



**JOINT BRIEFING FOR THE LEAD COORDINATION MINISTER FOR THE
GOVERNMENT'S RESPONSE TO THE ROYAL COMMISSION'S
REPORT INTO THE TERRORIST ATTACK ON THE CHRISTCHURCH
MOSQUES AND MINISTER OF POLICE**

Priority	<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> Time-Sensitive <input type="checkbox"/> Routine		
	The attached Cabinet paper is proposed to be lodged by 10am Thursday 1 June 2023, for consideration by Cabinet on 12 June 2023, with Ministerial feedback requested by Tuesday 30 May 2023.		
Title	Briefing and talking points to accompany Cabinet Paper: Report back on a cross-agency business case for a public reporting system for concerning behaviours and incidents		
Date	12 May 2023	Ref	BR/23/35GA

Purpose

1. This paper provides you with a draft joint Cabinet paper for your review and to commence Ministerial consultation. The paper:
 - reports back on progress on the business case for a new reporting system for concerning behaviours and incidents (in response to Recommendation 12 of the Royal Commission of Inquiry into terrorist attack on Christchurch masjidain on 15 March 2019), and
 - seeks approval to draw down \$0.430 million against the *Reporting System for Concerning Behaviours and Incidents* tagged operating contingency, to complete the business case.
2. This paper also provides you with talking points to support discussion of this joint Cabinet paper at Cabinet's External Relations and Security (ERS) Committee on 6 June 2023 [**Appendix A**].

Recommendations

Police and the Department of the Prime Minister and Cabinet recommend that Joint Ministers:

- a) **note** the attached draft Cabinet paper for your review and feedback, which:
 - reports back on progress on the business case for a new reporting system, and
 - seeks a further drawdown of \$0.430 million against tagged contingency to complete the business case;

BRIEFING FOR THE MINISTER OF POLICE

- b) **note** that the draft Cabinet paper includes a requirement for you to report back to Cabinet by the end of August 2023 with the completed business case;
- c) **note** that this timeline for Cabinet consideration of the completed business case is earlier than that indicated in Police's March 2023 briefing *RCOI Recommendation 12 – Update on Progress of the cross-agency Business Case for a public reporting system* [BR/23/9GA];
- d) **agree**, subject to your review, to undertake Ministerial consultation on the draft Cabinet paper by 30 May 2023, to enable lodgement by 1 June 2023.

Yes/No

Minister's comments and signature

..... / / 2023

Hon Andrew Little

Lead Coordination Minister for the Government's Response to the Royal Commission's Report into the Terrorist Attack on the Christchurch Mosques

..... / / 2023

Hon Ginny Andersen

Minister of Police

BRIEFING FOR THE MINISTER OF POLICE

Briefing and talking points to accompany Cabinet Paper: Report back on a cross-agency business case for a public reporting system for concerning behaviours and incidents

Background

3. Recommendation 12 of the report of the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019 (the RCOI report) is to: *Develop and promote an accessible reporting system that enables members of the public to easily and safely report concerning behaviours or incidents to a single contact point within government.*
4. Progressing a public reporting and response system for concerning behaviours and incidents forms part of the all-of-government response to the Royal Commission approved by Cabinet in November 2021 [CAB-21-MIN-0503 refers].
5. In August 2022, Cabinet made the decision to go forward with investment in the new reporting system when it approved the drawdown of \$1.094 million in operating funding for 2022/23 to develop a Business Case for the new system [CAB-22-MIN-0301 refers]. This funding is drawn from the s9(2)(f)(iv) Reporting System for Concerning Behaviours and Incidents – Tagged Operating Contingency approved as part of the Budget 2022 package.
6. At the same meeting, Cabinet invited Joint Ministers to report back to Cabinet on progress on the business case by May 2023.
7. New Zealand Police (Police) is leading the development of the business case, with input from a cross-agency advisory group and a cross-agency governance structure¹. Police recently provided the Minister of Police with an update on progress on the business case: *RCOI Recommendation 12 – Update on Progress of the cross-agency Business Case for a public reporting system* [refer Police briefing BR/23/9GA, 30 March 2023].
8. Due to timing constraints, the Minister of Police agreed to a report back to Cabinet in June 2023.

Draft Cabinet paper reporting back on progress on the business case

9. Attached at **Appendix B** is a draft joint-Ministers Cabinet paper: *Report back on a cross-agency business case for a public reporting system for concerning behaviours and incidents*. The paper provides a high-level overview of progress on the 11 components that the business case must cover [CAB-22-MIN-0301 refers]. It reports specifically on progress on two key components:
 - the range of behaviours and incidents to be reported; and

¹ The cross-agency Advisory Group is made up of representatives from Police, NZSIS, the Department of the Prime Minister and Cabinet (DPMC), the Department of Internal Affairs (DIA), the Ministry for Ethnic Communities (MEC), and the Ministry for Business, Innovation and Employment (MBIE). Agencies represented on the Governance Group are DPMC (Chair), Police, NZSIS, DIA and MEC.

BRIEFING FOR THE MINISTER OF POLICE

- the host agency for the new reporting system.
10. The paper also notes that officials are carrying out detailed analysis of three short-listed options for the new system against costs, benefits and risks. A similar analysis is being carried out against a counterfactual option, as a baseline for comparing the marginal costs and benefits of the short list options.
 11. Cabinet is asked to note that funding in addition to the remaining tagged contingency may be needed to implement the preferred option.

Police has brought forward the timeline to complete the business case

12. In its March 2023 briefing to the Minister of Police [BR/23/9GA], Police indicated that it was developing a Detailed Business Case that it expected to complete in August or September, 2023 with Cabinet approval sought in October or November 2023. This would be followed by an Implementation Business Case (IBC) if required.
13. Subsequently, The Treasury has advised that – based on an updated Risk Profile Assessment of the project – Police should develop a Single Stage Business Case (SSBC), which includes elements of an IBC.
14. Police is working at pace to complete the SSBC and now anticipates that it will complete a draft SSBC in early July 2023. Police expects that cross-agency review and endorsement of the SSBC would be completed by the end of July 2023.
15. This timeline would enable Cabinet consideration of the business case in late August 2023, before the House rises ahead of the General Election in October 2023. s9(2)(f)(iv)

Police is working with the Minister of Police's office to progress matters to meet this Cabinet timeline.

In the interim, funding is needed to complete the business case

16. Cabinet agreed that drawdown of funding for the 2023/24 financial year was subject to Cabinet approval of an IBC [CAB-22-MIN-0129]. Accordingly, Police is now seeking funding for the continued development of the business case in the 2023/24 financial year.
17. Given that an IBC is now not required, the attached draft Cabinet paper seeks approval of a further drawdown of \$0.430 million against the tagged contingency to complete the business case.
18. This is less than the amount of \$0.700 million signalled in Police's March 2023 briefing [BR/23/9GA], due to the shorter timelines indicated in paragraphs 14 and 15 above.

Departmental consultation on the draft Cabinet paper

19. The Treasury; the New Zealand Security Intelligence Service; the Department of Internal Affairs; the Ministries of Business, Innovation and Employment;

BRIEFING FOR THE MINISTER OF POLICE

Justice and Social Development; the Ministries for Ethnic Affairs and Pacific Peoples; Te Puni Kōkiri; the Human Rights Commission and the Office of the Privacy Commissioner have been consulted on the draft Cabinet paper.

20. In general, agencies supported the paper. Consistent feedback was about privacy and human rights implications of the new reporting system. As noted in the draft paper, Police has completed an initial Privacy Impact Assessment and will continue to consider how to address both issues as part of a design and build phase.
21. Police will continue to engage with the Office of the Privacy Commissioner, the Human Rights Commission and community stakeholders throughout the next phases of development of the new reporting system.
22. The following statement from the Privacy Commissioner has been included in the draft paper:

Any proposal that facilitates the collection of potentially sensitive personal information carries privacy risk and, in this case, there are implications for both the privacy of the reporting individual and the individual that is the subject of the report. Police will need to carefully work through the design of the reporting system to ensure it is appropriately calibrated to minimise privacy concerns and will be an effective tool to identify persons at risk of carrying out terrorism or violent extremism.

In particular, Police would need to be clear about why they consider that they need to collect information about lower-level types of behaviours, and how this would address the issues identified. My officials are available to work with Police and the cross-agency group as they undertake this work.

Next steps

23. Subject to your consideration and feedback, we recommend that you undertake Ministerial consultation on the draft Cabinet paper. Ideally this would be completed by 30 May 2023, to enable the paper to be lodged by 1 June 2023 for consideration by ERS on 6 June 2023.
24. Key Ministerial portfolios for consultation include: the Prime Minister; National Security and Intelligence; Finance; Social Development and Employment; Justice; Māori Development; Immigration; Internal Affairs; Pacific Peoples; Diversity, Inclusion and Ethnic Communities, Digital Economy and Communications, and the New Zealand Security Intelligence Service.

For the Department of the Prime Minister and Cabinet

..... 

Tony Lynch

Deputy Chief Executive, National Security Group

BRIEFING FOR THE MINISTER OF POLICE

First contact	Tony Lynch, Deputy Chief Executive, National Security Group	s9(2)(a)
Second contact	Andy George, Counter-Terrorism Strategic Coordinator, DPMC	s9(2)(a)

For New Zealand Police



.....
Jevon McSkimming
Deputy Commissioner, Strategy and Service

First contact	Jevon McSkimming, Deputy Commissioner, Strategy and Service	s9(2)(a)
----------------------	--	----------

Appendix A: Talking points for the External Relations and Security Cabinet Committee meeting

Appendix B: draft joint Cabinet paper - *Report back on a cross-agency business case for a public reporting system for concerning behaviours and incidents*

