

## **Q&As – Information sharing arrangement on deported offenders**

### **What's in this arrangement?**

The arrangement formalises information sharing between the New Zealand and Australian Governments on individuals being removed or deported from one country who are citizens of the other country. This will allow New Zealand authorities to monitor deportations across the Tasman.

The arrangement responds to an agreement between the two Prime Ministers in February 2015 to develop a reciprocal trans-Tasman deportations arrangement. The arrangement goes further than a Memorandum of Understanding (or MoU) and sets up a formal arrangement of the exchange of information.

### **What will it do?**

New Zealand will receive advance notification of persons being removed from Australia and information held by Australian agencies to allow New Zealand agencies to assess the risk profile of persons being returned and determine what risk mitigation measures might be appropriate.

The arrangement will allow the sharing of personal information (such as name, aliases, date of birth), criminal history information (including conviction record and summary of facts), and corrections information (including reports by probation and parole boards). New Zealand will reciprocate the notice and information for persons it reports to Australia.

### **When will it come into effect?**

The arrangement comes into effect two weeks after signing.

### **How does this help New Zealand better monitor deported offenders?**

A key issue when dealing with offenders being deported back has been obtaining reliable information about the individual and his/her current risk profile. This makes New Zealand dependent on the cooperation of other countries and their willingness and/or ability to share relevant and reliable information. This arrangement provides authorities the information they need to know who exactly is arriving here, and when.

### **Who has signed the arrangement?**

It's been signed by NZ Police and the Ministry of Business, Innovation and Employment (Immigration New Zealand) for New Zealand and by the Department of Immigration and Border Protection for Australia.

The arrangement has been signed on an interim basis of three months to enable the processes to be trialled prior to finalising. Trialling the processes will allow the multiple agencies on both sides of the Tasman to test systems, propose improvements and ensure the arrangement is fit-for-purpose.

### **What's being done to monitor offenders when they come back to New Zealand?**

Following changes made in December 2014, the very worst offenders can already be subject to an Extended Supervision Order or Public Protection Orders without being convicted of the offence in New Zealand.

New Zealand authorities endeavour to meet deported offenders on their return to establish their intentions, including where they intend to live. This information is passed to the relevant Police District. The District can then work with agencies to develop an appropriate response within the current legislation, including managing any risk posed by the individual. The Government intends to implement a legislative supervision regime for offenders shortly.

**How does this fit into the wider work stream to supervise deported offenders?**

There are three work streams underway to strengthen New Zealand's oversight of deported offenders. This includes a register to track and monitor the deportation of offenders (announced in July 2015). This new information sharing arrangement on trans-Tasman deportations will enable New Zealand and Australian authorities to monitor deportations across the Tasman. The next and final step is the development of legislation to build a supervision regime for offenders, which is underway.

Officials have been working on a supervision regime for deported offenders who have recently been sentenced to imprisonment overseas. The overarching goal is to have a similar regime of supervision apply whether a prison sentence was served in New Zealand or overseas. The Minister of Justice intends to take a paper to Cabinet shortly.