



BRIEFING FOR THE MINISTER OF POLICE			
Priority	<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> Time-Sensitive <input type="checkbox"/> Routine The attached Cabinet paper is intended to be lodged by 10am Thursday 14 July, with feedback requested by Tuesday 12 July.		
Title	Briefing and talking points to accompany Cabinet paper: Progressing a national security reporting and response system		
Date	6 July 2022	Ref	BR/22/04CH

Recommendations

Police recommends that the Minister of Police:

- a) **Note** that a Cabinet paper is attached seeking approval to draw down \$1.094 million from a contingency fund to progress a Business Case in FY2022/23 to develop a national security reporting and response system (Recommendation 12 of the Royal Commission of Inquiry into the terrorist attack on the Christchurch masjidain).
- b) **Note** that the Cabinet paper is a joint submission by the Lead Coordination Minister for the Government's Response to the Royal Commission's Report into the Terrorist Attack on the Christchurch Mosques and the Minister of Police.
- c) **Note** that a previous version of the Cabinet paper was lodged for consideration by the Cabinet External Relations and Security Committee in March 2022, but was withdrawn prior to consideration due to the Budget moratorium.
- d) **Note** that the success of the Business Case and its implementation will depend on the support and resources of several agencies and that the Commissioner of Police intends to reinforce the need for cross-agency commitment to the project in a letter to other Chief Executives.
- e) **Note** that Police has a strong preference for the new system to be branded as an All-of-Government service.
- f) **Agree** to finalise the paper without another round of Ministerial consultation, as the Cabinet paper does not amend the scope and direction of the previous version of the paper. Yes/No

BRIEFING FOR THE MINISTER OF POLICE

- g) **Provide** any feedback on the Cabinet paper to Police by Tuesday 12 July 2022. Yes/No
- h) **Agree** to forward the Cabinet paper and this covering briefing to Minister Little, prior to lodgement. Yes/No
- i) **Authorise** the lodgement of the final version of the Cabinet paper with the Cabinet Office by 10am Thursday 14 July 2022, for consideration by the Cabinet External Relations and Security Committee at its meeting on Tuesday 19 July 2022.
- j) **Note** that talking points for your use at the Committee meeting on Tuesday 19 July 2022 are attached.

Minister's comments and signature

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Hon Chris Hipkins

Minister of Police

Briefing and talking points to accompany Cabinet paper: Progressing a national security reporting and response system

Purpose

1. You and Minister Little, in his capacity as Lead Coordination Minister for the Government's Response to the Royal Commission's Report into the Terrorist Attack on the Christchurch Mosques, are asked to submit a joint Cabinet paper to the Cabinet External Relations and Security Committee (ERS) for the meeting on Tuesday 19 July 2022.
2. While this is a joint Cabinet Paper, the Department of the Prime Minister and Cabinet has advised New Zealand Police to prepare this briefing and requested that you forward the briefing and the Cabinet Paper to Minister Little.
3. As foreshadowed in the Briefing to you as Incoming Minister, the attached Cabinet paper seeks approval to draw down \$1.094 million for a Business Case in FY 2022/23. You are asked to consider the attached Cabinet paper and provide any feedback to Police by Tuesday 12 July 2022. This timeframe will enable lodgement with ERS by 10 am Thursday 14 July 2022.
4. This paper also provides you with talking points and additional background material to support discussion of your joint Cabinet paper at that meeting.

Process to obtain funding for a Business Case for Recommendation 12

5. Recommendation 12 of *Ko tō tātou kāinga tēnei*: the report of the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain (Royal Commission) 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.*
6. In March 2022, the then Minister of Police and the Lead Coordination Minister for the Government's Response to the Royal Commission's Report into the Terrorist Attack on the Christchurch Mosques lodged a paper with ERS seeking funding to progress a Business Case to respond to Recommendation 12. However, that paper was withheld pending wider consideration of funding for Recommendation 12 in Budget 22.
7. Subsequently, on 11 April 2022 Cabinet agreed to establish the *Reporting System for Concerning Behaviours and Incidents* Tagged Operating Contingency of **s.9(2)(f)(iv) OIA** in Vote Police and agreed to its inclusion in the Budget 2022 package. Further, Cabinet agreed that:
 - the draw down of \$1.094 million in FY2022/23 for a Business Case is subject to Cabinet approval to develop a system for reporting concerning behaviours and incidents; and
 - the draw down of funding from FY2023/24 is subject to Cabinet approval of an Implementation Business Case.
8. The attached Cabinet paper seeks approval to draw down \$1.094 million for a Business Case in the FY2022/23. The paper is due for lodgement by your office

by 10am on Thursday 14 July for consideration by ERS on Tuesday 19 July 2022 and further Cabinet consideration on Monday 25 July 2022.

Scope, direction, and design for the government's response to Recommendation 12

9. The attached draft Cabinet paper reflects the same direction and scope of the March 2022 ERS paper and the Budget bid for the work to respond to Recommendation 12.
10. The Business Case will develop options and a preferred approach to Recommendation 12 with the following aims:
 - 10.1. that a key purpose of the system is to receive and collate national security information in one cross-agency place. This will enable the public to help agencies to have the full picture of reporting so that appropriate agencies may prevent national security incidents. The system will include reports from the public that fall below the threshold of 'concerning behaviour or incidents' and is not limited to crimes or offences (in any form, including online);
 - 10.2. the scope of information to be sought for inclusion in a reporting system will focus on reporting of concerning behaviours and incidents which might indicate a person's potential for radicalisation or engaging in violent extremism and terrorism. However, national security incidents may emerge from across a spectrum of concerning behaviours. Examples for further consideration of Business Case scope include foreign interference, sabotage, espionage, major organised crime, computer attacks, and dis/mis-information campaigns; and
 - 10.3. another key purpose is to improve the cross-agency referral and response experience for people who have experienced concerning behaviours and incidents. The Business Case will develop options that look to improve coordination across government agencies so victims have a better referral and resolution service. The Business Case will also consider the likely increased demand on agencies for response services as a result of the proposed reporting system, and will gauge any additional response capability and funding that may be needed.
11. Police is ready for the next steps. We will set up the governance arrangements and project team to deliver a cross-agency Business Case to respond to Recommendation 12. We will plan and carry out the necessary engagement processes, project scoping, development of design options, and would report to Cabinet no later than May 2023 with feasible design options and a preferred approach.

Police has consulted with agencies and incorporated feedback

12. Agencies have had an opportunity to comment on the attached draft Cabinet paper and there were no issues of substance arising. Key agencies, such as the New Zealand Security and Intelligence Service (NZSIS) wish to be included in the cross-agency governance arrangements. The Department of Internal Affairs (DIA) wishes to note the linkages to the regulatory review of media content, which

aims to minimise the risk of harmful content across various platforms. The Department of the Prime Minister and Cabinet wishes to note the linkages with the work on a proposed single reporting entity for cyberattacks. Te Puni Kōkiri and the Ministry for Ethnic Affairs are keen to ensure that any new national security reporting and response system is free from racial and ethnic bias. As well, the Ministry of Justice notes that privacy considerations should be addressed early given that the new system will be receiving reports from the public that fall below the threshold of suspected crimes. Agency comments have been incorporated. Netsafe, who is a key interested stakeholder, has been informed that this work is continuing.

There is high public interest in progressing work on Recommendation 12 without delay

13. Work on Recommendation 12 is one of the last of the Royal Commission's findings to start. At the same time, fixing the reporting and response systems for communities is one of their highest priorities. There is keen interest from Kāpuia and other stakeholders in a new reporting and response system as per Recommendation 12.
14. Issues relevant to the scope, direction and design of a new reporting and response system have been well canvassed within government agencies. The attached draft Cabinet paper does not alter the approach as expressed in the earlier March 2022 draft Cabinet paper and the Budget bid for the contingency fund. The attached paper therefore seeks a straightforward decision to draw down the funding to enable work to commence.
15. Police would begin setting up the Project Team as soon as Cabinet approves the Business Case. This would enable time for engagement with communities, information flow analysis, options development, and written preparation prior to a report back in May 2023. Should you wish to spend more time considering this proposal or consulting with Ministerial colleagues, delayed ERS consideration would likely mean not starting the project until September, which would make the May 2023 report-back date difficult.

Consideration of whether to further consult with Ministerial colleagues

16. Police asked agencies whether they considered further Ministerial consultation was required on the Cabinet paper, and none viewed this as necessary. Therefore Police considers a further round of Ministerial consultation prior to lodgement is not needed. However, we have allowed two-three working days for this consultation if you wish. Should you have comments on the paper, we ask that you provide feedback by Tuesday 12 July.

Next steps for the project and for community and stakeholder engagement

17. The new reporting and response system is intended to improve national security safety outcomes for New Zealand. We expect that governance for the Business Case will sit at the Deputy Chief Executive level and that there will be substantive subject matter expert involvement from other agencies across the work streams. We anticipate that substantive ongoing staff resource will be required from key agencies to implement the preferred approach for the new reporting and response system.

18. Given the high interest from stakeholders and communities in the delivery of the government response to Recommendation 12. The project team will factor in adequate timeframes for meaningful consultation with communities and stakeholders. It is intended that agencies will use existing channels for community engagement, such as the Kāpuia Reference Group, the Commissioner's Māori Focus Forum, Police's Muslim Reference Group, Police's Te Raranga (hate crime) work stream, and other agencies' networks. The Te Raranga engagement programme is key, as there is a strong synergy between the two work projects. Community engagement will also be guided by the Policy Project's Community Engagement Framework.

The Commissioner will seek the support of other agencies for the Business Case and for implementation

19. The success of the Business Case and its implementation will depend on the support and resources of several agencies. The end-product for a new reporting and response system will involve several agencies with statutory functions in reporting and response. The Commissioner of Police intends to reinforce the need for cross-agency commitment to the project in a letter to other Chief Executives. He will seek senior support for governance, subject matter expertise and staff resources for implementation.
20. Although Police is leading the Business Case development, a number of other agencies will be involved in the process and particularly in the implementation of any new system. Our strong preference is therefore for the proposal to be branded as an All-of-Government measure and service and we have explicitly identified this option in the Cabinet paper as something that the Business Case should consider.

We will work with your office on a media statement

21. The Business Case will involve extensive stakeholder and community engagement as it develops. We consider it appropriate to announce the start of this work. We anticipate there will be a media statement to announce the beginning of the Business Case for Recommendation 12. We will work with your office to draft the statement.
22. We support the proactive release of the Cabinet paper given the high degree of interest in this work from communities and stakeholders. We will develop proactive media responses if required.

Timeline and next steps

23. The Cabinet paper needs to be lodged with the Cabinet Office by 10am Thursday 14 July if it is to be considered by the External Relations and Security Committee at its meeting on Tuesday 19 July, and by the full Cabinet the following Monday.

24. The timeline for the Cabinet process is set out below:

Timeframe	ERS process
Wednesday 6 July to Tuesday 12 July	Consultation with other Ministers if needed
Wednesday 13 July	Incorporation of Ministerial feedback into Cabinet paper
Thursday 10am 14 July	Lodge Cabinet paper
Tuesday 19 July	ERS Committee meeting
Monday 25 July	Cabinet approval



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R. Mark Evans

Deputy Chief Executive, Insights and Deployment

First contact	R. Mark Evans Deputy Chief Executive, Insights and Deployment	s9(2)(a)
Second contact	Gillian Ferguson, Director: Policy	s9(2)(a)

Talking points withheld pursuant to
s9(2)(f)(iv) of the OIA.