

Internal review into the processes and practices used by the Ministry of Social Development when the Department of Corrections places High Risk Offenders into Emergency Housing

Context

A recent case identified that a High Risk Offender ^{6(c)} had been placed in Emergency Housing by The Department of Corrections (Corrections) in April 2018 and that the Ministry of Social Development (MSD) pays Emergency Housing Special Needs Grants to the same motel for its clients.

This Review

The Deputy Chief Executive Service Delivery of MSD (DCE) commissioned this internal review to understand the processes and practices used by MSD when they become aware that High Risk Offenders have been placed into Emergency Housing by Corrections.

The terms of reference for this review are attached as Appendix 1.

Emergency Housing Special Needs Grants

In July 2016 MSD established a new category of hardship assistance, the Emergency Housing Special Needs Grants, to provide non-recoverable assistance to meet the cost of short-term accommodation for people with an immediate housing need. Eligibility for assistance is open to all, including individuals with a Corrections background. It is determined by an income and asset test, along with an assessment of the immediacy of need.

In mid-2017, two incidents involving recently released offenders staying in Emergency Housing Special Needs Grants accommodation highlighted the need for improved coordination with Corrections around the provision of emergency housing to our mutual clients.

In June 2017, MSD temporarily paused Emergency Housing Special Needs Grants assistance to offenders who were within three-months of their release from prison, and who are subject to a post-imprisonment sentence or order. The pause in Emergency Housing Special Needs Grants assistance did not affect the identified cohort's eligibility to receive other MSD Housing assistance, including transitional and public housing.

Interim Emergency Housing Special Needs Grants Agreement Arrangements

Since late 2017 an inter-agency group comprising of senior management from both MSD and Corrections have been working together to support the housing needs of released offenders.

Interim agreements were in place from June 2017 (and at the time of this incident) whereby Corrections had assumed responsibility for the provision of Emergency Housing to all offenders serving sentences and orders in the community who were within three months of their release from prison.

The agreement defines responsibilities and accountabilities for the provision of emergency housing assistance to people, managed by Corrections, who are serving sentences and orders in the community. It was signed by all parties on 23 May 2018.

This signed agreement states that Corrections is responsible for the Emergency Housing needs of individuals categorised as cohort 'Group A'. MSD provides Emergency Housing assistance for Group 'B' & 'C' cases. Appendix 2 details further information of the composition of these groups.

Group 'A' cases have been defined in the agreement as those individuals subject to Extended Supervision Orders (ESO), and the highest risk offenders subject to parole conditions such as electronic monitoring with residential restrictions or whereabouts conditions.

This incident related to an individual categorised as 'Group A'.

The signed inter-agency schedule defines that *"when required, Corrections will assess and decide the suitability of the address in collaboration with others"*. However, the operational design to support the agreement is currently being finalised between MSD & Corrections.

This Incident

On 30 April 2018, Corrections placed ^{6(c)} - a high risk Child Sex Offender and Adult Sex Offender, into the ^{9(2)(b)(ii)}

This placement was made by Corrections, following consultation with the Motel owner, and allegedly the owner's assurance that there were no families with children residing at the Motel on an on-going basis.

MSD were not aware he had been placed at the motel at that time.

This Child Sex Offender had previously been in a Housing New Zealand property, but had been removed following community opposition and media attention to his tenancy.

Corrections have advised that, on 20 July 2018, they became aware of the presence of families with children staying at the ^{9(2)(b)(ii)}

On 25 July 2018, during the uplifting of ^{6(c)} Corrections were made aware of possible contact with children at the motel, which is in breach of the conditions of his extended supervision order.

This contact with children was confirmed by Corrections after further enquiries.

On 27 July 2018, MSD was notified by Corrections this individual's placement at the ^{9(2)(b)} ^{9(2)(b)} Corrections had also learned the families staying at the Motel were receiving Emergency Housing Special Needs Grants.

Wider Risks

The suitability of accommodation in motels for individuals subject to residential restrictions and/or whereabouts conditions is problematic, particularly those High Risk Offenders with Child Sex Offender convictions.

Motels are public places with transient clientele; as such there is an innate risk in placing High Risk Offenders in an environment such as these due to public safety concerns.

Our Approach

In conducting this review we:

- Independently sought to substantiate that stated timelines and actions that related to ^{6(c)} that had been reported by MSD. Appendix 3 details the timeline. This

involved checking the MSD Client Management System (CMS) timeline for this individual and matching it to the timeline provided by the Region. We also sought to confirm the completeness of the reported information by MSD within CMS, to ensure that no relevant details were omitted.

- Interviewed key individuals (see Appendix 4) to determine the sequence of events, any relevant background context and implementation/embedding of the Emergency Housing Special Needs Grants agreement with Corrections.
- Used the above discussions, coupled with further internal research to identify any applicable policies and procedures in relation to this incident.
- Reviewed any policies and procedures, if applicable, in order to determine and appraise the strength of systems of internal controls for relevant systems.
- Sought to verify any corrective actions taken by MSD since the incident occurred.

Findings

As per our terms of reference, our review focused on the two following areas:

1) *Was there was an opportunity for MSD to have identified this situation sooner*

The motel address was also provided by this individual when a housing assessment was undertaken by MSD on 3rd May 2018 and when he applied for financial assistance.

Corrections notified MSD of this individual's placement at the 9(2)(b)(ii) on 27 July 2018 by which time he had been removed from the address.

2) *Adequacy of the processes and practices used by MSD staff when dealing with High Risk Offenders in Emergency Housing*

At the time of this incident, there was:

- No MSD process/procedures, subsequent to the Emergency Housing Special Needs Grants interim relationship agreement arrangement whereby Corrections routinely advise MSD of when and where they had located 'Group A' individuals for Emergency Housing.

MSD however has previously shared on an ad-hoc basis lists of motels used with Corrections prior to this incident.

- No documented internal processes in place for MSD staff if/when they become aware that Corrections had placed High Risk Offenders into Emergency Housing or for when other High Risk Offenders are placed into the same Emergency Housing facilities as MSD clients.

Conclusions

The lack of adequate processes to support the agreed Emergency Housing Special Needs Grants relationship agreement between Corrections and MSD in practice (at the time of this incident) resulted in insufficient operational processes to mitigate the risks.

There was potentially an opportunity for MSD to have identified this situation sooner had these processes been in place at the time of this incident.

Whilst Corrections have defined responsibility for the Emergency Housing requirements of 'Group A' who are serving sentences and orders in the community (and 'B & 'C' at the time of this incident), they cannot work in isolation to mitigate the risk of placing these individuals in motels which could be used by MSD Emergency Housing clients and members of the public.

The wider risk still remains surrounding the suitability of utilising accommodation used by the wider public for High Risk Offenders too.

Corrective actions since the incident

We can provide assurance that MSD and Corrections are regularly sharing lists of the known Motels they frequently use (circa 20 Motels for Corrections and circa 370 Emergency Housing, Provider and Contracted Motels, used by MSD, at the time of this review).

Daily crossover between these continues to be highlighted in order to assist with future usage.

We can also substantiate that an **initial draft** MSD document for the '*Service Delivery Emergency Housing SNG Corrections Cohort Business Process*' has been created.

Recommendations

	Narrative	Recommendation
1.	Whilst overarching relationship agreements are now currently in place between Corrections and MSD further inter-agency collaboration is necessary to ensure robust and cohesive systems to prevent a reoccurrence of this incident.	Continue to enhance and embed inter-agency collaboration (locally and nationally) where Corrections provide Emergency Housing to Group 'A' individuals
2.	This review has concluded that there are inadequate processes and practices for MSD staff when dealing with High Risk Offenders in Emergency Housing.	In order to standardise the approach to dealing with High Risk Offenders in Emergency Housing, MSD should continue to develop, document and implement internal processes on ' <i>Service Delivery Emergency Housing SNG Corrections Cohort Business Process</i> '. These processes should also include within them a defined monitoring mechanism to ensure that compliance with them can be provided on an on-going basis.

3.	Existing weekly information sharing from Corrections to MSD about Child Sex Offenders under the Community Probation Service (CPS) has been in place since 2006.	The opportunity of using a Child Sex Offenders last known address (currently provided weekly by Corrections to MSD) to identify residences potentially used by other MSD clients should be explored. I.e Emergency Housing and Contracted housing providers.
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MSD Risk & Assurance Team will also conduct a follow up, once recommendations have been completed, to provide assurance independently of the adequacy of implementation.

Appendix 1: Terms of reference

Internal review into the processes and practices used by the Ministry of Social Development when the Department of Corrections places High Risk Offenders into Emergency Housing

Context

A recent case identified that a high risk offender had been placed in emergency housing by Corrections and that the Ministry of Social Development (MSD) pays emergency housing special needs grants to the same motel for its clients.

The Deputy Chief Executive Service Delivery of MSD (the Deputy Chief Executive) has commissioned an internal review to understand the processes and practices used by MSD when they become aware that high risk offenders have been placed into emergency housing by The Department of Corrections (Corrections).

The review will be led by Janet Green (General Manager Risk and Assurance).

Objectives of the review

The objective of this review is to look at the processes and practices used by MSD when working with high risk offenders who are in emergency housing to ensure adequate steps are being taken to mitigate the risk of a similar case happening again.

The review will provide recommendations on improvements that may be required.

Scope

The review will focus on the:

- 1) recent case to determine if there was an opportunity for MSD to have identified this situation sooner
- 2) adequacy of the processes and practices used by MSD staff when dealing with high risk offenders in emergency housing

The review will make recommendations, if appropriate, to the Deputy Chief Executive if improvements are needed to the matters in scope.

Matters out of scope

- Corrections processes and practises

Deliverables, timeframes and reporting

The review will be completed by 15 August 2018 in the form of a draft report to the Deputy Chief Executive. The final report will be completed no later than 22 August 2018.

Signed

Viv Rickard
Deputy Chief Executive Service Delivery
Ministry of Social Development
1 August 2018

Appendix 2: Corrections Cohort Groups

Group A	Group B	Group C
<p>Extended Supervision Orders (ESO)</p> <p>Highest Risk Parole offenders*</p> <p>PPO/PSO</p>	<p>Home Detention (HD)</p> <p>Community Detention (CD)</p> <p>Parole (not subject to EM)</p> <p>Released on Conditions (RoC)</p> <p>Returning Offender Order (ROO)</p>	<p>Post Detention Conditions</p> <p>Intensive Supervision / Supervision</p> <p>Community Work</p>
<p>Corrections responsible for emergency housing</p> <p><i>*Highest Risk Parole offenders defined as those subject to electronic monitoring (Residential Restrictions or whereabouts conditions)</i></p>	<p>MSD responsible for emergency housing <u>with</u> Corrections input.</p> <p>Information will be provided using the Corrections referral process.</p> <p>Corrections will establish and maintain relationships with property owner as appropriate. (NB. An offender subject to HD and CD will not be able relocate without the Probation Officer's permission)</p>	<p>MSD responsible for emergency housing with Corrections providing information as necessary.</p>

Appendix 3: Timeline

6(c)



Appendix 4: List of interviewees as part of this review

Name	Title
9(2)(a)	Team Manager Issues Resolution
	Principal Advisor – Office of the Deputy Chief Executive, Housing
	Trainer- Central Processing Unit
Jesse Nicholls	Director Deputy Chief Executive Office, Service Delivery
9(2)(a)	Regional Commissioner, Central Region
	Team Manager - Helpline
	Manager Training and Quality – Central Processing unit
	Senior Advisor Client Service Delivery