



BRIEFING FOR THE MINISTER OF POLICE

Priority	<input type="checkbox"/> Urgent <input type="checkbox"/> Time-Sensitive <input checked="" type="checkbox"/> Routine		
Title	Recommendation 12 of the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019: progressing a new public reporting system for concerning behaviours and incidents		
Date	28 February 2024	Reference	BR/24/21

Purpose

1. We are providing you with further advice¹ to support your consideration of whether to progress the response to Recommendation 12 of the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019 (the Royal Commission).
2. This advice will support discussions with the Lead Coordination Minister for the Government Response to the Royal Commission's Report, Hon. Judith Collins. Minister Collins will be engaging Responsible Ministers in late-March 2024 on the direction of the all-of-government response prior to seeking Cabinet decisions by June 2024 on progressing or stopping specific workstreams.

Key messages

- You are a Responsible Minister overseeing the Royal Commission response work programme and have specific responsibility for Police-led workstreams.
- Recommendation 12 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'*.
- Police has been leading the cross-agency response to Recommendation 12. This includes completing a business case that recommends investment in a new all-of-government branded public reporting system and operational improvements to enhance agency responses to national security threats.
- The previous Government approved \$13.5 million tagged operating contingency to progress this work. Following completion of the cross-agency business case, Police has identified this funding will be insufficient to deliver the intended all-of-government system.

¹ Following the Briefing to the Incoming Minister of Police that included initial advice on this matter.

IN-CONFIDENCE

BRIEFING FOR THE MINISTER OF POLICE

- Cabinet approval of the business case and associated additional funding (to a total of approximately \$20 million) is required before Police can continue work to implement the new reporting system.
- Due to the significant level of investment needed, the existing significant cost pressures on Police's baseline, and the Budget 2024 Initial Baseline Exercise requiring agencies to identify baseline reductions, Police cannot progress this work as business as usual (BAU) or within current baseline funding.
- Without additional investment, Police, as the host agency, cannot deliver a fit-for-purpose new reporting system that will adequately address community and agency needs. Police prefers discontinuing work rather than continuing to progress with the risk of no guaranteed funding.
- Discontinuing the response to Recommendation 12 will likely be significantly frustrating and concerning for impacted communities who consider a safe and accessible reporting system is a priority. Discontinuing the response will also limit an opportunity to improve how agencies manage and share reports and respond to threats.

Recommendations

Police recommends that the Minister of Police:

- a) **note** we are seeking your consideration of whether to progress the response to Recommendation 12 of the Royal Commission's report;
- b) **agree** to discuss with the Lead Coordination Minister:
 - i. Option A – Continue progressing the response to Recommendation 12: seeking Cabinet approval of: **Yes/No**
 - the cross-agency business case
 - required funding (full draw down of remaining tagged operating contingency of \$11.976 million; and additional \$3.977 million capital expenditure, \$3.954 million operating expenditure over five years, and \$0.923 million per annum in the out years);
 - ii. Option B – Discontinue the response to Recommendation 12: **Yes/No**
(Police's preferred option)
 - not seeking Cabinet approval of the business case and required funding
 - the closure of the tagged contingency with funding returned to the Crown
 - Police undertaking no further work to implement a new reporting system;

IN-CONFIDENCE

BRIEFING FOR THE MINISTER OF POLICE

- c) **note** the Lead Coordination Minister for the Government's Response to the Royal Commission's Report has indicated the coordinated all-of-government response to Royal Commission recommendations will conclude by June 2024 and any residual programmes or actions will transfer to individual agencies as BAU;
- d) **note** key matters to raise with the Lead Coordination Minister include:
- i. the requirement for Cabinet approval of a cross-agency business case and associated funding before Police can progress the response to Recommendation 12
 - ii. Police's advice that due to the level of investment needed and the significant cost pressures on Police's baseline, Police cannot progress further work as BAU or within current baseline funding and prefers discontinuing this work
 - iii. your preferred option for progressing the response to Recommendation 12 to support Ministerial and Cabinet decisions on the direction of the all-of-government response;
- e) **note**, subject to discussions with the Lead Coordination Minister, either:
- i. Police can provide you with further advice and a draft Cabinet paper to support you to seek Cabinet approval of the business case and required funding; or
 - ii. the Lead Coordination Minister could close the programme of work down via the Cabinet paper seeking agreement to the direction of the all-of-government response;
- f) **agree** to share a copy of this briefing with the Lead Coordination Minister. **Yes/No**

Minister's comments and signature

..... / / 2024

Hon Mark Mitchell
Minister of Police

IN-CONFIDENCE

BRIEFING FOR THE MINISTER OF POLICE

Recommendation 12 of the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019: progressing a new public reporting system for concerning behaviours and incidents

The Royal Commission's December 2020 report initiated an all-of-government response

3. Following the terrorist attack on Christchurch masjidain on 15 March 2019, the previous Government established a Royal Commission of Inquiry. In December 2020, the Royal Commission reported its findings and made 44 recommendations for improving New Zealand's national security system. The previous Government agreed in principle to all 44 recommendations and initiated a cross-agency work programme, led by the Department of the Prime Minister and Cabinet (DPMC), to progress the all-of-government response.

You are one of the Responsible Ministers for overseeing the Royal Commission response

4. The Minister of Police has had an integral role as one of the Responsible Ministers² for overseeing the Royal Commission work programme. This role has included jointly making decisions alongside the Lead Coordination Minister and other Responsible Ministers and seeking Cabinet agreement to progress and fund specific initiatives that respond to the Royal Commission's report.
5. You have specific responsibility for overseeing the progress of Police-led workstreams. This includes receiving and seeking advice from Police, consulting with other Responsible Ministers, and seeking Cabinet agreement, where required. You may also be briefed by Police and consulted by other Responsible Ministers on the response to other agency-led workstreams that are relevant to Police.

Police has been the lead agency for the cross-agency response to Recommendation 12

6. Police has been closely involved in the Royal Commission work programme including leading the response to Recommendation 12 and the following recommendations:
 - firearms and safety workstreams under the Police Arms Transformation Programme (Recommendations 19-24)
 - operational improvements to support reducing hate-motivated crime and racism (Recommendation 42).

² Under the previous Government, the Responsible Ministers included the Prime Minister and a Lead Coordination Minister for the Government's Response and Ministers holding the following portfolios: National Security and Intelligence; Finance; Education; Social Development and Employment; Foreign Affairs; Police; Justice; Immigration; Internal Affairs; Customs; Diversity, Inclusion and Ethnic Communities.

IN-CONFIDENCE

BRIEFING FOR THE MINISTER OF POLICE

7. Police has also worked alongside other agencies to progress the wider response. We will provide you with a separate status update on the other Police-led workstreams ahead of discussions with the Lead Coordination Minister in late-March 2024.
8. Recommendation 12 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’.*
9. The Royal Commission expected the new reporting system would be implemented within 12 months (by December 2021). The Royal Commission also indicated progressing the response to Recommendation 12 is critical to ensuring New Zealand’s national security system is trusted and works for the communities it serves.

A new public reporting system would help address current challenges for communities and agencies

10. Progressing the response to Recommendation 12 will help address the following challenges for communities and agencies and enhance New Zealand’s response to national security threats. It will do so by:
 - improving the current reporting system and providing a safer, easier, and more accessible way for the public to report concerning violent extremism and terrorism-related behaviours and incidents, including indicators of harmful extremist ideologies, through a dedicated channel
 - improving how agencies manage and share reports to enable a more coordinated response to national security threats
 - increasing public trust and confidence that government agencies will efficiently and effectively respond to national security threats.

Communities currently experience various barriers to reporting

11. The Royal Commission’s report noted all New Zealanders have a role in making New Zealand safe and inclusive³ and that public reporting is critical to understanding the full picture of national security threats and risks. New Zealand’s National Security Strategy also emphasises the importance of harnessing the power of public reporting to alert government agencies to previously unknown or emerging issues so these agencies can ‘act early’ to prevent unwanted outcomes.

³ Refer Royal Commission’s report pages 728 and 744 - <https://christchurchattack.royalcommission.nz/the-report/>

IN-CONFIDENCE

BRIEFING FOR THE MINISTER OF POLICE

12. Currently, impacted communities⁴ and the wider public are uncertain about where to go for assistance (including where, how, why, or what to report) and which government agency has the mandate to respond. They may also report a single incident to multiple agencies due to a lack of clarity about the roles of different agencies, or because they have not received any response.
13. Other barriers that can stop communities from reporting include not understanding the importance of the information they hold, thinking agencies are too busy to respond, or being retraumatised by having to repeatedly explain their concerns to different agencies.

Agencies need to be more coordinated to effectively respond to public reports

14. The Royal Commission identified that while several agencies, including Police (via current 105 and 111 reporting channels), collect information from the public about concerning behaviours and incidents, this information is not always shared appropriately or in a timely manner.
15. Currently, restrictions on the collection and sharing of data⁵ prevent agencies from taking a more coordinated approach to managing public reports.
16. Multiple silos of data and the lack of a central analysis function means the current process for analysing and referencing publicly reported information is mostly manual. Agencies have no easy way of systematically knowing whether incidents are connected. This makes it harder to gain a comprehensive understanding of violent extremism and terrorism risks.

The previous Government approved funding to implement a new reporting system

17. In November 2021, the previous Government approved establishing a longer-term work programme in response to the Royal Commission's report [CAB-21-MIN 0503], which included progressing a new public reporting system.
18. Funding was also set aside to support the development and implementation of the reporting system. In April 2022, the previous Government approved a \$13.500 million contingency initiative *Reporting System for Concerning Behaviours and Incidents* for Vote Police as part of Budget 22 [CAB-22-MIN-0129]. However, based on advice from the Treasury⁶, the approved tagged contingency excludes capital expenditure.

⁴ This includes communities that are either affected by violent extremism or terrorism or who have been or may be the target of violent extremism or terrorism.

⁵ Data collection and sharing is impacted by available legislative mandates, privacy concerns, security classifications, and technology limitations.

⁶ The Treasury advised Police to complete a business case first to determine the appropriate and exact level of capital expenditure required to implement the business case's recommended option.

IN-CONFIDENCE

BRIEFING FOR THE MINISTER OF POLICE

19. In August 2022, the previous Government agreed to Police leading the development of a cross-agency⁷ business case for a new public reporting system [ERS-22-MIN-0031]. This included approving the draw down of \$1.094 million from the tagged operating contingency for Police to commence work on the business case. In June 2023, the previous Government approved a further draw down of \$0.430 million to enable Police to complete the business case.

Police has completed the cross-agency Recommendation 12 business case

20. In August 2023, Police completed the business case, which was endorsed by the Commissioner of Police and the Chief Executives of DPMC, NZSIS, DIA, and MEC.
21. The business case recommends investment in an all-of-government branded:
- safe, easy, and accessible, public reporting system for concerning behaviours and incidents
 - triage and management system for agencies to coordinate and assess public reports about concerning behaviours and incidents and assign threats
 - referral and feedback process to enable agencies to support people who make reports, as appropriate.
22. The business case also recommends Police as the host agency, which was endorsed in April 2023 by the then Minister of Police. Under the proposed model, Police will carry out the information collection and triage functions and refer the public to wellbeing support if appropriate. The NZSIS will continue to carry out its existing 'join the dots' function⁸ using information received through the new reporting system. An overview of the draft operating model for the new reporting system within current national security arrangements is set out in **Appendix A**.
23. We also note the business case's recommended level of investment exceeds the remaining tagged operating contingency funding of \$11.976 million. The implications of this funding gap are discussed below.

⁷ Police was supported by a cross-agency Advisory Group comprised of representatives from DPMC, New Zealand Security Intelligence Service (NZSIS), Department of Internal Affairs (DIA), Ministry for Ethnic Communities (MEC), and Ministry of Business, Innovation and Employment (MBIE). The development of the business case was also overseen by a Governance Group made up of senior officials from DPMC (chair), Police, NZSIS, DIA, and MEC. In addition to cross-agency representatives, the following key stakeholders also informed the development of the cross-agency business case: Kāpuia Ministerial Advisory Group, Iwi Chairs Forum Advisory Panel, Police Commissioner's Muslim Reference Group and Ethnic Focus Forums; impacted cultural, ethnic, and faith-based communities; CERT NZ; Crimestoppers; Netsafe; and victim support and wellbeing providers.

⁸ This function includes intelligence discovery, which is the process of analysing data to surface previously unknown, trends, patterns, or anomalies for further investigation.

IN-CONFIDENCE

BRIEFING FOR THE MINISTER OF POLICE

Without additional investment, Police cannot progress the response to Recommendation 12

Cabinet approval of the business case and additional funding is required to progress further work

24. In August 2023, the previous Government deferred progressing the response to Recommendation 12, including consideration of the business case [SWC-23-MIN-0127], until after the General Election. Cabinet approval of the business case and additional funding is required before Police can commence work to implement the business case's recommended option.
25. The remaining tagged operating contingency of \$11.976 million will be sufficient to cover operating costs for implementing the business case's recommended option and annual BAU costs. For example, staff recruitment and training costs and promotion and marketing costs. However, additional funding will be required to support the effective implementation and operation of the new system.
26. The tagged contingency funding does not include capital expenditure. Following the completion of the cross-agency business case, Police has determined that additional capital funding of \$3.977 million will be required to implement technology solutions such as workflow and case management systems.
27. Investment in capital assets incurs ongoing operating costs for depreciation and capital charge costs. This means an additional \$3.954 million in operating expenditure over five years and \$0.923 million per annum in the out years is also required.

Police is unable to progress further work as BAU or within current baseline funding

28. The Lead Coordination Minister has indicated that the coordinated all-of-government response to the Royal Commission's recommendations will conclude by June 2024 and any remaining workstreams will transfer to individual agencies as BAU. The Lead Coordination Minister intends to engage Responsible Ministers in late-March 2024 to determine whether to progress or stop work for specific recommendations ahead of seeking final Cabinet decisions by June 2024.
29. Progressing the response to Recommendation 12 will require a significant level of investment. Without Cabinet approval of required funding, Police is unable to progress further work as BAU or within current baseline funding.
30. Police's baseline is under significant financial pressure and current estimates are a forecast deficit in FY2024/25 of approximately \$181.000 million. Police is also included in the Budget 2024 Initial Baseline Exercise, which requires proposals to be submitted identifying cost reductions. Therefore, Police is unable to absorb any additional costs associated with Recommendation 12 from baseline.

IN-CONFIDENCE

BRIEFING FOR THE MINISTER OF POLICE

31. To progress the business case's recommended option, Police will require the additional Crown funding discussed above in paragraphs 25 to 27. Police were not invited to submit a funding request for Recommendation 12 in Budget 2024 and, therefore, should the Government seek to pursue the proposed reporting system, a late submission may need to be sought, approval for out-of-cycle funding may be required or the work be agreed to be progressed through a Budget 25 bid.

Without funding to deliver a fit-for-purpose reporting system, Police's preference is to discontinue work

32. Discontinuing further work to progress the response to Recommendation 12 is likely to be significantly concerning and frustrating for impacted communities. Engagement with these communities has affirmed that, without appropriate reporting options, individuals may not report issues of potential concern, leaving agencies unaware and unable to intervene to prevent an act of terrorism or violent extremism. Also, without a new public reporting system, the current systemic vulnerabilities of agency information silos and inability to 'join the dots' will remain.
33. However, continuing to progress this work without guaranteed additional funding presents significant financial implications for Police and raises expectations of a response which cannot be achieved without the all-of-government approach previously proposed. Therefore, Police's preference is to discontinue further work in response to Recommendation 12.
34. There is a risk that Cabinet may not approve additional funding but still direct Police to continue progressing the response to Recommendation 12 as BAU and within baseline. This is not fiscally feasible for Police without making significant trade-offs in addition to those already outlined in the Budget 2024 Initial Baseline Exercise. Currently, Police cannot absorb any additional costs within existing baseline due to other demands and the current estimated deficit.
35. Police already receive some similar issues of concern to our 111 and 105 lines. But Police is not in a position to appropriately collate this information, and establish a cross agency triage and referral system to ensure the information is appropriately managed and acted upon.
36. In the longer term, Police may be able to strengthen existing Police reporting mechanisms (e.g. 111, 105). However, these improvements would not be equivalent to delivering a fit-for-purpose all-of-government branded reporting system that would achieve the intended objectives of Recommendation 12 and best meet community and agency needs.

We are seeking your consideration of whether to progress the response to Recommendation 12

37. Noting the significant investment requirements, benefits and risks of either continuing or discontinuing this work, and Police's preferred approach discussed above, we are seeking your consideration of your preferred option, of the two options in the table below, for progressing the response to Recommendation 12.

BRIEFING FOR THE MINISTER OF POLICE

<u>Option A – Continue progressing the response to Recommendation 12:</u>	<u>Option B – Discontinue the response to Recommendation:</u> (Police's preferred option)
<p>Seeking Cabinet approval of:</p> <ul style="list-style-type: none"> • the cross-agency business case • additional Crown funding to enable Police to effectively implement the business case's recommended option for a new all-of-government branded public reporting system: <ul style="list-style-type: none"> ○ full draw down of the remaining tagged operating contingency of \$11.976 million ○ further Budget bid for additional funding of \$3.977 million capital expenditure and \$3.954 million operating expenditure over five financial years and \$0.923 million per annum in the out years, either as a late submission or out-of-cycle bid. 	<ul style="list-style-type: none"> • Not seeking Cabinet approval of the cross-agency business case and required funding. • The closure of the tagged operating contingency for the response to Recommendation 12 with remaining funding of \$11.976 million returning to the Crown. • Police undertaking no further work to implement a new reporting system either as BAU or within baseline funding as this is not feasible due to the significant fiscal constraints discussed above at paragraphs 29 to 31.

38. As part of upcoming Ministerial engagement on the direction of the all-of-government response, we recommend advising the Lead Coordination Minister that without Cabinet approval of the cross-agency business case and required funding, Police is not in a position to progress further work on Recommendation 12 as BAU or within baseline funding.
39. We also recommend discussing your preferred option with the Lead Coordination Minister, including indicating whether the Lead Coordination Minister should consider seeking Cabinet agreement to either continue (Option A) or discontinue (Option B) the response to Recommendation 12. To assist discussions, we have set out these options and associated risks and benefits in **Appendix B**.

Consultation

40. Police has informed DPMC that we have prepared this advice to support upcoming discussions between you and the Lead Coordination Minister on progressing the response to Recommendation 12. We will continue to engage with DPMC on the broader all-of-government response to the Royal Commission's report ahead of proposed final Cabinet decisions in June 2024. This includes coordinating any communications with key agencies, groups, and impacted communities to inform them of next steps.

IN-CONFIDENCE
BRIEFING FOR THE MINISTER OF POLICE

Next steps

41. If your preferred option is to continue progressing the response to Recommendation 12 (Option A), we will provide you with further advice, including a draft Cabinet paper and the business case for your consideration.
42. We will also provide you with any further material, if required, to support discussions with the Lead Coordination and other Responsible Ministers on the direction of the broader Royal Commission response. This includes a separate status update on the other Police-led recommendation workstreams.



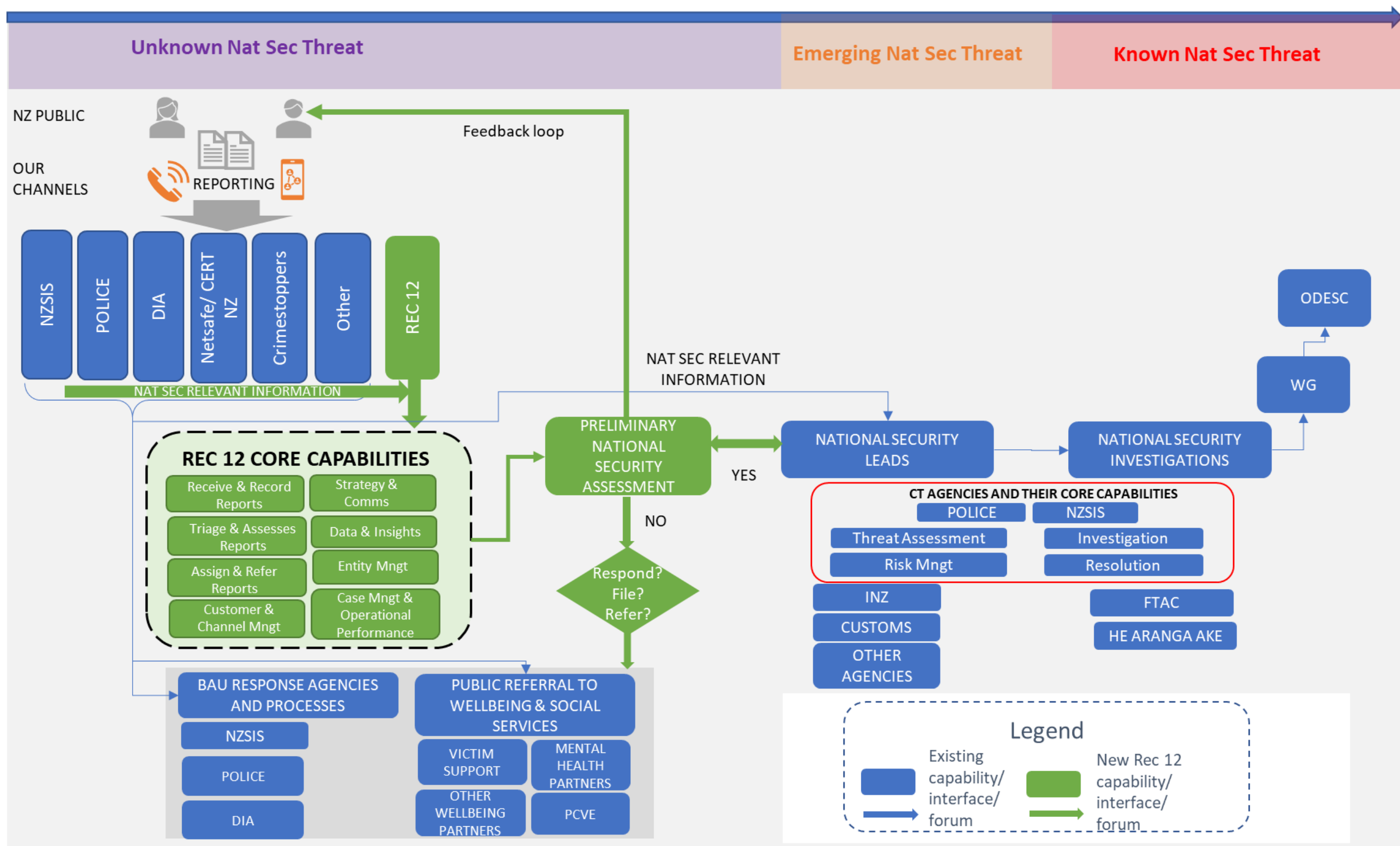
Jevon McSkimming

Deputy Commissioner Operational Services and Road Policing

First contact	Jevon McSkimming, Deputy Commissioner Operational Services and Road Policing	s9(2)(a)
Second contact	Rachael Bambery, Executive Director Services and Resolutions	s9(2)(a)

IN-CONFIDENCE
BRIEFING FOR THE MINISTER OF POLICE

Appendix A: Draft operating model for the new reporting system set within current national security arrangements



BRIEFING FOR THE MINISTER OF POLICE

Appendix B: Options for progressing the response to Recommendation 12 for Ministerial discussion

Option	Benefits	Risks
<p><u>Option A – Continue progressing the response to Recommendation 12</u></p> <p>Seek Cabinet approval of:</p> <ul style="list-style-type: none"> cross-agency business case that recommends investment in an all-of-government branded: <ul style="list-style-type: none"> safe, easy, and accessible, public reporting system for concerning behaviours and incidents triage and management system for agencies to coordinate and assess public reports about concerning behaviours and incidents and assign threats referral and feedback process to enable agencies to support people who make reports, as appropriate. additional Crown funding to effectively implement new reporting system, including: <ul style="list-style-type: none"> full draw down of remaining tagged operating contingency of \$11.976 million a further Budget bid for additional funding of \$3.977 million capital expenditure and \$3.954 million operating expenditure over five financial years and \$0.923 million per annum in the out years, either as a late submission or out-of-cycle bid. 	<ul style="list-style-type: none"> Addresses current reporting barriers for impacted communities and the wider public and challenges with agency coordination of threat reporting by: <ul style="list-style-type: none"> improving the current reporting system and providing a safer, easier, and more accessible way for the public to report concerning violent extremism and terrorism-related behaviours and incidents improving how agencies manage and share reports of these concerning behaviours and incidents to enable a more coordinated response to national security threats increasing public trust and confidence that government agencies will efficiently and effectively respond to national security threats. Meets the objectives of the Royal Commission's recommendation and the expectations of impacted communities that are either affected by violent extremism or terrorism or who have been or may be the target of violent extremism or terrorism. 	<ul style="list-style-type: none"> Requires a significant level of investment including additional Crown funding above the remaining tagged operating contingency previously approved for the Recommendation 12 response. If bids for additional funding are unsuccessful, Police cannot progress further work to implement the business case's recommended option for a new all-of-government branded reporting system as BAU or within baseline funding due to other priority demands and forecast deficit for FY2024/25.
<p><u>Option B – Discontinue the response to Recommendation 12 (Police's preferred option)</u></p> <ul style="list-style-type: none"> Not seeking Cabinet approval of the cross-agency business case and required funding. The closure of the tagged operating contingency for the response to Recommendation 12 with remaining funding of \$11.976 million returning to the Crown. Police undertaking no further work to implement a new reporting system either as BAU or within baseline funding. 	<ul style="list-style-type: none"> Does not require additional investment and will enable return of Crown funding for other uses. Relieves cost pressures for Police as without guaranteed additional funding, Police is unable to progress further work as BAU or within baseline funding due to other priority demands and forecast deficit for FY2024/25. 	<ul style="list-style-type: none"> Does not meet the objectives of the Royal Commission's recommendation and the expectations of impacted communities. Does not address current reporting barriers for impacted communities and challenges with agency coordination of threat reporting. Continued reliance on current reporting channels (e.g. 105 and 111 for Police and other agency channels) and agency BAU processes to receive and coordinate threat reports. These existing processes are not equivalent to the cross-agency business case's recommended option of a fit-for-purpose all-of-government branded reporting system that will effectively address community and agency needs.