

Hon Kelvin Davis



MP for Te Tai Tokerau

Minister for Māori Crown Relations: Te Arawhiti

Associate Minister of Education

Minister of Corrections

Minister of Tourism

13 NOV 2018

Ti Lamusse

FYI

fyi-request-8613-808eca6c@requests.fyi.org.nz

Tēnā koe Ti

I refer to your email of 11 October 2018, requesting any report, policy document, or any other document about the High Impact Innovation Programme (HIIP), including any review of the implementation of the HIIP carried out to date. I have interpreted this request as meaning all reports and documents provided to me about the HIIP.

Your request has been considered in accordance with the provisions of the Official Information Act 1982 (OIA).

The following documents have been identified as within scope of your request:

- B3692 – High Impact Innovation Programme – Remand Triage Initiative, 16 August 2018.
- B3663 – High Impact Innovation Programme – 2017/2018 results and activity for year two.

Please note that some information has been withheld under the following sections of the OIA:

- 9(2)(a) - to protect the privacy of natural persons, including that of deceased natural persons.
- 9(2)(f)(iv), to maintain the confidentiality of advice tendered by Ministers of the Crown and officials.

I do not believe there are any considerations under section 9(1) of the OIA rendering it desirable in the public interest to make the information available which outweigh the reasons for withholding.

I trust the information provided is of assistance. If you have any concerns with this response you may raise them with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā

A handwritten signature in blue ink that reads 'Kelvin Davis'.

Hon Kelvin Davis

Minister of Corrections

To: Hon Kelvin Davis, Minister of Corrections

High Impact Innovation Programme (HIIP) - 2017/18 results and activity for year two

Date	18 July 2018	Decision needed by	No decision required
B number	B3663	Priority	Medium

Recommendations

Note the current and planned work from the High Impact Innovation Team.

Consultation

Justice Social Development Police Health Other:

Key comments: No consultations.

Contacts for telephone discussion (if required)

Name	Position	Contact number	First contact
Jeremy Lightfoot	Deputy Chief Executive	s9(2)(a)	<input type="checkbox"/>
Leigh Marsh	Programme Director, High Impact Innovation Programme	s9(2)(a)	<input checked="" type="checkbox"/>
Maddie Bargh	Senior Adviser, High Impact Innovation Programme	s9(2)(a)	<input type="checkbox"/>

Key messages

The purpose of this paper is to inform you of the work undertaken in the 2017/18 year, and planned for the 2018/19 year, by the High Impact Innovation Programme.

The High Impact Innovation Programme contributes to the Government's commitment to reduce the prisoner population by 30% by 2032.

High Impact Innovation Programme background

- 1 The High Impact Innovation Programme (HIIP) is a cross agency operational response to the rising demand on prison capacity. The programme contributes to the Government's commitment to reduce the prisoner population by 30% by 2032, and to reduce the overrepresentation of Māori in the criminal justice system.
- 2 The programme's initial focus is on a number of interventions aimed at increasing the number of people who are granted bail and parole, and supporting them in sustaining these.
- 3 The programme supports the Justice Sector Safe and Effective Justice Programme – Hāpaitia te Oranga Tangata strategic vision to create a criminal justice system that is more effective and that keeps New Zealanders safe. It is aligned to the following key strategies:
 - coordinated and fundamental change across the whole of the criminal justice system
 - the development of a common purpose for the criminal justice system, focussing on crime prevention, rehabilitation and restorative practices
 - the building of public confidence in the criminal justice system
 - the strengthening of partnerships (particularly with iwi/Māori).
- 4 An academic panel with justice sector expertise are overseeing the work of the programme and providing advice and guidance where required.

Current initiatives

- 5 The High Impact Innovation Programme is currently managing a number of tactical initiatives to reduce the pressure on the prison network. In some areas, the programme has been able to directly measure the prison bed night savings. Other initiatives are in early stages and measurement methods are not yet established. Therefore, the programme is unable to report on the prison bed savings for all of its activity. Notwithstanding this, the programme is considered to have contributed significantly to the recent drop in the prison population.
- 6 In the 2017/18 year, the initiatives being measured generated a prison bed saving of 64,000 days. This equates to a point-in-time reduction of 175 in the prison population. During 2017/18, the initiatives being measured impacted the pathways of 1923 people in the justice system.

EM Bail Ready

- 8 When a defendant is remanded into custody they are able to apply for Electronically Monitored (EM) bail. There are barriers for some defendants in preparing EM bail applications which limits their success. These defendants remain in custody on remand when they could be safely bailed to the community.
- 9 The High Impact Innovation Programme has placed EM bail advisers in prisons to proactively engage with newly remanded defendants and their defence counsel to assist with their applications. Assistance includes support to write the application, sourcing of suitable accommodation and engagement with family or other support people.
- 10 The EM Bail Ready initiative increases the chances that a person will be granted EM bail where this is a safe option. This reduces the pressure on the prison network and can benefit the defendant where EM bail is a more suitable alternative to prison. It has also reduced the number of times EM bail is applied for before being granted, saving court time and resources.
- 11 In 2017/18 the EM Bail Ready initiative generated a prison bed saving of 23,922 days. This calculates to a reduction of 66 in the overall prison population. 2864 defendants were engaged and there were 540 successful bail applications.
- 12 The EM Bail Ready initiative will continue to be deployed, measured and evaluated in 2018/19.

Bail Support Services

- 13 Bail Support Services began in January 2018 to expand on 'EM Bail Ready' by providing end to end support for defendants on bail. Bail support officers are conducting 'needs assessments' for defendants in court, immediately prior to their first hearing. They then provide a written plan on how any identified needs would be met if the defendant achieved bail. Needs could include income, education, health or accommodation. If bail is achieved, Bail support officers will work with the defendant in the community to support them to comply with their conditions and remain offence free.
- 14 The immediate outcomes of Bail Support Services are:
 - increase the number of defendants managed in a community based setting
 - decrease the time defendants spend in custody awaiting a bail outcome
 - decrease the number of bail applications filed before bail is achieved
 - reduce the number of court events required due to adjourned bail hearings
 - decrease the number of defendants that return to custody due to breach of bail
 - enhance defendant's opportunity to achieve a community based sentence if convicted.
- 15 Bail Support Services is currently being piloted in Wellington. Once complete, the pilot will be assessed to determine if the outcomes warrant continuation. Pending funding, the initiative will expand to Manukau, Hamilton and Christchurch. Any modifications required will be incorporated to provide a final service model. It is intended that the final service will be scaled and implemented in other areas. Initial feedback suggests that the initiative is likely to continue.

Electronically Monitored (EM) Bail phone application

- 16 At June 2018, the Electronically Monitored (EM) Bail population was around 780 defendants. These defendants are likely to be electronically monitored on bail for between eight weeks and two years. During this period they are likely to be subject to between eight and 10 court imposed bail conditions. Under the current settings, details of bail conditions are only provided to the defendant at court as part of their court documentation. In addition, bailed defendants do not receive any day to day support from justice sector agencies.
- 17 The High Impact innovation Programme has developed a smartphone application that will support defendants while on court imposed electronically monitored bail. The application will provide the defendant with direct access to support services, reminders associated with judicial events related to their case, and make it easier to request information or absences to attend approved events.
- 18 The bail application will deliver the following outcomes:
 - provide defendants with real time visibility of their court imposed bail conditions
 - enhance the ability for defendants to request an approved absence
 - provide defendants with written approval and instructions relevant to their requested absences
 - provide links to support services relevant to bailed defendants
 - provide useful contacts such as the Corrections National Operations Team
 - decrease the incoming call volumes to the Corrections National Operations Team from defendants requesting absences
 - reduce the volume of defendants that deviate from their absence instructions
 - reduce the volume of defendants remanded back into custody for breach of conditions.
- 19 The application is expected to be available to defendants from August 2018. It will be piloted with defendants in the Wellington and Tamaki areas. If successful, the application will be made available to all electronically monitored bail defendants and other applicable defendant groups.

Remand Triage

- 20 The High Impact Innovation Programme is funding Police Prosecution staff to analyse files of defendants who are remanded into custody. Through this process they quickly identify cases that require further evidence gathering or amendment and prioritise cases that can be resolved with less court appearances. The staff then support the courts with provision of evidence and engage with defence council to prepare defendants for their first hearing. This speeds up the court process and reduces the length of time that defendants are remanded in custody awaiting an outcome for their case.
- 21 In 2017/18 the Remand Triage initiative generated a prison bed saving of 23,591 days. This equates to a reduction of 65 in the overall prison population. Files were analysed for 2121 defendants with 712 of these receiving earlier sentences and 554 being granted bail.
- 22 A recent external review of Remand Triage has found that from February 2017 to May 2018 achieved a \$2.8 Million cost saving for Corrections. From April 2016 to May 2018, the cost incurred from Police Prosecution staff for the initiative is \$759,000.

- 23 The Remand Triage initiative will continue to be deployed, measured and evaluated in 2018/19.

Home Detention Resentencing

- 24 There are cases where offenders are eligible for home detention, but face accommodation barriers and are given a prison sentence with a 'leave to apply for home detention' status.
- 25 Corrections staff are working with offenders with a 'leave to apply for home detention' status to find appropriate accommodation solutions. Such cases are then presented back to a judge for substitution of their sentence to home detention.
- 26 Of the 518 eligible people who were identified in the 2017/18 year, 281 home detention applications were made and 117 of these were able to substitute their prison sentences to home detention. This generated a prison bed saving of 16,488 days, equating to a reduction of 44 in the overall prison population.
- 27 The Home Detention Resentencing initiative will continue to be deployed, measured and evaluated in 2018/19.

Parole Ready

- 28 Over the last five years there has been a steady decline in the number of offenders achieving parole, from 25% to 22%. This means more prisoners are spending a greater portion of their sentence in prison before being granted parole. Parole is an important aspect of an offender's sentence as it is the period where they can be closely managed through that transition back into society. Long serving prisoners released with little or no parole period are more likely to re-offend. The New Zealand Parole Board has indicated that engaging the prisoner in rehabilitation later in their sentence, and not moving directly into reintegrative activity is a key contributor to the decline.
- 29 Parole Ready Advisers are working with long serving prisoners to give them the support they need to achieve parole where it is safe and appropriate. This results in a reduction in the proportion of prison sentence served before achieving parole by giving greater opportunity for offenders to take part in managed reintegrative activity.
- 30 The benefits of the Parole Ready initiative are:
- increase in the overall parole achievement rate
 - parole being achieved at an earlier stage of the prisoners sentence, allowing for increased periods on reintegrative management in the community and reduced pressure on the prison capacity
 - shorter time between parole hearings
 - enhanced prioritisation of prisoners to programmes
 - a reduction in the number of prisoners declined parole due to non-completion of interventions.
- 31 The programme is developing a report to better understand which prisoners could be supported to achieve parole earlier. The report will support better decision making when scheduling rehab, it ensures that prisoners who need rehab first are prioritised.

- 32 Parole Board outcomes are also now being recorded and monitored nationally by the programme. This will provide insight into the reasons that parole is declined and will give further opportunity to identify prisoners to support.
- 33 The Release-to-Work programme is an important part of an offender's pathway that can increase the chances of an offender achieving parole. A Release-to-Work dashboard is being developed to give prison staff more visibility of prisoners who are working outside the prison perimeter. This will assist prison staff with managing this activity so that more prisoners can successfully complete Release-to-Work assignments.
- 34 The Parole Board have identified a number of low risk child sex offenders as being likely to achieve parole on successful completion of the Short Intervention Programmes (SIP). There are approximately 400 offenders on the waitlist for this intervention. The programme has funded additional psychologists at Rimutaka Prison and Tongariro Prison to provide additional Short Intervention Programmes to better prepare these offenders for parole.
- 35 The results of the Parole Ready initiative are being monitored and further evaluation will determine its continuation.

Initiatives being planned

- 36 As well as continuing the current work, the High Impact Innovation Programme is planning other initiatives to trial and evaluate in the 2018/19 year.

Therapeutic⁺

- 37 The majority of long serving prisoners begin their sentence with a six to 12 month period of high security. Due to the restrictive nature of high security units, there is minimal opportunity to provide these offenders with rehabilitation and for them to manage their own activities. Under the current operating model, long serving prisoners begin rehabilitation towards the middle or second half of their sentences.
- 38 The Therapeutic⁺ initiative will design and implement a high security prison unit environment and operating model that overcomes the current barriers to effective rehabilitation and parole achievement.
- 39 The daily schedule in a Therapeutic⁺ unit will be driven by the offender. This includes the opportunity to influence unlock hours, visit time, rehabilitation and recreation time. Offenders will be responsible for their own development and activity.
- 40 The unit will be operated by staff with a range of skills and expertise, not just custodial. Customised rehabilitation programmes will be provided in the unit using technology to optimise delivery. The Whanau Ora approach will be part of the rehabilitation planning process and where applicable whanau will partake in the reintegrative and treatment programmes alongside the prisoner.
- 41 The benefits of the Therapeutic⁺ initiative are:
- improved engagement in rehabilitation
 - offenders achieve parole earlier
 - offenders are more successful on parole
 - a pathway into the low security therapeutic environments is created.

- 42 The programme is exploring an appropriate pilot site for the Therapeutic⁺ initiative. Young male offenders, with sentences between two and five years, early in their sentence will be targeted.

Manukau District Court custody review

- 43 In June 2018, a review was carried out by the High Impact Innovation Programme at Manukau District Court in response to resource pressures and security concerns from the Judiciary. The Sector Operational Deputy Chief Executives group commissioned a report of approaches to custodial management to address these issues.
- 44 The report summarised the challenges faced by each contributing agency (Police, Justice and Corrections) under the current operating model. It recommended a new model featuring the single operational management of all detainees in the court setting, including courtroom 'in dock' security by Corrections' current security contractor, and a dedicated processing function for bail and committal warrants.
- 45 The recommendations are under consideration and if endorsed, a 12 month pilot will be stood up to test its viability and provide insight into future custody management models at other courts.

Accommodation

- 46 The High Impact Innovation Programme includes a work stream specifically focused on sourcing accommodation options for those with an accommodation need. The programme is exploring accommodation options for those on:
- Bail
 - EM Bail
 - those who have been sentenced to imprisonment with leave to apply for home detention
 - those who are eligible for parole.
- 47 The work stream is at an early explorative stage with several service models under consideration for trialling. These include private residences, multi-bed facilities and partnership models with iwi.

Further information

- 48 More detailed information on any of the High Impact Innovation Programme initiatives can be provided if requested.
- 49 The programme is producing weekly video updates on its activity. Links to these videos can be provided to your office if requested.
- 50 You will be provided with brief updates on the programme in your weekly report.

Recommendations

51 It is recommended that you:

- a) **Note** the current and planned work from the High Impact Innovation Team.

YES/NO



Jeremy Lightfoot
Deputy Chief Executive



Hon Kelvin Davis
Minister of Corrections

Date signed:

30/7/18

Minister's comments

Impressive!



To: Hon Kelvin Davis, Minister of Corrections

High Impact Innovation Programme - Remand Triage Initiative

Date	16 August 2018	Decision needed by	No decision required
B number	B3692	Priority	Medium

Recommendations

Note the findings and recommendations from an independent review of the Remand Triage initiative.

Consultation

Justice Social Development Police Health Other:

Key comments: No consultations.

Contacts for telephone discussion (if required)

Name	Position	Contact number	First contact
Jeremy Lightfoot	Deputy Chief Executive	s9(2)(a)	<input checked="" type="checkbox"/>
Leigh Marsh	Programme Director – High Impact Innovation Programme	s9(2)(a)	<input type="checkbox"/>
Maddie Bargh	Senior Adviser – High Impact Innovation Programme	s9(2)(a)	<input type="checkbox"/>

Key messages

This paper presents the results of an independent review by Deloitte of the High Impact Innovation Programme Remand Triage Initiative, which under Corrections has funded up to 21 additional Police prosecution staff.

In 2017/18 the Remand Triage initiative has achieved a prison bed saving of 23,591 days.

From February 2017 to May 2018 the initiative achieved a \$2.8 Million custodial cost saving for an investment of \$760,000; a \$3.75 per \$1 return on investment.

The review recommends the initiative continue as standard practice and Corrections and Police both support this approach.

s9(2)(f)(iv)

Remand Triage

- 1 Remand Triage is a joint initiative between Corrections and Police. It is part of the High Impact Innovation Programme being led by Corrections. You were provided with an overview of the High Impact Innovation Programme on 18 July 2018 (B3663).
- 2 The Remand Triage initiative funds up to 21 Police Prosecution staff to analyse files of defendants who are remanded into custody. Through this process they quickly identify cases that require further evidence gathering or amendment and prioritise cases that can be resolved with fewer court appearances. The staff then support the courts with provision of evidence and engage with defence counsel to prepare defendants for their first hearing. This speeds up the court process and reduces the length of time that defendants are remanded in custody awaiting an outcome for their case.
- 3 The initiative has been running in areas where there are high volumes of remanded cases – Manukau, Auckland, Hamilton, Christchurch, Wellington and Hawkes Bay.
- 4 In 2017/18 the initiative generated a prison bed saving of 23,591 days. This equates to an annualised reduction of 65 in the prison population. During this period, files were analysed for 2,121 defendants with 712 of these receiving earlier sentences and 554 being granted bail.

Deloitte review

- 5 The Remand Triage initiative has been independently reviewed by Deloitte. The report from this review is included with this briefing as Appendix One.
- 6 From February 2017 to May 2018 the initiative achieved a \$2.8 Million custodial cost saving. The programme has invested \$760,000 in Police Prosecution resources. This equates to a \$3.76 saving for the Justice Sector per dollar spent. The report recommended that the Remand Triage initiative continue as standard practice.
- 7 The report noted further unquantified savings for the Justice Sector in reduced court time, legal aid and prosecution services and recommended further investigation to understand and quantify the savings. Victims also benefit from more timely outcomes of criminal cases.

Next steps

8 [Redacted] s9(2)(f)(iv)
[Redacted]

9 [Redacted]
[Redacted]


10 [Redacted]

Recommendations

11 It is recommended that you:

- a) Note the findings and recommendations from an independent review of the Remand Triage initiative. **YES/NO**


Jeremy Lightfoot
Deputy Chief Executive

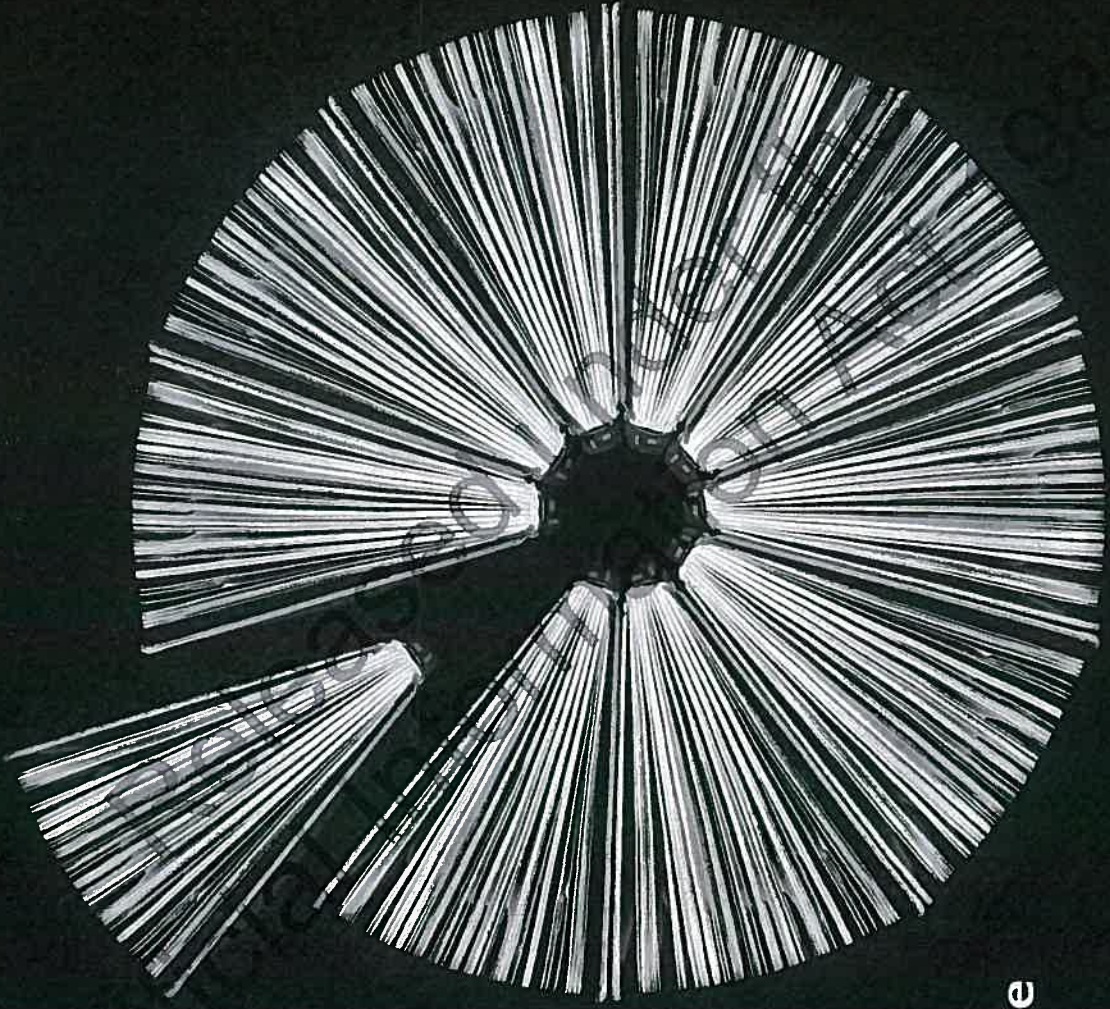

Hon Kelvin Davis
Minister of Corrections
Date signed:
9/9/18

Minister's comments

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Appendix One

Deloitte.



Remand Triage
Initiative review

July 2018

Executive Summary | Remand Triage Review

Background

Remand Triage (RXT) is a joint initiative with Police and Corrections. The purpose of RXT was to determine whether triaging a remanded defendant's criminal case through the court processes could have an impact on reducing the immediate prison capacity pressures.

The initiative introduced dedicated Prosecutors at key court locations throughout the country and focused on early and effective case management of defendants remanded in custody.

Outcome

The High Impact Innovation Team (HIIT) have monitored the initiatives KPIs since the inception of the RXT initiative and have identified there has been a positive effect on all four of the agreed KPI's;

- Reducing time spent in custody pending sentencing
- Reducing time to sentencing
- Reducing time to disposal of the cases
- Reducing the number of court appearances.

Cost savings of \$2.85m in bed days

From February 2017 to May 2018, there have been 7,532 bed days saved with a confirmed cost saving of \$2,071,300 for Corrections. Combined with the trial this equates to a total savings of \$2,854,775. From April 2016 until May 2018 (including the initial trial period) the total cost incurred from RXT prosecutors is \$759,000.

There are indications of secondary benefits (reduction in court events, reduction in legal costs, saving in prosecutors time, etc.) however these were not measured as part of RXT. In addition to the above benefits, Police found that the practise of prioritisation of these cases allowed a timely evidential review and the opportunity to strengthen the prosecution case while evidence was still able to be collected.

Recommendations

Courts and Defence Council, who have a significant role in case progression, were not actively engaged in RXT.

This review determined the initiative has proved triaging remand defendants' criminal cases has a positive impact on reducing prison capacity as well as realising the secondary benefits. We recommend the following:



Continuation of Remand Triage

Triage of remand in custody cases becomes standard prosecution practise.



Continuation of KPI monitoring

HIIT to continue monitoring of KPIs, improving data collection methods and analysis in order to determine RXT performance on an ongoing basis.



Investigate economic impact on Justice Sector

Analyse Police efficiencies to support an investment case for continuing Remand Triage, and investigate savings for the wider Justice sector.



Review Court Processes

Review of associated Court processes to identify further efficiencies within Courts.



Working with Defence Council

Improve support for Remand Triage from Defence Council.

Background | Review Purpose and Approach

Review Purpose

The Remand Triage (RxT) initiative has been in place since October 2016. This has allowed for RxT to establish and it is now timely to evaluate how this service is performing.

It is expected that this review will:

1. Determine if RxT can be optimised to improve the return on investment
2. Based on the above, outline what the future state of RxT should look like.

Review Approach



Establish Baseline

- Review documents outlining the initial agreement between the Department and Police.
- Conduct interviews with key Corrections staff to understand expectation of work Prosecutors were going to complete.



Assess Initiative

- Interview key Police stakeholders to understand activities being completed and any performance measures they are gathering.
- Collate previous KPI reports against benefits in ILM.
- Capture future opportunities for RxT.



Report Findings

- Outline findings of assessment.
- Make recommendations on future of RxT.

Background | Remand Triage Initiative Overview

Intended Outcomes

Reducing the immediate demand on prison beds by reducing any unnecessary time spent in custodial remand.
 Victims will also see the benefits of this approach by ensuring outcomes of criminal cases are progressed in a more timely manner.

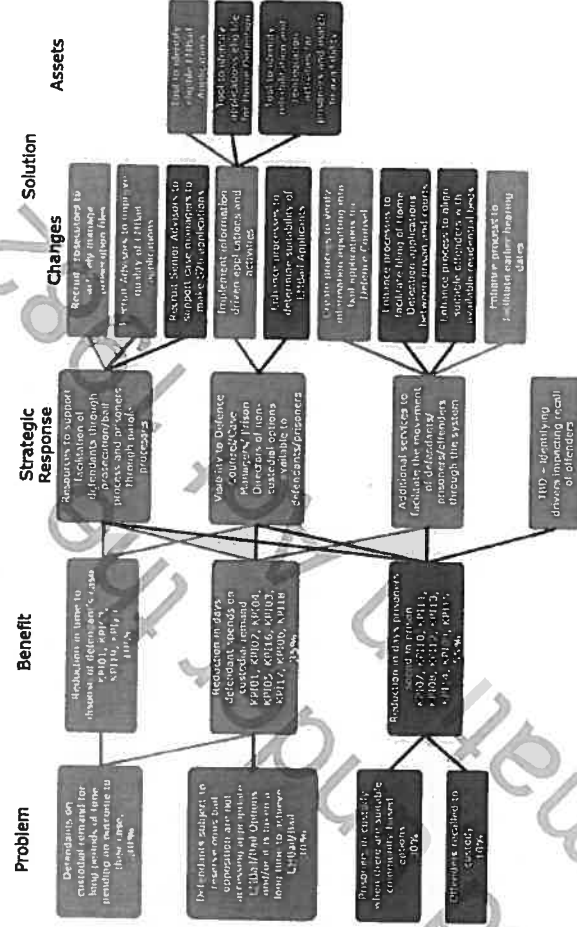
Key Performance Indicators*

- KPI01 Decrease in time to disposal
- KPI02 Decrease in time to sentencing
- KPI19 Decrease in time in custody pending sentencing
- KPI20 Decrease in court appearances prior to disposal

Background to Initiative

In October 2016, Corrections and NZ Police have worked together to triage a back log of remand cases before the Police Prosecutions teams in Manukau and Auckland District Courts.
 A trial was run for eight weeks, commencing in October 2016 and resulted in the backlog of 200 prosecution files being disposed of and 64 defendants leaving custody. This saved 2,849 remand days based on the defendant's next scheduled court date which equates to \$783,47 in cost saving. In light of the initial positive results from this trial, it was initially extended until July 2017 pending the successful Justice Sector Fund bid.
 In February 2017 a bid was successfully made to the Justice

TORPP: Investment Logic Map



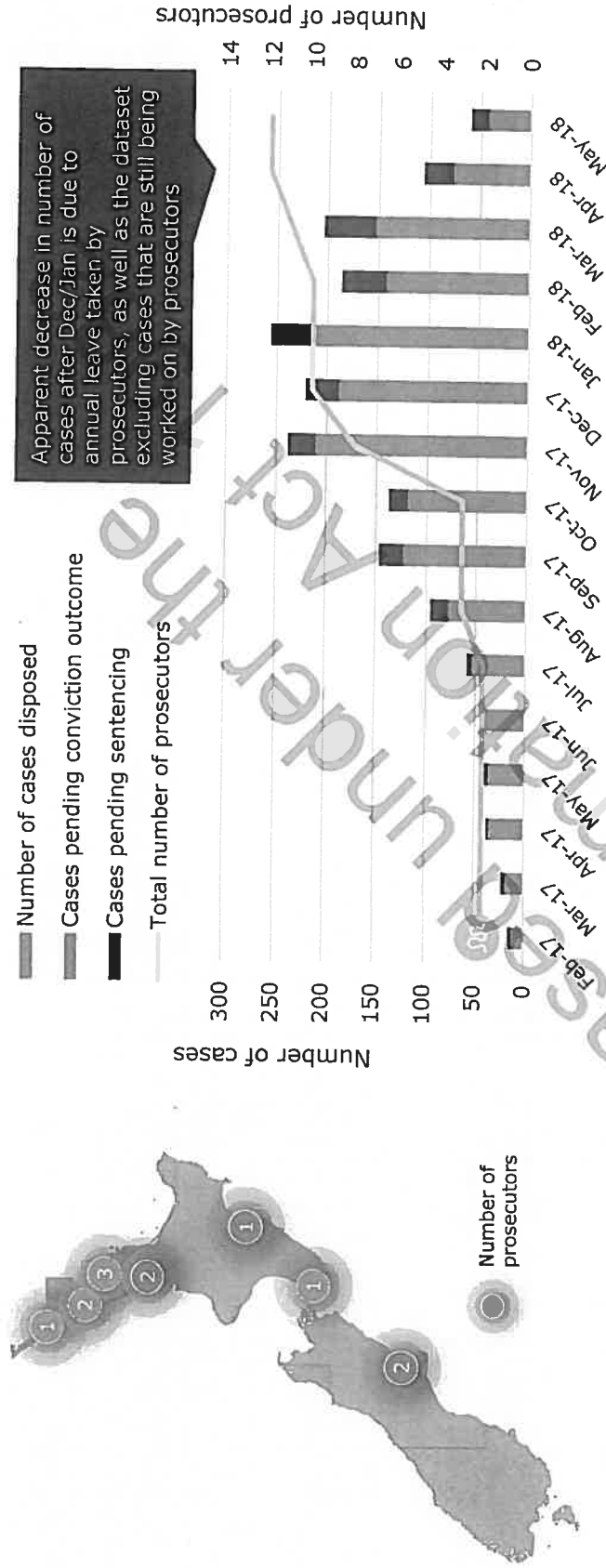
Sector Fund. The bid titled "Targeted short-term investments to reduce immediate prison capacity pressures" requested additional Police and Corrections resources to speed up justice sector processes and actively move offenders through the justice pipeline more effectively. This providing funding until the end of 2018.

Following the trial, the RXT initiative has saved Corrections 7,532 bed days - a cost saving of \$2,071,300 total, from February 2017 to May 2018. Combined with the trial this equates to a total savings of \$2,854,775.

From April 2016 until May 2018 (including the initial trial period) the total cost incurred from RXT prosecutors is \$759,000. (Refer to Appendix C: Costs Avoided)

*See Appendix A: TORPP: Key Performance Indicators for full list of KPIs related to the Targeted short-term investments to reduce immediate prison capacity pressures

Background | Cases analysed as part of the Remand Triage

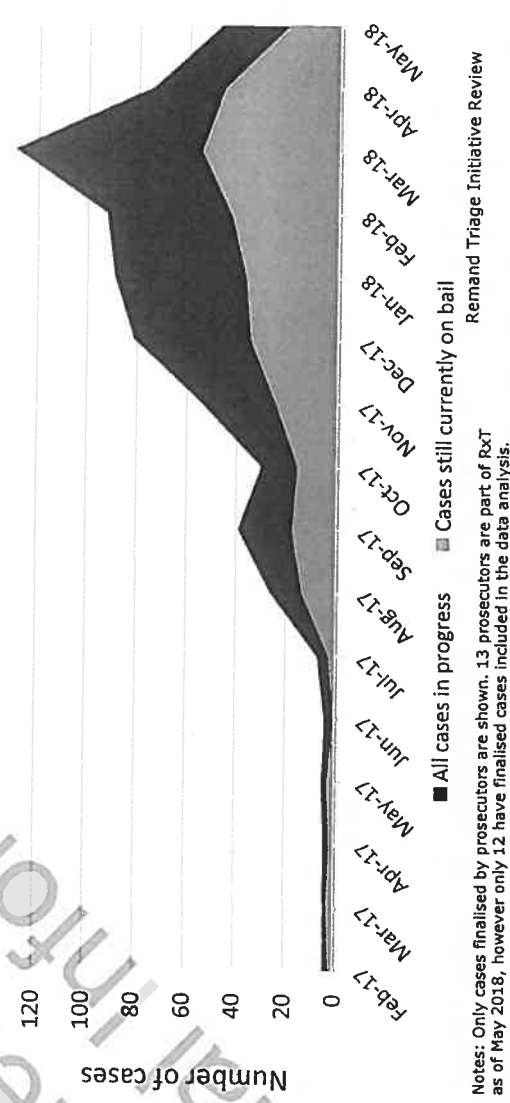


As at the date of this review, cases from 12 prosecutors have been finalised and included in the data analysis. Police confirmed the Prosecutors funded under this initiative are intended to work solely on RxT cases.

As of June 2018, 1876 cases have been analysed as part of RxT by 12 prosecutors across the country.

1187 have been disposed, 689 are in progress (either awaiting outcome or sentencing).

Of the 689 in progress, 324 (47%) are currently on bail.

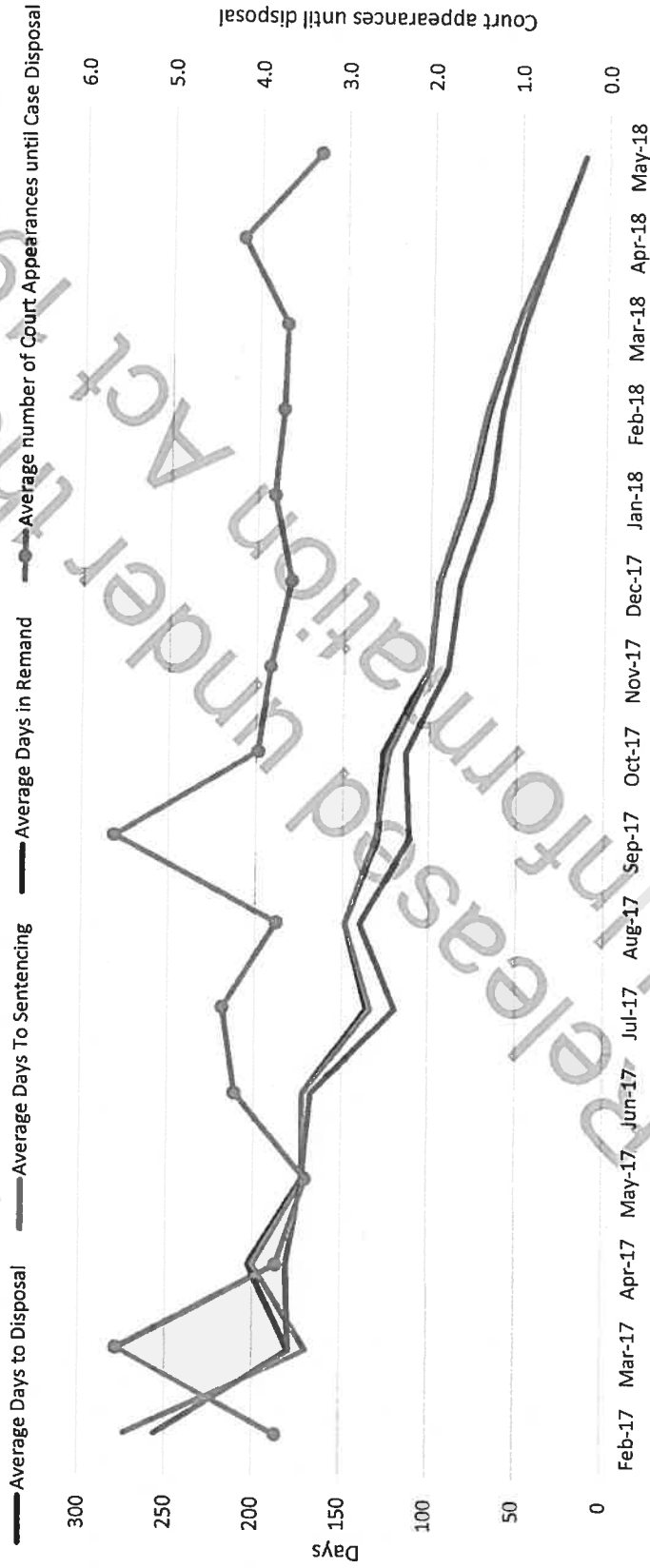


Notes: Only cases finalised by prosecutors are shown. 13 prosecutors are part of RxT as of May 2018, however only 12 have finalised cases included in the data analysis.

Findings | Remand Triage Outcomes against KPI's

Since the beginning of the Rxt initiative there has been significant improvement in average days to case disposal, average days to sentencing, and average days spent in remand, as show in the graph below.

The average number of court appearances until case disposal is 4.0, which when compared to Ministry of Justice data (average of 9.0 court appearances until case disposal) indicates improvement also in this KPI.



KPI	Description	Average (Disposed cases only)
KPI01	Decrease in time to disposal	Average days to disposal = 108
KPI02	Decrease in time to sentencing	Average days to sentencing = 107.6
KPI19	Decrease in time in custody pending sentencing	Average days in remand until sentencing = 97*
KPI20	Decrease in court appearances prior to disposal	Average court appearances until disposal = 4.0

*Figure may be higher than actual due to lack of data available at time of analysis for duration spent on bail. Additional data for more appropriate calculation of KPI19 is being collected by HITT See Appendix B for definitions of KPI's.

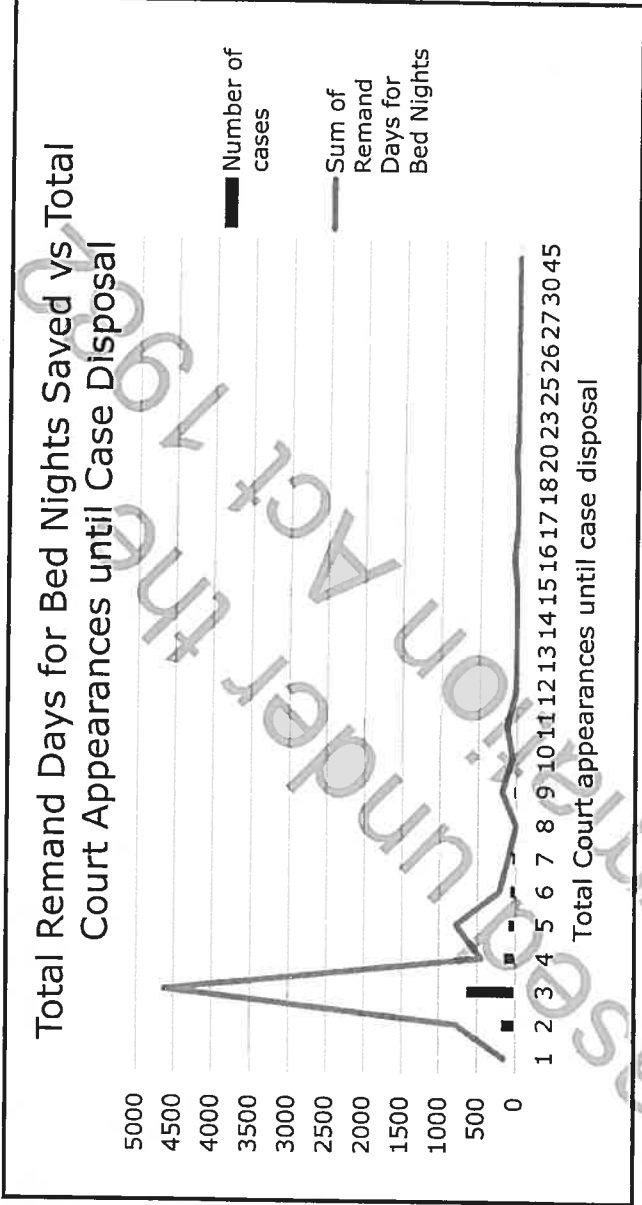
Findings | Early intervention has two positive impacts

Evidential Review

All prosecutors interviewed found the most significant gains were made in the very early stages of the case.

There is a 2-3 week opportunity after a person is charged, before their second court appearance, where PPS can conduct an early evidential file review. During this review PPS assess:

- o If there is sufficient evidence. If evidence is not sufficient, the Police have time to improve the quality of the evidence through additional investigation. If cases were not triaged, and more time passes before the case is reviewed, evidence may be lost. A few examples provided by PPS were:
 - CCTV footage is kept for a limited time so after a few months the evidence may be deleted.
 - Witnesses interviewed months down the track do not have as good recollection of events.
- o The charges are appropriate and inline with guidelines. The outcome of this can go both ways. Either charges may be lowered if there is lack of evidence, or charges may increase if other offences are discovered.



A New Way of Working

Prosecutors described a positive new way of working under the initiative, reflecting there could be benefits from treating all case files in the same way.

Prioritisation – Under normal conditions, due to the case volume, files are reviewed in first in/first out order or only at certain points such as when accused pleads not guilty. The impacts of prioritising defendants’ cases in custodial remand and triaging these specific cases, can be seen in the substantial remand days saved in the cases which are disposed at the 2nd and 3rd court appearances.

The existing prosecutors were looking forward to a change to the operating model, with additional resourcing focusing on remand triage, to enable increased coverage across more regional areas and cover when one prosecutor was away on leave. When prosecutors are unable to attend to a file early (due to leave or workload), the window of opportunity for intervention is missed.

Findings | Constraints of wider justice system

Courts

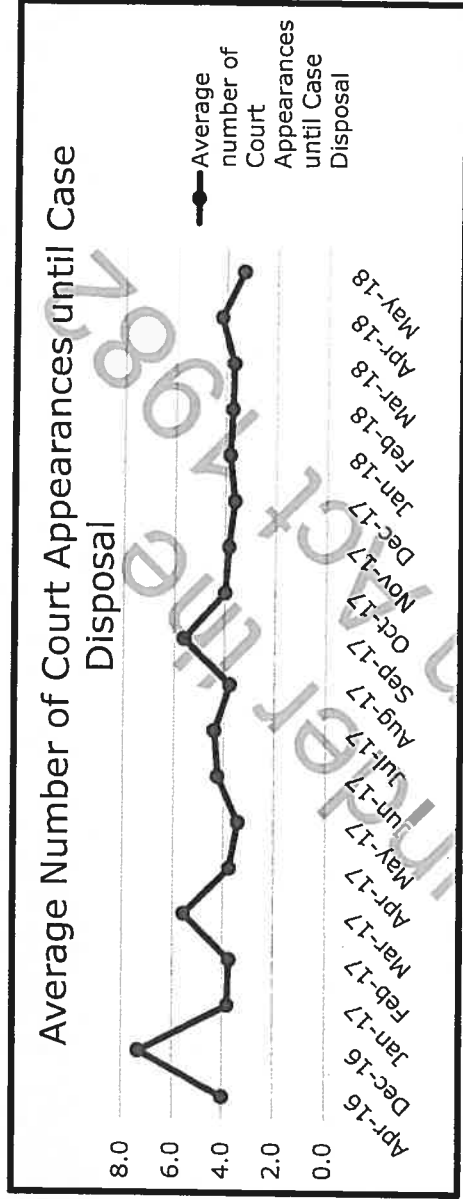
Although RXT allowed for early intervention, Police had little control over other parts of the Justice system such as Courts. There was consensus across regional areas that court dates were generally challenging:

- Dates are filled chronologically with no prioritisation for custody cases.
- Some Court Managers do not see requests for cases to be brought forward due to their workload.
- Court Registrars/Managers are unlikely to bring forward cases without the judge's approval, which they may be reluctant to request.
- Some early dates offered by the Courts are too early. Prosecutors need approximately two weeks to coordinate the defendant, lawyer, reports and other information in order to bring those cases forward.
- Availability of court dates
 - Some smaller courts do not have resources to add additional dates
 - Some courts have general judicial resourcing issues.

There is a general perception of resistance to change within the court system.

The Prosecutors agreed they would like to see the judiciary providing leadership this area.

See Appendix D: *Regional Analysis* for a further breakdown on differences between regions.



Defence Council

The early initial contact the Prosecutors made with Defence Council has had varying levels of success. Some Defence Council didn't respond at all, or required pursuit by the Prosecutor to get a response. Others were proactive and positive about the initiative. Defence Council that did make contact made the RXT process more timely and efficient.

Some Defence Council only meet their client at their initial court date, or a day before the court appearance, which does not allow time for a resolution to be considered so an adjournment is requested. When Defence Council are not prepared the case is deferred to the next available date, which can be several weeks away. Occasionally this can happen multiple times leading to months of unnecessary time spent in custody.

Prosecutors speculated that this may be due to workload, perverse incentives or that it may be beneficial for the client.

There were observations that Public Defenders are more efficient and manage their case load more actively.

Multiple remands for bail applications

There is a focus by some Defence Council on getting bail for the accused rather than a resolution for the case. In some cases there are 3 or 4 initial appearances for bail/EM bail applications before a resolution is sought. This creates significant additional workload in the court system as well as potentially more time in custodial remand.

One explanation for the additional court appearances provided by the Prosecutors was that Defence Council may be trying out possible addresses for EM Bail or trying to show compliance with EM Bail to provide evidence ahead of sentencing.

Recommendations



Continuation of Remand Triage

Triaging of remand in custody cases has made an significant impact on the number of nights defendants spend in custody. The practise has also enabled Police to review case evidence in a timely and efficient manner creating an earlier opportunities for additional evidence to be collected where required.

Based on the data analysed, savings of \$2,071,300 in bed days, and anecdotal evidence from those involved, we recommend the Remand Triage Practise become standard practise (see Appendix C: *Costs Avoided*).



Continuation of KPI monitoring

HIIT should continue to monitor KPIs on an ongoing basis, and enhance their data collection and analysis methods. This will allow performance of the initiative over time to be determined, and ensure key objectives of the program (reducing the number of nights defendants spend in custody) continues to be met.



Investigate economic impact on the Justice sector

The data collected to date focuses on bed days saved for Corrections but the qualitative data found in this review shows it is likely there are also monetary savings for Police. We recommend additional analysis is undertaken into the efficiencies for Police in managing cases for shorter periods of time, reducing the number of court appearances and other impacts. The findings from this could support the investment case for continuing the practise and increasing resourcing.

Additional Prosecutors could focused explicitly on remand in custody cases in regions with high case load and large regional spread. This will create efficiencies in the amount of time spent travelling for those covering dispersed geographic areas (e.g. Gisborne/Napier) and cover for prosecutors on leave. The economic impact on the Justice sector (e.g. on court systems due to reduced court appearances, court fees and resource loading) and wider economic and social impacts should also be investigated in order to determine total savings due to RXT.



Review Court Processes

It is important the RXT initiative, under HIIT, consider extending it's focus to include Courts. There are may be opportunities for efficiencies within the Court process such as: set days or times for remand in custody cases, prioritisation of cases within the court day or the practise of setting multiple court dates in parallel for a case rather than sequentially. We recommend an review be undertaken of the existing processes within Courts to investigate the viability of these opportunities.



Working with Defence Council

There may be additional opportunities to improve the support for the initiative from Defence Council. This could include better education of the Remand Triage practise for those involved in remand in custody cases, incentives for a lower number of court appearances per case, or better processes around EM bail applications to reduce court appearances in those cases.

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Official Information Act 1982

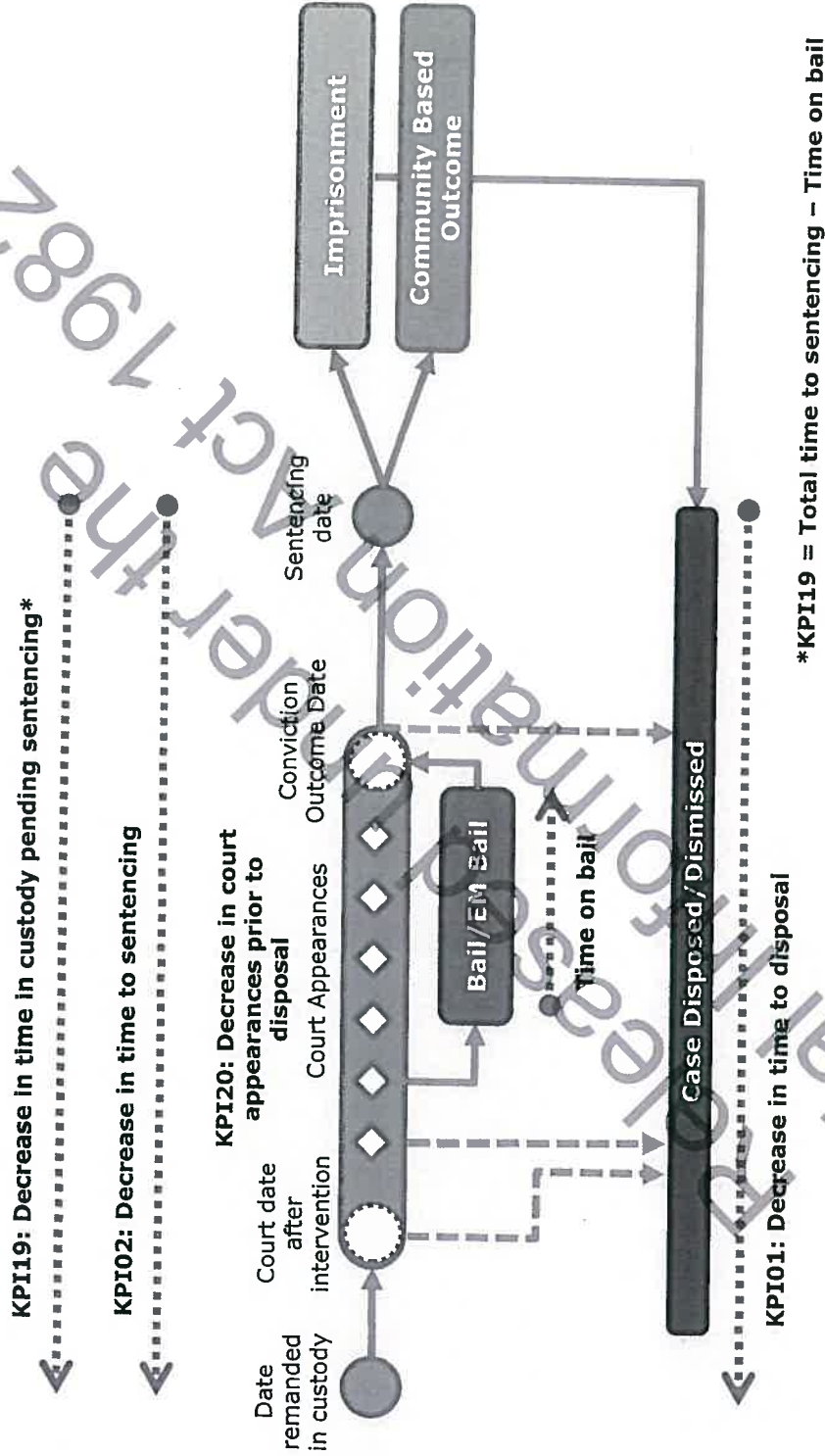
Appendices

Appendix A | TORPP: Key Performance Indicators

Benefit	Workstream	KPI	Description	
Reduction in days prisoners spend in prison	HD Resentencing	KPI07	Percentage increase in HD applications granted	
		KPI10	Increase days spent in Home Detention	
		KPI11	Prison days saved (associated to offenders who had a TORPP intervention undertaken in their HD application).	
		KPI08	Percentage decrease of sentence served in prison	
		KPI12	Decrease days spent in custody (relative to the intake)	
		KPI13	Decrease in the proportion of post PED served	
	Parole Ready	Parole Sustainability	KPI14	Prison days saved (associated to offenders who had a TORPP intervention was undertaken to identify S21 activities and/or S26 applications)
			KPI09	Decrease recalls to prison (relative to number of offenders on parole or release conditions)
			KPI15	Prison days saved (associated to prisoners recalled)
			KPI01	Decrease in time to disposal
			KPI02	Decrease in time to sentencing
			KPI04	Percentage increase in EMBAil applicants identified
			KPI05	Percentage increase in EMBAil applications granted
Reduction in days defendant spends in custodial remand	EMBAil Ready	KPI16	Decrease in EMBAil applications per applicant	
		KPI03	Remand days saved (associated to defendants who had a TORPP intervention was undertaken in their EMBAil Application)	
		KPI17	Percentage increase in offenders sentenced to community based sentences	
		KPI06	Percentage increase in Bail applications granted	
		KPI18	Remand days saved (associated to defendants who had a TORPP intervention was undertaken in their Bail Application)	
		KPI01	Decrease in time to disposal	
Reduction in time to dispose of defendant's case	Remand Triage	KPI02	Decrease in time to sentencing	
		KPI19	Decrease in time in custody pending sentencing	
		KPI20	Decrease in court appearances prior to disposal	

Appendix B | Measuring KPIs

KPIs for the initiative have been defined as per the diagram below:



- **Remand days saved** are calculated from the days difference between the original court date and the court date after prosecutor intervention (i.e. days court appearances are moved forward).
- **Remand days for bed nights** are remand days that have been converted to actual bed nights saved (i.e. defendants have been removed from custody resulting in actual bed savings). Only cases that have been granted bail/EM bail (thus removing them from custody) or have been sentenced to a non-custodial outcome actually results in bed nights saved. Any days the defendant spends back in in custody (following breach of bail conditions) is also taken into account when calculating Remand days for bed nights.

Appendix C | Costs Avoided

Note that cases still being worked on by prosecutors is not included in the analysis.

The apparent decrease in number of cases after Dec/Jan is due to annual leave taken by prosecutors, as well as the dataset excluding cases that are still being worked on by prosecutors.

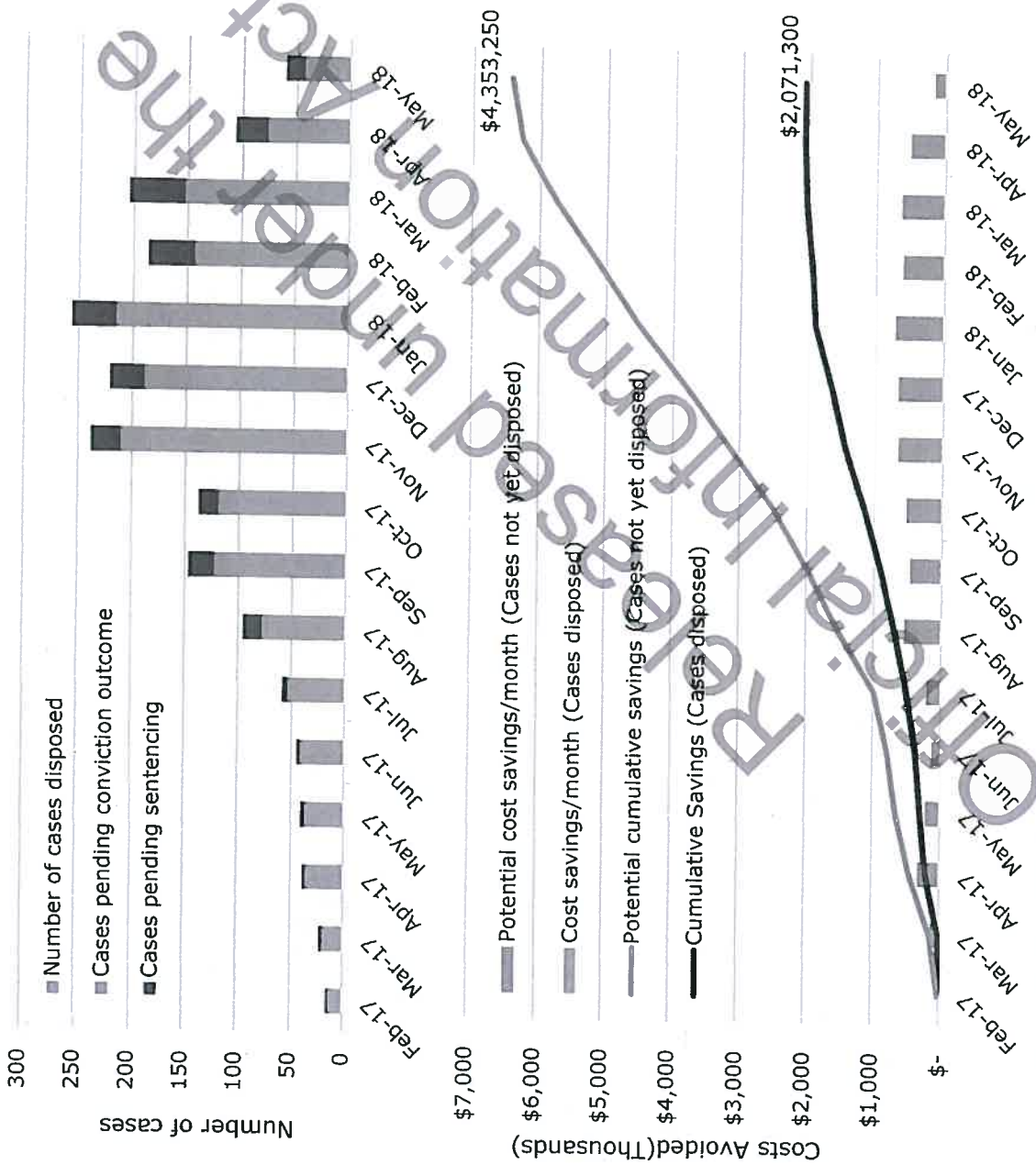
Prosecutors have also indicated Defence Council and courts are more motivated to resolve cases around year end, leading to higher than average number of cases being disposed during this period.

From February 2017 to May 2018, there have been 7,532 bed days saved with a confirmed cost saving of \$2,071,300 for Corrections.

Combined with the trial this equates to a total savings of \$2,854,775. From April 2016 until May 2018 (including the initial trial period) the total cost incurred from RxT prosecutors is \$759,000.

This indicates the net savings are upwards of \$1,312,300 (as the prosecutor cost includes the trial period prior to the start of the initiative).

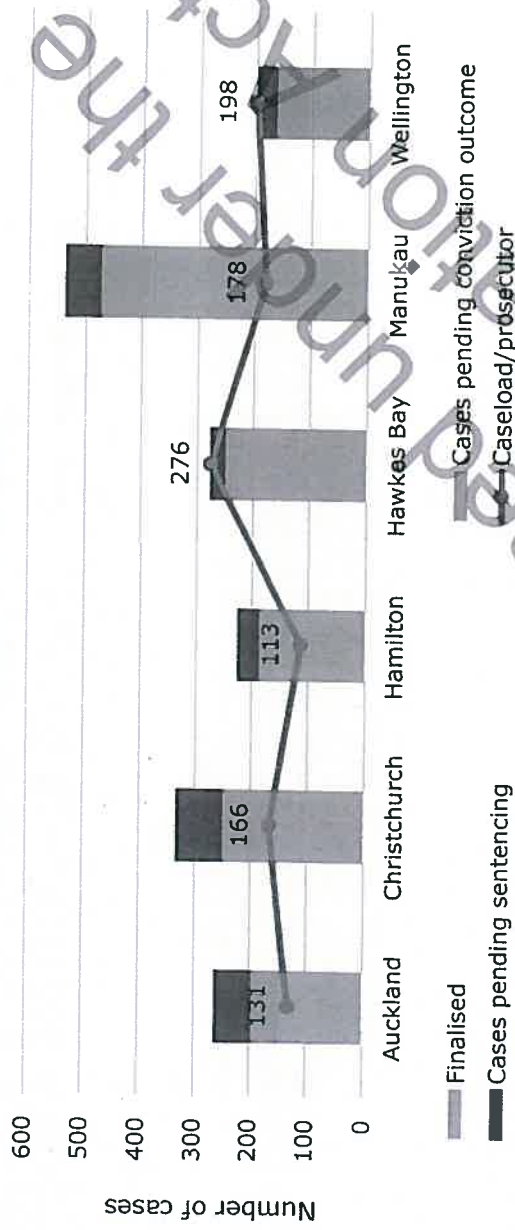
Cost savings from secondary benefits (reduction in court events, reduction in legal costs, saving in prosecutors time, etc.) were not measured as part of RxT.



Note: An estimated cost of \$275/bed night has been used

Appendix D | Regional Analysis

Case Distribution by Region



Manukau has the highest number of cases in the Remand Triage program, while Hawkes Bay has the greatest caseload per prosecutor.

Analysis uses number of prosecutors as of May 2018:

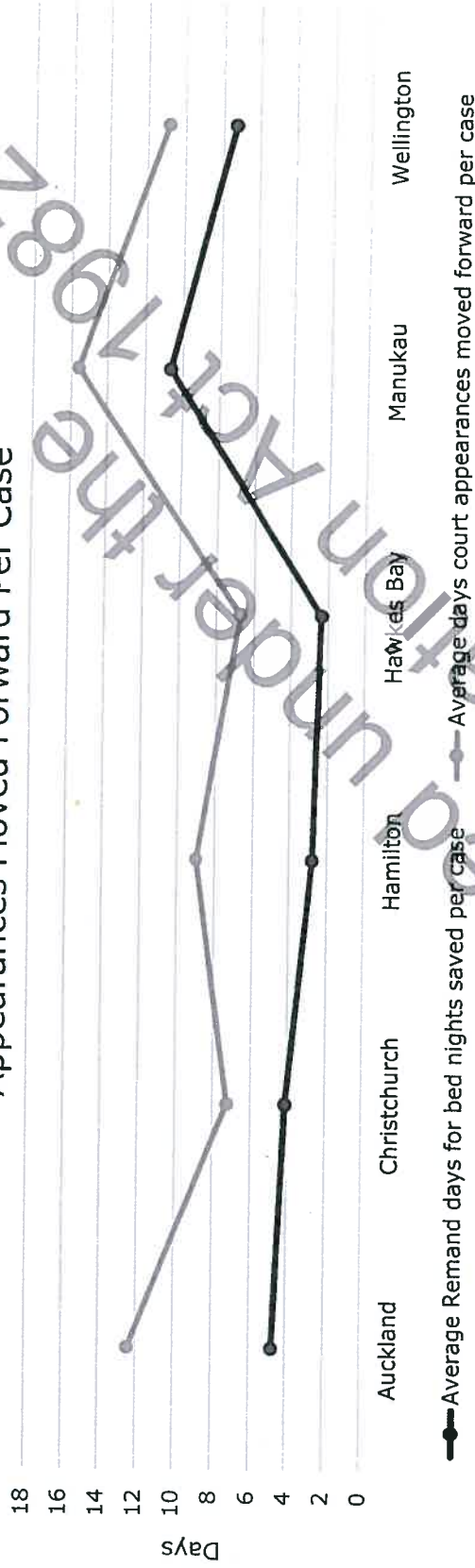
- Manukau – 3
- Christchurch – 2
- Hamilton – 2
- Auckland – 2
- Wellington – 1
- Hawkes Bay – 1

Region	Courts in RxT	Prosecutor start dates	Total number of cases analysed
Manukau	Manukau District Court	2 in February 2017 1 in March 2018	535
Christchurch	Christchurch District Court	2 in December 2017	332
Hamilton	Hamilton District Court	2 in November 2017 1 in June 2018	225
Auckland	Auckland District Court	2 in November 2017	262
Wellington	Wellington District Court Porirua District Court	1 in August 2017	198
Hawkes Bay	Napier District Court Hastings District Court	1 in November 2017	276
Waitakere	Waitakere District Court	1 in May 2018	-
Northland	Whangarei District Court	1 in April 2018	22

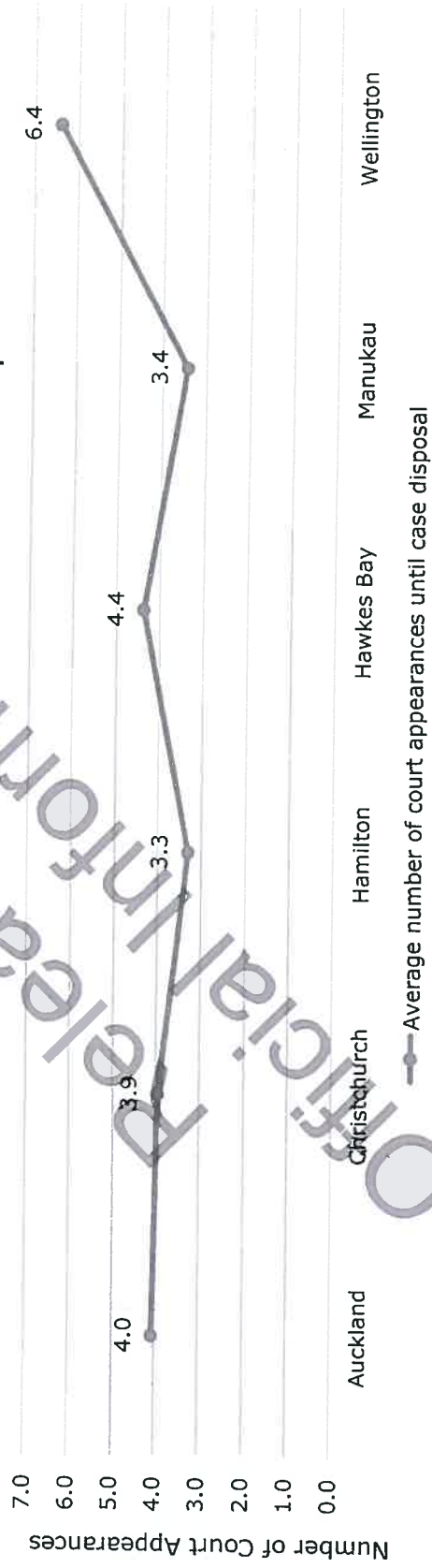
Northland, Bay of Plenty and Historic Manukau (cases prior to February 2017) were omitted from this analysis due to low number of recorded cases (<20), from dataset obtained 13 June 2018.

Appendix D | Regional Analysis - continued

Average Remand Days for Bed Nights Saved vs Average Days Court Appearances Moved Forward Per Case



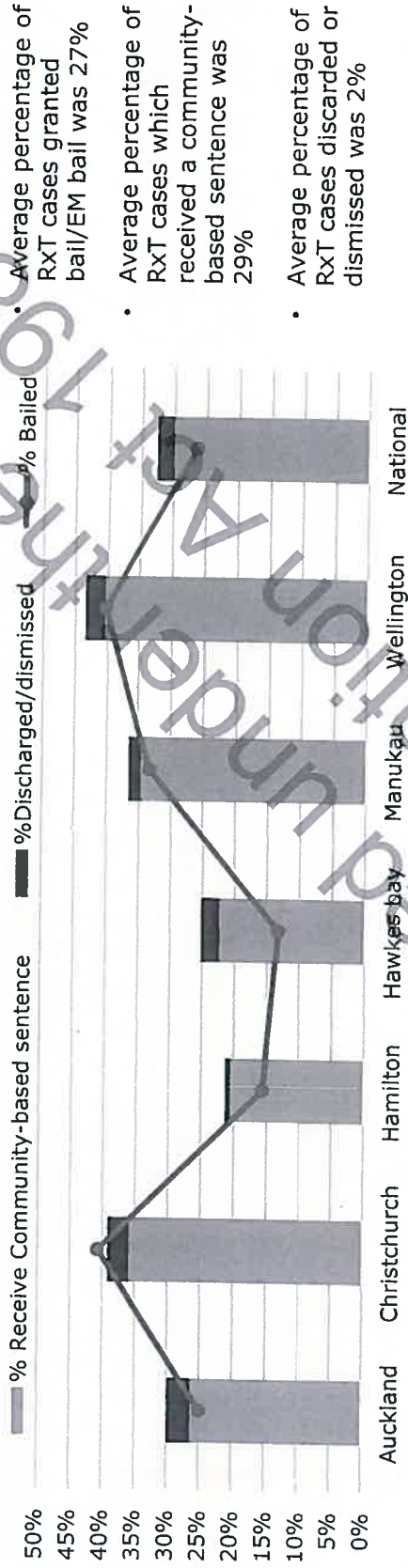
Average Number of Court Appearances until Case Disposal



Note: Northland, Bay of Plenty and historic Manukau (cases prior to February 2016) were omitted from this analysis due to low number of recorded cases (<20)

Appendix D | Regional Analysis - continued

Percentage of Cases granted Bail VS Percentage of Cases receiving Community-based sentences



Average Days to Case Disposal vs Average Days Spent in Remand

