

Difference between Electronic Monitoring of Curfew and Electronic Monitoring of Bail

Electronic Monitoring of Curfew (EM Curfew) is different from Electronic Monitoring of Bail (EM Bail).

The Reducing Youth Serious Offending legislation means the court can create a curfew condition that can be electronically monitored. Te Ara Poutama Department of Corrections provides this service. The 2 Youth Court orders that can have an EM Curfew imposed are:

- Intensive Supervision Order (section 296G)
- Supervision with Activity under a YSO Declaration (section 308AA(1)).

On EM Curfew as part of Supervision with Activity under a Young Serious Offender declaration, Police can detain and arrest a rangatahi without a warrant if they breach their EM Curfew conditions.

EM Curfew is different from EM Bail in that:

- it is monitored through radio frequency, so doesn't monitor where the wearer goes, unlike EM Bail, which is GPS tracked
- it is monitored by the supervisor of the order, unlike EM Bail, which is monitored by Police and Corrections (meaning there are no unscheduled checks by Police)
- it can be monitored for no more than 84 hours a week, unlike EM Bail, which can be 24 hours a day
- a social worker can approve an absence and then inform the court, unlike EM Bail where Corrections must approve minor variations and the court must approve substantial changes.