

Recommendations from the Commission of Inquiry into Police Conduct

Current Status and Progress for the Quarter ended 31 December 2010

	Recommendations	Status	Progress	Estimated time to completion
	<b>Police policies and procedures</b>			
R1	New Zealand Police (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	Complete	<p>Corporate Instruments, together with Professional Standards and Crime Services have completed the review and consolidation of those instruments relating to investigating complaints of misconduct against police officers, as well as those relating to the investigation of sexual assault allegations. This fully addresses the requirements under R1 which Police considers complete.</p> <p>A related (but not part of this recommendation) Police initiated project continues to review and consolidate all Police Corporate Instruments (administrative and operational policies and instructions). This work is ongoing and has led to the permanent establishment of the Corporate Instruments team as a permanent Police group to ensure oversight, monitoring and regular review of all Police corporate instruments.</p> <p>Police considers the review and consolidation of 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 <u>under R1 as complete</u>. It should be noted that Police has gone further and permanently established the Corporate Instruments team as stewards and gatekeepers of all Police instructions and other documents.</p>	Complete
R2	New Zealand Police should ensure that general instructions are automatically updated when a change is made to an existing policy.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>Police through the Corporate Instruments team has implemented and a process that allows for automatic update and includes procedures to ensure:</p> <ul style="list-style-type: none"> <li>• business owners are advised 3 months before a GI is due for review (all operational policy is on a set cyclic review programme) and are required to review those policies for currency and integrity (note: a review can also be triggered by other factors, e.g. legislative change, policy changes, government direction etc)</li> <li>• follow up with business owners if no timely response is received and escalation up to Police Executive level if business units take no action</li> <li>• ensuring that there is no conflict or inconsistency in policy</li> </ul>	Complete. Ongoing review is now part of business as usual.

	Recommendations	Status	Progress	Estimated time to completion
	Police policies and procedures		<ul style="list-style-type: none"> <li>any related general instruction that is affected is updated or cancelled if no longer required</li> </ul> <p>General Instruction review includes:</p> <ul style="list-style-type: none"> <li>impact assessment on other groups and other corporate instruments</li> <li>consultation as required</li> <li>ensuring that no conflict or inconsistency arises with any other policy or process</li> <li>any related General Instruction or policy is automatically updated to reflect the change</li> <li>determining whether any training is required</li> <li>process check by Team Leader Corporate Instruments</li> <li>Commissioner issuing/cancelling GI after review</li> <li>publication with new review/bring-up date.</li> </ul> <p><u>Any</u> change to existing corporate instruments involves the identification of other instruments (whether general instructions, Police Manual chapter or otherwise) that are impacted upon by the change. These instruments are automatically updated in tandem by the business owner under the oversight and monitoring of the Corporate Instruments team. Systems are in place to ensure this happens.</p> <p>Police considers R2 complete.</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.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>The OAG recommended that R3 be reopened and held open until R2 is completed. Police considers both R2 and R3 have been completed. General Instructions and Local Orders will always be under review as part of the process put in place for General (national) Instructions and Local (regional) Orders under the oversight and monitoring of the Corporate Instruments Team within Police Policy Group.</p> <p>Police has developed and implemented a national framework consisting of policy principles, standards and templates that ensure all instructions are nationally consistent yet allows regional flexibility in implementing policies.</p> <p>General Instructions are national instructions and cannot be issued by districts.</p> <p>Regional instructions are delivered through Local Orders.</p> <p>Guidelines have been developed and implemented regarding both</p>	Complete

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	<b>Police policies and procedures</b>			
			<p>General Instructions and Local Orders. Flexibility is provided for in the Guidelines for Local Orders (regional instructions).</p> <p>The Principles relating to Local Orders are specified in the Guidelines for Developing and Maintaining Local Orders.</p> <p>Districts must consult the Team Leader: Corporate Instruments when developing Local Orders who is responsible for ensuring the Order does not duplicate conflict with and is not inconsistent with national policy. When they Order is published in the national electronic database it is also placed on a cyclic review programme.</p> <p>Police considers R3 is complete noting that regular review of General Instructions and Local Order is part of Police's business as usual.</p>	
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.	Complete		Completed June 2007
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>• Notifications that fit the criteria are recorded in IAPro and reported to Executive &amp; Ministerial Support who also maintains a manual schedule of such notifications.</li> <li>• Compliance is audited by Police Conduct Group staff on an ongoing basis.</li> </ul>	Complete and ongoing review is part of business as usual.

	Recommendations	Status	Progress	Estimated time to completion
	<b>Police Policies and procedures for complaints</b>			
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>• Draft Operational Policing Service Delivery Standards have been developed. They sit alongside the draft Service Charter. Both the Service Charter and the Operational Policing Service Delivery Standards will be tested with constabulary staff in pilot areas during Quarters 3 and 4.</li> <li>• The brochure on <i>How to Make a Complaint about Police</i> which will inform the public how to find information on the complaints process is in its final draft and will be submitted to the Police Executive in Quarter 3 for approval.</li> </ul>	<p>This recommendation is being delivered as part of the Service First Project.</p> <p>Operational Service Delivery Standards and the Service charter are estimated to be completed mid to late 2011 followed by national implementation in 2012.</p>
	<b>Police policies and procedures for complainants</b>			

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>Police reviewed the Citizens' Satisfaction Survey questions in light of the Office of the Auditor General's report. The wording of the questions has been altered to ask specifically about public awareness of the complaints process. All respondents who had contact with the Police in the previous 6 months both those who had a problem or negative interaction, and those who did not, and a sample of respondents who had not had contact with the Police in the last 6 months are now asked about their awareness of the complaints process.</li> <li>The new questions were piloted during Quarter 2 in order to test the questions. Testing is now complete and the new questions have been incorporated into the surveying. Results will be available around October 2011 as part of the public release of the Citizens' Satisfaction Survey 2011.</li> </ul>	Ongoing
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>The next stage of IAPro, BlueTeam4 has been successfully rolled out to all Districts. This allows District staff to load complaint detail and inquiry progress directly into the database.</li> <li>Work continues on the development of an Early Intervention process which will be based on IAPro and incorporate a range of other information sources contained on the Police IT platform.</li> </ul>	Ongoing
<b>Adult Sexual Assault Investigation Policy</b>				
R9	New Zealand Police should review the implementation of the Adult Sexual Assault Investigation (ASAI) 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.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>Police is confident that the ASA Investigation Guidelines contain enough information of a policy nature but will undertake a further review to ensure that this is the case. This review will coincide with an enhancement of the Guidelines around best practice and alignment to other best practice documents and policies.</li> <li>Police is continuing dip sampling and case audits to evaluate that key processes outlined in the ASAI Guidelines are being adhered to, such as support for complainants, and ongoing feedback and communication is in place and adult sexual investigations are undertaken or overseen by a specially trained ASA investigator.</li> <li>60 ASA Investigation files were reviewed by Police National Headquarters in November this year, taking the total of files across the country assessed in 2010 to 135. The results from these audits have been fed back to Police Districts and the Executive and used to monitor gaps, identify training and measure service delivery.</li> <li>A plan for ongoing independent assessments is being drafted to</li> </ul>	Ongoing

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			align with the Child Abuse Investigation file audit processes. Each plan is aimed at seeking assurances that complainants receive a sufficient and consistent level of service and whether the practice, processes, training and resources in these two domains are being effectively implemented.	
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.	Complete		Completed June 2009.
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.	Reopened (pursuant to the OAG 2nd monitoring report)	Police has identified I-learn (electronic learning) as a suitable tool for testing and confirming that employees have read and understood policies. Police already uses the software for training, and its use for this new purpose has been approved. A Police Executive decision was made that reading/comprehension testing is to be carried out only for critical policies, not "all policies that affect how Police officers do their job". The rationale behind this decision is that it is not justifiable, feasible or practicable to institute such a testing process for potentially 11000 employees when the majority of policies only require notification through the enhanced publishing processes that have been instituted. Police is developing criteria to identify critical policies using a risk assessment tool that takes into account factors including, but not limited to, the likelihood of non-compliance, impact of non-compliance, importance and complexity. Corporate Instruments will embed this risk assessment in their development and review procedures for all corporate instruments as a mandatory step and from that identify critical policies. This will ensure an objective measurement of a policy's risk and appropriate communication and testing on a national basis. Once that is implemented as 'business as usual' Police will seek to close this recommendation.	Ongoing

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
	<b>Communication of policies and training</b>			
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.	Reopened (pursuant to the OAG 2nd monitoring report)	The Second Monitoring Report from the Office of the Auditor-General (OAG), which was released in June 2010, noted that further work was required on this recommendation. Police is currently reviewing the work that has been ongoing since the Recommendation was implemented to ensure the theme of this Recommendation is properly embedded.	Ongoing
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.	Reopened (pursuant to the OAG 2nd monitoring report)	The Second Monitoring Report from the Office of the Auditor-General (OAG), which was released in June 2010, noted that further work was required on this recommendation. Police is currently reviewing the work that has been ongoing since the Recommendation was implemented to ensure the theme of this Recommendation is properly embedded.	Ongoing
	<b>Consistency and transparency in complaint processes</b>			
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>The existing instruction to investigators is being reviewed to sure it meets the requirements of the recommendation.</li> </ul>	Mid 2011
R15	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: <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>	Delayed closing due to OAG 2nd monitoring report	<ul style="list-style-type: none"> <li>PNHQ staff continue to conduct regular audits of compliance and maintain an overview provided by the ASA National Tripartite Forum (Police, DSAC and Crisis Support).</li> <li>Police form POL1060, Police Record of Victim Contact, was identified as a key tool to enhance communication. The promotion and use of this form continues to be monitored and assessed.</li> <li>The importance and processes for communicating with complainants have been reviewed and reinforced in the ASAI Guidelines which were incorporated in the Intranet based Police Manual and published in July 2009 (recommendations 9 and 10).</li> <li>Work is underway with the NIA Case Management Programme which is looking to improve services to victims, complainants, and witnesses through better information flow and transparency of process, this includes a NIA based prioritisation process. Also being developed is a hard copy ASA Investigation Guide that will be part of files and look to aid investigators, supervisors, filing officers and auditors with file layout as well as best practice.</li> <li>Victims' Rights Act 2002 training, which will further reinforce the importance of victim communication, is currently under review.</li> </ul>	<p>When the review of Police's training on the Victims' Rights Act 2002 has been completed. Changes will be implemented where needed.</p> <p>Ongoing</p>

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
	<b>Independence of investigations</b>			
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</li> <li>• 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>	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>• The existing instruction to investigators is being reviewed to ensure it meets the requirements of the recommendation.</li> </ul>	Mid 2011
R17	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.	Partially complete	<ul style="list-style-type: none"> <li>• A new national ethics training package entitled "Contemporary Policing in NZ - Discretion Ethics and Professionalism" was delivered to all NZ Police employees throughout 2008 and 2009.</li> <li>• Training packages are currently being reviewed to identify how this policy might be incorporated into existing packages or any refresher ethics training.</li> <li>• Mandated training on performance management (incorporating ethics) has been approved by PEC for 2010/11. Consideration will be given to incorporating this policy into this training. This training continues to be developed.</li> </ul>	Estimated completion: mid 2011.

	Recommendations	Status	Progress	Estimated time to completion
	<b>Support for sexual assault investigations</b>			
R18	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.	Complete	<ul style="list-style-type: none"> <li>This recommendation is to remain open until late 2010 to ensure training is on track for complete coverage of the target audience prior to handing over to business as usual (Training Services Centre) to manage ongoing training.</li> <li>Specific training is focused on two fronts; (1) the ASA Investigators Course - for Investigators (1 week at RNZPC or district) and ASA Initial Complaint Action, (2) those with the initial contact in sexual abuse matters aimed at watchhouse, reception, Comms and frontline staff (3 hrs at Districts or RNZPC to Recruits).</li> <li>ASAI Training courses continue at RNZPC and within District with 333 investigators trained in 2009/10, 183 investigators in 2008/09 and, 292 trained in 2007/08. A total of 808 staff trained over 3 years within a rotating workforce of around 1200 staff.</li> <li>Consultation continues between Training Service Centre and National Coordinator: ASA around oversight and coordination of ASAI courses and this being passed to BAU, including integration with CIB Selection Induction Course.</li> </ul>	Complete and now business as usual.
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.	Underway	<ul style="list-style-type: none"> <li>The focus of this recommendation is the promotion of SAATS, a nationwide medical forensic model delivered via District Health Boards of which 15 of the 20 DHB's are currently contracted to the service. ACC is the lead agency on behalf of Police and MoH. The first evaluation of the service is to be completed by late 2010.</li> <li>An ongoing service delivery agreement between DSAC and Police was signed in the 2008/09 financial year for the provision of funding for a sexual assault medical forensic service.</li> <li>As previously highlighted, changes to the ACC Sensitive Claim Clinical Pathway in October 2009 altered the way sexual abuse victims received support and therapy as well as jeopardised funding for the support groups that provide this. This has been favourably addressed recently after an independent review of the pathway changes.</li> <li>The Taskforce for Action on Sexual Violence was addressing funding for agencies that support victims such as Rape Crisis and HELP.</li> </ul>	This recommendation has been reactivated as a result of the decision of the ACC to change the ACC Clinical Pathway. The changes impact directly on the level of support available to victims in sexual assault complaint. ACC undertook a review of the Clinical pathways and has subsequently made further changes which are now more favourable. This recommendation will remain open until these latest changes are consolidated, a process not directly within control of Police.

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
	<b>Management assurance</b>			
R20	<p>In relation to investigations of sexual assault complaints against police officers or police associates, New Zealand Police should have in place systems that:</p> <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>	Complete	<ul style="list-style-type: none"> <li>• Police systems provide that on receipt of a complaint the National Manager Professional Standards is to be advised.</li> <li>• The criminal investigation process provides for an independent investigator to be identified, tasked and terms of reference for the investigation to be agreed.</li> <li>• Investigations are monitored and the outcomes independently reviewed.</li> <li>• Employment investigation processes relevant to the matter are implemented in tandem.</li> <li>• Improved standards and procedures for the investigation process have been developed to ensure that Police procedures eliminate any potential or perceived conflicts of interest that may arise from the investigation process.</li> <li>• Consultation has been completed and the agreed process is now contained in the Independence of Investigations (Safe Processes) policy.</li> <li>• The policy covering Police Investigations of Complaints and Notifiable Incidents has also been approved.</li> </ul>	Completed June 2010, now business as usual.

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
	<b>Police disciplinary system procedures</b>			
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 into force.	Complete	<ul style="list-style-type: none"> <li>• New Regulations were gazetted and took effect 1 February 2008.</li> <li>• Government sign off of new regulations allowed the implementing of recommendations 34; 35; 37; 38; 39; 40; and 49 in addition to recommendation 33.</li> </ul>	<p>New Regulations came into effect on 1 February 2008 and therefore this recommendation is completed.</p> <p>The enactment of the Policing Act 2008 enabled the new progressive disciplinary system and the Code of Conduct to work fully.</p>
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>• the revised disciplinary system is now established and embedded into everyday employment activities.</li> <li>• The OAG report (2010) states that feedback indicates the disciplinary system based on the Code of Conduct is working. State Services Commission has commissioned further work to determine whether the system is consistent with best practice in the state sector</li> </ul>	Ongoing - business as usual.

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>the new disciplinary process allows for independent investigation and does not include the use of a formal disciplinary tribunal.</li> <li>the independence of investigation is being supported by the work of Rec 16</li> </ul>	Ongoing
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.	Partially Complete	<ul style="list-style-type: none"> <li>Human Resources and Professional Standards continue to consolidate and implement policies and changes, including the development of disciplinary processes under the revised Regulations.</li> <li>Human Resources and Professional Standards are working together enabling the integration of processes and systems.</li> <li>Integration of District Human Resources and Professional Standards functions has occurred in all Districts reflecting their size and local preferences.</li> <li>PNHQ will continue to monitor compliance.</li> </ul>	Monitoring continuing to ensure philosophy is embedded.
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	<ul style="list-style-type: none"> <li>Consistent with the agreed review programme SSC has now completed three reviews of performance management and change management; one in 2007/08, the other in 2008/09 and the third in 2010.</li> <li>Terms of reference are agreed for the programme of work for three to five years (after December 2009).</li> </ul>	This is an ongoing initiative that will run until 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		Completed 2008

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
	<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.	Complete	<ul style="list-style-type: none"> <li>• The policy is now in place.</li> <li>• The Sexual Harassment Policy has been revised to apply to all forms of harassment and allows for parties to attend mediation where the harassment is at a low level and it is within the powers of the wrong doer to remedy e.g. through an 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>• Extensive revisions were made after consultations both internally and with service organisations.</li> <li>• Revisions have also ensured that the Code of Conduct is appropriately referenced.</li> </ul>	Completed 2010

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
	<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>	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>• The professional distance policy is in place and operating.</li> <li>• OAG report (2010) has indicated that the prohibitions in the Professional Distance Policy should be incorporated into the Code of Conduct to meet the Commission's expectations.</li> <li>• Police believe that the principles in the Code of Conduct cover the circumstances addressed by the Professional Distance Policy.</li> </ul>	Ongoing - is now business as usual

	Recommendations	Status	Progress	Estimated time to completion
	<b>Police email and computer use policies</b>			
R41	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.	Complete		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.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>Each time a user logs on to the Police system they are required to acknowledge the acceptable use policies for internet and email.</p> <p>Recruits are given a full copy of the policy, which they must read, and are led through the basic process of logging in and out of the Police IT systems. The application of the policy is discussed using examples and recruits are required to sign a letter stating they have read and understood the policy.</p> <p>Discussions are underway to determine how an electronic survey tool could be used to ensure the requirement is understood and adhered to.</p>	Ongoing
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>Police note that the recruit aspect of R43 is completed.</p> <p>Police is in the process of updating the relevant computer use policy to mandate that all employees must be required to read and confirm that they have understood changes to Police computer use policies. This will be achieved by using the I-learn tool. Given there are more than 11,000 employees involved some technical refinements are required and this is being investigated and developed by Police.</p> <p>Once the policy and process is in place Police will seek to close this recommendation.</p>	Ongoing
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).	Reopened (pursuant to the OAG 2nd monitoring report)	<p>Regular reporting of Internet use was implemented prior to the COI report being released.</p> <p>A new gateway was implemented that has significantly improved the organisation's ability to monitor individual user's Internet use and identify potential issues requiring early intervention.</p> <p>A Use of Information Steering Committee was formed in 2008 to oversee trends and issues relating to web/email use and instigate action in order to determine discrepancies.</p> <p>Employees that are reported to the Use of Information Steering committee as being in breach of Internet Usage will have their names entered into the Early Warning System (IAPRO). This will be in place by June 2011.</p>	Ongoing

	Recommendations	Status	Progress	Estimated time to completion
	<b>Ethics training and ethics committees</b>			
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.	Reopened (pursuant to the OAG 2nd monitoring report)	The Second Monitoring Report from the Office of the Auditor-General (OAG), which was released in June 2010, noted that further work was required on this recommendation. Police is currently reviewing the work that has been ongoing since the Recommendation was implemented to ensure the theme of this Recommendation is properly embedded.	Ongoing
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>Police will continue to monitor the activity, make-up and effectiveness of committees to ensure they are meeting expectations.</li> </ul>	Ongoing - monitoring business as usual

	Recommendations	Status	Progress	Estimated time to completion
	<b>Early warning system and performance management</b>			
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>The IAPro database, implemented to capture and manage complaints against Police, will be used to collect data as the basis for the Early Intervention (E I) solution.</li> <li>On track for late 2010 implementation of first stage of technology utilisation of IAPro tool which flags repeat subjects of complaints.</li> <li>Further work underway to scope the feasibility of interfacing other technology platforms with IAPro</li> <li>Policy draft finalised and being consulted internally. Australia and New Zealand Police Advisory Agency (ANZPAA) coordinating E I development at direction of Commissioners</li> <li>NZ Police will link in with this work to ensure best practice is reflected in our policy.</li> </ul>	Mid 2011
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>See Recommendation 47</li> </ul>	Ongoing

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
	<b>Early warning system and performance management</b>			
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.	In progress	<ul style="list-style-type: none"> <li>• A review of performance management has been undertaken and documented in a number of papers presented to the Police executive over the last quarter.</li> <li>• The review findings are being used by Police as input to the process of defining the programme of work for the next three to five years undertaken in conjunction with SSC.</li> <li>• SSC has also completed two reviews of performance management and change management; one in 2007/08 and the other in 2008/09 under recommendation 37.</li> <li>• The performance and development appraisal process was previously reviewed in conjunction with the introduction of the revised Code of Conduct. District Employee Practice Managers are providing training in performance management as part of the revised discipline/Code of Conduct processes.</li> <li>• Performance improvement is now a routine aspect of the disciplinary processes.</li> <li>• Police has introduced an e-performance module which underpins performance management actions and delivers a greater level of consistency by managers. Application of this electronic tool started at Inspector level and above in July 2010. Modifications are being made to this tool for the 2011-12 year, prior to considering wider roll out of the system.</li> <li>• Supervisor training in performance management has been reviewed and will be rolled out in 2011.</li> </ul>	Ongoing

	Recommendations	Status	Progress	Estimated time to completion
	<b>Police Culture</b>			
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>Recruiting conference brought together recruiting officers. Key messages included: National consistency - Candidate pool of priority groups (e.g. females, under 25's, Maori, Pacific and ethnic minorities. Engagement with applicants and communities.</li> <li>Auckland recruiting identified over 300 women who had started the recruiting process but had not continued. A call back evening was organised with all those on the waiting list contacted. Those contacted were given support and advice to continue the process</li> <li>The final two days of the Wellington area Women's Development course was run in November 2010.</li> <li>An MOU has been signed with Te Wananga o Aotearoa with respect to Police Recruitment. TWOA run a Moari, Pacific and Ethnic recruitment program</li> <li>Refugee and Migrant youth Forum with around sixty young migrants from countries as diverse as Nepal, Kurdistan, Bhutan, Afghanistan, Philippines, Fiji, Sudan, Ethiopia, Malaysia, Indonesia, Samoa and China came together to discuss with Police critical issues facing youth including engagement with Police, recruitment and gender equity issues.</li> <li>The New Zealand Police 3rd NZ Communities Football Cup was held in Christchurch.</li> </ul>	Ongoing

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
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	<ul style="list-style-type: none"> <li>As part of our ongoing focus into monitoring our progress on the Workplace Survey, Police has recently completed a Pulse Check of a random sample of staff. The Pulse Check survey consisted of seven questions to indicate progress on Action Plans.</li> <li>The results of this survey indicate that approximately one in five people believe progress has been made over the last six months.</li> <li>In December 2010, planning was underway for the 2011 survey, scheduled to take place in late February 2011 with the results to be presented to the Police Executive late May. However, since then and due to the impact of the Christchurch earthquake on Police staff, the survey was delayed by the Executive to occur from 16 May to 3 June 2011. The results of the survey are now planned to be available to the Executive 20 July 2011.</li> <li>Action Plans continue to be implemented in Districts and Service Centres. .</li> </ul>	Ongoing surveys will continue through to 2017.

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
	<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>'Integrity Reporting Policy', previously known as 'Report and Be Protected' policy has been rewritten and approved by PEM for final consultation.</li> <li>IAPro will be evaluated against the business requirements for the capture of data relating to 'Integrity Reporting' once the policy is confirmed.</li> <li>Police has also signed up to the Integrity Plus service offered by Crimestoppers which provides an alternative and totally confidential method to raise issues of concern.</li> </ul>	The recommendation is now estimated to be completed by mid 2011 with the implementation of the 'Integrity Reporting' policy.
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 52 'Report and Be Protected'.</li> </ul>	Refer recommendation 52.
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 52 'Report and Be Protected'.</li> </ul>	Refer recommendation 52.

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
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 complete	<ul style="list-style-type: none"> <li>Fostering a culture which encourages reporting of allegations of wrongdoing is a key focus for the ethics training programme.</li> <li>Ethics training emphasises the responsibility of supervisors and managers in determining the culture that supports members who make allegation of wrongdoing against other members or disclose such wrongdoing.</li> <li>Training is delivered within all promotion qualifying courses.</li> <li>The principles of the draft 'Report and Be Protected' policy have been incorporated in the National Ethics Training programme with further detail to be added once the policy has been confirmed.</li> </ul>	Refer recommendation 52.
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>The approach for communicating this is being documented as part of the implementation of the 'Report and Be Protected' policy identified in recommendation 52.</li> </ul>	Refer recommendation 52.

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
	<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).	Reopened (pursuant to the OAG 2nd monitoring report)	Although a community feedback model was implemented in Districts during 2009/10, further monitoring of the way the model is functioning is required, including revisiting the model to ensure that it is capable of obtaining independent feedback on the performance or behaviour of individual officers, or the whole of Police, that can be incorporated into the early warning system.	Ongoing

	<b>Implementation and monitoring of police initiatives</b>			
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.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>The Deputy Commissioner has organised a workshop to review the status of COI progress against the results of the recent reports from the State Services Commission and the Office of the Auditor General. The objective of this review is to refocus efforts on activities of greatest gain in changing behaviour and to simplify (ie. identify overlaps and interdependencies, reassign priorities) suggestions from monitoring reports into areas of high impact (including reopening some recommendations). In many cases, Police has made the technical changes required to implement COI recommendations, but has not been able to demonstrate/prove a change in behaviour.</p> <p>The Commission of Inquiry into Police Conduct is a priority for Police, as will be stated in the 2011/12-13/14 Statement of Intent and 2011/12 National Business Plan.</p> <p>Within a broader context, other Police priorities relate to Policing Excellence, which is currently managed under a Programme Management Office with its own governance arrangements.</p>	Ongoing
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	<p>Consistent with the agreed review programme SSC has now completed three reviews of performance management and change management; 2007/08, 2008/09 and 2009/10.</p> <p>The suggestions made in the August 2010 report are currently under consideration.</p> <p>The last Review was completed in November 2010. The Deputy Commissioner Viv Rickard is focusing on key themes in order to drive change in a way that ensures the 'intention' of CoI and the subsequent SSC and the OAG Reports is achieved. The Deputy Commissioner will be meeting with SSC and OAG on 21 March to discuss this further.</p>	Police is treating this as an ongoing initiative that will run until 2017.

	<b>Recommendations</b>	<b>Status</b>	<b>Progress</b>	<b>Estimated time to completion</b>
R60	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.	Ongoing	Letters prepared and sent by DC Pope to all PEC owners of Recommendations reminding the owners of their responsibilities for up-dating and progressing any COI recommendation that has been assigned to them.	Ongoing audits to continue through to 2017.
R61	New recommendation from the Office of the Auditor General's second monitoring report (number 1 on page 7 of the June 2010 report):  Support and develop leaders', supervisors,' and managers' capability to influence and persuade colleagues about the importance of and need to change, so that individual police officers better understand the benefits to them and the public of effectively implementing the recommendations if the COI into Police conduct and broaden their understanding of how important public confidence is to effective policing	Underway	This new recommendation is currently being considered in order to bring structure without duplicating current areas of work, particularly in the area of leadership development	Ongoing

Recommendations 21 - 32 belonging to the Ministry of Justice and the Independent Police Complaints Authority