Co-ordination and Collaboration in the Criminal Justice Sector

Report of the

Controller and Auditor-General

Tumuaki o te Mana Arotake

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October 2003

This is the report of a performance audit we carried out under the authority of section 16 of the Public Audit Act 2001.

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Foreword

Government agencies face important challenges in managing a range of relationships with various sector partners. Without co-ordination and collaboration, policy development will be disjointed and ill-informed, and services will be delivered in a fragmentary manner. Co-ordination and collaboration are founded on the regular sharing of knowledge, a culture of consultation, and a solid framework of informal and formal relationships.

The core criminal justice sector is a good example of government agencies that must work together in the interests of effectively performing their role. The Government and Parliament have an expectation that Chief Executives and their agencies will identify common outcomes, and actively pursue strategies to achieve these outcomes through collective working.

I was encouraged by the efforts of the sector agencies to work together to a set of common goals. The agencies have also set up a number of arrangements for sharing knowledge and developing agreed strategies.

Our audit identified some areas where improvements could be made, and I commend the agencies for their commitment to review and improve the way in which they work together. We have also provided some best practice guidance for senior officials throughout the public sector who may be having to tackle similar issues. This guidance is contained in the accompanying pamphlet.

I would like to thank the four core criminal justice agencies – the Ministry of Justice, the Police, the Department for Courts, and the Department of Corrections – for their willing participation in this study.

K B Brady
Controller and Auditor-General
1 October 2003

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Part One

Introduction

Why Are Co-ordination and Collaboration Important?

1.1 As in most countries, New Zealand's public sector is made up of a large number of different agencies, many with their own empowering legislation, and all with their own mandates. Each is assigned responsibility for delivering specific products or services. Their defined roles and responsibilities help to promote clear accountability for different tasks within the machinery of government.

1.2 However, no government agency operates in isolation. The activities of one agency can affect others in a number of ways. Even so, there is a risk that individual agencies have little incentive to work together. There are strong incentives for them to focus on activities within the boundaries of their specific legislation, and on the objectives agreed with their Ministers.

1.3 Nevertheless, for the Government to achieve its outcomes, government departments, Crown entities and other public bodies need to work together. Effective public management relies on the willingness of the many arms of government to co-operate in the interests of the Government and the public.

1.4 Where agencies do not co-operate and collaborate, there can be a number of consequences:

- They may duplicate their efforts, wasting scarce public resources.
- Where one agency develops a policy without consulting another agency that has a legitimate interest, the Government may make decisions without taking full account of the impacts of all policy options, and the decisions may have unanticipated consequences.
- Where agencies apply policies without considering impacts on other agencies, the policies may prove unworkable, because they can create conflicts between different sets of objectives.
- Services to the public may be delivered in a fragmented way, creating unnecessary costs, confusion and inconvenience.

1.5 Collaboration brings benefits including:

- opportunities for agencies to work together on a given project at an early stage, avoiding duplication and potentially saving costs and time;
- the ability to approach issues from a broad, sector-wide perspective; and
- the potential to develop innovative, cross-agency solutions to shared problems.

1.6 Both overseas and in New Zealand, governments have increasingly recognised the need for public agencies to work together. For example, the UK Government has promoted collaboration between the different arms of government as part of its *Modernising Government*[1] initiative. In November 2001, the *Report of the Advisory Group on the Review of the Centre*[2] identified fragmentation as one of the most important issues facing the public management system. It cited consequences of fragmentation, including:

- more complicated service delivery;
- higher costs of doing business;
- blurred accountability;
- difficulties in aligning agency positions and priorities; and
- under-utilisation of skills.

Why Did We Decide to Study the Criminal Justice Sector?

1.7 There are a number of sectors in which it is especially important that government agencies work together. We chose to study the criminal justice sector because:

- the sector is relatively well defined and self-contained;
- there is a large amount of information available about the sector; and
- functional relationships between the sector agencies are generally well understood.

1 *Modernising Government,* Cm 4310, March 1999.
2 *Report of the Advisory Group on the Review of the Centre*, Presented to the Ministers of State Services and Finance, November 2001.

1.8 In addition, agencies within the criminal justice sector often share the same clients. Offenders who are arrested and charged by the Police may pass through the other two operational agencies – the Department for Courts and the Department of Corrections. Social service agencies are also likely to become involved in managing some offender groups.

1.9 Other countries have recognised poor collaboration and inadequate consultation as barriers to the effective operation of their criminal justice agencies. In some cases, they have put in place institutional arrangements to facilitate and oversee the activities of the sector. For example, in the United States, some States have established co-ordinating councils to promote collaboration and consultation among agencies with criminal justice responsibilities. The UK Government established a Criminal Justice Integration Unit in July 1998, to "ensure better integration of information systems, IT and related business processes across the criminal justice system". This Unit was given the responsibility for co-ordinating specific activities across the criminal justice sector, including strategic planning and reporting performance.

1.10 The Ministry of Justice drew attention to issues of sectoral leadership and co-ordination in its 2002 *Briefing to Incoming Ministers*[3], identifying barriers to effective co-ordination and the achievement of outcomes, and noting the importance of maintaining constructive relationships between agencies.

1.11 We considered that all these factors made the criminal justice sector a suitable system for examination.

What Is the Criminal Justice Sector?

1.12 The criminal justice sector is a complex network of discrete but procedurally connected agencies. The current structure is partly the product of the Government's decision in 1995 to disestablish the then Department of Justice and create a number of separate agencies, each with its own focus and responsibilities for different aspects of the criminal justice system. The Police have always been a separate agency.

3 http://www.justice.govt.nz/pubs/reports/2002/post-election-brief-2002/index.html

1.13 The four core criminal justice agencies are the Ministry of Justice (the Ministry), the Police, the Department for Courts, and the Department of Corrections.[4] The last three are referred to in this report as "the operational agencies". The four core agencies are currently the responsibility of seven Ministers or Associate Ministers, and the agency roles are described in Figure 1 below.

Figure 1
Roles of the Core Criminal Justice Agencies

Ministry of Justice
Primarily a policy agency that provides strategic and policy advice for the sector.

Police
Responsible for enforcing criminal law, delivery of road safety services, responding to calls involving safety of persons and property, and keeping the peace.

Department for Courts
Responsible for providing administrative and judicial support services to facilitate public access to the Courts and judicial decision-making.

Department of Corrections
Responsible for the management of custodial (imprisonment) and non-custodial (supervision, community work and parole) sentences.

1.14 Other agencies in the criminal justice sector are the Serious Fraud Office and the Crown Law Office and two Crown entities – the Legal Services Agency and the Law Commission. Social service agencies, such as the Ministries of Social Development, Māori Development (Te Puni Kōkiri), Health and Education, and the Department of Child, Youth and Family are also heavily involved in the sector.

1.15 In May 2003 the Government announced that the Department for Courts and the Ministry of Justice would merge to form an expanded Ministry. The new Ministry formally took over the functions of the current Ministry of Justice and Department for Courts from 1 October 2003.

4 Criminal justice agencies may also interact with other sectors. For example, the Police also operate in the transport, national security, and emergency management sectors.

What Were the Objectives of Our Audit?

1.16 We set out to examine the way in which the four core agencies were working together to achieve the Government's goals for the criminal justice sector. In particular, we sought to examine:

- how the Ministry was discharging its responsibilities for co-ordinating policy advice and other strategic activities across the sector;
- how the Ministry and other agencies managed their relationships; and
- how all agencies were consulting on plans, programme implementation, and the development of shared outcomes.

1.17 The performance of the criminal justice sector relies heavily on the willingness and ability of individual sector agencies to co-ordinate their efforts and work together – a shared culture of collaboration. Underpinning any effective system of collaboration are those institutional arrangements that facilitate ongoing relationships between the agencies and the staff who work in them. An important objective of our audit was to identify good practice, as well as areas for improvement in co-ordination and collaboration between agencies in the criminal justice sector, drawing on observed practices in each of the agencies and across the sector.

1.18 Many other parts of government face similar challenges in preserving agency accountabilities while working collaboratively. They need to:

- manage tensions and conflicts;
- reconcile priorities;
- balance their own interests and goals with those of other agencies; and
- maintain open and constructive dialogue.

1.19 We sought to use the findings from our examination of relationships and arrangements in the criminal justice sector, and the results of our analysis, to illustrate best practice and develop principles for meeting these requirements that can be used for the benefit of the public sector as a whole.

How Did We Carry Out the Audit?

1.20 We examined the policies and processes for sectoral co-ordination between the criminal justice sector agencies, focusing on four key areas:

- strategic direction;
- policy development;
- information systems; and
- responsiveness to Māori.

1.21 Our expectations were that:

- criminal justice sector agencies would be working together to achieve the Government's goals;
- there would be clear co-ordination strategies and mechanisms in place to facilitate the co-ordination of activities within the sector;
- criminal justice sector agencies would work towards achieving a set of common outcomes; and
- there would be clear agreement as to leadership in the sector.

1.22 We did not examine how criminal justice agencies co-ordinate their efforts and consult on day-to-day operational activities in relation to the management of individual clients and offenders.

1.23 We interviewed Chief Executives and senior officials from the Ministry, the Police, the Department of Corrections and the Department for Courts. We also interviewed:

- members of the judiciary;
- officials from Te Puni Kōkiri; and
- officials from the State Services Commission and the Treasury.

1.24 For each of the core criminal justice agencies, we examined corporate documentation, including internal policies relevant to strategic planning, policy development, information systems and responsiveness to Māori. To assess the nature of relationships between the agencies, we examined inter-agency agreements, such as protocols and memoranda of understanding, and inter-agency communications.

1.25 We undertook a specific review of the development of the legislation that culminated in the Sentencing Act 2002 and the Parole Act 2002. Our review involved interviews with staff from the Ministry, the Department for Courts, the Department of Corrections and the Police. We also undertook a comprehensive file review of the relevant files from those four agencies.

Structure of Our Report

1.26 The remainder of our report is divided into six parts.

1.27 Part Two summarises our key findings and recommendations for the sector.

1.28 Parts Three to Six examine relationships and arrangements between the criminal justice agencies in the four key areas that formed the focus of our examination – strategic direction; policy development; information systems; and responding to Māori.

1.29 Part Seven sets out our findings from our review of the development and implementation of the Sentencing and Parole Acts.

Part Two

Executive Summary

Introduction

2.1 We set out to examine the way in which the four core agencies were working together to achieve the Government's goals for the criminal justice sector. In particular, we sought to examine:

- how the Ministry was discharging its responsibilities for co-ordinating policy advice and other strategic activities across the sector;
- how the Ministry and the other agencies managed their relationships; and
- how all agencies were consulting on plans, programme implementation, and the development of shared outcomes.

2.2 We identified many examples of good practice across the sector, and a strong commitment to sharing information and collaboration. Constructive personal relationships and inter-agency networks were often supported by formal protocols or understandings between the agencies, and played an important part in promoting a system-wide approach to strategy and policy development. The sector was responding positively to the need to work as a sector to meet Government priorities, and was taking positive steps to clarify roles and responsibilities and strengthen governance structures.

2.3 At the same time, the impact of one agency's plans or activities on other agencies in the criminal justice sector had not always been well understood, creating risks for the completion of policy projects essential to meet Government strategic goals. The agencies had encountered difficulties in maintaining oversight of one complex project with sector-wide implications, under a tight Ministerial timetable. Important lessons have been learned, and new processes put in place for project oversight and managing risk.

2.4 We also identified a need for the sector to put in place mechanisms to co-ordinate planning and share information in some areas of core business. Collaboration avoids the risks of duplication, and is vital for coherent policy development. Working together and sharing information also promotes innovation, and enables individual agencies – and the sector as a whole – to respond more effectively to the demands of the Government and clients.

2.5 We focused on four key areas:

- strategic planning;
- policy development;
- management of information systems; and
- responding to Māori.

2.6 Our key findings and recommendations are set out below.

Setting a Strategic Direction

Key Findings

2.7 The Chief Executives Forum provides a useful means for the criminal justice sector to discuss matters of shared concern and provide sector leadership. However, Chief Executives were not always attending personally, not all agencies are represented at all meetings, and meetings are not held at regular intervals, making the Forum less effective for ongoing co-ordination and collaboration.

2.8 We identified five key areas where we expected to find formal networks in place to ensure ongoing co-ordination. The necessary formal networks were not always in place to support ongoing working relationships and promote collaboration. Some work in these areas remains fragmented, lacking a common approach to shared issues.

2.9 Personal relationships generally work well across the sector, supported by a range of formal arrangements.

2.10 The agencies have developed agreed shared outcomes statements.

2.11 The agencies are not yet reporting to the Government on their achievements as a sector, or monitoring their collective performance in relation to desired outcomes.

Recommendations

2.12 Chief Executives should support the Forum by attending all meetings. The Forum should meet regularly to ensure continuing co-ordination of sector initiatives, work programmes and projects.

2.13 The criminal justice agencies should consider options for integrating their work in the five areas that we identified: information systems, research and evaluation, sectoral planning and reporting, policy development, and responsiveness to Māori. One possible approach would be to establish a structure similar to that of the Justice Sector Information Committee.

2.14 The agencies should jointly develop a framework for measuring and reporting on achievements as a sector, and on performance in relation to the outcomes sought by Government.

Developing Policy

Key Findings

2.15 The purpose of purchase advice is to assist Ministers in making decisions on the level and priorities for Government spending on justice sector activities in order to achieve agreed outcomes. The Ministry provides policy advice in relation to eight justice sector votes. The Ministry's process for evaluating proposals for new funding from the criminal justice agencies is governed by an agreed protocol, and is well defined, transparent, co-ordinated, and accepted by the agencies concerned.

2.16 A protocol governs decisions on leadership of policy work with implications for the sector. In practice, responsibility for leading specific policy tasks falls to the agency administering the relevant legislation. In other cases, it is decided by convention, agreements or, in some circumstances, through a more formal process. This arrangement works well.

2.17 Not all agencies consult on their draft policy work programmes, and any such consultation does not occur routinely. Regular consultation is important to:

- keep all agencies informed about work priorities across the sector;
- make agencies aware of potential impacts from other planned policy work;
- enable agencies to modify their own programmes to avoid duplication or to complement other planned work; and
- allow agencies to take advantage of opportunities to share resources or otherwise be involved in, or consulted as part of, specific policy work.

2.18 Agencies have taken some positive steps to co-ordinate their research and evaluation work. Some work programmes are shared, helping to avoid possible duplication. In addition, the agencies have collaborated on some projects, and the Ministry has promoted research work in the sector. However, limited sector-wide research is being undertaken.

Recommendations

2.19 Agencies should routinely consult on their draft policy work programmes to share information, identify common areas of interest, plan collaboration, and complement planned projects.

2.20 The reporting and accountability structure for the Crime Reduction Strategy could be used as a model for the oversight and implementation of other major Government strategies or legislative changes that have sector-wide implications in the future.

2.21 Sector Chief Executives should promote active and routine collaboration between research units in each of their agencies, in order to avoid duplication and provide an opportunity for considering what sector-wide research needs to be undertaken.

Co-ordinating Information Systems

Key Findings

2.22 Developed in 1996, the Justice Sector Information Strategy was due for review. An updated strategy was approved in 2003 for 2003-2006.

2.23 Overall responsibility for the new Justice Sector Information Strategy rests with the Chief Executives Forum. This arrangement should help improve collaboration between the agencies, enhance monitoring of information technology development, and clarify accountabilities.

2.24 The Justice Sector Information Strategy is founded on a number of agreed standards and principles that provide a framework for the use and exchange of information. Arrangements are in place for sharing data within the sector – subject to the constraints of privacy legislation.

Recommendation

2.25 The justice sector Chief Executives Forum and the Ministry should work to give effect to their responsibilities under the new *Justice Sector Information Strategy 2003-2006*. A key role for the Ministry should be to oversee the status of information technology systems in the sector, and evaluate sector-wide impacts of any planned changes, ensuring that information systems meet both the purposes of individual agencies and the needs of other users of those systems.

Responding to Māori

Key Findings

2.26 There is no sectoral response to Māori in the criminal justice system that would enable agencies to share good practice or co-ordinate their efforts to respond effectively to Māori as clients and stakeholders.

2.27 The criminal justice agencies have responded to Māori in quite different ways, establishing their own structures and arrangements in isolation from other agencies in the sector.

2.28 The agencies recognise the significance of their relationship with Māori as Treaty partners and as offenders and victims of crime.

2.29 Agencies gather and hold considerable data about their interactions with Māori, and have information about the impact of Māori offending on their individual businesses. However, we found no evidence that agencies share this information so as to enable the sector to develop a co-ordinated response to Māori interactions with the criminal justice system.

2.30 The sector agencies vary in the soundness of their relationship with Te Puni Kōkiri – limiting their ability to work together to achieve positive outcomes for Māori.

Recommendations

2.31 The Department of Corrections has produced a Framework for Reducing Māori Offending. Other agencies could consider using this framework for their policy development, adapted to their individual circumstances.

2.32 The Police and the Department of Corrections have Māori advisory groups that advise the Commissioner and the Chief Executive. We encourage all justice sector agencies to consider establishing such groups, which can serve as a valuable advisory resource for their Chief Executive, providing a Māori community perspective on issues for the agency.

2.33 An integrated sectoral strategy should be developed to focus on system-wide outcomes for Māori. The existing justice sector Chief Executives Forum should consider establishing a senior officials Forum to develop this strategy.

2.34 Sector agencies and Te Puni Kōkiri should ensure constructive relationships exist to work together on issues for Māori.

Development and Implementation of the Sentencing and Parole Legislation

2.35 The Sentencing Act 2002 and the Parole Act 2002 came into force on 30 June 2002, and were the culmination of a period of intense policy development across the criminal justice sector. Together they substantially replaced the Criminal Justice Act 1985 and reformed the law in four areas:

- general sentencing purposes and principles;
- range of sentences and orders available to the courts;
- sentencing for murder and high-risk offenders; and
- parole and final release of offenders from prison.

2.36 The development and implementation of this legislation posed significant challenges for the criminal justice sector. The project tested the ability of the core criminal justice agencies to work together and manage a complex and evolving policy development process to a tight timeframe. This case study considers the process followed by the four agencies to bring the new legislation into force on 30 June 2002. We examined:

- governance arrangements;
- policy development; and
- the development of the information technology systems necessary to implement the Bill.

Key Findings

2.37 The Ministry led the development of the new sentencing and parole legislation, and so was responsible for managing wide-ranging consultation on policy issues to a demanding timetable, reconciling a range of agency views, and obtaining from Ministers those decisions necessary for the legislation to be drafted.

2.38 Although the Ministry's leadership role provided a valuable focus for policy work in the sector, the project was already well advanced before effective governance arrangements were put in place. As a result, the necessary sector-wide project planning was not undertaken to co-ordinate project management, mitigate risks and develop contingency plans.

The short timetable (passing of the legislation was a Government priority) made sector planning a particularly important dimension of project governance, so that the agencies could respond effectively to the expectations of Ministers.

2.39 Only one agency undertook the necessary comprehensive project planning to identify risks and impacts for its business, and to develop action plans. The absence of detailed agency project plans led to a failure to clearly identify, at the outset of the project, vital inter-agency dependencies having an impact on supporting project tasks, such as the development of information technology infrastructure and changes to business operations.

2.40 Given the number of issues to be considered, the extent of consultation required, and the work needed to prepare for implementation of the legislation, policy development and drafting of the legislation was undertaken within a very short timeframe. The requirement to develop policy and prepare and implement new legislation within two-and-a-half years placed considerable pressure on the agencies involved. The consultation process was rushed, with agencies having little time to comment comprehensively on policy papers.

2.41 This project showed that the time it takes to design, build or modify major information technology systems can constrain the policy development process. Conversely, policy changes can require significant changes to information systems and supporting infrastructure. There was no cohesive sector-wide strategy that co-ordinated the information technology work required to prepare for and implement the proposed legislation.

2.42 The Department for Courts had difficulty preparing its information systems to meet the July 2002 deadline, but alerted other agencies to likely delays only when the project was already well advanced. This left the sector limited time to consider options and seek Ministerial approval to a revised approach. The sector worked well together to recover from delays in the Department for Courts to meet the 1 July 2002 implementation deadline.

Recommendation

2.43 The criminal justice sector agencies should draw lessons from the events and processes surrounding development of the sentencing and parole legislation for the future management of projects with sector impacts, including:

- sector-wide governance, including leadership, oversight and monitoring;
- project planning, risk management and contingency planning; and
- integration of sector information technology, strategy, and policy development.

Part Three

Setting a Strategic Direction

Key Findings

3.1 *The Chief Executives Forum (see paragraphs 3.21-3.23 on page 35) provides a useful means for the criminal justice sector to discuss matters of shared concern and provide sector leadership. However, Chief Executives were not always attending personally, not all agencies are represented at all meetings, and meetings are not always held at regular intervals, making the Forum less effective for ongoing co-ordination and collaboration.*

3.2 *We identified five key areas where we expected to find formal networks in place to ensure ongoing co-ordination. The necessary formal networks were not always in place to support ongoing working relationships and promote collaboration. Some work in these areas remains fragmented, lacking a common approach to shared issues.*

3.3 *Personal relationships generally work well across the sector, supported by a range of formal arrangements.*

3.4 *The agencies have developed agreed shared outcomes statements.*

3.5 *The agencies are not yet reporting to the Government on their achievements as a sector, or monitoring their collective performance in relation to desired outcomes.*

Recommendations

3.6 *Chief Executives should support the Forum by attending all meetings. The Forum should meet regularly to ensure continuing co-ordination of sector initiatives, work programmes and projects.*

3.7 *The criminal justice agencies should consider options for integrating their work in the five areas that we identified: information systems, research and evaluation, sectoral planning and reporting, policy development, and responsiveness to Māori. One possible approach would be to establish a structure similar to that of the Justice Sector Information Committee.*

3.8 *The agencies should jointly develop a framework for measuring and reporting on achievements as a sector, and on performance in relation to the outcomes sought by Government.*

Introduction

3.9 For agencies to work together effectively to achieve the Government's sector goals, there must be:

- a commitment by chief executives to consult and collaborate on areas of core business;
- a framework for the development of sector planning, project management and reporting; and
- strong strategic leadership, to provide a model for staff from different agencies to work together in their day-to-day operations.

3.10 To determine what strategic co-ordination exists within the criminal justice sector, we examined:

- relationships between the sector agencies;
- strategic planning in the sector; and
- sectoral performance measurement and monitoring.

Relationships Between the Agencies

3.11 We examined:

- perceptions of relationships between agencies, and formal arrangements supporting such relationships; and
- sector leadership.

Relationships and Formal Arrangements to Support Them

3.12 Informal networks are often a vital ingredient of constructive working relationships – especially where these relationships rely heavily on interpersonal trust and the positive attitudes of particular individuals. However, informal networks are not, of themselves, evidence that processes for co-ordination and collaboration are effective. Informal networks may also develop where formal relationships are not seen to be working, or where they are absent.

3.13 In circumstances where the sharing of information or other transactions (such as consultation and collaboration) are essential to the conduct of core business activities, accepted formal arrangements provide a reliable means of governing the working relationships between organisations and individuals.

3.14 The relationships between the officials in the agencies were constructive, and strong informal relationships played an important part in fostering collaboration.

3.15 The three operational agencies have formalised their relationships with each other through the use of Memoranda of Understanding (MoUs). Due to their daily operational interactions, these agencies have a much greater focus on defining and formally articulating the process for engagement with each other than they do with the Ministry.

The Department of Corrections has signed a series of MoUs with the other criminal justice sector agencies and also with certain other government agencies. These MoUs commonly include the following terms:

- purpose of the MoU;
- an agreement to consult;
- an agreement about information sharing;
- communication and media strategies;
- a mechanism by which the agreement is monitored; and
- review and termination of the agreement.

Sector Leadership

3.16 The Ministry has accepted a strategic role for leading debate on key justice sector issues. It convenes various working groups and standing committees to co-ordinate sector activities in areas such as information technology and research. We found no evidence that other criminal justice agencies disputed the Ministry's interpretation of its lead role.

3.17 With no formal mandate to lead the sector on issues of common interest, the Ministry must rely on the acceptance of other agencies. In some circumstances, this leadership role may not fall naturally to the Ministry. We were told of particular circumstances where unclear leadership had blurred accountability, such as leadership of the Youth Offending Strategy (see boxed text on the next page). Strengthening the collegial roles of the

Chief Executives of the justice agencies, and establishing a broader basis for collaboration in areas of core business (such as policy development, information technology and responsiveness to Māori), would help to clarify the respective roles of the Ministry and other agencies in the sector.

3.18 In many instances, it will be clear which agency should most appropriately lead a given policy project. In other cases, or to ensure that leadership is clearly mandated, it is appropriate to seek a direction from Ministers, as illustrated in the boxed text below.

Leadership of the Youth Offending Strategy

The Ministry has been directed by Ministers to lead particular policy tasks. The Ministry of Justice and the Ministry for Social Development jointly led the development of the Youth Offending Strategy. In September 2002, the Government gave the Ministry of Justice the sole leadership role for youth justice, to improve clarity over lines of accountability, responsibility for leadership and effective project implementation.

3.19 Ideally, consultation should be planned, give agencies adequate time to respond, and take into account their operational requirements. Some agencies expressed concern that consultation on projects affecting them can occur too late for considered comment.

3.20 In practice, consultation may be subject to a variety of constraints, depending on the particular circumstances. Ministerial directives may limit time available for consultation on policy proposals, and draft legislation may need to be finalised at short notice to meet a Government deadline. These factors can limit the involvement of consulted agencies. In such circumstances, lead agencies should make any time constraints clear.

The Chief Executives Forum

3.21 The Chief Executives of the Ministry, the Department for Courts, the Department of Corrections, the Police, the Department of Child, Youth and Family Services, and the Crown Law Office have an arrangement to meet monthly to discuss matters of common interest. The Ministry services the Forum.

3.22 The Ministry has informed us that Chief Executives have taken the view that they should attend meetings personally in order to foster collegiality. We agree with this view, and consider that meetings should be held regularly, with attendance by the Chief Executives of all the core criminal justice agencies.

3.23 We analysed attendance at the Forum by the four core agencies over a 15-month period, and found that it varied. In some cases, agencies were represented by a nominee rather than by the Chief Executive themselves. The Forum met ten times during that period, and only two agencies were represented at all of the meetings.

Maintaining Working Networks Across the Sector

3.24 We identified five key areas where, in our view, the activities of the criminal justice agencies could usefully be co-ordinated. To some extent, as discussed below, this is already occurring. We consider the arrangement for implementation of the Justice Sector Information Strategy could usefully be applied to other areas where no formal structure currently exists.

3.25 The five areas we have identified as requiring a cross-agency approach are:

- Information Systems;
- Research and Evaluation;
- Sectoral Planning and Reporting;
- Policy Development; and
- Responsiveness to Māori.

3.26 Groups covering information technology, and research and evaluation, already exist and may provide a useful model for other areas of collaboration. We consider that priority should be given to collective sector planning and reporting, building on the justice sector outcomes agreed this year.

3.27 If established as standing working groups under the umbrella of the Chief Executives Forum (in a similar manner to the Justice Sector Information Committee), these groups could meet regularly and report back to the Chief Executives Forum on a regular basis. The criminal justice agencies should consider this, and other options, for integrating their work in these core areas of activity.

Issue Specific Groups

3.28 A range of *ad hoc* groups exist which are primarily issue-specific. Many of these relate to information technology. Other groups include:

- youth justice senior officials;
- criminal records (clean slate) senior officials; and
- Crime Reduction Strategy senior officials.

3.29 In addition, second-tier policy managers meet bi-monthly for more general discussions.

Strategic Planning

3.30 A comprehensive strategic plan for the criminal justice sector would:

- outline the high-level aims, objectives and performance targets for the sector to achieve over the coming period, consistent with the outcomes sought by the Government;
- specify the resources available for reducing crime; and
- set broad priorities for spending across the sector.

3.31 Producing such a plan requires a commitment by each agency to a common set of outcomes, and to a collective business planning process.

3.32 The agencies have developed agreed shared outcomes statements. However, most agencies were developing their own business plans without entering into consultation with other agencies in the sector.

The Development of Shared Outcomes Statements

3.33 Led by the Ministry, the criminal justice agencies have developed shared outcomes statements. Officials from the various agencies worked together to produce draft outcomes statements and submitted them to be discussed at the Chief Executives Forum. The agreed statements should encourage co-ordinated policy-making and service delivery between the agencies.

Strategic Planning Processes

3.34 There are no formal processes for the criminal justice agencies to plan as a co-ordinated sector. As a result, each agency decides whether it will involve the other sector agencies in its planning processes. For example, the Department of Corrections is developing a new strategic plan. Before beginning to draft the plan, it chose to consult several other agencies and asked them what they considered to be the major issues for the Department. After taking into account the comments of those agencies, the Department circulated a first draft of its strategic plan to those agencies for further comment.

3.35 The Ministry has recommended a new planning framework be set up which would provide an opportunity for agencies to agree on common priorities. Such a framework would involve:

- sector Chief Executives agreeing on sector goals and priorities that are consistent with the Government's overall goals;
- justice sector Ministers considering what new initiatives should be priorities for funding, based upon the agreed goals and priorities;
- agreed outcomes and priorities being reflected in agencies' Statements of Intent; and
- accountability for achieving agreed sector outcomes being reflected in Chief Executives' performance agreements.

3.36 We endorse this approach as a valuable means for the agencies to progress sector planning.

Forecasting

3.37 The criminal justice agencies deal with many of the same clients, who pass from one agency to another. To predict demand, and plan for their business needs, each agency must be able to depend on, and have ready access to, forecasts by other agencies in the sector. We asked the agencies what forecasts they prepared, and how they used the forecasts prepared by other agencies.

3.38 The Ministry has the primary role in preparing forecasts for the justice sector. Other agencies rely on this information to predict their own business needs – for example, the Department of Corrections uses Ministry forecasts to estimate future demand for prison services. The Department for Courts and the Department of Corrections also have their own forecasting units.

3.39 The nature and extent of forecasting differed among agencies, as they often needed quite specific information peculiar to their particular business needs. The Fifth Schedule to the Privacy Act 1993 has, in some cases, prevented agencies from sharing data. Some forecasts are limited in scope, in that they do not encompass data from certain parts of the criminal justice system, or make projections for different periods. Data sets are sometimes incomplete as a result.

3.40 Some arrangements exist between agencies for shared data access, and each agency's operational system has interfaces with one or more other agencies, with information shared by way of a secure network. The Ministry has identified the need for greater shared knowledge about data sets held by the various agencies:

- who owns them;
- how they should be interpreted; and
- how they can be used to improve the quality of forecasting and for research, policy development and measuring sector performance.

This need has been recognised as a key focus for the new Justice Sector Information Strategy.

Performance Monitoring and Measurement

3.41 The criminal justice sector has yet to develop a framework for measuring its achievements against targets relevant to a set of agreed outcomes. A number of steps will need to be taken before this can happen, including:

- agreed performance targets derived from the agreed outcomes;
- integrated strategic planning for the sector, specifying priorities, initiatives, and measurable objectives; and
- authority and capacity to collate and analyse the results of agency performance, making it possible to report to the Government and Parliament against sector goals.

Part Four

Developing Policy

Key Findings

4.1 *The Ministry's process for evaluating proposals for new funding from the criminal justice agencies is well defined, transparent, co-ordinated, and accepted by the agencies concerned.*

4.2 *A protocol governs decisions on leadership of policy work with implications for the sector. In practice, responsibility for leading specific policy tasks falls to the agency administering the relevant legislation. In other cases, it is decided by convention or agreements, or, in some circumstances, through a more formal process. This arrangement works well.*

4.3 *Not all agencies routinely consult on their draft policy work programmes.*

4.4 *Agencies have taken some positive steps to co-ordinate their research and evaluation work. Some work programmes are shared, helping to avoid possible duplication, and the agencies have collaborated on some projects. The Ministry has promoted research work in the sector, but limited sector-wide research is being undertaken.*

Recommendations

4.5 *Agencies should routinely consult on their draft policy work programmes to share information, identify common areas of interest, plan collaboration, and complement planned projects.*

4.6 *The reporting and accountability structure for the Crime Reduction Strategy could be used as a model for the oversight and implementation of other major Government strategies or legislative changes that have sector-wide implications in the future.*

4.7 *Sector Chief Executives should promote active and routine collaboration between research units in each of their agencies, in order to avoid duplication and provide an opportunity for considering what sector-wide research needs to be undertaken.*

Introduction

4.8 In 1995 the Government established the Ministry of Justice as a policy department, and the Department for Courts and the Department of Corrections as operational departments. This restructuring led to each agency, along with the Police, having its own policy unit providing policy advice to its own Minister from its own agency perspective. The autonomy of each agency within a network of related functions and roles has created challenges for co-ordination and collaboration.

4.9 We looked at three aspects of the policy development process for the sector:

- Purchase advice – how well is the purchase advice function for the sector being carried out?
- Policy advice – how well does the sector work together in developing policy advice for Ministers?
- Research and evaluation – do the agencies undertake sector-wide research and evaluation?

Providing Purchase Advice on Proposed New Spending

4.10 The purpose of purchase advice is to assist Ministers in making decisions on the level and priorities for Government spending on justice sector activities in order to achieve agreed outcomes.

4.11 The Ministry advises Ministers primarily on new funding proposals submitted by agencies at each Budget round. It also advises Ministers on the expenditure implications of policy proposals developed over the year (which are often associated with submissions to Cabinet).

4.12 On the basis of information provided by the agencies, the Ministry provides an independent view on the merits of funding bids, having regard to priorities across the sector. This role enables the Ministry to present Ministers with a broader perspective than that of individual agencies, having regard to the interests of the criminal justice system as a whole. The Ministry provides policy advice in relation to eight votes.[5]

5 Those votes are Attorney General (Crown Law Office), Corrections, Courts, Justice, Police, Serious Fraud, Treaty Negotiations, and Child, Youth and Family (youth justice).

4.13 The Ministry's role is governed by a 1997 protocol, which:

- outlines principles to be followed by agencies and the Ministry;
- specifies the roles of the Ministry, sector departments and the central agencies;
- defines the scope of the Ministry's role; and
- describes the process that the Ministry will follow in analysing and reporting on proposals for new funding.

4.14 At the same time as providing advice on funding proposals from other agencies in the sector, the Ministry itself submits bids for additional funding as the need arises. To ensure impartiality, Ministry advisers follow the same processes as for bids from other agencies, and obtain an external review of their analysis. The Ministry's purchase advice process is set out in Figure 2 on the next page.

4.15 Although potentially contentious, the Ministry's role in providing independent advice to Ministers on the merits of funding bids from sector agencies is widely accepted. Those agencies we consulted had no concerns about the way the Ministry performed its role.

Working Together To Develop Policy Advice

Principles for Effective Collaboration

4.16 The criminal justice agencies have to work together on a range of policy development issues. These include major projects such as the development of the Sentencing and Parole legislation, and implementation of the Government's Crime Reduction Strategy.

4.17 In conjunction with its decision to reorganise the sector by disestablishing the Department of Justice and creating the Ministry of Justice and a number of operational departments, Cabinet directed the relevant Chief Executives to develop protocols on:

> *. . . the formulation of policy advice in areas of mutual interest between the Ministry of Justice, the Department for Courts, the Department of Corrections, the Police and the Department of Social Welfare.*

Figure 2
The Ministry's Purchase Advice Process

Each justice sector agency, including the Ministry, provides the Ministry's purchase advice team with their draft new initiative bids.

↓

The Ministry forms a view on the draft bid, and the Treasury is given an opportunity to comment.

↓

Officials from the Ministry's purchase advice team meet with officials from the agencies to discuss the bids.*

↓

The Ministry provides officials from the agencies with a draft of its advice to Ministers, and gives the agencies an opportunity to comment.

↓

The Ministry ranks the bids across the sector as high, medium, or low, based on an established assessment framework.

↓

All justice sector Ministers receive:
- **a copy of the Ministry's advice and a summary table; and**
- **any bids the operational agencies choose to submit independently.**

↓

Justice sector Ministers meet to decide which bids should proceed.

* A manager in another justice sector agency reviews the Ministry's own budget initiatives for Votes: Justice and Treaty Negotiations.

4.18 These protocols[6] were designed to:

- recognise areas of mutual interest and establish an expectation to consult;
- provide transparency in policy work programmes and specify the exchange of information on delivery performance to occur as a matter of course;
- provide a process for the resolution of disputes;
- prevent papers being submitted to Ministers without adequate consultation between agencies on matters of mutual interest; and
- consider the use of seconded staff on a regular basis between the agencies involved.

Policy Work Programmes

4.19 We expected agencies to be sharing their proposed policy work programmes routinely, so that they were:

- kept informed about work priorities across the sector;
- aware of potential impacts from policy work planned by other agencies;
- able to modify their own programmes to avoid duplication or to complement the work of other agencies; and
- able to take advantage of opportunities to share resources or otherwise be involved in, or consulted as part of, specific policy work.

4.20 There is a general agreement among the justice sector agencies to exchange work programmes at a General Manager level. In 2002, the Ministry exchanged draft policy work programmes with the Department for Courts and the Department of Corrections.[7] However, the operational agencies do not share draft programmes among themselves.

6 These are among a number of protocols or memoranda of understanding between various sector agencies relating to matters such as data sharing, policy development, shared funding and research.

7 The Police do not have a policy work programme because their work is normally reactive and demand-driven.

Leading Policy Development

4.21 Much of the policy development work in the sector is concerned with day-to-day operational matters, and so is a natural responsibility of the operational agencies.

4.22 A protocol governs decisions on leadership of policy work with implications for the sector. In practice, responsibility for leading specific policy tasks falls to the agency administering the relevant legislation. In other cases, it is decided by convention or agreement, or, in some circumstances, through a more formal process. This arrangement works well.

4.23 Major policy development initiatives can require significant involvement from a range of sector agencies. Recent examples have been the development of the Sentencing and Parole legislation (see Part Seven on pages 77-101) and the development of the Crime Reduction Strategy.

4.24 The work on the Sentencing and Parole legislation was led by the Ministry, but with major contributions from the Department for Courts and the Department of Corrections. The relevant operational agencies are responsible for implementing the various parts of the Government's Crime Reduction Strategy, while the Ministry is required to report on implementation of the strategy as a whole.

The Crime Reduction Strategy

4.25 In May 2001, the Government agreed to the implementation of its Crime Reduction Strategy, led by the Ministry. The strategy is a staged implementation plan for a co-ordinated whole-of-government approach to the prevention of, and response to, crime. It is the key current policy initiative for the criminal justice sector.

4.26 The Ministry is responsible for leading and co-ordinating the sector's implementation of the Government's strategy. A joint Ministers group and a senior officials group oversee the implementation of the strategy as a whole.

Project Management of the Criminal Records (Clean Slate) Bill

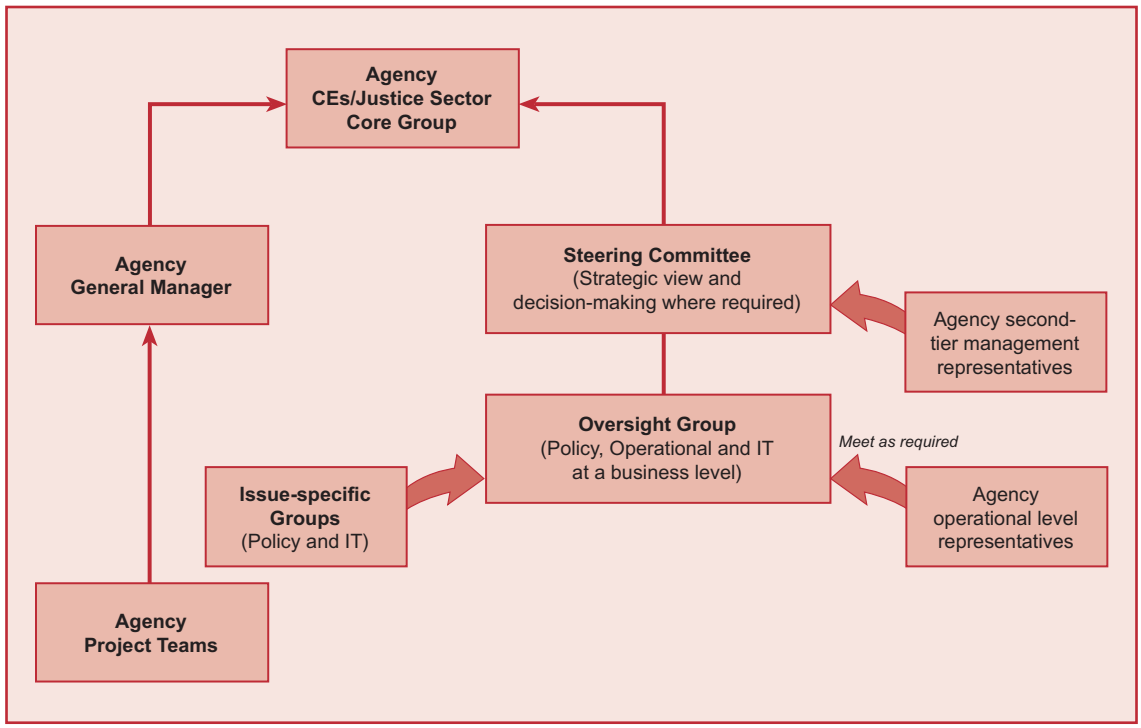
4.27 The Criminal Records (Clean Slate) Bill provides for criminal convictions to be concealed in certain prescribed circumstances. The Bill has required substantial policy development, and, if passed, it will have major implications for information technology systems in the sector.

4.28 Drawing on the lessons learned when working together to develop and implement the Sentencing and Parole legislation, officials proposed to the Chief Executives Forum a governance and reporting structure for implementing the Bill. The proposal was accepted and a structure put in place. The structure is illustrated in Figure 3 on the next page.

4.29 A key element of the structure is a group of project and policy managers from the operational agencies that meets fortnightly to oversee development of the policy. The group logs risks and issues, with the log updated and circulated before each meeting. The agencies use the log to monitor progress. The regular meetings provide an opportunity to address concerns and obstacles as they emerge.

4.30 The project oversight group reports to a steering committee made up of second-tier management that maintains a cross-sector overview of the project. The committee reports to the Chief Executives Forum.

Figure 3
Governance and Reporting Structure for the Criminal Records (Clean Slate) Bill



Research and Evaluation

4.31 Each of the core criminal justice agencies has a research and evaluation function, and its own research programme. In 1999, the Ministry established a Justice Sector Research Review Group, comprising research leaders from six agencies[8], to:

- provide ethical review of research and evaluation proposals;
- exchange information on research and evaluation work programmes; and
- identify and co-ordinate responses to research and evaluation needs which have relevance to the sector as a whole.

8 The Ministry, Department of Corrections, Department for Courts, Police, Ministry of Social Development, and Department of Child, Youth and Family Services.

4.32 The group is chaired by the Ministry, and meets each month.

4.33 The agencies have taken initiatives to promote research proposals for the sector through:

- collaboration on topics of mutual interest (such as victimisation and forecasting);
- co-funding of larger contract-managed projects;
- inter-agency research advisory groups;
- joint preparation of research bids to the cross-departmental research pool administered by the Ministry of Research Science and Technology; and
- joint projects.

4.34 The Ministry has played an active role in promoting collaboration and seeking funding for cross-agency research.

4.35 While agencies have taken steps to co-ordinate their research work, we have identified a need for a more formally designed sector research programme, and a formal, agreed framework for undertaking and evaluating sector-wide research.

4.36 One possible model for consideration by the criminal justice sector is that which has been adopted by the social policy agencies. The Social Policy Evaluation and Research Committee was established with a mandate to oversee the Government's investment in social policy research and evaluation. This group co-ordinates social policy agencies' research effort – promoting collaborative research and adoption of best practice research approaches and tools.

4.37 The criminal justice agencies are reviewing the Ministry's research and evaluation unit to identify opportunities for making best use of the sector's research resources.

Part Five

Co-ordinating Information Systems

Key Findings

5.1 *Developed in 1996, the Justice Sector Information Strategy (JSIS) was due for review. An updated strategy was approved in 2003 for 2003-2006.*

5.2 *Overall responsibility for the new Justice Sector Information Strategy rests with the Chief Executives Forum. This arrangement should help improve collaboration between the agencies, enhance monitoring of information technology development, and clarify accountabilities.*

5.3 *The Justice Sector Information Strategy is founded on a number of agreed standards and principles that provide a framework for the use and exchange of information. Arrangements are in place for sharing data within the sector – subject to the constraints of privacy legislation.*

Recommendation

5.4 *The justice sector Chief Executives Forum and the Ministry should work to give effect to their responsibilities under the* **Justice Information Strategy 2003-2006.** *A key role for the Ministry should be to oversee the status of information technology systems in the sector, and evaluate sector-wide impacts of any planned changes, ensuring that information systems meet both the purposes of individual agencies and the needs of other users of those systems.*

Introduction

5.5 Knowledge is both a vital corporate asset for individual organisations, and a key ingredient for the success of those networks within which such organisations must operate. Knowledge management is about creating systems that enable organisations – and the networks or sectors to which they belong – to perform their business processes better and more efficiently by sharing information of value.

CO-ORDINATING INFORMATION SYSTEMS

5.6 Any knowledge management strategy must focus on the quality of information and the timeliness of information delivery, and should have three key components:

- the right knowledge streams and sources feeding into the organisation;
- the right technology to store and communicate that knowledge; and
- the right workplace culture so staff make use of that knowledge.

5.7 Underpinning any effective knowledge management strategy is a well-organised information system (increasingly supported by modern technology) that provides the basis for informed decision-making, control and co-ordination, innovation, learning, and best practice.

5.8 Justice sector information comes in many forms and is used in different ways by many people and organisations. Timely, accurate and relevant information is essential for a well-co-ordinated criminal justice system. The effectiveness of the criminal justice system and the results it generates depend heavily on the exchange of appropriate information among the agencies.

5.9 In examining management of information technology collaboration across the criminal justice system, we referred to our report of April 2000 on the governance and oversight of large information technology projects in the public sector.[9] In particular, we had regard to the requirements for:

- effective arrangements for monitoring and oversight, as a critical dimension of good governance; and
- project planning, focused on identifying system impacts and mitigating risks.

5.10 In this Part we:

- describe briefly the information systems used by each of the core criminal justice agencies;
- examine the justice sector's information strategy;
- evaluate arrangements for leadership, co-ordination and integration of agency information technology systems, as part of good governance; and
- assess what arrangements have been established to enable agencies to share data.

9 *Governance and Oversight of Large Information Technology Projects*, April 2000, Report of the Controller and Auditor-General, ISBN 0-477-02862-4.

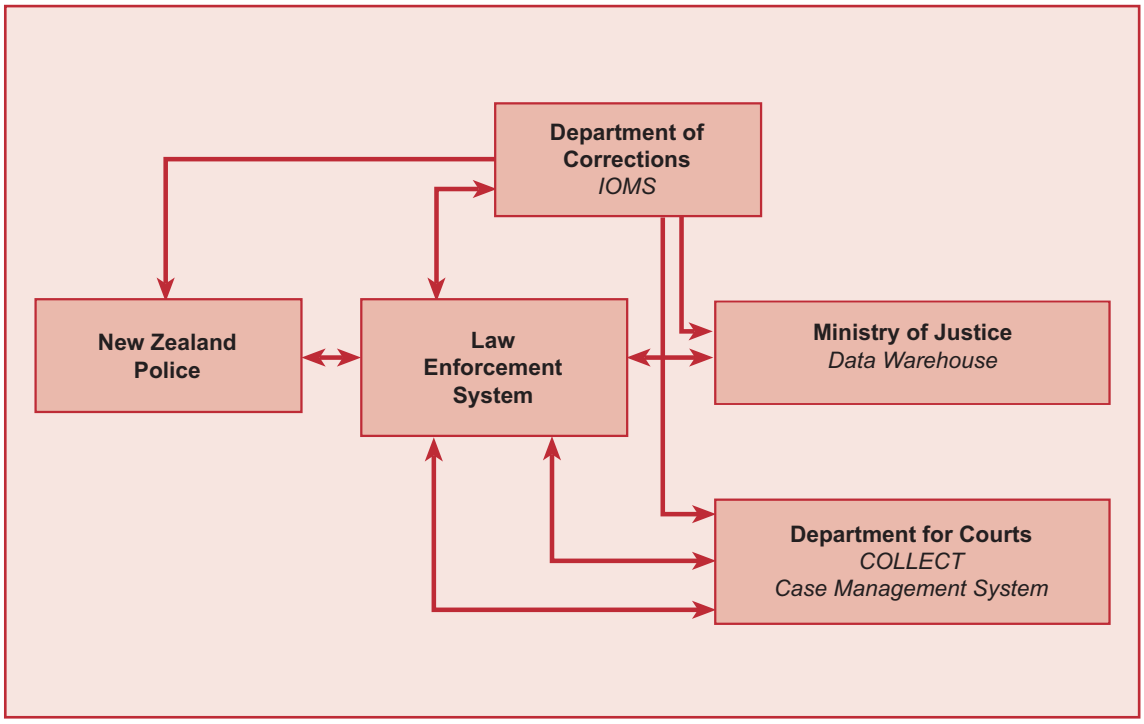
The Core Criminal Justice Information Systems

5.11 For some twenty years the Law Enforcement System (LES) has been the main source of information for criminal justice agencies. However, this system is now outdated, increasingly inflexible, expensive to maintain, and unsuited to agency business requirements. For these reasons, most operational justice sector agencies have been progressively moving to more modern technology:

- The Department of Corrections built its Integrated Offender Management System (IOMS) and moved off LES in June 1999.
- The Department for Courts is progressively moving off LES. Its fines management system, COLLECT, was completed in 2002, and its Case Management System (CMS) is being piloted throughout 2003.
- The Police plan a phased, modular replacement of LES and its interfaces with other justice sector agencies over the period 2002 to 2005.

5.12 The basic data flows between the agencies are set out in Figure 4 below.

Figure 4
Data Flows Between Justice Sector Agencies



5.13 The Ministry is developing a "data warehouse" for the storage and analysis of justice sector data, designed to:

- provide the Ministry with the data it needs to support the research necessary for it to perform its strategic leadership role in the justice sector and wider social sector;
- store up-to-date information for use in developing policy and purchase advice for the sector;
- enable agencies to quickly and accurately measure the impact of policy changes;
- detect emerging trends in order to develop timely policy responses;
- produce efficient and accurate statistical tables, reports and forecasts; and
- serve as an information archive for the sector.

5.14 The data warehouse project has been divided into two stages. The first stage has been completed but stage two cannot be completed until CMS has been rolled out as the data warehouse is reliant upon that system for its data.

The Justice Sector Information Strategy

5.15 Although they are independent, each criminal justice agency must rely on the others to move offenders through the system. For this partnership to work, all agencies must gather, use and share information to meet not only their own needs but also those of other agencies with whom they are working. Agency systems need to be linked through an agreed sector strategy, facilitating timely and useful sharing of information.

5.16 The sector strategy is known as the Justice Sector Information Strategy (JSIS).[10] This strategy was developed in 1996 to:

> *. . . enable information collected by one agency to be shared with others in a cost effective and efficient manner while at the same time respecting privacy and confidentiality.*

10 The 1996 version was entitled *Justice Sector Information Strategy*, but the 2003 version title was *Justice Information Strategy*. In this report, we have used the longer title and the abbreviation JSIS to cover both, in line with usage by the criminal justice agencies.

5.17 The strategy is founded on a number of agreed standards and principles that provide a framework for the use and exchange of information. The JSIS was designed to enable departments to develop and operate computer systems and manage data to meet their own needs, while applying common data definitions and communication protocols to ensure that each agency system can communicate with other systems, and that data items are comparable.

Review of the Justice Sector Information Strategy

5.18 A review commissioned by the Ministry in 2000 found that the central elements of JSIS approved by Cabinet in July 1996 had been implemented and were broadly supported throughout the sector, but that the strategy needed to be revised to meet the changing needs of sector agencies. As a result of the review, the Justice Sector Information Committee recommended that the strategy be updated.

5.19 A revised strategy was released in 2003. The vision of the strategy is to:

> *Enhance safer communities and a fairer and more effective justice system through creating and sharing high quality criminal justice information.*

5.20 This vision is supported by four goals that reflect the sector's immediate needs and provide direction for future development:

- there will be an authoritative base of justice information;
- there will be information and knowledge sharing across the sector;
- there will be justice information available through a choice of channels; and
- there will be efficient processes for managing information and information-related initiatives.

5.21 These are further supported by a series of high-level project plans.

Good Governance: Leadership, Co-ordination and Integration

5.22 Clearly assigned roles and responsibilities, along with arrangements for oversight and monitoring, are critical to good governance of sector strategy development.

5.23 The Ministry has adopted the role of leading the development of the strategy but it has no formal mandate to do so. It has no authority to require agencies to share information about information technology projects that have impacts on the whole sector.

5.24 Because of its lead role, central agencies sometimes ask the Ministry to provide advice on interdependencies and information technology interfaces, and the implications of technology developments for agencies in the sector. These requests can put the Ministry in a difficult position, given that its formal role does not extend beyond providing independent advice on agency proposals for new information technology investment in association with specific policy or legislative initiatives. In its role as currently defined, the Ministry has a limited ability to evaluate sector-wide impacts of information technology developments, and provide an adequate level of advice and assurance to Ministers.

5.25 As part of the review of JSIS, a considerable amount of work was undertaken on the sector's governance arrangements for information and technology. The governance structure for justice information and information technology is based on the recommendations of the Review of the Centre for a mandated network.

5.26 The purpose of the network is to:

- mitigate risk in the sector;
- ensure buy-in and clarity around accountabilities and responsibilities;
- facilitate cross-sector assessments of the costs and risks of information strategies for the sector as a whole, and the feasibility of proposals to mitigate the risks; and
- ensure transparent governance of the sector's information strategy and information technology initiatives.

5.27 Overall responsibility for the strategy rests with the Chief Executives Forum.

5.28 The new governance arrangements require each agency to take collective responsibility for the implementation of JSIS. This is to be reflected in each agency's strategic plan. The JSIC has been retained, with representation from at least one General Manager from each of the core criminal justice agencies.

Integrating Information Technology Systems

5.29 Systems integration is critical for a well-functioning sector. The criminal justice agencies rely on access to information held across the sector to carry out their many policy and operational activities. We expected that information systems across the sector would be integrated to reflect these relationships between the different agencies.

5.30 The decision to move from using LES to more modern technology has led agencies to build complex information technology systems that meet their own business needs, but also allow for the exchange of information across the sector. This development has given rise to a series of large information technology projects.

5.31 Other major influences on information technology development are government policy and legislative change. The policy development processes leading to the passing of the Sentencing and Parole legislation in May 2002 illustrated the importance of:

- governance arrangements which enable the stakeholders to carry out the necessary project planning and monitoring; and
- analysis and planning to manage the implications of policy change for information technology requirements in individual agencies and across the sector.

5.32 The case study (see Part Seven on pages 77-101) contains important messages about governance and project management, and about the relationship between policy development and the development of information technology systems needed to implement that policy development across the sector. Those messages are also relevant to all other agencies that may need to consider the impacts of policy changes on their own information systems and the interfaces with the systems of other agencies.

The Sentencing and Parole Legislation

5.33 The passage of the Sentencing Act 2002 and the Parole Act 2002 significantly reformed New Zealand's criminal justice law in the area of sentencing and parole. The policy changes that led to the reform of these Acts had major operational impacts for a number of agencies that needed to be addressed within a tight timeframe.

It Was Some Time Before the Necessary Governance Arrangements Were Put In Place

5.34 The proposed legislation reflected changes to criminal justice policy that, in turn, demanded major modifications to information technology systems, so that offender and other information could be shared across the sector. These changes affected all three of the operational agencies to a lesser or greater extent, but the Department for Courts and the Department of Corrections in particular faced urgent deadlines to design fundamental changes to their information technology infrastructure. In-house systems in these two agencies were under development at the time, creating additional difficulties in adapting systems and interfaces.

5.35 Rather than being put in place from the outset, governance arrangements – such as groups to monitor and co-ordinate work programmes, manage risk, and provide senior management oversight through sector Chief Executives – were developed as the policy project progressed. It was some 18 months from the outset of the project early in 2000, for example, before the Implementation Overview Group – a key mechanism for co-ordinating inter-agency consultation on policy issues – was formed. A group co-ordinating inter-agency consideration of information technology issues associated with the proposed policy changes was established only late in 2001.

Project Planning Was Weak

5.36 Only one of the core criminal justice agencies carried out comprehensive project planning for their own tasks, and no project plan was drawn up for the work they had to carry out as a group. As a result, monitoring systems were not in place to provide all stakeholders with ongoing assurance that critical deadlines were being met. In particular, adequate time needed to be allowed for the completion of key tasks, such as changes

to information technology infrastructure and interfaces for the sharing of data between agencies. And without agreed milestones, protocols for sharing information, monitoring progress and task completion, risk management strategies and contingency plans, the agencies were poorly prepared to respond quickly and effectively when circumstances changed.

5.37 There was also insufficient recognition that policy development and information technology were inextricably linked – putting at risk achievement of the Government's legislative timeframe. The policy development process evolved as decisions were sought from Ministers over a number of months. Information technology developers had to keep pace with these evolving requirements. Moreover, the potential for changes to policy and the proposed legislation through decision-making processes in Government, drafting and Select Committee examination gave developers no certainty.

The Department for Courts' Case Management System

5.38 The Sentencing and Parole legislation was enacted later than initially planned. One factor responsible for this delay was the requirement to complete the Department for Courts' Case Management System (CMS), and design the necessary interfaces with other agency systems.

5.39 The difficulties in completing CMS illustrate the vital dependencies in information management within the sector, and the importance of managing those dependencies in the interests of an effective system.

5.40 CMS is designed to enable agencies to actively manage their cases. Work began on CMS in May 2001, with a scheduled completion date of July 2002. This date was revised to October 2002, with an independent review commissioned by the Chief Executive of the Department for Courts in August 2002. The review team recommended arrangements to improve project control, relationship management and quality assurance.

5.41 As a result of the review, a strengthened Project Control Group was established in September 2002. The group meets weekly, has three external members, and the central agencies are regularly kept informed of progress. In addition, the Ministry chairs a regular meeting to update justice sector agencies, and there are regular meetings between CMS project staff, and staff on relevant projects in each of the dependent justice sector agencies.

5.42 The Department for Courts took the view that it should ensure that concerns about the readiness of CMS were well founded before raising them with other agencies. Our assessment of the process suggests that it would have been more appropriate for the Department to have alerted the sector much earlier that CMS would not be ready to meet the 1 July 2002 deadline.

5.43 Analysis of the chain of events suggests that senior management within the Department for Courts was not aware of (or was not willing to accept and disclose outside the Department) the likely extent and impact of risks associated with the project. Such risks should have been disclosed to the other sector agencies much earlier.

5.44 In October 2002, the Police, the Ministry, and the Department of Corrections indicated that they expected to incur additional capital and operating costs totalling $0.764 million (GST-exclusive) as a direct result of delays in implementing CMS.[11] These agencies were expected, in the first instance, to absorb these costs within their current baseline.

5.45 In November 2002, Cabinet agreed to an additional estimated capital cost to complete the CMS project of up to $13.477 million (GST-exclusive) in 2002-03 and 2003-04, to be funded through a combination of cash reserves and capital contribution.

5.46 At the time of writing, CMS was being rolled out in phases. This is now due to be completed by 6 October 2003.

Sharing Data Across the Sector

5.47 The justice sector requires shared access to data in order to deliver services in the most effective and efficient manner possible – having regard to considerations of privacy, confidentiality and sensitivity.

5.48 Such data must also be robust, accurate and consistent. These qualities are necessary to provide users with the confidence they need to make sound policy and business decisions.

11 These additional costs include only the costs of the delays from December 2002 until June 2003.

5.49 We examined:

- arrangements for agencies to share data; and
- the use of common definitions and standards necessary for data to be useable and reliable.

5.50 Information about the activities of the criminal justice system is used for a variety of purposes, including day-to-day operations, research, and policy development. All agencies in the sector should be able to readily interpret and analyse this information on the basis of agreed assumptions, and common definitions and standards.

How is Data Shared?

5.51 Over the years Parliament has passed legislation governing the sharing of data between agencies. The Fifth Schedule to the Privacy Act 1993 specifies what information may be shared by government agencies. In relation to information about prison inmates and other law enforcement information, particular pieces of legislation – such as the Penal Institutions Act 1954 – authorise or prohibit the sharing of information subject to certain conditions.

5.52 Data sharing arrangements between criminal justice agencies are commonly contained in protocols or Memoranda of Understanding. For example, the Police and the Department of Corrections have signed a Memorandum of Understanding for the development of electronic interfaces. This document provides a useful framework for collaboration between the two agencies for the purpose of sharing data, recording the agreement of the two agencies to:

- principles, protocols and standards;
- methodology, and management of interface projects; and
- roles and responsibilities of key agency personnel.

5.53 Other protocols or Memoranda of Understanding exist between other sector agencies.

5.54 The criminal justice agencies face some constraints on their ability to gain access to data for operational purposes and for policy development, and are taking steps to address such problems where they arise. Operational requirements may include being able to enforce sentences or have access to the criminal histories of repeat offenders. The review of arrangements for sharing access to the data necessary to implement Government policy is an ongoing process, and is likely to involve detailed negotiation, consultation, and legislative change.

Common Definitions and Standards

5.55 Under the JSIS, four working groups have been established, based around the information goals of the strategy (see paragraph 5.20 on page 59):

- **The information quality working group** will ensure that there is an authoritative base of justice information to meet operational needs, inform policy, provide statistical information, and measure sector outcomes.
- **The information and knowledge management working group** will ensure that information and knowledge sharing occurs across the sector to meet operational needs and gain efficiencies through collaboration on specific initiatives and sharing information and learning.
- **The information access working group** will ensure that appropriate justice information is available through a choice of channels to allow improved information to members of the public and improved service delivery.
- **The information technology working group** will ensure that there are efficient processes for securely managing, accessing and exchanging information within the sector. It will also define the approach and standards for information systems related initiatives.

Part Six

Responding to Māori

Key Findings

6.1 *There is no sectoral response to Māori in the criminal justice system that would enable agencies to share good practice or co-ordinate their efforts to respond effectively to Māori as clients and stakeholders.*

6.2 *The criminal justice agencies have responded to Māori in quite different ways, establishing their own structures and arrangements in isolation from other agencies in the sector.*

6.3 *The agencies recognise the significance of their relationship with Māori as Treaty partners and as offenders and victims of crime.*

6.4 *Agencies gather and hold considerable data about their interactions with Māori, and have information about the impact of Māori offending on their individual businesses. However, we found no evidence that agencies share this information so as to enable the sector to develop a co-ordinated response to Māori interactions with the criminal justice system.*

6.5 *The sector agencies vary in the soundness of their relationship with Te Puni Kōkiri – limiting their ability to work together to achieve positive outcomes for Māori.*

Recommendations

6.6 *The Department of Corrections has produced a Framework for Reducing Māori Offending. Other agencies could use this framework for their policy development, adapted to their individual circumstances.*

6.7 *The Police and the Department of Corrections have Māori advisory groups that advise, respectively, the Commissioner and the Chief Executive. We encourage all justice sector agencies to consider establishing such groups, which can serve as a valuable advisory resource for their Chief Executive, providing a Māori community perspective on issues for the agency.*

6.8 *An integrated sectoral strategy should be developed to focus on system-wide outcomes for Māori. The existing justice sector Chief Executives Forum should consider establishing a senior officials forum to develop this strategy.*

6.9 ***Sector agencies and Te Puni Kōkiri should ensure constructive relationships exist to work together on issues for Māori.***

Introduction

6.10 Māori are over-represented in the criminal justice system. In 1998, Māori were 3.3 times more likely to be apprehended for a criminal offence than non-Māori. Māori were more likely to be prosecuted, convicted, and sentenced to imprisonment, and more likely to be victims of crime than non-Māori. As a result, Māori make up 51% of the prison population, although comprising only 14% of the general population.[12] This gap is widening. To address high and growing levels of Māori offending and victimisation, the criminal justice agencies need to work to a co-ordinated sector strategy.

6.11 In September 2000, the Crime Prevention Unit of the Department of the Prime Minister and Cabinet[13] released the *Report on Combating and Preventing Māori Crime: Hei Whakarurutanga Mō Te Ao*. This report recommended a number of ways in which the sector could improve its response to the issue of Māori crime, including:

- reducing Māori offending rates by improving effectiveness for Māori and setting priorities among strategies and programmes to address risk factors for Māori;
- developing an integrated strategy framework on crime reduction, building consistency and co-operation between agencies; and
- finalising departmental Māori responsiveness strategies as the foundation for an integrated strategy to guide crime prevention work across the criminal justice and social policy sectors.

6.12 We expected the criminal justice agencies to have:

- identified Māori as the Treaty partner and acknowledged the significance of this relationship through their mission and goals. Recognising their Treaty obligations should enable agencies to translate their mission and goals into strategic plans, policy development and, where appropriate, their operations; and
- articulated their Treaty obligations as a sector.

12 *Report on Combating and Preventing Māori Crime: Hei Whakarurutanga Mō Te Ao*, Crime Prevention Unit, Department of the Prime Minister and Cabinet, September 2000.

13 This unit is now part of the Ministry of Justice.

6.13 We discuss below structures and organisational arrangements within each of the core criminal justice agencies to meet their Treaty obligations and respond effectively to Māori. We did not examine the activities of operational groups within the criminal justice agencies that have significant interaction with Māori as part of their everyday business.

Agency Responsiveness to Māori

Ministry of Justice

6.14 The Ministry has allocated limited resources to respond to Māori at an organisational level. They have one half-time person whose role includes the provision of advice on Māori issues for projects within the Public Law, Criminal Justice and Corporate Services Groups. There are neither supporting staff nor a budget. Limited resources to address organisation-wide issues for Māori are likely to hamper the Ministry's ability to take a vigorous role in leading the sector's response to Māori.

6.15 Responsibility for responding to Māori on a day-to-day basis rests with the individual policy units. The Ministry uses Māori advisory groups where necessary, and there is a good level of contact between the Crime Prevention Unit and Māori through the Ministry's work with the Safer Community Councils.

Department for Courts

6.16 In 1999 the Department for Courts established an Organisational Treaty Responsibilities Unit that has been renamed Te Wahapū.[14] This unit has two functions:

- leading the Department in giving effect to its Treaty of Waitangi obligations; and
- advising on and reviewing the Department's interactions with Māori.

14 Te Wahapū is the point at which the river and sea meet. In the context of the Department, Te Wahapū is a point where the Department and Māori interact from a Treaty perspective.

6.17 The unit has two staff and a small operational budget. The unit has produced a Māori Responsiveness Framework with four key areas of focus:

- Policy – development and operation.
- Capability – people, systems, resources and processes.
- Service – quality and customer focus.
- Sector – collaboration, connectedness and interaction.

Department of Corrections

6.18 The Department of Corrections has actively sought to establish structures and arrangements to give effect to its Treaty obligations and to respond effectively to Māori. Reducing re-offending by Māori is a key strategic goal for the Department of Corrections, which has identified three further goals in this area:

- partnership;
- effectiveness; and
- responsiveness.

6.19 The Department has a Treaty of Waitangi Strategic Plan, which was recently updated, and a Māori Responsiveness Strategy. The Department also has a Cultural Perspectives Group and a Treaty Relationships Unit.

6.20 The Department has developed a Framework for Reducing Māori Offending, as part of its Māori responsiveness strategy, and to inform the policy development process. The framework represents a means for integrating tikanga Māori into departmental operations, and encourages consultation with Māori to develop effective policy, initiatives and research. Adapted as appropriate, the framework could be used by other agencies for similar purposes.

6.21 The Department also has a Chief Executive's Māori Advisory Group that meets quarterly. The aim of the group is to enable the Department to become more responsive to Māori needs through a reduction in the rate of re-offending by Māori. With an external membership, it provides independent advice to the Chief Executive on:

- strategic policy and operational issues affecting Māori;
- Treaty of Waitangi issues as they affect the Department of Corrections;
- consultation with Māori;
- tikanga Māori;
- progress on responding to re-offending by Māori;
- cultural responsivity of the Department; and
- development of Māori staff and human capital initiatives.

6.22 The Group also facilitates feedback to and from Māori, providing a valuable channel for communication between the Department and the community. The Group represents a possible model for other agencies as they seek to make their strategies, policies and operations more responsive to Māori.

The Police

6.23 Reducing offending and victimisation involving Māori is a key priority area for the Police. One of the most critical relationships the Police have is with Māori.

6.24 The Police have clearly articulated their relationship with Māori and their commitment to the principles of the Treaty of Waitangi. The Police have made a commitment to apply Treaty principles to their business, and integrate Treaty principles and Māori values and principles into strategies to address the over-representation of Māori as offenders and victims.

6.25 The Commissioner of Police convenes a Māori Focus Forum, designed to:

- promote initiatives to reduce Māori representation in the criminal justice sector;
- improve Police relationships with Māori; and
- provide input into strategy and decision-making.

6.26 Police Districts have similar Māori advisor forums.

6.27 In October 2002 the Police established the Office of Māori, Pacific and Ethnic Services (OMPES), which is seen by the Police as a natural progression of work over the previous six years, particularly in relation to Māori. OMPES works with District Commanders to consolidate the Police's activity in responsiveness to Māori.

Sector Responsiveness to Māori

6.28 The agencies recognise the significance of their relationships with Māori, both as partners to the Treaty of Waitangi, and as a group over-represented in the population as offenders and victims. Agencies gather and hold considerable information about the interaction of Māori with the criminal justice system. The agencies are aware of the impact on their individual businesses of interactions with Māori as offenders and victims. However, the impact on the operations of the sector have not been analysed; nor has a strategy been developed to address such impacts.

6.29 As discussed above, the criminal justice agencies have developed a range of individual structures and arrangements to give effect to their own Treaty obligations and departmental strategies for responding to Māori. However, the criminal justice sector has not developed a collective response as a group of agencies interacting with Māori at different stages of the criminal justice chain.

6.30 The *Report on Combating and Preventing Māori Crime: Hei Whakarurutanga Mō Te Ao*, recommended in September 2000 that there was a need for an integrated approach to reducing Māori crime across the criminal justice sector. This recommendation has been considered by the sector. The sector believes that the most appropriate way to respond to Māori is through strategies such as the Crime Reduction Strategy.

6.31 We encourage the agencies to consider establishing a forum of senior officials, with representation from each department, to:

- lead and co-ordinate a sector response to issues facing Māori in their many interactions with the criminal justice system, and in particular in relation to Māori offending;
- develop strategies for liaison and consultation between the sector and Māori;
- establish links between agency-specific structures and arrangements;

- provide a central point for sector consideration of policy proposals and operational initiatives with implications for Māori;
- share information about Māori in the criminal justice system; and
- promote best practice.

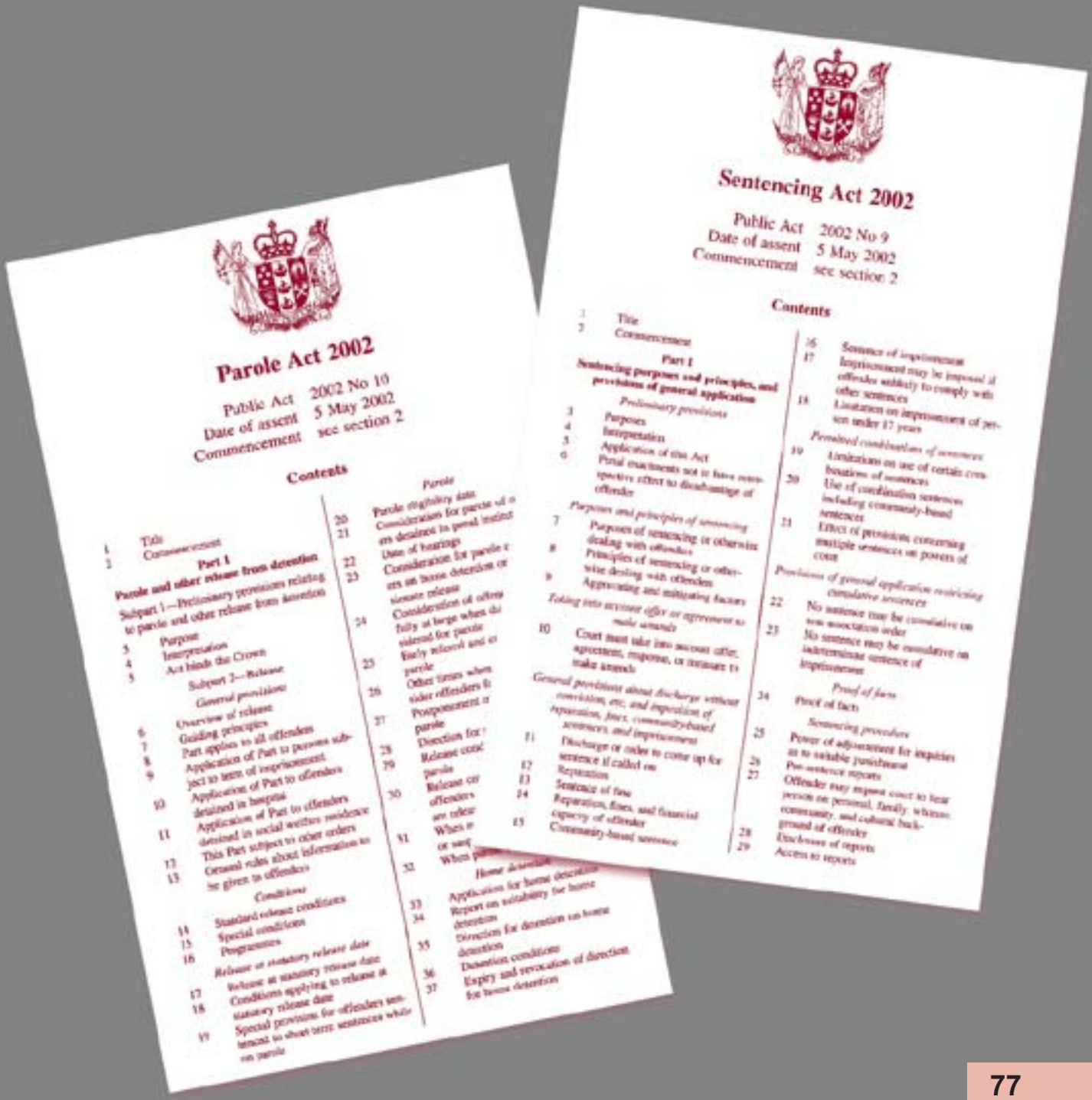
Te Puni Kōkiri

6.32 Some sector agencies have stronger relationships with Te Puni Kōkiri than others. A breakdown in communications between officials at Te Puni Kōkiri and some of the agencies had affected working relationships. We understand that action has been taken to address the breakdown.

6.33 While we found no single cause for this breakdown, the matter highlights the importance of effective and timely links between agencies and the need to have in place established arrangements to ensure timely engagement and communication occurs on an ongoing basis.

Part Seven

Development and Implemention of the Sentencing and Parole Legislation



Why Did We Select This Case Study?

7.1 The passage of the Sentencing Act and the Parole Act in June 2002 significantly reformed New Zealand's criminal justice law in the area of sentencing and parole.

7.2 The development and implementation of this legislation posed significant challenges for the criminal justice sector. The project tested the ability of the core criminal justice agencies – the Ministry of Justice, the Police, the Department for Courts and the Department of Corrections – to work together and manage a complex and evolving policy development process to a tight timeframe. The project also tested the ability of the sector to work together on complicated information technology projects where the decisions taken by one agency could have major implications for the development of another agency's systems.

Key Findings

7.3 *The Ministry of Justice (the Ministry) led the development of the new sentencing and parole legislation, and so was responsible for managing wide-ranging consultation on policy issues to a demanding timetable, reconciling a range of agency views, and obtaining from Ministers those decisions necessary for the legislation to be drafted.*

7.4 *Although the Ministry's leadership role provided a valuable focus for policy work in the sector, the project was already well advanced before effective governance arrangements were put in place. As a result, the necessary sector-wide project planning was not undertaken to co-ordinate project management, mitigate risks and develop contingency plans. The short timetable (passing of the legislation was a Government priority) made sector planning a particularly important dimension of project governance, so that the agencies could respond effectively to the expectations of Ministers.*

7.5 *Only one agency undertook the necessary comprehensive project planning to identify risks and impacts for its business, and to develop action plans. The absence of detailed agency project plans led to a failure to clearly identify, at the outset of the project, vital inter-agency dependencies having an impact on supporting project tasks, such as the development of information technology infrastructure and changes to business operations.*

7.6 *Given the number of issues to be considered, the extent of consultation required, and the work needed to prepare for implementation of the legislation, policy development and drafting of the legislation was undertaken within a very short timeframe. The requirement to develop policy and prepare and implement new legislation within two-and-a-half years placed considerable pressure on the agencies involved. The consultation process was rushed, with agencies having little time to comment comprehensively on policy papers.*

7.7 *This project showed that the time it takes to design, build or modify major information technology systems can constrain the policy development process. Conversely, policy changes can require significant changes to information systems and supporting infrastructure. There was no cohesive sector-wide strategy that co-ordinated the information technology work required to prepare for and implement the proposed legislation.*

7.8 *The Department for Courts had difficulty preparing its information systems to meet the July 2002 deadline, but alerted other agencies to likely delays only when the project was already well advanced. This left the sector limited time to consider options and seek Ministerial approval to a revised approach. The sector worked well together to recover from delays in the Department for Courts to meet the 1 July 2002 implementation deadline.*

Recommendation

7.9 *The justice sector agencies should draw lessons from the events and processes surrounding development of the sentencing and parole legislation for the future management of projects with sector impacts, including:*

- *sector-wide governance, including leadership, oversight and monitoring;*
- *project planning, risk management and contingency planning; and*
- *integration of sector information technology strategy and policy development.*

Introduction

7.10 A citizens initiated referendum was held during the 1999 general election that asked the following question:

> *Should there be a reform of our justice system placing greater emphasis on the needs of victims, providing restitution and compensation for them and imposing minimum sentences and hard labour for all serious violent offences?*

Almost 92% of voters returned a "yes" vote.

7.11 Early in 2000, the Minister of Justice requested a general report on sentencing reform including reform of the current parole system. Officials recommended that work proceed on identifying the matters to be included in a Sentencing Reform Bill. For a detailed timeline of events see the Appendix on pages 104-105.

7.12 The Sentencing Act 2002 and the Parole Act 2002 came into force on 30 June 2002. Together, they substantially replaced the Criminal Justice Act 1985 and reformed the law in four areas:

- general sentencing purposes and principles;
- range of sentences and orders available to the courts;
- sentencing for murder and high-risk offenders; and
- parole and final release of offenders from prison.

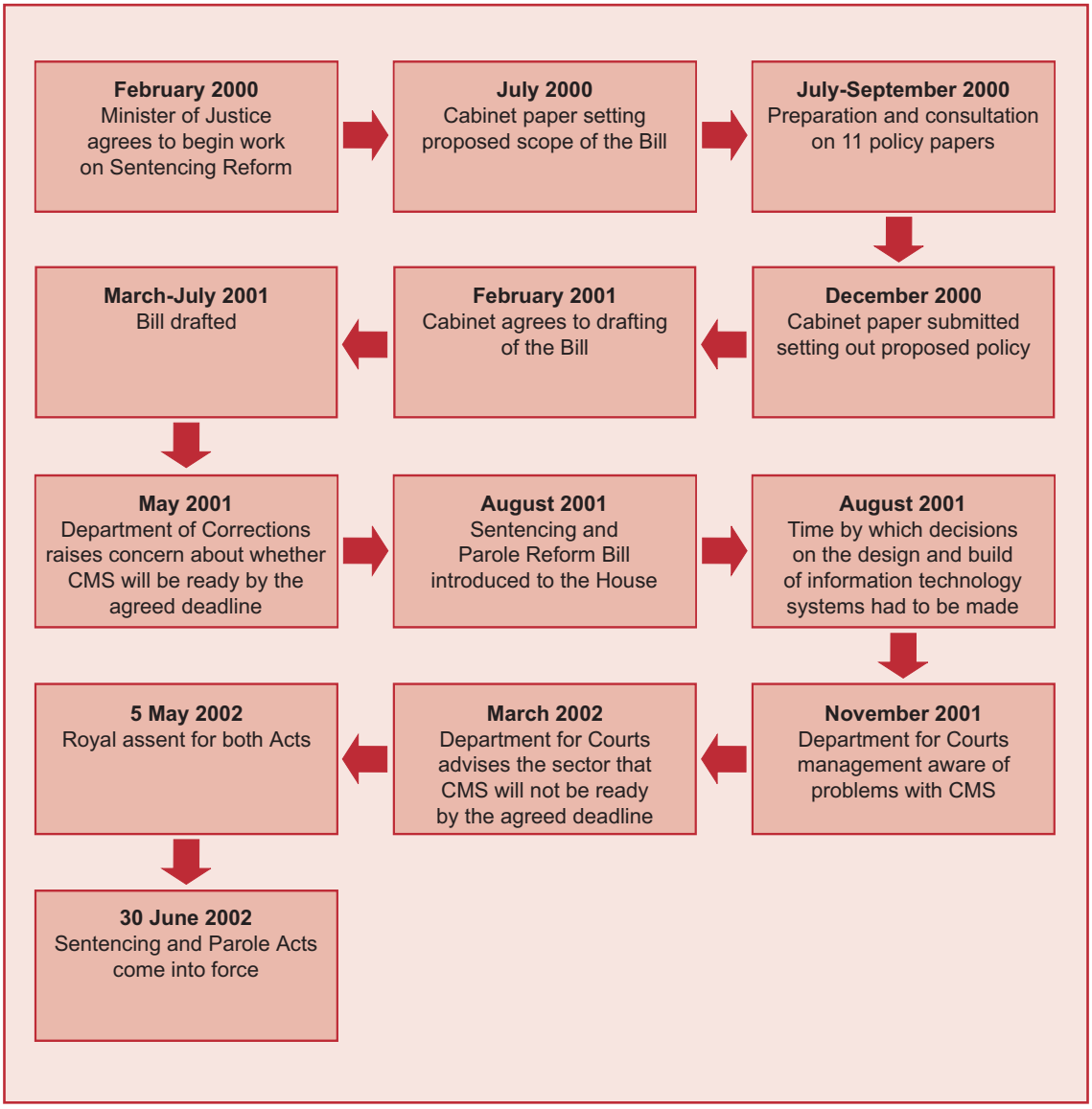
7.13 This case study considers the process that the four criminal justice sector agencies went through to bring the Sentencing and Parole Reform Bill (SPRB) into force.[15] We examined:

- governance arrangements;
- policy development; and
- the development of the information technology systems necessary to implement the Bill.

7.14 Figure 5 on the next page sets out an overview of the progress of the SPRB.

15 It was always intended that there would be two separate Acts – a Sentencing Act and a Parole Act. However, throughout its development phase, the legislation was treated as one Bill.

Figure 5
Overview of the Progress of the Sentencing and Parole Reform Bill[16]



16 This figure is a summarised representation of the policy and legislative process. A fuller outline can be found in the Appendix on pages 104-105.

Governance

Resourcing

7.15 Preparation of the legislation entailed major changes in sentencing and parole policies. Analysing policy issues, consulting on proposals and draft Ministerial papers, obtaining decisions from Ministers, drafting legislation, and building and modifying the information technology systems necessary to implement the legislation, created an immense workload for the sector.

7.16 The Ministry led the policy and legislative development processes (see paragraphs 7.36-7.74 on pages 87-93). Each of the three operational agencies was responsible for considering the impact of the proposed policy and legislation on its own business.

Arrangements for Oversight and Monitoring

7.17 The Ministry led the policy development process. However, until the project was well advanced, no formal, sector-wide arrangements were in place to give all agencies project oversight, and enable them to monitor progress. Two sectoral groups were established as the project progressed, and the project was a standing item on the agenda of the Chief Executives Forum from February 2002.

The Sentencing and Parole Reform Bill – Implementation Overview Group

7.18 The Ministry established this Group in August 2001 to:

> *Strengthen the inter-agency consultation on SPRB issues and ensure that a common sector understanding of the total implementation needs and risks is reflected in any advice to Ministers.*

7.19 The Group comprised officials from the Ministry, the Department of Corrections, the Department for Courts, and the judiciary. It met thirteen times over a period of eight months and was well attended by the three core agencies involved. A member of the judiciary attended six of the meetings.

7.20 Through this Group, officials from the different agencies were able to exchange information and remain informed about activities across the sector. It was therefore an important mechanism for collaboration, co-ordination, oversight and project monitoring. An issues log helped to ensure that all key issues were worked through as they were identified.

7.21 The Ministry viewed this Group as playing a useful role, and has acknowledged that, in hindsight, it should have been set up earlier in the project. The Ministry has drawn on this lesson in developing the Clean Slate legislation by setting up a similar co-ordination and monitoring group much earlier in the policy development process.

The Information Technology Enablers Oversight Group

7.22 The need for significant modifications to information technology systems and interfaces had been recognised at an early stage in the project. However, it was late in 2001 before the Information Technology Enablers Oversight Group was established to oversee the technology projects needed to support implementation of the proposed legislation.

7.23 The Group consisted of senior business managers from all four of the core criminal justice agencies. It was responsible for developing a critical path overview plan and for managing risks from a sector perspective.

7.24 The Ministry has acknowledged that:

> *This group was formed significantly late in the implementation cycle, which meant that a whole of sector approach to risk management around the interfaces and interdependencies was not addressed from the outset.*

7.25 The Ministry has also noted that, once established, the Group:

- was an effective mechanism for issue resolution;
- heightened awareness for project managers and their teams of the critical interface issues from a systems perspective; and
- provided an overview of the risks and agreed strategies for their management and/or mitigation.

Standing Item at the Chief Executives Forum

7.26 Making the SPRB project a standing item on the agenda for meetings of the Chief Executives Forum ensured that agency leaders were kept informed of progress, and were able to address issues as they arose. However, the project became a standing item at the Chief Executives Forum only from February 2002 – by which time policy development was largely complete and difficulties with completion of the necessary information technology work (in particular implementation of the Department for Courts' Case Management System) were already apparent. Regular oversight at an earlier stage in the project would have given Chief Executives the opportunity to anticipate likely difficulties and put in place plans to address them.

7.27 Clear governance arrangements should be established at the commencement of a project, clearly setting out the roles and responsibilities of each of the agencies involved in the project.

7.28 When policy development takes place that has sectoral implementation issues, a sectoral senior officials group should be established early in the policy development phase. The group should meet regularly to discuss sectoral implementation issues.

7.29 Where policy development has large information technology implications, a senior information technology oversight group should be established early in the policy development phase to ensure that any information technology issues are dealt with as and when they arise. This also will help to ensure that the policy and operational arms work collaboratively.

7.30 Where a sector is undertaking a legislative development of such a size, Chief Executives should regularly discuss the project from its inception to ensure that all key issues are raised and dealt with as and when they arise.

Project Planning

7.31 The SPRB project involved co-ordinating a range of agency and inter-agency tasks to a tight critical path. These tasks included:

- developing and analysing policy options;
- extensive inter-agency consultation;
- major concurrent information technology infrastructure development within and between agencies;
- seeking decisions from Ministers; and
- translating policy decisions into draft legislation.

7.32 With a number of concurrent tasks to be managed, a variety of stakeholders, and a short timeframe, it was vital for all of the core criminal justice agencies to have in place individual comprehensive project plans specifying a critical path with key milestones identifying risks, and containing contingency plans should the critical path not be met. A sectoral project plan was needed to integrate individual agency plans and provide oversight and inter-agency monitoring.

7.33 Only one of the core agencies involved in this process – the Department of Corrections – had a comprehensive project plan. The Department produced eight linked project plans, which provided a detailed analysis of project objectives, structure, and risks, through:

- an analysis of objectives and impacts of the reforms for each business group;
- action plans for each relevant business group under the oversight of a department-wide project steering committee, and key deliverables;
- clearly identified roles and responsibilities for key project personnel, and defined internal relationships for monitoring and accountability;
- timelines and a critical path; and

- an assessment of key external risks (which included a lack of co-ordination between agencies) and internal risks for each service or business group.

7.34 Copies of these plans were provided to the Ministry, the Department for Courts, the State Services Commission, the Treasury and Audit New Zealand.

7.35 The Ministry has recognised the need to develop comprehensive project plans for undertaking projects such as this, and have put such plans in place for the development of the Clean Slate legislation.

Policy Development

7.36 In the sections that follow, we discuss the various phases of the policy development process leading up to drafting of the Bill, and the consultation process that accompanied each stage.

Early Stages of the Sentencing Reform Bill

7.37 The Ministry had undertaken a variety of work on sentencing policy, and released a discussion paper in 1997. This paper examined the principles underlying sentencing and the purposes for which sentences should be imposed, and discussed the policies and approaches that may be applied to sentencing. Following the 1999 general election, officials recommended to Ministers that work proceed on identifying those matters to be included in a Sentencing Reform Bill.

7.38 The Ministry consulted other justice agencies at an early stage, informing the Department for Courts and the Department of Corrections in March 2000 that there was to be a review of sentencing that could potentially involve quite a lot of work for those agencies. They were given approximately two weeks to provide feedback on the initial proposals.

7.39 The Department for Courts responded by noting that:

- they could not comment on behalf of the judiciary; and
- they were unable to comment on the Ministry's proposals as the operational impacts were unclear.

7.40 Before the Department of Corrections responded, the Ministry sent the Department for Courts and the Department of Corrections a proposed timeframe for the project. The Ministry's plan was to prepare eleven policy papers, the first to be ready by mid-May 2000. The Ministry envisaged that Cabinet would make decisions on the first eight papers in early-September 2000, and on the remaining three papers by mid-October 2000. Drafting instructions were to be issued by the end of November 2000.

7.41 Ideally, consultation on major policy proposals should involve two stages:

- preliminary consultation with those agencies for whom proposed changes have the most significant operational consequences; and
- wider consultation with all those agencies in some way affected by the proposals.

7.42 In preparing the policy papers, the Ministry intended to undertake preliminary consultation with the agencies only if it was considered by the Ministry to be necessary.

7.43 The Department of Corrections responded in mid-April 2000, and expressed concern about the tight timetable that the Ministry had proposed.

7.44 This early stage of the policy development process already revealed a fundamental concern that was to recur at various stages of the policy process: the challenge of carrying out meaningful consultation with all relevant agencies to a tight timetable, on policy issues with major operational implications for the justice agencies and a range of system impacts – such as information technology interfaces.

Development of the July 2000 Cabinet Paper

7.45 A paper submitted to Cabinet in July 2000 sought Ministerial agreement on the scope of the Bill and recommended that Cabinet set up an informal Committee of Ministers to make interim decisions about the Bill's content.

7.46 In preparing the July 2000 Cabinet paper, the Ministry consulted with the Department of Corrections, the Department for Courts, the Crime Prevention Unit, the Crown Law Office, the Police, Te Puni Kōkiri, the Law Commission and the Ministry of Pacific Island Affairs. These agencies were given two weeks to comment on the draft paper.

7.47 Responses were received from six of the eight agencies. Key concerns raised included the lack of consultation with Māori, Pacific Island peoples and the judiciary.

Developing Policy Papers

7.48 In developing and submitting policy papers to Ministers, the Ministry had to consult widely within limited timeframes. Concerns about limited consultation reflected constraints on both the Ministry and on the operational justice agencies, who had to develop responses at short notice, and without knowing what form the legislative framework might take.

7.49 The Ministry developed a series of eleven policy papers that it sent to nine agencies[17] for comment, before finalising them and submitting them to the informal ministerial committee.

7.50 The agencies were given between $1^1/_2$ and 3 weeks to comment on each of the papers, which they received in batches of up to four at a time. The Ministry was aware of the pressures such an intensive consultation round created, but considered it essential that its deadlines were met.

7.51 Varying levels of comment were provided by the agencies, with some agencies unable to comment within the time allocated.

7.52 Both the Department for Courts and the Department of Corrections provided significant comment on all of the papers produced by the Ministry. However, the agencies often had insufficient time to consider all the likely policy and operational implications of the papers. As a result, the consultation process has been described variously as "pro forma" and "virtually non-existent".

7.53 Consultation was complicated by the fact that, as the Department for Courts and the Department of Corrections had the same Minister, they were obliged to provide competing advice wherever they disagreed. This arrangement added to the time required for policy issues to be resolved. Given the tight timeframes under which officials were working, some felt that they were not always able to adequately brief their Minister.

17 The Department of Corrections, Department for Courts, Police, Crown Law Office, Te Puni Kōkiri, Ministry of Pacific Island Affairs, Ministry of Youth Affairs, The Treasury, Ministry of Women's Affairs.

Consultation with the Judiciary

7.54 The Department for Courts raised concern with its Minister and the Ministry about the lack of consultation with the judiciary. In response, the Ministry consulted with a number of judges on the proposed Bill, but the tight timetable limited the extent of consultation that was possible.

7.55 The Ministry was obliged to consult with individual representatives of the judiciary because there is currently no structure or mechanism in place to readily obtain a judiciary-wide perspective. Given the tight deadlines, this arrangement exposed the Ministry to criticism of failing to adequately consult the judiciary on matters of significant interest.

Consultation with Other Agencies

7.56 Short lead-times for consideration of policy and operational matters directly affecting the business of justice agencies[18] continued to make consultation hurried, and limited early analysis of some likely impacts – such as fiscal implications for individual agencies affected by the changes. In addition to inter-agency consultation, officials had to allow time for consideration by those Ministers with portfolios affected by the proposed changes. These co-ordination mechanisms at Ministerial level imposed additional time pressures.

7.57 On 14 November 2000 the Ministry informed all agencies involved in consultation that they could expect to receive a draft Cabinet paper for consultation by 21 November 2000. This Cabinet paper was a consolidation of policy papers on which the agencies had been previously consulted. The deadline for comment on the paper was to be 10am on 27 November 2000 – giving agencies less than one week to provide comment on the draft.

7.58 As planned, the draft Cabinet Paper was sent to agencies on 21 November 2000, although it did not set out the fiscal implications of the proposals. Responses were received from a range of agencies with several asking for agency specific comments to be added.

7.59 The draft Cabinet paper was submitted to the Minister of Justice on 29 November 2000, and was considered by the informal ministerial committee on 30 November 2000.

18 In some cases, however, agencies had already considered proposals in an earlier form in another context.

Consideration by Cabinet

7.60 In December 2000, a Cabinet paper containing the policy decisions made by the informal committee of ministers was prepared. The paper recommended that the Minister of Justice be invited to issue drafting instructions to the Chief Parliamentary Counsel for the drafting of the SPRB.

7.61 The Cabinet Paper was sent to the Cabinet Policy Committee on 7 December 2000. It was referred to the Cabinet Business Committee meeting to be held on 31 January 2001, which in turn referred the paper back to the Cabinet Policy Committee.

7.62 On 21 February 2001 the Cabinet Policy Committee agreed to the various aspects of the paper, noted the fiscal implications of the Bill, and invited the Minister of Justice to issue drafting instructions to the Chief Parliamentary Counsel. Cabinet confirmed the decision of the Cabinet Policy Committee on 26 February 2001.

Drafting the Bill

7.63 The Bill was drafted within a short timeframe, particularly considering the size of the proposed legislation. The drafting instructions were sent to the Minister of Justice for his approval in mid-March 2001. The Department of Corrections also received a copy to enable it to provide comment on the large amount of operational detail that needed to be finalised before the Bill could be passed.

7.64 The Department of Corrections commented on both parts of the SPRB during April and May 2001. It received a copy of the Bill in May, having raised concern about the timeframe within which the operational details of the Bill would need to be finalised. All three agencies continued to provide comments to the Parliamentary Counsel Office throughout May and June 2001.

7.65 The Department for Courts raised further concerns in late-June 2001, since it had not seen any of the provisions of the parole section of the Bill. The Department noted that, due to the tight timeframe given for comment on this part of the Bill, it had not been able to undertake a comprehensive review.

7.66 The parole section of the Bill was circulated for a final round of consultation in mid-July 2001 to all the relevant agencies. They were given less than 48 hours to comment on the Bill.

7.67 The hurried consultation added to the uncertainty surrounding completion, and led to a view that further modifications might need to be made to the legislation as it proceeded through the House. In our view, this was an unsatisfactory situation, because:

- it created the potential for unplanned operational impacts across the sector;
- it threatened to hold up the drafting process; and
- it created the risk of delays in giving effect to the provisions of the new legislation.

7.68 The Bill was circulated for a final time in late-July 2001. The Department for Courts noted in its response to the Ministry that:

> *Given that there was hardly time to do justice to this draft, it is important to have a process for resolving any issues that may arise either because we did not identify the consequences in the time available or resulting from further changes.*

7.69 Cabinet approved the introduction of the Sentencing and Parole Reform Bill on 6 August 2001 with the Minister of Justice introducing the Bill into the House on 7 August 2001.

The Department of Corrections' Internal Consideration of the Bill

7.70 The approach taken by the Department of Corrections to assess the effects of the legislation on its business serves as a useful model for other agencies facing significant operational impacts in similar circumstances.

7.71 Once the legislation had been drafted, the Department of Corrections held a series of internal workshops to consider each clause of the Bill and the implications for each of the Department's business units. This process helped to ensure that the Department identified all the key issues across its organisation. The Department subsequently met the Ministry to discuss the results and to develop a co-ordinated response to the proposed legislation.

Select Committee Process

7.72 After being introduced to the House, the Bill was sent to the Justice and Electoral Committee.

7.73 The agencies took responsibility for advising the Committee on different clauses of the Bill. The Ministry, the Department for Courts and the Department of Corrections prepared five major reports for the Select Committee. The agencies worked together successfully to prepare these reports within a short timeframe.

Passage of the Bill

7.74 The Select Committee reported back to the House in February 2002, and the Bill had its second reading on 28 March 2002 and its third reading on 1 May 2002. The separate Acts then received the royal assent from the Governor-General on 5 May 2002, and the legislation came into force on 30 June 2002.

Information Technology

7.75 The implementation of the SPRB was an enormous task for the sector. The need to build or modify information technology systems to meet the changes in sentencing and parole policy – including interfaces between agency systems – put additional pressure on the project timetable.

7.76 Each set of policy changes had its own implications for the way each agency would gather, analyse, use and share information. Yet long lead times for designing and building the necessary information technology systems required decisions to be made no later than August 2001. At that time some key policy proposals had not been determined. As a consequence, subsequent changes to policy, or to the draft Bill, were likely to be constrained by the design of information technology systems across the sector. These pressures made it critical for the agencies to develop an information technology plan as part of project planning, and for the implementation to be monitored in each agency and across the sector. This required maintaining ongoing communication as to the achievement of those milestones necessary to meet the timetable for the passing of the legislation.

Initial SPRB Information Technology Implementation Planning

7.77 Both the Department of Corrections and the Department for Courts recognised that they needed to modify their information technology systems to meet their obligations under the proposed Bill. In addition, all four core criminal justice agencies had to build interfaces between those modified systems to ensure a free flow of information across the sector. (For further discussion of information technology systems, see Part Five on pages 53-66.)

The Integrated Offender Management System – Department of Corrections

7.78 The Department of Corrections recognised in mid-2000 that the reforms would have significant information technology impacts. It considered that the required changes to the Integrated Offender Management System (IOMS) would be fundamental and wide-ranging, entailing:

. . . a fundamental change to the sentencing structure, which underpins the entire application. The changes impact specifically on the sentence calculation module, which is core to the system. These changes are complex and driven through the whole application.

7.79 In November 2000, the Department of Corrections identified that it would need to re-build IOMS to meet the legislative requirements. It assessed that the project would normally take 15 months to complete, and would have an expected implementation date of 1 July 2002.

7.80 However, at that time, the proposed date for passing the legislation was 1 March 2002. The Department noted that 1 March 2002 was the earliest possible time it could realistically complete the rebuild of the system without posing significant risks to delivery of services.

COLLECT and the Case Management System – Department for Courts

7.81 At the same time, the Department for Courts was in the process of building its fines management system (COLLECT), and was planning to move from the Law Enforcement System (LES) to a new Case Management System (CMS) in July 2002. The Department advised its Minister in November 2000 that this could be achieved by March 2002.

Risks for Both Departments

7.82 In bringing forward the planned information technology project implementation dates, both the Department for Courts and the Department of Corrections took on significant risks. These risks made it particularly critical that the sector agencies develop a cohesive sector-wide strategy for co-ordinating the information technology systems development. However, no such strategy was developed.

Concerns Emerge That CMS Will Not Be Ready by 1 March 2002

7.83 In May 2001, the Department of Corrections began to voice concerns that CMS might not be ready to meet the 1 March 2002 deadline. The Department for Courts stated that its planned timetable was for:

- CMS to be finished by 1 March 2002;
- CMS to be rolled out progressively to all Courts from 1 March 2002;
- the Department for Courts to make minor changes to LES to support their Sentencing and Parole obligations; and
- the Department for Courts to be off LES by 1 June 2002 – so, between 1 March and 1 June 2002, the two systems would have to be updated.

7.84 This timetable not only made the transition to the new legislation more complex, but also had a direct impact on those justice agencies – the Department of Corrections in particular – which relied on electronic links for sharing information.

7.85 Moving the transition between LES and CMS to after 1 March 2002 meant that the Department of Corrections would be obliged to build an additional interface with LES to cover the requirements of the Bill for the period before CMS was fully operational. This would considerably increase costs for the Department. The Department made its concerns known, and noted the importance of timely co-ordination of system development across the sector to reflect dependencies between agencies:

> *As each agency removes systems from LES and creates their own platforms, there is a need for a high degree of co-operation between the agencies and a realisation that actions taken by one organisation have a direct effect on agencies that have already implemented their systems.*

7.86 In its project plans at this time, the Department of Corrections identified risks to the sector from slippage of the legislative timetable and lack of co-ordination, potentially leading to delays in implementation, inconsistent application of the legislative provisions, and increased costs.

7.87 The Department for Courts confirmed its commitment to resolving issues relating to the Bill, and acknowledged a breakdown in communication. It considered that the breakdown illustrated the need for agencies to work much more closely together. It identified as a prime cause the absence of discussions between senior managers in their respective agencies. As a result, key information was not flowing back to lower-level managers and staff responsible for detailed project monitoring. With hindsight, the Department considered that a General Managers Forum should have been established to ensure that there was adequate oversight at a senior level from the outset.

The Deadlines Change

7.88 As it became clear that CMS would not be in place for the planned SPRB deadline of 1 March 2002, the Ministry, the Department for Courts, and the Department of Corrections recommended in August 2001 that Ministers agree to a new implementation date of 1 July 2002. In making this recommendation, officials sought assurance from the Department for Courts[19] that CMS would be ready by that date. The Department for Courts gave this assurance. The CMS project manager supported this assurance in reports to the Department's senior management, despite evidence of some doubts in the Department as to whether the revised implementation date could be met.

19 The timeframe for CMS development was one of five factors leading officials to recommend deferral of the planned date for implementation of the legislation.

Further Delays Emerge

7.89 In November 2001, a Department for Courts' project status report noted serious delays in completing key aspects of CMS development:

- Finalisation of the agreement with the consultant was 39 days behind schedule.
- The process for concluding a Memorandum of Understanding with the Department of Corrections was 29 days behind schedule.
- The functional designs for the Department for Courts and the Department of Corrections were not ready to be signed off. Related workshops indicated that the changes required to the Departments' interfaces were greater than previously anticipated.
- A possibility that the impact of the COLLECT/CMS interfaces had been under-estimated was also identified.

7.90 Concerns about the sector's ability to meet the project deadline prompted a belated move to strengthen processes for planning, risk management, quality assurance, co-ordination and collaboration. The Ministry prepared a paper for the Chief Executives Forum outlining the current status, issues, and risks associated with the information technology changes necessary to give effect to the new legislation. The paper also made recommendations for improved co-ordination of activities with impacts for the sector, including:

- A high-level project plan should be developed, identifying all key milestones and dependencies between projects across the agencies.
- Project risks should be identified and mitigated, and a contingency plan established.
- A sector-wide quality assurance should be carried out, focussing on the interfaces and dependencies between projects.
- The Ministry should take responsibility for establishing and maintaining the overall co-ordination framework.

Addressing the Growing Project Risk

7.91 As it became increasingly possible that even the revised deadline of 1 July 2002 (accepted by Ministers) might not be met, the Ministry took a more vigorous leadership role in early-2002 by:

- developing an integrated, sector-wide project implementation plan;
- engaging PriceWaterhouseCoopers to provide quality assurance; and
- establishing an Information Technology Enablers Oversight Group (see paragraphs 7.15-7.18 on pages 84-85).

7.92 The Department for Courts identified that CMS might not be ready to meet the 1 July 2002 deadline, and recognised a need to develop a contingency plan on the known risk factors. On 31 January 2002, the Steering Committee Quality Assurance Group of the Information Technology Enablers Group concluded that there was a significant risk of a delay to CMS. It assessed the likely impact of any such delay as high. Among the mitigation strategies proposed by the group were weekly meetings within the Department for Courts, and a month's contingency period for the project plan.

7.93 Around this time, the Department for Courts considered that it should ensure that concerns were well founded before raising them with other agencies. The Department believed that by alerting the other agencies too early, there was a risk of escalating issues unnecessarily, creating further problems. The Department held regular internal meetings throughout January and February 2002 to discuss the possibility that CMS might not be ready by the 1 July 2002 deadline.

7.94 Our assessment of the process suggests that it would have been appropriate for the Department for Courts to have alerted the sector much earlier that CMS would not be ready to meet the 1 July 2002 deadline. Other agencies were aware of the difficulties facing the Department for Courts in managing the project, and concerns had been widely expressed within the Department. However, our analysis of the chain of events suggested that senior managers in the Department for Courts were not aware of (or were not willing to accept and disclose outside the Department) the likely extent and impact of risks associated with the project. Unclear governance arrangements created the potential for conflicting assessments of CMS status, and for other sector agencies to receive mixed messages.

7.95 In addition, inadequate sector arrangements for co-ordination and project governance had restricted agencies from access to the information they needed to establish the true status of the CMS project. Uncertainty was bound to add to the apprehension surrounding the progress of the project.

Resolving the Problems

7.96 On 5 March 2002, a meeting of the Justice Sector SPRB Committee was attended by General Managers from the Ministry, the Department of Corrections, the Department for Courts and the Police. The purpose of the meeting was to "explore issues and risks in the non-deliverance of the 1 July 2002 SPRB and advise the Minister of the same".

7.97 At that meeting the Department for Courts expressed a "general nervousness" about the ability of its information technology systems to achieve a 1 July 2002 implementation date. It was noted that:

> *After lengthy discussion aimed at establishing increases in risk profile of the SPRB IT systems, Courts advised the meeting that last Thursday their developers had advised that SPRB changes for CMS were three times bigger than originally envisaged.*

7.98 It was agreed that the Ministry would co-ordinate a briefing paper and that Chief Executives would be advised of the situation. A further meeting was scheduled for two days later.

7.99 On 6 March 2002 the Ministry outlined to its Minister concerns about the delays to the Department for Courts' interface development projects, noting that:

> *The concerns advised are assessed as a high-risk area by the sector. There is a potential significant impact on all agencies if their IT systems cannot interface with Courts' system when SPRB comes into force. Justice sector agencies have therefore indicated they will provide all possible assistance to Courts to work through any difficulties.*

7.100 After rapid and extensive consultation between the agencies, the Ministry prepared a Cabinet paper recommending that the Department for Courts modify LES to handle information associated with the proposed legislation, and that the Department of Corrections put in place the necessary technical interface for accessing data from LES. As the Police had previously advised Ministers of an operating surplus of between $5 million and $7 million, some of this funding would be made available for those purposes.

7.101 On 19 March 2002, officials from the Ministry and other agencies briefed the Minister of Justice, noting that:

> *Current indications are that the 2nd reading and committee stages for SPRB will take place in April, suggesting enactment may occur in the third week of May. The loss of almost three months of the planned implementation period puts achievement of the 1 July commencement date at very serious risk ...*
>
> *We have now reached the point where no change that requires change to IT systems can be made prior to 1 July. It is important to note that small changes within the Bill can lead to significant IT changes, and that significant changes to the Bill may have little or no impact on IT systems. Until changes are identified their full impact cannot be defined.*
>
> *Mitigation Strategy*
>
> *There is no way to work around this.*

7.102 Sector agencies faced the challenge of putting in place the necessary IT infrastructure to meet the 1 July 2002 implementation date. This required considerable co-operation and collaboration between the agencies to develop a workable solution within a very tight timeframe.

7.103 To the credit of the sector agencies, they were able to address this challenge in the short time remaining, in a manner that allowed the legislation to be implemented as planned.

Review of the SPRB Information Technology Process

7.104 The Ministry has reviewed the SPRB process and identified lessons to be learned from the process that reinforce the need for good communication, co-ordination and collaboration to reflect the interdependent nature of the agencies. The lessons included that:

- The Ministry's co-ordination role needed to be made clear.
- The specific requirements of each agency needed to be more clearly identified and communicated.
- A whole-of-sector approach to risk management in relation to interfaces and interdependencies should have been developed from the outset.

- Proper consideration should have been given to the impact (on the Department for Courts and the Department of Corrections in particular) of the delay in the legislation date to allow time for CMS to be put in place.
- Once established, senior managers groups proved an effective means of resolving issues, highlighting critical system interface issues and providing an overview of risks and mitigation strategies.

Appendix

Development of the Sentencing and Parole Legislation – Timeline of Events

Date	Event
16 February 2000	Minister of Justice agrees to begin work on a Sentencing Reform Bill.
4 April 2000	The Ministry sends out a timetable to the Department for Courts and the Department of Corrections, stating that 11 Cabinet Papers would be prepared for Ministers' consideration.
21 June 2000	The Ministry sends out a draft Cabinet Paper to officials from various agencies for comment, that seeks agreement in principle to the scope of the Sentencing and Parole Reform Bill (SPRB).
July 2000	Cabinet paper setting proposed scope of the Bill.
13 July to 7 September 2000	A series of eleven policy papers are sent out to the various agencies for consultation.
19 July 2000	The Cabinet Social Policy and Health Committee agree that an informal Committee of Ministers can make interim decisions about the scope of the Bill.
6 September 2000	First meeting of the informal Committee of Ministers.
18 September 2000	Second meeting of the informal Committee of Ministers.
9 October 2000	Third meeting of the informal Committee of Ministers.
21 November 2000	The Ministry sends out a draft Cabinet Paper for consultation that sets out the proposed SPRB policy, with comments due by 27 November 2000. The proposed date for passing the legislation is 1 March 2002.
28 November 2000	The draft Cabinet Paper is provided to the informal Committee of Ministers.
30 November 2000	Fourth meeting of the informal Committee of Ministers.
7 December 2000	The Cabinet Paper presented to Cabinet Policy Committee seeks agreement to the policy contents of the Bill.

Date	Event
26 February 2001	After the paper passes through a series of Cabinet Committees, Cabinet confirms the decision of the Cabinet Policy Committee to issue drafting instructions to the Chief Parliamentary Counsel.
14 March 2001	Drafting instructions provided to the Parliamentary Counsel Office.
May 2001	Department of Corrections raises concerns about whether CMS will be ready in time.
2 July 2001	A draft memo for the Cabinet Legislative Committee that seeks approval to introduce the SPRB is circulated for consultation purposes.
1 August 2001	The Minister of Justice recommends to the Cabinet Legislative Committee that the introduction of the SPRB be approved.
6 August 2001	Cabinet approves the introduction of the SPRB.
7 August 2001	Minister of Justice introduces the SPRB into the House.
23 August 2001	Officials recommend that Ministers agree to a new commencement date for the SPRB of 1 July 2002.
August 2001	Time by which decisions on design and build of IT systems had to be made.
September 2001	The Justice and Electoral Committee commences hearings.
November 2001	Department for Courts management aware of problems with CMS.
February 2002	The Justice and Electoral Committee reports back to the House.
5 March 2002	Department for Courts advises sector agencies that CMS will not be ready by the agreed deadline.
29 March 2002	Second Reading of the Bill.
1 May 2002	Third Reading.
5 May 2002	Royal Assent given.
30 June 2002	The Sentencing Act 2002 and the Parole Act 2002 come into force.

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