



18 July 2016

C78336, C78737

Roger Brooking
badacaod@gmail.com
and fyi-request-4193-7ed64a58@requests.fyi.org.nz

Dear Mr Brooking

Thank you for your email to the Department dated 9 June 2016, and subsequent identical request via the FYI website dated 29 June 2016, requesting information about the Department's High Risk Response team and High and Complex Needs panel. Your request has been considered under the Official Information Act 1982 (OIA).

You have asked several questions regarding each of these groups and how they work together. Your queries have been addressed below.

1. When was the High Risk Response (HRR) team established?

The HRR team was established in December 2010 as part of a Departmental restructure.

2. What is the purpose or role of the HRR team?

The HRR team was established to provide a national focus on the management of high risk and high profile offenders in the community and prisons, and to provide support and guidance for staff managing those offenders. The team also manages and has oversight of the processes involved in the Department's making of applications for Extended Supervision Orders (ESO), Public Protection Orders (PPO), and more recently, Returning Offender Orders (ROO).

3. How does it carry out those functions?

The HRR team carries out its functions in a variety of ways. The administrative core of the team is based at National Office and the functions associated with ESO, PPO and ROO applications are managed there. The manager of the team is also based at National Office and has oversight of the whole team including staff based in each of the four regions throughout the country.

Regional staff are primarily a resource for each region assisting with the identification of high risk issues, providing advice and support for staff managing

high risk offenders and communicating issues of concern or interest to the national manager.

4. How many people are on this team?

The HRR team currently has 20 positions within its structure.

5. Does the HRR team keep a written record of its meetings? If not, why not?

The HRR team does not keep a detailed record of its meetings. Action points are noted by the manager and staff who have responsibility for those, so that they can be followed up as required. The team's role is to support best practice, identify trends and offer advice to managing staff in the field. Advice offered by team members is often recorded by individual staff managing offenders as part of the considerations they have taken into account in decision making.

6. When was the High and Complex Needs (HCN) panel established?

The HCN panel at National Office is an oversight group comprising senior Corrections management and specialists. It supports the behavioural and sentence management of offenders (in prison and the community) and was established in 2013.

7. What is the relationship between the HRR team and the HCN panel?

The HCN meets monthly to discuss a small number of offenders who are referred to the panel by regional management teams in consultation with the HRR team. Members of the HCN panel are also able to refer offenders for consideration at panel meetings. The HRR team provides secretariat support for the HCN panel. For each offender to be discussed, a profile is developed in consultation with managing staff in the community or prisons, the HRR advisors and Corrections Intelligence. The HCN panel discusses high-risk offenders, high-profile offenders and offenders with multiple and complex needs, including those with long sentences or security classifications that may preclude them from engaging in some rehabilitation activities.

8. Does the HCN forum keep a written record of its meetings? If not, why not?

At each HCN panel meeting for each offender who is discussed, action points are noted on the file for follow up, and a note is sometimes made of particular discussion points if they are of relevance. Staff involved directly in the management of offenders are invited to attend the discussion in person or by AVL.

9. *Are the outcomes of HRR or HCN discussions held about particular offenders (or decisions made by prison or probation staff about steps to be implemented following these discussions) recorded on the offender's file?*

Outcomes of HRR discussions are dealt with in the same way as those discussed by the HRR team. Please refer to question 5 above.

10. *Does the offender's file record that the offender has been discussed by HRR or at HCN?*

As noted in question 5, individual staff members managing offenders may choose to note on the record their interactions and discussions with the HRR team which acts in an advisory capacity.

Offenders who have been discussed by the HCN can have an alert entered into their record stating that they are subject to HCN panel oversight. This alerts staff to the fact that significant changes in the offender's circumstances and/or significant changes in their management should be brought to the attention of the HCN panel for consultation and advice if required.

11. *How many prisoners have been referred to the HRR team for discussion since its inception?*

Unfortunately, we cannot readily extract the number of prisoners who have been referred to the HRR team for discussion since its inception from our electronic records. In order to identify this type of specific information, we would be required to manually review a large number of files.

In accordance with the OIA, we have considered whether to affix a charge or extend the time limit for responding. However, given the scale of the request we do not consider that this would be an appropriate use of our publicly funded resources. Therefore, this part of your request is declined under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research.

12. *How many prisoners have been referred to the HCN panel for discussion since its inception?*

I can advise that 66 offenders including both community based and those held in custody, have been discussed at the HCN panel since 2013.

13. *How many of those prisoners had their security classification raised after discussion by the HRR or HCN.*

As already noted, the HRR team and the HCN panel act in an advisory and support capacity. While there have been some instances where a prisoner's security classification may have been discussed as part of a more general discussion about the management of the offender and their presenting

circumstances, any decisions regarding security classifications are made by the relevant Prison Director in line with Departmental guidance and procedures. Underrides and overrides of security classifications can be made by Prison Directors, again in line with Departmental guidance. Such decisions are noted in the offender record by the prison staff and not the HRR team or the HCN panel.

14. How many inmates were temporarily or permanently unable to attend a rehabilitation program in prison because their security classification was raised after such discussion?

Unfortunately, we cannot readily extract the number of prisoners who were unable to attend rehabilitation programmes in prison due to an increase in their security classification, following discussion by the HRR or HCN panel, from our electronic records. In order to identify this type of specific information, we would be required to manually review a large number of files.

In accordance with the OIA, we have considered whether to affix a charge or extend the time limit for responding. However, given the scale of the request we do not consider that this would be an appropriate use of our publicly funded resources. Therefore, this part of your request is declined under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research.

The Department is also statutorily obligated to protect all private information that we hold, including information relating to offenders. We are unable to release the details you have requested as doing so would contravene our obligations under the OIA and the Privacy Act. Therefore, this part of your request is withheld under section 9(2)(a) of the OIA, to protect the privacy of natural persons, including that of deceased natural persons.

As per section 9(1) of the OIA, we have also considered whether there are countervailing public interest considerations favouring the release of the requested information. We do not believe such considerations are present in this case.

15. If a prisoner's security classification was not raised following such discussion, what other kinds of decisions were made by prison management about the situation posed by a given inmate.

Normal policy and procedure would apply for such decisions and they would be made by the Prison Director.

16. Since the HRR team and the HCN panel were initiated;

a) how many prisoners referred to either of these groups have subsequently been released on parole?

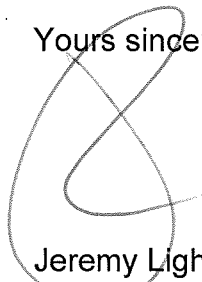
- b) *how many prisoners referred to either of these groups have been released at (or near) the end of their sentence on release conditions.*
- c) *how many prisoners referred to either of these groups are still in prison?*
- d) *how many prisoners referred to either of these groups have been released at (or near) the end of their sentence without having attended a rehabilitation programme in prison.*

Unfortunately, we cannot readily extract the number of prisoners who were referred to either the HRR team or HCN panel that have subsequently been released or who are still in custody from our electronic records. In order to identify this type of specific information, we would be required to manually review a large number of files.

In accordance with the OIA, we have considered whether to affix a charge or extend the time limit for responding. However, given the scale of the request we do not consider that this would be an appropriate use of our publicly funded resources. Therefore, this part of your request is declined under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research.

I trust the information provided is of assistance. Should you have any concerns with this response, I would encourage you to raise these with the Department. Alternatively you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Jeremy Lightfoot
National Commissioner