

# **Criminal Records (Clean Slate) Act 2004**

## **What does this law do?**

The "clean slate" law will help you put your past behind you by giving you the right, in some circumstances, to withhold information about your convictions. To do so, you will have to meet a range of conditions to do with your conviction history. However, youth court outcomes, infringements, and overseas convictions are not "convictions" under the clean slate scheme, so will not be included when weighing up whether you qualify for a "clean slate".

The Criminal Records (Clean Slate) Act 2004 will apply from 29 November 2004.

## **What conditions do I have to meet?**

You must meet all conditions in section 7 of the Act (a summary is set out below) before your convictions can be withheld. The Act should be consulted for full information.

You must have:

- no convictions within the last 7 years;
- never been sentenced to a custodial sentence e.g. imprisonment, corrective training, borstal;
- never been ordered by a Court following a criminal case to be detained in a hospital due to your mental condition, instead of being sentenced;
- not been convicted of a "specified offence" (e.g. sexual offending against children and young people or the mentally impaired);
- paid in full any fine, reparation, or costs ordered by the Court in a criminal case;
- never been indefinitely disqualified from driving under section 65 Land Transport Act 1998 or earlier equivalent provision.

## **Are there any circumstances where I will need to disclose my convictions?**

- if you apply for certain types of employment (e.g. a member of police, prison or probation officer, national security positions, a judge, or JP) or roles involving the care and protection of children

If you are concerned about how the act applied to your situation you should seek independent legal advice or refer to the Ministry of Justice website at [www.justice.govt.nz](http://www.justice.govt.nz)