



New Zealand Police

Briefing to the Incoming Minister

AUGUST 2002



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OVERVIEW

New Zealand Police strives to achieve “Safer Communities Together”. Police puts community safety and crime reduction centre-stage, and is focused on delivering on these goals for all New Zealanders.

Working together

Successful policing requires active community support and engagement. Police seeks to forge strong partnerships with central and local agencies, iwi and other groups, as well as other policing agencies. The recently launched *Police Strategic Plan to 2006* reinforces the importance of community policing. This choice of policing style seems to align well with the expectations of New Zealanders, reflected in the high levels of trust and confidence Police enjoys from members of the public.

Policing priorities

The key priorities for Police during the year ahead are: reducing crime; increasing community safety; reducing offending and victimisation by Maori and Pacific peoples; and increasing Police capability.

Police also has a series of priorities in particular areas. For example, Police staff are dealing with more young people as both offenders and victims. The government’s *Youth Offending Strategy* offers an inter-sectoral approach to youth offending. Police is also developing its own *Youth Action Plan*. Similarly, in the area of road policing, while bringing down the road toll has been a success story (with last year’s figure the lowest in nearly 40 years), Police is committed to initiatives in the government’s *Road Safety Strategy to 2010*, and is working hard to improve overall road safety.

Recent high profile homicides and (attempted) kidnappings are a cause for real concern, as are the level of violence that some frontline officers are facing. More generally, increased offending around amphetamine-type stimulants and incidents of gang-related violence are nation-wide problems.

Police is analysing the drivers of violence and developing effective strategies to reduce violent offending. A three-pronged approach is envisaged that aims to create safer homes, safer public places and safer schools. In relation to burglary, major gains have already been achieved, meaning that Police will need to explore and promote new initiatives to bring the burglary rate down from current levels. With regard to organised crime, Police will support the across-government measures in the *Crime Reduction Strategy* by improving its intelligence capability and data collection, and continuing to be involved in joint planning and operations with other law enforcement agencies.

Transnational crime has the potential to impact on New Zealand in the form of drug and people smuggling, money laundering, cybercrime and terrorism. Co-operation with, and contribution to policing in the Asia-Pacific region and close liaison with law enforcement globally, will be critical to future success in countering these threats and thereby safeguarding New Zealand’s national security.

Emerging issues

The Auckland City and Counties-Manukau Districts record a significant proportion of the country’s recorded crime. These Districts traditionally experience a higher than average staff turnover and often carry vacancies. The Police Executive, with Ministerial support, must continue to tackle these issues.

Population growth and the changing nature of offending are generating an increasing demand for police services. Police will continue to work to develop ways of investing in community safety and crime reduction – utilising investment models that clearly identify the benefits and costs of policing.

Legislation and policy

Several Bills carried over to the next Parliament, and proposals for new draft Bills, have significant implications for Police. Police will provide separate briefings on these implications before the government’s Legislation Programme is finalised. Police also wish to seek the Minister’s views on specific policy issues and directions, such as sharpening the focus of police services, setting a clear legislative platform for policing, and developing a more flexible resourcing structure for policing.

STRATEGY

Police recently launched a new *Strategic Plan to 2006*. Police's *Strategic Plan* is aligned with the government's *Crime Reduction Strategy* and *Road Safety Strategy to 2010*, and also supports wider government initiatives, such as youth development and working with Maori and Pacific communities.

The main components of Police's *Strategic Plan* are:

- Vision** "Safer Communities Together – Te Whakarurutanga"
- Mission** To serve the community by reducing the incidence and effects of crime, detecting and apprehending offenders, maintaining law and order and enhancing public safety.
- Values**
- ? Maintain the highest level of integrity and professionalism
 - Respect individual rights and freedoms
 - Consult with, and be responsive to, the needs of the community
 - Uphold the rule of law
 - Consult with, and be responsive to, the needs, welfare and aspirations of Police staff
 - Be culturally sensitive
 - Integrate Treaty of Waitangi principles and Maori values into policing.

Key goals

The expectations of government and the community are reflected in the two primary policing goals:

- Community Safety
- Crime Reduction.

Policing integrity, capability and style support Police to reach these strategic goals, and underpin the delivery of policing services.

The *Police Strategic Plan to 2006* also identifies community policing as the preferred policing style. This choice of policing style seems to align well with the expectations of New Zealanders, reflected in the high levels of community support Police enjoys. (In fact, in the most recent quarterly surveys, levels of public trust and confidence in the Police have risen to an all-time high of 80%.)

Key priorities for 2002/03

Police puts its *Strategic Plan* into action through its key priorities and annual plans. Police's priorities for 2002/03 are:

Key Priority 1: Reduce offending and victimisation involving Maori

The aim is to ensure Police meets its obligations and commitments to Maori. Police staff and Maori are working together to develop and implement strategies to reduce crime and its impacts on Maori communities.

Key Priority 1A: Reduce offending and victimisation involving Pacific peoples

Police is committed to helping reduce inequalities. Programmes of action to build or enhance the relationship with Pacific peoples are being developed.

Key Priority 2: Increase community safety

Police will direct resources to core safety, security and emergency response, and build on the community safety results achieved through dedicated resources. Police will continue to work with communities, non-government organisations, and other agencies to address community safety issues.

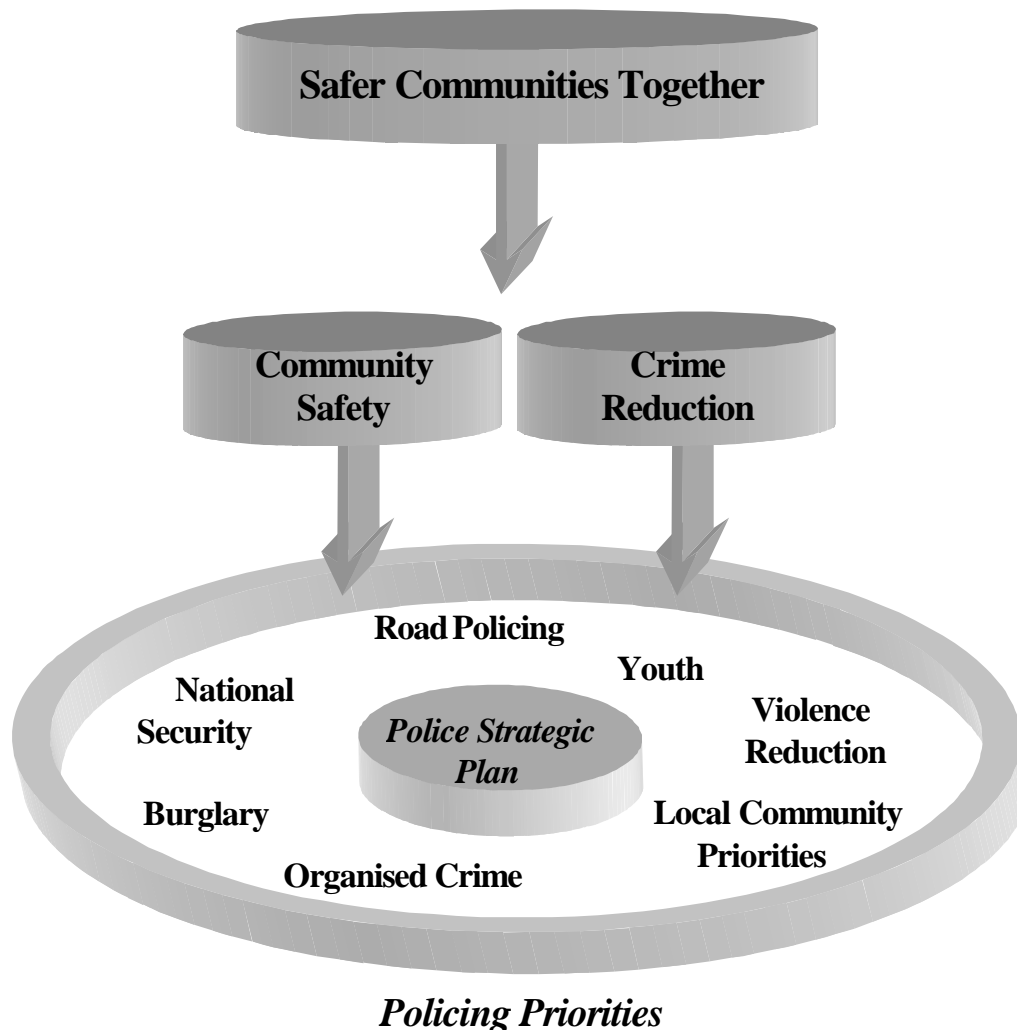
Key Priority 3: Reduce crime

Police is committed to reducing dwelling burglary, violent crime (particularly family violence), youth crime and organised crime. Police also share the drive spelt out in the government's *Crime Reduction Strategy* to reduce crime on the roads, and the theft of and from motor vehicles. The year ahead will see continued emphasis on maintaining reduced levels of recorded crime. Added emphasis will be placed on violent crime in 2002/03, highlighted by the development of an agency-level *Violence Reduction Strategy*. Police will focus on increased co-operation and co-ordination between agencies to address crime problems.

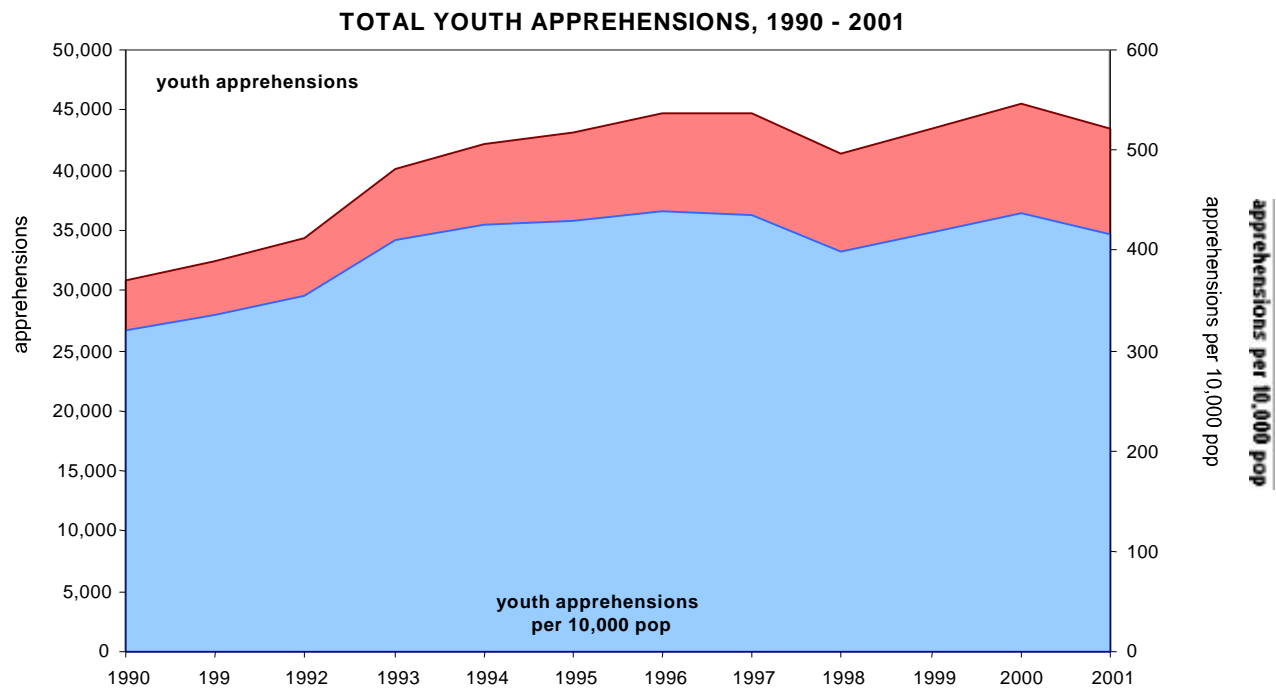
Key Priority 4: Develop Police capability

The goal is to build a policing organisation recognised as effective and highly capable, known for its integrity and acknowledged as a leading state sector organisation. Externally, this means building better community responsiveness. Internally, implementing the *People in Policing* human resources strategy will develop performance and management accountability. The human resources strategy also seeks to develop staff capability and diversity.

How it fits together



Youth



Where have we come from?

Police officers are dealing with more young people as both offenders and victims, and demographic growth in the youth-age population would suggest this trend is likely to continue. Whilst it is true that many young people offend in the course of growing up (including an apparently increasing number of young women), most of those who do offend do so in a relatively minor way, that may not come to Police attention. A very small group (less than 5% of offenders under 17 years old) commit the majority of youth crime, go on to commit serious offences, and continue offending into adulthood.

While some trends can be seen, caution must be used when interpreting youth crime data. Although there are approximately 40,000 youth apprehensions each year, this does not equate to 40,000 young offenders, nor does it equate to 40,000 offences (for example, one offender may be apprehended for multiple offences; or several offenders may be apprehended for a single offence). Police deal with around 75% of young offenders by way of alternative action: a warning, diversion, or other action. Only a minority of young offenders progress to the Youth Court for formal resolution.

Where do we want to be?

Issues affecting young people are complex and many government agencies and community groups are trying to tackle youth crime. For its part, Police is committed to reducing youth offending and victimisation, and is working hard to develop effective programmes to stop young people from becoming involved in crime, and from becoming victims of crime.

An over-arching vision of how to improve the approach to young offenders came out of the Ministerial Taskforce on Youth Offending. The Taskforce stressed the need for leadership; support for those working in the youth justice sector; improving the funding, resourcing and range of youth offending programmes (particularly those at the 'hard end'); as well as better statistical information. The government's *Youth Offending Strategy* has drawn these threads together into a comprehensive,

multi-agency approach to youth crime. Police clearly has a major part to play in implementing the *Strategy*, and it provides a platform for Police actions to be linked with the work of partner agencies.

How are we going to get there?

Police provides a range of services that are targeted specifically at young people, including Youth Aid, Youth Education and Youth Development Programmes (formerly ‘youth at risk’ programmes). These services reflect Police’s commitment to early intervention for young offenders, and the need to reflect its legislative responsibilities under The Children, Young Persons and their Families Act 1989.

While there is much which Police already does in the youth area, there is still more that can be done. For example, even better support and co-ordination of Police staff involved in the youth services area were identified as critical issues in the *Youth Offending Strategy*. These will be addressed through:

- joint training for Police Youth Aid staff and Child, Youth and Family youth justice co-ordinators;
- consideration of an assessment tool to assist in a more streamlined response to young offenders;
- developing Youth Offending Teams to provide leadership and co-ordination at a local level, and
- developing a youth justice database.

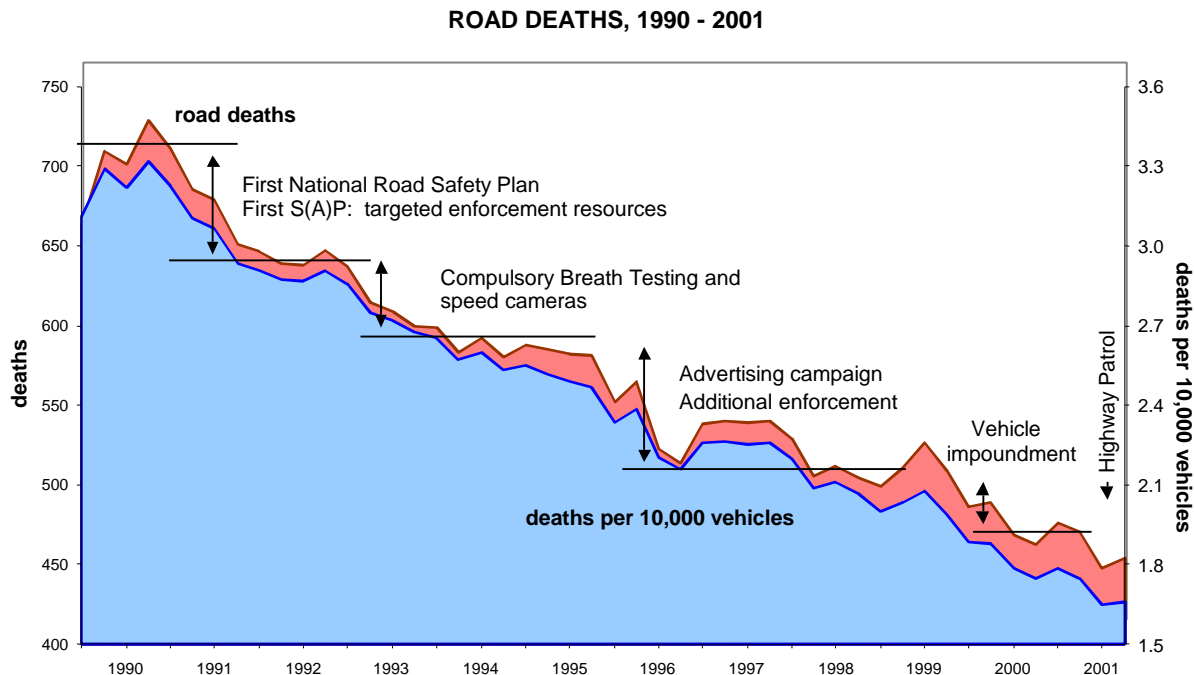
The *Strategy* also includes an emphasis on early intervention, and Police will be involved in work designed to ensure that programmes for young people at risk of offending are evidence-based, effective and integrated with other services.

Future opportunities

Police are in the process of appointing a new National Manager: Youth Services. This person will be responsible for boosting the support structure for youth services within Police and for co-ordinating the range of services offered.

To make real improvements in preventing and responding to offending by young people, Police also needs to ensure standards are maintained and enhanced across the range of youth services. Plans for improved service delivery will be set out in a new Police *Youth Action Plan*, and Ministerial input will be sought on the plan.

Road policing



Where have we come from?

In 1991, the *National Road Safety Plan* set ambitious targets for reducing the road toll. Road safety efforts since that time have included best practice programmes and initiatives, such as addressing blackspots, risk targeting of patrols, driver licensing changes, introducing speed cameras, compulsory breath testing, and intensive advertising campaigns. Each road safety initiative has been closely monitored and rigorously analysed. Inter-agency and community partnerships and management through the National Road Safety Committee have also played a major role in reducing the road toll to 453 deaths last year – the lowest in nearly 40 years.

Where do we want to be?

Despite the gains over the previous 10 years, New Zealand's road safety performance still lags behind Australia and leading European countries. New Zealand registers 14.4 road deaths per 100,000 population compared to 6.1 in Sweden, 6.3 in Norway, 6.9 in the United Kingdom, and 9.5 in Australia. The proposed goal in the inter-sectoral *Road Safety Strategy to 2010* is to bring New Zealand closer to the world's safest countries. This would mean that in a decade, New Zealand would have halved its road fatality rate – cutting the annual road toll by about 200.

How are we going to get there?

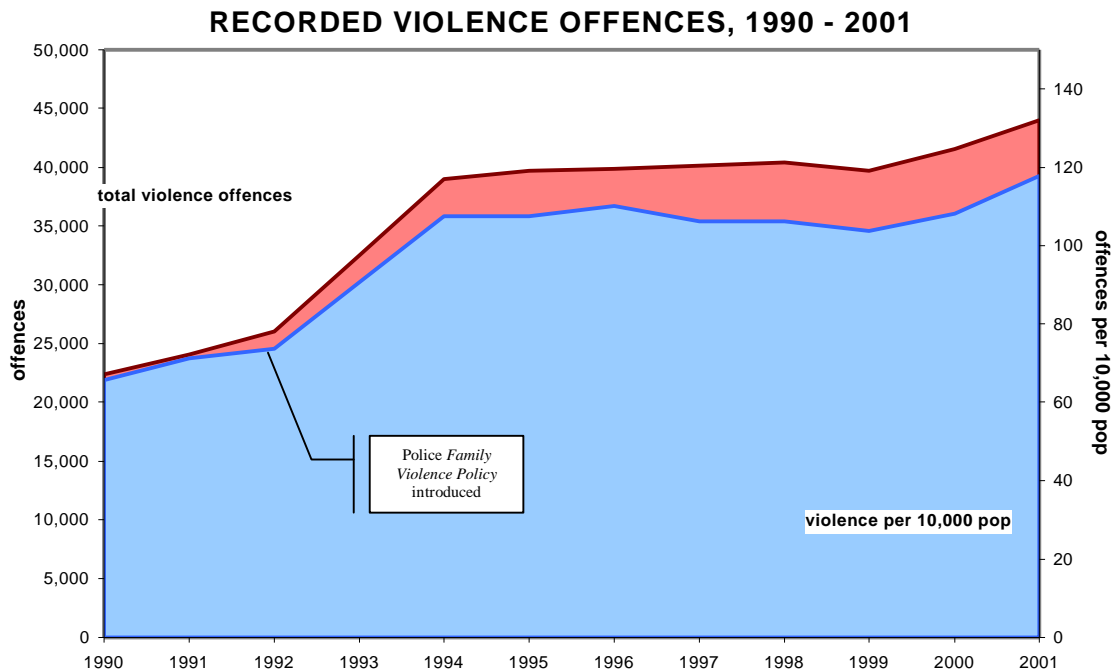
The *Road Safety Strategy to 2010*, developed by the Ministry of Transport and road safety partners including Police, proposes a mix of engineering and enforcement programmes. Initially improvements would be sought through an expanded construction programme, open road speed management and light vehicle safety standards. Other gains could come from the existing road construction programme, urban speed management, enhanced compulsory breath testing, and improved restraint wearing. Ministers may also be asked to consider the road safety benefits of initiatives such as a reduced blood/breath alcohol limit, raising the minimum legal driving age, blackspot treatments, trauma management, stricter licensing conditions, longer legal hours of darkness, alcohol ignition interlocks, heavy vehicle visibility and stability, and a zero alcohol limit for young drivers.

Police has also developed a *Road Policing Strategy 2001-2006*, which sets out how road policing will be more closely integrated with general policing to reduce road trauma and wider crime.

Future opportunities

Government's road policing expenditure is \$192m (GST exclusive) each year. Additional investment for 2002/03 includes new money (\$6.4m GST excl) for 73 extra frontline and support staff. The extra funding will also enable a general equipment upgrade that will help the speed management programme. Ministerial support for future proposals that contribute to achieving road safety targets will be a key to maintaining progress throughout the life of the *Road Safety Strategy to 2010*.

Violence



Where have we come from?

Violence is a complex social issue, and violent crime statistics suitable for international comparison are not widely available. What is clear, however, is that violent crime often features in victimisation surveys, but violent offences are not always reported to law enforcement agencies. For example, violent and sexual offending made up almost two thirds of all offences disclosed in the 1996 *New Zealand Survey of Crime Victims*, but only 13% of those offences were reported to Police.

With these caveats in mind, the last decade has been characterised by three developments – a 40% increase in reported violent crime from 1990 to 1994, followed by a period of relative stability from 1994 to 1998, and a further rise in reported offences from 1999 to 2001. Several factors could have contributed to this pattern, including increasing public awareness and intolerance of violence (especially family violence), new legislation and violence reduction services, and changes to reporting and recording protocols. Criminological research also links increasing violence with socio-economic factors such as increasing availability of alcohol, however understanding the drivers of increasing levels of violence within different communities remains one of the biggest challenges.

Where do we want to be?

Unlike the road policing area, where there are clearly defined baseline measures and future targets, there is a less well-established body of research and analysis from which to develop measures for violence. Despite these limitations, Police and partner agencies have drawn up some reasonably robust violence prevention and reduction goals that have recently been captured in *Te Rito: New Zealand Family Violence Prevention Strategy* and the government's *Crime Reduction Strategy*.

How are we going to get there?

Police has traditionally approached violent crime as an investigating authority looking to secure evidence that establishes culpability. In recent years, increased emphasis has been placed on prevention and early intervention. This has seen Youth Development Projects established, greater attention given to family violence interventions, and Police intelligence processes enhanced. Police has also strengthened its relationships with Maori and Pacific communities, and engaged other agencies to develop community approaches to resolve problems, including violence reduction.

In 2002, Police began developing an agency-level *Violence Reduction Strategy*. This strategy will provide the framework for initiatives to reduce all forms of violence, including violent crime, while balancing expected increases in demand for policing services.

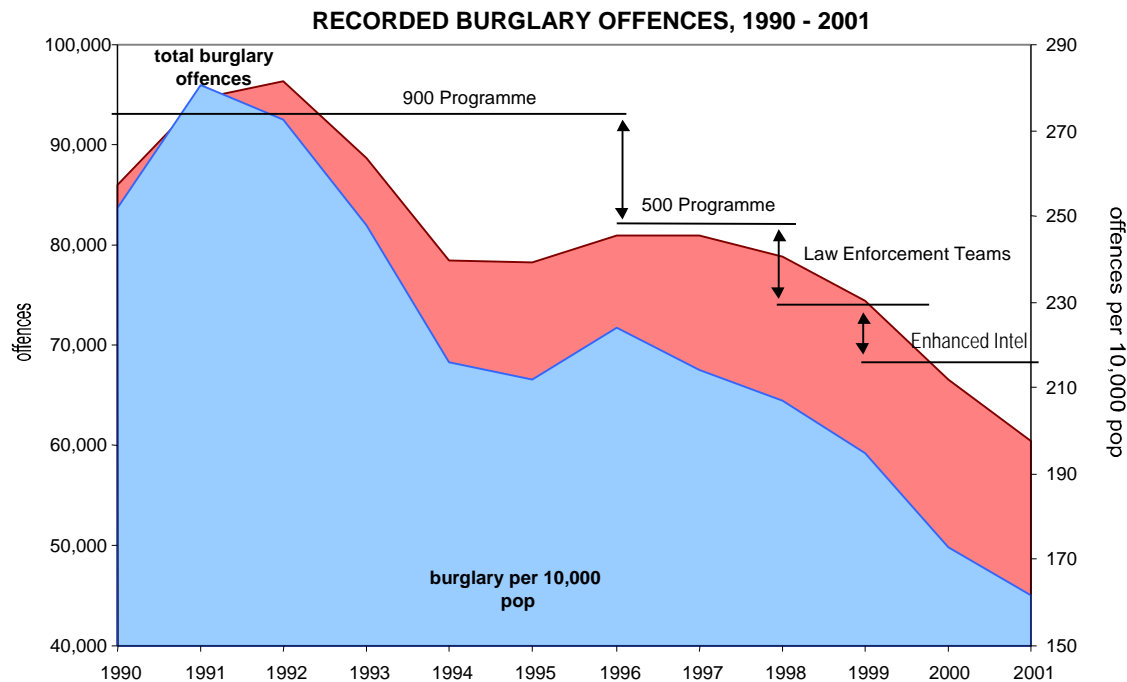
Police plan to introduce interventions and measures that concentrate on three themes – *Safer Homes*, *Safer Public Places* and *Safer Schools*:

- Family violence has been called the ‘cradle for the perpetuation of all violence’. In 2001, 45% of reported violence was centred in private homes. The *Safer Homes* strategy will target violence between people who are, or have been, in family-type or similar close relationships.
- Alcohol is often an aggravating factor for violence and other crimes. Unsafe drinking environments are often associated with violent behaviour and disorder in public places. In 2001, for example, 38% of reported violence occurred in public places. Crime and disorder associated with drinking in public places, often pronounced over weekends and during the holiday season, has not been fully addressed by the passage of the Local Government (Prohibition of Drinking in Public Places) Amendment Act 2001. Police will target violence in and around licensed premises as an area for early attention in the *Safer Public Places* strategy. The potential to link the *Safer Public Places* strategy with road safety alcohol reduction programmes will also be explored.
- Programmes addressing bullying in schools, along with other child and youth safety programmes aimed at behaviour and attitudinal change, will be included in the *Safer Schools* strategy.

Future opportunities

The *Safer Homes*, *Safer Public Places* and *Safer Schools* strategies will rely on a co-ordinated, whole-of-community approach. While the three strategies address violence in the community, existing performance measures and targets, policies, procedures and training will need to be reviewed. As communities change, Police will review its strategic violence prevention and reduction priorities. In future, other anti-violence strategies that could be developed or supported by Police might include responding to violence in the workplace, media and sport.

Burglary



Where have we come from?

The last decade of recorded burglaries showed a record high number of offences, peaking at 103,000 in 1992/93, followed by a dramatic drop to a point where total burglaries now number around 60,000. This level is similar to that recorded in 1982 – despite a population growth of 23%. However, the 1996 *New Zealand Survey of Crime Victims*, and Police's internal research, indicates people fear burglary more than other crimes. Victims of dwelling burglary regard it as an intense invasion of privacy, notwithstanding the loss of any property that is stolen. The effects of burglary can be greater than other, apparently more serious crimes, such as violence.

While it is hard to draw any exact correlation between burglary offending rates and Police actions, the downward trend began and continues with the introduction of extra staff dedicated to bolstering frontline services. Within the past three years, Law Enforcement Teams and enhanced intelligence practices were introduced into those Districts with the highest levels of recorded burglary. More stringent performance and management controls have also been implemented, including introducing dwelling burglary and resolution targets for each District.

Where do we want to be?

Because of the high victim impact, dwelling burglary remains one of the key crime reduction areas in both the government's *Crime Reduction Strategy* and the *Police Strategic Plan*. The current level of burglary represents, on average, one occurrence every eight minutes and an estimated total annual payout by insurance companies in excess of \$180 million. Burglary offending also represents one of the most significant single crime types within the nearly 430,000 total recorded offences every year.

It is anticipated that specific burglary reduction targets under the *Crime Reduction Strategy* will be submitted for Cabinet approval towards the end of 2002. Until the new five-year targets are set, Police has developed an interim target for 2002/03 of not more than 103 dwelling burglary offences per 10,000 population, and a clearance rate of 18%. (This compares, for example, with 2000/01 targets of 121 dwelling burglary offences per 10,000 population, and a Police clearance rate of 15%.)

How are we going to get there?

Police understanding of burglary offending has grown with the help of a new offence report linked to the National Intelligence Application and the Map-based Analytical Policing Systems (MAPS). This has enabled more sophisticated analysis, such as using offender modus operandi to identify potential suspects. District intelligence units are identifying high-risk offenders and designing tactics to reduce their opportunity to offend: for example, managing bail or curfew conditions, collecting DNA samples, and working collaboratively with other agencies. Given that young people feature disproportionately in burglary offending statistics, there are several projects being run in Districts aimed at reducing youth offending, which have seen improvements in local burglary rates.

Police staff can also identify high-risk locations and develop local strategies to combat burglary, in tandem with partners. For instance, to address the problem of repeat victimisation, Police provides information to Victim Support who undertake security assessments of homes that have been burgled (if the occupier is a community services card holder). Victim Support has a fund that provides free locks, bolts and alarms. Similarly, in Auckland, staff are working with the Insurance Council to boost a 'target hardening' initiative called the Serial Number Action Project, designed to get the public to record the serial numbers of household appliances, such as televisions, video recorders and stereos.

Future opportunities

Despite the dramatic drop in the burglary rate in recent years, Police continues to believe that further gains are achievable. The greater Auckland region, where per capita burglary rates are significantly higher than in other parts of the country, would seem to offer the greatest potential. To make lasting improvements, however, Police will need to explore new initiatives. This is likely to call for scrutiny of the deployment and adequacy of resources, possible legislative change, investment in intelligence, and anti-burglary outcomes possible from youth services. This work will progress over the life of the *Police Strategic Plan to 2006*.

Organised Crime

Where have we come from?

The aim of organised crime is to make money. In a New Zealand context, the primary activities of organised crime groups are the manufacture, cultivation, importation and supply of drugs, a range of property offences, fraud, and money laundering. Gangs are the most visible organised crime groups in New Zealand, although much organised crime activity occurs by groups that operate hidden from public view. A Police survey in 1999 showed these groups to be well connected around the country, and involved in a wide range of crimes. In some instances, legitimate businesses, such as massage parlours, are used as fronts for illicit activities.

Technological advances have provided opportunities for organised crime syndicates to exploit Internet technology and encryption to evade law enforcement scrutiny. Growth in international trade and increases in global financial transactions have also made money laundering harder to detect. Further issues include the growing popularity of South Pacific tax havens and offshore banking centres that afford opportunities for money laundering by organised crime groups.

Where do we want to be?

Government's *Crime Reduction Strategy* highlights organised crime as a priority, and Police work hard to counter organised crime and the fear of organised criminal groups. As a necessary first step, Police is seeking to improve its intelligence capability and data collection, and to develop a series of indicators to allow better monitoring of organised crime rates.

How are we going to get there?

Police continues to be involved in joint planning and operations with its law-enforcement partners and intends to:

- review the *Organised Crime Strategy* developed in 2000;
- enhance intelligence gathering and analysis capability;
- develop inter-agency capability – particularly through the Combined Law Agency Groups (CLAG) networks;
- greatly enhance capability to respond to transnational crime groups (including terrorist cells);
- improve international co-operation and networking around money laundering and off-shore banking, and
- improve co-operation across South Pacific policing agencies.

As a priority, Police is targeting organised crime groups engaged in the domestic manufacture of Amphetamine-Type Stimulants (ATS), in particular methamphetamine. An indication of the growth of this type of offending can be seen from the detection of clandestine drug laboratories since 1997:

Year	1997	1998	1999	2000	2001	2002 (to 30 June)
Labs Discovered	1	2	5	9	41	44

Police has made inroads into addressing the illicit supply of ATS, and continued success involves implementing inter-sectoral programmes to address issues surrounding methamphetamine. This work supports the government's *National Drug Policy 1998-2003*. Strategies will include:

- dedicated clandestine laboratory response teams;
- an education awareness campaign targeting law enforcement and other agencies (including a safety training video and package for frontline staff);

- a Memorandum of Understanding with the Chemical Industry Council, in accordance with international conventions on the supply of precursor chemicals;
- a hotline to report suspicious transactions of precursor drugs;
- a Code of Practice with pharmaceutical companies over the supply of pseudoephedrine;
- funding of up to \$0.3m to examine in detail the use of methamphetamine and its effects on young people, and to establish an early warning system on drug trends;
- education materials advising users of the harm associated with methamphetamine and ways to minimise risks;
- possible reclassification of methamphetamine as a Class A controlled drug, and
- working with ESR to address the prosecution and health risks posed by limited numbers of trained chemists to take evidential samples from newly discovered clandestine drug laboratories.

Future opportunities

International and regional co-operation with other law enforcement agencies is critical to success against organised crime, especially transnational crime and financial crime. Opportunities exist for expanding search and seizure powers to address precursor substances for the manufacture of ATS; extending the reach of proceeds of crime legislation, to seize tainted property and obtain pecuniary penalty orders; and ensuring the interceptability of all electronic communications. There are also likely to be gains possible if more targeted resources are applied to the problem of organised crime: for example, extending Police's surveillance, technical support and forensic capability. Police will provide advice, and seek Ministerial support, on these and other issues when initiatives are ready to be taken forward.

National Security

Where have we come from?

The Commissioner of Police has led accountability for national security. The Commissioner's obligations are discharged in conjunction with other security intelligence and enforcement agencies, both in New Zealand and overseas.

Although New Zealand is distant from the higher risk locations, the possibility of opportunistic attacks by, for example, international terrorist groups, or of 'copy cat' attacks cannot be discounted. It is also important to ensure New Zealand is not used as a safe haven from which to support or facilitate terrorist attacks elsewhere.

Current specialised capabilities deployed in the event of threats to national security include the Special Tactics Group, the Specialist Search Group, threat assessment units, intelligence analysts, and the Diplomatic Protection Squad.

Where do we want to be?

Early in 2002, Government authorised additional resourcing for several agencies, including Police, to enhance security in New Zealand. Priorities were to improve understanding, strengthen international relationships and protective security measures, and to improve operational response capability. Additional staff are either in place or in the process of being recruited to roles in aviation security and intelligence, and investigation. An expanded Police presence at New Zealand's international airports has been introduced, and new counter-terrorism intelligence roles are being filled at the Office of the Commissioner. In addition, new overseas liaison posts in Washington DC and London (recognised as being the hubs in intelligence flows related to counter-terrorism and security matters) are to be formally opened in September 2002.

The extra resources will augment existing capability and enhance the Commissioner's ability to safeguard national security.

How are we going to get there?

Implementation of the measures to bolster New Zealand's security is well advanced. Police has already taken concurrent steps, with the Special Tactics Group about to be designated as a full-time resource, and an Assistant Commissioner being appointed to oversee counter-terrorism and national security matters.

Future opportunities

As further opportunities arise to develop Police's national security capability, separate advice will be provided to Ministers. The focus for Police at present is bedding down the enhancements which have already been agreed, and exploiting the potential security gains that are promised by these initiatives (especially the new overseas liaison posts in Washington DC and London).

Inter-agency collaboration and community partnerships

Relationships between Police and other agencies are essential to policing success. At a Government level, Police participates in a range of inter-agency forums designed to ensure effective implementation of government strategies. At the operational level, community partnership activity is a cornerstone of proactive policing. Depending upon the locality, these can be coordinated through local government and Safer Community Councils. Some examples include:

- joint local government engagement on environmental design seeking improved personal safety and property security (eg. enhanced street lighting, Closed Circuit Television (CCTV) operation);
- joint local government initiatives addressing issues of neighbourhood decay (eg. graffiti, abandoned vehicles, street patrolling by security officers);
- co-ordinating groups in delivering crime prevention programmes (eg. Neighbourhood Watch);
- co-ordinating activities related to public safety (eg. marine and land search and rescue), and
- working with partner groups in day-to-day operations (eg. Victim Support, Women's Refuge, mental health services).

While this list is by no means exhaustive, it provides a picture of the extensive range of contacts within communities. The overall Police/community partnership approach is captured by the phrase "local solutions, by local people, to local problems".

One of the most critical community partnerships is between Police and Maori. Police staff and iwi have worked hard to build relationships. This has seen a network of 32 Police Iwi Liaison Officers established to improve and facilitate relationships at a community level; Police staff trained in Maori culture and protocol; and a drive to recruit more Maori staff into Police. Advisory committees have been set up in most Police Districts and Areas to involve and consult Maori in Police decision-making, and explore ways of jointly addressing Maori over-representation as offenders and victims.

Police staff are also building constructive relationships with Pacific peoples. Much of this work has been aligned to the Pacific capacity building programme led by the Ministry of Pacific Island Affairs (MPIA). Four new Police Pacific Liaison Officer positions have been established in North Shore/Waitakere, Auckland City, Counties-Manukau and Christchurch to assist Police responsiveness to Pacific communities. Police has also established Pacific Advisory Groups, or utilised MPIA Community Reference Groups, to consult with Pacific communities over crime reduction and community safety issues.

Police and mental health services

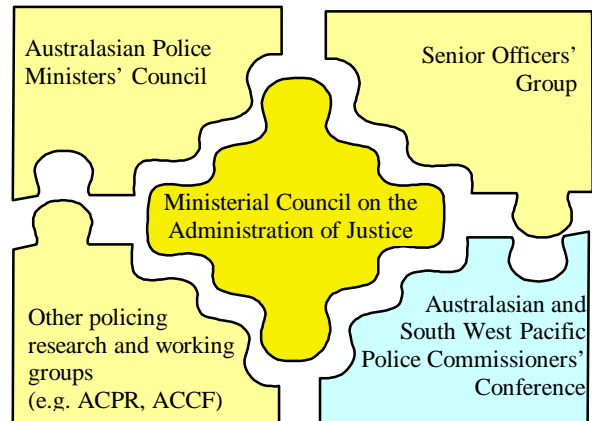
Some other Police-community relationships also raise special issues. For example, the difficulties in appropriately responding to people with mental illness is often commented upon by frontline staff. Particular issues of concern for Police include:

- access to crisis mental health services;
- difficulties in dealing with 'disturbed' or distressed people who are not the responsibility of mental health services, and
- varying liaison/relationships with mental health services at District level.

Some Police Districts have relationships that enable such concerns to be effectively identified and managed. In addition, at a national level, Police is working with the Ministry of Health to more accurately identify the issues that complicate the relationship between the services, and ways in which those issues can be resolved.

Australasia and South West Pacific Policing

The importance of working together with partner agencies on issues of mutual concern is also evident in other contexts. For instance, New Zealand Police is an active member of several Australasian policing groups. Notable amongst these is the Australasian Police Ministers' Council (APMC), which meets biannually and is traditionally attended by the Minister of Police and Commissioner. The Senior Officers' Group of the APMC also meets biannually (approximately 6 weeks prior to each APMC meeting), and is typically attended by the Commissioner. Both high-level groups are administered by the Ministerial Council on the Administration of Justice (MCAJ), supported by a secretariat. There are several other policing groups that sit under the MCAJ umbrella which, New Zealand Police has a formal relationship with, including the Australasian Centre for Policing Research, Australasian Crime Commissioners' Forum and the E-Crime Steering Committee.



Although it does not technically come under the MCAJ, the Australasian and South West Pacific Police Commissioners' Conference (ASWPPCC) is also closely linked. ASWPPCC meets annually and is normally attended by the Commissioner. New Zealand Police also provides leadership through the secretariat for the annual South Pacific Chiefs of Police Conference (SPCPC). This brings together 21 member countries and territories in the South Pacific to discuss issues, devise and promote strategies, and share information on policing in the region.

The aim of all these groups is to bring together Police Ministers and Commissioners from across Australasia and the Pacific to help develop policy and legislation that affects criminal justice and community safety.

Countering transnational crime

Transnational crime commonly includes smuggling activities, money laundering and terrorism. People trafficking is a particular problem that requires sound international relationships to manage the human rights and national security interests at stake. Close co-operation with law enforcement partners is essential when offenders take advantage of gaps in national law, jurisdictional problems or a lack of accurate information about the full scope of their activities.

Through the Convention Against Transnational Organised Crime, the United Nations has recognised this is a serious and growing problem that can only be solved through close international co-operation. Policing efforts to enable the convention to operate successfully include mutual legal assistance, extradition, law-enforcement co-operation, technical assistance and training.

Interpol: South East Asia Directorate

The benefits of a strong relationship with Interpol are being realised in New Zealand, particularly through regional efforts in Asia and the South Pacific. The mission of the Asia and South Pacific Interpol Sub-Directorate is to support regional and national crime fighting activities by providing quality daily operational and administrative services through a regional structure. Central to this is making regional information available, increasing relevant information exchange across police agencies and increasing the flow and exchange of information related to transnational crime.

Financial Action Task Force and Asia/Pacific Group on Money Laundering

Police sees value in strong links with the Financial Action Task Force on Money Laundering (FATF), an inter-governmental body set up to develop and promote national and international policies to combat money laundering. New Zealand supports FATF through jurisdictional representation, as well as the Asia/Pacific Group on Money Laundering (APG), which assists with the adoption, implementation and enforcement of internationally accepted anti-money laundering standards. This effort will probably need to grow if it is to provide real assistance to countries and territories of the region. Examples include helping to establish financial intelligence units; enacting laws to deal with the proceeds of crime, mutual legal assistance, confiscation, forfeiture and extradition; and providing guidance in setting up systems for reporting and investigating suspicious transactions.

Overseas deployments

As noted above, New Zealand Police has strategic links through the SPCPC aimed at supporting policing services in Pacific Island nations and territories. These links are also fostered through the SPCPC Secretariat provided by New Zealand Police, and its close working relationship with the Pacific Immigration Directors Conference based in Australia, the Oceania Customs Organisation soon to be based in New Caledonia, and the Pacific Forum Secretariat based in Fiji.

In New Zealand, Police work in partnership with the Ministry of Foreign Affairs and Trade (MFAT) via the NZ Aid programme, and with the Defence Force through the Mutual Assistance Programme. This has seen Police staff deployed in a variety of roles in the Pacific. From November 2000 to June 2002, for example, Police staff were committed to the International Peace Monitoring Team (IPMT) in the Solomon Islands. While the IPMT's function has now ceased, it is intended that 10 police officers will deploy to the Solomon Islands in October in a joint project with MFAT to build capacity in the Royal Solomon Islands Police. This joint project will last three years.

New Zealand Police officers are also sent to the Pacific Islands from time to time to provide assistance to local police as requested. These deployments have included serious crime investigations and one-off projects (such as helping to develop appropriate responses to family violence in Kiribati, in conjunction with MFAT). Police also helps Pacific countries/territories to improve their serious crime investigative techniques and forensic services. For instance, Police staff are delivering training in collaboration with Australian Federal Police and others, and co-operating with other agencies to establish and improve forensic services. Finally, limited training opportunities are occasionally provided in New Zealand to police officers from Pacific Island organisations.

Human resources

Staff is the most significant input into policing, with salaries and related costs accounting for 71% of expenditure within Vote:Police. In recognition of this, Police is taking a longer-term view that links the *People in Policing* five-year human resources strategy with the wider organisational strategy set out in the *Police Strategic Plan to 2006*.

For the foreseeable future, Police is likely to remain a vocational career-based organisation that promotes from within. To better support staff through their police service and to more closely align human resources with Police's strategic directions, the Police Human Resources Group is moving towards a structured approach that includes planning, auditing, risk assessment and management. This will see the human resources push for the next three years concentrate on developing leadership, improving processes for managing and supporting staff, and working through potentially difficult Auckland staffing and employment relations issues.

Recruiting

Police aims to recruit and train 450-600 new constables between April 2002 and June 2003. There are currently 264 recruits, from three intakes, training at the Royal New Zealand Police College. They are all due to graduate by the end of 2002. The total number of new graduates who will be working in Police Districts by 30 June 2003 is expected to meet or be close to the maximum staffing allocation. (Note: this excludes the modern cadet scheme, because the cadets will not graduate in the 2002/03 year.).

A recruitment review, which began earlier this year, will lead to more refined recruiting processes. There is a sworn staffing shortfall in the Auckland metropolitan area. Auckland City and Counties-Manukau are the worst affected, and a major recruiting effort is being directed at these two Districts.

The modern cadet trainee programme and greater use of non-sworn staff are medium-term strategies to address Auckland City and Counties-Manukau staffing issues. Other strategies are under constant review by Police's Executive.

Identifying and developing future leaders

Leadership development is particularly important in a geographically spread, career-based organisation where staff exercise unique and independent powers. Police is committed to investing in its existing and potential leaders, including providing a range of experiential development, training, secondments to other organisations, and clear operational career pathing.

Continuing reinforcement of integrity

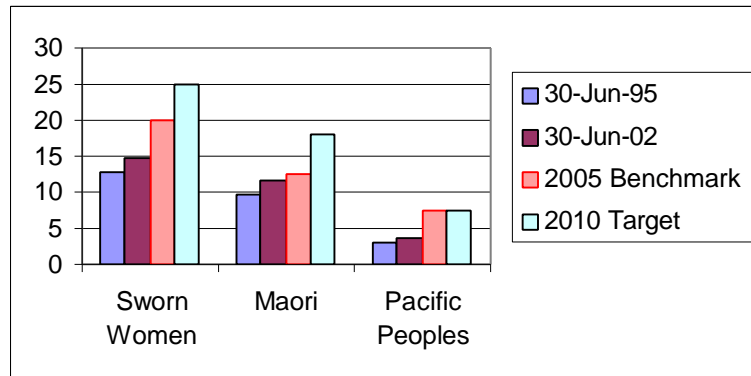
The number of public complaints against police officers has reduced by 20% between 2000 and now. To reinforce the importance of ethics and integrity as a basis for policing, a sworn *Code of Conduct* has been developed, and will be implemented when the Police Amendment Bill (No 2) is enacted. The *Code* will be supported by a new performance management system linked with remuneration. The Amendment Bill also provides for much-needed improvements to Police appointment, transfer and disciplinary processes.

Employment relations

The current Police Collective Employment Agreement expires on 30 June 2003. Working parties set up to revise the Employment Agreement prior to the negotiations are currently investigating a remuneration progression system. The revised Agreement will be in a 'principle-based' format and consistent with recent employment relations reforms.

Diversity

Special effort is being put into improving the diversity of the Police workforce, not only in terms of gender and ethnic mix, but also in terms of age, sexual orientation, and culture. It is encouraging that the Police workforce is becoming more reflective of New Zealand society as a whole, with ambitious targets in place for the future. The graph below depicts current staffing percentages for women, Maori and Pacific peoples, and compares these with 2005 benchmark and 2010 target percentages.



Health and safety

Police is committed to continuous improvement in safety and wellness. Specific strategies include:

- membership of the ACC Partnership Programme (focusing on claims management and best practice for health and safety, injury management and rehabilitation);
- piloting a new database for recording and analysing workplace injury, hazard and 'use of force' and safety information, and
- assessing potential liability issues from legislative proposals and Court cases (for example, the Health and Safety in Employment Amendment Bill, and issues raised by the Constable A trial).

Significant hazards currently facing Police are:

- psychological harm, stress and fatigue;
- risk of assault and serious injury;
- environmental risks such as clandestine labs, and taking blood samples from prisoners, and
- traffic crashes (both driving at speed and while attending incidents on the roadside).

These hazards are being minimised through measures such as staff safety tactical training programmes and producing videos and pocket guides to raise staff awareness.

Information and technology

Information is critical to effective policing. A key element of gathering and providing that information is an appropriate and robust information and technology (I&T) platform. Police currently operates an I&T infrastructure in 385 sites - from Kaitaia to the Chatham Islands.

Long-term Police I&T requirements are set out in the comprehensive *Information Systems Strategic Plan 2001-2004*. The strategy requires significant investment in I&T from baseline to maintain and enhance core Police capabilities. Major I&T programmes for the next four years are:

- upgrading the existing Land Mobile Radio Network;
- upgrading the existing Enterprise Communications Network;
- through a suite of projects, incrementally replacing Police's computing infrastructure, and
- through a series of modules, re-developing the Law Enforcement System.

These programmes form a managed approach to replacing and enhancing existing I&T infrastructure.

LEGISLATION

Police administers three Acts: the Police Act 1958, Arms Act 1983, and the United Nations (Police) Act 1964. Police also has an enforcement role under a range of central government legislation and some local government by-laws. For this reason, and given its pivotal role in the justice, emergency management, community safety, and social services sectors, Police is increasingly being called on by other agencies to offer advice on the development and implementation of new legislation.

Police-led bills

Two Minister of Police-sponsored bills have been carried over to the new Parliament. Both are at the second reading stage.

Police Amendment Bill (No 2)

The Police Amendment Bill (No 2) was introduced to the House in August 2001. Its main goals are:

- To strengthen Police's governance and accountability arrangements, and provide greater clarity on the constitutional position of Police. Importantly, it more clearly defines the relationship between Commissioner and Minister. The Bill aligns Police with other state sector agencies' reporting and performance management requirements
- To improve Police human resource management by creating a more predictable environment for all staff; reducing compliance costs; offering more options for dealing with poor performance; and streamlining and modernising disciplinary procedures for staff who fall short of required standards. The Bill also amends the statutory arbitration criteria for Police wage bargaining settlements.

The Police Amendment Bill (No 2) was the first step in a two-stage legislative reform process. The Bill was to make the most important and urgent amendments to Police's legislative framework. It was to be followed by a 'first principles' rewrite of the Police Act that examined the need for and requirements of, legislation for Police.

Arms Amendment Bill (No 2)

The Arms Amendment Bill (No 2) was introduced to the House in July 1999. It aims to promote responsible attitudes to firearm ownership, transfer and security, and to enhance law enforcement and safety by requiring all non-exempt firearms to be registered. The Bill increases penalties for firearms offences, and introduces infringement notices for registration and other offences.

The Bill does not address the need for further amendments to the Arms Act's framework to ensure New Zealand's compliance with the Firearms Protocol to the United Nations Convention on Transnational Organised Crime. Preliminary advice from the Office of the Clerk suggests these additional amendments, if sought by the new government, would not fit comfortably within the scope of the Arms Amendment Bill (No 2). A further or perhaps a new, expanded Arms Amendment Bill would appear to be required.

Other Police-related bills

Several initiatives that were part of the 2002 Legislation Programme will, if supported by the new government, have implications for Police. Separate briefings will be provided when the new Legislation Programme is finalised.

Some of the bills introduced by other Ministers that are important to Police – either in terms of the legal environment Police operate in or enhancing law enforcement effectiveness – are detailed below.

Victims' Rights Bill

The rights of crime victims receive more recognition in this Bill. Police will be responsible for ensuring that victims are provided with certain information. Positive obligations will be placed on managing the Victim Notification Register. The Bill is currently awaiting its second reading.

Crimes Amendment (No. 6) Bill

This Bill updates property offences to include computer-related crime and creates new offences relating to misuse of, unauthorised access to, and damage to, computer systems. It extends the Crimes Act offence provisions to cover 'hacking' and denial-of-service attacks, and expands Police interception powers to cover electronic communications such as email. The Bill has been reported back by the Law and Order Committee, and awaits consideration of the select committee's report.

Criminal Investigations (Bodily Samples) Amendment Bill

This Bill is awaiting its first reading. It extends the scope of the current legislation by:

- providing equal recognition for mouth swabs and blood sampling;
- including burglary as a relevant offence for suspect compulsion orders (where a suspect match has been achieved on the DNA profile databank);
- providing for a suspect compulsion order to allow comparison with any material lawfully in Police possession (including foetal tissue comparison), and
- expanding compulsion orders to cover attempts to commit a relevant offence.

Terrorism (Bombings and Financing) Bill

New Zealand's counter terrorism law will be bolstered to comply with international treaty obligations. The Bill awaits consideration of the Foreign Affairs, Defence and Trade Committee report. It contains several enhancements in light of September 11, including a new mechanism for designating terrorist and associated entities, and offences for participation in a terrorist group.

Interception Capability Bill

All public communications networks (in particular, digital cellular telephone networks) would become technically interceptable for law enforcement and national security purposes under this Bill. Police officials understand that drafting of the Bill has been finished, and it now awaits introduction.

Terrorism (No 2) Bill

This Bill would include a raft of miscellaneous terrorism suppression measures, including new offences relating to nuclear material and unmarked plastic explosives, and the ability to take extra-territorial action and extradite New Zealanders involved in terrorism overseas. Police officials understand that the Bill is still being drafted, but is expected to be available for introduction shortly.

Land Transport (Street and Illegal Drag Racing) Amendment Bill

This Member's Bill is based on the enforcement regime in place in New South Wales, and proposes to give Police the power to impound the vehicles of those engaging in street racing and other forms of dangerous driving. The Bill is currently before the Law and Order Committee.

Health and Safety in Employment Amendment Bill

Police will face a number of challenges if this Bill, as introduced, is passed into law. Most significantly, the Bill extends the definitions of 'harm' and 'hazard' to confirm they cover stress and trauma. Recognising that the disengagement process under the Police Act allows sworn staff to exit on physical and/or psychological grounds, current internal procedures are being reviewed to minimise possible liability issues. The Bill, in combination with the Crown Organisations (Criminal Liability) Bill, also heralds the possibility of private prosecutions against Police as an organisation or an employer. The Bill is currently before the Transport and Industrial Relations Committee.

Independent Police Complaints Authority Bill

This Bill would enhance the independence of the Police Complaints Authority (PCA) by: providing for the PCA to have an independent investigative capacity; allow the Authority to defer considering a complaint if it is the subject of a Police disciplinary or criminal investigation; and confer the powers of a Commission of Inquiry on the Authority if it decides to hold its own hearing. Police officials understand that the Bill is still being drafted, but is expected to be available for introduction shortly.

Other legislation-related issues

The following work-in-progress may lead to the submission of Cabinet papers seeking approvals to amend legislation.

Police Superannuation Scheme

It has long been compulsory for police officers to make financial provision for their retirement. The Police sub-scheme of the Government Superannuation Fund (GSF) was closed to new members in July 1992 and replaced with a stand-alone Police Superannuation Scheme (PSS). This has resulted in two distinct superannuation arrangements for sworn staff, depending on when they joined Police.

A paper is currently being prepared to review the GSF and the PSS, identifying opportunities for greater flexibility. Once a range of options has been consulted with interested parties, Police will place recommendations before Ministers. If Ministers agree, it may be necessary to seek amendments to legislation (for example, to allow transfer from the GSF to the PSS).

Protections for frontline police officers

In some overseas jurisdictions, much more extensive protections are in place for frontline police officers who cause death or injury in the lawful execution of their duties. The Constable A case prompted work to begin on whether enhanced protections are also appropriate in New Zealand. These could include identity protection and limiting private prosecutions against Police. Once a detailed examination of the issues has been completed, and Ministry of Justice and other officials have been consulted, options will be developed for Ministerial consideration.

Work programme

There are several issues Police wish to raise with the Minister of Police, which are discussed in more detail below. Police also wish to seek the Minister's views on specific policy issues and directions, before putting in place a three-year programme by 31 October.

Core police services

Core policing services need to be better defined, and Police should concentrate on those services. This will help Police manage its resources and further develop partnerships. In sharpening the focus of what is 'core' policing, complementary services such as the security industry, and the use of volunteers or auxiliary police will be examined. In promoting a greater public understanding of what the public can expect from Police, it is important not to diminish trust and confidence or imply Police is not committed to providing a consistently high standard of service.

Establishing a clear legislative platform

The Police Amendment Bill (No 2) and the proposed 'first principles' review of the Police Act are both designed to clarify the role of Police, and to ensure that there is a clear legislative platform for policing in the 21st century.

Supporting crime reduction activities

Police is committed to crime reduction, and is a major partner in the government's *Crime Reduction Strategy*. The most effective means of reducing crime is working with communities and national and international partners. Besides strong partnerships, crime reduction requires investment in Police intelligence capability, increased use and integrity of data (including 'ownership' of crime statistics), developing and maintaining best practice, and measuring justice sector outcomes.

Supporting investment in community safety

Police also needs to match the investment in tackling crime to the level and impact of crime. The most effective investment and results will be based on timely and accurate information, increased intelligence capability, and a flexible approach to resourcing.

Drawing the threads into a Statement of Intent

In keeping with the partnership theme, Police is working with the State Services Commission, Treasury, Te Puni Kokiri and other justice agencies to develop its Statement of Intent (SOI). The SOI will help Police focus on outcomes, not just outputs, and will link those outcomes to Police activities. In this way, the SOI will provide a strong platform to achieve the goals spelt out in the *Police Strategic Plan to 2006*. An even stronger platform could be possible if common SOI outcomes across the wider justice, transport and emergency management sectors can be explored.

Developing a more flexible resourcing structure

As noted above, Police needs to concentrate on delivering core services. A flexible resourcing structure enabling resources to be directed to the areas of highest need, rather than being 'tied' to particular outputs or locations, will facilitate this. Such a structure would allow a better response to particular types or locations of crime, based on improved use of Police intelligence. This takes the discussion of resources beyond 'more' to 'more effective'.

Increasing emphasis on transnational issues

Police will continue to expand its role as an international agency, particularly providing leadership and involvement in the Asia-Pacific region. Beyond the traditional emphasis on transnational efforts to counter terrorism and organised crime (notably, illicit trafficking in drugs, firearms, and people), there is also the opportunity to learn from, and contribute to, policing at an international level.

Auckland City and Counties-Manukau policing issues

Crime

The Auckland City and Counties-Manukau Districts are over-represented in recorded crime statistics. Of around 430,000 total offences that Police record annually, 25% occur in these two Districts. While the rate of violent offences in these Districts is cause of concern, the most powerful drivers of overall crime would appear to be dishonesty offences. For example, the largest contributors to the Auckland City crime figures are theft (particularly theft from cars), burglary, and vehicle conversion.

Road policing

With a 4% annual growth in traffic volumes, Police is facing considerable challenges in reducing serious injury and death on the Auckland road network.

Staffing

Sworn staffing as at 30 June 2002 was:

District	FTEs	Maximum staffing level
Auckland City	618	677
Counties-Manukau	693	734

The combined shortfall of sworn staff in Auckland City and Counties-Manukau Districts is approximately 100. The number of non-sworn staff in place is close to the maximum staffing levels.

Comparatively few police officers are drawn from the two Districts' diverse ethnic communities, which makes policing more challenging. Sixteen percent of Auckland City District's population is Asian and there are 35,000 Asian students in Auckland City daily. Less than 1.5% of police staff in the two Districts are Asian. Between 10 and 13% are Maori, and around 4 to 8% are Pacific peoples.

America's Cup

America's Cup competition begins on 1 October 2002 and requires a staff complement of more than 100 for six months. Forty of these staff will be drawn from the three Auckland Districts and officers from around the country will make up the remainder. They will be accommodated at the Devonport Naval Base. Operational plans for the America's Cup are in hand.

Actions

To address the pressures being experienced in Auckland City and Counties-Manukau, Police is taking the following actions:

- Modern cadet programme – Auckland young people have shown strong interest
- Filling non-sworn positions for crime report taking and evidence gathering, case management, and support for operational staff
- Installing a second "Check" radio channel for Auckland City District
- Boosting the profile and activity of recruiting in Auckland, such as recent career days
- Exploring ways to retain staff in Auckland
- Examining demand compared to service delivery
- Assessing the property portfolio in Auckland City, Counties-Manukau and North Shore/Waitakere and managing replacement, including the North Shore hub
- Exploring ways to improve file management and investigative capability
- Community engagement, including initiatives such as Safer Auckland City, Maori and Pacific Island Advisory Groups, a liquor accord, diversionary schemes, and a multi-agency centre for child abuse
- Significant investment in youth offending initiatives, including Youth Development Programmes.

Investment in community safety through policing

Police, Courts and Corrections – the core components of the criminal justice system – are all affected by changes in offending patterns. Increased offending and Police apprehension of offenders can have flow-on effects for Courts and Corrections facilities.

Efforts have been made to improve efficiency through three primary approaches:

- preventing entry into the system (for example, through Police and Courts diversion schemes);
- better managing outcomes for affected parties (for example, through Family Group Conferences and restorative justice models that engage victims), and
- promoting exit from the system and preventing re-entry (for example, through rehabilitation).

The criminal justice system faces similar challenges to the health and transport sectors – a growing population and emerging trends creating increasing demand for services that cannot be satisfied. While it is clearly desirable that more effort is made in preventing crime to ease pressure on the criminal justice system, this cannot be done at the expense of responding to emergencies and reports of crime affecting personal or public safety.

In order that an acceptable service is provided to victims, priority is placed on reacting to crime. This creates a tension when evidence is emerging that relatively modest investments in prevention programmes can steer people away from crime. Geographical variances in resource allocation complicate this problem. In the absence of a robust and agreed benefit-cost methodology that clearly differentiates economic and safety issues, these decisions will continue to be challenged.

Traditional approaches to this dilemma through investments in policing have been inadequate. Relatively simple approaches such as increasing the number of police officers, ‘ring-fencing’ resources to dedicated tasks, or concentrating on one crime type such as house burglary, can exacerbate the situation.

Police, in conjunction with core criminal justice agencies and with support of Ministers, plan to lead work on developing an investment model that clearly identifies the benefits of policing in terms of improving community safety. A useful starting point is the ‘willingness to pay’ model adopted by the Land Transport Safety Authority.

Capital

Capital assets and expenditure profile

Police currently has an investment of \$359.1m (net book value) in capital assets. This investment includes properties – Police occupies 746 buildings nationally, including 419 police stations. In addition, Police has 242 communication sites throughout the country. Police also maintains a vehicle fleet of 2,900 and supports I&T equipment. The I&T equipment stock includes 5,000 personal computers and laptops, 2,500 printers, 385 station servers and a number of other sundry application servers.

Police maintains a programme of capital expenditure that sustains its asset base over time by matching its level of capital expenditure with depreciation expense. While this is a long-term strategy, Police anticipates some variations in the level of capital spending from year-to-year, depending upon circumstances.

Current capital investment

Police currently has the following investment in capital assets:

Projected net book value	30 June 2002 - \$m
Vehicles	28.2
Property	274.7
I&T	33.6
Other Capex	22.6
	359.1

Police has been spending below normal levels in recent years while it has conducted strategic I&T and property reviews. The expectation is that the next few years will see a lift in the rate of capital spending as Police implements the recommendations of these reviews.

The current average annual level capital expenditure is as follows:

	Allocation \$m
Vehicle replacement	15.0
Property	12.0
I&T	12.5
Other Capex	3.0
	42.5

Capital infrastructure plans

Vehicles

The Police vehicle fleet is used to deliver primary response and road policing services. The planned vehicle investment in 2002/03 and beyond will replace approximately 450 vehicles each year. This level of investment should see the average mileage of the vehicle fleet reduce by around 30% over the next four years.

There are also currently road safety initiatives with the Minister of Transport for approval that could potentially add another 100 vehicles to the Police fleet.

Property

The current Police investment in property is committed to accommodating Police staff at all locations where Police maintains a presence. Police has completed strategic property reviews in the three Auckland and four Central North Island districts. These reviews looked at renewal and replacement of ageing property stock and the provision of new stock to meet the needs of growing areas – particularly in Auckland. As a result of these reviews, it is possible that Police might need to seek additional Crown funding for the North Shore Hub development, which will be the major 24-hour facility for part of the city.

Operating

Expense profile

Police is forecasting a total expense out-turn of \$815.7m in 2001/02 against an appropriation of \$826.5m. The largest component of this is salaries, which are projected to be \$582.2m. The balance comprises operating expenses (\$171.2m) and depreciation and capital charge (\$62.3m).

The 2002/03 Vote:Police appropriation is \$854.0m. The increase on the 2001/02 budget is mainly wage settlement costs.

Personnel Costs

Salary and related costs currently comprise 71% of the Police cost-base. The Crown has adjusted Vote: Police for movements in salary levels.

The 2002/03 Police appropriation allows for the current wage settlement, which expires on 30 June 2003. Negotiations for the next pay-round are expected to commence early to mid-2003.

Crown funding for wage settlements beyond June 2003 will need to be determined before wage negotiations are concluded with the police service organisations.

Current Expenditure

Police is currently spending below its appropriation. This under-spending is due to a shortfall in the actual level of sworn staff against the department's target; there were 6,914 sworn staff on the payroll at the end of June compared to a target of 7,264.

One-off expenditures in 2002/03

As noted earlier, the America's Cup will create significant one-off expenses in 2002/03. Deferred property maintenance is also likely to be a significant one-off expenditure line item during 2002/03, as Police undertakes maintenance on buildings where required.

New initiatives in 2002/03

Vote: Police has been adjusted in 2002/03 for:

- Counter Terrorism: Government increased funding for Police security screening of domestic airline passengers, forming a terrorism investigation and intelligence group and posting liaison officers to Washington DC and London
- Improved Police capability in Auckland: This package was aimed at improving the delivery of strategic crime priorities in Auckland
- Youth: This package will allow Police to provide enhanced services to prevent and reduce youth offending and victimisation.

New money has also been allocated for additional strategic and targeted traffic enforcement capability.

GOVERNANCE

The mix of law, convention and practice that makes up current Police governance arrangements has evolved over many years. The basic position of Police in the modern state sector has only been specifically addressed in recent times, however, notably through the Police Amendment Bill (No 2).

Law

The State Sector Act 1988 characterises Police not as a public service department, but as “an instrument of the Crown”. The Public Finance Act 1989 defines departments to include instruments of the Crown, and thus treats Police as if it were a public service department. That difference suggests that for financial management purposes it is reasonable to treat Police like other departments of state, but that for governance issues and in relationships with Ministers, Police is in a unique position.

Police’s own statute, the Police Act 1958, contains no clear statement of the areas in which the Commissioner must act independently and the areas where the Minister may legitimately give directions to the Commissioner. Nor does it address areas of responsibility that it is now customary to set out in statute for other chief executives. The primary legislation provides for the Commissioner and one or more Deputy Commissioners to be appointed by and serve “during the pleasure” of the Governor General. The State Services Commissioner has no formal role, although the practice in recent years has been for them to manage the appointment process on behalf of the Prime Minister and the Minister of Police.

Under the Police Regulations 1992, the Commissioner is responsible to the Minister for:

- general administration and control of Police;
- financial management of Police;
- performance of Police, and
- ensuring members of Police discharge their duties to Government and the public satisfactorily, efficiently and effectively.

The other relevant piece of law is section 37 of the Police Act, which contains the Police Oath of Office. All constables (from the Commissioner to the newest probationary constable) are understood in constitutional terms to be public office holders of the Crown, rather than being in a master/servant relationship in classic employment law terms. Every police officer swears:

“That I will well and truly serve our Sovereign Lady the Queen in the Police, without favour or affection, malice or ill-will, until I am legally discharged; that I will see and cause Her Majesty’s peace to be kept and preserved; that I will prevent to the best of my power all offences against the peace; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law”.

Conventions

Most accounts of the relationship between Police and Government are based on the doctrine of constabulary independence. This doctrine has been variously described in the United Kingdom, Canada, Australia and New Zealand, but often reduces to one simple idea: that there are certain kinds of policing decisions that it is improper for Ministers to give directions on, or seek to influence; or for Police to accept directions on, or acquiesce to. The dividing line between what is and isn’t appropriate is often seen in terms of a split between policy issues and operational matters.

A 1993 opinion by the Solicitor General has been taken as an authoritative statement of the position in New Zealand. The key part of the opinion states: “The Minister may not direct the Commissioner in the latter’s duty to enforce the criminal law either in particular cases or classes of case”.

Reviewing precedent, it is clear that Police must act independently when enforcing the law. The Courts have accepted the Commissioner of Police has wide discretion on how to enforce the law in any given case. It is entirely a matter for the Commissioner to direct how the law should be enforced in relation to types of crime, or the locations where crime is committed. It follows that decisions on what law enforcement resources are to be deployed in particular cases, and what general policies should apply to particular classes of case, are matters for the Commissioner alone.

A Police Minister is accepted to have a role in consulting with a Commissioner over Police’s operational requirements, and allocating extra resources for targeted Police programmes. It is also widely accepted that the Commissioner may be subject to Ministerial direction in relation to overall Police resourcing, and matters of administration that do not directly affect the Commissioner’s primary duties to enforce and obey the law, prevent crime, maintain order and enhance public safety.

Practice

Personal contact with police officers in their workplace provides a valuable context in which the Minister can interact in a positive manner with Police staff. This, and supportive public commentary on successful operations, helps boost morale. Such contact may also give the Minister the opportunity to receive first-hand representations on issues affecting Police and communities. It is helpful to have the Ministerial Liaison Officer present at these times.

Strengthening and formalising the relationship

While the tenor of the relationship between Commissioner and Minister is fairly clear, it is probably impossible to capture it in a precise legislative formula. However, it is possible to set out the basic reference points more clearly and authoritatively, and this process has begun through the Police Amendment Bill (No 2).

The important advance in the Bill is that it establishes the principles that should guide practice in this area, and makes transparent the procedures that should be followed when ambiguities arise. The Bill clarifies that it is appropriate for the Minister to convey Government’s overall crime reduction priorities to the Commissioner, the broad strategies by which these are to be achieved, and any performance measures to be applied. Generally, this will be done as part of Police’s annual Purchase Agreement, or through regular dialogue between Minister and Commissioner. The Bill also spells out the Minister’s ability to issue formal written directions to the Commissioner, which replicates similar powers of Ministerial direction that exist in several overseas jurisdictions.

In conclusion

Despite the challenges of policing in the 21st Century, New Zealand Police is in good heart and continues to work towards the twin strategic goals of crime reduction and community safety.

Police Executive as at 1 August 2002

