



Headquarters
New Zealand Defence Force
Defence House
Private Bag 39997
Wellington Mail Centre
Lower Hutt 5045
New Zealand

OIA-2024-5108

14th November 2024

[Redacted]
[Redacted]

Dear [Redacted]

I refer to your email of 7 August 2024 requesting the following information under the Official Information Act 1982 (OIA):

*Email communications between Oranga Tamariki and New Zealand Defence Force staff
New Zealand Defence Force feedback on Cabinet Papers about the military-style academies and youth serious offender category.*

I apologise for the significant delay in providing this response. Changes to New Zealand Defence Force (NZDF) information technology systems have caused issues accessing recent emails. As a result, it is not possible to provide all relevant correspondence or attachments. The emails provided are a retrievable collation from the NZDF email archive system and correspondence saved elsewhere.

Correspondence between the NZDF and Oranga Tamariki is enclosed. Where indicated, information is withheld: to protect privacy in accordance with section 9(2)(a) of the OIA; to maintain the effective conduct of public affairs through the free and frank provision of advice in accordance with section 9(2)(g)(i) of the OIA; and, to avoid the malicious or inappropriate use of staff information, such as phishing, scams or unsolicited advertising in accordance with section 9(2)(k) of the OIA.

Despite reasonable search efforts, no NZDF feedback on relevant Cabinet papers could be found. This part of your request is therefore declined in accordance with section 18(e) of the OIA as the information does not exist.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

GA Motley
Brigadier
Chief of Staff HQNZDF

Enclosure:

1. Emails

Archive Manager

Export

From: [Berry, Greer](#)

Sent: Wed, 08 Nov 2023 23:40:23 GMT

To: [Roberta De Abreu Lima](#)

CC [Ben Stephenson](#); [Harvey, John](#); [Margetts, Roger, COL](#)

Subject: RE: [SEEMAIL]: Follow up on Military Academy meeting

Kia ora Roberta,

Thanks again for your email yesterday 😊

Before we answer the below questions, just wanted to highlight two areas we think need to be up-front in any report about NZDF involvement in these types of programmes going forward.

The first is NZDF's non-coverage from the Public Services Act. We've mentioned this previously but just wanted to reiterate - Currently as the legislation stands, NZDF is exempt from the Act meaning our people are at extreme personal risk (as opposed to others such as Police, Corrections etc) when dealing with the YSOs and their personal liability. It is likely that the NZDF would require some amendments to be covered by this Act if we were to be involved in YOMA. s.9(2)(g)(i)

Secondly, we haven't had the ability to share our learnings about the harm done to our own NZDF personnel conducting the LSV course (who are not YSOs but just long-term unemployed). Since the complexity of cases put through by MSD has risen significantly (to more than 50% in some cohorts), the mental and physical harm on our NZDF personnel has risen sharply. Zooming out and applying that situation to a possible YOMA cohort of 100% complexity, the risk to our people is one which would need to be seriously considered by our health, legal and senior leadership before being able to advise fully whether NZDF could or how we would support a YOMA programme. I have attached a graph at the bottom of our response for further information.

We have had preliminary briefings with our senior leadership who hold these two concerns (along with others, including attrition) strongly, so a lot of our work will be around what we can do to inform others (agencies, ministers) of these risks.

Answers to your questions below, in red:

Option 1 - Military Academy as a programme required to be completed as part of a (existing) Supervision with Activity order or Supervision Order following Residence

- We understand this option could mirror what NZDF currently offers as part of the Blue Light Ventures (BLV). I see on their website NZDF runs one programme (The Life Skills Programme, focused on leadership training, practical skills, self-confidence, and leaderless tasks). Could you please describe / provide more details on what the Defence does in this programme? Does NZDF YDU staff deliver the whole training on their own? Do they act as a trainer / coach? What exactly is the training?

Blue Light Ventures is a registered charity that works with the Police to deliver a range of youth programmes and activities aimed at 14 -17 year olds deemed to be 'at risk' or 'disadvantaged'. It aims to be the 'ambulance at the top of the cliff'.

While we understand it appears that the BLV could 'mirror' what NZDF currently offers, if the participants are YSOs, there are a number of complicating factors to applying the below sample syllabus for the YOMA programme.

As an example, the below syllabus example (scroll down) is conducted at NZDF camps and bases – this is not an option for the YOMA so even a task such as maintaining a clean barrack room or dining in the mess, would not be able to be replicated and would need to be adapted to the YOMA location. Briefs on recruitment into NZDF would not be appropriate for this cohort, so would need to be removed. However things like marching drills, physical training and leadership skills could likely be adapted to work at the YOMA location for the YSO cohort.

Currently in the BLV, NZDF teams do visit regional locations to deliver limited elements of the BLV training; in all cases a member of the NZ Police is there to muster and then supervise the trainees. NZDF delivers outdoor skills training in these engagements. There are incidents from time to time at the level of teenager acting out. We might recommend a trainee is stood down and the Police support this advice without exception.

Blue Light Open Life Skills Course

Aim:

The aim is to introduce students to gain a range of Life Skills through a military style methodology that promotes and fosters teamwork, and set in place the foundation for continued training, education and personal development once they return to their home and communities.

Below is an example of the syllabus -

Live and Work in a Service Environment			
1	1.1	Conduct Fire Safety 1.1.1 Understand Fire Safe Practices and Evacuation Drills 1.1.2 Participate in a Fire Drill	2
	1.2	Conduct Barrack Routine 1.2.1 Maintain Standards of Dress 1.2.2 Maintain the Layout of a Barrack Room 1.2.3 Maintain a Clean Living Environment	1
	1.3	Demonstrate Mess etiquette 1.3.1 Dine in a Mess 1.3.2 Understand Mess Etiquette	1
	1.4	Relationship Skills 1.4.1 Interpret Anti Harassment Policies, Understand Equity, Diversity and Inclusiveness within NZDF 1.4.2 Understand the Effects of Drugs and Alcohol 1.4.3 Maintain Personal Hygiene 1.4.4 Communicate Effectively 1.4.5 Understand Group Dynamics	1
	1.5	Introduction to the NZDF 1.5.1 Understand the Ranks in NZDF 1.5.2 Attend a NZDF Recruiting Brief	1
	2	Perform Drill	
2.1		Perform Drill at the Halt 2.1.1 Perform Basic Drill 2.1.2 Maintain Dressing 2.1.3 Forming up, Rear Ranks up, Positions and Side Steps 2.1.4 Perform Turns at the Halt 2.1.5 Numbering, Proving and Sizing 2.1.6 Perform Drill at the Halt	1
2.2		Perform Drill on the March 2.2.1 Perform Marching 2.2.2 Perform Turns on the March in Quick Time	1

		2.2.3 Perform Marching and Marking Time in Quick Time 2.2.4 Perform Advance in Review Order	
	Physical Activities		
3	3.1	Participate in Physical Training 4.1.1 Introduction to Physical Training 4.1.2 Participate in a Fitness Assessment 4.1.3 Participate in a Run and Exercise Circuit 4.1.4 Participate in Lift and Carry Familiarisation	1

Blue Light Basic Leadership Course

Aim:

The aim of the course is to provide the student with the basis from which to develop character and competence to effectively communicate and undertake basic leadership roles within the community.

Course Outcome Group (COG)	LO Number	Learning Outcome (LO) Title	Learning Level
	Basic Leadership		
1	1.1	Conduct Fire Safety 1.1.1 Revise Fire Safe Practices and Evacuation Drills 1.1.2 Participate in a Fire Drill	2
	Understand Leadership		
2	2.1	Understand the Leadership Process 2.1.1 Understand Effective Time Management 2.1.2 Understand Leadership Styles 2.1.3 Understand the Qualities of a Leader 2.1.4 Understand the Functional Approach to Leadership 2.1.5 Understand the Planning Process 2.1.6 Understand the Facilitation Process	1
	Demonstrate Leadership		
3	3.1	Lead a Group in a Basic Task 3.1.1 Apply Functional Leadership 3.1.2 Apply the Planning Process (GSMECC) 3.1.3 Participate as a Team Member in a Basic Task 3.1.4 Demonstrate Effective Time Management 3.1.5 Demonstrate the Qualities of a Leader 3.1.6 Communicate Effectively	1

- Apart from the Life Skills Programme, are there any other programmes NZDF offers as part of the Blue Light Ventures? If so, could you provide details?

NZDF only offers the above aspects of the BLV programme – which is run by the charity. Other aspects of the programme, such as driver training etc are delivered by other providers.

- How many NZDF YDU staff are currently allocated to this response (per year)? How many participants currently attend (per year)? We could include this ratio as a reference

The NZDF provides 12 BLV courses per year nationwide for up to 360 trainees that cover a range of leaderless and adventure activities focusing on leadership, practical life skills, and self-confidence.

Around 25 NZDF personnel are involved in these programmes, but as it is not a full-time programme, these staff are also working in other roles with other programmes. So if personnel were to be re-tasked for a YOMA role fulltime, this would have flow on effects to other outputs and programmes.

- How many staff would likely need to be reallocated in case the military academies are based on this project? We understand this is dependable on multiple factors, but again we could use it as a reference. You mentioned NZDF could look to supply 30-40 NZDF YDU personnel – is that based on the 60 YSO trainees per year projection?

Yes – all our numbers are based on the 60 YSO projection (3 x 20 YSO cohorts annually).

Hypothetically, all of our YDU instructors *could* be allocated to the Option 1 programme (approx. 100 personnel) however they are located all across New Zealand so the location of the programme would be a large variable here. On top of this, the YDU is currently running at 30 per cent below required staffing levels for current outputs, so is facing its own workforce crisis. Also, it would require the shutting down of other YDU programmes such a proportion of the Cadet Forces and LSV programme, and all of the Service Academies (So turning off access to these courses for more than 2000+ young people for the benefit of 60 YSOs).

If the number of personnel required grew to more than 70, NZDF would have to look to identify appropriate staff outside of YDU (i.e. from units in the NZDF) which would be less than desirable as would likely lead to increased attrition (discussed later in this document).

Also please note we are yet to have an understanding of what the ratio of staff-to-YSO would be including the OT / Corrections contribution to the critical security and safety plan, and therefore the above numbers are based on a volunteer cohort of young people with low levels of complexity. Therefore we anticipate a far higher ratio required with the YSO cohort.

As we discussed at the meeting, there is a possibility that we could look to provide some military-type of uniform in order to bring the cohort together as a cohesive group, and like we do with other Youth programmes. However there are various issues that would need to be worked through with regards to this.

Option 2 - Military Academy as a programme required to be completed as part of a (existing) Supervision with Residence order

- This option could be based on the past MAC programme. In your email, you mentioned NZDF could support the programme through outdoor education training delivered the “military way”. Could you please describe / provide more details on what the “military way” is?

The “military way” is a holistic concept – there’s no hard definition. It is essentially quite literally the way we do things in Defence. We live by values (Courage, Commitment, Comradeship and Integrity or ‘C3I’), military personnel learn to look after themselves in order to look after others, they learn teamwork, resilience, social skills and essentially how to carry themselves in a world that holds them to a higher standard. They learn discipline as a form of self-care, problem-solving and empathy, service and sacrifice, communication and trust. This of course is when applied to a cohort of willing, volunteers. How this works with a group of complex individuals is different again, and some things might areas to be focused on more than others. Some things might be unachievable.

An important aspect to share here is feedback we have had from personnel involved in the MAC programme about the relationship with CYFS at the time. It has been described as “fractured”, with CYFS not agreeing with the ‘Military Way’ of training and managing the youth. Aspects like drill, having the youth refer to them as ‘staff’, instilling discipline and consequences caused “a clash” with CYFS staff.

- What type of outdoor education training / any other types of training or interventions were provided by NZDF during MAC and could be provided again under this option? Did NZDF also provide the therapeutic and educational training / intervention that were part of MAC? (MAC reports don't include these details unfortunately).

These include skills/confidence building elements including high ropes, river obstacle crossing, camping and living in the bush, identification of risks in the outdoors and basic first aid. In short, these activities are vehicles for trainees to build self-confidence, basic team work and respect for themselves and others. YDU teams that deliver this training include members qualified in these skills.

We have found thus Programme Content: Note the extract below which is from the MAC Booklet produced by CYFS

- o Wk 1 : Intro to NZDF, values, discipline, routine
- o Wk 2: Camp off site (Lake Taylor for Southern Region)
- o Wk 3-9: Most of the day is the youth doing lessons/school in the residence. The day starts with NZDF morning routine, fatigues, breakfast, school lessons which NZDF provide security support to, then after the lessons are over NZDF take PT, sports, drill through to lights out.
- o There was also an Incentive Programme in the weekends where the youth would be taken on adventure based learning activities if they behaved (confidence course, high ropes, caving, community work etc)

This was an extract from a booklet on MAC:

"Kia ora! As a member of the New Zealand Defence Force on the MAC course, I have the opportunity to provide you with an insight of what we do. Many think that this is a "Boot Camp" or something like that. Well, it is not - this is a programme that the Ministry of Social Development (MSD) and New Zealand Defence Force (NZDF) have created and developed.

The MAC Course mission is to enhance and develop motivation, pro-social core values, life skills. We also aim to increase young people's sense of self efficacy, team work and vocational skills. This is to assist our youth to confidently and successfully establish their place within, and contribute to, New Zealand society. We achieve this by providing training for youth that is complementary to their wider individual development and growth, within a structured environment that is safe. Such skills and development are transferable and interconnected with existing community resources.

The MAC Course is a nine week programme and provides the youth with the opportunity to conduct activities that they may not have done before. These include Wilderness Camp, High Ropes, Caving, Military Confidence Course, Tramping, Community work, Waka Ama (Canoeing) and Wananga (Cultural activities). We also introduce fitness testing, drill, discipline and team based activities to get them to work together. The partnership between the MSD and NZDF has been excellent. The main focus of the MAC Course is to develop the youth to strive for a better life after residence and contribute to society. This can only be good for them, us, and the nation."

- Did NZDF staff undertake any other role apart from training / education? E.g.: ensuring trainees follow a routine, ensuring discipline, maintaining the facilities, etc. **NZDF personnel at no time** held a custodial role over participants. This has always been held by NZ Police and Corrections staff. How NZDF staff did assist was heavily dependent on the training environment. For example in the bush, the focus is on skills and safety. In a 'barrack' environment, elements of discipline, organisation and basic drill can be introduced.

CYFS were responsible for the running and maintaining of the facilities. NZDF personnel did not run the facilities and simply attended to cover their 'shifts'.

Just for reference, I found this below information that I thought might be helpful.

From 2010 to late 2015, Child, Youth and Family was tasked to deliver four Military-Style Activity Camp Programmes annually, catering for up to forty of the most serious or prolific male youth offenders in New Zealand. The programme was run in partnership with the NZDF.

The Military-Style Activity Camp Programme was a fully residential course run from within Te Puna Wai o Tuhinapo Youth Justice Residence in Christchurch, close to Burnham Military Camp. The Military-Style Activity Camp Programme forms part of a condition specified in a Supervision with Residence Order.

Because of the reduction in the volume of Supervision with Residence Orders from FY 10-11 the number of overall applicants diminished. In 2015 two MACs were run; the first for five graduates and the second for four. To ensure more efficient use of resources (NZDF was funded for four fully subscribed MACs mainly because of the need to maintain specially trained staff) a mixed-gender trial was also undertaken in 2015.

s.9(2)(g)(i)

Military-Style Activity Camps

How many NZDF staff were allocated to this programme per year? How many participants attended on that same year? We could use this ratio as a reference

Around 40 MAC participants were expected to be involved each year, with 5 to 10 in each intake (four intakes per year). CYFS were required to have four staff on each shift. For the nine week residential programme, NZDF support the entire time; shifts for NZDF were 6am – 10pm. There were two NZDF personnel on a shift at a time – with two shifts per day = four NZDF staff required per day, seven days a week. So we think around 12-15 personnel were involved, noting that this was (in hindsight) not enough and not how we would run things these days.

Towards the end of the MAC programme, fewer participants were taking part. Also we are trying to locate information regarding the harm caused to NZDF personnel as part of this programme but are still working on this. We certainly know anecdotally (from the very few still around in the NZDF from that time and who were involved!) that things like serious assaults and suicide attempts were occurring. NZDF personnel frequently needed to retreat because of unsafe incidents.

How many staff would likely need to be reallocated in case the military academies are based on the past MAC? You mentioned around 20-30 NZDF YDU personnel in your email. Is this number based on 60 YSO trainees per year projection? We find it curious the number or personnel required for this option is lower than on Option 1 (above) – is there any particular reason for the difference?

One of the main differences would be location. If this MAC-based option was in one location, then NZDF personnel could come and go each day to one nearby location (e.g. Auckland). It would be a small cohort (less than 20 at a time – hypothetically) so a smaller team involved. With option one, which had 12 regional locations, it would then automatically require more staff.

Option 3 - Military Academy as a new standalone sentencing option, within a new secure facility

- This option could be based on the 2017 analysis NZDF made (for a three-year residential military-style training course and school with a focus was on discipline, skills, wellbeing and team work, as per your email). Could you please describe / provide more details on what NZDF would do based on this project? What type of training NZDF personnel would deliver? Physical training? Coaching? Educational and therapeutic training / interventions?

As above, what NZDF could offer would not change between options 1, 2 and 3 in terms of syllabus. The only difference would be location and intensity, and therefore numbers of personnel involved. For example, the difference between running a programme for a couple of weeks or months, compared with a 12-month long enduring programme at a standalone facility would require a far greater number of personnel (70+). Once we start dipping into those numbers, there are serious cascading effects for the

NZDF. The NZDF would not, however, be able to be the only service provider during that time – there's only so many PT sessions and high ropes courses that the YSOs could do! NZDF's firm assumption sees other partners delivering the majority of the program including rehabilitation, mentoring and education.

Remembering that the 2017 concept was never anything more than a draft idea, it was not costed or practically tested and scoped. It was also a different time for NZDF in terms of attrition and outputs.

- Would NZDF staff undertake any other role apart from training / education in this model?

No, we do not have the specialist skills to offer wraparound support required for a complex cohort for things such as rehab, schooling etc. While we do have medical staff, their function is Force health first, and as it currently stands, staff shortages means the NZDF is stretched at providing these services for its own people, let alone others. There would also be a number of legislative issues around NZDF personnel being utilised in this manner.

- What would be the fundamental differences we can point out between NZDF role in Option 3 and Option 2?

In terms of the NZDF, the pull on our resources for option 3 would be so significant that we would likely be facing failure to deliver on certain outputs to the Government.

- Your email mentioned the 2017 project would have required around 120 FTE (NZDF, medical, teachers) and a similar proposal would likely require at least 70 NZDF personnel. Is the length of the program what explains the difference? Are teachers, medical, etc, not included? Is this number also based on 60 YSO trainees per year?

Yes based on 60 YSO a year. In 2017, the NZDF were asked to consider NZDF 'owning' the entire thing; Admin, medical, Teachers, psych support etc. In the end, the two day activity turned into a spit ball session noting the available guidance and time allowed to generate the idea. A bunch of 'SME' were merely packed in a room and challenged to come up with something including on elements that the group had no expertise in (Education, etc). As mentioned, in the end it did not go anywhere due to the government changing. Therefore the 120 FTE came was simply 'plucked' and was based on a three-year residential course – so not comparable or entirely useful in this situation!

Extra question

- We would like to provide more details about the increased attrition levels the academy could bring to NZDF. What would be the incredibly serious effect on NZDF mentioned in your email? Are there any details you could provide from past experiences? E.g.: issues detected when following the Covid 19 response.

The NZDF recently provided insight into this issue (among others) as part of the Royal Commission of Inquiry into the COVID-19 lessons. During Operation Protect (NZDF's response to the COVID-19 pandemic), data began indicating that attrition rates (resignations) within the NZDF were rising. Exit surveys were beginning to show some departing personnel affected by dissatisfaction with repeated deployments on Operation Protect, a role unrelated to their core trades and professions. Other personnel expressed concern over the adverse impact upon their career progression of delayed or cancelled training programs, and consequently the impact on their remuneration.

Overlaid on top of these trends was the growing economy, a time when, historically, NZDF attrition rises as adaptable and skilled military personnel seek opportunities in the civilian sector. The concurrent skilled labour shortage associated with border restrictions had heightened this external 'pull' and the NZDF was experiencing worrying attrition in particular trades (for example in Army: 23 per cent attrition in plant operators, 16 per cent in electrical fitters, 26 per cent in plumbers/drain layers). Such rates of attrition has had a direct impact upon NZDF's capabilities – for example, in the skilled personnel needed

to respond to a natural disaster, or to our routine support to Scott Base through Operation Antarctica. No single issue drove personnel attrition, but collectively these issues grew and outputs were and remain degraded by multiple factors.

If the NZDF was required to begin to ask personnel from outside of the YDU to be posted to the YOMA, we would anticipate that this would have an incredibly negative result on our attrition, morale and outputs.

People do not join the NZDF to work in the youth justice field – they would work for other Government departments if this was their pull. To ask personnel to change to roles that they would see as unfulfilling to their career objectives, that would put them at risk (in a different way to what they joined up to), would delay career progression, that would prevent remuneration uplift, and which would possibly take them away from their families and communities for long periods of time, would be unpalatable at a time where the NZDF has record levels of attrition.

The maturity required of those to work with YSOs are the key area of personnel that we are currently trying to retain and who are being drawn to other roles outside of Defence that are higher paying and with fewer sacrifices and better work/life balances. They cannot be replaced like-for-like with civilians off the street – we have to grow our workforce and at this current time, the NZDF is in a workforce crisis that is requiring all levers to be pulled in order to maintain our outputs to Government.

For your background - We have included a graph below which shows the sharp increase in serious mental health support of NZDF personnel involved in the LSV programme, and the correlation with the increase in complexity of participants. It is this type of data that our senior leaders will be looking at when considering any NZDF involvement with a complex cohort of YSOs.

Ngā mihi,
Greer

Greer Berry (She/her)

Strategic Advisor – Office of the Chief of Defence Force
Te Ope Kātua o Aotearoa | New Zealand Defence Force
s.9(2)(a)
www.nzdf.mil.nz

From: Roberta De Abreu Lima s.9(2)(a)
Sent: Wednesday, 8 November 2023 11:30 a.m.
To: Berry, Greer s.9(2)(k)
Cc: Ben Stephenson s.9(2)(a)
Subject: RE: [SEEMAIL]: Follow up on Military Academy meeting

IN-CONFIDENCE

Kia ora Greer,

Thank you for your support in clarifying our questions.

As Ben said, we would like to provide more details on the role NZDF could undertake under each option we designed to respond to YSO, and point out the fundamental differences between them. I drafted some questions we have under each option. Do you think you could please help us to clarify? There is also an extra question at the end.

Option 1 - Military Academy as a programme required to be completed as part of a (existing) Supervision with Activity order or Supervision Order following Residence

- We understand this option could mirror what NZDF currently offers as part of the Blue Light Ventures (BLV). I see on their website NZDF runs one programme (The Life Skills Programme, focused on leadership training, practical skills, self-confidence, and leaderless tasks). Could you please describe / provide more details on what the Defence does in this programme? Does NZDF YDU staff deliver the whole training on their own? Do they act as a trainer / coach? What exactly is the training?
- Apart from the Life Skills Programme, are there any other programmes NZDF offers as part of the Blue Light Ventures? If so, could you provide details?
- How many NZDF YDU staff are currently allocated to this response (per year)? How many participants currently attend (per year)? We could include this ratio as a reference
- How many staff would likely need to be reallocated in case the military academies are based on this project? We understand this is dependable on multiple factors, but again we could use it as a reference. You mentioned NZDF could look to supply 30-40 NZDF YDU personnel – is that based on the 60 YSO trainees per year projection?

Option 2 - Military Academy as a programme required to be completed as part of a (existing) Supervision with Residence order

- This option could be based on the past MAC programme. In your email, you mentioned NZDF could support the programme through outdoor education training delivered the “military way”. Could you please describe / provide more details on what the “military way” is?
- What type of outdoor education training / any other types of training or interventions were provided by NZDF during MAC and could be provided again under this option? Did NZDF also provide the therapeutic and educational training / intervention that were part of MAC? (MAC reports don't include these details unfortunately).
- Did NZDF staff undertake any other role apart from training / education? E.g.: ensuring trainees follow a routine, ensuring discipline, maintaining the facilities, etc.
- How many NZDF staff were allocated to this programme per year? How many participants attended on that same year? We could use this ratio as a reference
- How many staff would likely need to be reallocated in case the military academies are based on the past MAC? You mentioned around 20-30 NZDF YDU personnel in your email. Is this number based on 60 YSO trainees per year projection? We find it curious the number or personnel required for this option is lower than on Option 1 (above) – is there any particular reason for the difference?

Option 3 - Military Academy as a new standalone sentencing option, within a new secure facility

- This option could be based on the 2017 analysis NZDF made (for a three-year residential military-style training course and school with a focus was on discipline, skills, wellbeing and team work, as per your email). Could you please describe / provide more details on what NZDF would do based on this project? What type of training NZDF personnel would deliver? Physical training? Coaching? Educational and therapeutic training / interventions?
- Would NZDF staff undertake any other role apart from training / education in this model?
- What would be the fundamental differences we can point out between NZDF role in Option 3 and Option 2?
- Your email mentioned the 2017 project would have required around 120 FTE (NZDF, medical, teachers) and a similar proposal would likely require at least 70 NZDF personnel. Is the length of the program what explains the difference? Are teachers, medical, etc, not included? Is this number also based on 60 YSO trainees per year?

Extra question

- We would like to provide more details about the increased attrition levels the academy could bring to NZDF. What would be the incredibly serious effect on NZDF mentioned in your email? Are there any details you could provide from past experiences? E.g.: issues detected when following the Covid 19 response.

Thank you once again
Ngā mihi

Roberta de Abreu Lima (she/her)

Kaitātari Kaupapa | Policy Analyst

Youth Justice and Disability

Oranga Tamariki – Ministry for Children

The Aurora Centre, 56 The Terrace, Wellington

From: Berry, Greer ^{s.9(2)(k)}
Sent: Tuesday, November 7, 2023 1:05 PM
To: Ben Stephenson ^{s.9(2)(a)}
Cc: Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>; Willie Kirk ^{s.9(2)(a)} ;
Roberta De Abreu Lima ^{s.9(2)(a)}
Subject: RE: [SEEMAIL]: Follow up on Military Academy meeting

You don't often get email from ^{s.9(2)(k)} [Learn why this is important](#)

*** [SEEMAIL] This message may contain classified information ***

Thanks Ben, this sounds good.

Noting you're not wanting to limit to a geographic location, I've just asked John and Roger to advise around what tasks/roles NZDF are location dependant (if any).

But in the meantime, very keen to have input into anything Roberta pulls together and happy to assist.

Please feel free to flick through any questions.

And apologies but my replies are bouncing back from Megan's email address... so please feel free to forward to her.

Ngā mihi,
Greer

From: Ben Stephenson ^{s.9(2)(a)}
Sent: Tuesday, 7 November 2023 12:45 p.m.
To: Berry, Greer ^{s.9(2)(k)}
Cc: Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>; Willie Kirk ^{s.9(2)(a)} ;
Roberta De Abreu Lima ^{s.9(2)(a)}
Subject: RE: [SEEMAIL]: Follow up on Military Academy meeting

IN-CONFIDENCE

Also, we've have reached out to MSD and we will aim to set up a conversation with you and then asap.

Ben

From: Ben Stephenson
Sent: Tuesday, November 7, 2023 12:18 PM
To: Berry, Greer ^{s.9(2)(k)}
Cc: Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>; Willie Kirk ^{s.9(2)(a)}; Roberta De Abreu Lima ^{s.9(2)(a)}
Subject: RE: [SEEMAIL]: Follow up on Military Academy meeting

IN-CONFIDENCE

Kia ora Greer,

Just wanted to also say thank you for the analysis and the response to our questions.

I've been thinking a bit more about how we frame our advice. For our paper, which will summarise the impact the military academy will have on NZDF, I think we do two things:

- Outline the broad impacts to NZDF as a result of their involvement in responding to YSOs. Noting that these impacts will vary depending on the role NZDF plays. Which I think you have outlined expertly in the first part of your email.
- Set aside where the academy is located and think more about the different roles NZDF could play. E.g. based on the text below it seems that NZDF could be working alongside other agencies to deliver a range of programmes and activities, could be delivering outdoor education training through the 'Military Way', or at the extreme end running a residential military-style training course and school. Then we can describe the impact that each of these roles will have on NZDF (including staff numbers required).

My thinking is that, to some extent, you could vary the role the NZDF could play regardless of the location of the academy. i.e. it could be a SWA programme, with NZDF playing a greater or lesser role within the programme.

If that sounds ok to you, then Roberta in my team can write that up and test it with you. She might just need to get back to you to ask a few more questions about what your role is/would be in each of the programmes mentioned below.

Ben

From: Willie Kirk ^{s.9(2)(a)}
Sent: Tuesday, November 7, 2023 9:03 AM
To: Berry, Greer ^{s.9(2)(k)}; Ben Stephenson ^{s.9(2)(a)}
Cc: Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>
Subject: RE: [SEEMAIL]: Follow up on Military Academy meeting

Thanks Greer – Ben forwarded this on. It's an incredibly helpful analysis and confirms more than ever that our approach to the expected proposal and commissioning will need to be a well aligned team effort! We are confident that with some political flexibility there are versions of an academy or programme that can harness the best evidence, have less impact on NZDF and provide the positive rehabilitative/ circuit breaker intervention sought for a small cohort of high needs kids.

W

Willie Kirk
Principal Advisor
Youth Justice System Development | Youth Crime Taskforce
Level 14 The Aurora Centre, 56 – 66 The Terrace, Wellington
PO Box 546, Wellington 6140
s.9(2)(a) | E: s.9(2)(a)

From: Berry, Greer s.9(2)(k)
Sent: Tuesday, November 7, 2023 8:32 AM
To: Ben Stephenson s.9(2)(a)
Cc: Willie Kirk s.9(2)(a); Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>
Subject: RE: [SEEMAIL]: Follow up on Military Academy meeting

You don't often get email from s.9(2)(k) [Learn why this is important](#)

*** [SEEMAIL] This message may contain classified information ***

With apologies Willie and Megan, I forgot to reply-all to this email that I sent yesterday.

Kia ora Ben,

Thanks again for the email last week. Please find our responses to your questions below.

With respect to ongoing discussions around the YOMA, we would appreciate if you were able to ensure MSD were brought into the fold in terms of meetings etc.

It is becoming increasingly likely that any NZDF involvement would have a flow on effect for them so we think the sooner they can be brought into the conversations, the better.

What impact would a military academy have on the NZDF, and what are the trade-offs that will need to be made i.e. what will NZDF have to stop doing?

The impact on the NZDF would be highly dependent on the shape and output of the proposed YOMA.

The NZDF is currently experiencing extreme workforce pressures from high levels of attrition, among other factors. This means most areas of the NZDF are under-resourced in terms of headcount, with many personnel covering a number of roles and an increasing number of Military outputs at increased risk of failure.

If NZDF was required to staff anything substantial for YOMA (i.e. 70+ FTE on a long-term basis), then NZDF would fail to meet current agreed government outputs.

As an example of the things that would be affected at the highest level:

- *The current Limited Service Volunteer (LSV) programme may need to end. This six-week motivational course for unemployed people has run for more than 30 years, and is seen*

as an overwhelmingly successful programme. The impact on the LSV programme is clearly dependent on the scale of the YOMA model that is delivered.

- *If personnel were drawn from the wider NZDF, these NZDF members would not only be required to undergo a minimum of six months training, but it would potentially turn-off other responses to domestic and international asks from government, such as Humanitarian Aid and Disaster Relief (HADR) responses, and other scenarios, due to personnel shortages.*
- *Due to the training requirements of those working in the Youth Development area (6-9 months training time), there would be a significant lag in bringing on additional staff.*
- *The vast majority of NZDF personnel do not join to take part in youth development/justice so therefore we would reasonably expect that if NZDF was asked to bring in numbers outside of the current Youth Development Unit (From single Services such as the wider Army, Air Force and Navy), then attrition levels would again rise as we found following our Covid 19 response. This would have an incredibly serious effect on NZDF.*

If we went with option 3 in the attached storyline (Military Academy as a new standalone sentencing option, within a new secure facility), is there a current NZDF secure facility that a programme like this could be delivered from?

No, there is no current facility in the Defence Force estate portfolio that is suitable or built to the specifications required for a secure youth facility.

Or would it require a new purpose-built facility as no NZDF facilities would be secure enough?

A new, purpose-built facility would be required. Previous costings conducted by NZDF in 2017 estimated at the time that it would take three to five years to build the capability from scratch with a set up cost to the NZDF of approximately \$40M (+Annual operating expenditure). This number would be expected to be significantly higher in today's financial terms.

Would we need changes to the Defence Act to enable any of the options we have presented?

- *Options One and Two have the fewest legislative implications for NZDF's involvement (based on assumptions of NZDF's involvement). Option Three would require new legislation to be drafted if the facility was to be built on NZDF land.*
- *Defence Act (DA). The DA provides for the raising and maintaining of the Armed Forces for certain purposes. The fundamental purpose of the Armed Forces is to defend NZ and protect its interests, and there is significant constitutional sensitivity to using the Armed Forces in an enduring domestic capacity.*
- *While there is a broad catch-all "the provision of any public service", this provision is intended to allow for temporary use of military resource (e.g. the use of a helicopter for a specified task: R v Hertnon); it does not envisage the delivery of an enduring "public service" which these Academies would be.*
- *Furthermore, the DA does not provide for any mechanism to maintain good order and discipline of people in its care (such as those found in the Corrections Act) and so a new part of the DA would need to be drafted to provide for this. Simply applying the Armed Forces Discipline Act would not be appropriate due to NZ's international obligations regarding care of children (UN Convention on the Rights of the Child).*
- *Defence Regulations (DR). In line with its non-domestic focus, members of the Armed Forces do not have sufficient authorities to control or search the people who are in these Academies. The powers of arrest and search under the Armed Forces Discipline Act, with*

limited exceptions, apply in respect of members of the Armed Forces and not civilians. The powers of search or the ability to restrict movement of any person within a Defence Area under the DR are limited to security purposes only and would need to be expanded.

- *Public Service Act (PSA). The provisions that provide immunity to public servants actions done in good faith do not apply to members of the Armed Forces. If NZDF were to engage daily with a high risk civilian group, the PSA immunity provisions should be extended to the NZDF.*

If we were to place the academy in a NZDF facility, would we need changes to the defence act to enable this?

Noting that there is no NZDF facility that is appropriate: If YOMA were to be located on NZDF land or facilities, then YOMA are likely to be 'defence areas' for the purposes of the Defence Act 1990, and Part 3 of the Defence Regulations 1990 will apply. It would empower the officer in charge of the YOMA to detain and search persons entering or leaving the YOMA and considerations under the New Zealand Bill of Rights Act 1990 (specifically, the rights of persons detained as set out in s 23(1)) may be engaged in such cases.

YOMA offenders would not be subject to the Armed Forces Discipline Act (1971) due to NZ's international obligations regarding care of children (UN Convention on the Rights of the Child). There would be implications around the security of the facility within a defence area, as well as the safety of Defence Force personnel and their dependants using the same areas.

It is Defence's strong preference for these facilities not to be located within Defence areas.

I think it would be useful if you used the following options (scenarios) as a way of determining the impact on NZDF:

Option one:

- **Military Academy as a programme required to be completed as part of a (existing) Supervision with Activity order or Supervision Order following Residence.**

NZDF's likely support to this option would mirror what is currently offered as part of the Blue Light Ventures (BLV), working alongside NZ Police to deliver a range of programmes and activities. This programme is aimed at 14 -17 year olds deemed to be 'at risk' or 'disadvantaged'. The NZDF currently provides 12 courses per year nationwide for up to 360 trainees that cover a range of leaderless and adventure activities focusing on leadership, practical life skills, and self-confidence. However, it is worth noting the non-voluntary nature of YOMA offenders may impact efficacy of NZDF youth development delivery model. If the BLV model was to be repurposed for YOMA offenders, it would require an increase of NZDF personnel (who will come from existing appropriately-trained staff currently posted to other roles, or other areas where it will take six to nine months to train), from a staffing base which is depleted and currently allocated to other outputs for the Government which would need to either be scaled back or ceased. The high needs support requirements and security risk around the YOMA cohort would require an increase of NZ Police presence as current law only allows for NZDF personnel to exert self-defence and they are not legally allowed to act as custodians of the YOMA offenders. NZDF could look to supply 30-40 personnel from the existing YDU staff however there would be implications on existing YDU programmes and Government outputs to support this. Assuming a 60 to 100 trainee per year requirement this commitment could only be confirmed once the lead agency has defined the training outcomes NZDF is capable of supporting, and the geographical 'footprint' the community based model will support.

Option Two:

- **Military Academy as a programme required to be completed as part of a (existing) Supervision with Residence order (like the MAC).**

NZDF's likely support to this option would be formed off what was previously utilised as part of the Military-style Activity Camp (MAC) programme (ceased in 2016). NZDF could support the programme through likely outdoor education training delivered through the 'Military Way'. Around 20-30 NZDF YDU personnel could be posted to support this programme, with a strong preference on this taking place in the Auckland region. This model would see 60 YOMA offenders in 3 x 3 month courses. Assuming a 60 trainee per year requirement this commitment could only be confirmed once the lead agency has defined the training outcomes NZDF is capable of supporting, and the geographical 'footprint' (i.e. three times twenty trainee courses in the same facility or three times twenty trainee courses across three different facilities. This factor is critical in refining the NZDF support to this model). To rapidly deliver YOMA in this model, the existing LSV programme would likely require some changes which would require consultation with MSD. This would see existing trained staff re-tasked from current youth development programmes on to the YOMA programme.

Option Three:

- **Military Academy as a new standalone sentencing option, within a new secure facility (more like what you worked up in your 2017 analysis)**

A limited assessment and costings for a similar proposal was conducted in 2017 at the request of the then Minister of Defence and then Chief of Defence Force. It was not implemented. The request was based on tackling youth crime rates for children 13 to 18 years old, for up to 50 involuntary trainees per year, in a three-year residential military-style training course and school. The syllabus focus was to focus on discipline, skills, wellbeing and teamwork and no lead agency was identified at the time. It was estimated it would take three to five years to build capability from scratch with a set up cost to the NZDF of approximately \$40M (+Annual operational expenditure). It would have required approximately 120 FTE (NZDF, medical and teachers). Further work was not done on this proposal as the Government changed and the proposed facility was no longer required.

If a similar proposal was required for YOMA, NZDF estimates it would require more than 70 NZDF personnel to provide the tasks proposed. These would likely be drawn from YDU staff however it would be likely that reinforcements would need to come from the single services (Army, Air Force, Navy). This depends on a lead agency delivering and managing the facility, with other agencies/providers providing specialist support. At this level, other outputs would cease and/or there would be a lag in providing the numbers required as there would be a minimum of six to nine months training required of personnel deemed suitable for the roles.

If this option was seriously considered, there would likely be serious consequences to NZDF's attrition rates. As mentioned, the vast majority of NZDF personnel do not join to take part in youth development/justice so therefore we would reasonably expect that if NZDF was asked to bring in numbers outside of the current Youth Development Unit (From single Services such as the wider Army, Air Force and Navy), then attrition levels would again rise as we found following our Covid 19 response. This would have an incredibly serious effect on NZDF's ability to respond to government requests.

NZDF personnel could not conduct these duties without appropriate support and staffing from other agencies such as Corrections and NZ Police. With the complex nature of offenders, NZDF personnel would require higher levels of support for health and safety reasons.

If a facility was built on Defence land, it would need to be secure enough to ensure regular NZDF personnel and their dependants who were not part of the YOMA were able to conduct their business and work safely within the Defence area. There are a number of other complexities with this course of action that would require more information to work through.

But equally, I think that it would be worthwhile if you were to broadly consider what the NZDF involvement in a Military Academy would look like, and whether this could be scaled. i.e. Who could be involved from NZDF, what skills and approach would they take? Are there options for this?

- *NZDF's preference for involvement in a YOMA would see a small numbers of currently trained personnel (approx.30) to be re-purposed from existing Youth Development programmes, with the least amount of disruption to those programmes to allow for that government output to continue to be met.*
- *As an example, this could be 20-40 personnel tasked to a MAC-like programme at a single OT-run location (Auckland-based).*
- *In terms of the skills and attributes offered by NZDF YDS staff, and in line with what was offered in the MAC course, staff would be able to enhance and develop motivation of participants, promote life skills and core values, and conduct activities they may not have done before. Examples of this include wilderness camp, high ropes, caving, military confidence course, tramping, community work, team work and fitness activities.*
- *Not all NZDF personnel are suitable to work in roles interacting with youth, and as such there is a specialist trade within NZDF known as the 'Youth Development Specialist' (YDS).*
- *These personnel must comply with the Children's Act 2014, United Nations Convention on the Rights of the Child and a range of relevant NZDF health and safety policies. This requires staff to pass a selection, police and child worker checks and an intensive Defence College approved training course ('YDS Basic'). Noting only ranks of substantive Corporal (or equivalent who are already eight to ten year NZDF veterans) are considered for a transfer into the Youth Development Unit, it takes a further six months to generate a competent YDS capable of staffing an LSV course unsupervised.*
- *In terms of the YOMA, the candidates appear to be of a far greater complexity than NZDF staff are prepared for.*
- *Dependant on Ministry of Justice analysis, NZDF would need to assess the gap in training and develop/source appropriate training in order to contribute to and/or assure legislative/policy compliance, health and safety and programme outcomes.*

Also, our legal team have asked for more info on:

- **MAC camps – health and safety issues you mentioned that your staff faced; and**

MAC H&S issues

[Awaiting information on the specifics however understand it to be high levels of harmful behaviours – suicide attempts, self harm, assault, aggressive behaviours etc]

LSV issues

- *Prior to 2016, the historical average of 'complex' cases per course ran at no higher than 30%. This enabled the NZDF to meet its requirement, in accordance with the Memorandum of Understanding with MSD, to deliver training for the required number of trainees and support no less than 80% of trainees to successful course graduation.*
 - *However, in recent years the number of 'complex' cases presenting at LSV courses has increased, averaging 49% per course with an example of up to 65% for one course in 2021.*
 - *By definition a higher proportion of these young people are less ready for training and are more in need of health and mental health interventions*
 - *The ratio of critical incidents to staff levels has increased to a point where NZDF is accepting increasing risk. Critical incidents that are being reported include suicide or self-harm, assault and violence towards trainees and staff, and disruptive and aggressive behaviours.*
- **More information on the 2017 proposal for secure youth facilities (option '3' style that was talked about).**

Secure Youth Training Facility (2017)

- *A limited assessment and costings was conducted in 2017 at the request of MINDEF and CDF. It was a high level analysis and it was not implemented.*
- *The request was based on tackling youth crime rates for children 13 to 18 years old, for up to 50 involuntary trainees per year, in a three-year residential military-style training course and school. The syllabus focus was to focus on discipline, skills, wellbeing and teamwork and no lead agency was identified at the time.*
- *Costings estimated at the time that it would take three to five years to build capability from scratch with a set up cost to the NZDF of approximately \$40M (+Annual OPEX).*
- *It would have required approximately 120 FTE (NZDF, medical and teachers). Further work was not done on this proposal as the Government changed and the proposed facility was no longer required.*

Please let me know if you have any further questions on the above.

Ngā mihi,
Greer

Ngā mihi,
Greer

Greer Berry (She/her)

Strategic Advisor – Office of the Chief of Defence Force

Te Ope Kātua o Aotearoa | New Zealand Defence Force

s.9(2)(a)

www.nzdf.mil.nz

From: Ben Stephenson ^{s.9(2)(a)}
Sent: Friday, 3 November 2023 10:30 a.m.
To: Harvey, John ^{s.9(2)(k)}
Cc: Willie Kirk ^{s.9(2)(a)}; Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>; Margetts, Roger, COL ^{s.9(2)(k)}; Berry, Greer ^{s.9(2)(k)}; ^{s.9(2)(a)}; McCabe, Karl ^{s.9(2)(k)}
Subject: RE: [SEEMAIL]: Follow up on Military Academy meeting

IN-CONFIDENCE

Thanks John.

Much appreciated.

Ben

From: Harvey, John ^{s.9(2)(k)}
Sent: Friday, November 3, 2023 9:58 AM
To: Ben Stephenson <^{s.9(2)(a)}>
Cc: Willie Kirk ^{s.9(2)(a)}; Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>; Margetts, Roger, COL ^{s.9(2)(k)}; Berry, Greer ^{s.9(2)(k)}; ^{s.9(2)(a)}; McCabe, Karl ^{s.9(2)(k)}
Subject: [SEEMAIL]: Follow up on Military Academy meeting

*** [SEEMAIL] This message may contain classified information ***

Thanks for the update and running the meeting yesterday Ben,

NZDF acknowledges the RFI below.

We are already working on the three High Level concepts as discussed yesterday and outlined below.

We will work on these and come back through Greer on Tuesday as discussed.

Cheers,

JH

John Harvey

Dir Reserve Forces - Youth & Sport (civ), Defence Reserves Youth & Sport

Te Ope Kātua o Aotearoa | New Zealand Defence Force

Internal: ^{s.9(2)(a)}

www.nzdf.mil.nz

From: Ben Stephenson <[REDACTED]>
Sent: Friday, 3 November 2023 9:35 a.m.
To: [REDACTED]; Margetts, Roger, COL
<[REDACTED]>; Harvey, John <[REDACTED]>; McCabe, Karl
<[REDACTED]>; Berry, Greer <[REDACTED]>
Cc: Willie Kirk <[REDACTED]>; Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>
Subject: Follow up on Military Academy meeting

IN-CONFIDENCE

Kia ora koutou,

Thanks for meeting yesterday to discuss the advice on military academies.

Just to summarise the information that I think it would be beneficial to receive from NZDF as input for our work... I think that the key questions we need you to answer are:

- What impact would a military academy have on the NZDF, and what are the trade-offs that will need to be made i.e. what will NZDF have to stop doing?
- If we went with option 3 in the attached storyline (Military Academy as a new standalone sentencing option, within a new secure facility), is there a current NZDF secure facility that a programme like this could be delivered from? Or would it require a new purpose-built facility as no NZDF facilities would be secure enough?
- Would we need changes to the Defence Act to enable any of the options we have presented? If we were to place the academy in a NZDF facility, would we need changes to the defence act to enable this?

Like we discussed at the meeting, I think it would be useful if you used the following options (scenarios) as a way of determining the impact on NZDF:

- Military Academy as a programme required to be completed as part of a (existing) Supervision with Activity order or Supervision Order following Residence.
- Military Academy as a programme required to be completed as part of a (existing) Supervision with Residence order (like the MAC)
- Military Academy as a new standalone sentencing option, within a new secure facility (more like what you worked up in your 2017 analysis)

But equally, I think that it would be worthwhile if you were to broadly consider what the NZDF involvement in a Military Academy would look like, and whether this could be scaled. i.e. Who could be involved from NZDF, what skills and approach would they take? Are there options for this?

Also, our legal team have asked for more info on:

1. MAC camps – health and safety issues you mentioned that your staff faced; and
2. 2017 proposal for secure youth facilities (option '3' style that was talked about).
3. contact details of any of their legal colleagues that will be involved in this work, as it will be important for us to all be joined up in due course (particularly to understand legal implications for Defence in relation to the proposals being canvassed).

Would it be possible for you to send that through to me?



Thanks,
Ben

Ben Stephenson

Principal Policy Analyst

Level 14 The Aurora Centre, 56 – 66 The Terrace, Wellington |

PO Box 546, Wellington 6140

 s.9(2)(a) |  E: s.9(2)(a)

Please note that I do not work on Fridays.

----- This email message is intended solely for the person or entity to which it is addressed. The information it contains may be confidential and legally privileged. Any retransmission, dissemination or other sharing of the contents of this email with unauthorised persons may be unlawful. If you are not the intended recipient, please notify us immediately and destroy all copies of this email. Thank you. Oranga Tamariki-Ministry for Children accepts no responsibility for changes made to this email or to any attachments after transmission. -----

The information contained in this Internet Email message is intended for the addressee only and may contain privileged information, but not necessarily the official views or opinions of the New Zealand Defence Force. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it. If you have received this message in error, please Email or telephone the sender immediately.

The information contained in this Internet Email message is intended for the addressee only and may contain privileged information, but not necessarily the official views or opinions of the New Zealand Defence Force. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it. If you have received this message in error, please Email or telephone the sender immediately.

The information contained in this Internet Email message is intended for the addressee only and may contain privileged information, but not necessarily the official views or opinions of the New Zealand Defence Force. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it. If you have received this message in error, please Email or telephone the sender immediately.

Please let me know if you have any further questions on the above.

Ngā mihi,
Greer

Ngā mihi,
Greer

Greer Berry (She/her)

Strategic Advisor – Office of the Chief of Defence Force

Te Ope Kātua o Aotearoa | New Zealand Defence Force

s.9(2)(a)

www.nzdf.mil.nz

cid:image005.png@01DA1236.4E9
6CA90

From: Ben Stephenson s.9(2)(a)
Sent: Friday, 3 November 2023 10:30 a.m.
To: Harvey, John s.9(2)(k)
Cc: Willie Kirk s.9(2)(a); Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>;
Margetts, Roger, COL s.9(2)(k); Berry, Greer s.9(2)(k)
s.9(2)(a); McCabe, Karl s.9(2)(k)
Subject: RE: [SEEMAIL]: Follow up on Military Academy meeting

IN-CONFIDENCE

Thanks John.

Much appreciated.

Ben

From: Harvey, John s.9(2)(k)
Sent: Friday, November 3, 2023 9:58 AM
To: Ben Stephenson <s.9(2)(a)>
Cc: Willie Kirk s.9(2)(a); Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>;
Margetts, Roger, COL s.9(2)(k); Berry, Greer s.9(2)(k)
s.9(2)(a); McCabe, Karl s.9(2)(a)
Subject: [SEEMAIL]: Follow up on Military Academy meeting

*** [SEEMAIL] This message may contain classified information ***

Thanks for the update and running the meeting yesterday Ben,

NZDF acknowledges the RFI below.

We are already working on the three High Level concepts as discussed yesterday and outlined below.

We will work on these and come back through Greer on Tuesday as discussed.

Cheers,

JH

John Harvey

Dir Reserve Forces - Youth & Sport (civ), Defence Reserves Youth & Sport

Te Ope Kātua o Aotearoa | New Zealand Defence Force

Internal: s.9(2)(a)

www.nzdf.mil.nz

cid:image005.png@01DA1236.4E96CA90

From: Ben Stephenson s.9(2)(a)
Sent: Friday, 3 November 2023 9:35 a.m.
To: s.9(2)(a) Margetts, Roger, COL
s.9(2)(k); Harvey, John s.9(2)(k); McCabe, Karl
s.9(2)(k); Berry, Greer s.9(2)(k)
Cc: Willie Kirk s.9(2)(a); Megan Gibson <megan.gibson@abuseinquiryresponse.govt.nz>
Subject: Follow up on Military Academy meeting

IN-CONFIDENCE

Kia ora koutou,

Thanks for meeting yesterday to discuss the advice on military academies.

Just to summarise the information that I think it would be beneficial to receive from NZDF as input for our work... I think that the key questions we need you to answer are:

- What impact would a military academy have on the NZDF, and what are the trade- offs that will need to be made i.e. what will NZDF have to stop doing?
- If we went with option 3 in the attached storyline (Military Academy as a new standalone sentencing option, within a new secure facility), is there a current NZDF secure facility that a programme like this could be delivered from? Or would it require a new purpose-built facility as no NZDF facilities would be secure enough?
- Would we need changes to the Defence Act to enable any of the options we have presented? If we were to place the academy in a NZDF facility, would we need changes to the defence act to enable this?

Like we discussed at the meeting, I think it would be useful if you used the following options (scenarios) as a way of determining the impact on NZDF:

- Military Academy as a programme required to be completed as part of a (existing) Supervision with Activity order or Supervision Order following Residence.
- Military Academy as a programme required to be completed as part of a (existing) Supervision with Residence order (like the MAC)

- Military Academy as a new standalone sentencing option, within a new secure facility (more like what you worked up in your 2017 analysis)

But equally, I think that it would be worthwhile if you were to broadly consider what the NZDF involvement in a Military Academy would look like, and whether this could be scaled. i.e. Who could be involved from NZDF, what skills and approach would they take? Are there options for this?

Also, our legal team have asked for more info on:

1. MAC camps – health and safety issues you mentioned that your staff faced; and
2. 2017 proposal for secure youth facilities (option '3' style that was talked about).
3. contact details of any of their legal colleagues that will be involved in this work, as it will be important for us to all be joined up in due course (particularly to understand legal implications for Defence in relation to the proposals being canvassed).

Would it be possible for you to send that through to me?

Thanks,
Ben

Ben Stephenson

Principal Policy Analyst

Level 14 The Aurora Centre, 56 – 66 The Terrace, Wellington |

PO Box 546, Wellington 6140

📞 s9(2)(a) | ✉️ E: s9(2)(a)

cid:image006.png@01DA1236.4E96CA90

Please note that I do not work on Fridays.

----- This email message is intended solely for the person or entity to which it is addressed. The information it contains may be confidential and legally privileged. Any retransmission, dissemination or other sharing of the contents of this email with unauthorised persons may be unlawful. If you are not the intended recipient, please notify us immediately and destroy all copies of this email. Thank you. Oranga Tamariki-Ministry for Children accepts no responsibility for changes made to this email or to any attachments after transmission. -----

The information contained in this Internet Email message is intended for the addressee only and may contain privileged information, but not necessarily the official views or opinions of the New Zealand Defence Force. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it. If you have received this message in error, please Email or telephone the sender immediately.

The information contained in this Internet Email message is intended for the addressee only and may contain privileged information, but not necessarily the official views or opinions of the New Zealand Defence Force. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it. If you have received this message in error, please Email or telephone the sender immediately.

The information contained in this Internet Email message is intended for the addressee only and may contain privileged information, but not necessarily the official views or opinions of the New Zealand Defence Force. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it. If you have received this message in error, please Email or telephone the sender immediately.