

**REPORT ON THE PRE-RELEASE
REPORTS PROVIDED TO THE NEW
ZEALAND PAROLE BOARD ON PRISONER
GRAEME BURTON IN 2006**

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March 2007

**PRE-RELEASE REPORTS TO THE NEW ZEALAND PAROLE BOARD ON
PRISONER GRAEME BURTON**

INDEX

Section		Page No.
	Executive Summary	i – iii
Two	Introduction	1
Three	Summary of Events	3
Four	Pre Release Reports	7
Five	Reintegration: Temporary Releases	10
Six	Summary of Findings	11
Seven	Conclusions	13
Eight	Options for Management	14
Nine	Acknowledgements	14

EXECUTIVE SUMMARY

Background

- 1 The Chief Executive directed that an investigation be undertaken by the Internal Audit Group relating to the pre-release reports on prisoner Graeme Burton that were provided by the Department to the New Zealand Parole Board (NZPB) in 2006. The focus of the investigation was on the information contained in the Department's 2006 reports to the NZPB regarding Burton's behaviour in prison, and the provision of temporary releases for Burton during that period.
- 2 Burton was convicted of murder and sentenced to life imprisonment in December 1992. He was released from prison on parole on 10 July 2006.
- 3 In January 2007 Burton was returned to custody and subsequently charged with murder and other offending. Since then the circumstances relating to Burton's release on parole, including the information provided by the Department to the NZPB, have been subject to significant media attention.

Key Finding

- 4 Overall, the Department provided the required information to the NZPB.
- 5 There has been media speculation that the NZPB was not aware of unsubstantiated allegations made about Burton's behaviour in prison in April 2006. However it is clear that this information was provided to the Psychological Service by the Prison Manager for consideration in terms of risks posed by Burton, and was in turn included in the Psychological Service report to the NZPB. It is also clear that this information was discussed by the NZPB.

Specific Findings

Information provided to the NZPB

- 6 The Psychological Service report was provided in response to the NZPB request in March 2006. At the March hearing the NZPB had indicated that subject to receipt of an updated psychological assessment addressing Burton's risk of offending, Burton would be released on 10 July 2006.

- 7 The development of the pre-release addendum report¹ for the March 2006 hearing followed standard practice and the details provided by Public Prison Service (PPS) were supported by the information available on Burton's file.
- 8 The June 2006 pre-release addendum report followed a similar process and reflected information up to the end of March. This report, signed on 16 May 2006, made no reference to Burton's placement on 14 days segregation and transfer out of Unit 4 to a high medium security unit on 3 April 2006 as a result of unsubstantiated allegations. While such information should have been included in the June addendum report, the information was conveyed in the Psychological Service report to the NZPB for consideration in their decision making.
- 9 The Principal Corrections Officer (PCO) of Burton's unit attended the June 2006 hearing and at the NZPB's request provided a brief update on Burton's behaviour. At that stage the details outlined in the Psychological Service report relating to Burton's removal from Unit 4 had been discussed by the NZPB. The PCO advised of Burton's behaviour since his arrival in the unit.

Reintegration: Temporary Releases

- 10 The pre-release addendum reports contain a specific section to advise the NZPB of progress on earlier recommendations.
- 11 In terms of Burton's reintegration, in September 2005 the NZPB decision noted that Burton appeared to have "an excellent support base organised"² in relation to accommodation. The NZPB recognised that Burton had "been placed on a very important pilot running in the prison which involves a number of agencies working together to ensure proper reintegration and return to the communities..."³. At the same time, the NZPB reiterated the need for temporary releases in the way previously recommended i.e. the provision "day leaves, home leaves, escorted leaves and church paroles."⁴
- 12 The NZPB was informed of the three escorted outings for reintegrative purposes that were approved in 2005 and completed in February 2006. The report for the June 2006 hearing did not provide any information as to why there had not been any escorted outings or temporary releases for reintegrative purposes since February 2006. Such information should have been provided.

¹ The pre-release addendum report provides an update to the NZPB on matters since the previous hearing, in this instance September 2005.

² NZPB Decision register 14 September 2005.

³ NZPB Decision register 14 September 2005.

⁴ NZPB Decision register 28 October 2004.

- 13 New Corrections legislation came into force from 1 July 2005. Due to his low-medium security rating, Burton was not entitled to a temporary release (as distinct from an escorted outing) until such time as he had been directed by the NZPB to be released on parole under Section 28 of the Parole Act 2002.

Options for Management

- 14 This investigation has highlighted a need for greater clarity between the NZPB and the Department regarding the provision of intelligence information that cannot be substantiated but could represent a potentially significant risk in terms of managing the prisoner. It is therefore recommended that the Department consult with the NZPB on their requirements as to the level of information and how such information could be provided by the Department.
- 15 The Department should also develop, in consultation with the NZPB, a formal report to cover the prisoner's behaviour between the completion of the pre release report and the date of hearing.
- 16 The GMPPS should ensure the adequacy of quality assurance measures so that the relevant section of the pre-release addendum report provides a response to all NZPB recommendations contained in the previous decision.

Recommendations

- 17 It is recommended that the Chief Executive:
- (a) **Accept** the report and note the key finding that overall the required information was provided to the NZPB by the Department. **YES / NO**
 - (b) **Note** that information relating to Burton's placement on segregation for the purpose of security, good order or safety and his transfer and ongoing placement in a high medium unit was provided to the NZPB through the Psychological Service report. **YES / NO**
 - (c) **Agree** with the conclusion that there is need for clarification regarding the provision of information that cannot be substantiated but which presents as a potentially significant risk in terms of the management of a prisoner. **YES / NO**
 - (d) **Accept** the recommendations that the Department consult with the NZPB on their requirements as to the level of information to be provided regarding:
 - Unsubstantiated information which may significantly impact on prisoner risk. **YES / NO**

- Prisoner behaviour between the completion of a pre release report and the NZPB hearing.

(e) **Accept** the recommendation that the GMPPS should ensure the adequacy of quality assurance measures relating to the completion of pre-release addendum reports.

YES / NO

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March 2007

SECTION TWO INTRODUCTION

- 18 Graeme Burton was released from Rimutaka Prison on parole on 10 July 2006. He was serving a sentence of life imprisonment for murder, imposed in December 1992.
- 19 In January 2007 Burton was returned to custody and subsequently charged with murder and other offending carried out January 2007. The events leading up to the offending and Burton's subsequent arrest were subject to significant media attention.
- 20 The Department commenced two investigations. This investigation related to the pre-release reports provided to the NZPB. The other investigation related to the management of Burton's parole.
- 21 In addition, the NZPB commenced a review to examine whether the NZPB's decisions leading up to Burton's release were reasonable given the information available.

Terms of Reference

- 22 The Terms of Reference relating to the pre-release reports required an investigation and report on the extent to which:
- The 2006 pre-release reports covered the required information in terms of parole information and advice to the NZPB.
 - The NZPB's comments regarding measures to aid Burton's reintegration into the community prior to release on parole were considered for action, following the NZPB's decision of 28 October 2004.
- 23 The Terms of Reference included the requirements to:
- Report on any other matters relevant to the pre-release reports of 2005 and 2006.
 - Make such recommendations for the improvement of promulgated standards, procedures, operating systems, work practices and internal controls as may be necessary arising out of the investigation.

Scope

- 24 The focus of this investigation was on the information contained in the Department's 2006 addendum reports to the NZPB regarding Burton's behaviour in prison, and the provision of temporary releases for Burton during that period. Since 2004 the NZPB had placed emphasis on the need for temporary releases for Burton. The investigation did not focus on the advice provided by CPS

relating to proposed release conditions, or on the psychological assessment contained in the report provided by the Psychological Service to NZPB.

- 25 This investigation included the provision of information to the NZPB relating to unsubstantiated allegations about Burton's behaviour received during April – June 2006.
- 26 In October 2006 interim changes were made to improve what is now known as the parole assessment process. The interim changes included changes to the names of the reports presented to the NZPB to more accurately reflect the report content. The pre-release addendum report is now called the parole assessment addendum report. For ease of reference, the investigation report has retained the names in use in June 2006.

Investigation Methodology

- 27 Internal auditor Lyn Le Petit carried out the investigation. Rimutaka Prison Custodial Systems Manager, Miriam Letoa was the liaison officer in terms of the protocol between the Public Prisons Service and Internal Audit.
- 28 The investigation involved:
- Reviewing the various reports provided by the Department to the NZPB.
 - Reviewing prisoners' records
 - Reviewing incident reports, departmental procedures and instructions.
 - Interviewing relevant PPS managers and staff at Rimutaka Prison and National Office.
 - Interviewing the Psychological Service Principal Psychologist, Wellington
- 29 The investigation reviewed the published decisions of the NZPB. The investigation sourced details as to the oral information provided by PPS staff to the NZPB at those hearings from those staff and from supporting documentation.

Consultation

- 30 A draft copy of the report was provided to the General Manager Probation and Offender Services, General Manager Public Prison Services and the Director Psychological Service.

SECTION THREE SUMMARY OF EVENTS

- 31 When Burton appeared before the NZPB on 28 October 2004 the Board declined his application for parole and noted:
“The Board is further of the view, as assistance to the applicant, that what needs to be done now is to signal to the authorities with as much strength as this Board is able to deliver, that the authorities should investigate day leaves, home leaves, escorted leaves and church paroles. This, in the view of the Board, will give us the confidence knowing that there has been contact with the community, and the applicant can show his ability to cope with the community. Indeed what the Board is saying is that there should be a measured integration to the community. “
- 32 An application for an escorted outing was commenced in January 2005, and referred to Head Office for decision. The application was declined on 7 April 2005 with the comment:
“The Parole Board has supported professional advice about a strong reintegration plan to be in place. Until this comprehensive plan is drawn up including accommodation requirements are set I cannot comfortably approve any release from custody.”
- 33 Burton next appeared before the NZPB on 14 September 2005. In its decision the NZPB noted that it was *“disappointing to record that no such releases had been approved.....”* and that it was *“...essential that he has temporary releases in the way which was previously recommended to ensure that he has shown ability to handle life back in the community and the Board has evidence of that before it makes the final decision. We are therefore again strongly recommending to the prison authorities that the temporary releases into the community, as outlined in the previous Board’s recommendations, are actioned.”* The NZPB noted their intention to consider Burton’s application again in March 2006.
- 34 An application covering three escorted outings for reintegrative purposes (one for four hours and two for six hours) was approved on 29 November 2005. Burton had these escorted outings on 14 and 22 December 2005 and 22 February 2006. Reports provided by the escorting officers reflected that the outings went without incident.
- 35 A pre-release addendum report on Burton covering the period post September 2005 was provided by Rimutaka Prison to the NZPB for the parole hearing on 20 March 2006. The report included comment from PPS and advice received from the Community Probation Service regarding the release proposal.

- 36 At the March 2006 hearing the NZPB noted that the Board was not able to immediately order a release for Burton until such time as it received an updated psychological assessment which addressed Burton's risk of offending. The NZPB indicated that subject to receipt of an updated psychological assessment addressing Burton's risk of offending, Burton would be released on 10 July 2006. The Board also noted the three escorted outings.
- 37 The NZPB decided to see Burton again in June 2006, and noted that in the interim period it hoped that Burton would "...be given every opportunity for gradual reintegration into the community by process of home leaves. He has a number of people in the community who are prepared to support him. We see no reason why he should not have temporary releases with those people."
- 38 On 3 April 2006 Burton who had a low medium security classification, was placed on segregation for 14 days and moved from Unit 4 (a low security 60-bed unit) to a high medium unit. The segregation was for the purpose of security, good order or safety of the prison and was as a result of information that indicated that Burton represented a possible threat to staff. At the end of the segregation period Burton was moved to another high medium unit and remained in a high medium unit until he was released. No incident or misconduct reports resulted from the investigation into the circumstances that gave rise to Burton's placement on segregation and removal from Unit 4.
- 39 The NZPB was provided with a further pre-release addendum report for the 28 June 2006 hearing. The report included a PPS update on Burton's behaviour since his last NZPB hearing on 20 March 2006 and advice from CPS regarding the details of the release proposal. Although this addendum report was dated 16 May 2006, the only specific date reference relating to PPS comment is 18 April 2006 which refers to contact with the Psychological Services regarding progress with their report.
- 40 Preparation of the psychological report on Burton for the June 2006 NZPB meeting resulted in the Prison Manager providing the psychologist with a memorandum outlining the rationale for Burton's segregation and move to a more secure unit. The memorandum also advised of other unsubstantiated allegations relating to Burton and reflected that since Burton's move to the high medium unit he had not caused any problems for staff or other prisoners. The content of the memorandum was detailed in the psychologist's report to the NZPB dated 26 April 2006.
- 41 Burton did not have any escorted outings for reintegrative purposes or temporary releases as outlined in the NZPB decisions, between 20 March and 28 June 2006. It should be noted that because of his low medium security rating, Burton was not legally entitled to a

temporary release (as distinct from an escorted outing) until such time as he had been directed by the NZPB to be released on parole under section 28 of the Parole Act 2002.

- 42 There were two incidents relating to Burton reported in IOMS subsequent to the March hearing. The previous recorded incident was in August 2003. Recorded details of the 2006 incidents were:
- 5 May 2006 – Early unlock of Burton’s cell for a cell search as a result of information received that he might be in possession of a cell phone. The incident summary report noted that nothing had been found and that the prisoner was compliant throughout the process.
 - 2 June 2006 – A prisoner requested voluntary protective custody alleging that Burton had thrown punches at him in the yard and that this was not the first time. The prisoner declined to lay any charges. The incident summary report noted that the prisoner completed a letter requesting voluntary segregation and was relocated to another Unit.
- 43 The Principal Corrections Officer (PCO) who followed up on the latter incident advised the investigation that he came to the conclusion based on the information provided by the supervising staff and the prisoner, together with a review of the SMS security camera footage of the prisoners in the yard, that the prisoner was using the allegation as a ploy to get out of the unit. There was nothing on the camera footage of Burton ‘taking a swing’ at the prisoner. No further action was taken apart from actioning the prisoner’s written request for voluntary segregation.
- 44 The same PCO accompanied Burton to the NZPB hearing on 28 June 2006. As was usual practice, the PCO had a briefing sheet that included any matters relating to the prisoner since the preparation of the pre-release addendum report. The briefing sheet was to be used as an aide memoire, should the NZPB seek comment from the PCO. The briefing sheet noted that there had been two recorded minor incidents where Burton had been named and that in both cases nothing had been followed through or proven to be true.
- 45 When questioned by the NZPB as to Burton’s behaviour in the Unit, the PCO responded to the effect that since Burton’s arrival in the unit some six weeks earlier he had been a quiet compliant prisoner who had gone about his daily routine without any fuss.
- 46 The PCO did not mention the circumstances relating to Burton’s removal from Unit 4. The allegations included in the psychologist’s report had already been subject to discussion at the NZPB hearing.

The PCO did not advise the NZPB of the two recorded incidents as neither instance had resulted in any further action relating to Burton.

- 47 Burton was released on 10 July 2006 as directed by the NZPB on 20 June 2006.

SECTION FOUR – PRE RELEASE REPORTS

- 48 The Department provided three written reports to the NZPB in 2006. The two pre-release addendum reports were compiled by staff at Rimutaka Prison with input from Community Probation Service. These two reports, and earlier addendum reports, followed a “full” pre-release report submitted to the NZPB in 2003. The purpose of the addendum reports was to update the NZPB on matters since the previous hearing. The third 2006 report was provided by the Psychological Service at the request of the NZPB for the June 2006 meeting.
- 49 In addition PPS provided a separate memorandum to the NZPB for each of the 2006 hearings, providing updated advice as to the suitability of accommodation available should Burton be released. This information was provided separately as specific Housing Corporation New Zealand accommodation was not allocated until shortly before each NZPB hearing. The content of these memoranda have not been included in the investigation.

Pre-Release Addendum Reports

Report for March 2006 Hearing

- 50 The process for the development of the pre-release addendum report hearing followed standard practice and the report was presented in the standard computer generated format.
- 51 The PPS component of the report, as required, included comments on Burton’s progress in relation to previous NZPB recommendations and his behaviour with reference to PPS information to 16 December 2005. Comments in the report were supported by the information contained in Burton’s sentence plan review and file notes. The report was subject to PPS quality assurance checks following receipt of CPS advice on the proposed release conditions, and was signed by Burton and the PPS Manager Custodial Systems, Rimutaka Prison on 24 January 2006.

Report for June 2006 Hearing

- 52 The process for the development of the pre-release addendum report provided for this hearing followed similar practice and format as the March report.
- 53 The PPS comments in this report are supported by information recorded when Burton’s sentence plan was reviewed on 28 March 2006 when Burton was in Unit 4.

- 54 A draft of the addendum report noted Burton's relocation from Unit 4. However this comment was not retained in the final addendum report as there was no incident report in IOMS to substantiate the allegations.
- 55 The section of the report regarding progress with previous NZPB recommendations makes no reference to the status of any temporary releases. Such detail should have been covered off in the report having regard to the previous NZPB decisions.
- 56 The Manager Custodial Services who signed the report on 16 May 2006 advised that he was aware that Burton had been placed on segregation. As nothing had come of that placement and the allegations had not been substantiated, the information was not included in the report.

Psychological Service Report

- 57 This report dated 26 April 2006 included detail as to the rationale for Burton's placement on segregation and unsubstantiated intelligence information about Burton's behaviour. The information had been provided by the Prison Manager to Psychological Service for consideration in terms of risk posed by Burton.
- 58 The Prison Manager was aware that the information contained in the memorandum outlining the unsubstantiated information was included in the Psychological Service report to the NZPB.

PPS Oral Update to the June NZPB Hearing

- 59 The NZPB Briefing Sheet was introduced at Rimutaka Prison as a local measure to provide a better informed response to any queries the NZPB may have should the Board seek information of the PCO at the hearing. The form provides a brief summary of prisoner details i.e. sentence details, activities completed or not completed, incidents or misconducts within the past six months, and an update since the NZPB report was completed. It was not expected that the form would be handed to the NZPB. There were no written guidelines relating to the required level of detail in the briefing sheet, apart from the general requirement to use the form "to gather the relevant information that you may need when attending the NZPB with a prisoner. "

PPS Guidelines on the Provision of Information to the NZPB

- 60 The PPS Policy and Procedures Manual Section A.13 and the PPS Sentence Management Manual section “Prepare for Release” set out the standards for the pre-release reports and pre-release addendum reports. The standards in the main relate to processes for information collection, formulation of recommendations, timelines for completion, and quality assurance checks. The overall purpose of the report is to “contain sufficient information to enable decisions to be made about a prisoner’s release” and the report template sets out the topics to be covered in the report. There is a standard that the content of the report “identifies whether a statement is a fact or opinion. If it is a fact, it must be verified and verifiable. If it is an opinion, it relates to specific material in the report, and it is specified whether it is an observation or opinion of the author or other person”.
- 61 There are no guidelines for PPS management as to the presentation to the NZPB of unsubstantiated intelligence or allegations that in the opinion of that manager raises a significant potential risk in terms of the management of a prisoner who is seeking parole.

SECTION FIVE REINTEGRATION: TEMPORARY RELEASES

- 62 In September 2005 the NZPB decision noted that Burton appeared to have “an excellent support base organised”⁵ in relation to accommodation. The NZPB recognised that Burton had “been placed on a very important pilot running in the prison which involves a number of agencies working together to ensure proper reintegration and return to the communities...”⁶. At the same time, the NZPB reiterated the need for temporary releases in the way previously recommended i.e. the provision “day leaves, home leaves, escorted leaves and church paroles.”⁷
- 63 The PPS actions taken to provide escorted outings for Burton to aid his reintegration are outlined earlier in this report. Burton did not have any escorted outings for reintegrative purposes after the three advised to the NZPB at the March 2006 hearing.
- 64 The IOMS records show that an application for a temporary release for reintegrative purposes with an approved sponsor was filed on 12 June 2006. However, there is no information available on file to clarify what actions were taken on that application or any other action in relation to consideration of reintegrative outings for Burton. The only prisoner file notes that could be located for Burton that covered the March-June 2006 period related to 10 days in April and these notes did not address the matter of releases or outings.
- 65 In any case, the requirements of Section 62 of the Corrections Act 2004 and the Corrections Regulations 2005 which came into force on 1 June 2005 meant that from that date Burton, because of his low-medium security rating, was not entitled to a temporary release (as distinct from an escorted outing) until such time as he had been directed by the NZPB to be released on parole under section 28 of the Parole Act 2002.
- 66 Having regard to the requirements of the Act, the investigation sought legal advice as to whether the March 2006 decision constituted a direction under Section 28 of the Parole Act 2002. The response was that the NZPB’s decision did not constitute such a direction. Rather it was an indication of NZPB intention, subject to anything that happened in the interim and subject to the results of the psychological assessment of Burton, to direct his release at a hearing in June.

⁵ NZPB Decision register 14 September 2005.

⁶ NZPB Decision register 14 September 2005.

⁷ NZPB Decision register 28 October 2004.

SECTION SIX SUMMARY OF FINDINGS

Key Finding

- 67 Overall, the Department provided the required information to the NZPB.
- 68 There has been media speculation that the NZPB was not aware of unsubstantiated allegations made about Burton's behaviour in prison in April 2006. However it is clear that this information was provided to the Psychological Service by the Prison Manager for consideration in terms of risks posed by Burton, and was in turn included in the Psychological Service report to the NZPB. It is also clear that this information was discussed by the NZPB.

Specific Findings

Information provided to the NZPB

- 69 The Psychological Service report was provided in response to the NZPB request in March 2006. At the March hearing the NZPB had indicated that subject to receipt of an updated psychological assessment addressing Burton's risk of offending, Burton would be released on 10 July 2006.
- 70 The development of the pre-release addendum report⁸ for the March 2006 hearing followed standard practice and the details provided by Public Prison Service (PPS) were supported by the information available on Burton's file.
- 71 The June 2006 pre-release addendum report followed a similar process and reflected information up to the end of March. This report, signed on 16 May 2006, made no reference to Burton's placement on 14 days segregation and transfer out of Unit 4 to a high medium security unit on 3 April 2006 as a result of unsubstantiated allegations. Such information should have been included in the June addendum report. The information was conveyed in the Psychological Service report to the NZPB for consideration in their decision making.
- 72 The Principal Corrections Officer (PCO) of Burton's unit attended the June 2006 hearing and at the NZPB's request provided a brief update on Burton's behaviour. At that stage the details outlined in the Psychological Service report relating to Burton's removal from Unit 4 had been discussed by the NZPB. The PCO advised of Burton's behaviour since his arrival in the unit.

⁸ The pre-release addendum report provides an update to the NZPB on matters since the previous hearing, in this instance September 2005.

Reintegration: Temporary Releases

- 73 The pre-release addendum reports contain a specific section to advise the NZPB of progress on earlier recommendations.
- 74 In terms of Burton's reintegration, in September 2005 the NZPB decision noted that Burton appeared to have "an excellent support base organised"⁹ in relation to accommodation. The NZPB recognised that Burton had "been placed on a very important pilot running in the prison which involves a number of agencies working together to ensure proper reintegration and return to the communities..."¹⁰. At the same time, the NZPB reiterated the need for temporary releases in the way previously recommended i.e. the provision "day leaves, home leaves, escorted leaves and church paroles."¹¹
- 75 The NZPB was informed of the three escorted outings for reintegrative purposes that were approved in 2005 and completed in February 2006. The report for the June 2006 hearing did not provide any information as to why there had not been any escorted outings or temporary releases for reintegrative purposes since February 2006. Such information should have been provided.
- 76 New Corrections legislation came into force from 1 July 2005. Due to his low-medium security rating, Burton was not entitled to a temporary release (as distinct from an escorted outing) until such time as he had been directed by the NZPB to be released on parole under Section 28 of the Parole Act 2002.

⁹ NZPB Decision registers 14 September 2005.

¹⁰ NZPB Decision registers 14 September 2005.

¹¹ NZPB Decision registers 28 October 2004.

SECTION SEVEN CONCLUSIONS

- 77 This investigation has highlighted a lack of direction on an aspect of the provision of information to the NZPB. There is a need for clarification regarding the inclusion of information that cannot be substantiated but which presents as a potentially significant risk in terms of the management of the prisoner. Current PPS guidelines are focussed on the requirement to report information which can be verified.
- 78 The avenue for the disclosure of unsubstantiated allegations by prison management, albeit by way of opinion, and the level of detail required for the NZPB's consideration, are matters which will need to be clarified with the NZPB.
- 79 The PPS process of providing information that covers the prisoner's behaviour from the date covered by the pre release report up to the date of hearing could be improved. Whilst the local NZPB Briefing Sheet provides assistance to a PCO attending the hearing with a prisoner, the process relies on the NZPB seeking PPS comment or clarification and on the PCO's level of response. There are no clear guidelines for instance as to whether the NZPB requires advice of all reported incidents, irrespective of their outcome. In the view of the investigator, a written and signed PPS report setting out agreed topics and level of detail would provide a clear, consistent record of advice to update the NZPB. The requirement for such a report, with clear expectations of the level of detail required, would provide a greater measure of assurance to both the NZPB and the Department in terms of the provision of information.

SECTION EIGHT OPTIONS FOR MANAGEMENT

- 80 This investigation has highlighted a need for greater clarity between the NZPB and the Department regarding the provision of intelligence information that cannot be substantiated but could represent a potentially significant risk in terms of managing the prisoner. It is therefore recommended that the Department consult with the NZPB on their requirements as to the level of information and how such information could be provided by the Department.
- 81 The Department should also develop, in consultation with the NZPB, a formal report to cover the prisoner's behaviour between the completion of the pre release report and the date of hearing.
- 82 The GMPPS should ensure the adequacy of quality assurance measures so that the relevant section of the pre-release addendum report provides a response to all NZPB recommendations contained in the previous decision.

SECTION NINE ACKNOWLEDGEMENTS

- 83 The Investigation wishes to acknowledge the assistance provided by the Manager Custodial Systems at Rimutaka Prison. The time and input provided by other PPS managers and staff and by the Psychological Service were also appreciated.

