



# ORAL FLUID TESTING GOVERNANCE BOARD: MINUTES

Date:	Wednesday 15 December 2021	Location:	Webex & L15.01
Time	1:00pm – 2:00pm		
Apologies:	<p>Supt. Melanie Aitken, Director: Safer People</p> <p>Supt. Anaru Pewhairangi, Director, MPES Engagement &amp; Operations (Senior Supplier)</p> <p>Supt. Brian Moyle, Director: Mobility &amp; Digital Group</p> <p>Insp. Mark Rowbottom, Manager: National Tasking &amp; Coordination</p> <p>Supt. Greg Williams, Director: National Organised Crime Group</p> <p>Supt. Gary Allcock – <i>Has left the OFT Governance Board.</i></p>		
Attendees:	<p>AC Bruce O’Brien, Assistant Commissioner Deployment &amp; Road Policing - Chair</p> <p>Supt. Steve Grealley, Director: National Road Policing Centre, NRPC</p> <p>Dr. Jennifer Grabow, Manager: Portfolio &amp; Programmes, NRPC</p> <p>Ms. Sharon Hart, Executive Director: Finance</p> <p>Ms. Gillian Ferguson, Director: Policy &amp; Partnerships</p> <p>S/Sgt. Christopher Whitehead, Programme Manager: Oral Fluid Testing, NRPC</p> <p>S/Sgt. Aaron Bunker, Manager: Strategy &amp; Relationships, NRPC</p> <p>Insp. Jared Pirret, District Manager: Prevention (Senior User)</p> <p>Mr. Blair Mills, Manager, Procurement &amp; Contracts Management (Senior Supplier)</p> <p>Insp. Blair MacDonald, Manager: National Drug and Intelligence Bureau</p> <p>Insp. Mark Donaldson, Mobility and Digital – <i>on behalf of Brian Moyle.</i></p> <p>Insp. Paula Holt, Police Prosecutions – <i>newly appointed; replacing Gary Allcock’s Member role.</i></p>		

#	Open Action Points	Who	Date Assigned	Discussion/Progress	Carry or Close
11	OFT Programme Scope to include CIT: Chris to raise issue to OCGG to seek guidance on how and who to progress to.	CW	<p>28/09/21</p> <p>26/10/21</p> <p>23/11/21</p>	<p>26/10: Chris advised as far as he knows there has been no organisational governance involvement in determining the scope. He was advised it will be appropriate to raise to OCGG and SPGG.</p> <p>New Action: Bruce asked for an initial noting paper to go to SPGG in November. He is part of the group and will present it.</p> <p><b>23/11:</b> Chris updated the group that any requirements arising from the bill outside of OFT implementation would normally be incorporated under Police BAU.</p> <p>CIT changes are required under the new bill but any scope changes to the programme would require extra funding for existing CIT trained members</p> <p>This training would be separate to the OFT training required as not all CIT trained members will be OFT trained.</p> <p>Jenny advised that further costs included for the programme are currently only for 2% of the costs for blood tests.</p> <p>Further costs could be absorbed she thought, but costings would need to be understood before approval and decisions made from what budget.</p> <p>Steve suggests that unused funds from other Waka Kotahi projects could be transferred to cover this.</p> <p>Jenny advised that funding would need to be approved from the Road Policing Sub-Portfolio and Waka Kotahi boards and would require a business case.</p>	Closed

			23/11/21	<p>Sharon advised that SPGG approve Police money, not Road Policing money. Steve and Jenny suggest a noting paper to SPGG.</p> <p>Bruce advised that SPGG would need to consider funding for the opportunity cost funds so there's a need for more considered thinking about this.</p> <p><b>New action:</b> Bruce requested talking points for a verbal update to the SPGG on Friday 26/11 and look to next year for a business case on this if required. Completed.</p>	Closed
14	<p>s9(2)(b)(ii)</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>	<p>CW</p> <p>SG</p> <p>SG</p> <p>SG</p>	<p>28/09/21</p> <p>26/10/21</p> <p>23/11/21</p> <p>15/12/21</p>	<p>s9(2)(b)(ii)</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>23/11: Work in progress. No update currently.</p> <p>15/12: Will be discussed next year (2022)</p>	Carry
16	OFT GB Member attendance: The group agreed that all members must register attendance or name a substitute with voting rights to replace them.	All	26/10/21	04/11: Meetings invites for 2022 have been issued with clear messaging to members to register attendance or to name a substitute.	Carry

		All /CW	<del>23/11/21</del>  15/12/21	<p>23/11: Bruce requested that all members nominate their representative in advance (to Maureen).</p> <p><b>15/12:</b> A list was passed around the members in the room to update.</p> <p><b>New action:</b> Follow-up with members directly for those outstanding.</p>	
19	Gillian to check if a request to defer royal assent to February 2022 onwards is possible.	GF	23/11/21	This is no longer an issue as Parliament has now closed for the year.	Closed
20	Timing of Royal Assent to be raised as a risk to the programme.	CW	23/11/21	<p>R12 raised. This is no longer a risk as Parliament has now closed for the year.</p> <p>The next parliament sitting day is 8th February 2022 so Royal Assent won't occur before then.</p> <p>R12 closed.</p> <p>Completed.</p>	Closed
21	<p>Equipment Procurement Memo to the Road Policing Sub Portfolio Board:</p> <ul style="list-style-type: none"> <li>• Memo to be updated to clearly state that no action will be taken until Royal Assent has been received.</li> <li>• Memo to be updated to include what budget/funds the requested money will come from. (25/11 - Completed)</li> </ul>	CW	23/11/21	Memo updated.	Closed

#	Agenda item	Key discussion and actions
1.	<b>Welcome &amp; Apologies</b>	<ul style="list-style-type: none"> <li>• AC O'Brien opened the meeting welcoming those present and noted apologies received.</li> <li>• The group welcomed Bruce to Wellington, being able to now enjoy Auckland border freedom.</li> </ul>
2.	<b>Previous Minutes</b>	<ul style="list-style-type: none"> <li>• It was noted that Minutes from the 23 November were confirmed.</li> </ul>

#	Agenda item	Key discussion and actions
3.	<b>Open Actions review</b>	<ul style="list-style-type: none"> <li>As per table above</li> </ul>
4.	<b>Land Transport Bill Update</b>	<ul style="list-style-type: none"> <li>Chris advised the Bill remains on the parliamentary list but has moved from position 16<sup>th</sup> – 8<sup>th</sup> today on the schedule. Parliament closes for 2021 today and sits again in February 2022.</li> <li>Gillian advised that Parliament would only be sitting for two weeks in February and will resume a normal routine in March 2022.</li> </ul>
5.	<b>Programme Update: November Status Report</b>	<ul style="list-style-type: none"> <li>Chris introduced the monthly report produced from Sentient advising that this will be the format going forward for programme reporting and will form part of the monthly OFT Governance Board meeting papers.</li> <li>Chris advised the programme is on track and awaiting Royal Assent. He noted that the delay is allowing the Leads more time for preparation of their projects.</li> <li>Mobility and Case Management are working together, and information will come forward in the new year to understand what solutions are possible from these groups.</li> <li>A NIA Reference Group prioritisation request is being created. Chris asked the members if they wish to see this. Bruce responds yes, for noting purposes.</li> <li>Financial forecasting is being developed as the Leads create their plans and will be presented as part of the Indicative Business Case in the new year.</li> </ul> <p>Allocated finances are on track, however at this stage, it appears likely that the forecasted costs will exceed the budgeted amount but by how much is still to be determined (e.g. discussions are ongoing with NZTA around the communication plan funding arrangements).</p> <ul style="list-style-type: none"> <li>The Communications Lead is talking to Waka Kotahi to ascertain what costs they will cover. Steve said costs for advertising and flyers etc sit with Waka Kotahi. Chris advised he will wait for the feedback from Waka Kotahi.</li> <li>Jenny would like to see indicative costs in February 2022, as it is expected there will be challenges in meeting the required budget.</li> <li>Jenny notes that the Benefit status is showing not started. This is a setting not accessible to all users to change but a request to Jo Beckford will change this.</li> </ul> <p><b>Action 22:</b> Request update in Sentient to show benefit status as progressing.</p> <ul style="list-style-type: none"> <li>Bruce asks Jared what he is hearing from the districts about the programme. Jared advised that everything heard is positive, but staff want to know more.</li> <li>Chris advised that intranet pages for each workstream will be released early next year. The Comms Plan is in final stage; however, the Bill is still going through changes and until the Programme starts delivering we have limited information to share currently. What does get released initially will be very high level.</li> </ul>

#	Agenda item	Key discussion and actions
		<ul style="list-style-type: none"> <li>Steve advised that the NRPC Portal will also come online next year and that will be a source of information for staff also. Steve asked Chris to add this as a Comms channel in the plan and connect in the new year.</li> </ul> <p><b>Action 23:</b> Add the NRPC Portal as a Comms channel and connect in the new year.</p>
6.	<b>ToR's – December Review</b>	<ul style="list-style-type: none"> <li>Chris advised that this is the scheduled quarterly review of the ToR's. Changes made are shown as tracked changes. Two areas are noted for change: Programme Board Business Owner and Membership.</li> </ul> <p><u>OFT Board business owner (Purpose of this ToR, Pg 3, point 2)</u></p> <ul style="list-style-type: none"> <li>Business group names have changed from those listed and will need updating. Chris queried who has overall governance and who is the OFT Governance Board accountable to.</li> <li>The group discussed this noting that direction is given by Waka Kotahi with capability being an internal responsibility. Bruce advised this had been raised by AC Tusha Penny - AC Frontline Capability) at a recent REFRAME meeting.</li> <li>Bruce thought it would fit best with OCGG as it is a new capability for Police. Steve adds that additional capacity is being heard by that group also. Bruce will consult on this for confirmation.</li> <li>Jenny advised that the funding is approved by the Road Policing Sub-Portfolio Group so that should be included.</li> </ul> <p><b>Action 24:</b> Bruce to consult with OCGG (Maria Rawiri) to confirm the governance/ownership structure for the programme.</p> <p><b>Action 25:</b> Accept changes as tracked as a draft, include ownership as being OCGG; current and review dates; replace background outputs with workstream names; (accept previously agreed change of 60 minute meetings in 2022 to 90 minutes) and review again at the next meeting.</p> <p><u>Membership (&amp; Invited Attendee listings).</u></p> <ul style="list-style-type: none"> <li>Chris asked if the current membership requires change, explaining that he would like the programme to be represented by all necessary business groups and asked the Board to review and confirm current membership covers this.</li> <li>Dean advised that the RNZPC are currently introducing new roles and an Academic Director is joining the team in a shared capacity role with the College Director (himself). He will discuss this further with Chris.</li> </ul> <p><b>Action 26:</b> Dean to discuss with Chris any possible changes.</p> <ul style="list-style-type: none"> <li>Steve comments that some people are not attending meetings and suggested a reminder sent early next year might be good. Bruce agreed with this.</li> </ul> <p><b>Action 27:</b> Send a reminder to members (and invited attendees) of the OFT GB Meetings.</p>

#	Agenda item	Key discussion and actions
		<ul style="list-style-type: none"> <li>Bruce would like to see a representative from the Communications team added.</li> </ul> <p><b>Action 28:</b> Identify a Communications team member to attend the OFT GB Meetings.</p> <ul style="list-style-type: none"> <li>Jared asked about external people joining these meetings, eg. Waka Kotaki, Drug Foundation. The group discussed this and talked about which groups might attend including whether any of the 40 submissions received about the Bill would be considered.</li> <li>Chris informed the group that the programme had identified 43 stakeholders and that an interagency group is being formed of those organisations that will support implementation across government. This includes WorkSafe and Will Black (MPES) is helping to identify someone from Te Puni Kokiri. The Group will meet for the first meeting in February 2022, deferred from November this year to allow time to expand the membership.</li> <li>Blair (MacDonald) thought the interagency group would be different to this new group brought together for consultation.</li> <li>Gillian suggested it would be an expert advisory group and include treaty and Iwi parties also.</li> <li>Bruce supported these suggestions and proposed a quarterly update to external groups be stood up next year. ToR's are to be developed to identify the purpose and include stakeholders with good representation from the industry from Iwi to select committee people. A Chair will need to be identified; Bruce commented that he might consider this for himself, however further discussions on this is needed in the new year.</li> </ul> <p><b>Action 29:</b> Develop ToR's for a group of external parties to be consulted with, include representation from such groups as noted above.</p> <p><b>Action 30:</b> Include a 30minute Agenda item at the next meeting for this to be discussed.</p>
7.	<b>Deployment : Evidence review and Proposed Model Presentation</b>	<ul style="list-style-type: none"> <li>S/Sgt. Simon Mooney, Deployment Lead, joined the meeting at 1.30pm to present to the group.</li> <li>Chris introduced Simon and the intent of the Deployment workstream. An evidence review was initially undertaken, and more detailed information was sent to members in the meeting paper pack. Simon's presentation spoke to the key points.</li> <li>Simon addressed the members and attendees and began with sharing a power-point presentation shared for all to see. Key points: <ul style="list-style-type: none"> <li>s.6(a) OIA, s.9(2)(g) OIA</li> <li>Offending overlaps with high risk times for alcohol, but drug driving is far more prevalent during daytime hours.</li> </ul> </li> </ul>



#	Agenda item	Key discussion and actions
		<ul style="list-style-type: none"> <li>○ Targeted testing will produce higher detection rates (25%) when compared to random testing (3%).</li> <li>○ Approximately 40 submissions received expressing concern that the OFT regime would lead to disproportionate outcomes for Maori, Pacifica, rangatahi and lower socio-economic communities.</li> <li>○ s.9(2)(g) OIA [REDACTED]</li> <li>○ As the device for testing is unknown at this stage, it is difficult to develop a model without this.</li> <li>○ Recommended models were shown for CVST as a targeted, controlled pilot group followed by random selection with IPT after the initial 3-month pilot.</li> <li>○ <u>CVST</u>: have predetermined audience and locations; Current operators are a cross section of society. <ul style="list-style-type: none"> <li>- would operate as part of the checkpoints utilising the 6 nationwide CVST Safety Centres.</li> <li>- staff would test as many drivers as time and resources allow following general deterrence principles.</li> <li>- If time and resource constraints, staff could apply a targeted approach for selection, using skills and experience in impairment.</li> </ul> </li> <li>○ <u>IPT</u>: would operate at locations and times evenly distributed across metro centres. <ul style="list-style-type: none"> <li>- would operate checkpoints utilising Mobile Road Safety Bases.</li> <li>- staff would test as many drivers as time and resources allow following general deterrence principles.</li> <li>- A random pre-selection method would be adopted that determines which drivers will be tested prior to being stopped.</li> </ul> </li> <li>○ Following the first 12 months, develop an evidence base with NZ data collected from districts over a 12-18 month period.</li> <li>○ Specific districts would be selected to trial targeted and random testing for checkpoints and others for car-based operations (device dependant).</li> <li>○ Other deployment considerations include breath testing; OFT testing of drink drivers; high-risk drivers; drivers involved in vehicle crashes; detainment and health-based referrals.</li> <li>○ Next steps are to develop critical command information processes required to support a strategy, including, where and who are we testing; random versus targeted testing; large scale events; checkpoint versus car based; which drugs are prevalent where.</li> <li>• The group thanked Simon for the information and for the research undertaken to form these proposals.</li> </ul>



#	Agenda item	Key discussion and actions
		<ul style="list-style-type: none"> <li>• The group discussed methods and tools available to randomise the selection process for both location and vehicle, keeping in-line with Ministerial direction in the Bill.</li> <li>• Wastewater testing was discussed. Simon's consultation with internal groups advised that detection of drugs could only be pinpointed to a wider district, rather than a particular neighbourhood.</li> <li>• Blair disagreed with this advising the group that they could provide further detail on where drugs are located and agreed with Steve's comment that testing points to area's with lower socio economics.</li> <li>• Steve added that if deployment was based on this evidence it would bring the bias and disproportionate outcomes issue to the front.</li> <li>• Simon added that there is no evidence to say that there are crash issues in lower socio-economic areas. Blair agreed with this.</li> <li>• Steve thought the CVST proposal is a good choice as no bias risk and is a legitimate and safe place to start. He wonders if levels 3, 4, and 5 would achieve 33 thousand tests in the first year.</li> <li>• Aaron agreed with comments from other members that it would mean 8 tests required per day and he thought CVST could do this.</li> <li>• Dean commented that referrals into the health sector would be more challenging than it may appear. Referrals to other health districts and counselling services could be difficult.</li> <li>• Sharon commented that she thought the various documents were great and agreed more work with some of the detail would be good.</li> <li>• Gillian would like her Policy team to work through the content and CCI components with Simon and bring back to the group in February 2022.</li> </ul> <p><b>Action 31:</b> Gillian to arrange a Policy member to work with Simon.</p> <ul style="list-style-type: none"> <li>• Bruce asked Simon to consider exploring what AVSEC (Aviation Security Services) use for randomised selections.</li> </ul> <p><b>Action 32:</b> Research AVSEC processes</p> <ul style="list-style-type: none"> <li>• Chris requested approval for the workstream to progress the development of the develop critical command information. This was agreed by Bruce.</li> </ul>
8.	<b>Out of Session paper: Programme and Workstream Evaluation paper.</b>	<ul style="list-style-type: none"> <li>• Members had been sent an out of session paper relating to the evaluation criteria.</li> <li>• Chris introduced this item with background information that the Board had requested an evaluation process be developed over the OFT Programme and all its internal workstreams.</li> <li>• Chris advised that in consultation with the Evaluation's team, they advised that there were a lot of criteria features available for inclusion.</li> </ul>

#	Agenda item	Key discussion and actions
		<ul style="list-style-type: none"> <li>The paper seeks direction from the Members on the requirements to be included for each and puts forward four recommendations for discussion.</li> <li>Sharon advised that she needed further information to better assess the questions and recommendations. She would like to see a strawman approach to presenting options showing impact and implications for options to be considered. Eg what is the cost of an independent evaluator.</li> </ul> <p>Members discussed the paper further.</p> <ul style="list-style-type: none"> <li>Bruce summarised, advising that there is a lot to talk through on this topic and he would like a separate session held on this in the new year. He liked Jenny's suggestion to include a Lesson's Learnt section.</li> <li>Bruce thought the Evaluations team would be best positioned to take the lead on this and present options and talk through the thinking and trade-offs of each in a two-hour session. This should be established for February with Sarah Czarnomski (EBPC), Rob Burns (Lesson's Learnt) and Nils van Lamoen (RP).</li> </ul> <p><b>Action 33:</b> Initiate a two-hour workshop to work through options for the evaluation criteria.</p>
9.	<b>Any other business</b>	<ul style="list-style-type: none"> <li>Nothing raised</li> </ul>
10.	<b>Meeting Close</b>	<ul style="list-style-type: none"> <li>Bruce thanked everyone for their efforts on this important piece of work. He acknowledged all the work and time given so far in a challenging year.</li> <li>He gave special thanks to Chris in standing up the programme and progressing it this far. He is happy with where the programme is at as we close out 2021.</li> <li>Merry Christmas and safe holidays.</li> <li>The meeting closed at 2.10pm</li> </ul>
The first meeting scheduled for 2022 is on <b><u>Tuesday, 15 February 2022, 09.30am – 11.00am</u></b>		

#	New Action Points	Who	Date Assigned
16	OFT GB Member attendance: The group agreed that all members must register attendance or name a substitute with voting rights to replace them.	All	<del>26/10/21</del>
	23/11 – Bruce requested that all members nominate their representative in advance.		<del>23/11/21</del>
	15/12 - Follow-up with members directly for their nominated representative.		15/12/21

#	New Action Points	Who	Date Assigned
22	Request update in Sentient to show benefit status as progressing	CW	15/12/21
23	<u>Communications</u> Add the NRPC Portal as a Comms channel and connect in the new year.	CW	15/12/21
24	<u>ToR's</u> - OFT Business Owner: Bruce to consult with OCGG (Maria Rawiri) to confirm the governance/ownership structure for the programme.	BO'B	15/12/21
25	<u>ToR's</u> - Accept changes as tracked as a draft, include ownership as being OCGG; current and review dates; replace background outputs with workstream names; (accept previously agreed change of 60 minute meetings in 2022 to 90 minutes) and review again at the next meeting.	CW	15/12/21
26	<u>OFT GB Membership</u> - Dean to discuss with Chris any possible changes to membership.	DC	15/12/21
27	<u>OFT Meeting attendance</u> - Send a reminder to members (and invited attendees) of the OFT GB Meetings.	CW	15/12/21
28	<u>OFT GB Membership</u> - Identify a Communications team member to attend the OFT GB Meetings.	CW	15/12/21
29	<u>New external group quarterly update meeting</u> - Develop ToR's for a group of external parties to be consulted with, include representation from such groups as discuss and noted above	CW	15/12/21
30	<u>OFT Agenda item</u> - Include a 30minute Agenda item at the next meeting for this to be discussed.	CW	15/12/21
31	<u>Deployment model strategy</u> - Gillian to arrange a Policy member to work with Simon.	GF	15/12/21
32	<u>Deployment model strategy</u> - Simon to research AVSEC processes	CW/SM	15/12/21
33	Evaluation criteria options - Initiate a two-hour workshop to work through options for the evaluation criteria for February with Sarah Czarnomski (EBPC), Rob Burns (Lesson's Learnt) and Nils van Lamoen (RP) leading the presentation.	CW	15/12/21