

# Recommendations from the Commission of Inquiry into Police Conduct

## Current Status and Progress for the Quarter ended December 2007

Recommendations	Status	Progress	Estimated time to completion
<b>Police policies and procedures</b>			
<p>R1 New Zealand Police should review and consolidate the numerous policies, instructions, and directives related to investigating complaints of misconduct against police officers, as well as those relating to the investigation of sexual assault allegations.</p>	Underway	<ul style="list-style-type: none"> <li>• Police are reviewing and consolidating "all" police Corporate Instruments (all police administrative and operational policies and instructions)</li> <li>• A number of instruments have been reviewed, updated and published to staff and the remainder are under active review</li> <li>• All Corporate instruments will be reviewed by 30 June 2009</li> <li>• An electronic solution is currently being trialed and expected to be introduced nationally by 30 June 2008</li> <li>• Corporate Instrument staff have been assigned to prioritise and assist those staff who have responsibility for the review and consolidation of instruments related to investigating complaints of misconduct against police officers, as well as those relating to the investigation of sexual assault allegations is a priority</li> <li>• This work will be completed in conjunction with recommendations R2; R3; R10; R11; R16; R33; R39; R40; R52; R54.</li> </ul>	<p>All instruments will be fully reviewed within 2 years, estimated to complete 30 June 2009.</p> <p>Polices, instructions and directives, relating to this recommendation, will be consolidated and then converted to the CDMS by June 2008.</p>
<p>R2 New Zealand Police should ensure that general instructions are automatically updated when a change is made to an existing policy.</p>	Completed	<ul style="list-style-type: none"> <li>• A new set of standardised instrument templates and instructions have been developed and implemented online</li> <li>• Formal development, consultation and approval processes have been implemented to ensure that general instructions are updated when a change is made to an existing policy</li> <li>• This process will be applied to the Corporate Instrument Document Management site as part of the "Corporate Instruments" initiative noted in recommendation R1.</li> </ul>	Completed 2006
<p>R3 New Zealand Police should develop a set of policy principles regarding what instructions need to be nationally consistent and where regional flexibility should be allowed.</p>	Partially completed	<ul style="list-style-type: none"> <li>• A set of policy principles for ensuring consistency in national instructions have been developed</li> <li>• The process on regional flexibility has commenced through development and implementation of Memorandum of Understanding templates and instructions</li> <li>• These principles and guidelines will be applied to the Corporate Instrument Document Management site as part of the "Corporate Instruments" initiative noted in recommendation R1.</li> </ul>	National phase completed April 2007. Regional phase by June 2008

R4	An enhanced policy capability should be developed within the Office of the Commissioner to provide policy analysis on sound data, drawing upon the experience of front-line staff and upon research from New Zealand and beyond.	Completed	<ul style="list-style-type: none"> <li>• All the necessary appointments are made, the policy team was established in June 2007 and a work plan has been drawn up</li> <li>• As part of the policy process, relevant research and front-line staff will be involved to varying degrees in the development of all operational policy.</li> </ul>	Completed June 2007
----	--	-----------	--	---------------------

**Police policies and procedures for complainants**

R5	New Zealand Police should develop an explicit policy to notify the Commissioner of Police when there is a serious complaint made against a Police officer. This policy and its associated procedures should specify who is to notify the police commissioner and within what time frames.	Completed	<ul style="list-style-type: none"> <li>• An explicit policy was developed and published in June 2007 that specifies: <ul style="list-style-type: none"> <li>o that the Commissioner of Police must be notified of any serious complaint made against a Police officer or any Police staff member</li> <li>o who is to notify the Police Commissioner and within what time frames.</li> </ul> </li> </ul>	Completed June 2007
----	---	-----------	--	---------------------

R6	New Zealand Police should ensure that members of the public are able to access with relative ease information on the complaints process and on their rights if they do make a complaint against a member of the police.	Underway	<ul style="list-style-type: none"> <li>• Access to information on the complaints process will be dealt with as part of an initiative for reviewing complainants rights</li> <li>• The process of identifying a person who will be able to research and document the solution is in train</li> <li>• It is envisaged this recommendation will be met by the development of a website and pamphlets for complainants that will be readily available through provision at appropriate places such as Police stations.</li> </ul>	Estimated to complete June 2008
----	---	----------	---	---------------------------------

R7	New Zealand Police should undertake periodic surveys to determine public awareness of the processes for making a complaint against a member of the police or a police associate.	Underway	<ul style="list-style-type: none"> <li>• Contract negotiations have commenced for the engagement of an external supplier to undertake the surveys</li> <li>• State Services Commission has completed two rounds of cognitive testing with remaining cognitive testing to be completed by mid-February 2008</li> <li>• This testing is required to finalise the survey content and achieve a completion date of June 2008.</li> </ul>	Estimated to complete June 2008
R8	New Zealand Police should develop its database recording the number of complaints against police officers to allow identification of the exact number of complaints and the exact number of complainants for any one officer.	Underway	<ul style="list-style-type: none"> <li>• This database exists currently and will form part of the Early Intervention database</li> <li>• A prototype for Early Intervention reporting has been trialed across three Districts and one Service centre</li> <li>• The Early Intervention system and associated processes will then be further developed and consulted before national implementation</li> <li>• This recommendation will be delivered in conjunction with recommendations R47 and R48</li> <li>• An overseas and American software solution has been identified and will be reviewed in early 2008.</li> </ul>	Estimated to complete June 2008

R9	New Zealand Police should review the implementation of the Adult Sexual Assault Investigation Policy to ensure that the training and resources necessary for its effective implementation are available and seek dedicated funding from the Government and Parliament if necessary.	Underway	<ul style="list-style-type: none"> <li>• Consultation has taken place with Training Service Centre as to oversight and coordinating of RNZPC and District Adult Sexual Assault Investigation Courses</li> <li>• Ongoing implementation of the adult sexual assault policy, by way of District and RNZPC Adult Sexual Assault Investigation Training courses is in place</li> <li>• Agreement for formation of an adult sexual assault core reference group to be made up of five to six Police members and subject matter experts from "National Network for Ending Sexual Violence Together" and "Doctors for Sexual Abuse and Care". The purpose of assessing progress of policy implementation and identifying and resolving gaps</li> <li>• Confirmation from the Training Governance Committee that Districts are now required including Adult Sexual Assault Initial Response Training into role induction for the targeted audiences.</li> </ul>	Estimated to complete June 2009
R10	New Zealand Police should incorporate the Adult Sexual Assault Investigation Policy in the "Sexual Offences" section of the New Zealand Police Manual of Best Practice for consistency and ease of reference.	Underway	<ul style="list-style-type: none"> <li>• Work has commenced on the new Police Manual structure and framework. Existing material will be placed within the structure for updating and aligning of Adult Sexual Assault Investigation Policy</li> <li>• Links to then be identified and created by subject matter experts and Adult Sexual Assault Core Reference Group</li> </ul>	Estimated to complete June 2008

#### Communication of policies and training

R11	New Zealand Police should strengthen its communication and training practices by developing a system for confirming officers have read and understood policies and instructions that affect how they carry out their duties and any changes thereto.	Underway	<ul style="list-style-type: none"> <li>• Requirements have been defined for providing an online facility for Police staff, which will: <ul style="list-style-type: none"> <li>- Track the delivery of online publications</li> <li>- Track the opening of the documents by staff</li> <li>- Provide a facility for testing staff's understanding by requiring each staff member to answer a series of questions on-line, from the content of the policy or instruction</li> </ul> </li> <li>• These requirements will be incorporated in the document management system as part of the "Corporate Instruments" initiative noted in recommendation R1.</li> </ul>	Progressively to June 2009
R12	New Zealand Police should strengthen its communication and training practices to ensure the technical competencies of officers are updated in line with the new policies and instructions.	Underway	<ul style="list-style-type: none"> <li>• As a result of the identification of the key linkages and dependencies within the Commission of Inquiry Programme of work, Training is now in a position to implement any training programmes required as a result of the development of policies and instructions.</li> <li>• Identification of interdependencies between recommendations has also enabled Police to effectively communicate key changes to policies and instructions.</li> </ul>	Estimated to complete June 2009
R13	Bearing in mind the mobility of the workforce, New Zealand Police should conduct a review of what training should be mandatory at a national level and what should be left to the discretion of the districts.	Partially completed	<ul style="list-style-type: none"> <li>• Nationally mandated training is defined annually, reviewed, prioritised against a set criteria by the Training Governance Committee, and approved by the Police Executive.</li> <li>• A new district training model for district discretionary training was trialed and the results of the trial are being evaluated to determine if it will achieve the purpose, which is to target training to individuals on a needs basis while ensuring national consistency.</li> </ul>	Estimated to complete June 2009

#### Consistency and transparency in complaint processes

R14	New Zealand Police should ensure that the practice of providing investigating officers with a reminder of the standards for complaint investigation is applied consistently throughout the country	Underway	<ul style="list-style-type: none"> <li>• NZ Police existing process for complaint investigations requires updating to ensure national consistency across the board</li> <li>• The update will comprise the development of an instruction to complaint investigators on the standards required for complaint investigations</li> <li>• This instruction will form part of a generic template that is forwarded to investigators following receipt of a complaint against police.</li> </ul>	Estimated to complete June 2008
R15	<p>New Zealand Police should improve the process of communicating with complainants about the investigation of their complaint, particularly if there is a decision not to prosecute. Complainants and their support people should be given</p> <ul style="list-style-type: none"> <li>a) realistic expectations at the start of an investigation about when key milestones are likely to be met</li> <li>b) the opportunity to comment on the choice of investigator</li> <li>c) regular updates on progress, and advance notice if the investigation is likely to be delayed for any reason</li> <li>d) assistance in understanding the reasons for any decision not to prosecute</li> </ul>	Underway	<ul style="list-style-type: none"> <li>• Work has been undertaken around the improvement and promotion of Police form POL1060. This includes ensuring the Victim is kept apprised of investigation progress in a timely manner, but no longer than 21 days after initial contact and recommends referral of all Victims to Victim Support to ensure information is provided in relation to programmes, remedies or services available</li> <li>• Other aspects of this recommendation to be addressed by way of Adult Sexual Assault Investigation training and implementation of Adult Sexual Assault Investigation policy (R9)</li> <li>• Reinforcement of best practice by way of "Five step best practice model", specialist investigative interviewing roll-out, and enhancement of Adult Sexual Assault Investigation Policy into the Police Manual by way of subject matter experts and an Adult Sexual Assault Investigation Core Reference Group.</li> </ul>	Estimated to complete June 2008

**Independence of investigations**

R16	<p>New Zealand Police should develop a consistent practice of identifying any independence issues at the outset of an investigation of a complaint involving a police officer or a police associate, to ensure there is a high degree of transparency and consistency. The practice should be supported by an explicit policy on the need for independence in such an investigation. In respect of the handling of conflicts of interest, the policy should, among other things,</p> <ul style="list-style-type: none"> <li>• identify types and degrees of association</li> <li>• define a conflict of interest provide guidelines and procedures to assist police officers identify and adequately manage conflicts of interest (including in cases where cost or the need to prompt investigation counts against the appointment of an investigator from another section or district)</li> <li>• ensure that the risk of a conflict of interest involving investigation staff is considered at the outset of any investigation involving a police officer or police associate.</li> </ul>	Underway	<ul style="list-style-type: none"> <li>• Work on the 'conflict of interest' component of this recommendation has commenced with draft guidelines prepared for refinement</li> <li>• Work on the wider instructions on 'independence of investigations' has not yet started</li> </ul>	<p>Commence 07/08 and estimated to complete June 2009</p> <p>This estimate revised to June 2008</p>
R17	<p>New Zealand Police should expand the content of its ethics training programme to include identifying and managing conflicts of interest, particularly in respect of complaints involving police officers or police associates.</p>	Partially completed	<ul style="list-style-type: none"> <li>• The original national ethics training package has been revised and incorporates material on conflicts of interest involving complaints against, or observed offending by, members of Police</li> <li>• The revised supervisors' ethics training package includes material on identifying and managing members who may be subject to such conflicts of interest.</li> <li>• Phase 2 is subject to the promulgation of two draft policies: "Report and be Protected" and "Conflicts of Interest". Training will be modified and updated accordingly.</li> </ul>	<p>September report noted Phase 1 completed. Phase 2 ongoing</p>
<b>Support for sexual assault investigation</b>				
R18	<p>New Zealand Police should ensure that training for the Adult Sexual Assault Investigation Policy is fully implemented across the country, so that the skills of officers involved in sexual assault investigations continue to increase and complainants receive a consistent level of service.</p>	Underway	<ul style="list-style-type: none"> <li>• Consultation with Training Service Centre as to oversight and coordinating of RNZPC and District Adult Sexual Assault Investigation Courses</li> <li>• Ongoing implementation of the adult sexual assault policy by way of District and RNZPC Adult Sexual Assault Investigation Training courses</li> <li>• Confirmation from the Training Governance Committee that Districts are now required including Adult Sexual Assault Initial Response Training into role induction for the targeted audiences.</li> </ul>	<p>Estimated to complete June 2009</p>

R19	New Zealand Police should initiate cooperative action with the relevant Government agencies to seek more consistent Government funding for the support groups involved in assisting the investigation of sexual assault complaints by assisting and supporting complainants.	Ongoing	<ul style="list-style-type: none"> <li>Continued work with the "Taskforce for Action on Sexual Violence"</li> <li>Promotion of "Sexual Abuse Assessment and Treatment Service" which is promoting a medical/forensic model jointly funded by Police, ACC and Ministry of Health..</li> <li>Work with "Doctors for Sexual Abuse and Care" in seeking consistent and sustainable government funds for ongoing sector expertise and contributions.</li> <li>Commenced identifying gaps around New Zealand where medical/forensic and crisis support are not in place, or are in place and need supporting</li> <li>Ongoing promotion of peer support for Victim Support workers where utilised in areas identified without bon-a-fide crisis agencies. These are notified to Victim Support Head Office for relevant training and support by an adjoining bon-a-fide agency</li> </ul>	Estimated to complete June 2009
-----	--	---------	---	---------------------------------

### Management assurance

R20	In relation to investigations of sexual assault complaints against police officers or police associates, New Zealand Police should have in place systems that <ul style="list-style-type: none"> <li>verify that actual police practices in investigating complaints comply with the relevant standards and procedures</li> <li>ensure the consistency of practice across the country, for instance in the supervision of smaller and rural stations</li> <li>identify the required remedial action where practice fails to comply with relevant standards</li> <li>monitor police officers' knowledge and understanding of the relevant standards and procedures</li> </ul>	Partially completed	<ul style="list-style-type: none"> <li>The verification of compliance of police practices in investigating complaints, ensuring consistency of practice, identifying remedial action and monitoring of Police understanding of standards and procedures is a process that exists in Police</li> <li>In relation to the investigation of all complaints against Police, there is a three step review process <ul style="list-style-type: none"> <li>First review of practice takes place at District level and a report with recommendations are sent to the national manager professional standards</li> <li>Second review takes place at Police National Head Quarters by or on behalf of the national manager professional standards</li> <li>Third review will be completed by the Independent Police Conduct Authority</li> </ul> </li> <li>These reviews check that the relevant standards and procedures have been applied</li> <li>As a result of the process, police officers' knowledge is evaluated</li> <li>In order to ensure consistency and to comply fully with this recommendation, the applicable practice note will be reviewed and updated</li> <li>This recommendation will be reviewed in conjunction with recommendation R16, independence of investigation.</li> </ul>	Ongoing and estimated to complete June 2008
-----	--	---------------------	---	---

	Handling of complaints by the Police Complaints Authority			
--	---	--	--	--

R21	The [Independent Police Conduct Authority] should improve its accessibility to people who may wish to make a complaint, for instance, by publicising its newly established website and by wider distribution of its information pamphlet.	Underway	<p>The Independent Police Conduct Authority (the Authority) website was established in 2006. Amendments to the website will be made now that the Independent Police Conduct Authority Amendment Act 2007 is in force.</p> <p>The Authority will take advice on the design and distribution of a new pamphlet now that the new legislation is in force. The Authority is also actively considering whether the Authority should have permanent media liaison assistance available to it. In addition, the Authority has undertaken enquiries about the possibility of establishing a call centre to improve accessibility and facilitate receipt of oral complaints.</p>	<p>An update of the website and the printing and distribution of new pamphlets will be completed as soon as practicable.</p> <p>The Authority will consider the financial and operational implications arising from establishing call centre and media liaison capability, with a view to implementing these initiatives as soon as practicable.</p>
-----	---	----------	---	--

R22	The [Independent Police Conduct Authority] should, in conjunction with Police, the Ministry of Justice, and other relevant agencies, develop a communications strategy to increase awareness of the Police Complaints Authority and its work.	Underway	The Authority is actively considering the process for implementing this recommendation, including the possibility of recruiting permanent media liaison assistance. The Authority continues to meet regularly with the Commissioner of Police and key members of other relevant agencies to discuss communication strategies.	<p>The Authority will assess the estimated costs of developing and implementing a communications strategy.</p> <p>The Authority has presented a budget bid in support of this activity.</p> <p>Depending on the availability of resources, an initial strategy could be developed for implementation in the 2008/09 financial year.</p>
R23	The [Independent Police Conduct Authority] should actively facilitate the reception of complaints by accepting oral statements on the basis that the complainant will confirm the [Independent Police Conduct Authority's] written record of the complaint.	Underway	The current legislation provides for complaints to the Authority to be made either orally or in writing. The Authority is actively exploring the establishment of a call centre facility to assist the receipt of oral complaints.	<p>The Authority will consider the financial and operational implications arising from the establishment of a call centre to facilitate the receipt of oral complaints.</p> <p>The Authority has presented a budget bid in support of this activity.</p> <p>Depending on the availability of resources, call centre capability could be established during the 2008/09 financial year.</p>
R24	The [Independent Police Conduct Authority] should ensure it has more regular communication with those people whose complaints are under consideration.	Underway	<p>The design of a new case management database for the Authority with a bring-up system has been completed and is now operational. In addition the Authority is in the process of implementing performance measurements as part of the Authority's procedures. Both the electronic bring-up system and the implementation of performance measures will ensure that communication with complainants is regularly actioned.</p> <p>The recent appointment of a Deputy Authority, and consideration of additional members under the new legislation, will enhance the ability of the Authority to communicate more regularly with complainants.</p>	<p>New performance measures and the installation of a new database are expected to result in improvements to communication with complainants in 2008.</p> <p>New appointments may be made under the Independent Police Conduct Authority Amendment Act 2007 depending on the availability of resources.</p>



R25	The [Independent Police Conduct Authority] should seek feedback from complainants by way of random sampling on their experience of the complaints process.	Underway	The Authority is actively considering how best to implement this recommendation and will research the experience of organisations such as the Ombudsmen, Privacy Commissioner as well as other similar jurisdictions.	The completion of this activity will follow implementation of the performance measurements referred to under recommendation 24. The Authority will consider the financial and operational implications arising from surveying complainants with a view to implementation in 2008.
R26	The [Independent Police Conduct Authority] should develop strategies for addressing its current backlog of complaints, including seeking additional resources as appropriate.	Underway	The Authority's baseline funding was increased by \$0.599 million in Budget 2007 to ensure sufficient resources are available to process the expected number of complaints and investigations the Authority is required to carry out. The Authority also received additional one-off funding in 2006/07 to reduce the backlog of complaints. Significant gains are now being achieved. Temporary assistance has been obtained to speed the process of clearing the backlog and the appointment of a Deputy Authority will further enhance the Authority's capacity to deal with complaints in a timely manner.	The backlog of older complaints has been significantly reduced. A budget bid has been included to complete the backlog of complaints over the next two years. New performance measures and additional resources are expected to ensure that such a backlog does not arise again.
R27	The [Independent Police Conduct Authority] should be encouraged to exercise its discretion in favour of accepting historic sexual assault complaints. If there is any doubt about this matter, a further legislative amendment should be included in the Independent Police Complaints Authority Amendment Bill.	Completed	An amendment was included in the Independent Police Conduct Authority Act 2007.	The Independent Police Conduct Amendment Act came into force on 29 November 2007. Formal policies to be established with Police by March 2008.
	The Police Complaints Authority and legislative requirements			
R28	The requirement for the police to notify the [Independent Police Conduct Authority] of any complaints received by them "as soon as practicable" (section 15 of the Police Complaints Authority Act 1988) should be amended by adding the words "and in any case no later than 5 working days after receipt of the complaint", and compliance with this requirement should be monitored by the Professional Standards section of the Office of the Commissioner.	Completed	An amendment was included in the Independent Police Conduct Authority Amendment Act 2007.	The Independent Police Conduct Authority Amendment Act came into force on 29 November 2007.
R29	The discretion in section 29(2)(a) of the Police Complaints Authority Act should be removed so that the [Independent Police Conduct Authority] is required to notify the Attorney-General and Minister of Police if, within a	Completed	An amendment was included in the Independent Police Conduct Authority Amendment Act 2007.	The Independent Police Conduct Authority Amendment Act came into force on 29 November 2007.

	reasonable time the Authority makes a recommendation to the police under section 27(2) or 28(2), the police fail to take action that seems to the [Independent Police Conduct Authority] to be adequate and appropriate.			
R30	<p>The Ministry of Justice should review the secrecy provisions in the Police Complaints Authority Act, and make such recommendation as may be appropriate for those provision to be repealed or amended (through the Independent Police Complaints Authority Amendment Bill) to ensure that the Act</p> <ul style="list-style-type: none"> <li>• encourages the [Independent Police Conduct Authority] to provide a reasonable level of communication with complainants on the progress of complainants; and</li> <li>• does not inappropriately prevent the [Independent Police Conduct Authority] from investigating complaints that may results in criminal or disciplinary proceedings being taken against a member of the police.</li> </ul>	Underway	<p>Cabinet has agreed to six proposals to enhance the role of the Authority, which will:</p> <ul style="list-style-type: none"> <li>• allow the Authority to undertake its own investigations of complaints about Police misconduct in defined circumstances</li> <li>• allow the Authority to conduct own motion investigations into serious incidents or incidents of significant public interest</li> <li>• amend the current secrecy and privilege provisions so that information gathered during the Authority’s investigations can be used in subsequent proceedings</li> <li>• give Authority investigators the necessary powers to carry out their enhanced investigatory role.</li> <li>• enable the Authority to decide whether there is sufficient evidence to warrant a criminal prosecution, in certain circumstances</li> <li>• allow the Official Information Act 1982 to apply to the Authority.</li> </ul>	<p>Cabinet agreed to six proposals on 10 December 2007.</p> <p>A Bill will be introduced this year.</p>
R31	<p>On the enactment of the Independent Police Complaints Authority Amendment Bill, the Government should ensure that the majority of members of the [Independent Police Conduct Authority] are from outside the legal profession. If this is not possible with a three-person Authority (if the Authority and the deputy are both lawyers), the Government should give consideration to promoting further legislative change to enable a five-person Authority to be appointed.</p>	Underway	<p>Provision for the appointment of up to five members was included in the Independent Police Conduct Authority Amendment Act 2007. Consideration will now be given to appointments to the Authority. Additional funding has been sought for this purpose and for the implementation of the governance structure for the new Authority.</p>	<p>The Independent Police Conduct Authority Amendment Act came into force on 29 November 2007. Consideration on appointments will be complete by June 2008</p>
R32	<p>The Government should adopt a policy that those appointed as members of the [Independent Police Conduct Authority] reflect community diversity and strengthen the community’s perception of the [Independent Police Conduct Authority’s] independence. Police disciplinary system procedures</p>	Completed	<p>The Crown Entities Act 2004 requires that consideration be given to the desirability of promoting diversity in the membership of Crown entities.</p>	<p>The Ministry of Justice will provided advice to the Ministers as appointments are considered.</p>

R33	Those provisions of the Police Regulations 1992 that establish the disciplinary tribunal system be revoked as soon as possible to enable a more efficient system to come in force.	Partially completed	<ul style="list-style-type: none"> <li>• The Social Development Committee, on 15 August 2007, instructed the Parliamentary Counsel Office (PCO) to draft the Regulations</li> <li>• Police were able to provide the PCO with draft Regulations that had already been through a rigorous consultation process with the service organisations, allowing the PCO to complete their instruction by 21 September 2007</li> <li>• New Regulations have been gazetted and take effect 1 February 2008</li> <li>• Government sign off of new regulations will also allow the implementing of a number of other recommendations from the report, which are recommendations R33; R34; R35; R37; R38; R39; R40; and R49.</li> </ul>	New Regulations come into effect on 1 February 2008 and will see this recommendation complete
R34	New Zealand Police should implement a best practice State sector disciplinary system based on a Code of Conduct in keeping with principles of fairness and natural justice as part of the employment relationship.	Underway	<ul style="list-style-type: none"> <li>• The implementation of the new Regulations and the Code of Conduct, will bring Police's employment and disciplinary processes more into line with the general employment framework operated by Government and private sector employers in New Zealand</li> <li>• The new Regulations that have been gazetted include the principles of the disciplinary processes</li> <li>• Procedure and guidance notes for supervisors are currently being developed</li> <li>• The Code of Conduct is to be distributed to all staff on 18 January 2008.</li> </ul>	Revised estimated to complete 1-Feb-08
R35	The new disciplinary process should allow independent investigation of alleged misconduct where necessary or appropriate (in accordance with section 5A and 12 of the Police Act 1958) but should not include the use of a formal disciplinary tribunal.	Underway	<ul style="list-style-type: none"> <li>• The disciplinary process allows clear separation of criminal matters from disciplinary matters</li> <li>• The process also allows for serious misconduct, whereby matters are referred to an independent disciplinary hearing that will undertake an inquisitorial role to inquire into the misconduct</li> <li>• This work has been done in consultation with the team that is working on the new Police Act. Introduction coincides with the new regulations</li> </ul>	The new disciplinary process will take effect with the Regulations on 1-Feb-08
R36	New Zealand Police should ensure that the human resource and professional standards functions are fully integrated in all aspects of their operations and systems.	Underway	<ul style="list-style-type: none"> <li>• Joint working between Human Resources and Professional Standards has started on consolidating and implementing policies and changes, including joint working on disciplinary processes under the revised regulations.</li> <li>• The plan has been approved for Police National Headquarters Human Resources and Professional Standards staff to share office space, with the target date for this set at March 2008. Office procedures will be reviewed across the teams.</li> <li>• In early February, an external party will review the processes and procedures between the two groups and make recommendations to streamline activity.</li> </ul>	Estimated to complete June 2009
R37	The Commissioner of Police should invite the State Services Commission to review the police approach to performance management and discipline to ensure their systems and processes are adequate, standardised, and managed to a standard that is consistent with best practice in the public sector.	Ongoing	<p>The first phase of implementing this recommendation has been completed and the report delivered to the Commissioner in November 2007. The report contained findings of interviews of senior Police staff, two focus groups made up of a random selection of staff, and the framework for evaluating the Police approach and progress.</p> <p>The second phase will commence mid 2008 when Police have implemented their Code of Conduct and the new Police Regulations are in place.</p>	Phase One complete. Phase Two estimated to complete June 2008. Police are treating this as an ongoing initiative - estimated to complete by 2017

<b>Code of conduct for police officers</b>				
R38	A Code of Conduct for sworn police staff should be implemented as a matter of urgency. Subsequently, the existing Code of Conduct for non-sworn staff should be brought in line with the new code for sworn members.	Complete	<ul style="list-style-type: none"> <li>• A code of conduct has been developed covering sworn and nonsworn</li> <li>• The code of conduct has been consulted with internal parties and service organisations and has obtained Executive approval for consultation with all employees</li> <li>• The code of conduct was circulated to all employees early September, with feedback received by 27 September</li> <li>• Adverts were placed for Employee Practice Managers required to assist with the implementation of the code of conduct and the relevant policy and Regulations changes. Offers of appointment are now being made. The majority of the 13 managers have been appointed and in early February they will gather together for their induction programme.</li> <li>• Code being printed for circulation to staff on 18 January 2008.</li> </ul>	The Code of Conduct is complete and will take effect with the Regulations on 1-Feb-08
<b>Police Sexual Harassment Policy</b>				
R39	New Zealand Police should amend its Sexual Harassment Policy to include a requirement that any mediated resolution of a complaint of sexual harassment be finalised in writing and signed by both parties.	Underway	<ul style="list-style-type: none"> <li>• The Sexual Harassment Policy has been re-written to apply to all forms of harassment and allows for parties to attend mediation where the harassment is at a low level and the remedies are within the power of the respondent e.g. apology</li> <li>• Under the policy all mediation settlements will be signed by the parties and by the mediator so that they are full, final and binding</li> <li>• The policy has been through initial consultation internally and with service organisations</li> <li>• Extensive revisions were made that required further consultation and this process has started</li> <li>• First consultation completed and revised draft will be consulted with service organisations.</li> </ul>	Revised estimated to complete February 2008
<b>Police policy on inappropriate sexual conduct and relationships</b>				

R40	<p>New Zealand Police should develop standards, policies, and guidelines on appropriate sexual conduct towards, and the forming of sexual relationships with, members of the public. These should be incorporated into all codes of conduct and relevant policy and training materials. The standards, policies, and guidelines should be developed with the assistance of an external expert in professional ethics and should</p> <ul style="list-style-type: none"> <li>• specify actions and types of behaviour of a sexual nature that are inappropriate or unprofessional</li> <li>• prohibit members of police from entering any relationship of a sexual nature with a person over whom they are in a position of authority or where there is a power differential</li> <li>• provide guidance to members and their supervisors about how to handle concerns about a possible or developing relationship that may be inappropriate</li> <li>• emphasise the ethical dimensions of sexual conduct, including the need for police officers to avoid bringing the police into disrepute through their private activities.</li> </ul> <p>Police email and computer use policies</p>	Underway	<ul style="list-style-type: none"> <li>• The Professional Relationship Policy covering those items listed within R40 is currently under development. The Policy will align with the Code of Conduct</li> <li>• The Policy will go through the various levels of consultation</li> <li>• The Policy is on target to be completed by June 2008.</li> </ul>	Estimated to complete June 2008
R41	<p>Directions given by New Zealand Police management on what constitutes inappropriate use of police email and the Internet should not allow for any individual interpretation of appropriateness by police officers.</p>	Completed	<ul style="list-style-type: none"> <li>• A new policy that addresses this recommendation, was introduced in 2006</li> <li>• All users of Police computer systems are required to acknowledge the new policy on computer use, including email and internet usage, each time the user logs on</li> <li>• The logon screen reads as follows: "Use of this computer system is subject to statutory requirements and Police policy - refer to General Instructions A400-406, C800-803 and S600-603. All usage of the system and information on it may be subject to review. There should be no expectation of privacy of information or communication. Proceeding with the logon, beyond this screen, is deemed to be an acknowledgement of the conditions of use Misuse of the system or information on it may result in disciplinary action or prosecution. To accept and continue press Ctrl-Alt-Delete and enter your QID and password."</li> </ul>	Completed 2006

R42	New Zealand Police should introduce a requirement that all staff sign a document to confirm that they have read and understood the acceptable use policies for the Internet and email. These requirements should be fully explained to all recruits during their training.	Completed	<ul style="list-style-type: none"> <li>• Each time a user logs on to the Police system they are required to acknowledge the acceptable use policies for internet and email</li> <li>• In relation to recruit training, recruits are given a full copy of the policy, which they must read. They are led through the basic process of logging in and out of the Police IT systems and application of the policy is discussed using examples. They are required to sign a letter stating they have read and understood the policy.</li> </ul>	Completed 2006
R43	All police officers should be required to acknowledge that they have read and understood any changes to police computer use policies. These requirements should also be fully explained to all recruits during their training.	Partially completed	<ul style="list-style-type: none"> <li>• Each time a user logs on to the Police system they are required to acknowledge the acceptable use policies for internet and email. Completed.</li> <li>• In relation to recruit training, recruits are given a full copy of the policy and are taken through examples in training. They then sign a letter stating that they have read and understood the policy. Completed.</li> <li>• These requirements for communicating and tracking acknowledgement of changes have been defined with recommendation R11 and will be delivered as part of the “Corporate Instruments” initiative noted in recommendation R1. They will be deemed as critical instructions.</li> </ul>	Estimated to complete June 2009
R44	New Zealand Police managers should receive regular reports on the use of the Internet by their staff. This reporting requirement should be built into the early warning system that the police are developing (see recommendations R47, R48).	Partially completed	<ul style="list-style-type: none"> <li>• The early intervention system identified in recommendation R48, has been established and now contains information from the last 12 months of Internet Reports</li> <li>• NZ Police are trialing a new system that will provide improved monitoring and reporting and expected to be complete by February 2008</li> <li>• The implementation of the new system will see this recommendation complete.</li> </ul>	Estimated to complete June 2008

#### Ethics training and ethics committees

R45	All New Zealand Police districts should implement a nationally consistent ethics training programme that all police officers are required to attend. Police officers should also be required to attend regular refresher courses on ethics.	Partially completed	<ul style="list-style-type: none"> <li>• The revised national ethics training package is currently mandated for all members for the year 2006/07 and in most Districts has been rolled over into the 2007/08 year.</li> <li>• 105 members across all Districts have been trained over the past year to deliver this national training package within Districts and Service Centres</li> <li>• A refresher training package has been developed and is being delivered to staff who have previously received the initial training</li> <li>• The content and frequency of refresher training is yet to be determined.</li> </ul>	Ongoing and estimated to complete June 2008
R46	New Zealand Police should ensure that the establishment of ethics committees is mandatory for all police districts. There should be a national set of guidelines to guide police districts on the purpose, operation, and membership of their ethics committees.	Underway	<ul style="list-style-type: none"> <li>• An assessment has been made of the current state of ethics committees across police and has identified that most districts operate ethics committees</li> <li>• Work is currently underway to ensure a consistent approach on standards and policy around the operation of ethics committees is applied.</li> <li>• A paper has been prepared with recommendations for 2008 to be presented to the Police Executive.</li> </ul>	Assessment completed. Outcome expected to be implemented by June 2008

#### Early warning system and performance management

R47	New Zealand Police should implement a nationally mandated early warning system in order to identify staff demonstrating behaviour that does not meet acceptable standards and ensure such behaviour does not continue or escalate.	Underway	<ul style="list-style-type: none"> <li>• A prototype for Early Intervention reporting has been trialed across three Districts and one Service centre</li> <li>• The Early Intervention system and associated processes will then be further developed and consulted before national implementation</li> <li>• This recommendation will be delivered in conjunction with recommendations R8 and R48.</li> </ul>	Estimated to complete June 2008
R48	The early warning system should ensure that all relevant information, sufficient to give a complete picture of an officer's full record of service, is captured in a single database, and is accessible to police managers and supervisors when making appointments and monitoring performance, as well as to complaint investigators when appropriate.	Underway	<ul style="list-style-type: none"> <li>• This recommendation has been identified as a requirement of the Early Intervention system and is being evaluated as part the trial noted in recommendation R47</li> <li>• This recommendation will be delivered in conjunction with recommendations R8 and R47.</li> <li>• Refer R8 American software solution has been identified and will be reviewed in early 2008.</li> <li>• Subject to the outcome of the review, the estimated timeline maybe revised</li> </ul>	Estimated to complete June 2008
R49	New Zealand Police should review its approach to performance management, including the training provided to supervisors and managers, the performance appraisal process and documentation, and the methods in place to ensure that the follow-up identified in the performance improvement plans actually occurs.	Underway	<ul style="list-style-type: none"> <li>• The performance and development appraisals process will be reviewed as part of the introduction of the revised Code of Conduct</li> <li>• This recommendation will also consider any findings from the State Services Commission review of performance management as noted in recommendation R37</li> </ul>	Estimate to complete June 2009

**Police Culture**

R50	New Zealand Police should continue its efforts to increase the numbers of women and those from ethnic minority groups in the police force in order to promote a diverse organisational culture that reflects the community it serves and to enhance the effective and impartial investigation of complaints alleging sexual assault by members of the police or by associates of the police.	Ongoing	<ul style="list-style-type: none"> <li>• All NZ Police recruitment marketing and communications material is developed with the target audiences in mind. The creative strategy is tailored around messages that would effectively reach and appeal to people within Police's targeted demographics</li> <li>• Police's media purchasing and placement is aligned with the media consumption habits of those target groups, for example, a campaign aimed at recruiting women utilises a television commercial that features a female lead character and is advertised in media where women are the main audience</li> <li>• Recruitment material has and continues to be developed in order to effectively engage people from specific target groups, such as members of New Zealand's Asian, Maori and Pasifika communities</li> <li>• Direct marketing material, press adverts, posters and brochures have been developed for these targeted groups</li> <li>• Female focused television commercials are currently being broadcasted</li> <li>• Female specific seminars are being held in Auckland and about 30,000 female focused flyers have been placed in retail outlets around Auckland that attract a predominantly female customer base</li> <li>• Police continue to create public relation opportunities such as securing profiles of female police officers within magazines</li> <li>• Maori centric communication material has been developed and distributed throughout Maori communities</li> <li>• First meeting held of the Te Haerenga, a Maori focused roadshow, which will involve NZ Police engaging with and performing to Iwi and other Maori organisations and individuals around the country. Next meeting is a two day training session in Waikato 19/20 January 2008</li> <li>• Police have utilised Asian, specifically Chinese/Mandarin, media for advertising and press releases and Police have run Asian only seminars</li> <li>• Diversity Responsiveness Group has been formed and will be run by TSC - first meeting 23 January 2008</li> <li>• Ongoing writing and monitoring of the District Equity &amp; Diversity strategic plans</li> <li>• Meeting held with Human Rights Commission to discuss embedding of Human Rights throughout NZ Police</li> </ul>	Ongoing
R51	The Commissioner of Police should invite the State Services Commissioner to carry out an independent annual "health of the organisation" audit of the police culture (in particular, whether the organisation provides a safe environment for female staff and staff from minority groups). The need for the audit should be reviewed after 10 years.	Ongoing	Police and the State Services Commission agreed on the core basis for carrying out the Health Audits. Health Audits are made up of findings of the engagement survey, additional specific questions, and other data. The Police COI Steering Group received the findings of the engagement survey and additional specific questions on 11 December. The additional data has been compiled and analysis will continue during the next quarter.	Baseline audit completed. Analysis to continue. Annual Health Audit to be carried out in August of each year through to 2017
<b>Reporting of allegations of sexual misconduct</b>				



R52	New Zealand Police should review its current policies, procedures, and practices on internal disclosure of wrongdoing, and actively promote a single stand-alone policy for all disclosures, including (but not limited to) those made under the Protected Disclosure Act 2000. The policy should ensure that proper inquiry is always made where information received indicates that a police member or associate may have committed a sexual offence.	Underway	<ul style="list-style-type: none"> <li>• A draft policy has been developed and has been through the first round of consultation</li> <li>• The writing and implementation of this policy will take cognisance of recommendations R53; R54 and R56.</li> </ul>	Estimated to complete June 2008
R53	New Zealand Police should ensure that the policy and the approach of "report and be protected" are well understood and implemented nationally.	Underway	<ul style="list-style-type: none"> <li>• This will be achieved as part of recommendation R52.</li> </ul>	Estimated to complete June 2008
R54	New Zealand Police should ensure that all other relevant policies, procedures, and practices are consistent with the stand-alone policy on the reporting of serious wrongdoing and the approach of "report and be protected".	Underway	<ul style="list-style-type: none"> <li>• This will be achieved as part of recommendation R52.</li> </ul>	Estimated to complete June 2008
R55	The New Zealand Police ethics training programme should aim to foster a culture which encourages reporting of allegations of wrongdoing by police members or police associates and provide support to those who make disclosures, consistent with the "report and be protected" approach.	Partially completed	<ul style="list-style-type: none"> <li>• This is a key focus of the current ethics training programme</li> <li>• The ethics training emphasises the responsibility of supervisors and managers in determining the culture that exists and the need for the culture to support members who make allegation of wrongdoing against other members or disclose such wrongdoing</li> <li>• This training is delivered on all NCO and Commissioned Officer promotion Qualifying Courses as well as within Districts</li> <li>• The revised policy on report and be protected, as identified in recommendation R52, will be incorporated into the national ethics training content once signed off.</li> <li>• Phase 2 is subject to the promulgation of two draft policies: "Report and be protected" and "Conflicts of Interest". Training will be modified and updated accordingly.</li> </ul>	Estimated to complete June 2008 (Phase 2)
R56	New Zealand Police managers and supervisors should actively communicate to police members the expectation that they will report any allegations of sexual misconduct made against a colleague or a police associate. Police managers and supervisors should encourage and support members to report such allegations.	Underway	<ul style="list-style-type: none"> <li>• This approach for communicating this is being documented as part of the implementation of the "Report and be protected" policy identified in R52.</li> </ul>	Ongoing
<b>Community engagement and feedback</b>				

R57	Each police district should establish groups of community representatives, chaired by recognised community leaders, which meet regularly to provide comment and feedback on police service delivery and policing issues throughout the district. Relevant information obtained from the feedback from the community should be incorporated into the police early warning system (see recommendation R47, R48).	Underway	<ul style="list-style-type: none"> <li>• A stocktake of current mechanisms for community engagement occurring in Districts is being carried out along with a request for preferred options. This will be collated to identify possible approaches for presentation to the Steering Committee</li> <li>• Districts were asked to provide information on their current formal and informal mechanisms for community engagement. Their returns have been recorded and collated and a paper is being developed to report back to the COI Steering Committee</li> <li>• Discussions are also underway with initiative owners relating to recommendations 47 and 48.</li> </ul>	Estimated to complete June 2009
-----	--	----------	---	---------------------------------

**Implementation and monitoring of police initiatives**

R58	New Zealand Police should rationalise the projects and initiatives currently in train (including those started in response to this Commission of Inquiry into Police Conduct, and the review of the Police Act 1958) and any further projects arising out of the Government's response to this report, to ensure that overlaps between projects are addressed, interdependencies are identified, priorities are assigned, and adequate resources are made available to do the work. New Zealand Police should address these issues in its annual statement of intent, and consult with the Minister of Police in respect of the priority to be given to projects.	Ongoing	<ul style="list-style-type: none"> <li>• Work is underway to reconfirm the Interdependencies between recommendations within the programme of work and any external dependencies that may be impacted i.e. the Police Act project</li> <li>• Reprioritisation of recommendations may result</li> <li>• A new electronic system is being introduced to improve the access and management of programme information and provide visibility of status across the programme to key stakeholders</li> <li>• Resourcing requirements for the programme of work are under review</li> </ul>	Estimated to complete by 2017
R59	New Zealand Police should consult with and involve the State Services Commission and other public sector agencies, where appropriate, to ensure that the projects and initiatives of the type described in recommendation R58 take account of best practice in the public sector. The Government should take steps to remove any statutory impediment to such consultation and involvement.	Ongoing	<ul style="list-style-type: none"> <li>• The State Services Commission has completed an initial review of the Police approach and progress to the implementation of the programme of work. Interviews of both internal and external stakeholders and two focus groups made up of a random selection of staff were completed and the final report delivered to the Commissioner in November 2007</li> </ul>	Initial SSC Review complete. Follow up review will commence March 2008. Estimated to complete by 2017

R60	<p>The Government should invite the Controller and Auditor-General to monitor, for the next 10 years, the New Zealand Police implementation of all the projects and initiatives of the type described in recommendation R58, and also the police implementation of the recommendations of this Commission of Inquiry into Police Conduct as approved by Government. The Controller and Auditor-General should report regularly to Parliament on this matter during the ten-year period.</p>	Ongoing	<ul style="list-style-type: none"> <li>• The Auditor-General has been invited to monitor the programme</li> <li>• An initial meeting was held between Police and the Office of the Auditor-General to discuss the approach for ongoing monitoring</li> <li>• A further meeting is to be scheduled in the New Year.</li> <li>• Police provided an overview of the COI Implementation Framework that will be used to implement the recommendations and depicts the relationship between different components.</li> </ul>	Estimated to complete by 2017
-----	---	---------	--	-------------------------------