira, Oasis Network	
Allocated	Enhanced transitional housing for households with high and complex needs	\$230,000
	Increased outreach	\$1,140,000
	Extend Emergency Housing Navigator contract	\$130,000
	Total	\$1,500,000

HAMILTON

Additional social housing places for Housing First households rough sleeping	
Providers	The People's Project/ multiple local CHPs
Allocated places	31
Contracted with lease approved	0
Tenanted	0

Locally-led responses		Costs
Providers	Emerge Aotearoa, Te Rūnanga o Kirikiriroa, Te Whare Korowai Tāngata o Kirikiriroa, The People's Project	
Allocated	Enhanced transitional housing to provide immediate access to short term accommodation with additional support services	\$200,000
	Increased outreach	\$260,000
	Housing assistance centre	\$664,000
	Additional Housing First support	\$520,000
	Total	\$1,644,000

CHRISTCHURCH

Additional social housing places for Housing First households rough sleeping	
Providers	Christchurch Methodist Mission/ Ōtautahi Community Housing Trust
Allocated places	26
Contracted with lease approved	0
Tenanted	0

Locally-led responses		Costs
Providers	Ōtautahi Housing First Collaboration (Christchurch City Mission, Christchurch Methodist Mission, Comcare, Emerge)	
Allocated	Increased outreach	\$1,330,000
	Additional Housing First support	\$171,000
	Total	\$1,501,000

From: [Afoa Malolo](#)
To: [Jo Hogg](#); [Malo Ah-You](#); [Jessica Garland](#)
Subject: RE: Update on Auckland Housing First Provider meeting
Date: Tuesday, 4 November 2025 7:45:00 pm
Attachments: [image002.png](#)
[image004.png](#)
[image010.png](#)
[image012.png](#)
[image001.png](#)
[image003.png](#)
[image005.png](#)

One addition in orange

Afoa Tevita Malolo

Director | Auckland

Delivery Group, Te Tuapapa Kura Kainga – Ministry of Housing and Urban Development

Afoa.Malolo@hud.govt.nz | Mobile: s 9(2)(a)

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From: Jo Hogg <jo.hogg@hud.govt.nz>
Sent: Tuesday, 4 November 2025 7:41 pm
To: Malo Ah-You <malo.ah-you@hud.govt.nz>; Afoa Malolo <Afoa.Malolo@hud.govt.nz>; Jessica Garland <jessica.garland@hud.govt.nz>
Subject: RE: Update on Auckland Housing First Provider meeting

Hi Malo

Some suggestions below in red – I don't think they change the context of the meeting – given that I wasn't there

Thanks

Jo

IN-CONFIDENCE

From: Malo Ah-You <malo.ah-you@hud.govt.nz>
Sent: Tuesday, November 4, 2025 6:55 PM
To: Jo Hogg <jo.hogg@hud.govt.nz>; Afoa Malolo <Afoa.Malolo@hud.govt.nz>; Jessica Garland <jessica.garland@hud.govt.nz>
Subject: Update on Auckland Housing First Provider meeting

Here's my working draft.

Kia ora Korua – here is a read out from the Auckland Housing First Provider meeting today.

Attendees: Helen Robinson (CE, ACM); Brendan Short (ACM); Barbara Browne (CE, Kahui Tu Kaha); Lisa Wolley (CE, Vision West); Pam Elgar (CM Lifewise); Fiona Hamilton (CE, Linkpeople). HUD officials: Jessica Garland (GM Programmes and Contracts); Malo Ah-You (GM, Place-Based); Afoa Malolo (Director Auckland); Tanya Meade (Principal Advisor), and Jessica Etschmaier (Product Lead - TH Services)

Topics discussed

- **Implementing the near term actions to address homelessness**

- 10 million in place funding

- Providers are focussing on standing up their services that are being funded through the \$10 million announced for in-place solutions. Auckland received \$5.048 million. They have all received their contracts from HUD and will be returning them to us as soon as possible.

- 300 IRRS Places

- Providers are actively looking at options to bring on more supply to meet the 207 allocation across Auckland. They have asked officials whether we would consider multiple units on one site. Officials advised that we would consider each application. Providers also noted that any constraints on locations could further delay their ability to bring on more houses quickly.
 - Providers have also agreed to focus on meeting their current contracted IRRS places under their existing Housing First contracts. [this sounds a bit funny – should we say providers will continue to manage their existing HF places and manage vacancies etc]
 - Providers will report daily to HUD have agreed to daily reporting on 207 additional IRRS places as well as any other vacant IRRS places that have not been fitted in their Housing First contract.

- **Working with rough sleepers**

- Some rough sleepers present with high and complex needs and therefore it may take time for the individual to agree to work with the provider to address their needs.
 - Some rough sleepers will refuse all services, including government and non-government, therefore this limits what there is little they can do with this cohort.
 - Providers noted that Ministry of Health, in particular, mental health, drug and alcohol are missing as part of the suite of services to work with rough sleepers. Officials noted that we will continue to ensure that the Ministry of Health are at the inter-agency meeting with Auckland council and other government agencies. We also noted that as part of the in place initiatives providers have included a modest level of health services as part of some of their expanded outreach services.

- **Provider concerns on actions to address homelessness and anti social behaviour in the CBD**

- Providers noted that they are hearing that the government are intending to look at “Move on” orders as a suite of measures to address anti social behaviour. Officials noted that the work we are doing is to respond to rough sleepers in the the four locations announced by ministers.
 - Providers noted that anti social behaviour in the CBD is not done exclusively by rough sleepers.
 - Providers are concerned that referrals to their services will not be rough sleepers but instead individuals who are housed but exhibit anti social behaviour.

Providers noted that shifting location of places away from the CBD is unlikely to work as individuals will return to the city centre.

- **Overall mood from the providers**

- Providers understand the need to bring on services and housing quickly
- Providers are concerned with the “move on” orders as this may target rough sleepers
- The funding announced by Ministers in September will not resolve rough sleeping due to the interim nature of the funding
- In COVID there were about 1000 hotel rooms to support homeless, probably need the same number
- Providers want to be part of the solution and discussion

The above 2 sections feel a little blunt – is all of it necessary given that we are just giving a summary of the meeting and not a blow by blow?

- **Next steps**

- With the Auckland providers agreeing to the daily reporting on the additional IRRS places as well as the IRRS places to meet their current contract volumes, we will now talk to the other providers in the other 3 locations to implement. We are aiming for the daily reporting to start Friday 7 November.
- Officials will work with the Auckland providers to implement their near term actions.

Naku noa, na

Malo Ah-You

General Manager – Place Based

HUD Lead - Pacific Housing

Delivery Group

Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development

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My Executive Assistant is Gaile Walker if you need to get in touch urgently. Email: gaile.walker@hud.govt.nz

IN-CONFIDENCE

From: [Afoa Malolo](#)
To: [Malo Ah-You](#); [Jo Hogg](#); [Jessica Garland](#)
Subject: RE: Update on Auckland Housing First Provider meeting
Date: Tuesday, 4 November 2025 8:49:00 pm
Attachments: [image002.png](#)
[image004.png](#)
[image010.png](#)
[image012.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Thanks Malo, I have no further comments to add to the read-out.

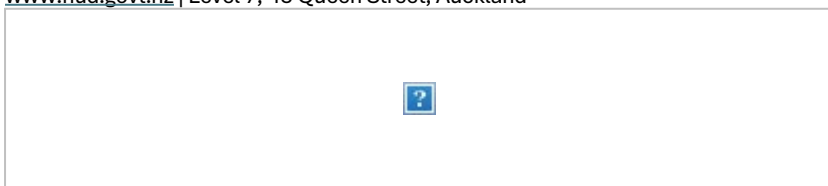
Afoa Tevita Malolo

Director | Auckland

Delivery Group, Te Tuapapa Kura Kainga – Ministry of Housing and Urban Development

Afoa.Malolo@hud.govt.nz | Mobile: s 9(2)(a)

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From: Malo Ah-You <malo.ah-you@hud.govt.nz>

Sent: Tuesday, 4 November 2025 8:35 pm

To: Jo Hogg <jo.hogg@hud.govt.nz>; Jessica Garland <jessica.garland@hud.govt.nz>; Afoa Malolo <Afoa.Malolo@hud.govt.nz>

Subject: FW: Update on Auckland Housing First Provider meeting

Here is the next version incorporating all your feedback. In response to your question (Jo) about the two paras that are blunt. I think we keep those in as ministers may reach out to the providers. I have also put in a line about Minister Browne reaching out to Helen Robinson for our ministers visibility.

Kia ora Korua – here is a read out from the Auckland Housing First Provider meeting today.

Attendees: Helen Robinson (CE, ACM); Brendan Short (ACM); Barbara Browne (CE, Kahui Tu Kaha); Lisa Wolley (CE, Vision West); Pam Elgar (CM Lifewise); Fiona Hamilton (CE, Linkpeople).
HUD officials: Jessica Garland (GM Programmes and Contracts); Malo Ah-You (GM, Place-Based); Afoa Malolo (Director Auckland); Tanya Meade (Principal Advisor), and Jessica Etschmaier (Product Lead - TH Services)

Topics discussed

- **Implementing the near term actions to address homelessness**

10 million in place funding

Providers are focussing on standing up their services that are being funded through the \$10 million announced for in-place solutions. Auckland received \$5.048 million. They have all received their contracts from HUD and will be returning them to us as soon as possible.

- 'Immediate access to TH' solution was noted as key, however providers consider that 35 places (ACM and Kahui tu Kaha combined) is not enough to meet the need.

300 IRRS Places

- HUD discussed the expected pace of delivery with providers. Providers are actively sourcing properties to meet the additional 207 allocation across Auckland. Providers have repositioned senior staff to activate this work. Providers noted that any constraints on locations or number of places in one development/location could further delay their ability to bring on more houses quickly.
- Providers will continue to manage existing IRRS places under their current Housing First contracts to ensure they are being fully utilised.
- Providers will report daily to HUD on 207 additional IRRS places as well as any other vacant IRRS places in their Housing First contract.

● Working with rough sleepers

- Some rough sleepers present with high and complex needs and therefore it may take time for the individual to agree to work with the provider to address their needs.
- Some rough sleepers will refuse all services, including government and non-government, therefore this limits what they can do with this cohort.
- Providers noted that Ministry of Health, in particular, mental health, drug and alcohol are missing as part of the suite of services to work with rough sleepers. Officials noted that we will continue to ensure that the Ministry of Health are at the inter-agency meeting with Auckland council and other government agencies. We also noted that as part of the in place initiatives providers have included a modest level of health services as part of some of their expanded outreach services.

● Provider concerns on actions to address homelessness and anti social behaviour in the CBD

- Providers noted that they are hearing that the government are intending to look at "Move on" orders as a suite of measures to address anti social behaviour. Officials noted that the work we are doing is to respond to rough sleepers in the the four locations announced by ministers.
- Providers noted that anti social behaviour in the CBD is not exclusive to rough sleepers.
- Providers are concerned that referrals to their services will not be rough sleepers but instead individuals who are housed but exhibit anti social behaviour.
- Providers noted that shifting location of places away from the CBD is unlikely to work as individuals will return to the city centre.

● Overall mood from the providers

- Providers understand the need to bring on services and housing quickly
- Providers are concerned with the "move on" orders as this may target rough sleepers
- The funding announced by Ministers in September will not resolve rough sleeping due to the interim nature of the funding and growing need
- In COVID there were about 1000 hotel rooms to support homeless, probably need

the same number

- Providers want to be part of the solution and discussion

- **Next steps**

- daily reporting on the additional IRRS places as well as any other **vacant** IRRS places in their Housing First contract to start Friday 7 November.
- Officials will work with the Auckland providers to implement their near term action
- **The next group meeting with Auckland HF providers will occur in 3-4 weeks.**

We have also been informed that Minister Browne is reaching out to Helen Robinson tonight. We do not yet know the reason for the call, but most likely relating to the work he is leading on the Auckland CBD. We will provide a further update on this if we know more.

Naku noa, na

Malo Ah-You

General Manager – Place Based

HUD Lead - Pacific Housing

Delivery Group

Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Deve

Malo.Ah-You@hud.govt.nz | Phone: +64 4 830 6991 | Mobile: S 9(2)(a)

www.hud.govt.nz | Level 7,7 Waterloo Quay, Pipitea, Wellington

My Executive Assistant is Gaile Walker if you need to get in touch urgently. Email: gaile.walker@hud.govt.nz

IN-CONFIDENCE

From: s 9(2)(a)
To: Laura Miller; s 9(2)(a)
Subject: FW: IN CONFIDENCE - consultation request re draft briefing on antisocial behaviours in CBDs
Date: Tuesday, 20 August 2024 11:15:51 am
Attachments: [image001.png](#)
[image007.png](#)
[image009.png](#)
[image011.jpg](#)
[FW IN CONFIDENCE - consultation request re draft briefing on antisocial behaviours in CBDs.msg](#)
[image006.png](#)
[image008.png](#)
[image010.png](#)
[image012.jpg](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image017.jpg](#)

Kia ora kōrua

As we discussed in our catch-up yesterday – the comment that went back to Justice. Also attached is the material they sent us, including the draft Members Bill and the draft advice. Happy to discuss any of it.

Ngā mihi

s 9(2)(a)

IN-CONFIDENCE

From: s 9(2)(a)
Sent: Monday, August 12, 2024 8:09 AM
To: s 9(2)(a) @justice.govt.nz>
Subject: RE: IN CONFIDENCE - consultation request re draft briefing on antisocial behaviours in CBDs

Mōrena s 9(2)(a)

Thanks for the extra time. We have just been through our finalisation of changes to our policy group and last week was very busy as new teams were set up and work was shifted around.

We would commonly use the term people experiencing homelessness rather than homeless people. The definition of homelessness used in New Zealand (and other jurisdictions) includes people who are without shelter (e.g., 'sleeping rough' or in cars, outbuildings), or people in temporary accommodation (e.g., motels, caravans, shelters and refuges, or emergency and transition housing), people living in overcrowded properties, or in uninhabitable buildings (those that lack amenities). It is quite broad. It might be useful to note this in the paper, and include a reference to the Stats NZ definition of [homelessness](#). If the comments from retailers in Auckland CBD is in relation to any particular segment(s) of the homeless population, for example, it would be good if the paper was a bit clearer on this (eg people who are rough sleeping).

The paper links homelessness and anti-social behaviour in ways that suggest homelessness itself is an anti-social behaviour, or that anti-social behaviours are particularly associated with or arise because of homelessness. We don't think this is intended. In some places the briefing does acknowledge that behaviours such as aggressive begging may be undertaken by people who are not homeless, but in others (for example, see comment on para 16 below), it suggests homelessness is an anti-social behaviour or that homelessness has associated anti-social behaviours. We think the paper would benefit from being very clear on the particular behaviours it is suggesting that new tools are needed to deal with, and then it

can discuss links to the homeless population specifically, and/or the effects such tools might have (including unintended consequences, ineffectiveness, inability to pay, nowhere to move along to, restrictions on access to services, risk of predation, criminalising survival behaviours etc).

s 9(2)(f)(iv)

People who are well housed also have poor mental health which can present in ways which are unsettling for others, and result in other people feeling unsafe. Perhaps the paras 11 to 13 could also just concentrate on anti-social behaviours without referring to people experiencing homelessness or focus on the behaviours the tools are intended for.

The paper makes it clear that rough sleeping is not a criminal behaviour and rough sleeping by itself is also not generally considered an anti-social behaviour. In para 12, the reporting of comments from Councils and providers seems to suggest a vast majority of harmful anti-social behaviour in city centres can be attributed to homelessness. This is because of the use of the words “not all” which suggests most can be. We also wonder about the use of ‘harmful’ in this paragraph as suggesting that anti-social behaviour is either harmful or not harmful.

s 9(2)(f)(iv)

The observation in para 16 that ‘many in the community may feel it is unfair for homelessness and other anti-social behaviours to deter more legitimate use of public spaces’ does cause us some concern, particularly the phrasing of “homelessness and other anti-social behaviours” (see point earlier about homelessness not being an anti-social behaviour of itself). The sentence also implies that there it is less legitimate for people experiencing homelessness to use public spaces than people who have stable housing. We suggest removing the reference to homelessness.

s 9(2)(f)(iv)

s 9(2)(f)(iv)

We also agree that caution is needed with move on orders, particularly for people experiencing homelessness, as in addition to your point about accessing the outreach, health, shelter, and other social services they need, these people may have nowhere else safe to go (people who are rough sleeping are at risk particularly women and young people. People who are rough sleeping, are often not in receipt of any financial assistance from MSD (as they require addresses for this) and may not be able to pay even the most minor infringement fee, putting them at risk of further action. Similarly, they would lack the resources to challenge an infringement fee through the District Court. Could consultation include community providers as well as agencies and councils, to ensure that Ministers are best informed before making policy decisions.

We also suggest you also recommend your Minister sharing the briefing and consult with Housing, Health,

and Social Development Ministers before making policy decisions.

Thank you again for the opportunity to comment, and apologies for taking a little longer to get back to you than hoped for. Let me know if you want to discuss any of the above.

Ngā mihi

s 9(2)(a)

s 9(2)(a) (she/her)

Principal Policy Advisor | Responding to Severe Housing Needs
Policy Group

www.hud.govt.nz | Level 8, 7 Waterloo Quay, Pipitea, Wellington

From: s 9(2)(a) @justice.govt.nz>

Sent: Friday, August 9, 2024 9:03 AM

To: s 9(2)(a) @hud.govt.nz>

Subject: RE: IN CONFIDENCE - consultation request re draft briefing on antisocial behaviours in CBDs

Kia ora s 9(2)(a)

That's all good – we've got several stages of review planned so even by COP today and we can still work with it on Monday.

Thank you again.

Cheers,

s 9(2)(a)

IN-CONFIDENCE

From: s 9(2)(a) @hud.govt.nz>

Sent: Friday, August 9, 2024 7:18 AM

To: s 9(2)(a) justice.govt.nz>

Subject: RE: IN CONFIDENCE - consultation request re draft briefing on antisocial behaviours in CBDs

Kia ora s 9(2)(a)

Thank you for sending through. I haven't been able to get back to today unfortunately but will send you comment through tomorrow before midday. Hopefully, that doesn't affect your timeline too much.

Ngā mihi

s 9(2)(a)

s 9(2)(a) (she/her)

Principal Policy Advisor

IN-CONFIDENCE

From: s 9(2)(a) @justice.govt.nz>
Sent: Tuesday, August 6, 2024 3:22 PM
To: s 9(2)(a) @hud.govt.nz>
Subject: FW: IN CONFIDENCE - consultation request re draft briefing on antisocial behaviours in CBDs

Kia ora s 9(2)(a)

I have just sent the below email to Melanie and have been told that you would also be a good person to send this to (via Charlie Russell). I appreciate the short timeframe may limit any advice or comment you can provide and my apologies for that.

Please see below and attached.

Ngā mihi,

s 9(2)(a)

s 9(2)(a) (he/him)
Senior Advisor | Criminal Law Policy
Mobile s 9(2)(a)
www.justice.govt.nz

From: s 9(2)(a)
Sent: Tuesday, August 6, 2024 3:17 PM
To: 'melanie.smith@hud.govt.nz' <melanie.smith@hud.govt.nz>
Subject: IN CONFIDENCE - consultation request re draft briefing on antisocial behaviours in CBDs

Kia ora Melanie,

I have been pointed your way by Hanna Matthews at MoJ. We are providing advice in relation to anti-social behaviour in CBDs and we may be a little light on the context. The advice has been put together rather quickly, and we're working to a short timeframe, but I'm wondering if you have any capacity to comment or talk online about the issues in the briefing. We're trying to be sensitive around how we frame the 'problem' so please excuse any instances where we may have erred there as this is very much still a working draft. And apologies for the short timeframe, I fully appreciate this may not be workable for you or your team.

Attached for your comment, if you have the time and capacity, is a draft briefing about tools to address homelessness in city centres. The paper is in response to concerns raised by retailers, particularly in city

centres, that homeless people are bringing anti-social behaviour to CBDs and generally making people feel unsafe.

The options in the draft briefing are:

- Move on orders: a tool enabling a Police officer to ask someone to immediately leave an area and not return for a specified period of time. Similar powers are available in Australia.
- s 9(2)(f)(iv)

In addition to the draft briefing, s 9(2)(f)(iv) and a draft appendix to the briefing that covers Australian move-on type powers (which you likely do not need to read).

Any comments you can provide on the paper would be much appreciated by **3 pm Thursday 8 August**. And please let me know if this timeframe is not feasible.

The briefing is due to the Minister on 14 August.

Please let me know if you have any questions or would like to discuss anything further.

Ngā mihi,

s 9(2)(a)

s 9(2)(a) (he/him)

Senior Advisor | Criminal Law Policy

Mobile s 9(2)(a)

www.justice.govt.nz

Disclaimer

This email is confidential and solely for the use of the intended recipient. If you have received this email in error, then any use is strictly prohibited. Please notify us immediately and delete all copies of this email and any attachments. Any opinions expressed in this message are not necessarily those of the Ministry of Housing and Urban Development.

From: [Laura Miller](#)
To: s 9(2)(a) [@retailmag.govt.nz](#); [policy@retailmag.govt.nz](#)
Cc: s 9(2)(a)
Subject: RE: MAG paper for comment by 21 August - anti-social behaviour (homelessness seems to be a key driver)
Date: Friday, 22 August 2025 2:07:00 pm
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image011.jpg](#)
[image013.png](#)
[Anti-social behaviour - final HUD feedback.docx](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image012.jpg](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.jpg](#)

Kia ora s 9(2)(a)

Thank you for the opportunity to comment on the MAG paper, we really appreciate you sharing it with us.

Please find our comments attached, we would be happy to discuss these with you or your colleagues. If that would be useful just let me know.

Thanks

Laura

Laura Miller (she/her)

Policy Manager | Responding to Severe Housing Needs | Policy Group

Mobile: s 9(2)(a)

From: Laura Miller

Sent: Thursday, 21 August 2025 4:56 pm

To: s 9(2)(a) [@retailmag.govt.nz](#); [policy@retailmag.govt.nz](#)

Subject: RE: MAG paper for comment by 21 August - anti-social behaviour (homelessness seems to be a key driver)

Kia ora

I just wanted to touch base about these comments. We have looked at the paper and will have some comments but not until tomorrow – I hope that's ok. I will try to get them to you as early as possible tomorrow.

Thanks

Laura

Laura Miller ([she/her](#))

Policy Manager | Responding to Severe Housing Needs | Policy Group
Mobile: s 9(2)(a)

From: s 9(2)(a) <[redacted]@retailmag.govt.nz>
Sent: Wednesday, 13 August 2025 1:11 pm
To: s 9(2)(a) <[redacted]@hud.govt.nz>
Cc: Jason Frick <Jason.Frick@retailmag.govt.nz>; Policy Team <policy@retailmag.govt.nz>; s 9(2)(a) <[redacted]@justice.govt.nz>
Subject: MAG paper for comment by 21 August - anti-social behaviour

Kia ora s 9(2)(a)

See attached our options paper on responding to anti-social behaviour. We'd appreciate comments back by Thursday 21 August. Please send feedback to me and policy@retailmag.govt.nz.

Appreciating this has potentially come out of the blue, we are happy to meet and outline the proposals and let me know if next Thursday is going to be too soon to comment. Note commenting is not mandatory - we are keeping you in the loop.

The paper considers:

- **Option 1: move-on orders** – a new tool for Police and/or Councils to move a person on to a different location if that person is behaving anti-socially
- **Option 2: new criminal offences** for criminal offending that victimises retail workers
- **Option 3: additional powers for councils** to enforce by-laws
- **Option 4: geographic bans** on certain behaviour, like begging, in certain areas (for example, around a cash machine)
- **Option 5: government action plan** or policy statement to address anti-social behaviour, which could 'wrap up' the other actions into a cohesive strategy
- **Option 6: court-issued civil orders** – an order requiring a person to stay away from certain locations and undertake rehabilitation to address underlying issues

The team and I are happy to meet and discuss any questions or feedback you wish to provide.

I would appreciate it if you could acknowledge receipt of this email.

Ngā Mihi
Nick

s 9(2)(a)

Principal Policy Advisor

Ministerial Advisory Group for Victims of Retail Crime

Government of New Zealand

Email s 9(2)(a) [@RetailMAG.govt.nz](mailto:s 9(2)(a)@RetailMAG.govt.nz)

Phone s 9(2)(a)

Driving better outcomes for safer communities and businesses in New Zealand

HUD feedback Anti-Social Behaviour

Links to HUD work

There are a number of potential connections to HUD work, such as short-term responses to address homelessness, and Government Target 8 including early intervention responses, as well as targeted supports such as youth transitional housing, outreach services, and the Housing First programme. We would like to be kept informed about this work as it progresses and involved in the future development of these options.

Definitions

Recommendations:

1. We would commonly use the term people experiencing homelessness rather than homeless people.
2. We recommend using the Stats definition of homelessness.

The definition of homelessness in used in New Zealand (and other jurisdictions) includes people who are without shelter (e.g., 'sleeping rough' or in cars, outbuildings), or people in temporary accommodation (e.g., motels, caravans, shelters and refuges, or emergency and transition housing), people living in overcrowded properties, or in uninhabitable buildings (those that lack amenities).

Distinction between anti-social behaviours and people experiencing homelessness

Context:

The paper links homelessness and anti-social behaviours in ways that suggest these behaviours are particularly associated with or arise because of homelessness. We don't think this is intended.

We note that data on which populations are engaging in anti-social behaviours is currently unclear and more work may be needed to understand more about these specific populations.

The paper provides an example of a person experiencing a mental health crisis, noting that that this may appear anti-social but is not technically breaching the law. We also acknowledge that people who are well-housed can also have poor mental health which can present in ways which are unsettling for others, and result in other people feeling unsafe. We think this highlights the wide range of factors that could be contributing to anti-social behaviour and demonstrates the importance of a co-ordinated cross-sector approach to address the full range of a person's needs. For example, increased treatment and support options for mental health is likely to have an impact on reducing anti-social behaviour.

Recommendations:

1. We recommend emphasising that not all anti-social behaviour is by people who are experiencing homelessness, and not all people who experience homelessness engage in anti-social behaviour.
2. We think the paper would benefit from a focus on the particular behaviours it is suggesting that new tools are needed for, rather than potential populations.
3. We recommend additional work to understand more about who is engaging in anti-social behaviour. This may enable us to better understand the potential impacts or

effects such tools might have (including unintended consequences, ineffectiveness, inability to pay, nowhere to move to, restrictions on access to services, risk of predation, and criminalising survival behaviours).

Move-on orders

Context:

Careful consideration is needed when looking at move on orders, particularly for people experiencing homelessness, as in addition to the paper's point about referrals to the appropriate services they need, these people may have nowhere else safe to go (people who are rough sleeping are at risk particularly women and young people).

People who are rough sleeping, may not be in receipt of any financial assistance from MSD (as they require addresses for this) and may not be able to pay even the most minor infringement fee, putting them at risk of further action. Similarly, they would lack the resources to challenge an infringement fee through the District Court.

We agree that safeguards need to be put in place to prevent the use of move-on orders as a mechanism to effectively criminalise homelessness. These safeguards need to include considerations such as who would be able to make these decisions, distinctions between anti-social behaviour and people experiencing homelessness, and ability to challenge decisions.

An example of exemptions and safeguards includes the Self-Contained Motor Vehicles Legislation Act 2023, which created an exemption from the freedom camping rules for those that are experiencing homelessness. It also mandated a review on the effect on homelessness by this regulation.

Recommendations:

1. We recommend more work to understand potential impacts, in partnership with relevant agencies and support providers.
2. Could consultation include frontline community providers as well as agencies and councils, to ensure that Ministers are best informed before making policy decisions.
3. More information is needed on where people would be moved to and whether this could contribute to re-locating anti-social behaviour only, rather than addressing it. For example, what options would be available to people who aren't able to access support services.

Geographic bans

Context:

Considerations of geographic bans should be treated with caution.

Recommendations:

1. We recommend more work to understand the potential impacts of these bans, including mapping against the locations of support services and accommodations, which may also be concentrated in central areas. It would be good to include support service providers in this.

Effectiveness of punitive approaches is limited

Context:

Law enforcement is often an inappropriate and ineffective response to homelessness but can be an effective tool in the wider response to anti-social behaviours. Prosecutions and punitive approaches, including civil orders, for those who are homeless or at risk of homelessness is likely to exacerbate their situation.

If implemented, it is important that any supporting settings and criteria are clear on identifying the difference between where a punitive vs supportive approach may be more appropriate.

Recommendations:

1. We recommend emphasising the potential tools available to law enforcement to address anti-social behaviours in retail spaces without reference to addressing homelessness, which is best addressed through collaborative place-based approaches between councils, service providers (health, social, housing), and relevant government agencies (including HUD, Health, MSD, and Police).
2. Note that criminal records often limit the availability of housing solutions for people and we recommend more work to understand to what extent is the risk of further entrenching homelessness being considered.

Support services

Context:

Homelessness is complex and caused by a wide range of structural and system failures (e.g., poverty, supply and access to affordable housing, employment, health care), rather than a personal failure or issue. Family breakdown, loss of employment or income, health conditions, and trauma such as family violence or other forms of victimisation are some of the many and complex causes of homelessness.

Any responses to address or provide support needs to take this into account to ensure that any responses are responding appropriately to need rather than overservicing or responding punitively.

It is worth noting the barriers that people can face in seeking support, including experiences of discrimination, stigma, and distrust in government.

We agree that partnerships with social organisations and providers are important.

Recommendations:

1. We consider more work is needed to understand the feasibility and impact of referrals to support services for people with no fixed abode (would this include people who move between residential addresses, e.g., sleeping in someone's garage for a few nights/weeks, on a living room for a few nights, under a bridge, in emergency housing etc).
2. We recommend that agencies and providers would need to work together on what appropriate services refers to, and what the appropriate identification and referral pathways would look like. This may need to include additional funding and considerations of provider capacity, as there may be limited additional capacity in support services.

From: [Jeremy Steele](#)
To: [Colin Lynch](#)
Subject: FW: Homelessness and Public Disorder
Date: Friday, 22 August 2025 3:37:13 pm
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image006.png](#)
[image008.jpg](#)
[1. Anti-social behaviour - final HUD feedback.pdf](#)
[2. HUD2025-007568 REP257576 - Advice on short-term actions to address homelessness.pdf](#)
[3. HUD2025-007725 REP258623 - Further advice on short term actions to address homelessness.pdf](#)
[3a. HUD2025-007725 REP258623 - Annex A Location specific overview.pdf](#)
[3b. HUD2025-007725 REP258623 - Annex B Draft Cabinet paper on actions to address increases in people living without shelter.pdf](#)
[4. HUD Homelessness insights report June 2025.pdf](#)
[5. HUD Homelessness insights report June 2025 A3 Version.pdf](#)
[Summary of HUD information.pdf](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.jpg](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.jpg](#)

Just a heads up on the Homelessness and Public Disorder work.

Jeremy Steele ([he/him](#))

General Manager | Housing Supports and Supply
Policy Group

jeremy.steele@hud.govt.nz | Phone: +64 4 8322471 | Mobile: **s 9(2)(a)**
www.hud.govt.nz | Level 8 | 7 WQ, 7 Waterloo Quay, Wellington

IN-CONFIDENCE

From: Laura Miller <Laura.Miller@hud.govt.nz>
Sent: Friday, August 22, 2025 3:03 PM
To: Jeremy Steele <Jeremy.Steele@hud.govt.nz>
Subject: FW: Homelessness and Public Disorder

Hi Jeremy

This is the material we have sent to MoJ to support the paper they are doing for the Justice Sector Ministers group.

s 9(2)(a) I met with MoJ yesterday to discuss this, alongside MSD. The other attendees were:

Justice

Caroline Greaney - Deputy Secretary

Emily Douglas - Policy Manager, Support Team

Sally Wheeler - Policy Manager, Criminal Justice

MSD

Julia Bergman - GM Housing

Alex McKenzie - Manager Housing Policy

Caroline outlined the context, including previous MoJ interactions with the Retail Crime MAG, and previous Ministerial conversations on this topic.

MoJ have been asked to produce a short note on homelessness, giving a sense of size and scale of the problem, geographical data and work underway, as part of the meeting papers for the next Justice Sector Ministers group in early September. Both housing Ministers and Minister Upston are likely to be invited to the meeting. It is unlikely the Retail Crime MAG paper that we commented on today will be ready for discussion at that meeting. MoJ will likely reflect to the Justice Ministers group that the advice is under development and coming shortly.

HUD and MSD were asked to provide relevant papers as background information for the MoJ team to draw on – see attached. We are also checking whether we have any further useful information on Auckland specifically, if we do we will send that separately – we thought it best to get the material to them asap.

MoJ will hold the pen on developing the note for the Minister's meeting. We anticipate that the note will be shared with us in due course.

We will let you know if there is further work or when we see the note. Happy to discuss later too if it would be helpful.

Just to note we have also sent feedback to the Retail Crime MAG on their draft paper as requested – that is one of the pieces we attached for MoJ.

Thanks
Laura

IN-CONFIDENCE

From: s 9(2)(a) @hud.govt.nz>
Sent: Friday, 22 August 2025 2:23 pm
To: Caroline.Greaney@justice.govt.nz
Cc: s 9(2)(a) @hud.govt.nz>; s 9(2)(a) @hud.govt.nz>
Subject: FW: Homelessness and Public Disorder

Tēnā koe Caroline,

Thank you for meeting with us yesterday to discuss an upcoming paper for Minister Goldsmith on homelessness and public disorder.

Following on from our discussion, please find attached the following documents:

1. HUD feedback on the Ministerial Advisory Group's 'Anti-social behaviour around retail settings' options paper (22 August 2025).
2. Joint HUD-MSD Briefing: Advice on short-term actions to address homelessness (1 August 2025).
3. Joint HUD-MSD Briefing: Further advice on short-term actions to address homelessness (14 August 2025), including:
 - a. Annex A – Location specific overview; and

- b. Annex B – Draft Cabinet paper.
4. HUD Homelessness Insights Report (June 2025).
5. HUD Homelessness Insights Report A3 Summary Version (June 2025).

We have also provided a summary document providing an overview of the key points from across these attachments.

Please let us know if you need anything further. We look forward to continuing to work with you on this.

Ngā mihi,

s 9(2)(a) (she/her)
Senior Policy Advisor | Responding to Severe Housing Needs
Policy Group
s 9(2)(a)
www.hud.govt.nz | L8, 7WQ, 7 Waterloo Quay, Wellington 6011 | New Zealand

IN-CONFIDENCE

From: Greaney, Caroline <Caroline.Greaney@justice.govt.nz>
Sent: Wednesday, 20 August 2025 7:42 am
To: Colin Lynch <Colin.Lynch@hud.govt.nz>; s 9(2)(a) <[s 9\(2\)\(a\)@msd.govt.nz](mailto:s 9(2)(a)@msd.govt.nz)>
Cc: Orange, Ryan <Ryan.Orange@justice.govt.nz>
Subject: FW: Homelessness and Public Disorder

Kia ora Simon and Colin (and great to see you yesterday Colin!)

I'm forwarding you an email from our Justice Sector Directorate, and hoping that you maybe able to assist with this request from Hon Goldsmith for a paper relating to Homelessness and Public Disorder. I'm just working out who will lead on this at our end – if you could please let me know who the key contacts would be in your agencies that would be greatly appreciated. As Ryan suggests in his email, we're optimistically hoping we can recycle existing material you may already have on this topic – and then we'll add the bit about enforcement options.

As always – timeframes are tight, with a paper due to our Minister on 3 September. Please do give me a call if you would like to discuss – I'm on s 9(2)(a) Caroline

From: Orange, Ryan <Ryan.Orange@justice.govt.nz>
Sent: Tuesday, August 19, 2025 4:46 PM
To: Greaney, Caroline <Caroline.Greaney@justice.govt.nz>
Cc: Harris, Lison <Lison.Harris@justice.govt.nz>; s 9(2)(a) <[s 9\(2\)\(a\)@justice.govt.nz](mailto:s 9(2)(a)@justice.govt.nz)>;

Wheeler, Sally <Sally.Wheeler@justice.govt.nz>; s 9(2)(a) [REDACTED] <[\[REDACTED\]@justice.govt.nz](mailto:[REDACTED]@justice.govt.nz)>

Subject: Homelessness and Public Disorder

Kia ora Caroline and colleagues

Minister Goldsmith has followed up his earlier questions at Officials by requesting an agenda item at the 17 September Justice Sector Ministers meeting regarding the intersection between homelessness and public disorder. He indicated that Ministers Upston, Potaka and Doocey, and possibly Minister Bishop should be invited to join for the item alongside officials from MSD, HUD and Kainga Ora.

This is all of the guidance we currently have.

We anticipate that the agenda item would need a succinct paper and/or A3 that summarised key data on homelessness, drivers of homelessness, the connection between homelessness and perpetrating/being a victim of crime, and legislative/enforcement options regarding taking action on public disorder associated with homelessness.

This material would ideally be included in the draft JSMM pack provided to Minister Goldsmith for his review on 3 September, prior to distribution of the final pack on 8 September.

I am hoping that MoJ Policy can take the lead on connecting with relevant policy teams (MSD/HUD) to pull together this material, potentially leveraging joint collateral they will have developed to support work on Government Target 8. I would emphasise that the contextual material should be succinct and reuse content that already exists.

I know you will have no capacity available for this work, but I assume Minister Goldsmith will be looking to MoJ Policy to lead the discussion on possible legislative options.

Very happy to discuss.

Ryan



Ryan Orange | Executive Director
Justice Sector
Mobile: s 9(2)(a) [REDACTED]
ryan.orange@justice.govt.nz

Providing better outcomes for Aotearoa through strong sector collaboration

HUD2025-007568: Advice on short-term actions to address homelessness and *HUD2025-007725: Further advice on short-term actions to address homelessness* available at www.hud.govt.nz/assets/Uploads/Documents/Proactive-Releases/November-2025/HUD2025-008061-Response_Redacted.pdf

Homelessness Insights Report June 2025 available at: www.hud.govt.nz/documents/homelessness-insights-report-june-2025

HUD feedback Anti-Social Behaviour

Links to HUD work

There are a number of potential connections to HUD work, such as short-term responses to address homelessness, and Government Target 8 including early intervention responses, as well as targeted supports such as youth transitional housing, outreach services, and the Housing First programme. We would like to be kept informed about this work as it progresses and involved in the future development of these options.

Definitions

Recommendations:

1. We would commonly use the term people experiencing homelessness rather than homeless people.
2. We recommend using the Stats definition of homelessness.

The definition of homelessness in used in New Zealand (and other jurisdictions) includes people who are without shelter (e.g., 'sleeping rough' or in cars, outbuildings), or people in temporary accommodation (e.g., motels, caravans, shelters and refuges, or emergency and transition housing), people living in overcrowded properties, or in uninhabitable buildings (those that lack amenities).

Distinction between anti-social behaviours and people experiencing homelessness

Context:

The paper links homelessness and anti-social behaviours in ways that suggest these behaviours are particularly associated with or arise because of homelessness. We don't think this is intended.

We note that data on which populations are engaging in anti-social behaviours is currently unclear and more work may be needed to understand more about these specific populations.

The paper provides an example of a person experiencing a mental health crisis, noting that that this may appear anti-social but is not technically breaching the law. We also acknowledge that people who are well-housed can also have poor mental health which can present in ways which are unsettling for others, and result in other people feeling unsafe. We think this highlights the wide range of factors that could be contributing to anti-social behaviour and demonstrates the importance of a co-ordinated cross-sector approach to address the full range of a person's needs. For example, increased treatment and support options for mental health is likely to have an impact on reducing anti-social behaviour.

Recommendations:

1. We recommend emphasising that not all anti-social behaviour is by people who are experiencing homelessness, and not all people who experience homelessness engage in anti-social behaviour.
2. We think the paper would benefit from a focus on the particular behaviours it is suggesting that new tools are needed for, rather than potential populations.
3. We recommend additional work to understand more about who is engaging in anti-social behaviour. This may enable us to better understand the potential impacts or

effects such tools might have (including unintended consequences, ineffectiveness, inability to pay, nowhere to move to, restrictions on access to services, risk of predation, and criminalising survival behaviours).

Move-on orders

Context:

Careful consideration is needed when looking at move on orders, particularly for people experiencing homelessness, as in addition to the paper's point about referrals to the appropriate services they need, these people may have nowhere else safe to go (people who are rough sleeping are at risk particularly women and young people).

People who are rough sleeping, may not be in receipt of any financial assistance from MSD (as they require addresses for this) and may not be able to pay even the most minor infringement fee, putting them at risk of further action. Similarly, they would lack the resources to challenge an infringement fee through the District Court.

We agree that safeguards need to be put in place to prevent the use of move-on orders as a mechanism to effectively criminalise homelessness. These safeguards need to include considerations such as who would be able to make these decisions, distinctions between anti-social behaviour and people experiencing homelessness, and ability to challenge decisions.

An example of exemptions and safeguards includes the Self-Contained Motor Vehicles Legislation Act 2023, which created an exemption from the freedom camping rules for those that are experiencing homelessness. It also mandated a review on the effect on homelessness by this regulation.

Recommendations:

1. We recommend more work to understand potential impacts, in partnership with relevant agencies and support providers.
2. Could consultation include frontline community providers as well as agencies and councils, to ensure that Ministers are best informed before making policy decisions.
3. More information is needed on where people would be moved to and whether this could contribute to re-locating anti-social behaviour only, rather than addressing it. For example, what options would be available to people who aren't able to access support services.

Geographic bans

Context:

Considerations of geographic bans should be treated with caution.

Recommendations:

1. We recommend more work to understand the potential impacts of these bans, including mapping against the locations of support services and accommodations, which may also be concentrated in central areas. It would be good to include support service providers in this.

Effectiveness of punitive approaches is limited

Context:

Law enforcement is often an inappropriate and ineffective response to homelessness but can be an effective tool in the wider response to anti-social behaviours. Prosecutions and punitive approaches, including civil orders, for those who are homeless or at risk of homelessness is likely to exacerbate their situation.

If implemented, it is important that any supporting settings and criteria are clear on identifying the difference between where a punitive vs supportive approach may be more appropriate.

Recommendations:

1. We recommend emphasising the potential tools available to law enforcement to address anti-social behaviours in retail spaces without reference to addressing homelessness, which is best addressed through collaborative place-based approaches between councils, service providers (health, social, housing), and relevant government agencies (including HUD, Health, MSD, and Police).
2. Note that criminal records often limit the availability of housing solutions for people and we recommend more work to understand to what extent is the risk of further entrenching homelessness being considered.

Support services

Context:

Homelessness is complex and caused by a wide range of structural and system failures (e.g., poverty, supply and access to affordable housing, employment, health care), rather than a personal failure or issue. Family breakdown, loss of employment or income, health conditions, and trauma such as family violence or other forms of victimisation are some of the many and complex causes of homelessness.

Any responses to address or provide support needs to take this into account to ensure that any responses are responding appropriately to need rather than overservicing or responding punitively.

It is worth noting the barriers that people can face in seeking support, including experiences of discrimination, stigma, and distrust in government.

We agree that partnerships with social organisations and providers are important.

Recommendations:

1. We consider more work is needed to understand the feasibility and impact of referrals to support services for people with no fixed abode (would this include people who move between residential addresses, e.g., sleeping in someone's garage for a few nights/weeks, on a living room for a few nights, under a bridge, in emergency housing etc).
2. We recommend that agencies and providers would need to work together on what appropriate services refers to, and what the appropriate identification and referral pathways would look like. This may need to include additional funding and considerations of provider capacity, as there may be limited additional capacity in support services.

Homelessness briefing for Minister Goldsmith – Summary of HUD information

Homelessness Insights Report – June 2025

1. The latest insights indicate that homelessness has increased. It is not possible to quantify the exact shift in this figure based on the data currently available. It is also not possible to determine the extent to which changes described in this report reflect existing trends, and broader economic and social contexts or are attributable to policy changes.
2. The most robust estimates of homelessness are severe housing deprivation estimates from the Census. These suggest there were at least 112,500 people who were severely housing deprived on 7 March 2023, including 4,965 people estimated to be living without shelter.
3. The number of households in emergency housing has decreased by 62 percent, from 1,215 in August 2024 to 456 in May 2025. Over the same period, the six-month rolling average number of grants has also declined by 76.5 percent.
4. It is important to note that gateway changes are one of several initiatives contributing to the reduction in emergency housing numbers. For example, priority one placement into social housing has had a significant impact with 1,023 households being housed from EH since May 2024, which included 2,175 children.
5. Councils described a number of concerns that have been raised in other forums, including:
 - a. The threshold for mental health assessment being too high;
 - b. Corrections releasing people into ‘no fixed abode’; and
 - c. People who do not trust government – won’t engage with MSD and/or Police.

Table 1: Overview of figures from select urban areas

	Census 2023 estimate of number living without shelter	Proportion of households living without shelter across the four priority areas (based on Census 2023)
Auckland	747	72%
Hamilton	33	3%
Wellington	87	8%
Christchurch	171	17%

6. A number of programmes and supports are in place to respond to homelessness, and connect people with the health and social services they need, including community navigators, housing brokers, and ready-to-rent courses, along with financial supports to secure and maintain accommodation.

Short-term actions to address homelessness - August 2025

7. In early August, HUD and MSD provided advice on actions that would make a difference in the short-term for people who are living without shelter, including those who are sleeping on the streets or in cars.
8. This initial advice:
 - a. Recommended a focus on main centres including Auckland, Hamilton, Wellington and Christchurch;
 - b. Proposed a series of actions focused on getting the most from existing services, programmes, supports and housing; and
 - c. Additionally recommended targeted additional supply and other supports to maximise impact.
9. Further advice on key actions was recently provided, including a draft Cabinet paper.

HUD feedback on Ministerial Advisory Group's Options Papers – August 2025

10. We would commonly use the term people experiencing homelessness rather than homeless people and recommend using the Stats definition of homelessness.
11. Not all anti-social behaviour is by people who are experiencing homelessness, and not all people who experience homelessness engage in anti-social behaviour.
12. Work to address anti-social behaviours should focus on the particular behaviours new tools are needed for, rather than potential populations. Additional work to understand more about the people engaging in anti-social behaviour would enable us to better understand the potential impacts or effects such tools might have (including unintended consequences, ineffectiveness, inability to pay, nowhere to move to, restrictions on access to services, risk of predation, and criminalising survival behaviours).
13. Move-on orders should be treated with caution, with more work needed to understand the potential impacts, including where people would be moved to and options for people who aren't able to access support services.
14. Geographic bans should also be treated with caution, with more work needed to understand the potential impacts, including mapping against the locations

of support services and accommodations. If this would be helpful, HUD may be able to provide a more detailed overview of known provider locations.

15. Law enforcement is often an inappropriate and ineffective response to homelessness, which is best addressed through collaborative place-based approaches between councils, service providers and relevant government agencies.

From: [Laura Miller](#)
To: s 9(2)(a)
Subject: FW: Weekly report things - Justice Ministers s 9(2)(f)(iv)
Date: Thursday, 28 August 2025 2:35:35 pm
Attachments: [image001.png](#)
[image002.png](#)

FYI

IN-CONFIDENCE

From: Bronwyn Lauten <Bronwyn.Lauten@parliament.govt.nz>
Sent: Thursday, 28 August 2025 2:20 pm
To: Laura Miller <Laura.Miller@hud.govt.nz>
Cc: Jeremy Steele <Jeremy.Steele@hud.govt.nz>
Subject: RE: Weekly report things - Justice Ministers s 9(2)(f)(iv)

Thanks Laura, that's helpful.

Nothing else needed in the short run. Please keep me in the loop:

- About any relevant update on the Justice Minister's meeting, including if this item is confirmed on the agenda and any papers for it. Minister Bishop isn't a member so it isn't in his diary, but he wants Hannah and a HUD official to go if anything to do with homelessness is on the agenda.
- s 9(2)(f)(iv)

Cheers

B

From: Laura Miller <Laura.Miller@hud.govt.nz>
Sent: Thursday, 28 August 2025 2:02 PM
To: Bronwyn Lauten <Bronwyn.Lauten@parliament.govt.nz>
Cc: Jeremy Steele <Jeremy.Steele@hud.govt.nz>
Subject: RE: Weekly report things - Justice Ministers s 9(2)(f)(iv)

Kia ora Bronwyn

No problem.

On the Homelessness and public disorder item there are two points so we've provided a little more information for both.

Justice Sector Ministers:

- Minister Goldsmith has requested information on the interaction between homelessness and public disorder – this request was made of the Justice Sector directorate, then the Ministry of Justice reached out to HUD and MSD.
- This advice is expected to be a high-level overview only, signalling that more substantive advice will be provided shortly by the Ministerial Advisory Group for Victims of Retail Crime (MAG).
- To support this, the Ministry provided an overview of recent homelessness insights, recent advice on short-term actions to address homelessness, and feedback on the MAG's recent options paper.

Ministerial Advisory Group for Victims of Retail Crime:

- MAG recently requested feedback on an options paper to address anti-social behaviour around retail settings. The paper provided an overview of the current state as well as an assessment of potential options to address this behaviour.
- The Ministry's feedback was focussed on ensuring any potential actions do not inadvertently criminalise or penalise homelessness.

s 9(2)(f)(iv)

Let me know if you want more information or want to have a chat about any of this.

Ngā mihi nui
Laura

IN-CONFIDENCE

From: Bronwyn Lauten <Bronwyn.Lauten@parliament.govt.nz>
Sent: Thursday, 28 August 2025 12:52 pm
To: Laura Miller <Laura.Miller@hud.govt.nz>
Cc: Jeremy Steele <Jeremy.Steele@hud.govt.nz>
Subject: Weekly report things - Justice Ministers s 9(2)(f)(iv)

Kia ora Laura

A couple of things.

First (and a bit time sensitive as we need to go back to the Minister in a couple of hours...


Do you have a bit more info on this? How it came about and what they are trying to achieve? Just 2-3 bullets will do.

Homelessness and public disorder


- The Ministry is working with the Ministry of Justice on advice for Minister Goldsmith on the interaction between homelessness and public disorder to inform an agenda item at the Justice Sector Ministerial group meeting on 17 September 2025. The advice will be provided by 3 September 2025.
- Connected, but separately, the Ministry is also providing feedback on an options paper on anti-social behaviour around retail settings, produced by the Ministerial Advisory Group for Victims of Crime.

s 9(2)(f)(iv)

s 9(2)(f)(iv)



s 9(2)(f)(iv)



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From: s 9(2)(a)
To: s 9(2)(a)
Cc: Laura Miller; s 9(2)(a); s 9(2)(a)
Subject: RE: Draft note for Justice Sector Ministers Meeting - public disorder
Date: Tuesday, 2 September 2025 10:08:00 am
Attachments: [image001.jpg](#)
[20250829_DRAFT Note for JSMM - public disorder v.2.docx](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.jpg](#)
[image009.jpg](#)

Kia ora s 9(2)(a)

Thank you for providing us with the opportunity to provide feedback on the draft note. Please see below for a summary of our feedback (also attached).

Section	Comments
Public disorder and homelessness	<ul style="list-style-type: none"> Recommend that this section should be split into two – one of public disorder and the other on homelessness - to emphasise the point that they are distinct.
Data and reports on disorderly behaviour (second half of para 5a)	<ul style="list-style-type: none"> HUD data insights team recommend this sentence be deleted: <i>“These reports have linked the behaviours to an increase in rough sleeping, drug dealing and use, and anti-social behaviour.”</i>
Homelessness is increasing	<ul style="list-style-type: none"> Recommend that the homelessness section could also be framed or introduced differently, to emphasise this point that not all public disorder is by homelessness people, and not all homelessness people engage in these behaviours. As it currently reads, the link between public disorder/anti-social behaviour is unclear and could contribute to assumptions/misconceptions that these are the same. Example text: <i>Not all anti-social behaviour is by people who are experiencing homelessness, and not all people who experience homelessness engage in anti-social behaviour.</i> HUD data and insights recommended changing reference to June insights report directly.
Justice is exploring response to low-level offending, including move-on orders	<ul style="list-style-type: none"> Recommend including reference to HUD’s concern about move-on orders here, including ensuring that people are not prevented from accessing support services and temporary accommodation as a result of move-on orders or other similar responses. We consider move-on orders should be treated with caution, with more work needed to understand the potential impacts, including where people would be moved to and options for people who aren’t able to access support services. Recommend expanding on this point (survival behaviours) to emphasise that although anti-social behaviour and homelessness may share underlying causes they do not always overlap and homelessness and begging themselves aren’t crimes. This point

	<p>could also be brought forward.</p> <ul style="list-style-type: none"> • Example text: <i>Law enforcement is often an inappropriate and ineffective response to homelessness, which is best addressed through collaborative place-based approaches between councils, service providers and relevant government agencies.</i>
Retail MAG work on anti-social behaviours	<ul style="list-style-type: none"> • Recommend minor text change to highlight that this is MAG's view rather than Justice or other government agencies. • It may be worth noting that in HUD's recent feedback to MAG, we recommended proposals remain focussed on particular behaviours new tools are needed for, rather than potential populations, such as people experiencing homelessness. We also suggested decoupling homelessness from these proposals, except when needed to emphasise caution is needed to prevent inadvertently criminalising or penalising homelessness.
Social sector Ministers are leading new initiatives	<ul style="list-style-type: none"> • Recommended changing current cross-agency text to <i>"Supporting providers to deliver better local responses building on existing services."</i> • Other minor edits to initiatives.

Ngā manaakitanga,

s 9(2)(a) (she/her)

Senior Policy Advisor | Responding to Severe Housing Needs
Policy Group

s 9(2)(a)

www.hud.govt.nz | L8, 7WQ, 7 Waterloo Quay, Wellington 6011 | New Zealand

From: s 9(2)(a) @justice.govt.nz>

Sent: Monday, 1 September 2025 10:20 am

To: s 9(2)(a) @hud.govt.nz>; Laura Miller <Laura.Miller@hud.govt.nz>; s 9(2)(a)

@hud.govt.nz>; s 9(2)(a) @msd.govt.nz>; Karen

Hocking <Karen.Hocking002@msd.govt.nz>; Julia Bergman <Julia.Bergman003@msd.govt.nz>

Cc: s 9(2)(a) @justice.govt.nz>; Wheeler, Sally <Sally.Wheeler@justice.govt.nz>

Subject: Draft note for Justice Sector Ministers Meeting - public disorder

Tēnā koutou,

As you are aware, the Minister of Justice requested an agenda item at the upcoming Justice Sector Ministers Meeting on 17 September to discuss public disorder and any possible intersections with homelessness. Please find the attached draft note we have prepared for the meeting pack. We would appreciate any input or feedback you have on the note.

The draft pack for the meeting will go to Minister Goldsmith's office tomorrow - so if you have any

feedback by 10am tomorrow it would be appreciated. However, we will have opportunity to finalise the note before the final pack goes out, so if more time is needed please provide feedback by Thursday COB.

We understand Ministers Bishop, Potaka, and Upston have been invited to attend the meeting.

Ngā mihi nui

s 9(2)(a)



s 9(2)(a) (she/her)

Policy Advisor | Criminal Justice Unit

Ministry of Justice | Tāhū o te Ture

Justice Centre | 19 Aitken Street | Wellington 6011



Aide mémoire

JUSTICE SECTOR MINISTERS GROUP MEETING 17 SEPTEMBER 2025			
To Minister	Hon Chris Bishop	Portfolio	Minister of Housing
CC Minister	Hon Tama Potaka	Portfolio	Associate Minister of Housing
Date	12 September 2025	Priority	Medium
Tracking number	HUD2025-007978		

CONTACT FOR DISCUSSION			
Name	Position	Telephone	1st contact
Jeremy Steele	General Manager, Housing Supports and Supply	s 9(2)(a)	✓
Laura Miller	Policy Manager, Responding to Severe Housing Needs	s 9(2)(a)	

OTHER AGENCIES CONSULTED
Ministry of Social Development (MSD).



Purpose

1. You have been invited to attend a Justice Sector Ministers' meeting on 17 September from 12:00pm to 1:00pm at the Beehive. Jeremy Steele, General Manager Housing Supports and Supply (Ministry of Housing and Urban Development (HUD)), and Julia Bergman, Manager Housing Employment and Labour Market (Ministry of Social Development (MSD)), will also attend this meeting.
2. The Ministry of Justice (MOJ) has provided the agenda and associated papers for this meeting, including a paper on homelessness and public disorder with input from HUD and MSD. This aide mémoire provides with background information to support your meeting.

DETAILS			
Date	17 September 2025	Place	Ministerial Meeting Room (EW8.5), The Beehive
Time	12:00pm	Key contact	Bridget MacFarlane, Private Secretary (Justice), Office of Hon. Paul Goldsmith, s 9(2)(a)

Background

3. There are growing concerns about both increases in homelessness and perceived increases in anti-social and disorderly behaviour in public spaces. While these issues may share some underlying drivers, they are distinct and require tailored responses.
4. HUD has been working with MOJ and MSD to ensure any potential options to address anti-social and disorderly behaviour do not unintentionally punish or cause further harm to people experiencing homelessness. This has included providing feedback on a Ministerial Advisory Group for Victims of Retail Crime (MAG) options paper which proposed options to address anti-social behaviour around retail settings specifically.

Meeting agenda items

5. The agenda items are:

	AGENDA ITEM	LEAD MINISTER
1	Reduced child and youth offending target a) Target 3 dashboard b) Target 3 legislative work programme	Hon Karen Chhour



2	Reduced violent crime target a) Target 4 dashboard b) Methamphetamine update c) Justice responses to public disorder and homelessness	Hon Paul Goldsmith
3	Victims work programme	Hon Paul Goldsmith
4	Timely Justice Action Plan a) Timely Justice Action Plan dashboard b) Justice Sector: Timely Justice initiatives roadmap	Hon Paul Goldsmith
5	Remote Participation Programme Update and Dashboard	Hon Paul Goldsmith
6	Agenda items for next meeting	Hon Paul Goldsmith

Key messages - Agenda item 2(c) Justice responses to public disorder and homelessness

6. MAG's recent options paper implied an association between homelessness and anti-social behaviour.
7. Not all anti-social or disorderly behaviour is by people who are experiencing homelessness, and not all people who experience homelessness engage in this behaviour.
8. Proposals to address these behaviours should focus on particular behaviours and be decoupled from homelessness, except when to emphasise caution is needed to prevent further harm.

Increased homelessness should not be conflated with disorderly or anti-social behaviours

The latest insights indicate that homelessness has increased

9. Based on estimates collected for the June Homelessness Insights Report, the number of people living without shelter in 2025 is at least: 800 in Auckland, 270 in Christchurch City, and 140 in Wellington City.¹

¹ [Homelessness insights report June 2025 - Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development](#). The most robust estimates of severe housing deprivation are available from the Census. However, this does not enable more regular monitoring of shorter-term trends. To facilitate this, a range of data and observational reports from around the country were collated and analysed.



10. It is not possible to determine the extent to which changes described in this report reflect existing trends, and broader economic and social contexts or are attributable to policy changes.

There is also a perception that public disorder is a prevalent issue

11. Disorderly and anti-social behaviour includes behaviours that are criminal in nature (e.g. offensive or threatening behaviour, intimidation, urinating in public, wilful damage) and behaviours that may be below the threshold of criminal offending (e.g. disrupting businesses, aggressive behaviour, public intoxication).
12. There is a perception that public disorder is a prevalent issue in city centres, undermining safe and thriving economies. However, publicly available data on Police proceedings indicates that proceedings against these offences are at an all time low, despite marginal peaks in the past 18 months.
13. MAG recently consulted on an options paper, *'Anti-social behaviour around retail settings'* which stated that "anti-social behaviour is increasing, and results in significant harm to retail workers and customers." HUD and MSD feedback on this paper aimed to address assumptions about who is engaging in this behaviour and emphasised that anti-social behaviour should not be attributed to homelessness/rough sleepers as the drivers of homelessness are complex.

Clearer distinction is needed between anti-social behaviour and homelessness

14. MAG's recent options paper linked homelessness and anti-social behaviours in ways that suggested these behaviours are particularly associated with or arise because of homelessness. While begging, anti-social behaviour, and homelessness can share some of the same underlying causes, they do not always overlap. Not all anti-social behaviour is by people who are experiencing homelessness, and not all people who experience homelessness engage in anti-social behaviour.
15. It should be noted that data on which populations are engaging in anti-social behaviours is currently unclear and more work may be needed to understand more about these specific populations. Proposals to address anti-social behaviours should therefore focus on particular behaviours (e.g. aggressive begging and threatening behaviour) and be decoupled from homelessness, except when needed to emphasise caution is needed to prevent inadvertently criminalising or penalising homelessness.

Caution is needed on disorderly behaviour approaches that could create further harm

16. Justice are exploring additional ways to address disorderly behaviour and low-level offending, including move-on orders [s 9\(2\)\(f\)\(iv\)](#)
17. Similar approaches were also presented in MAG's recent options paper which assessed the following six options:



- a. **Option 1: move-on orders:** a new tool for Police and/or Councils to move a person on to a different location if that person is behaving anti-socially;
 - b. **Option 2: new criminal offences** targeting criminal offending that victimises retail workers;
 - c. **Option 3: additional powers for councils** to enforce by-laws;
 - d. **Option 4: geographic bans** on certain behaviour (e.g. begging) within certain 'zones' (for example, around a cash machine);
 - e. **Option 5: government action plan** or policy statement to address anti-social behaviour, which could 'wrap up' the other actions into a cohesive strategy; and
 - f. **Option 6: court-issued civil orders:** an order requiring a person to stay away from certain locations and undertake rehabilitation to address underlying issues.
18. Please refer to **Annex A** for more details on this proposal.
19. HUD and MSD recommend considering these approaches with caution as there is a significant risk that they could potentially penalise or criminalise homelessness or cause further harm to people experiencing homelessness.
20. Move-on orders and geographic bans should be treated with caution, with more work needed to understand the potential impacts, including where people would be moved to and options for people who aren't able to access support services. There is a risk that these orders could merely shift the issue to neighbouring areas.
21. Law enforcement could be an effective tool in the wider response to anti-social behaviours. However, it is often an inappropriate and ineffective response to homelessness, which is best addressed through collaborative place-based approaches between councils, service providers and relevant government agencies.
22. Additional work is needed to understand more about the people engaging in anti-social behaviour as well as the potential impacts these options might have.

Government work is underway to address homelessness

23. A number of programmes and supports are in place to respond to homelessness, and connect people with the health and social services they need, including community navigators, housing brokers, and ready-to-rent courses, along with financial supports to secure and maintain accommodation.
24. Significant investment has been made in programmes and services which directly prevent and respond to homelessness. In 2024/25 and 2025/26 over \$550 million in funding through Vote HUD has been targeted to programmes including transitional housing, sustaining tenancies, Housing First, outreach services, and rangatahi supported accommodation.



25. In addition to this investment, five immediate actions have recently been announced to expand the support available for rough sleepers and help them into stable housing. This includes:
- a. Funding an additional 300 social homes for unhoused Housing First clients;
 - b. \$10 million in additional funding for support services for rough sleepers;
 - c. Increasing the efficiency of transitional housing;
 - d. Implementing a redirection for beneficiaries where good cause exists; and
 - e. MSD staff to use greater discretion when assessing emergency housing applications.

Next steps

26. HUD will await direction on working with MoJ, MSD, and other agencies to ensure options to address anti-social or disorderly behaviour does not inadvertently penalise or cause further harm to those experiencing homelessness.

Annexes

Annex A: Summary of options – *‘Anti-social behaviour around retail settings: Options Paper’*



Annex A: Summary of options – ‘Anti-social behaviour around retail settings: Options Paper’

In August 2025, the Ministerial Advisory Group for Victims of Retail Crime consulted on an options paper for addressing behaviour affecting retailers. A summary of these options is outlined below.

OPTION	DESCRIPTION
Option 1: move-on orders	This option would involve creating a legal framework for ‘move-on’ orders. A move-on order requires a person to leave the area and stay away for a short, fixed period of time (up to 24 hours), thereby immediately stopping the conduct, providing immediate respite for victims, and potentially creating a deterrent effect to behaviour escalating to such an anti-social level in the future.
Option 2: new criminal offences	This option would involve creating a new criminal offence for assaulting, threatening, or abusing a retail worker and which also potentially allows for aggravation of that offence where the retail worker is enforcing a statutory restriction (e.g. age for alcohol, pharmacist-only medicines).
Option 3: additional powers for councils	This option would involve regulations being issued to enable Councils to enforce their by-laws addressing anti-social behaviour. Councils would, of course, retain their own discretion as to the nature of by-laws in their area, but where such by-laws are in place then they could be more effectively enforced.
Option 4: geographic bans on certain anti-social behaviour	This option would involve creating defined geographic ‘zones’ within which certain behaviours (e.g. begging) are banned.
Option 5: government action plan or policy statement	This option would involve a government-issued action plan to address anti-social behaviour in retail, encompassing the proposals in this paper, plus guidance on the implementation of the proposals.
Option 6: court-issued civil orders	This option would involve creating a legislative framework for Court-issued civil orders like Respect Orders which are being introduced in the United Kingdom (a civil order that requires the recipient to stay away from certain areas, and which can also include positive obligations to take steps to address any underlying issues, like alcoholism or drug addiction).

From: s 9(2)(a)
To: s 9(2)(a)
Cc: [Melanie Smith](#); [Miranda Devlin](#)
Subject: FW: Consultation request re draft briefing on public disorder
Date: Tuesday, 30 September 2025 1:37:40 pm
Attachments: [image001.jpg](#)
[HUD feedback - 20250923 DRAFT Briefing on public disorder - for agency feedback.docx](#)
[Summary of HUD feedback - MoJ briefing on strengthening responses to public disorder.pdf](#)
[image002.png](#)
[image004.png](#)
[image006.png](#)
[image008.jpg](#)
[image003.png](#)
[image005.png](#)
[image007.png](#)
[image009.jpg](#)

FYI – final version.

IN-CONFIDENCE

From: s 9(2)(a)
Sent: Tuesday, 30 September 2025 1:36 pm
To: s 9(2)(a) @justice.govt.nz
Cc: s 9(2)(a) @hud.govt.nz; Laura Miller <Laura.Miller@hud.govt.nz>
Subject: RE: Consultation request re draft briefing on public disorder

Kia ora s 9(2)(a)

Thank you for providing us with the opportunity to provide feedback on the draft public disorder briefing.

Please find our feedback attached. We have also attached a summary of all our feedback and recommendations by theme for ease.

Please let me know if you have any questions or would like to discuss.

Ngā mihi,

s 9(2)(a) (she/her)
Senior Policy Advisor | Responding to Severe Housing Needs
Policy Group
s 9(2)(a)
www.hud.govt.nz | L8, 7WQ, 7 Waterloo Quay, Wellington 6011 | New Zealand

IN-CONFIDENCE

From: s 9(2)(a) @justice.govt.nz
Sent: Tuesday, 23 September 2025 3:12 pm
To: s 9(2)(a) @police.govt.nz; s 9(2)(a) @police.govt.nz; s 9(2)(a) @police.govt.nz; s 9(2)(a) @hud.govt.nz; Laura Miller <Laura.Miller@hud.govt.nz>; s 9(2)(a)

[@hud.govt.nz](mailto: @hud.govt.nz); s 9(2)(a) [@msd.govt.nz](mailto: @msd.govt.nz); s 9(2)(a)
[@msd.govt.nz](mailto: @msd.govt.nz); s 9(2)(a)
[@msd.govt.nz](mailto: @msd.govt.nz); s 9(2)(a) [@msd.govt.nz](mailto: @msd.govt.nz);
s 9(2)(a) [@ot.govt.nz](mailto: @ot.govt.nz); s 9(2)(a) [@ot.govt.nz](mailto: @ot.govt.nz); s 9(2)(a) [@ot.govt.nz](mailto: @ot.govt.nz); s 9(2)(a)
< [@dia.govt.nz](mailto: @dia.govt.nz); s 9(2)(a) [@dia.govt.nz](mailto: @dia.govt.nz); s 9(2)(a)
[@crownlaw.govt.nz](mailto: @crownlaw.govt.nz); s 9(2)(a) [@corrections.govt.nz](mailto: @corrections.govt.nz); s 9(2)(a)
[@corrections.govt.nz](mailto: @corrections.govt.nz)>

Cc: Wheeler, Sally <[Sally.Wheeler@justice.govt.nz](mailto: Sally.Wheeler@justice.govt.nz)>; s 9(2)(a) [@justice.govt.nz](mailto: @justice.govt.nz)>

Subject: Consultation request re draft briefing on public disorder

IN CONFIDENCE

Kia ora koutou,

Please find attached for your comment a draft briefing which provides advice on:

- options to strengthen responses to public disorder, and
- recommendations from the Ministerial Advisory Group for Victims of Retail Crime on ways to address antisocial behaviour in retail settings.

Any comments you can provide on the paper would be much appreciated by **COB Monday 29 September**. We intend to provide the briefing to our Minister on 8 October 2025.

If you would like to discuss anything in the paper please let us know.

Ngā mihi nui,
s 9(2)(a)



s 9(2)(a) (she/her)
Policy Advisor | Criminal Justice Unit
Ministry of Justice | Tāhū o te Ture
Justice Centre | 19 Aitken Street | Wellington 6011

IN CONFIDENCE

Disclaimer

This email is confidential and solely for the use of the intended recipient. If you have received this email in error, then any use is strictly prohibited. Please notify us immediately and delete all copies of this email and any attachments. Any opinions expressed in this message are not necessarily those of the Ministry of Housing and Urban Development.

HUD feedback Anti-Social Behaviour

Defining public disorder

Recommendations:

1. Recommend expanding exclusions to include homelessness and begging, which are not inherently antisocial behaviours or illegal unless it causes a 'nuisance or obstruction'.

Criminal justice response should supplement social responses

We have added the following as additional context on work to address homelessness:

- Significant investment has been made in programmes and services which directly prevent and respond to homelessness. In 2024/25 and 2025/26 over \$550 million in funding through Vote HUD has been targeted to programmes including transitional housing, sustaining tenancies, Housing First, outreach services, and rangatahi supported accommodation.
- In addition to this investment, five immediate actions have recently been announced to expand the support available for rough sleepers and help them into stable housing. This includes:
 - Funding an additional 300 social homes for unhoused Housing First clients;
 - \$10 million in additional funding for support services for rough sleepers;
 - Increasing the efficiency of transitional housing;
 - Implementing a redirection for beneficiaries where good cause exists; and
 - MSD staff to use greater discretion when assessing emergency housing applications.
- We would like to note that the social sector initiatives are already well underway so we aren't quite sure how sequencing would work best here.

Recommendations:

1. Recommend expanding and strengthening this point to emphasise that the behaviours are distinct and should be decoupled in this advice, rather than framed as a potential causal relationship. *For example, not all anti-social or disorderly behaviour is by people who are experiencing homelessness, and not all people who experience homelessness engage in this behaviour. Data on which populations are engaging in anti-social behaviours is currently unclear. Proposals to address these behaviours should therefore focus on particular behaviours and be decoupled from homelessness, except when to emphasise caution is needed to prevent further harm.*
2. We recommend iwi/Māori are also noted in paragraph 15 (i.e. *collaborative place-based approaches between councils, service providers, iwi/Māori, and relevant government agencies.*)
3. Recommend potentially changing sequencing comment to working alongside.

Merit in progressing the MAG's proposal for move-on notices with some minor tweaks

Recommendations:

1. Recommend retain the phrasing 'public disorder' here rather than 'disorderly or antisocial behaviour' for consistency and to continue links to the definition.

Construction of move-on notices/orders

- We consider strong caution is needed here for references to ‘likely to occur’ and ‘likely to be committed’. There is a high risk that this could create opportunities for people to prejudge the potential behaviour of someone based on assumptions or beliefs that they are homeless, how they look, or other discriminations.
- There is also a risk that this could set a precedence around punitive measures for anticipated rather than actualised behaviour.
- The proposal is for non-compliance with move-on notices to be an arrestable offence facing up to three months imprisonment. This creates the potential for anti-social behaviour to be an offence resulting in imprisonment. There is the potential unintended consequence of worsening housing accessibility in the future as;
 - Landlords able to conduct criminal background checks and these offences could factor into decision-making, impacting an individual's ability to acquire housing from the private rental market.
 - People in prison in New Zealand, particularly Māori, experience high levels of housing instability both prior to and after imprisonment ([Mills et al., 2022](#)) and move-on orders will create a pathway for imprisonment if people do not comply with them.
- Due to the conditions cited above there is a risk that due to potential justice implications that move-on orders may impact Māori housing outcomes.
- Are you able to please provide any additional information on whether the police can determine that an offence has occurred, and what level of offending this would be?
- Are you able to please provide any additional information on whether other breaches of notices are summary offences, or infringement offences?

Recommendations:

1. We recommend ‘likely to occur’ and ‘likely to be committed’ are removed from the construction of move-on notices until this risk has been considered and addressed/mitigated.

Safeguards for move-on notices

- There is risk that ‘reasonably necessary’ as a safeguard could define a large proportion of the CBD, and/or include someone’s accommodation or service.

Recommendations:

1. Recommend this paper could also consider additional safeguards for people experiencing homelessness or provide examples where this is already being done. For example, the Self-Contained Motor Vehicles Legislation Act 2023, created an exemption from the freedom camping rules for those that are experiencing homelessness. It also mandated a review on the effect on homelessness by this regulation.
2. We recommend additional work may be needed for the ‘minimum area that is reasonably necessary’ safeguard to develop a stronger/clearer definition or view on the intention of reasonably necessary.
3. We recommend strengthening the access to support and essential services safeguard beyond ‘minimal interference’. An alternative approach could be framed as the minimum area cannot include someone’s accommodation or an essential or support

service they are currently using. The accommodation part in particular is essential - considering the location of some transitional and emergency housing places.

4. We recommend outlining for Ministers what alternative approaches will look like when move-on notices are inappropriate (e.g. experiencing homelessness or mental health distress), such as referrals.

Concerns with move-on powers

- Acknowledge that many of HUD's previous points have been incorporated here – thank you.
- HUD is concerned about the limited data or evaluation available on the impact and effectiveness of these powers in overseas jurisdictions. For example, it is not known whether these orders have had unforeseen or negative impacts on people experiencing homelessness.
- Move-on orders can be issued to people experiencing homelessness if they are engaging in behaviour which meets the threshold for anti-social behaviour. Move-on orders will require Police-imposed discretion in their application but without clear guidelines there is a risk that it will be inappropriately applied to people experiencing homelessness and/or people experiencing mental health distress. If a person experiencing homelessness is issued a move-on order, regardless of if it is permitted, there is risk that it will move people from visible to invisible homelessness, increasing the difficulty in them accessing support services or for service providers to find them.

Recommendations:

1. We recommend that the paper emphasises that these impacts are unknown.
2. We also recommend either outlining why this option could be effective here even if not overseas OR reframing this section to explain that this option carries the least risk from MAG's proposals but it is not recommended as there is no evidence that it will work.
3. Recommend still noting that move on-orders and geographic bans should be treated with caution, with more work needed to understand the potential impacts, including where people would be moved to and options for people who aren't able to access support services. Additional work is needed to first understand more about the people engaging in anti-social behaviour as well as the potential impacts these options might have.
4. We recommend also clarifying the process so move-on orders are not inappropriately issued to people experiencing homelessness and/or experiencing mental health distress.
5. It may be worth noting that even if a move-on order is applied correctly to a person experiencing homelessness there is risk of public perception that homelessness is being criminalised.
6. The paper should note Māori have the highest rates of rough sleeping and that there is a risk move-on orders could be disproportionately applied to Māori or inappropriate use could disproportionately affect Māori.

s 9(2)(f)(iv)

Not recommended – implementing a ban on begging around relevant areas

- Noting we agree with the decision to not progress bans on begging. As noted above, we recommend expanding exclusions to include homelessness and begging, which are not inherently antisocial behaviours or illegal unless it causes a ‘nuisance or obstruction’.
- Geographic bans should be treated with caution, with more work needed to understand the potential impacts of these bans, including mapping against the locations of support services and accommodations, which may also be concentrated in central areas. It would be good to include support service providers in this.
- Would also note that this could be conflated with general rough sleeping without begging behaviour.
- This could also risk pushing homelessness into spaces with less resources to address it (more regional locations with less beat policing) as well as people into more invisible forms of homelessness, which would result in less access for support services to make contact and provide help.

Not recommended – council bylaws

- As noted above, homelessness itself is not an anti-social behaviour.

Recommendations:

It may be worth also noting:

1. some councils have decided not to introduce begging by-laws, or have dropped the ones they did have, including because they would be too hard to enforce; and
2. the barriers that people can face in seeking support, including experiences of discrimination, stigma, and distrust in government.

HUD feedback – Public Disorder V2


Public disorder in New Zealand – defining what is and isn't in scope

- We acknowledge and appreciate the clarification that homelessness is out of scope and cannot be considered an anti-social or public disorder behaviour in and of itself.
- Para 21 outlines that actors who are not homeless are often the ones involved in criminal behaviour and public disorder. If possible, we would be interested in seeing data on who is engaging in these behaviours, which is of great interest to us.

Move-on orders


- We acknowledge and appreciate the steps taken to incorporate our feedback.
- However, we are still concerned about the use of move-on orders and other tools and their potential impacts on people experiencing homelessness.

s 9(2)(f)(iv)



s 9(2)(f)(iv)

s 9(2)(f)(iv)



From: s 9(2)(a)
To: [Bronwyn Lauten](#)
Cc: [Ministerial Service Workflow](#); [Jeremy Steele](#); [Laura Miller](#); s 9(2)(a)
Subject: "Move-On Orders" - HUD2025-008366
Date: Tuesday, 14 October 2025 5:14:00 pm
Attachments: [image001.png](#)
[image003.png](#)
[image005.png](#)
[image007.jpg](#)
[HUD2025-007978 AM Meeting with Justice Ministerial Group 17 Sept.pdf](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.jpg](#)

Kia ora,

Please find below an overview of MoJ move-on orders as requested.

Generally, the concerns that we raised in the AM to support the Justice Ministers meeting (attached for convenience), still remain in principle.

We are also aware that there is a multi-Minister and community meeting in Auckland tomorrow where we believe this work or issues associated with it may come up. If Minister Bishop is attending and would like any additional information or talking points, please let us know.

Ngā mihi,

s 9(2)(a)

Context:

- MoJ are seeking Ministerial direction from Ministers Goldsmith and McKee on the use of move-on orders to address public disorder.
- MoJ recommend move-on orders as an effective tool for police to quickly de-escalate, where the behaviour is below the threshold of criminal offending.

Next steps:

- MoJ have signalled that final recommendations will be taken too Cabinet by the end of 2025.
- HUD will continue to engage with MoJ as they develop further advice on this. Our particular focus is in ensuring that the Government's recent focus on addressing rough sleeping is not undermined by the specific settings of and implementation approach to move on orders.

MoJ Advice:

The advice seeks decisions on the construction of move-on orders, the threshold for issuing one, and the types of behaviour that orders would apply to. The paper has also

signalled that survival behaviours associated with homelessness, such as sleeping rough and begging, are out of scope (**this point is important**).

Recommendations on the construction of move-on orders:

- Establish a framework for move-on powers in the Summary Offences Act
- Agree that move-on orders:
 - Are issued by Police to an individual;
 - Are issued on the spot;
 - Require the individual to 'move-on' from a specific public place for up to 24 hours;
 - Require the individual to go to a specific distance away from the area; and
 - Require Police to inform the person of the conditions of the order and the penalty for noncompliance.

Recommendations on thresholds:

- Agree that the threshold for issuing a move-on order will be reasonable grounds to **believe** that specific behaviour has occurred (requiring a higher degree of certainty than MAG's proposal for **suspecting** behaviour);

Recommendations on types of behaviours in-scope:

- Agree that move-on orders apply to behaviour that is:
 - Occurring or has occurred in a public place;
 - Disorderly, intimidating, offensive, threatening, or disturbing;
 - Interfering with trade or business by unnecessarily obstructing, hindering or impeding someone entering or leaving a place; AND
 - A breach of the peace in any public place.
- Agree that that move-on orders would not apply where a person's behaviour is causing or has caused anxiety to a person
- Agree that move-on orders would not apply to individuals participating in lawful protest, picketing, or trade union action.
- Agree that move-on orders do not apply to children and young people (providing options if Ministers disagree).

Note, HUD have recommended adding or expanding recommendations to reflect the inclusion of homelessness in the out-of-scope definition.

Breach of move-on order:

- Seeking direction the penalty for breaching a move-on order, recommending an infringement offence with a \$500 fee (in contrast to MAG's proposals for a criminal offence with a maximum fine of \$2000, or up to three months' imprisonment).

Safeguards:

- Recommend a suite of safeguards to address the concerns without unjustified

intrusion on civil rights and freedoms.

- Please note, **HUD has made the following recommendations:**
 - Orders should not apply to survival behaviours associated with homelessness (i.e. an exemption in alignment with the out-of-scope definition).
 - Adding a review on the effect on homelessness by move-on orders (A similar review was outlined in S45a of the Self-Contained Motor Vehicles Legislation Act 2023).
 - Strengthening safeguards in relation to interference with access to support services and risks of inadvertently criminalising homelessness.

s 9(2)(a) [redacted] ([she/her](#))

Senior Policy Advisor | Responding to Severe Housing Needs
Policy Group

s 9(2)(a) [redacted]

www.hud.govt.nz | L8, 7WQ, 7 Waterloo Quay, Wellington 6011 | New Zealand

From: s 9(2)(a)
To: s 9(2)(a)
Cc: s 9(2)(a); [Laura Miller](#); s 9(2)(a)
Subject: ASB feedback and information to support next steps
Date: Wednesday, 15 October 2025 5:28:10 pm
Attachments: [image001.png](#)
[image003.png](#)
[image005.png](#)
[image007.jpg](#)
[HUD feedback – Public Disorder V2.pdf](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.jpg](#)

Kia ora s 9(2)(a),

I hope you're enjoying a good start to the week.

Please find attached a summary of HUD's recent feedback on Justice's anti-social behaviour advice. Following this feedback, we are anticipating a potentially quick turnaround on a Cabinet paper.

To prepare and ensure our concerns are heard, we are aiming to quickly pull together some official lines on HUD's position, as well some key messages to support Minister Bishop, by the end of this week.

To emphasise our concern about move-on orders, we are hoping to pull together a rough map of the Auckland CBD indicating the key supports and services relevant to people experiencing homelessness or housing insecurity. This will likely include HUD funded services such as transitional housing, as well as other supports such as soup kitchens and social supermarkets. We think this could demonstrate the potential impact and risk if someone is banned from the Auckland CBD.

As part of this, are you able to please share any information on estimated locations (not addresses) of emergency housing providers in the Auckland CBD region?

Thanks in advance,

s 9(2)(a) [\(she/her\)](#)
Senior Policy Advisor | Responding to Severe Housing Needs
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Jasmin.chapman@hud.govt.nz
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IN-CONFIDENCE

Summary – Anti-social behaviour

Minister of Justice Position

- The Minister of Justice has confirmed a preference for a strong, punitive response to anti-social behaviour, intending to take the following to Cabinet:
 - Establish move-on powers for Police to use; and
 - Introduce a ban-on begging for “relevant areas”.
- This stance was informed by Ministerial Advisory Group advice and contrasts with recommendations from the Ministry of Justice, the Ministry of Housing and Urban Development (HUD), and the Ministry of Social Development (MSD).
- Move-on powers:
 - Through the Summary Offences Act, this will enable Police to move people (including youth 14 years+) from public places for a wide range of behaviours;
 - The order could be issued for up to 24 hours, and penalties for non-compliance include a maximum fine of \$2000 or up to three months’ imprisonment.
- Ban on begging for “relevant areas”
 - MoJ are considering operational workability, implications on rights and freedoms, and potential penalties for non compliance.

HUD concerns and potential mitigations

Lack of distinction between anti-social behaviour and homelessness could compromise recent investment outcomes:

- Law enforcement and punitive approaches are an inappropriate and ineffective response to homelessness. The Justice proposal implies an association between homelessness and anti-social behaviours, creating a risk of criminalising homelessness.
- In its current form, the proposal could compromise recent investment into short-term actions to reduce homelessness, including moving people from rough sleeping to invisible homelessness and reducing access to support.
- In alignment with previous MoJ advice, we urge the explicit exclusion of homelessness from the definition of public disorder.

Move-on orders:

- There is a risk that move-on orders could shift the issue to neighbouring areas and could penalise or cause further harm to people experiencing homelessness.
- We recommend the adoption of robust safeguards, including:
 - an exemption for survival behaviours associated with homelessness;
 - requiring a review on the effect on homelessness; and
 - preventing interference with access to support, essential services, or where people live.

Ban on begging for “relevant areas”:

- Begging is not inherently an anti-social behaviour unless it causes a nuisance or obstruction. There is a risk that “relevant areas” could define a large proportion of the CBD, pushing people into invisible homelessness and reducing access to support.
- Given the existing legislative tools, there does not appear to be evidence of an enforcement gap that would support the introduction of a new offence or penalties.



Aide mémoire

Justice Sector Ministers Group Meeting 22 October 2025			
To Minister	Hon Chris Bishop Hon Tama Potaka	Portfolio	Minister of Housing Associate Minister of Housing
Date	21/10/2025	Priority	Medium
Tracking number	HUD2025-008415		

CONTACT FOR DISCUSSION			
Name	Position	Telephone	1st contact
Jeremy Steele	General Manager, Housing Supports and Supply	s 9(2)(a)	✓
Laura Miller	Policy Manager, Responding to Severe Housing Needs	s 9(2)(a)	

OTHER AGENCIES CONSULTED
Ministry of Social Development (MSD)



Purpose

1. You have been invited to attend a Justice Sector Ministers’ meeting on 22 October from 12.00pm to 1.00pm at the Beehive. Brad Ward, Acting Chief Executive (Ministry of Housing and Urban Development) will also be attending.

DETAILS			
Date	22 October 2025	Place	Ministerial Meeting Room (EW8.5), The Beehive
Time	12:00pm	Key contact	Bridget MacFarlane, Private Secretary (Justice), Office of Hon. Paul Goldsmith, s 9(2)(a)

Background and context

2. Following discussion at the last Justice Sector Ministers’ meeting HUD (along with MSD) has been feeding into work led by the Ministry of Justice, with the aim of ensuring any potential actions to address anti-social and disorderly behaviour do not unintentionally cause further harm to people experiencing homelessness.
3. Item 3 a) of the upcoming meeting addresses this issue. There are no other items that we have specific concerns about or comments on.

Agenda item 3(a) Public Disorder – overview

4. The public disorder proposal includes the introduction of
 - a. Move-on powers through the Summary Offences Act, which would enable Police to move people (including youth 14 years+) from public places and require them to remain out of an area for up to 24 hours, with penalties for non-compliance up to a fine of \$2,000 or up to three months’ imprisonment
 - b. A ban on begging in “relevant areas” with potential penalties for non-compliance.
5. The proposal is broader and more punitive in nature than earlier advice HUD and MSD inputted into, and our feedback has not been reflected in the final content.

Concerns and potential mitigations

6. Overall HUD and MSD are concerned that a lack of distinction between anti-social behaviour and homelessness creates a risk of criminalising homelessness and could cause further harm to people.
7. In its current form, the proposal could also compromise recent investment into short-term actions to reduce homelessness, including limiting or preventing access to essential support and accommodation.



8. We recommend the explicit exclusion of survival behaviours for homelessness (i.e. rough sleeping and begging) from the definition of public disorder, and that this is reflected across all proposed safeguards.

Move-on orders

9. There is limited evidence available on the effectiveness of move-on orders.
10. Without appropriate safeguards, there is a risk that move-on orders could penalise or cause further harm to people experiencing or at risk of homelessness, such as interfering with access to support, essential services, or where people sleep or live.
11. There is also a risk that move-on orders could simply shift the issue to neighbouring areas.
12. We recommend the adoption of robust safeguards, including:
 - a. an exemption for survival behaviours associated with homelessness;
 - b. requiring a review on the effect on homelessness; and
 - c. preventing interference with access to support, essential services, or accommodation.

Punitive approach

13. Law enforcement and punitive approaches are an inappropriate and ineffective response to homelessness.
14. The ability of someone experiencing homelessness to effectively engage with the court system, or pay a fine is limited, therefore the risk of incarceration is higher. Criminal convictions inhibit access to tenancies and some services, therefore compounding the problem.
15. Reports on the use of move-on orders in Australia demonstrate disproportionate application against people experiencing homelessness, indigenous, young, or mentally ill. Māori experiencing homelessness may face disproportionate risk of harm.
16. This risk could be mitigated if non-compliance were an infringement rather than a criminal offence.

Ban on begging

17. Begging is not inherently an anti-social behaviour unless it causes a nuisance or obstruction. It is however a survival behaviour for those who are homeless and banning it will likely cause further harm to people.
18. There is also a risk that “relevant areas” could define a large proportion of the CBD, further limiting people’s access to support and essential services, and could just shift the issue to other areas.
19. Given the existing legislative tools, there does not appear to be evidence of an enforcement gap that would support the introduction of a new offence or penalties.

From: [Afoa Malolo](#)
To: [Jo Hogg](#)
Subject: FW: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025 Version.docx [UNCLASSIFIED]
Date: Thursday, 23 October 2025 9:01:13 am
Attachments: [image009.png](#)
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[BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025 Version.docx](#)

Kia ora Jo, this is the draft that I sent Malo yesterday. Michael Quinn who is holding the pen has incorporated bullets 1 and 2 below of our feedback into the updated draft.

I'll send the final version once I receive.

Thanks

Afoa

Afoa Tevita Malolo

Director | Auckland

Delivery Group, Te Tuapapa Kura Kainga – Ministry of Housing and Urban Development

Afoa.Malolo@hud.govt.nz | Mobile: s 9(2)(a)

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IN-CONFIDENCE:RELEASE EXTERNAL

From: Afoa Malolo
Sent: Wednesday, 22 October 2025 5:14 pm
To: Malo Ah-You <Malo.Ah-you@hud.govt.nz>
Cc: David Hermans <David.Hermans@hud.govt.nz>
Subject: FW: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025 Version.docx [UNCLASSIFIED]

FYI, the ministerial brief is still in draft form, it will be sent tomorrow at 11 am. My feedback below.

Afoa Tevita Malolo

Director | Auckland

Delivery Group, Te Tuapapa Kura Kainga – Ministry of Housing and Urban Development

Afoa.Malolo@hud.govt.nz | Mobile: s 9(2)(a)

www.hud.govt.nz | Level 7, 45 Queen Street, Auckland



From: Afoa Malolo

Sent: Wednesday, 22 October 2025 5:09 pm

To: 'Jules Lynch' s 9(2)(a) [redacted] <[redacted]@msd.govt.nz>; Michael Quinn <Michael.Quinn@mbie.govt.nz>; s 9(2)(a) [redacted] <[redacted]@msd.govt.nz>

Cc: Andy Hill (Guest) <andy.hill@mbie.govt.nz>; Sunny Patel (Police) <sundip.patel@police.govt.nz>; Rachel Kelleher <rachel.kelleher@aucklandcouncil.govt.nz>

Subject: RE: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025
Version.docx [UNCLASSIFIED]

Kia ora koutou,

Apologies for the late feedback, it's been one of those days as I imagine it has been for you. Our main pieces of feedback are:

- Ensuring the distinction between anti-social behaviour and homelessness are not conflated. Survival behaviours for homelessness such as rough sleeping and begging need to be excluded or distinguished from anti-social behaviour. Paragraph 21 could be strengthened to make this distinction.
- In para 7, I think both CG and LG have an additional shared objective (evident through the stocktake) to also ensure that those that need help have access to that help.
- Considerations of re-locating services and/or move-on orders should be treated with caution. There is a risk that this approach could shift the issue to neighbouring areas and create more barriers to people accessing essential support without appropriate safeguards in place. Can we raise this as a corollary to delivering in alternate settings (para 25)?
- ACM are also delivering an enhanced model of Transitional Housing that will address immediate access to short term accommodation without the need for an immediate referral from MSD. I think we should look at this as an additional initiative to note (happy to leave out at this stage as well until we reconvene and discuss).
- As an update we have confirmed funding for Te Tapui Atawhai with Helen and will complete contracting with ACM by this Friday.

Thank you for referring to the Justice Sector Ministers meeting. In confidence, I'm aware that they are now looking to progress move on orders and bans on begging in certain areas but I don't have any detail yet. This will likely affect this piece of work including the effectiveness of some of the services agencies fund. A conversation for next week.

Nga mihi
Afoa

Afoa Tevita Malolo

Director | Auckland

Delivery Group, Te Tuapapa Kura Kainga – Ministry of Housing and Urban Development

Afoa.Malolo@hud.govt.nz | Mobile: S 9(2)(f)(iv)

www.hud.govt.nz | Level 7, 45 Queen Street, Auckland



From: Jules Lynch [S 9\(2\)\(a\)@msd.govt.nz](mailto:S 9(2)(a)@msd.govt.nz)

Sent: Wednesday, 22 October 2025 4:15 pm

To: Michael Quinn <Michael.Quinn@mbie.govt.nz>; [S 9\(2\)\(a\)@msd.govt.nz](mailto:S 9(2)(a)@msd.govt.nz)

Cc: Andy Hill (Guest) <andy.hill@mbie.govt.nz>; Sunny Patel (Police) <sundip.patel@police.govt.nz>; Afoa Malolo <Afoa.Malolo@hud.govt.nz>; Rachel Kelleher <rachel.kelleher@aucklandcouncil.govt.nz>

Subject: RE: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025
Version.docx [UNCLASSIFIED]

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Thank you Michael and team .

All good from me and I agree let’s keep the stocktake for the next round.

Tai will send to our DCEs office for visibility once we have all agreed good to go.

Ngā manaakitanga

Jules

Julia Lynch (MMgt) (she/her – [what’s this](#))

Ngāti Tūwharetoa, Ngāti Maniapoto, Ngāti Korokī Kahukura

Regional Commissioner | Auckland South | Kōmihana | Tāmaki Makaurau Ki te Tonga |

Regional Public Service Commissioner | Auckland | Public Service Commission | Tāmaki Makaurau, Te Pou Kōtui

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MSD Purpose: We help New Zealanders to be safe, strong and independent





From: Michael Quinn <Michael.Quinn@mbie.govt.nz>
Sent: Wednesday, 22 October 2025 3:53 pm
To: Jules Lynch <[s 9\(2\)\(a\) @msd.govt.nz](mailto:s 9(2)(a) @msd.govt.nz)>; [s 9\(2\)\(a\) @msd.govt.nz](mailto:s 9(2)(a) @msd.govt.nz)
Cc: Andy Hill <Andy.Hill@mbie.govt.nz>; Sunny Patel (Police) <sundip.patel@police.govt.nz>;
Afoa Malolo <afoa.malolo@hud.govt.nz>; Rachel Kelleher
<rachel.kelleher@aucklandcouncil.govt.nz>
Subject: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025 Version.docx
[UNCLASSIFIED]

Hi all – the penultimate draft. Thanks for helping to pull this together and providing content in a very tight timeframe. I'm happy that we have covered off the main questions in this initial brief.

We'll wait to see if there are any request for additions or changes from the key agencies.

We haven't included the full stocktake of services. We can – any strong views one way or the other? I've attached it fyi.

Timings – this needs to go to the Min for Auckland's by 11am tomorrow for onward distribution to the other Ministers. We'll adjust as required before that deadline.

Thanks all.

Q

Michael Quinn (he/him)

Head | Auckland Policy Office
Waea pūkoro: [s 9\(2\)\(a\) @mbie.govt.nz](mailto:s 9(2)(a) @mbie.govt.nz)
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BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025
Version refused under section 18(d), on the grounds that it will soon be publicly available on the MBIE website

From: [Afoa Malolo](#)
To: [Michael Quinn](#); [Julia Lynch](#); s 9(2)(a)
Cc: [Andy Hill \(Guest\)](#); [Sunny Patel \(Police\)](#); [Rachel Kelleher](#)
Subject: RE: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025 Version.docx [UNCLASSIFIED]
Date: Thursday, 23 October 2025 1:55:00 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
[image008.png](#)
[image009.png](#)

Kia ora Michael,

Just checking in to see if the brief was sent to Min. Brown today. I have included the work on this briefing as part of the weekly report to Ministers Bishop and Potaka, so any updates on this would be helpful so I can close out in my report.

Cheers

Afoa

Afoa Tevita Malolo

Director | Auckland

Delivery Group, Te Tuapapa Kura Kainga – Ministry of Housing and Urban Development

Afoa.Malolo@hud.govt.nz | Mobile: s 9(2)(a)

www.hud.govt.nz | Level 7, 45 Queen Street, Auckland



From: Michael Quinn <Michael.Quinn@mbie.govt.nz>

Sent: Wednesday, 22 October 2025 9:02 pm

To: Afoa Malolo <Afoa.Malolo@hud.govt.nz>; Julia Lynch <s 9(2)(a)@msd.govt.nz>; s 9(2)(a) <s 9(2)(a)@msd.govt.nz>

Cc: Andy Hill (Guest) <andy.hill@mbie.govt.nz>; Sunny Patel (Police) <sundip.patel@police.govt.nz>; Rachel Kelleher <rachel.kelleher@aucklandcouncil.govt.nz>

Subject: RE: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025 Version.docx [UNCLASSIFIED]

And are we okay adding this footnote, which addresses Rachel's earlier comment:

“Over the past year, the number of people identifying as homeless has increased across the Auckland region by 121 percent, but has dropped in the city centre by 33 percent from last quarter. Source: Auckland Council”

From: Michael Quinn

Sent: Wednesday, 22 October 2025 8:37 pm

To: 'Afoa Malolo' <Afoa.Malolo@hud.govt.nz>; Julia Lynch <s 9(2)(a) @msd.govt.nz>; s 9(2)(a) @msd.govt.nz
Cc: Andy Hill <Andy.Hill@mbie.govt.nz>; Sunny Patel (Police) <sundip.patel@police.govt.nz>; Rachel Kelleher <rachel.kelleher@aucklandcouncil.govt.nz>
Subject: RE: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025
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Hi all – amended para Afoa refers to will be changed to:

21. Homelessness, rough sleeping and begging are not synonymous with anti-social, criminal or intimidating behaviour, and it is important that responses distinguish between social vulnerability and other activities.

Does that work?

From: Afoa Malolo <Afoa.Malolo@hud.govt.nz>
Sent: Wednesday, 22 October 2025 5:09 pm
To: Julia Lynch <s 9(2)(a) @msd.govt.nz>; Michael Quinn <Michael.Quinn@mbie.govt.nz>; s 9(2)(a) @msd.govt.nz
Cc: Andy Hill <Andy.Hill@mbie.govt.nz>; Sunny Patel (Police) <sundip.patel@police.govt.nz>; Rachel Kelleher <rachel.kelleher@aucklandcouncil.govt.nz>
Subject: RE: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025
Version.docx [UNCLASSIFIED]

Kia ora koutou,

Apologies for the late feedback, it's been one of those days as I imagine it has been for you. Our main pieces of feedback are:

- Ensuring the distinction between anti-social behaviour and homelessness are not conflated. Survival behaviours for homelessness such as rough sleeping and begging need to be excluded or distinguished from anti-social behaviour. Paragraph 21 could be strengthened to make this distinction.
- In para 7, I think both CG and LG have an additional shared objective (evident through the stocktake) to also ensure that those that need help have access to that help.
- Considerations of re-locating services and/or move-on orders should be treated with caution. There is a risk that this approach could shift the issue to neighbouring areas and create more barriers to people accessing essential support without appropriate safeguards in place. Can we raise this as a corollary to delivering in alternate settings (para 25)?
- ACM are also delivering an enhanced model of Transitional Housing that will address immediate access to short term accommodation without the need for an immediate referral from MSD. I think we should look at this as an additional initiative to note (happy to leave out at this stage as well until we reconvene and discuss).
- As an update we have confirmed funding for Te Tapui Atawhai with Helen and will complete contracting with ACM by this Friday.

Thank you for referring to the Justice Sector Ministers meeting. In confidence, I'm aware that they are now looking to progress move on orders and bans on begging in certain areas but I don't have any detail yet. This will likely affect this piece of work including the effectiveness of some of the services agencies fund. A conversation for next week.

Nga mihi
Afoa

Afoa Tevita Malolo

Director | Auckland

Delivery Group, Te Tuapapa Kura Kainga – Ministry of Housing and Urban Development

Afoa.Malolo@hud.govt.nz | Mobile: s 9(2)(a)

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IN-CONFIDENCE:RELEASE EXTERNAL

From: Jules Lynch <s 9(2)(a)@msd.govt.nz>
Sent: Wednesday, 22 October 2025 4:15 pm
To: Michael Quinn <Michael.Quinn@mbie.govt.nz>; s 9(2)(a)@msd.govt.nz
Cc: Andy Hill (Guest) <andy.hill@mbie.govt.nz>; Sunny Patel (Police) <sundip.patel@police.govt.nz>; Afoa Malolo <Afoa.Malolo@hud.govt.nz>; Rachel Kelleher <rachel.kelleher@aucklandcouncil.govt.nz>
Subject: RE: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025
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Thank you Michael and team .

All good from me and I agree let's keep the stocktake for the next round.

Tai will send to our DCEs office for visibility once we have all agreed good to go.

Ngā manaakitanga
Jules

Julia Lynch ^(MMg) (she/her – [what's this](#))

Ngāti Tūwharetoa, Ngāti Maniapoto, Ngāti Korokī Kahukura

Regional Commissioner | Auckland South | Kōmihana | Tāmaki Makaurau Ki te Tonga |

Regional Public Service Commissioner | Auckland | Public Service Commission | Tāmaki Makaurau, Te Pou Kōtuiti
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Cc: Andy Hill <Andy.Hill@mbie.govt.nz>; Sunny Patel (Police) <sundip.patel@police.govt.nz>;
Afoa Malolo <afoa.malolo@hud.govt.nz>; Rachel Kelleher
<rachel.kelleher@aucklandcouncil.govt.nz>

Subject: BRIEFING-REQ-0022689 Auckland City Centre Report Back - 22 10 2025 Version.docx
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We’ll wait to see if there are any request for additions or changes from the key agencies.

We haven’t included the full stocktake of services. We can – any strong views one way or the other? I’ve attached it fyi.

Timings – this needs to go to the Min for Auckland’s by 11am tomorrow for onward distribution to the other Ministers. We’ll adjust as required before that deadline.

Thanks all.

Q

Michael Quinn (he/him)

Head | Auckland Policy Office
Waea pūkoro: [s 9\(2\)\(a\)@msd.govt.nz](mailto:s 9(2)(a)@msd.govt.nz)
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From: s 9(2)(a)
To: s 9(2)(a)
Cc: [Laura Miller](#)
Subject: RE: For comment: Draft Brief Public disorder - Outstanding policy decisions - due Friday 24 October
Date: Friday, 24 October 2025 2:16:47 pm
Attachments: [image002.png](#)
[image007.png](#)
[image009.png](#)
[image011.jpg](#)
[image013.jpg](#)
[Summary of HUD feedback - Public disorder outstanding policy decisions IN-CONFIDENCE.pdf](#)
[20251022 Draft Briefing Responses to public disorder outstanding policy decisions - agency consultation.docx](#)
[image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.jpg](#)
[image017.png](#)
[image018.png](#)
[image019.jpg](#)

Kia ora Jess,

Thank you for providing us with the opportunity to comment on the most recent draft.

For ease, please find attached a summary of HUD feedback and recommendations by theme. We have also attached the briefing with comments directly in the document.

Ngā manaakitanga,

s 9(2)(a) (she/her)
Senior Policy Advisor Responding to Severe Housing Needs
Policy Group
s 9(2)(a)
www.hud.govt.nz | L8, 7WQ, 7 Waterloo Quay, Wellington 6011 | New Zealand

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From: s 9(2)(b)(i) @justice.govt.nz>
Sent: Friday, 24 October 2025 1:24 pm
To: s 9(2)(a) @hud.govt.nz>
Cc: s 9(2)(a) @justice.govt.nz>
Subject: RE: For comment: Draft Brief Public disorder - Outstanding policy decisions - due Friday 24 October

Hi s 9(2)(a) thanks for letting me know. And thanks for doing your best to work to our tight timeframes.

Many thanks,
s 9(2)(a)

From: s 9(2)(a) @hud.govt.nz>
Sent: Friday, 24 October 2025 1:22 pm
To: s 9(2)(a) @justice.govt.nz>
Subject: RE: For comment: Draft Brief Public disorder - Outstanding policy decisions - due Friday 24

October

Kia ora s 9(2)(a)

Just touching base to apologise for the delay and let you know we will be sending through our feedback shortly.

Ngā mihi,

s 9(2)(a) (she/her)
Senior Policy Advisor | Responding to Severe Housing Needs
Policy Group
s 9(2)(a)
www.hud.govt.nz | L8, 7WQ, 7 Waterloo Quay, Wellington 6011 | New Zealand

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From: s 9(2)(a) @justice.govt.nz
Sent: Wednesday, 22 October 2025 4:16 pm
To: s 9(2)(a) @police.govt.nz; s 9(2)(a) @police.govt.nz; s 9(2)(a) @hud.govt.nz; Laura Miller <Laura.Miller@hud.govt.nz>; s 9(2)(a) @hud.govt.nz; s 9(2)(a) @msd.govt.nz; s 9(2)(a) @msd.govt.nz; s 9(2)(a) @ot.govt.nz; s 9(2)(a) @ot.govt.nz; s 9(2)(a) @ot.govt.nz; s 9(2)(a) @ot.govt.nz; s 9(2)(a) @dia.govt.nz; s 9(2)(b)(i) @dia.govt.nz; s 9(2)(a) @crownlaw.govt.nz; s 9(2)(a) @corrections.govt.nz; s 9(2)(a) Corrections
s 9(2)(a) @corrections.govt.nz; s 9(2)(a) @corrections.govt.nz; s 9(2)(a) TPK <s 9(2)(a) @tpk.govt.nz>; s 9(2)(a) @tpk.govt.nz; s 9(2)(a) @police.govt.nz
Cc: Wheeler, Sally <Sally.Wheeler@justice.govt.nz>; s 9(2)(a) @justice.govt.nz; s 9(2)(a) @justice.govt.nz; s 9(2)(a) @ot.govt.nz
Subject: For comment: Draft Brief Public disorder - Outstanding policy decisions - due Friday 24 October

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Kia ora koutou

As you may be aware, the Minister of Justice recently made decisions on our advice on public disorder and the MAG's report on antisocial behaviours. The Minister decided to take the following proposals to Cabinet:

- progress move-on orders for certain instances of public disorder, and
- progress a ban on begging in designated areas.

We have been preparing advice at pace to seek final policy decisions on these proposals, with the aim of

taking a paper to Cabinet on 8 December to meet the Government's Quarter 4 target to take Cabinet decisions on tools to address antisocial behaviour.

Due to our tight timeframes, we are requesting feedback on the attached draft briefing **by noon this Friday 24 October**. We understand this is a very tight turnaround so are grateful to receive very targeted, redline feedback or overarching agency comments.

Please note that the draft briefing is still quite rough, but we wanted to provide it as early as we possibly could. We intend to provide the briefing to our Minister on Thursday 30 October.

As the turnaround between the final policy decisions and the Cabinet paper is tight, we are also preparing the Cabinet paper and the RIS at pace. As such, we will be doing agency and Ministerial consultation simultaneously.

If you would like to discuss anything in the paper, please let us know. We are happy to meet if you think that might help address any redline issues or time concerns you have.

Ngā mihi nui,
s 9(2)(a)



s 9(2)(a)

Principal Policy Advisor | Criminal Justice Unit | Policy Group

Ministry of Justice | Tāhū o te Ture

Justice Centre | 19 Aitken Street | Wellington 6011

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HUD feedback – Strengthening responses to public disorder – outstanding policy decisions

General comments on the proposals

Distinction

- HUD are concerned that a lack of distinction between anti-social behaviour and homelessness creates a risk of criminalising homelessness and could cause further harm to people.
- In its current form, the proposal could also compromise recent investment into short-term actions to reduce homelessness, including limiting or preventing access to essential support and accommodation.

Recommendations:

1. We recommend the explicit exclusion of survival behaviours for homelessness (i.e. rough sleeping and begging) from the definition of public disorder, and that this is reflected across all proposed safeguards.
2. The paper currently uses data on rough sleeping as a proxy for understanding the begging population. We recommend considering other indicators as begging and rough sleeping are distinct and have different social impacts.

Punitive approaches

- Law enforcement and punitive approaches are an inappropriate and ineffective response to homelessness.
- The ability of someone experiencing homelessness to effectively engage with the court system, or pay a fine is limited, therefore the risk of incarceration is higher. Criminal convictions inhibit access to tenancies and some services, therefore compounding the problem. Auckland Council experience shows that they are less likely to enforce by-laws related to public nuisance and prefer to engage directly with people in the first instance.
-

Recommendations:

1. This risk could be mitigated if non-compliance were an infringement rather than a criminal offence.

Impact on human rights:

- We agree that there will be disproportionate impact on Māori and other populations of interest such as youth, mentally ill and children. We support the recommendation for further consultation particularly in urban areas such as Auckland CBD.
- Previous advice included reports on the use of move-on orders in Australia demonstrating disproportionate application against people experiencing homelessness, indigenous, young, or mentally ill. Māori experiencing homelessness may face disproportionate risk of harm.
- We note that people experiencing homelessness should be afforded equal access to public spaces, in accordance with public amenity standards and non-discrimination principles, particularly where no thresholds for anti-social or disorderly behaviour have been met.

Recommendations:

1. We recommend the paper include reference to the Australian reports, which highlight disproportionate impact of these tools on vulnerable populations.
2. We recommend framing the impact on Māori as Māori are more likely to experience inter-generational poverty and experience multiple types of deprivation and material hardship.

Move-on powers

Clarification of behaviours covered by move-on orders

- We consider move-on orders should be treated with strong caution as there is limited evidence available on their effectiveness. There is also a risk that move-on orders could simply shift the issue to neighbouring areas.
- We consider strong caution is needed here for references to ‘imminent’ offending. There is a high risk that this could create opportunities for people to prejudge the potential behaviour of someone based on assumptions or beliefs that they are homeless, how they look, or other discriminations. There is also a risk that this could set a precedence around punitive measures for anticipated rather than actualised behaviour.
- The paper provides a clear overview of the settings under the Summary Offences Act and potential risks associated with this proposal. Given the existing legislative tools, there does not appear to be evidence of an enforcement gap that would support the introduction of a new offence or penalties. Under section 22, liability is dependent on whether someone acted without reasonable excuse. Homelessness and a lack of housing should be considered a reasonable excuse to occupy public space in this context.
- We do not consider linking move-on orders with obstruction of a public way an appropriate means to address this behaviour. We consider the warning element and corresponding penalty (proportionate to the behaviour) under the Summary Offences Act sufficient and allows Police the opportunity through the warning action to assess an appropriate response that may include referral to services. Our concern, and this has been highlighted in our cross-agency discussions, is centred around how we support people whether they are obstructing a public way or sleeping/resting in the street, to access services.

Recommendations:

1. We recommend ‘imminent’ is removed from the construction of move-on orders.
2. We recommend clarifying that people experiencing homelessness should be treated as having a reasonable excuse for occupying public spaces, where no specific anti-social behaviour has occurred.

Service of a move-on order:

- In principle, we acknowledge the potential of move-on orders to address anti-social behaviour, provided that survival behaviours associated with homelessness are explicitly excluded (e.g. rough sleeping, begging).
- Our experience in Auckland shows that many people experiencing homelessness have no fixed abode and this may curtail the process of detaining individuals to collect necessary information. The advice should consider what would happen in the event that an individual cannot provide that information.

- It should be noted that some people may not be able to provide an address and advice should consider what would happen in the
- Removing the right to immediate appeal or review will greatly affect people experiencing homelessness as they are less likely to submit a complaint to Police conduct authority and/or access advice.

Recommendations:

1. To mitigate the risk of harm and ensure that people experiencing homelessness are not inadvertently targeted, we recommend the adoption of robust safeguards, including:
 - a. an exemption for survival behaviours associated with homelessness;
 - b. requiring a review on the effect of move on orders on homelessness after implementation; and
 - c. preventing interference with access to support, essential services, or where people stay or live.
2. In addition to the recommend safeguards we also recommend safeguards ensure people are not penalised when they are unable to provide information, such as an address.

Geographic parameters of a move-on order:

- HUD are concerned that reasonable distance could define a large proportion of the CBD and, without appropriate safeguards, could interfere with access to support, essential services, or where people live. For example, we have identified hot spots (areas where people congregate or where there is higher anti-social behaviour) in the Auckland CBD, some of which are located near services such as Orange Sky which provides mobile showers and food.

Ban on begging in “relevant areas”

Behaviours covered by the begging ban and excluded behaviours

- We note the paper provides a balanced view, clearly outlining some of the potential risks associated with this proposal, including the likely disproportionate impact on vulnerable people, such as those experiencing homelessness.
- HUD are concerned that the proposal risks conflating anti-social behaviour, homelessness, and begging. This includes conflating begging with general rough sleeping without begging.
- Despite their visibility, behaviours such as begging and rough sleeping do not necessarily contribute to public disorder. They are however a survival behaviour for those who are homeless and banning it will likely cause further harm to people.
- Where the threshold is met, legal mechanisms to address nuisance and aggressive behaviours already exist under the Summary Offences Act. Given the existing legislative tools, there does not appear to be evidence of an enforcement gap that would support the introduction of a new offence or penalties. It may be worth noting that some councils have decided not to introduce begging by-laws, or dropped the ones they did have, because they would be too hard to enforce.
- Notable examples include:
 - Napier – charges against three beggars were dropped by police in 2017 after the council clarified the rule was not intended for beggars.

- Auckland – previous 2013 wording around begging activity in the bylaw has been removed and replaced with a more general description about bad behaviours.
- Wellington – has alternatively adopted an assertive street outreach service that addresses the causes of begging.

Behaviours excluded from the ban:

Recommendations:

1. To mitigate the risk of harm and ensure that people experiencing homelessness are not inadvertently targeted, we recommend the adoption of robust safeguards, including:
 - a. creating an explicit exclusion of survival behaviours for homelessness where thresholds for aggressive begging or other nuisance behaviour have not been met;
 - b. requiring a review on the effect of move on orders on homelessness after implementation; and
 - c. preventing interference with access to support, essential services, or where people stay or live.

Relevant areas and distance of a begging ban:

- HUD are concerned that relevant areas could define a large proportion of the CBD and, without appropriate safeguards, could interfere with access to support, essential services, or where people live.

Retail premises:

- There is a high risk that this could create opportunities for people to prejudge the potential behaviour of someone based on assumptions or beliefs that they are homeless, how they look, or other discriminations.

Penalty for a ban:

- HUD is concerned that the punitive approach risks targeting people experiencing homelessness and will cause further harm to people.
- The ability of someone experiencing homelessness to effectively engage with the court system, or pay a fine is limited, therefore the risk of incarceration is higher. Criminal convictions inhibit access to tenancies and some services, therefore compounding the problem.
- The proposed penalties do not appear to be proportionate to the situation, particularly where no threshold for nuisance or aggressive behaviour has been met (e.g. sitting quietly with a cup out).

Recommendations:

1. As an alternative, advice could consider refining begging offences to more aggressive behaviour and consider a higher threshold to warrant sanction under the Summary Offences Act.

12	Decisions on treatment of ASB impacts ability to achieve outcomes	<p>Parallel work on anti-social behaviour being undertaken by Ministers Goldsmith (with a focus on retail impact) and Brown (specifically in Auckland) may affect delivery and impact of these actions. Risks include:</p> <ul style="list-style-type: none"> a) 'move on' orders could limit or prevent access to homelessness services in the city centres for rough sleepers b) services intended for rough sleepers being diverted to people showing anti-social behaviour (e.g. the ACM day centre part-funded through this work is also being considered as an option to address the ASB issue) 	Medium	Communicate the impact of this approach to Ministers	Medium
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From: [Afoa Malolo](#)
To: [Bronwyn Lauten](#); [Julia Minko](#)
Cc: [Olivia Burnett \(Guest\)](#); [Cole Blair](#); [Jo Hogg](#); [Malo Ah-You](#); [s 9\(2\)\(a\)](#); [Jessica Garland](#)
Subject: Auckland CBD meetings 30/10
Date: Friday, 31 October 2025 8:52:04 am
Attachments: [BRIEFING-REQ-0022958 Auckland City Centre Meeting.docx](#)
[BRIEFING-REQ-0022958 Annex One Intervention Options A3.docx](#)
[BRIEFING-REQ-0022689 Auckland City Centre Report Back.pdf](#)
[image001.png](#)

Morena Bronwyn and Julia,

Please find below the summary read-out from the 2 meetings HUD (Jo Hogg/Afoa Malolo) attended yesterday. Both meetings were held at the Auckland Policy Office and convened by Minister Brown as a follow-up to a meeting that Ministers and HUD officials attended on the 15th October to address rough sleeping/homelessness and anti-social behaviour in the Auckland city centre. I have also attached the 2 briefings prepared by the Auckland Policy Office (MBIE) and annex.

1. The first meeting included Minister Brown and senior officials from MBIE, MSD and HUD (Afoa). Min Brown laid out Ministers expectations about addressing rough sleeping, anti-social behaviour and safety, feel of the city centre. He was very clear about the economic performance and reputation of the Auckland CBD and its contribution to national GDP and the need to protect it by delivering visible change in the short term. He acknowledged the current BAU work of agencies and council but wanted to ensure that effort and activity across agencies and council were consistent with his expectations. He was appreciative of the list and range of proposed actions, noted HUD's Housing First allocation in Auckland and how that would help rough sleepers into housing. The Minister is also aware of the work happening in the Justice sector. He then spent 15 minutes with Mayor Brown in a pre-meet to discuss his expectations and seek alignment.
2. The Auckland City Centre meeting included Min Brown, Mayor Brown, Phil Wilson (Council CE), senior officials from agencies (HUD-Jo/Afoa) and Council, the Auckland central city business community. The meeting opened with the Minister and the Mayor setting out respective ministerial and council intent and expectations on the city centre with an emphasis of moving rough sleepers out of the lower Queen St/Britomart precinct. The mayor was appreciative of Min Brown's efforts to provide ministerial oversight and his effort to pull together central and local government and the business community to address this issue. The Police DC for CBD also gave a short brief of what Police have been observing in the city with visible rough sleeping and homelessness and anti-social behaviour particularly in the precinct area noting that its visibility is driving a perception of feeling unsafe in the city centre. It was also noted that disorder was down over the last 12 months, but the feeling of safety has not changed.
3. The list of actions and a map of hotspots was distributed amongst the attendees and the Minister invited discussion and feedback:
 - The list of initiatives and corresponding actions was generally well received by attendees. There was strong acknowledgement of central government

participation with the need to ensure coordination and collaboration. There was discussion about housing and HUD's recent appropriation for Housing First places. Jo/Afoa provided more context on the number of places available for Auckland, the existing capacity of places with current providers with our assurance that we would work with providers to support the Minister's expectations. There was also some later discussion that the total number of places (~300) was insufficient to meet overall demand (~940) given that Housing First is a proven housing solution for this cohort. Jo provided an explanation of the current fiscal funding environment and that the limited funding was not a reflection of the HF programme but due to availability of funding in the current environment.

- There was discussion about tactical activity, in particular increasing patrols (police, council enforcement officers, and private security through businesses) with much of the discussion focused around certain urban amenity areas (Fort St pocket park, lower Queen St) and removal of people engaged in criminal or anti-social behaviour away from those areas. There was a suggestion of amending council by-laws to promote stricter enforcement and compliance, which the mayor welcomed and invited Police to assist with re-drafting.
- The business community were particularly concerned about the increase in the visibility of rough sleeping and strongly advocated for more housing options for rough sleepers whether through emergency or transitional housing and options for housing outside of the city centre (not the periphery as they likely to return to the city). We talked about the ACM proposition for its day centre and there appeared to be strong support for this as an option to move people on to, triage and refer to appropriate support services and provide facilities to store belongings (away from the library).
- There was some focused discussion on mental health, police intervention with people presenting with mental health issues and the intersect with services. Police observed that this issue is complex as some of the behaviours are not mental health related but people just behaving badly. There was recognition that the challenge will be where to refer or move them on to with ACM used as an example of a triage facility.

4. Additional actions to add to list of initiatives:

- Amending Council by-laws – Council and Police will work on this
- s 9(2)(f)(iv)

[Redacted text]

5. Follow-up:

- Senior/Executive officials to convene a governance group (APO Lead, Regional Public Service Commission Lead, Council GM Community) that will finalise list of initiatives and associated actions and set up weekly monitoring meetings. HUD will work closely with this group.
- A follow up ministerial/mayoral meeting with officials and business community in

December with an update from officials

6. HUD follow-up:

- Set up meeting with Auckland providers to provide visibility of this work and discuss a more joined up approach to support rough sleepers in the CBD and wider Auckland areas.
- Talk to ACM and understand what's possible s 9(2)(b)(ii) [REDACTED] in the day centre proposal to address some of the actions being proposed

Let me know if you need any further information or have questions on the above.

Nga mihi

Afoa

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refused under section 18(d), on the grounds that they will soon be publicly available on the MBIE website