DEPARTMENT OF CORRECTIONS

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Review of Vetting, Induction, Training and Gang Connections of External Providers (Specified Visitors)

Report Compiled by: The National Intelligence Unit and Quality and Performance

Introduction

1. In August 2015, Quality and Performance conducted a review of the vetting, induction and training processes provided to external providers working in prisons. This review also looked at the relevance and validity of the training materials used for the "Getting Got" training and the uptake of the Authorised Provider Prison Entry (APPE) system.

2. Quality and Performance with assistance from the National Adviser Volunteers and the Chief Custodial Officer's team developed solutions for the recommendations made in the review. The new process for vetting, induction and training was approved by SD SLT and was to be presented to CSLT for approval before implementation.

3. However, on 30 June the Chief Executive of the Department of Corrections was made aware that an approved Kaiwhakamana who provides voluntary services to Whanganui Prison is an active gang member. A further review was initiated for all existing volunteers and others to establish whether any of them are current gang members.

4. The methodology for the review of approved volunteers and others providing services into prisons is attached as Appendix One.

Purpose

5. The purpose of this report is to:

   - provide information from the initial review of Vetting, Induction and Training of external providers

   - provide information from the subsequent review of gang connections of approved volunteers and others providing services into prisons

   - provide an approach for improving business process based on findings from the two reviews.

6. When referring to external providers, this includes all specified visitors such as contracted providers, volunteers, Chaplains, Kaiwhakamana, Fautua Pasefika and researchers and others providing services into prisons.

Key findings from the initial review of vetting, induction and training for external providers

7. The following were the key findings from the review:

   - There is no nationally recognised clear and consistent process for vetting, induction and training for external providers. In addition, there is no national owner responsible for the overall process.

   - The training materials for "Getting Got" are not consistent across the country and due to the volume of information given there is a risk that key messages may be diluted.

   - Due to inconsistent practices, some external providers are not receiving an induction or "Getting Got" training before working on a prison site.

- At a number of prisons Criminal Record Checks are completed on the Integrated Offender Management System (IOMS) rather than applying to the MoJ.

- The use of the APPE system varies among sites. With regards to the APPE system, overall, staff are positive and the general consensus is that it should be rolled out to all external providers.

Key findings from the review of approved volunteers and others providing services into prisons

8. Manual searches of internal holdings (Corrections databases) and external information holdings (Gang Intelligence Centre databases as well as open source and social media) were conducted against 6,985 specified visitors to identify any possible gang association. Please see Appendix One for details of the methodology applied.

9. Overall, 76 individuals (1%) were noted as having some form of current or historical gang link. For example, the individuals had gang alerts or intelligence holdings, had visited a gang member in a private capacity (e.g. friend or family) or had *apparent* association via open source/social media.

10. For 55 of these individuals the only material found was through Facebook associations ('friends') to suspected gang members and/or supporters (based on the nature of images posted on Facebook profiles). No other information holdings suggesting gang association were located for these 55 individuals and therefore it was deemed that they required no further action.

11. The 21 remaining individuals had information that was deemed to be of significance (e.g. direct apparent link to a gang such as current or previous member of a gang, or partner of a gang member). All information discovered about these 21 individuals was compiled into profiles. These profiles were provided to senior management for their consideration regarding the appropriateness of each of these 21 individuals having specified visitor status.

Section 9(2)(a)

12. The National Commissioner, the Director Intelligence and Tactical Operations, Director Maori, and the Manager of the National Intelligence Unit met during the week commencing 18 September 2016 to review the 21 profiles and determine the necessary next steps.

13. The final result of the above process was action being required for three of the 76 individuals. Two of these will have their status declined/revoked, one of these has a disclosed gang affiliation and the other is an associate of a gang and has a conviction for methamphetamine production. The third, whose application was on hold pending the review, will be reinstated.

14. Contact will be made with those individuals that Intel sources have confirmed do not have a gang association but who have Facebook associations. They will be encouraged to regularly review their social media associations to ensure there is nothing that could be deemed to be a conflict of interest or be counterproductive to the Department's aim of reducing re-offending.

Recommendations

15. The two reviews have identified a number of opportunities for the Department to improve the robustness of its process for vetting, induction and training (Getting Got) for external providers. The following recommendations are made, however please note that background work has already been

completed in some areas and if implemented will address the recommendations made.

Recommendation 1: The Department ensures all prison sites are 100% compliant with the Authorised Provider Prison Entry System (APPE). This includes all external providers.

16. The APPE System is an electronic prison entry system designed to streamline the process for entry of approved providers and non-Departmental staff into prisons. This simplifies the verification process for gatehouse staff and allows improved tracking of who is on site at any point in time.

17. The practice of using the APPE system for the entry of non-Departmental staff into prisons sites vary among the different sites. While the APPE system is for all non-Departmental staff, in practice there is no consistency on who is approved to be on it. At most sites the APPE system is used for volunteers and intervention providers but becomes inconsistent when it applies to other external providers. For example, Spotless staff are on APPE at some sites and not at others.

18. All Prison Directors need to be informed that all existing external providers who are currently not on the APPE system are included in the APPE System.

19. Each site needs to have an APPE Administrator and the Prison Directors need to decide who the APPE Administrator at their sites is.

Recommendation 2: The Department enhances the robustness of the current background checks and create a centralised team to complete these checks for all specified visitors and staff.

20. The Ministry of Justice Criminal Conviction History check covers criminal and traffic convictions but does not include charges that have not yet gone to court or any charges that did not result in conviction or infringements. Therefore, this type of check is limited in the information it can provide to the Department to assist determining the suitability of specified visitor applications. Checks via other New Zealand Government agencies should be considered, such as New Zealand Police vetting.

Recommendation 3: Update the induction process for external providers

21. Consistent processes for vetting, induction and training for external providers needs to be developed.

22. While the Prison Director at each site has overall responsibility for the induction of all external providers, for consistency purposes, it is recommended that the site Security Manager is delegated this responsibility. At sites that do not have a Security Manager, the Prison Director can delegate this responsibility to another custodial manager.

Recommendation 4: The Approval of Specified Visitors should be valid for a period of two years.

23. Currently, there are different time periods for different categories of external providers. This will ensure consistency across categories and align with the approval period for the Ministry of Justice Criminal Conviction History check. Any 'inactive' visitors will have to repeat the process before being approved entry to a prison.

Recommendation 5: The Department to review the current application forms for Specified Visitors to ensure they are fit for purpose.

24. Currently there are four specified visitor application forms and these need to be consolidated into one form. The wording on the form needs to be changed to better reflect the intent and purpose for capturing information, and to ensure this is clear to the applicant.

Recommendation 6: The Department to include open source and social media searches as part of the screening process for Specified Visitors.

25. The Review has highlighted the value in conducting open source and social media searches and this would add a further level of scrutiny of Specified Visitors. The Department should also consider open source and social media searches as part of the recruitment process for all staff. However, the Department would need to consider the human resource implications of this, as well as ensuring the appropriate policies, procedures and technology solutions (including safeguards) are in place.

26. Conducting open source and social media searches should be looked at in conjunction with recommendation two (options to enhance the robustness of the current background checks and creating a centralised team to complete checks for all specified visitors and staff).

Recommendation 7: The Department to develop guidelines to assist decision making regarding the approval of Specified Visitors with Criminal Convictions.

27. Clear guidelines would ensure consistency in approach and help to minimise any potential risks to the safety and good order of prisons.

Recommendation 8: The Department to review IOMS access for Specified Visitors.

28. Throughout this Review it was discovered that some specified visitors have access to IOMS when there was no apparent need and therefore IOMS access for specified visitors should be reviewed.

Recommendation 9: The Department to review the design of visitor and volunteer identification cards.

29. All visitor cards should be distinct in their design and clearly distinguishable from permanent employees.

Recommendation 10: The Department should consider undertaking a similar review for providers/contractors who provide services to Community Corrections.

30. Community service providers (including registered Trusts and Charities) and contractors were out of scope for this review, however, the Department would benefit from ensuring all providers/contractors do not have backgrounds or links that may conflict with the Departments aims.

Recommendation 11: There should be an owner allocated to lead the work required to address the recommendations.

31. The Manager National Operations will lead the work to address the recommendations and will develop an action plan by end of October 2016.

....   *Date: 31 October 2016*

Ray van Beynen
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Appendix One

Methodology for the subsequent review (gang connections of external providers)

1. The National Intelligence Unit collated a list of all individuals listed as 'Specified Visitors' from the Authorised Provider Prison Entry (APPE) system, as at 4 July 2016 for screening. Additionally, a number of prison sites also maintained spreadsheets locally and individuals from these lists were included in the final list, removing any duplicates. Only those individuals listed as 'Approved', 'Inactive' and 'Pending' were included. Banned and Not Approved categories were not included. 6,985 names were captured via this process, covering the following categories:

    -   Assistant Chaplain
    -   Chaplain
    -   Contracted Provider
    -   Contractor
    -   Fautua Pasefika
    -   Government Representative
    -   Kaitiaki
    -   Kaiwhakamana
    -   Programme Provider
    -   Researcher
    -   Service Provider
    -   Tradesperson
    -   Volunteer

2. The National Intelligence Unit in conjunction with the Gang Intelligence Centre then conducted a check of all 6,985 individuals. These checks included both Internal and External Searches.

    -   Internal Searches included:

        o   Integrated Offender Management System (IOMS)

        o   Secure Intelligence Database (SID)

    -   External Searches included:

        o   Gang Intelligence Centre (including cross-referencing against the National Gang List)

        o   Limited open source (Google) and social media (Facebook) searches. It was not practical to conduct 6,985 open source and social media searches and therefore searches were only conducted for a targeted number of individuals (over 300). These individuals consisted of those highlighted by intelligence holdings as well as a random sample of all specified visitors. These searches were conducted on publicly available information only.

3. Due to the limited scope of the Review any non-gang related offending or other information discovered as part of the process, are not included in the final results.