



Performance audit report

## Department of Corrections: Managing offenders on parole





# Department of Corrections: Managing offenders on parole

This is an independent assurance report about a performance audit carried out under section 16 of the Public Audit Act 2001.

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## Auditor-General's overview

How the Department of Corrections (the Department) manages offenders on parole is an area of great public, political, and media interest, especially given recent high-profile cases where offenders on parole have committed further serious offences.

My staff looked at how the Department managed offenders released on parole. We chose 100 offender case files in the four areas we visited to assess whether probation officers and other staff were managing offenders in keeping with the Department's requirements. We deliberately included 52 offenders considered to pose a high risk to the public.

In most of those 100 case files, the Department had not followed one or more of its own sentence management requirements. Five of the requirements that my staff checked are the most important, in my view, for keeping the public safe, and one or more of these five requirements had not been followed in most of the 100 cases. There were several cases, some of which I have included in my report, where the Department had not completed important sentence management requirements at each stage of an offender's parole, and we concluded that the Department was not managing these cases adequately. The Department has told us that it has fixed the deficiencies that my staff found in the 100 cases and reviewed other high-risk cases to fix similar deficiencies.

Many of the Department's procedures for managing offenders on parole are in place to keep the public safe. If the Department does not follow all of the important procedures when managing an offender, I am concerned that the cumulative effect undermines the Department's ability to protect the public.

The Department's job is not an easy one. It operates 20 prisons and about 150 Community Probation and Psychological Services centres nationwide. On any given day, the Department's staff manage about 8000 prisoners and about 35,000 people serving community-based sentences and orders. This includes about 1800 offenders who have been released from prison early on parole. The offenders on parole that the Department is managing have served prison sentences and often have little experience of complying with time frames. These offenders can be unpredictable, and often have difficulty re-integrating into the community.

The performance audit my staff carried out has led to 20 recommendations, most of which urge the Department to always follow its own procedures. In my view, because of the potential risks to public safety, any non-compliance with some

of the Department's requirements and procedures is cause for concern. The five recommendations that I am most concerned about are that the Department make sure that:

- the proposed accommodation of offenders will not be problematic for victims;
- probation officers regularly visit offenders in their homes;
- senior staff oversee how probation officers manage high-risk offenders;
- enforcement action is consistent and prompt; and
- victims are notified promptly about certain enforcement actions relating to an offender's parole.

The Department recognises that there are problems to be resolved, and has provided me with a detailed response to my report. It has already introduced some changes and I have noted these in my report. The Department has also said that it is taking further action, and this is set out in Appendix 2.

The Department says that it has around 10% fewer probation officers than it needs to manage offenders in keeping with parole requirements. This is because of the increasing numbers of offenders on new community-based sentences, which were introduced in 2007. The Department received some extra funding to increase the number of probation officers to manage offenders on the new sentences. However, the new sentencing options have been applied at a rate faster than expected, and this has exacerbated the Department's existing staffing issues.

The Department intends to apply for more funding in 2009 to recruit and train more probation officers. The Department told us that, if the bid is successful, the extra probation officers will not be recruited and fully trained until the middle of 2011.

In the areas my staff visited, it was clear that staffing issues had a significant effect on the Department's ability to manage offenders on parole. However, in my view, recruiting more probation officers will not fix all the problems my staff found. The Department also needs to identify and address the reasons for the recurring non-compliance with important requirements for managing offenders.

After my staff had finished their audit fieldwork, the Department reduced the frequency of some offender management requirements – such as home visits for some offenders and some of the supervision requirements for high-risk offenders – to alleviate the strain on the parole system. The Department decided which requirements to reduce, based on the knowledge and experience of its senior staff. The Department says that these reductions are temporary.

In my view, the Department should also have reliable data supporting its decisions. Work to reduce the strain on the parole system needs to be underpinned by information about how effective different requirements are in reducing risks to the public's safety. The Department also needs data from the justice sector on likely future demands on the parole system so that it can effectively plan for meeting those demands. For example, the Department told us that there are no forecasts of the potential growth in the number of offenders serving community-based sentences. The justice sector urgently needs to produce such information.

If offenders on parole are not adequately managed in keeping with parole requirements, public safety is put at greater risk. Given the nature and extent of what we have found, I will be closely watching the Department's progress in implementing our recommendations.

I thank the many Department staff and others we interviewed for their help and co-operation during this audit.



K B Brady  
Controller and Auditor-General

10 February 2009

## Our recommendations

Our recommendations are listed in the order that they appear in the text of this report. The five recommendations that the Department needs to address as a matter of priority are in bold type.

Many of these recommendations encourage the Department to always comply with its prescribed requirements and procedures.

### Recommendations about preparing to release offenders on parole

We recommend that:

1. the Department of Corrections continue to work with the New Zealand Parole Board to improve the clarity and consistency of information in parole assessment reports and psychological assessment reports about an offender's risk of re-offending;
- 2. the Department of Corrections always enquire into the proximity of registered victims to an offender's proposed accommodation, and take appropriate mitigation action, before the offender is released from prison;**
3. the Department of Corrections allocate all offenders to individual probation officers before each offender is released from prison;
4. the Prison Services group and the Community Probation and Psychological Services group within the Department of Corrections work in close consultation so that relevant staff are aware of the travel arrangements for all offenders when they are released to an area outside the area where they were imprisoned;
5. the Department of Corrections provide national guidance for service managers on how to apply the assessment criteria for the Offender Warning Register; and
6. the Department of Corrections complete assessment forms for the Offender Warning Register for all offenders at all required times, and provide clearly documented reasons for any decisions to override the assessment criteria.

### Recommendations about supervising offenders on parole

We recommend that:

7. the Department of Corrections complete offender induction tasks within a week of an offender's release on parole;
8. the Department of Corrections prepare plans for managing offenders that contain all the required information, and complete those plans within the required time frame;



**9. the Department of Corrections regularly visit the homes of offenders on parole;**

- 10. the Department of Corrections approve reporting and visiting requirements for offenders who reside in a psychiatric institution or residential rehabilitation centre;
- 11. the Department of Corrections complete the required re-integration checklist during the first week of an offender's period on parole;
- 12. the Department of Corrections refer only offenders who meet the appropriate criteria for psychological assessment and rehabilitation programmes, and schedule appropriate referrals as soon as possible;
- 13. the Department of Corrections provide probation officers with customised and specific training in using the Integrated Offender Management System; and
- 14. the Department of Corrections redesign the Community Probation and Psychological Services operations manual so that users of the manual can easily find the information they are looking for.

**Recommendations about monitoring offenders on parole**

We recommend that:

**15. the Department of Corrections regularly check how probation officers are managing high-risk offenders;**

- 16. the Department of Corrections enter case notes in the Integrated Offender Management System that clearly cover the offender details that probation officers have to monitor;
- 17. the Department of Corrections review offender plans as frequently as required and address all relevant matters relating to an offender's progress with their parole;

**18. the Department of Corrections take appropriate and prompt enforcement action for all offenders who have breached their parole conditions or have re-offended;**

**19. the Department of Corrections notify registered victims within the required time frames about convictions for an offender's breach of parole or when orders recalling the offender to prison are granted, declined, or quashed; and**

- 20. the Department of Corrections prepare sentence completion reports for all offenders before the end of the offender's period on parole.



# Part 1

## About our audit

- 1.1 In this Part, we discuss:
- the purpose of our audit;
  - our audit expectations;
  - how we carried out the audit; and
  - what we did not audit.

### The purpose of our audit

- 1.2 We carried out a performance audit to examine how effectively the Department of Corrections (the Department) manages offenders on parole. Parole is the conditional release of offenders who have served more than two years in prison. While on parole, offenders are supervised and expected to comply with conditions to guide their behaviour in the community.
- 1.3 We looked at the Department’s systems, processes, and procedures that cover the stages from preparing an offender for release from prison through to the end of that offender’s period of parole.
- 1.4 Appendix 1 sets out the Department’s structure, roles, and responsibilities in managing offenders on parole.

### Our audit expectations

- 1.5 We expected the Department to prepare effectively before releasing offenders on parole. We looked at how the Department assessed the risk of offenders eligible for parole and checked for issues related to the victims of those offenders. We also looked at how the Department made arrangements for the release of offenders and how it identified those offenders who were at a high risk of re-offending.
- 1.6 We expected the Department to effectively supervise offenders on parole. We considered how the Department set expectations for offenders, prepared offender plans, maintained regular contact, and provided support for offenders while they were on parole. We also considered how the Department recorded sentence management information,<sup>1</sup> and how it provided training, guidance, and support for probation officers.
- 1.7 We expected the Department to monitor whether offenders complied with their parole conditions, and to take enforcement action when necessary. We looked at the Department’s methods for overseeing how probation officers managed high-

<sup>1</sup> Parole is an order that is imposed on offenders by the New Zealand Parole Board. Orders follow a prison sentence, and reflect conditions set for offenders on their release from prison. Orders are not sentences as such, but require sentences to be carried out in a particular way. The expression “sentence management” in this report covers the management of offenders on parole, and reflects the Department’s usage.

risk offenders, how the Department reviewed whether offenders complied with their parole conditions, and how the Department took enforcement action.

- 1.8 We also looked at how the Department notified victims on its Victim Notification Register<sup>2</sup> (referred to in this report as “registered victims”) about the non-compliance of offenders on parole, and how it evaluated the progress offenders had made at the end of their parole.

## How we carried out the audit

- 1.9 To assess how effectively the Department manages offenders on parole, we examined relevant documents and spoke to staff within the Department, including:
- head office staff and management from the Community Probation and Psychological Services group (CPPS) and the Prison Services group;
  - Prison Service staff involved in preparing offenders for release from prison at Auckland Women’s Prison, Waikeria Prison, and Christchurch Men’s Prison; and
  - regional managers, area managers, service managers, probation officers, and psychologists involved in preparing offenders for parole and supervising and monitoring offenders on parole within four CPPS areas – Taitokerau, Auckland, Waiariki, and Christchurch.
- 1.10 Figure 1 provides an overview of the number of offenders and probation officers in the four CPPS areas visited as part of the audit.

### Figure 1

#### Offenders and probation officers in the four Community Probation and Psychological Services areas visited as part of the audit, as at 31 May 2008

Area	No. of all offenders serving non-custodial sentences or orders	No. of offenders on parole	No. of offenders on parole on the Offender Warning Register	No. of full-time equivalent probation officers*
Taitokerau	2420	100	27	50.1
Auckland	2293	199	70	70.8
Waiariki	3316	135	30	84.1
Christchurch	2847	241	83	102.4

\* Probation officers are responsible for sentence management and also for providing information to the courts and the New Zealand Parole Board.

2 The Community Assistance section of the Department’s website ([www.corrections.govt.nz](http://www.corrections.govt.nz)) explains the Victim Notification Register, including how people are registered, the circumstances that would lead to a victim being notified, and how the register is managed.

- 1.11 We spoke to representatives from other agencies that have an interest in the management of offenders on parole. The agencies included the New Zealand Parole Board, New Zealand Police, Office of the Ombudsmen, Victim Support, New Zealand Prisoners' Aid and Rehabilitation Society, Sensible Sentencing Trust, Howard League for Penal Reform, and Prison Fellowship New Zealand.

### Reviewing the files of 100 offenders

- 1.12 We examined the case files of 100 offenders on parole to ensure that we had sufficient evidence to form a view about the Department's compliance with its requirements for managing offenders on parole. We deliberately included 52 offenders who were considered to pose a high risk to themselves or others and were therefore listed on the Department's Offender Warning Register (the Warning Register).
- 1.13 The 100 offenders were on parole between 1 May 2007 and 4 May 2008 within the four CPPS areas we visited. The sample included offenders who were at different stages of their parole, including some who had completed their parole within this time period. Where necessary, we checked how offenders were managed against the sentence management requirements that were in place before 1 October 2007. Our sample of offenders did not include offenders on life parole, or offenders on parole in the witness protection programme.
- 1.14 We used these 100 cases to assess the Department's sentence management practices against the CPPS operations manual, which contains the Department's requirements for managing offenders on parole. Our review of case files also focused on other aspects of our audit expectations, including notifying registered victims and providing support for offenders.
- 1.15 Our findings are based on the evidence contained in the Department's information system and its hard copy files, the interviews we carried out, and the documentation we reviewed.

### What we did not audit

- 1.16 We did not audit:
- how the Department managed specific parole cases that have previously been reviewed or investigated;
  - the appropriateness of any decision by the New Zealand Parole Board to release an offender on parole;
  - any part played by the New Zealand Police in carrying out any enforcement action or registering victims;

- the effectiveness of rehabilitation programmes and support for offenders on parole provided by other agencies; or
- how the Department manages high-risk offenders not on parole or offenders on any other community-based orders or sentences.

## Part 2

# Preparing to release offenders on parole

- 2.1 In this Part, we set out our findings about how the Department:
- assesses the risk of offenders eligible for parole;
  - checks for issues related to registered victims;
  - arranges for the release of offenders; and
  - identifies high-risk offenders.
- 2.2 In preparing to release offenders on parole, the Department provides detailed information to the New Zealand Parole Board about the risk of offenders re-offending. For the sample of offenders we examined as part of the audit, the Department had allocated offenders to probation officers before their release from prison and had completed Warning Register assessments for the majority of offenders. But it needs to do this with all offenders. We were concerned that, in two cases, it was not clear that the Department's Prison Service and CPPS were working closely to ensure that all relevant staff were aware of the travel arrangements for offenders released to an area outside where they were imprisoned.
- 2.3 Because of the potential risk to the safety of victims, we were most concerned that the Department did not always check, before an offender was released on parole, how near the offender's proposed accommodation might be to the address of registered victims.
- 2.4 There are six recommendations in this Part. A case study at the end of the Part shows gaps and omissions in how the Department managed one of the offenders in our sample. Those gaps and omissions occurred at each stage in the offender's parole.

### Assessing the risk of offenders eligible for parole

#### **Assessment reports provided to the New Zealand Parole Board by the Department were not always as clear or consistent as they could have been.**

- 2.5 The Department's basic risk measure for general re-offending is called RoC\*RoI – the risk of conviction (RoC) and the risk of imprisonment (RoI). The RoC\*RoI measure represents a statistical estimate of the probability that an offender will be convicted and imprisoned again within a five-year period. It provides a computer-generated probability score for all offenders. The scores range from 0.0 (which means there is no chance of an offender being convicted and imprisoned again) to 1.0 (which means that it is certain that an offender would be convicted and imprisoned again within a five-year period).

- 2.6 The Department has to prepare a parole assessment report for all offenders who appear before the New Zealand Parole Board (the Board). If the Board requests it, the Department also has to prepare a psychological assessment report. The parole assessment report provides the Board with information about the offender, including their RoC\*RoI category,<sup>1</sup> progress made during their prison sentence, a release proposal, and proposed special conditions for their release. Sentence planning staff in the Prison Service prepare parole assessment reports with the help of probation officers in CPPS.
- 2.7 When the Board requests a psychological assessment report for an offender, a psychologist from CPPS interviews the offender. The Department also applies its RoC\*RoI measure and a range of other tools and measures to assess the risk of re-offending for specific types of offending, such as sexual offending and serious violent offending.
- 2.8 For sexual offenders, the Department uses the Automated Sexual Recidivism Scale, and Stable 2007 (a risk assessment tool specifically for sexual offenders). The combined scores for these measures produce a risk rating on a five-category scale ranging from low to very high.
- 2.9 For serious violent offenders, the Department uses the Violence Risk Scale and the Psychopathy Checklist – Screening Version. The Violence Risk Scale creates a “checklist” of risk factors associated with an offender that contribute to a high risk of violent re-offending (such as violent lifestyle and emotional control). The Psychopathy Checklist – Screening Version provides a probability of the risk of serious violent re-offending.
- 2.10 After the interview, a psychologist from CPPS prepares the psychological assessment report. A psychological assessment report provides the Board with:
- observations of how the offender presented to the psychologist;
  - information about the offender’s background and factors related to their offending;
  - a description of the treatment provided;
  - an assessment of the offender’s potential to re-offend (based on the sorts of measures outlined above); and
  - comments and recommendations on the offender’s release plan.

<sup>1</sup> The RoC\*RoI category descriptions used within parole assessment reports are *low* (scores from 0 to 0.49), *medium* (scores from 0.5 to 0.64), *high* (scores from 0.65 to 0.9), and *very high* (scores greater than 0.9).



## Providing information to the New Zealand Parole Board

2.11 We examined the parole assessment reports, and 35 psychological assessment reports requested by the Board, for offenders in our sample. The parole assessment reports and psychological assessment reports generally provided detailed information on the risk of offenders re-offending.

### Parole assessment reports

2.12 In some parole assessment reports, information from the Prison Service and CPPS within the release proposal section was not well structured. This made it difficult at times to understand what the major risks were because the most up-to-date and relevant information, which the Board needed to be aware of, was not clearly stated.

2.13 The Department has said that it introduced a new format for parole assessment reports in June 2008. The new format presents the RoC\*RoI scores instead of RoC\*RoI categories. The Department also said that it has provided the Board with information about how to understand and interpret RoC\*RoI scores.

### Psychological assessment reports

2.14 In some of the psychological assessment reports requested by the Board, the level of risk of re-offending was not as clear as it could have been (particularly for those that did not have a “summary” section). For some reports that did not have a summary section, an overall statement about the offender’s potential to re-offend was difficult to find within the text. Some reports did not have an overall statement. In others (particularly those referring to the assessments of previous reports), it was not clear which measures were used to identify and assess the offender’s risk of re-offending.

2.15 Community safety is the most important consideration for the Board in deciding whether to release an offender on parole. The Board must decide that the offender does not pose an undue risk to the safety of the community before the offender can be granted parole. Therefore, the Board must consider both the likelihood of further offending and the likely nature and seriousness of any re-offending. To make informed decisions about the release of offenders, the Board needs clear and consistent information from the Department on the risk of re-offending.

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### Recommendation 1

We recommend that the Department of Corrections continue to work with the New Zealand Parole Board to improve the clarity and consistency of information in parole assessment reports and psychological assessment reports about an offender’s risk of re-offending.

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## Checking for issues related to registered victims

### **The Department did not always check the proximity of the registered victim's address to the offender's proposed accommodation.**

- 2.16 Before an offender is released on parole, the Department has to enquire into any potential issues related to the victims of the offender. This responsibility includes checking whether there are victims listed on the Victim Notification Register (we discuss this further in relation to notifying victims about non-compliance in paragraphs 4.37 to 4.46). If there are registered victims associated with an offender, probation officers have to contact area victim notification co-ordinators (referred to in this report as "area co-ordinators") to check whether the location of the offender's proposed accommodation will cause concern.
- 2.17 In 14 of the 100 case files that we looked at, there were registered victims associated with the offenders. In three of these 14 case files, there was either no evidence in the parole assessment reports that probation officers had contacted the area co-ordinators or no evidence that the area co-ordinator had checked the address and responded to the probation officer.
- 2.18 In our view, the Department needs to place greater priority on enquiring into the proximity of registered victims to the offender's proposed accommodation before offenders are released. Any potential risks posed by the offender to the victim need to be identified and strategies put in place to mitigate those risks and ensure that victims are kept safe. The Department has said that it will issue reminders to staff about the importance of completing these enquiries.

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### **Recommendation 2**

We recommend that the Department of Corrections always enquire into the proximity of registered victims to an offender's proposed accommodation, and take appropriate mitigation action, before the offender is released from prison.

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## Making arrangements for the release of offenders

### **The Department did not always allocate a probation officer to an offender before an offender was released. It was not always clear whether Department staff were aware of the travel arrangements from prison for some offenders.**

- 2.19 From October 2007 (when the Department changed some of its sentence management requirements), the Department's service managers were expected to allocate probation officers to offenders before offenders are released from prison.

- 2.20 Other Department staff, based in prisons, are allocated to offenders with complex re-integration needs<sup>2</sup> to work with the offenders before they are released on parole. Figure 2 provides an overview of these re-integration workers.

### Figure 2

#### Overview of the Department of Corrections' re-integration workers in prisons

For offenders with complex re-integration needs requiring specialist support, the Department allocates re-integration workers to work with offenders while they are still in prison, providing intensive re-integration services before they are released.

The Department set up regional re-integration teams in October 2006 to work with case officers in the Prison Service and other Department staff.

Five re-integration teams are based in prisons throughout the country. The teams include a team leader, re-integration workers, social workers, and whanau liaison workers.

The objective of re-integration services is to manage the transition of offenders into the community so that all identified re-integration needs are addressed, and that positive changes made during the sentence or order are maintained.

The activities of the re-integration workers include assessment, planning, referral to appropriate agencies where necessary, and liaising with other agencies providing services in the community where offenders will live after they are released.

- 2.21 The Department has also set up “high risk, high profile forums” across the country to help with arranging the release of some specific offenders from prison. Figure 3 provides more detail about the Department’s high risk, high profile forums.

### Figure 3

#### The Department of Corrections' high risk, high profile forums

The purpose of the Department’s high risk, high profile forums is to plan for, and share relevant information about, the release on parole of those offenders deemed to be of greatest risk to the community. The forums specifically discuss operational matters about all high-risk, high-profile prisoners eight months before either their next appearance in front of the Board or their confirmed date of release from prison. The Department holds eight of these forums across the country and sends local Prison Service and CPPS staff to attend. Local representatives from the New Zealand Police also participate in the forums.

- 2.22 We checked whether probation officers had been allocated to offenders in our sample of 100 case files. Service managers had allocated probation officers to 28 offenders after – rather than before – their release on parole from prison. Of these 28, the time taken to allocate a probation officer after the offender was released ranged from one to 22 days. Most offenders were allocated a probation officer

2 The Department considers that an offender has a re-integration need if the need is a barrier to the offender complying with the requirements of their sentence or order, or could contribute to re-offending, and the offender does not have the ability to resolve or manage the need themselves. If an offender has a re-integration need, the support provided can involve helping the offender to deal with immediate issues such as employment, accommodation, education, and finances (for example, accessing a bank account or benefit). We discuss re-integration needs in more detail in Part 3.

within one week. For 11 offenders, service managers had allocated probation officers after the offender's release on parole, but this was before the Department changed its sentence management requirement. For the other 61 offenders, service managers had allocated probation officers either before or on the same day as the offender's release from prison on parole.

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### Recommendation 3

We recommend that the Department of Corrections allocate all offenders to individual probation officers before each offender is released from prison.

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### Making travel arrangements

- 2.23 If an offender is released on parole to an area outside the CPPS area of their prison, Prison Service staff are required to either ensure that the offender has made appropriate travel arrangements, or make those arrangements if the offender is not able to do so. The allocated probation officer in the CPPS area where the offender is to live does not have any direct responsibility for making travel arrangements, but should be aware of the arrangements that have been made.
- 2.24 We checked the travel arrangements made for offenders within our sample of 100 who were released to an area outside the CPPS area of their prison. For two offenders (both on the Warning Register), Prison Service and CPPS staff were unclear about the offenders' travel arrangements or release destinations. In both cases, the offenders did not report to their probation officer as required after leaving prison (see Figure 4).

### Figure 4

#### Two examples of offenders transferred to another Community Probation and Psychological Services area after release from prison

##### Offender 1

Offender 1 (an offender on the Warning Register) was released from Rimutaka prison in early October 2007 to start parole in Taitokerau. The offender was dropped off on the same day to catch a bus to Wellington airport with a plane ticket to Kaitaia. At the time of our audit in 2008, the offender had not reported to a probation officer. The Department said that an application for an interim recall to prison was granted four days after the offender's release, and a warrant for the offender's arrest was issued near the end of October 2007.

The case notes in the Integrated Offender Management System indicate that the probation officer may not have had a clear understanding about the offender's release details. A case note from CPPS the day after the offender's release asks for clarification from the prison that the offender had been released, and what actions had been taken to get the offender to the airport.

**Offender 2**

Offender 2 (also on the Warning Register) was released from Waikeria prison in December 2007 to start parole in Waiariki. The offender breached parole conditions by failing to report to a probation officer within 72 hours of release from prison. The probation officer laid a charge for the breach six days after the offender's release.

The offender had paperwork allowing them to proceed to Tauranga (in the Waiariki CPPS area), but there was confusion about where the offender was to be released. The offender travelled by bus from the prison to Hamilton, where supported accommodation had been arranged for one night. It was not clear whether Hamilton or Tauranga was to be the final release destination.

It was unclear whether Prison Service staff and CPPS staff were aware of the offender's travel arrangements. The case notes in the Integrated Offender Management System noted confusion between CPPS and the prison about the offender's release conditions.

**Recommendation 4**

We recommend that the Prison Services group and the Community Probation and Psychological Services group within the Department of Corrections work in close consultation so that relevant staff are aware of the travel arrangements for all offenders when they are released to an area outside the area where they were imprisoned.

**Identifying high-risk offenders**

**The Department did not always fully complete the required assessments to identify high-risk offenders, or the basis of the assessments was unclear or inconsistent.**

- 2.25 Service managers assess, before the offender is released from prison, whether an offender should be included on the Warning Register. The Warning Register identifies offenders who present a significant risk to the public, to CPPS staff, or to themselves.
- 2.26 The decision whether to include an offender on the Warning Register is based on 12 assessment criteria. The 12 criteria are that the offender:
- is included on the Highest Risk Offender List, which is maintained by the Department;
  - has been sentenced to more than two years' imprisonment for murder, attempted murder, manslaughter, wounding or injury with intent, use of a firearm, robbery, or any sexual offence;
  - has been sentenced to more than seven years' imprisonment for any offence;
  - has active psychiatric or psychological conditions that give rise to safety concerns;

- has been classified to maximum or high-medium security at the time of release from prison;
- has been charged with, or is suspected of, serious violent offending while on a community-based sentence, order, or while in prison;
- has a RoC\*RoI score greater than 0.9 (indicating a very high risk of re-offending);
- poses a threat of serious violence to any specific person or group;
- has a high public profile at the time of sentencing or release from prison;
- has a gang affiliation in circumstances that are, or were, relevant to any form of violent offending;
- has caused significant serial offending or recidivism for any crime (other than those relating to dishonesty); or
- caused the CPPS or the Board to raise any concerns requiring close supervision.

- 2.27 Each criterion is given a separate weighting score. If the offender matches the assessment criterion, and the weighting scores assigned to the offender for the criteria they meet total four or more, they are included on the Warning Register.
- 2.28 In some circumstances, service managers can override the assessment criteria to either include or exclude offenders. For every decision to override assessment criteria, the service manager has to enter a case note in the Integrated Offender Management System (IOMS), stating the reasons for the decision and who approved it.
- 2.29 The service manager can also add an offender to the Warning Register at any time if changes in circumstances justify doing so. If an offender is transferred to another CPPS area while on parole, the service manager in the receiving service centre has to complete a Warning Register assessment after the transfer.
- 2.30 We looked at the Warning Register assessments in the 100 case files we examined, to check whether all the offenders in our sample had been assessed appropriately.
- 2.31 For 15 offenders, the service manager had either not completed the Warning Register assessment form or not signed it off. For nine offenders, the service manager had overridden the criteria to register them on the Warning Register. The decision to override the criteria was not clear for three of these offenders, because the service manager had not explained or provided any detail on the assessment form or in the case notes contained within the IOMS.
- 2.32 Four offenders had been permanently transferred to another CPPS area while on parole. For two of these offenders, it was not clear from their case notes whether

the service manager at the receiving service centre had completed the Warning Register assessment after the offender had been transferred.

- 2.33 The weighting scores for two of the Warning Register assessment criteria were not consistently applied in the CPPS areas we visited as part of the audit. These criteria related to the presence of active psychological conditions and gang affiliations (see Figure 5).

### Figure 5

#### Inconsistent approaches between Community Probation and Psychological Services areas to the assessment criteria for the Offender Warning Register

##### Active psychiatric or psychological conditions

The Department noted active psychiatric or psychological conditions as part of the Warning Register assessment for four offenders. Two of these offenders had suffered head injuries in the past – one offender in Taitokerau and one in Waiariki.

The Department's staff in Taitokerau applied a weighting score for the psychological conditions criterion because of the historical head injury. There was no evidence noted that the head injury gave rise to safety concerns. The Department's staff managing the offender in Waiariki did not apply a weighting score for the criteria, even though concerns were noted that the head injury may have caused some erratic behaviour.

##### A gang affiliation relevant to violent offending

The Department noted gang affiliations as part of the Warning Register assessment for two offenders. One offender was managed by staff in Taitokerau and the other in Waiariki.

A weighting score for the gang affiliations criterion was applied as part of the Warning Register assessment for the offender – a Black Power gang member – managed in Taitokerau. There was no evidence noted that this gang affiliation was relevant to violent offending. In Waiariki, the Department's staff considered that, although the offender was a Black Power gang member, this was not enough evidence to determine that the gang affiliation was relevant to violent offending.

- 2.34 The Department has said that it considers variations in applying some of the Warning Register criteria to be appropriate. In our view, the Department needs to apply the Warning Register assessment criteria consistently to ensure that high-risk offenders are consistently identified in all CPPS areas.
- 2.35 The Department also needs to complete Warning Register assessment forms for every offender released on parole, with clearly documented reasons for decisions to override the assessment criteria. This will help to ensure that offenders who pose a high risk of re-offending are identified and made subject to sentence management and enforcement requirements appropriate to their potential risk of re-offending.

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**Recommendation 5**

We recommend that the Department of Corrections provide national guidance for service managers on how to apply the assessment criteria for the Offender Warning Register.

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**Recommendation 6**

We recommend that the Department of Corrections complete assessment forms for the Offender Warning Register for all offenders at all required times, and provide clearly documented reasons for any decisions to override the assessment criteria.

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**Case study – Offender A****Preparing to release Offender A**

Offender A is listed on the Warning Register. Offender A was sentenced to 11 years in prison and was released on parole in June 2007 in the Auckland area, before transferring to Taitokerau.

The assessment form used to place Offender A on the Warning Register had no total weighting score and had not been signed by a service manager. A case note entered in the Integrated Offender Management System stated that this offender had a total score of four, but the assessment criteria that the offender met were not indicated.

**Supervising Offender A on parole**

The probation officer did not visit Offender A at home as often as the Department's procedures require (in this case, every two months). There were two periods where no home visits occurred – the first was for a period of more than three months, and the second was for almost five months.

**Monitoring how Offender A was managed**

The service manager did not check how Offender A was being managed as often as the Department's procedures require. There were seven periods in which there were no weekly checks by the service manager, including two periods where six weeks passed with no checks. At the time of our audit, Offender A had failed to report to a probation officer twice during their parole. The Department did not record any enforcement action in response.



## Part 3

# Supervising offenders released on parole

- 3.1 In this Part, we set out our findings about how the Department:
- sets expectations for offenders on parole;
  - prepares offender plans to manage offenders on parole;
  - maintains regular contact with offenders on parole;
  - provides support to offenders on parole;
  - records sentence management information;
  - provides training for probation officers; and
  - guides and supports probation officers.
- 3.2 In supervising offenders released on parole, for the sample of offenders we examined as part of our audit, the Department had carried out sentence inductions and completed re-integration checklists for most offenders. But it needs to do this for all offenders. We were concerned that individual sentence plans were not prepared on time for many offenders, and that probation officers were experiencing difficulties in using the CPPS operations manual and the IOMS, and did not receive customised and specific training on the IOMS.
- 3.3 Because of the potential risk to public safety, we were most concerned that the Department’s probation officers had not always visited offenders’ homes within the required time frame or as frequently as required. In nine cases, we saw no evidence that home visits had occurred.
- 3.4 There are eight recommendations in this Part. A case study at the end of the Part shows the gaps and omissions in how the Department managed one of the offenders in our sample. Those gaps and omissions occurred at each stage in the offender’s parole.

### Setting expectations for offenders on parole

**The Department did not always complete required tasks within the first week of an offender’s parole.**

- 3.5 An offender has to report to their probation officer within 72 hours of their release from prison. An “initial induction” has to be carried out at the first reporting meeting, usually by a probation officer. The purpose of the initial induction is to:
- check that the Department has a correct record of the offender’s details;
  - explain the requirements of the offender’s parole (including reporting to the probation officer) and the consequences of not complying; and
  - identify whether the offender is at risk of harming themselves or others or has any immediate needs.

- 3.6 A sentence induction can also occur at the first reporting meeting or at the next scheduled reporting time. At the sentence induction, the probation officer outlines the specific requirements of an offender's parole, completes the re-integration checklist, describes the phases of parole to the offender and how often home visits will occur, and organises any immediate referrals to other agencies. All the induction tasks have to be completed in the first week of the offender's parole period.
- 3.7 We checked whether the offenders in our sample of 100 case files had reported to a probation officer within 72 hours of their release from prison, and whether induction tasks had been completed within the first week.
- 3.8 Four offenders did not report to a probation officer within 72 hours of their release from prison.<sup>1</sup> For six offenders who had reported within 72 hours of release from prison, the induction tasks had not been completed within the required period.

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**Recommendation 7**

We recommend that the Department of Corrections complete offender induction tasks within a week of an offender's release on parole.

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## Preparing plans to manage offenders on parole

**The Department did not always prepare individual plans in a timely manner, and some plans did not contain all the relevant information.**

- 3.9 The Department requires a probation officer to work with the offender to prepare a plan for the offender's parole. These "offender plans" provide the basis for managing and monitoring an offender. They also ensure that the offender's needs and the requirements of their parole are addressed. The Department's requirements state that an offender plan has to be prepared within four weeks of the start of the offender's parole.
- 3.10 Offender plans have to contain:
- the offender's details;
  - important sentence dates;
  - specially imposed conditions;
  - major rehabilitation and re-integration activities;
  - reporting requirements;
  - objectives;

<sup>1</sup> We discuss the enforcement action that the Department takes in response to non-compliance in paragraphs 4.23 to 4.35.

- comments when the plan is reviewed; and
  - the signatures of the probation officer, offender, and service manager.
- 3.11 For the 100 case files we looked at, we checked whether the Department had prepared offender plans in a timely manner, and if the plans contained all the required information.
- 3.12 The plans for 46 offenders were not prepared on time. Many of these plans had been completed within the second month of the offender's parole, but some were not completed until three or more months after the start of the offender's parole.
- 3.13 For 30 offenders, the plans did not contain all the required information. The information most often missing was about re-integration and rehabilitation activities.
- 3.14 For 63 offenders, the plans did not contain all of the three signatures required – those of the probation officer, offender, and service manager. The signature most often missing was that of the service manager.
- 3.15 The Department has said that it will change the offender plans to enable a simpler format and more streamlined approach to sentence planning.
- 3.16 In our view, the Department needs to prepare plans containing all the required information in a timely manner for all offenders on parole, to ensure that there is a clear framework in place to manage offenders and to address the offender's needs from the beginning of the offender's period on parole.

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**Recommendation 8**

We recommend that the Department of Corrections prepare plans for managing offenders that contain all the required information, and complete those plans within the required time frame.

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## Maintaining regular contact with offenders on parole

**Probation officers were not always conducting home visits regularly. It was not always clear if the reporting requirements for offenders living in secure facilities in the community had been approved.**

- 3.17 The Department manages parole in phases. At the time of our audit, there were three phases.<sup>2</sup> Each phase generally requires a different level of reporting by an offender and monitoring by a probation officer. Progressing through the phases depends on the offender's compliance with, and response to, the requirements of

<sup>2</sup> The Department has told us that, since our audit, a fourth phase has been added. It requires offenders to report monthly to a probation officer, with home visits every two months.

their parole. Figure 6 shows the reporting and home visit requirements for each phase of parole.

**Figure 6**  
Reporting and home visit requirements for each phase of parole

Phase	Usual length of phase	Reporting requirement	Home visit frequency*
Phase I	First 4 weeks	Twice weekly	Once
Phase II	9 weeks	Weekly	Once
Phase III	Remainder of parole	Fortnightly	Every two months

\*Home visit requirements for offenders on parole with residential restrictions (staying at a specified address and being subject to electronic monitoring) are weekly during phase I and II, then fortnightly during phase III.

- 3.18 Reporting requirements for all offenders on the Warning Register are either the same as those outlined in Figure 6, or weekly for the first third of their parole and (if approved) fortnightly for the remainder of their parole – whichever is the most restrictive. The Department expects offenders on the Warning Register to progress through these phases more slowly.
- 3.19 For the 100 case files in our sample, we looked at the approval of reporting requirements, whether offenders were reporting to their probation officer, and whether probation officers were carrying out home visits.

### Approving reporting requirements

- 3.20 Since 1 October 2007, an area manager may approve less frequent reporting requirements for offenders (including offenders on the Warning Register) who attend a residential rehabilitation programme or live in a secure facility in the community.
- 3.21 For five offenders residing in a psychiatric institution or residential rehabilitation centre<sup>3</sup> who started their parole after 1 October 2007, it was not clear whether the relevant area manager had approved the reporting requirements (which included monthly telephone calls and fortnightly visits by the probation officer).

### Reporting to the probation officer

- 3.22 Fifty-seven offenders did not meet their ongoing reporting requirements. In Part 4, we discuss the enforcement action that the Department takes in response to such non-compliance.

3 For example, the Mason Clinic and Odyssey House in Auckland; and Hillmorton Hospital, Salisbury Street Foundation, and Vincentian Recovery Centre in Christchurch.

### Visiting an offender's home

- 3.23 For all offenders on the Warning Register, a probation officer has to visit the offender's home within 48 hours of their release from prison. After that, probation officers must visit the offender's home every two months.
- 3.24 A probation officer has to visit an offender's home to follow up certain instances of non-compliance, when the offender changes address, or before an offender moves if a probation officer has to approve the address as a condition of the offender's parole. For offenders on the Warning Register, a probation officer has to visit the home within 48 hours of a change of address or transfer from another CPPS service centre.
- 3.25 For offenders not on the Warning Register, a probation officer has to visit the home within two weeks of a change of address or a transfer from another CPPS service centre. This is in addition to required scheduled home visits within each phase.
- 3.26 For 16 of the 52 offenders on the Warning Register, the probation officer did not visit the offender's home within 48 hours of the offender's release from prison. After that, for 52 of the 100 offenders (including 23 offenders on the Warning Register), a probation officer did not visit their home as frequently as required. The mid-point of offenders' parole was the most common period where homes were not visited. We saw no evidence that probation officers had visited the homes of nine offenders while they had been on parole (the nine offenders were not on the Warning Register).
- 3.27 For 16 offenders on the Warning Register, enforcement action in response to the offender not complying with their parole conditions meant that a probation officer was required to visit the offender's home. For six of these offenders, probation officers had not carried out a home visit.
- 3.28 Eight offenders had temporarily or permanently transferred to another CPPS area while they were on parole. For two of these offenders (including one offender on the Warning Register), a probation officer either did not visit the offender's home after the transfer or did so but not within the required time frame.
- 3.29 Thirty-four offenders changed their address while they were on parole. For 20 of them (including 12 offenders on the Warning Register), the probation officer either had not always carried out the home visits or did not visit the home within the required time frame.
- 3.30 In our view, the Department needs to carry out the regular visits to offenders' homes that the Department's procedures require. Home visits are one of the basic safeguards in the parole system. Regular visits provide probation officers with

the opportunity to assess if the offender's residence is appropriate, identify any potential high-risk situations, and involve the offender's family or support people in the sentence management process. The Department has said that it will design and implement processes to ensure that scheduled home visits are completed.

- 3.31 The Department's area managers need to approve the reporting and visiting requirements for offenders residing in psychiatric institutions or residential rehabilitation centres. This would increase the likelihood that the offender and probation officer have regular contact at a level that is appropriate to the offender's risk of re-offending.

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**Recommendation 9**

We recommend that the Department of Corrections regularly visit the homes of offenders on parole.

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**Recommendation 10**

We recommend that the Department of Corrections approve reporting and visiting requirements for offenders who reside in a psychiatric institution or residential rehabilitation centre.

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## Providing support to offenders on parole

**The Department did not always identify the re-integration needs of offenders early. Some internal referrals for psychological assessments and rehabilitation programmes did not meet the appropriate criteria, and some referrals that met the criteria were not scheduled in a timely manner.**

- 3.32 As part of an offender's induction to their parole, a probation officer has to complete a checklist of the offender's re-integration needs to assess the needs and determine what action to take to address them.
- 3.33 We looked at the re-integration checklists in the sample of 100 case files that we examined. For 19 offenders, the Department did not fully complete the checklists. For 30 offenders, probation officers had not determined actions to address the re-integration needs that had been identified.
- 3.34 After identifying and assessing re-integration and rehabilitation needs, the Department seeks to manage those needs by giving offenders access to:
- agencies in the community that provide social services;
  - specific psychological assessment or treatment;
  - the Department's rehabilitation programmes; and
  - rehabilitation programmes run by other agencies.

- 3.35 In our view, the likelihood of a person re-offending is reduced if barriers to their re-integration into society have been identified and mitigated as much as possible. The Department needs to complete its re-integration checklists for offenders during the induction process to ensure that re-integration needs are identified and support can be accessed to address those needs early in the offender's parole.

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**Recommendation 11**

We recommend that the Department of Corrections complete the required re-integration checklist during the first week of an offender's period on parole.

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**Access to support services**

- 3.36 The Department has relationships with a number of government departments, agencies, and community organisations that provide social services to offenders. These services include accommodation, employment advice, accessing benefit support, and counselling. The Department has formalised some of these relationships in memoranda of understanding.
- 3.37 The accessibility and availability of some social services in the community varied in the four areas we visited. Staff noted that it was difficult to identify who to contact within some of the agencies the Department has memoranda of understanding with. However, staff we spoke to commented that working relationships with other agencies and organisations were generally either good or improving.
- 3.38 Psychologists in CPPS provide specialist advice, assessment, and treatment to reduce the risk of re-offending. This is generally targeted at the highest-risk offenders. Probation officers make referrals for psychological assessment in the first instance. The psychologists determine the appropriateness and timing of treatment after the initial assessment.
- 3.39 In the sample of case files we examined, probation officers had referred 37 of the 100 offenders for psychological assessment. Two of these referrals were declined because they were assessed as unsuitable for treatment or because they had been assessed and treated in the past. For 35 offenders whose referrals were accepted, the waiting time for an assessment appointment with a psychologist ranged from one week to 11 months. For many of these 35 offenders, the waiting time for an assessment appointment with a psychologist was between one and two months.

### Providing support services

- 3.40 The Department runs a range of rehabilitation programmes in the community that aim to modify behaviour and reduce re-offending for targeted higher-risk offenders. Probation officers make requests for offenders to attend rehabilitation programmes. CPPS head office assesses these requests against the inclusion criteria for each programme. The criteria include factors such as age, the offender's RoC\*RoI score, and the offender's commitment to participating in the programme.
- 3.41 The rehabilitation programmes managed and delivered by the Department in the community are:
- a short programme that aims to increase the offender's motivation to address their offending;
  - a medium-intensity rehabilitation programme for male offenders at medium risk of re-offending that emphasises relapse prevention skills;
  - a short rehabilitation programme for male offenders at medium risk of re-offending who live in areas where the medium-intensity rehabilitation programme is not offered, or who are otherwise ineligible to attend it; and
  - a short rehabilitation programme for female offenders that aims to address similar issues to the rehabilitation programmes for men.
- 3.42 The Department also runs maintenance programmes and rehabilitation programmes in community residential centres. Community residential centres are community-based facilities that provide rehabilitation programmes for high-risk male offenders who stay at the centre after their release from prison or as a condition of a community-based sentence. The Department runs ongoing maintenance programmes for offenders who have completed any of the rehabilitation programmes.
- 3.43 Intensive rehabilitation programmes for high-risk offenders are provided in three community residential centres. These centres are Montgomery House in Hamilton, Te Ihi Tu in New Plymouth, and Salisbury Street Foundation in Christchurch.
- 3.44 Nine of the 100 offenders in our sample had been referred to the medium-intensity and short rehabilitation programmes. CPPS head office declined five of the referrals to the medium-intensity rehabilitation programme because the offender's RoC\*RoI scores were too high or the circumstances made it difficult for the offender to attend the programme at that time. The Department said that it had referred two of these offenders for psychological assessment instead. CPPS



accepted four of these referrals for programmes, and the offenders' waiting time to begin the programmes ranged from three weeks to six months.

- 3.45 The Department had significant difficulties with delivering the medium-intensity and short rehabilitation programmes for the year ending 30 June 2008. Only 387 offenders attended the programmes during the year when the target was for 508 places to be available. The Department had to cancel some of the short rehabilitation programmes because of unsuitable referrals or a lack of programme facilitators. The Department has said that it has worked on these problems during 2007/08 to improve the delivery of the programmes. It has recruited and trained additional programme facilitators, consolidated the programme schedule, and revised the referral and selection process.
- 3.46 Offender referrals for psychological assessment and rehabilitation programmes need to meet appropriate criteria to ensure that probation officers are referring only those offenders who are eligible for the treatment or programme. The Department needs to schedule appropriate offender referrals for psychological assessment and rehabilitation programmes in a timely manner to ensure that rehabilitation support is provided to offenders as soon as possible.

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**Recommendation 12**

We recommend that the Department of Corrections refer only offenders who meet the appropriate criteria for psychological assessment and rehabilitation programmes, and schedule appropriate referrals as soon as possible.

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## Recording sentence management information

### **Most of the Department's staff we spoke to experienced problems with accessing information in the Integrated Offender Management System.**

- 3.47 The Department records information about offenders on parole in an information system called the Integrated Offender Management System (the IOMS). The Department also records information about offenders in individual hard copy files, which it keeps in the service centre that the offender reports to.
- 3.48 The IOMS is the Department's primary storage system for offender information. For each offender, the IOMS contains basic parole information, personal details, and administrative information about the offender's parole. Probation officers are responsible for maintaining all offender information in the IOMS and preparing case notes to provide a record of information about how an offender is managed.
- 3.49 The IOMS is accessed by all Department staff in service centres throughout the country. Since it was implemented in 1999, the Department has progressively

modified the IOMS to support changes in legislation and business processes, and updates to the underlying technology.

- 3.50 Most Department staff we spoke to during the audit said that the IOMS was difficult to use. They experienced significant problems with the system – in particular, with accessing all relevant case notes for offenders on parole on one screen when notes had been entered into different screens. We were told that case notes would “disappear”.
- 3.51 Staff said that they had problems in gathering all relevant information and evidence for preparing parole assessment reports, breach or recall actions, and carrying out case management checks and reviews. Staff also said that they experienced problems with using the IOMS to issue instructions about when and how offenders on parole had to report to their probation officer. Some service managers and senior probation officers we met during the audit acknowledged the frustrations that probation officers were experiencing with accessing case notes in the IOMS.
- 3.52 We examined information contained in the IOMS and hard copy files for the 100 offenders in our sample. For 13 offenders, probation officers noted faulty case notes (including duplicate case notes, case notes not displaying on the correct screen, and instances where case notes had disappeared). Incorrect sentence termination dates in the IOMS posed another problem for the Department’s staff.
- 3.53 For all offenders, the relevant service centre held a hard copy file that contained documentation for each offender. Five hard copy files for offenders on the Warning Register were not put into the appropriately colour-coded folder, which meant that it was not immediately obvious to staff that these offenders were on the Warning Register.
- 3.54 The Department said that it has upgraded the IOMS functionality to make it more user-friendly. A change to allow staff to access all notes in one screen was made in October 2007. The Department said that it made further changes to improve case note functionality in November 2008, and that it issued improved guidance to staff on how to complete case notes in January 2009.
- 3.55 In our view, the Department should communicate regularly with staff to ensure that any changes it makes to the IOMS improve staff’s ability to complete and access offender case notes.

## Providing training for probation officers

**The Department trains probation officers through the curriculum training programme and more specialised training courses, but there is no specific training for using the Integrated Offender Management System.**

- 3.56 The training programme for probation officers involves theoretical and practical training components. It includes topics on report writing, sentence management, interviewing skills, screening, assessment, and bicultural practice. The programme runs for about 38 days over six months in Auckland, Hamilton, Wellington, and Christchurch. Staff travel to and from those centres and the areas where they are based during that period.
- 3.57 The Department runs more specialised training courses on:
- home detention and residential restrictions;
  - community work and community detention;
  - reparation;
  - managing threatening situations;
  - motivational techniques;
  - family work;
  - extended supervision;
  - dynamic supervision; and
  - support planning meetings.
- 3.58 Most staff we spoke to who had completed the training programme for probation officers said that it was useful for developing basic sentence management skills. But they also said that the programme was long, that the sequencing of material covered could better reflect the needs of the staff participating, and that it did not prepare staff for managing the number of offenders they were allocated to. The Department said that, in January 2008, it changed the sequencing of the training to introduce elements of sentence management earlier in the programme.
- 3.59 Probation officers practise using and navigating the IOMS for 10 hours as part of the training programme for probation officers. However, they do not receive any further IOMS training. Because of feedback from staff during our audit, the Department has said that it will review the nature and extent of IOMS training.
- 3.60 In our view, the Department needs to provide specific IOMS training to probation officers to ensure that all probation officers know how to access and maintain information in the IOMS for the offenders on parole they are managing.

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**Recommendation 13**

We recommend that the Department of Corrections provide probation officers with customised and specific training in using the Integrated Offender Management System.

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## Guiding and supporting probation officers

**Most of the Department's staff we spoke to had difficulty finding relevant information in the CPPS operations manual to guide them in their work. Some senior probation officers did not have time to provide support. Some staff considered that the mechanism used by the Department to allocate resources was unrealistic because of the increasing number of offenders they had to manage.**

- 3.61 The CPPS operations manual (the manual) is the Department's guide for managing all offenders serving non-custodial sentences and orders, including offenders on parole. The manual is in four volumes covering five areas:
- reports for the courts and the Board;
  - sentence management;
  - managing community work;
  - managing community detention; and
  - risks and relationships.
- 3.62 The manual provides general information about managing all sentences and orders. It is organised by stages of sentence management rather than by specific sentence or order. The manual also provides general information on managing risk (including guidance on the Warning Register) and relationships with other agencies. The manual contains information and specific requirements about managing offenders on parole in various sections within three of the four volumes.
- 3.63 Although each service centre has hard copies of the manual, probation officers usually access it on the Department's intranet. Most Department staff we spoke to said that the manual was difficult to use. Many probation officers said that the manual was not well structured, and that it was difficult to access and search for information on the Department's intranet.

- 3.64 Because of these difficulties, some probation officers refer to their colleagues for information and advice rather than refer to the manual. Many service managers and senior probation officers acknowledged the difficulties that probation officers were experiencing in finding relevant information in the manual. The Department has said that it is reviewing the structure of the manual to ensure that it better meets the needs of staff.

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**Recommendation 14**

We recommend that the Department of Corrections redesign the Community Probation and Psychological Services operations manual so that users of the manual can easily find the information they are looking for.

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**Workloads of the probation officers**

- 3.65 Service managers and senior probation officers provide support for, and manage, a probation officer's case load (the number of offenders each probation officer is responsible for managing). Service managers are responsible for managing team performance by regular performance planning and appraisal, ensuring that supervision is available for probation officers, and allocating work and duties for their teams. Supervision enables probation officers to discuss issues and concerns about their professional practice.
- 3.66 The focus of the senior probation officer role is to provide on-the-job training and support for probation officers, act as a mentor and role model in standards of professionalism, help new probation officers to work through the training programme, and coach staff from a technical perspective on requirements to meet sentence management standards. Some senior probation officers we spoke to during the audit had been involved in implementing training initiatives and providing specialist subject matter expertise in their areas. But other senior probation officers said that they had not had time to provide coaching and support for probation officers because of the demands of their own case loads and high staff turnover.
- 3.67 Probation officers manage offenders serving a range of non-custodial sentences and orders, and only some of the offenders they manage are offenders on parole. The case loads for probation officers we spoke to varied in the four service centres that we visited. Generally, probation officers in all areas said that they had experienced an increase in their case loads since the introduction of the new community-based sentences in October 2007.

- 3.68 As at 30 July 2008, the average offender case load<sup>4</sup> for each probation officer nationally was 43.8. Of the four areas we visited, Auckland had the lowest average case load of 36.5 offenders for each probation officer, and Taitokerau had the highest average case load of 54.7 offenders for each probation officer. Staff told us that, at the time of our audit, the Whangarei service centre (in the Taitokerau area) was significantly stretched because of the number of offenders its staff had to manage. Probation officer turnover rates for the 12 months to 30 June 2008 in the four areas we visited ranged from 9.8% in Taitokerau to 20.4% in Auckland.
- 3.69 As at 30 June 2008, there were 866.3 full-time equivalent (FTE) probation officers nationwide. According to the Department, this was about 100 probation officers fewer than the 965 FTE probation officers that the workload indicated were needed to manage the number of offenders serving community-based sentences and orders at that time.
- 3.70 The 2008 Budget provided additional funding for probation officers. As at 1 December 2008, the Department had 968 FTE probation officers. According to the Department, it needed another 122 probation officers to manage the numbers of offenders serving community-based sentences and orders at that time.

### **Mechanism to estimate workloads and allocate resources**

- 3.71 The Department uses a mechanism called Average Product Times to estimate and allocate resources within CPPS, and to distribute funding to service centres. Average Product Times are calculated averages of the time it takes for a probation officer to carry out the main activities required to manage a sentence or an order.
- 3.72 The Department uses these Average Product Times to estimate and allocate the time probation officers spend with offenders. Different types of parole (that is, parole without residential restrictions and parole with residential restrictions) have different Average Product Times. Additional time is included for managing offenders on the Warning Register.
- 3.73 Some probation officers we spoke to during the audit said that the Average Product Times for some sentence management aspects were unrealistic, and did not reflect the time required to manage offenders. In some service centres we visited, the service managers were adapting the previous CPPS workload allocation tool to allocate offenders to staff in their teams. The Department is aware of these issues, and is working with area managers to make the Average Product Times work in practice within the service centres.

4 The Department does not use average offender case load to estimate and allocate resources because the averages do not reflect the complexity and variety of sentences and orders that probation officers manage, or the time spent providing information to the courts and the Board, which is also a part of a probation officer's workload.

- 3.74 In our view, the Department should continue its efforts to make the Average Product Times work in practice and more realistically reflect probation officers' workloads.

### **Case study – Offender B**

#### **Preparing to release Offender B**

Offender B is listed on the Warning Register. Offender B was sentenced to more than seven years in prison and was released on parole in September 2007 in Auckland. In April 2008, a probation officer lodged a recall application with the Board because Offender B had been involved in a burglary. An order for the interim recall was also issued in April 2008.

The Warning Register assessment form for Offender B had not been filled in at all. A case note entered in the Integrated Offender Management System (the IOMS) stated that Offender B met the assessment criteria because they were on the Highest Risk Offender List, which is maintained by the Department. There was no record of a Warning Register assessment score in the IOMS or a completed assessment form on file.

#### **Supervising Offender B on parole**

The probation officer for Offender B did not visit Offender B's home within the required 48 hours of Offender B's release on parole. The first home visit occurred one week after Offender B was released.

#### **Monitoring how Offender B was managed**

The service manager had not always carried out the required weekly checks of how Offender B was being managed. There was a period of almost three months where no service manager checks were carried out. A case note in the IOMS stated that there had been no checks during this three-month period because Offender B had dropped off the Warning Register list for the Auckland area.

There were four other periods where no service manager checks were carried out, including one period of five weeks.





## Part 4

# Monitoring offenders released on parole

- 4.1 In this Part, we set out our findings about how the Department:
- oversees high-risk offenders;
  - reviews whether offenders are complying with the conditions of their parole;
  - takes enforcement action for non-compliance;
  - notifies registered victims about non-compliance; and
  - evaluates, at the end of the parole period, the progress that offenders have made.
- 4.2 In monitoring offenders released on parole, for the sample of offenders we examined as part of the audit, the Department had prepared sentence completion reports for almost all offenders who had completed their parole. But it needs to do this for all offenders who complete their parole. We were concerned about the variable level of detail about an offender's compliance recorded in IOMS case notes by probation officers.
- 4.3 Because of the potential risk to public safety, we were most concerned that service managers were not checking the IOMS records for high-risk offenders as often as they were required to, and that the Department did not always take appropriate and timely enforcement action for offenders' non-compliance. We were also concerned that one registered victim was not notified in a timely manner, and another was not notified at all.
- 4.4 There are six recommendations in this Part. A case study at the end of this Part shows the gaps and omissions in how the Department managed one of the offenders in our sample. Those gaps and omissions occurred at each stage in the offender's parole.

### Overseeing high-risk offenders

**The Department's service managers did not always oversee how the high-risk offenders were being managed as actively as they were required to.**

- 4.5 Service managers are responsible for overseeing the general day-to-day management and sentence administration for offenders within their service centres. Area managers and assistant area managers are also responsible for overseeing the management of certain high-risk offenders within the area. As part of the Department's quality assurance system, service managers have to carry out regular reviews of a sample of offender files in their service centres against sentence management standards. The results of the reviews are collated, compiled, and reported to senior management.

- 4.6 The quality assurance system also includes the further identification and investigation of issues by a graduated system of incident reporting, case reviews, and special investigations. Case reviews identify learning opportunities from incidents and, along with special investigations, aim to improve the quality of sentence management in CPPS. During the period 1 January 2007 to 12 June 2008, 33 cases were reviewed after initial incident reports. There was also a special investigation in this period into the management of Graeme Burton, who was convicted of a murder that was committed while he was on parole.
- 4.7 In February 2007, all offender files (including offenders on parole) were reviewed in the Wellington/Wairarapa CPPS area (see Figure 7).

#### Figure 7

##### The Department of Corrections' Wellington/Wairarapa area review of offender files

The review of offender files came after a number of case reviews in the Wellington/Wairarapa area that highlighted deficiencies in sentence management practice, and after the Department recognised that staff were under increasing pressure. Of the 163 parole files reviewed, 136 files had deficiencies that varied from minor issues to serious shortcomings in managing the sentence.

The Department has said that all actions required to address the deficiencies were completed by 2 August 2007. Major issues identified during the review related to management of the offender warning system, management of enforcement action, lack of home visits, and inadequate offender case notes.

The Department carried out two follow-up reviews in the Wellington/Wairarapa area. The first follow-up in December 2007 concluded that sentence management had improved overall. Delays in responding to non-compliance in some circumstances were the exception and continued to be an issue.

The second follow-up in March 2008 showed little improvement, and compliance for service manager oversight and enforcement action had decreased. The Department has said that the area management team monitors the areas for improvement identified in the follow-up reviews. A further follow-up review was scheduled for January 2009.

As a separate review, the Assistant Area Manager completed a review of all parole files in the area in April 2008. The review identified sentence management and performance management issues to be addressed by service managers in the area. A follow-up of this review was completed on a sample of cases about two months after the initial review. It found that most recommendations had been acted on, and service managers were instructed to complete any outstanding remedial actions.

- 4.8 Service managers have to carry out weekly checks of the IOMS records for each offender on the Warning Register managed by probation officers in their service centre during the first third of the offender's parole. This is a crucial aspect of overseeing how offenders are managed. These checks ensure that information in the IOMS is accurate and up to date, and that probation officers manage offenders on the Warning Register in keeping with the Department's sentence management

requirements. After the first third of an offender's parole, the service manager checks may be reduced to fortnightly if the offender's risk of re-offending is considered to be sufficiently well managed.

- 4.9 We looked at how the Department had oversight of management of the 52 offenders on the Warning Register who were in our sample of 100. We reviewed information in the IOMS case notes to see whether service managers carried out their checks.
- 4.10 For 46 of these 52 offenders, service managers had not completed checks of the offender's records at the required frequency of weekly (or fortnightly, if so authorised), but many of them had been checked at least every two to three weeks. However, for five offenders, a service manager had not checked their records for two months or more during the offenders' parole (although the area manager had checked on one of these offenders during this period). At the time of our audit, no service manager had checked any of the records in the IOMS for one offender on the Warning Register since that offender's period of parole began about six weeks earlier.
- 4.11 Service managers completed their checks weekly (or fortnightly, if authorised) for the other six offenders on the Warning Register in our sample of case files. For 11 offenders on the Warning Register, there was evidence of area manager supervision – checks were recorded by the area manager or assistant area manager in the IOMS case notes.
- 4.12 In our view, probation officers' compliance with the Department's requirements will improve if service managers regularly check how high-risk offenders are managed. Regular checks will help to ensure that high-risk offenders are appropriately managed and supervised. The Department has said that it will implement refresher workshops for all service managers to ensure that they fully understand and implement the requirements for Warning Register checks.

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**Recommendation 15**

We recommend that the Department of Corrections regularly check how probation officers are managing high-risk offenders.

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## Reviewing offender compliance

**It was not always clear whether probation officers had checked all the relevant details when offenders were reporting to them. The Department did not always review offender plans in a timely manner.**

- 4.13 Probation officers have to monitor an offender's employment status, their address, and their progress against their offender plan, and be aware of any current or emerging issues.
- 4.14 Probation officers are also required to keep records of all their monitoring and assessment activities up to date, including:
- any changes to the offender's details or any new information; and
  - case notes in the IOMS recording all contacts associated with the offender, including their employer, their programme facilitator, their sponsors, groups or people providing services to the offender, and any other contacts.
- 4.15 For the 100 files in our sample, we looked at the information in the IOMS recording what occurred or was discussed when offenders on parole reported to their probation officer.
- 4.16 For almost all offenders, the notes in the IOMS varied in the amount of detail they contained, particularly about the offender's employment, accommodation, and current or emerging issues.
- 4.17 If another agency is dealing with an offender (for example, when the offender is taking part in a drug and alcohol rehabilitation programme), the probation officer has to liaise with that agency to make sure that any special conditions for the offender are met. In the cases we examined, probation officers had maintained contact with programme providers or facilitators and other agencies involved in managing the offender's parole.
- 4.18 In our view, the Department needs to enter case notes for reporting in the IOMS that clearly cover the offender details that probation officers have to monitor. This will help to ensure that IOMS information is kept up to date and that all staff involved in managing offenders are aware of changes to an offender's information.

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### **Recommendation 16**

We recommend that the Department of Corrections enter case notes in the Integrated Offender Management System that clearly cover the offender details that probation officers have to monitor.

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## Reviewing offender plans

- 4.19 Reviews of the offender plan are the primary mechanism for measuring an offender's progress with their parole. Probation officers have to review the offender plans every three months, and when there is a significant change in an offender's circumstances.
- 4.20 The purpose of the review is to:
- determine and record the offender's progress against the objectives and activities outlined in the offender plan;
  - update the offender plan with any new information or details about managing their parole;
  - ensure that any interventions are achieving the aim of lowering the offender's risk level; and
  - establish what should be achieved during the next review period.
- 4.21 For the 100 files in our sample, we looked at the frequency of the reviews of the offender plans, to check whether the Department reviewed the plans in a timely manner and whether the offender plans covered the relevant details.
- 4.22 For 35 offenders, the Department had not reviewed the offender plans every three months. In many of these cases, the Department had either completed the offender plan reviews one to two months late, or the reviews were outstanding by at least one month at the time of our audit. However, the Department had not reviewed the plans of three offenders at all. In 10 cases, the probation officer had not recorded any comments at the offender plan review.

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### Recommendation 17

We recommend that the Department of Corrections review offender plans as frequently as required and address all relevant matters relating to an offender's progress with their parole.

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## Taking enforcement action for non-compliance

**The Department did not always take appropriate and timely enforcement action for non-compliance, such as sanctions, breach action, or applying to recall offenders to prison.**

- 4.23 Any failure by an offender to comply with a requirement of their parole is considered to be non-compliance. For example, failure to report to their probation officer as instructed, failure to attend a counselling session or programme, or failure to advise a probation officer of a change of address.

- 4.24 A sanction is any form of action taken in response to non-compliance that does not involve legal enforcement. Sanctions are used when an offender commits a minor infringement that is not serious enough to warrant a breach of parole, or a recall application to the Board. Sanctions can include:
- issuing formal warnings;
  - requiring an offender to return to, or remain in, an earlier sentence management phase; and
  - withdrawing approval for absences for offenders on parole with residential restrictions.
- 4.25 Breach action involves laying a charge against an offender for a breach of the conditions of their parole. It is taken in response to specific actions of non-compliance when an offender fails (without a reasonable excuse) to comply with any condition of their parole, and when an offender fails (without a reasonable excuse) to report when required to do so.
- 4.26 An application to the Board to recall an offender to prison to resume serving their sentence of imprisonment is usually applied for after an offender fails to comply with their release conditions, commits further offences, or their behaviour deteriorates, or they pose a significant increased risk to the community.
- 4.27 If an offender breaches their parole conditions, or any other grounds for recall are met, a probation officer may make an application for recall. If the Department takes breach action, all information about the breach has to be presented to the court within two weeks of the breach, or one week if the offender is on the Warning Register.
- 4.28 For offenders on the Warning Register, the Department must start some form of enforcement action within one week of the non-compliance. The Department prescribes specific enforcement action for offenders on the Warning Register for failing to report (with or without a reasonable excuse, and with or without telephone contact), and failing to comply with either the special or standard conditions of their parole without providing a reasonable excuse. If an offender on the Warning Register is non-compliant then, under normal circumstances, the Department should take both breach and recall action.
- 4.29 The probation officer has to involve their service manager immediately if an offender on the Warning Register is non-compliant, and if the probation officer is considering a breach or recall action. If a probation officer considers a breach and/or recall action for an offender on the Warning Register, a service manager has to advise the New Zealand Police immediately. An area manager must approve any

deviation from the required enforcement action for offenders on the Warning Register.

- 4.30 In our sample of 100 files, there were 64 offenders (including 35 offenders on the Warning Register) who had failed to comply with the conditions of their parole. We examined the enforcement action that the Department took for these offenders to check whether it had been carried out in all instances where action was necessary, and whether the action was appropriate and timely.
- 4.31 For 18 offenders (including nine offenders on the Warning Register), there was no evidence of enforcement action in response to all instances of non-compliance. Most of these instances of non-compliance were that the offender had failed to report to their probation officer. For three of these offenders, the probation officer had recorded a case note fault within the IOMS (meaning that information might not have displayed on the correct screen or might have disappeared). It is possible in these three cases that the offender had reported in and that no enforcement action was needed.
- 4.32 For nine offenders (including three offenders on the Warning Register), the Department took enforcement action in some, but not all, instances of non-compliance. For two of these offenders, the probation officer had recorded a case note fault within the IOMS.
- 4.33 For 11 offenders, the Department took enforcement action in all instances of non-compliance, but the action taken was not timely and/or appropriate. Figure 8 outlines two examples of offenders who failed to comply with the conditions of their parole and either the Department took no enforcement action or the action taken was not timely.
- 4.34 For the rest of the offenders (including 15 offenders on the Warning Register), the Department took appropriate and timely enforcement action (most commonly breach action and written warnings) in all instances of non-compliance.

**Figure 8****Two examples of offenders where the Department did not take enforcement action or the action taken was not timely****Offender 1 – Example of no enforcement action taken**

Offender 1 was released on parole in June 2007 in Auckland and is listed on the Warning Register. At the time of our audit, this offender had failed to report to a probation officer as required on two occasions during their parole. The Department did not record any enforcement action in response. (The case study at the end of Part 2 has more information about how this offender's parole was managed.)

**Offender 2 – Example of enforcement action taken that was not timely**

Offender 2 was released on parole in October 2007 in Christchurch and is listed on the Warning Register. This offender re-offended in February 2008 (being in a building with intent). Although this required the Department to take some form of enforcement action within one week, the offender's probation officer waited until returning from holiday to complete a recall application to the Board. No other enforcement action was taken in the interim. The recall application was lodged with the Board more than one month later, in March 2008. The probation officer discussed the decision to delay enforcement action with the service manager, but there was no evidence that the area manager had approved the delay.

- 4.35 The most common reasons for the Department taking enforcement action were:
- offenders failing to report to their probation officer;
  - offenders failing to attend psychologist appointments or other treatment programme appointments;
  - offenders moving address without notifying their probation officer; and
  - offenders failing to comply with other special conditions of their parole.

- 4.36 In our view, the Department needs to take enforcement action for all offenders who have either breached their parole conditions or re-offended. The enforcement action needs to be both appropriate and timely as matters of priority to ensure that public safety is not put at risk and that offenders are held accountable for their actions. This is one of the most important aspects of monitoring offenders. The Department has said that it will emphasise the importance of taking timely and appropriate enforcement action to all staff.

**Recommendation 18**

We recommend that the Department of Corrections take appropriate and prompt enforcement action for all offenders who have breached their parole conditions or have re-offended.



## Notifying registered victims about non-compliance

**In some cases, registered victims were not notified of enforcement action at all or not in a timely manner.**

- 4.37 The victim notification system is a database that links information about offenders to information about their victims. The Department set up the victim notification system in 1987 as a result of the Victims of Offences Act 1987.

### Staff responsible for the victim notification system

- 4.38 The Department has a victims information manager, who is responsible for maintaining registered victims' contact details at a national level, the systems used to store that information, and relationships with other agencies. The Department also has area co-ordinators who are responsible – as well as their other roles and responsibilities – for administering victim notification records for offenders in their prison or area, and providing information to registered victims.
- 4.39 Apart from the national co-ordinator, there are no staff working full-time on victim notification tasks. Area co-ordinators we met with during the audit held positions within CPPS that ranged from a service manager to an administration officer.
- 4.40 The Department provides training to area co-ordinators on an “as required” basis. The Department said that it has reviewed the training and support provided to area co-ordinators to ensure that it is adequate for them to carry out their functions appropriately, and this review will inform training for new area co-ordinators when they are appointed.
- 4.41 All new probation officers receive an overview of the victim notification system from the Department's curriculum training programme. The Department has said that it will review the content of this overview to ensure that it provides sufficient detail.

### Timing for notifying registered victims

- 4.42 Once an offender is released on parole, the Department is required to notify registered victims within 72 hours in the following circumstances:
- when an offender is convicted of breaching parole;
  - when an interim recall order is granted or quashed; and
  - when a final recall order is granted, declined, or quashed.

- 4.43 In the sample of files we looked at, 14 offenders had victims listed in the Victim Notification Register. We examined the IOMS case notes and victim notification correspondence for these offenders to check that registered victims had been notified in circumstances where notification was required.
- 4.44 Two of the 14 offenders were involved in circumstances requiring registered victims to be notified. The first offender, managed in the Christchurch CPPS area, was convicted in February 2008 for a breach of parole in December 2007. There was no evidence that the victim was notified of this breach conviction. The second offender, also managed in the Christchurch CPPS area, re-offended and an interim recall order was granted by the Board in April 2008. The Department sent a letter to the victim 14 days after the required time frame (in May 2008) advising them of the interim recall. The final recall order was quashed in May 2008 and a letter was sent to notify the victim within the required 72 hours.
- 4.45 The Department has said that it improved the IOMS functionality in June 2008. The IOMS now automatically triggers letters to registered victims when there has been a final recall or conviction for breach.
- 4.46 In our view, the Department needs to notify registered victims in a timely manner when it takes particular forms of enforcement action. It should be addressing this as a matter of priority, in keeping with the rights of registered victims to be kept informed about offenders. The Department has said that it will issue reminders to staff about the importance of notifying registered victims.

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**Recommendation 19**

We recommend that the Department of Corrections notify registered victims within the required time frames about convictions for an offender's breach of parole or when orders recalling the offender to prison are granted, declined, or quashed.

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## Evaluating the progress of offenders at the end of their parole

**The Department did not always complete a sentence completion report to evaluate an offender's progress at the end of their period on parole.**

- 4.47 The Department considers it important that an offender prepares strategies to prevent a criminal relapse or maintain their progress beyond the period of their parole. This minimises the risk of the offender re-offending. The purpose of the sentence completion report is to record an offender's response to their parole

and compliance with their conditions, and to identify their relapse prevention or maintenance strategies.

- 4.48 The sentence completion report provides:
- a summary of the offender's response to the sentence or order;
  - comments about whether the objectives in the offender plan were achieved;
  - a description of the relapse prevention strategies;
  - a description of any remaining areas of concern;
  - a summary of non-compliance issues;
  - confirmation of other sentences or orders the offender remains subject to; and
  - comments on the likely benefit of future community-based sentences.
- 4.49 When it is finished, the sentence completion report has to be copied into the offender's IOMS case notes.
- 4.50 In our sample of 100 files, 24 offenders had completed their period of parole. We checked whether the Department had prepared sentence completion reports for these offenders.
- 4.51 For three offenders, the Department did not prepare a sentence completion report. For 14 offenders, the Department prepared reports that contained all the necessary information but were not copied into the IOMS case notes.
- 4.52 In our view, the Department needs to prepare sentence completion reports for all offenders as the end of their period on parole draws near. These reports help to ensure that an offender's progress is evaluated, and that maintenance and relapse prevention strategies are in place for all offenders.

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**Recommendation 20**

We recommend that the Department of Corrections prepare sentence completion reports for all offenders before the end of the offender's period on parole.

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## **Case study – Offender C**

### **Preparing to release Offender C**

Offender C was sentenced to four years in prison and released on parole in November 2007 in Waiariki. In December 2007, Offender C re-offended (a third offence for driving while disqualified) and was released on bail.

Offender C was not on the Warning Register, but there were victims associated with Offender C who were on the Victim Notification Register. According to a case note entered in the IOMS, the probation officer had contacted the local area co-ordinator to advise them of the proposed address for Offender C. There was no evidence that the area co-ordinator had checked the proximity of this address to the location of the registered victims, and no evidence that they advised the probation officer of the outcome of a check.

### **Supervising Offender C on parole**

The probation officer did not visit Offender C's home as frequently as the Department's procedures required. Offender C was in the third phase of their parole, which required a home visit to be conducted every two months. At the time of our audit, there had been no home visit for five months.

### **Monitoring how Offender C was managed**

Offender C was often late or erratic in their reporting, and the action in response to this was not always appropriate or timely. A warning letter was issued to Offender C in November 2007 for failing to report.

Offender C failed to report to their probation officer in January 2008 but the probation officer did not follow this up with a home visit until 12 days later. Offender C also missed reporting to their probation officer between early March 2008 and early April 2008, but this did not result in any enforcement action being taken.

Offender C was moved to the next sentence management phase with fortnightly reporting in February 2008, despite the poor reporting history. Offender C also missed two appointments for alcohol and drug rehabilitation treatment. Although Offender C was threatened with breach action, this never took place and no other enforcement action was taken.

# Appendix 1

## Parole and the Department of Corrections

The Department of Corrections (the Department) is responsible for managing offenders in the community on a range of sentences and orders imposed by the courts, including offenders who have been released on parole.

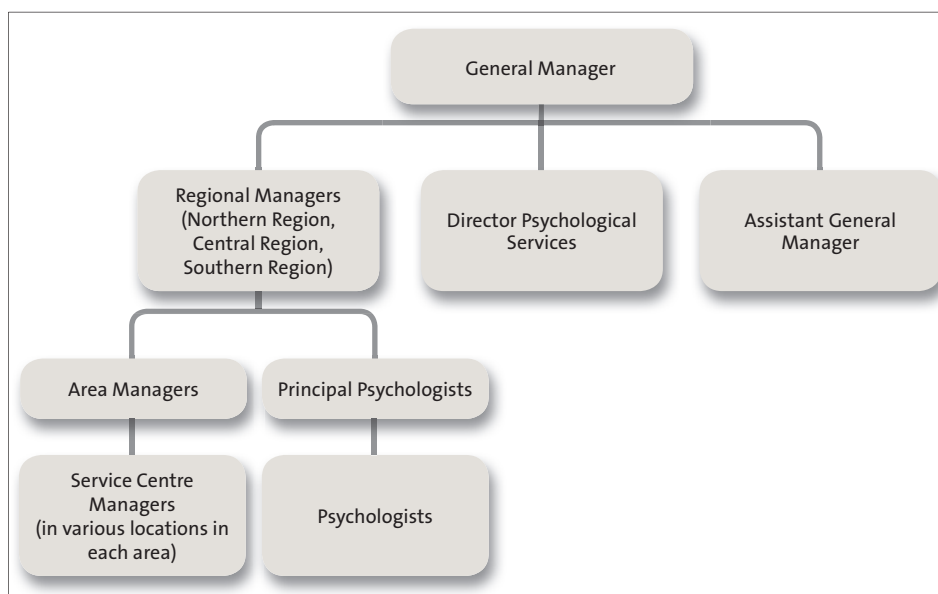
Parole is the conditional release of offenders who have served more than two years in prison. While on parole, offenders are supervised and expected to comply with conditions to guide their behaviour in the community.

The New Zealand Parole Board (the Board) is the independent statutory body that makes decisions about releasing offenders eligible for parole.

The Department's Community Probation and Psychological Services group (CPPS) is responsible for administering and managing community-based sentences and orders, including parole. On any given day, CPPS manages about 35,000 offenders serving community-based sentences and orders, including about 1800 offenders who have been released from prison early on parole, and provides information and reports to the courts and the Board.

Offenders are managed from CPPS service centres located in 12 areas in three regions (Northern, Central, and Southern) throughout the country. Figure 9 shows the organisational structure of CPPS.

**Figure 9**  
Organisational structure of the Community Probation and Psychological Services group within the Department of Corrections



CPPS has about 968 full-time equivalent probation officers located in the 12 CPPS areas. There are service centres within each of the 12 CPPS areas. Probation officers within those service centres manage offenders serving a range of community-based sentences and orders, including parole. Service managers are responsible for managing service centre teams.

CPPS also has about 130 psychologists who provide specialist clinical assessment and treatment services for offenders in the community, and facilitate rehabilitation intervention programmes.

The Department's Prison Services group is responsible for managing the sentences of offenders in prison. Their work includes rehabilitation and preparation for re-integration into the community when an offender is released from prison. The Prison Service is also responsible for providing parole assessment reports to the Board.

In recent years, the Department has changed a number of the requirements set out in the CPPS operations manual for managing offenders on parole.

In April 2007, the Department amended the requirements for managing offenders on parole after deficiencies that were highlighted in the investigation into how the Department managed Graeme Burton while he was on parole. The changes included expanding and clarifying the guidance on managing higher-risk offenders (who are listed on the Offender Warning Register).

In October 2007, the Department made further changes to its requirements for managing offenders on parole. The changes incorporated legislative changes to the operation of parole arising from the Graeme Burton case. The changes included improving the provision of information to the Board, and expanding the powers of the Board and New Zealand Police.

## Appendix 2

# The response of the Department of Corrections to our findings

The Department has provided a detailed response to our report. The response outlines the actions the Department is taking to fix the case management deficiencies that we identified and to improve the quality of probation service delivery.

The Department told us that it has already taken some actions, and these have been noted within the body of our report. We have not checked these actions as part of our audit. Further actions that the Department has told us it will take as a result of our audit findings are outlined within this Appendix.

The Department said that it has fixed the case management deficiencies that we identified within the 100 cases that we looked at. It has prepared a plan to improve compliance with procedures for managing offenders on parole. The Department told us that there are four work streams within the plan that are designed to ensure that:

- the level of resources to manage the volume of work to the expected standards and procedures is appropriate;
- operational procedures and systems are appropriate, easily understood, and well communicated;
- appropriate support is in place for probation officers and managers, including training, ongoing communication of changes, organisational structure, and administrative support; and
- the Department has an organisation culture that supports compliance with procedures and accountability.

The Department also told us that it is planning specific actions to address some of our findings, including:

- issuing reminders to staff about the importance of completing enquiries and notifications related to the Victim Notification Register (to be completed by 31 January 2009), and reviewing the content of the curriculum training programme to ensure that it provides sufficient detail of the procedures that probation officers need to follow;
- making changes to offender plans to enable a simpler format and more streamlined approach to sentence planning, including removing the requirement for service managers to sign offender plans (to be completed by June 2009);
- designing and implementing processes to ensure that staff complete all scheduled home visits (to be implemented for all offenders on parole by 31 December 2008);

- carrying out ongoing work to upgrade functionality of the Integrated Offender Management System (the IOMS) (to be completed by July 2009), and designing “end-to-end” training for staff (to be implemented once the IOMS upgrade is completed) to ensure that they are able to use the IOMS effectively and that they understand its capabilities;
- reviewing the structure of the operations manual of the Department’s Community Probation and Psychological Services group to ensure that it better meets the needs of staff (recommendations for the future design of the manual are expected in early 2009);
- designing and implementing refresher workshops for all service managers to ensure that they fully understand and implement the requirements for Offender Warning Register checks (to be implemented by 28 February 2009); and
- emphasising the importance of timely and appropriate enforcement action to all staff through regional and area managers, and including this in the performance agreements of relevant managers.







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Other publications issued by the Auditor-General recently have been:

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