

**ADULT SEXUAL ASSAULT INVESTIGATIONS**  
**STATUS: 31 DECEMBER 2011**

Recommendations: 9, 10, 15, 18 & 19

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
<b>R9</b>	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<u>Monitoring the implementation of the Adult Sexual Assault (ASA) Guidelines</u> An integrated Quality Assurance and Improvement Framework (QAIF) based on the framework introduced to monitor child protection investigations, is to replace the current dip sampling model that focused on filed ASA investigation files. The integrated QAIF model will: <ul style="list-style-type: none"> <li>• monitor active investigation compliance with the ASA guidelines; (through bi monthly supervisor reviews, four monthly district reviews of randomly selected district ASA files and an annual review of randomly selected active files by Police National Headquarters).</li> <li>• feed learning back to staff in a continuous cycle of improvement;</li> <li>• identify practices and or decisions that fall outside the agreed framework, enabling relevant intervention; and</li> <li>• provide accountability for performance and leadership.</li> </ul> An ASA reference group is to meet in February 2012, to advance the introduction of the QAIF.  <u>Training and resources necessary for its effective implementation</u> A stocktake of the currency of ASA training levels (nationally) was conducted in December 2011. The stocktake established that 308 ASA Investigators (inclusive of 59 supervisors) required further training. A training proposal to address this has been discussed with the Royal New Zealand Police College. This proposal will be followed up and reported on in the next quarter.	<b>Ongoing</b>
<b>R10</b>	<i>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.</i>	<b>Complete</b>  Ref: OAG review 2010	The Adult Sexual Assault Guidelines have been incorporated into the 'Sexual Offences' section of the NZ Police Manual for consistency and ease of reference.	<b>Complete</b>

\* In order for a recommendation to be considered **embedded** the policy, procedure, system or practice that has been prepared to address the recommendation, must satisfy <sup>1</sup> the recommendation's purpose, be implemented, adhered to, and be functioning as intended.

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R15	<i>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 realistic expectations at the start of an investigation about when key milestones are likely to be met; the opportunity to comment on the choice of investigator; regular updates on progress, and advance notice if the investigation is likely to be delayed for any reason; assistance in understanding the reasons for any decision not to prosecute.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>The Adult Sexual Assault Guidelines require investigators to provide complainants with information about the police investigation procedure and provide them with realistic expectations about the likely timing of each stage, (including any subsequent court processes), early in the process.</p> <p><u>Update</u></p> <p>A Steering Group comprising of specially trained Doctors (who belong to Doctors for Sexual Abuse Care Incorporated (DSAC)), members of Te Ohaaki a Hine (National Network for Ending Sexual Violence Together (TOAH-NNEST)) and senior police ASA investigators met in November 2011. One of the topics covered was "communicating with complainants" and specifically how this could be enhanced beyond current practice.</p> <p>The Steering Group is to reconvene in March 2012. This issue will be an agenda topic.</p>	Ongoing
R18	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p><u>Training - Adult Sexual Assault (ASA) Investigation Policy</u></p> <p>A stocktake of the currency of ASA training levels (nationally) was conducted in December 2011. The stocktake established that 308 ASA Investigators (inclusive of 59 supervisors) required further training. A training proposal to address this has been discussed with the Royal New Zealand Police College. The proposal and progress will be reported on in the next quarter.</p> <p><u>ASA Investigator skill levels continue to increase</u></p> <p>An ASA training reference group has been established to review the content of the CIB Selection and Induction course and CIB Qualifying course, to ensure that the ASA training components of each course meet current best practice. The reference group will also look at the ASA training module delivered through districts, and how the skills of ASA Investigators can be developed following completion of these courses.</p>	Ongoing
R19	<i>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</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p><u>Sexual Abuse Assessment and Treatment Service (SAATS)</u></p> <p>SAATS is a 24 hour, 7 days of the week medical forensic service offered to all victims of sexual abuse through participating District Health Boards (DHB's).</p> <p><u>Update</u></p> <p>16 of the 19 DHB's provide SAATS services (either directly or through a contracted service provider), with the Southern DHB becoming the 16th vendor. Progress has been made to advance the provision of SAATS at the remaining three DHB's, (Lakes,</p>	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
	<i>complainants.</i>		<p>Hawkes Bay and South Canterbury).</p> <p>Police continue to meet a proportion of the Sexual Abuse Assessment and Treatment Service fees through funding from its existing budget.</p> <p><u>Auckland Sexual Abuse Help (ASAH) - Funding</u></p> <p>In December 2011, a working group from the Ministry of Health, Ministry of Social Development, Ministry of Justice, ACC and Police was established as a result of the funding crisis faced by ASAH (a 24 hr community crisis support and advocacy service). The purpose of the working group is to come up with a funding model based on service purchase of specialist support.</p>	

**COMPLIANCE**  
**STATUS: 31 DECEMBER 2011**

Recommendations: 11, 13, 41, 42 & 43

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
<b>R11</b>	<i>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.</i>	<p><b>Further Action required</b></p> <p>Ref: OAG review 2010</p>	<p>A risk assessment tool, developed to identify critical policies and instructions that affect how Police carry out their duties, is being evaluated.</p> <p><u>Update</u></p> <p>The draft framework and risk assessment tool was tested against 3 policies in November 2011. The evaluation has led to further enhancements. The framework and assessment tool will be further tested with a wider group to ensure that it is fit for purpose, before implementation.</p> <p><u>Communication and Training Practices</u></p> <p>Communication and training of critical policy/instruction content will be delivered through the electronic management learning system 'Te Puna'. Te Puna has the functionality to monitor and measure the participant's comprehension of the course content as well as track and record that a participant has read and understood the policy.</p> <p>Course completion (inclusive of non-completion) is also recorded in PeopleSoft. This system allows managers to assess compliance and training requirements of staff.</p>	<b>Ongoing</b>

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R13	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>The Managing Learning Solutions policy has been signed off and is now being utilised. The policy requires all training requests for learning solutions in New Zealand Police to be submitted through the Training Service Centre for agreement on the best learning solution. Any proposed plan is then reviewed by the Executive prior to any investment in design and development.</p> <p><u>District Training Review</u> The new district training structure has been approved for implementation. The new structure, designed to create a more integrated approach to training, along with other planned initiatives, (including introducing individual Training and Development Plans for each member of Police), will clarify which training is mandatory and what should be left to the discretion of Districts.</p>	Ongoing
R41	<i>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.</i>	<b>Complete</b>  Ref: OAG review 2010	All users of the Police computer system are presented at the commencement of the logon process, with a warning about the potential consequences of misuse of the system or information contained within it.	Complete
R42	<i>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</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p><u>Police employees (constabulary and non constabulary)</u> All users of the Police network are presented with a warning before accessing the Police network that outlines 'restrictions on access'. The restrictions include:</p> <ul style="list-style-type: none"> <li>• use must comply with the Acceptable Use of Technology Resources and Information Policy, the Security Policy and Code of Conduct.</li> <li>• use is monitored and audited; and</li> <li>• any breach may result in disciplinary action inclusive of dismissal.</li> </ul> <p><u>Recruits</u> Recruit training includes written and verbal content as well as assessment of relevant computer use policies. Recruits must also acknowledge that they have read and understood the policy and their responsibilities. This record is retained on their personal file.</p> <p>No further update for the quarter.</p>	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R43	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<u>Changes to police computer use policies - Police employees</u> The amendments made to the Police Manual chapter: <i>Compliance requirements for information security</i> , (which covers computer use and security) identified some technical issues with PeopleSoft (a Human Resource database). The issues require resolution, so that the process for ensuring that Police employees have read and understood any changes to the computer use policies can be managed more efficiently and effectively. Resolution options are under investigation.  <u>Recruits</u> Recruit training includes written and verbal content as well as assessment of relevant computer use policies. Recruits also acknowledge that they have read and understood the policy and their responsibilities. This record is retained on their personal file.	Ongoing

## COMPLAINTS

STATUS: 31 DECEMBER 2011

Recommendations: 5, 6, 7, 14, 16, 20 & 57

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R5	<i>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.</i>	<b>Complete</b>	The Police investigations of complaints and notifiable incidents policy specifies that the Commissioner of Police is to be notified 'immediately' when any Police employee is the subject of a serious complaint and outlines who is responsible for that notification.  Notifications are recorded in IAPro (an electronic complaints management system). The Police Conduct team at Police National Headquarters, monitor compliance and act if any aspect is not complied with.  <u>Update</u> During the quarter, the 'immediacy' of several notifications to the Commissioner were identified as an issue. A reminder of the requirement to inform the Commissioner within the required timeframe is to be sent to the relevant Districts via the District Commander and Professional Standards office.	Ongoing

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R6	<p><i>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.</i></p>	<p><b>Further Action required</b></p> <p>Ref: OAG review 2010</p>	<p>Police have improved the accessibility of information available to the public on the complaints process.</p> <p><u>Police website</u> The About Us section of the Police website (www.police.govt.nz) has been updated to include a direct link to 'How to make a complaint about Police'. See &lt;www.police.govt.nz/complain&gt;. The link sets out information on:</p> <ul style="list-style-type: none"> <li>• How complaints can help Police improve service delivery.</li> <li>• When to complain.</li> <li>• How to make an expression of dissatisfaction.</li> <li>• How to make a formal complaint.</li> <li>• What to expect from Police when a complaint is made.</li> </ul> <p>Further information on the complaint process is provided in the Frequently Asked Questions section.</p> <p><u>Feedback on the quality of Police service</u> Forms for providing online feedback about the quality of Police service and making an online complaint have been developed. This part of the website is planned to go live by 30 June 2012.</p> <p><u>Pamphlets - How to Make a Complaint</u> The pamphlet has been translated into 11 commonly used languages for Police service delivery. The Te Reo Maori version will also be available as a pdf document on the police website (www.police.govt.nz). The public may also request copies of the pamphlet in the other languages.</p> <p>The Maori Pacific and Ethnic Services Group at Police National Headquarters will distribute copies of the pamphlet through their networks.</p> <p>Four Leading Service Excellence workshops were run in November/December. The workshops covered (amongst other things) complaints.</p> <p>The Operational Policing Service Delivery Standards (which include the complaint process) were signed off during this quarter. However, plans for implementation have been deferred until later in the year to accommodate other organisational training requirements.</p> <p>From February 2012, the Training Approvals Committee (responsible for reviewing the design and content of courses delivered at the Royal New Zealand Police College) will</p>	<p><b>Ongoing</b></p>

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
			<p>assess how the proposed learning will support the COI recommendations, (including Recommendation 6).</p> <p>The Training Service Centre is currently conducting a general review of all documentation for the Recruit Training Course. Recommendation 6 will be included in that review.</p>	
R7	<i>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.</i>	Complete	<p><u>Surveys</u></p> <p>Police use Citizens' Satisfaction Surveys as part of an ongoing process to monitor how the public perceive Police, and the quality of service they receive. The Survey includes two questions used to assess the public's knowledge of the processes for making a complaint against a member of the police. The survey methodology includes interviewing: a targeted sample of people who have called the Police Communication Centres, a random sample of the general population and a Maori booster sample.</p> <p>Police are committed to ongoing Citizens' Satisfaction Surveys.</p> <p><u>Citizens' Satisfaction Survey 2011</u></p> <p>Results of the 2011 Citizens' Satisfaction Survey were publicly released in October 2011. Of the 4880 respondent's surveyed, 76% said that they were aware there was a process to make a complaint against a member of police.</p> <p>All respondents who had contact with Police and one in four respondents who did not have contact were additionally asked if they were confident that they could find out how to make a complaint about Police. Of the 5080 respondents, 87% said they were confident that they could find out what to do if they had a problem. Twelve percent were not confident.</p> <p><u>Update</u></p> <p>The Citizens' Satisfaction Survey 2012 commenced on 1 July 2011. The survey continues through to 30 June 2012. The survey includes the same questions used in the 2011 survey to assess the public's knowledge of the complaint process. The results of the survey are expected to be publicly released in October 2012.</p>	Ongoing
R14	<i>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.</i>	Complete	<p>The Police investigations of complaints and notifiable incidents policy specifies the standards expected of all 'complaint' investigations. All complaints are categorised into 1 of 5 categories, with category 1 being the most serious.</p> <p>All completed investigation files are reviewed by the Police Conduct Team at Police National Headquarters for consistency of practice. Complaints categorised 1 or 2, together with the review outcome, are subsequently assessed by the Independent</p>	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
			Police Conduct Authority (IPCA). The IPCA also conducts random audits of complaints categorised 3 to 5. No further update for the quarter.	
<b>R16</b>	<p><i>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.</i></p> <p><i>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; identify types and degrees of association; 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; 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.</i></p>	<b>Complete</b>	<p>The Independence of investigations (safe processes) policy requires all investigations, (whether involving a police officer or a member of the public), to be conducted in a fair and unbiased manner.</p> <p>The policy requires potential investigators to consider and declare any conflicts of interest (whether actual or perceived) that may arise through any association or relationship with the individual to be investigated, at the outset of any investigation.</p> <p>All completed investigations are reviewed by the Police Conduct group at Police National Headquarters to ensure investigation best practice and specifically that high degrees of transparency and consistency are maintained.</p> <p><a href="#">Update</a></p> <p>The Independence of investigations (safe processes) policy was amended in November 2011 to ensure that a conflict of interest declaration is completed for <u>all</u> categories of complaint. Previously, this requirement only applied to categories 1 to 3.</p> <p>A National Bulletin Board notice detailing the changes to the policy was published in November 2011. An email outlining the changes was additionally sent to District Commanders, National Managers and Professional Standards Managers.</p>	<b>Ongoing</b>
<b>R20</b>	<p><i>In relation to investigations of sexual assault complaints against police officers or police associates, New Zealand Police should have in place systems that: - verify that actual police practices in investigating complaints</i></p>	<b>Complete</b>	<p>The Police investigations of complaints and notifiable incidents policy specifies the standards expected of any 'complaint' investigation. All complaints are categorised into 1 of 5 categories, with Category 1 being the most serious. Sexual offending falls within Category 1.</p> <p>All completed Category 1 and 2 complaints are reviewed by the Police Conduct Team at Police National Headquarters for consistency of practice. The complaint together</p>	<b>Ongoing</b>

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
	<i>comply with the relevant standards and procedures - ensure the consistency of practice across the country, for instance in the supervision of smaller and rural stations - identify the required remedial action where practice fails to comply with relevant standards - monitor police officers; knowledge and understanding of the relevant standards and procedures.</i>		with the review outcome is subsequently assessed by the Independent Police Conduct Authority. No further update for the quarter.	
<b>R57</b>	<i>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).</i>	<b>Further Action required</b>  Ref: OAG review 2010	A review was conducted to identify how well the Community Feedback model (introduced in response to R57) is working in Districts, whether it is fit for purpose and what other options are available. A report detailing the review is currently being prepared.	<b>Ongoing</b>

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## CORPORATE INSTRUMENTS

STATUS: 31 DECEMBER 2011

Recommendations: 1, 2, 3, & 4

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R1	<i>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.</i>	Complete	<p><u>Review and consolidate policies, instructions and directives</u></p> <p>All 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 have been reviewed and consolidated on the Police Intranet under the link "Police Instructions".</p> <p>Each policy is subject to a review cycle (monitored by Corporate Instruments) where, at predetermined intervals, the policy is reviewed for currency by the relevant business owner of that policy. Any amendments are subsequently updated.</p> <p>The policies, instructions, and directives are readily accessible to all employees.</p>	Ongoing
R2	<i>New Zealand Police should ensure that general instructions are automatically updated when a change is made to an existing policy.</i>	Complete	<p><u>General instructions</u></p> <p>General Instructions (GI's) are progressively being reviewed, incorporated into the Police Manual and cancelled. The Police Manual is now the primary vehicle for communicating critical policies and instructions.</p> <p>All policies are subject to a cyclic review date to ensure currency. A review may also be triggered by other events, such as legislative change. During a review, the business owner for the policy is required to confirm that the policy is current or requires amendment. If amended, any other Corporate Instrument (whether GI's, policy, or content of the Police Manual) that is affected by the change is accordingly updated.</p> <p><u>Update</u></p> <p>An escalation procedure, triggered when a policy due for review is not actioned within a reasonable timeframe by the business owner, is being developed.</p>	Ongoing
R3	<i>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.</i>	Complete	<p>Police have developed national policy principles (Police Instructions) governing the creation and maintenance of national or regional instructions. The principles set out mandatory requirements and obligations. With regard to Local Orders, the principles make it clear that any district instrument must be nationally consistent.</p> <p>All regionally developed corporate instruments are reviewed by the Corporate Instruments team at Police National Headquarters for consistency and alignment with national policy and guidelines.</p>	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R4	<i>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.</i>	<b>Complete</b>  Ref: OAG review 2010	Police have enhanced its policy capability and have front line staff regularly working within the Corporate Instruments Policy Group.	<b>Complete</b>

## EARLY WARNING SYSTEM

STATUS: 31 DECEMBER 2011

Recommendations: 8, 44, 47 & 48

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R8	<i>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</i>	<b>Complete</b>	<p>IAPro (the electronic complaints management system) records the number of complaints against all police employees. The data can be sorted to extract information (reports) on the number and types of complaints (inclusive of the number and types of complaints against an individual employee).</p> <p>The data is to be used to inform the Early Intervention System of employees whose conduct or performance falls below the standard expected. This will allow appropriate intervention to prevent more serious situations developing.</p> <p>No further update for the quarter.</p>	<b>Ongoing</b>
R44	<i>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).</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>Police continue to routinely monitor Internet and email usage. The top five users are reviewed by the Use of Information Steering Committee, chaired by the Deputy Commissioner: Resource Management. Users, who breach acceptable use tolerances, receive two email warnings about their Internet or email use before the matter is escalated to the Police Conduct team.</p> <p>An Early Intervention System (EIS) designed to identify employees whose conduct or performance falls below the standard expected has been approved by the Executive for implementation. The EIS enables appropriate intervention to prevent more serious situations developing is expected (following design and build) to commence in late 2012. Internet usage and email warnings are included as indicators of potential risk.</p>	<b>Ongoing</b>

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R47	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>Police currently use a complaints management system (IAPro), to record complaints and employment investigations against all police employees. IAPro has the functionality (following relevant technical / software upgrades) to operate a national Early Intervention System (EIS).</p> <p>The EIS will draw data from multiple sources (inclusive of the complaints management system, pursuit notifications, PeopleSoft (Human Resource database), Tactical Options reports, arrests, and performance management of employees) to identify employees whose behaviour or performance may be at risk of falling below acceptable standards. The EIS will enable appropriate intervention to prevent more serious situations developing.</p> <p><a href="#">Update</a></p> <p>The Police Executive approved the funding for the build and implementation of the EIS in October 2011. The system, expected to commence in late 2012, will be supported by a policy setting out what interventions are available to prevent any identified issues from continuing or escalating.</p>	Ongoing
R48	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>The new national Early Intervention System (EIS) will draw data from multiple sources (inclusive of the complaints management system (IAPro), pursuit notifications, PeopleSoft (Human Resource database), Tactical Options reports, arrests, and performance management of employees) to identify employees whose behaviour or performance may be at risk of falling below acceptable standards. The EIS will enable appropriate intervention to prevent more serious situations developing.</p> <p>The EIS will also provide relevant information, (subject to legislative constraints) to managers and supervisors when making appointments and monitoring performance.</p> <p><a href="#">Update</a></p> <p>The Police Executive approved the funding for the build and implementation of the EIS in October 2011. The system, expected to commence in late 2012, will be supported by a policy setting out what interventions are available to prevent any identified issues from continuing or escalating.</p>	Ongoing

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## ETHICS AND ETHNIC MINORITIES

**STATUS: 31 DECEMBER 2011**

Recommendations: 12, 17, 39, 45, 46, 50, 52, 54, 55 & 56

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
<b>R12</b>	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	An integrated leadership framework has been developed. Prior to implementation technical competencies for each rank level will be determined. These will draw on the General Duties Constable role profiles.  The Training Service Centre is able to respond promptly as the position descriptions are updated. The PeopleSoft project, (currently with ICT), will allow management of this once the competencies are identified.	<b>Ongoing</b>
<b>R17</b>	<i>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.</i>	<b>Further Action required</b>  Ref: OAG report 2010	A review of ethics training in June 2010, (see the Quarter 1 update covering the period 1 July to so September 2011), found that ethics-based training was included in most courses delivered by the Royal New Zealand Police College (inclusive of the Recruit Course).  The Police's training on ethics and whether the current content and delivery meets the Commission's recommendation is to be assessed.	<b>Ongoing</b>
<b>R39</b>	<i>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.</i>	<b>Complete</b>  Ref: OAG review 2010	The Discrimination and Harassment Policy covers all forms of harassment (including sexual harassment). The policy supports mediated resolution and recommends that any agreement on how the issues should be resolved should be recorded in writing and signed by the parties and facilitator.	<b>Complete</b>
<b>R45</b>	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	A review of ethics training in June 2010, (see the Quarter 1 update covering the period 1 July to so September 2011), found that ethics-based training was included in most courses delivered by the Royal New Zealand Police College (inclusive of the Recruit Course).  The Police's training on ethics and whether the current content and delivery meets the Commission's recommendation is to be assessed.	<b>Ongoing</b>

\* In order for a recommendation to be considered **embedded** the policy, procedure, system or practice that has been prepared to address the recommendation, must satisfy the recommendation's purpose, be implemented, adhered to, and be functioning as intended. <sup>13</sup>

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R46	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>Ethics committees, supported by national guidelines, have been established in each district.</p> <p><a href="#">Update</a></p> <p>The information from the District Ethics Committees review, conducted during 2011 has been evaluated. The evaluation found that district ethic committee meetings were viewed as being beneficial. However, the meetings were sporadic (due to the unavailability of committee members). The Police Executive is to consider Ethics training in New Zealand Police and District Ethics Committees in the next reporting period.</p>	Ongoing
R50	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>Police continue to focus on the representation of women, and those from ethnic minorities.</p> <p>In October Police ran the first "Aspire" Development Programme for graduates of the Womens Development Programme. "Aspire", which aims to develop high potential women leaders and provide them with a framework and tools to evolve their careers, targets Sergeant and non constabulary employee equivalents.</p> <p><u>Representation of women in Police</u></p> <p>The number of women employed by Police continues to increase. As at December 2011, the number of women engaged in our constabulary workforce was 17.7%, up from 17.2% in the previous year.</p>	Ongoing
R52	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>Police has reviewed its policies, procedures, and practices on internal disclosure of wrongdoing and incorporated these into a stand-alone policy document titled: Challenging inappropriate behaviour (integrity reporting). This will go to the Police Executive in the next quarter for final approval, then implemented.</p>	Ongoing

\* In order for a recommendation to be considered **embedded** the policy, procedure, system or practice that has been prepared to address the recommendation, must satisfy <sup>14</sup> the recommendation's purpose, be implemented, adhered to, and be functioning as intended.



No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R53	<i>New Zealand Police should ensure that the policy and the approach of report and be protected are well understood and implemented nationally.</i>	<b>Further Action required</b>  Ref: OAG review 2010	Policies on Protected Disclosures and Challenging inappropriate behaviour (integrity reporting) have been consulted and revised in preparation for Executive approval. An implementation plan will be drawn up to ensure that the principles of reporting misconduct and protected disclosures are well understood.	<b>Ongoing</b>
R54	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	Police have reviewed other relevant policies, procedures, and practices to ensure consistency with the draft Protected disclosures (report and be protected) policy.	<b>Ongoing</b>
R55	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	A review of ethics training in June 2010, (see the Quarter 1 update covering the period 1 July to so September 2011), found that ethics-based training was included in most courses delivered by the Royal New Zealand Police College (inclusive of the Recruit Course).  The Police's training on ethics and whether the current content and delivery meets the Commission's recommendation is to be assessed.	<b>Ongoing</b>
R56	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	Promoting an environment in which all police employees feel comfortable and confident to raise issues of inappropriate behaviour, underpins the proposed Challenging inappropriate behaviour (integrity reporting) policy. This policy will go to the Police Executive in the next quarter for final approval.	<b>Ongoing</b>

\* In order for a recommendation to be considered **embedded** the policy, procedure, system or practice that has been prepared to address the recommendation, must satisfy <sup>15</sup> the recommendation's purpose, be implemented, adhered to, and be functioning as intended.

## PERFORMANCE MANAGEMENT AND DISCIPLINE

STATUS: 31 DECEMBER 2011

Recommendations: 33, 34, 35, 36, 38, 40 & 49

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
<b>R33</b>	<i>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.</i>	<b>Complete</b>  Ref: OAG review 2010	The Police Regulations 1992 were revoked on 1 October 2008 by section 130(5) Policing Act 2008. See section 130(5) and specifically, Part 2 of Schedule 6.  A new disciplinary system is now in place.	<b>Complete</b>
<b>R34</b>	<i>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.</i>	<b>Complete</b>	A disciplinary system based on the standards of behaviour expressed in the Police Code of Conduct and in keeping with principles of fairness and natural justice has been in place since 2008.  The disciplinary process has been reviewed and amendments recommended to enable a more streamlined process. This revised process meets Police's good employer obligations, affords employees all procedural entitlements as established in case law and meets State sector best practice.  <a href="#">Update</a> The revised disciplinary process, planned for consideration and approval by the Police Executive in October 2011, was deferred to enable further consultation with the Service Organisations.	<b>Ongoing</b>
<b>R35</b>	<i>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.</i>	<b>Complete</b>	Independent investigators have conducted investigations into alleged misconduct and serious misconduct under the new disciplinary process. The necessity to ensure that any allegation of misconduct is independently investigated is further emphasised in the Independence of investigations (safe processes) policy.  The Police Act 1958 was repealed on 1 October 2008 and replaced by the Policing Act 2008. Disciplinary matters are dealt with in accordance with the Policing Act 2008.  No further update for the quarter.	<b>Ongoing</b>
<b>R36</b>	<i>New Zealand Police should ensure that the human resource and professional standards functions are fully integrated in all aspects of their operations and systems.</i>	<b>Complete</b>	Human Resource and Professional Standards functions (inclusive of systems and processes) are aligned, with Professional Standards being part of the HR function.  <a href="#">Update</a> The planned review of human resource and professional standards functionality has been delayed with a broader review of support services due to commence.	<b>Ongoing</b>

\* In order for a recommendation to be considered **embedded** the policy, procedure, system or practice that has been prepared to address the recommendation, must satisfy <sup>16</sup> the recommendation's purpose, be implemented, adhered to, and be functioning as intended.

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R38	<i>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.</i>	<b>Complete</b>	A new Code of Conduct establishing the standards of behaviour expected of <u>all</u> Police employees was introduced in 2008.	<b>Complete</b>
R40	<i>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; specify actions and types of behaviour of a sexual nature that are inappropriate or unprofessional; 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; provide guidance to members and their supervisors about how to handle concerns about a possible or developing relationship that may be inappropriate; emphasise the ethical dimensions of sexual conduct, including the need for police officers to avoid bringing the police into disrepute through their private activities.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>The Police Code of Conduct establishes the minimum standards of behaviour expected of all Police employees.</p> <p>The Professional Distance Policy supports the Code of conduct by providing guidance on managing personal relationships (internally and externally) and limiting risks to individual employees and to Police where a conflict of interest or power imbalance may arise.</p> <p><a href="#">Update</a></p> <p>The planned review of the Code of Conduct and related Professional Distance Policy has not yet commenced.</p>	<b>Ongoing</b>

\* In order for a recommendation to be considered **embedded** the policy, procedure, system or practice that has been prepared to address the recommendation, must satisfy <sup>17</sup> the recommendation's purpose, be implemented, adhered to, and be functioning as intended.

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
<b>R49</b>	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	The revised performance management training for supervisors has been delivered in 11 of the 12 Police Districts. The remaining District is to complete this training as soon as their vacant Employee Practices Manager position is filled.	<b>Ongoing</b>

<b>ASSURANCE</b> <b>STATUS: 31 DECEMBER 2011</b>		Recommendations: 37, 51, 58 & 59
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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
<b>R37</b>	<i>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</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>PricewaterhouseCoopers (PwC), on behalf of the State Services Commission, commenced their fourth monitoring review of Police's progress against recommendations 37 and 59 in November 2011.</p> <p>The review builds on the findings of the previous reviews and focuses on agreed priority areas, (outlined further below), for Police. The review will also establish a baseline of the current state sector performance levels across the priority areas, against which future reviews can assess progress.</p> <p>Priority areas that will be subject to review are:</p> <p><a href="#">Leadership and Change</a></p> <ul style="list-style-type: none"> <li>• Refreshing the case for change by using the workplace survey results as the vehicle to present the COI findings in the current context;</li> <li>• Improvement in staff engagement results in 2012; and</li> <li>• Visibility of the Executive Team by the front-line.</li> </ul> <p><a href="#">HR strategy and capability to support integrated change</a></p> <ul style="list-style-type: none"> <li>• The career progression of women within Police; and</li> <li>• Talent Management - specifically building talent.</li> </ul>	<b>Ongoing</b>

\* In order for a recommendation to be considered **embedded** the policy, procedure, system or practice that has been prepared to address the recommendation, must satisfy the recommendation's purpose, be implemented, adhered to, and be functioning as intended. <sup>18</sup>

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
			<p><u>Performance Management</u></p> <ul style="list-style-type: none"> <li>Active management of poor performers at all levels.</li> </ul> <p><u>Lifting trust and confidence in complaint investigations</u></p> <ul style="list-style-type: none"> <li>Disciplinary process speed and outcomes particularly as they relate to matters of integrity such as inappropriate relationships.</li> </ul>	
<b>R51</b>	<p><i>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.</i></p>	<p><b>Further Action required</b></p> <p>Ref: OAG review 2010</p>	<p><u>Workplace Surveys</u></p> <p>NZ Police in conjunction with Kenexa/JRA<sup>1</sup>, use workplace surveys to provide an insight into the health of the organisation via the perceptions of its employees. The survey includes questions aimed at gauging whether Police provide a safe workplace for women and employees from minority groups.</p> <p><u>Workplace Survey 2011</u></p> <p>The results of the 2011 survey were reported on in the last quarter. (See the status table update covering the period 1 July - 30 September 2011).</p> <p><u>Update</u></p> <p>The Action Planning process (aimed at addressing improvements identified in the 2011 survey) is now being integrated into the Business Planning cycle, with progress on Workplace Survey Action Plans being reported on in the quarterly report.</p> <p><u>Workplace Survey 2012</u></p> <p>Planning for the 2012 Workplace Survey is well advanced with the survey scheduled to go live on 27 February 2012. The final report is expected to be available in May 2012.</p> <p><u>NZ Police Justice Sector 2011 Comparison Report</u></p> <p>In December 2011 NZ Police were provided with a Justice Sector comparison report which compared how NZ Police is performing against the NZ Justice Sector (comprising of the Ministry of Justice and the Department of Corrections). The primary aim of the report was to provide insight into how NZ Police was performing against the Justice Sector in terms of employee perceptions and feelings towards their workplace.</p> <p><u>Findings</u></p> <p>Police generally scored above the Sector across the majority of the nine climate dimensions that are common to each organisation and scored substantially above the Justice Sector, on the dimensions of "My Supervisor", "My Work Group", "Learning and Development", and "Recognition".</p>	<b>Ongoing</b>

<sup>1</sup> Kenexa/JRA (formally JRA) is contracted by Police to undertake annual organisational surveys to measure behaviour change in Police and monitor organisational health.

\* In order for a recommendation to be considered **embedded** the policy, procedure, system or practice that has been prepared to address the recommendation, must satisfy the recommendation's purpose, be implemented, adhered to, and be functioning as intended. 19

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
<b>R58</b>	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>The Commission of Inquiry (COI) Transition Team, (the HR resource established to coordinate the implementation and embedding of initiatives relating to the COI) continues to work with business owners assigned responsibility for addressing the Commission's recommendations.</p> <p>Police also have two other initiatives (Policing Excellence and Prevention First) underway. Policing Excellence is a series of workstreams focusing on reducing effort spent on reactive tasks while delivering more preventative policing activities and reducing recorded crime. Prevention First, a key workstream of Policing Excellence, is a national approach (strategy) that places prevention at the forefront of policing and people at the centre of its response.</p> <p>The COI Transition Team has direct input into Prevention First, particularly, the actions that focus on:</p> <ul style="list-style-type: none"> <li>• cultural change (moving from reactive to proactive policing); and</li> <li>• providing victims with respect, empathy and timely feedback.</li> </ul>	<b>Ongoing</b>
<b>R59</b>	<i>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.</i>	<b>Further Action required</b>  Ref: OAG review 2010	<p>PricewaterhouseCoopers (PwC), on behalf of the State Services Commission, commenced their Fourth Monitoring Review of Police's progress against Recommendations 37 and 59 in November 2011. Police are working with PwC and specifically responding to their information requests.</p> <p>Police are an active member of the Organisational, Capability Development Cross-Agency Collaboration Governance Group which aims to build collaboration and best practice across agencies in organisational people capability development.</p> <p>Police also conduct annual Workplace Surveys through Kenexa/JRA. See recommendation 51. The database for this survey includes 20 other State Sector organisations that have completed a similar survey in the past 12 months. This provides a valuable source of potential benchmarking and cross agency comparison.</p>	<b>Ongoing</b>

\* In order for a recommendation to be considered **embedded** the policy, procedure, system or practice that has been prepared to address the recommendation, must satisfy <sup>20</sup> the recommendation's purpose, be implemented, adhered to, and be functioning as intended.



## MINISTRY OF JUSTICE

### OPERATIONAL RECOMMENDATIONS - Independent Police Complaints Authority

STATUS: 31 DECEMBER 2011

Recommendations: 21, 22, 23, 24, 25, 26 & 32

No	Recommendations	Status	Progress Summary
<b>R21</b>	<i>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.</i>	<b>Complete</b>	<p>The Authority's website has been completely overhauled resulting in a more user-friendly and informative experience for visitors. Complaints and inquiries can be submitted on line, and reports and other publications produced by the Authority are easily accessible.</p> <p>In addition, the Complaints Management Team (CMT) (previously called the Service Centre) is now fully operational. The CMT receives complaints, classifies them, allocates them to the most appropriate response, monitors and tracks them, and collates and provides all the necessary statistical data. It also maintains regular contact with complainants. The CMT provides a triage filter so that the Investigation and Review sections may operate more efficiently and effectively.</p>
<b>R22</b>	<i>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 [Independent Police Conduct Authority] and its work.</i>	<b>Complete</b>	<p>All key components of the strategy, including consultation with external stakeholders, revamping of website, and completing and distributing new information pamphlets, are now in place. The Authority and the Police have agreed on new, streamlined communications processes.</p> <p>The Authority's new website was short listed (one of 10) in the best plain English website category in the September 2009 WriteMark New Zealand Plain English Awards.</p>
<b>R23</b>	<i>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.</i>	<b>Complete</b>	<p>The Authority receives and actions oral complaints in the same way it processes written complaints.</p>

No	Recommendations	Status	Progress Summary
R24	<i>The [Independent Police Conduct Authority] should ensure it has more regular communication with those people whose complaints are under consideration.</i>	<b>Complete</b>	More focused effort is being made in regard to more regular contact with complainants. This is resulting in reduced complainant anxiety and frustration levels. Investigators maintain close contact with complainants during the course of investigations. For complaints dealt with in other ways (e.g., where the Authority is overseeing a Police investigation) the CMT maintains regular contact with complainants to ensure they are kept up to date with progress.
R25	<i>The [Independent Police Conduct Authority] should seek feedback from complainants by way of random sampling on their experience of the complaints process.</i>	<b>Complete</b>	<p>The Authority has implemented a process whereby detailed evaluation forms are sent to complainants and subject officers on completion of every investigation or review conducted by the Authority.</p> <p>The information obtained from the completed evaluation forms is being collated and analysed.</p> <p>The system and the content of the responses received is providing a tangible measure of the Authority's performance. Completed March 2010.</p>
R26	<i>The [Independent Police Conduct Authority] should develop strategies for addressing its current backlog of complaints, including seeking additional resources as appropriate.</i>	<b>Complete</b>	The strategies have been implemented, and have proved highly effective. The backlog of 1611 complaint files on hand at year-end 2006-07 had, with the assistance of extra, temporary staff, been reduced to 211 files by year-end 2007-08. A Transition Team was formed in July 2008 with the express task of eliminating the backlog by June 2010. However, quicker than expected progress saw the backlog reduced to 30 files by year-end 2008-09. The Transition Team was replaced by Reviewing Officers. The Authority continues to emphasise on-going control of the timeliness of case closures in its external accountability reporting, internal management reporting and monitoring of staff performance.
R32	<i>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.</i>	<b>Complete</b>	The Crown Entities Act 2004 requires that consideration be given to the desirability of promoting diversity in the membership of Crown entities.

# LEGISLATIVE AMENDMENTS - Independent Police Complaints Authority

STATUS: 31 DECEMBER 2011

Recommendations: 27, 28, 29, 30 & 31

No	Recommendations	Status	Progress Summary
<b>R27</b>	<i>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.</i>	<b>Complete</b>	Pursuant to section 12(2A) of the Independent Police Conduct Authority Act 1988 the Authority may receive complaints alleging any misconduct or neglect of duty by any Police employee that occurred before, on, or after 1 April 1989.
<b>R28</b>	<i>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.</i>	<b>Complete</b>	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.
<b>R29</b>	<i>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 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.</i>	<b>Complete</b>	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.

No	Recommendations	Status	Progress Summary
R30	<p><i>The Ministry of Justice should review the secrecy provisions in the Police Complaints Authority Act, and make such recommendations as may be appropriate for those provisions to be repealed or amended (through the Independent Police Complaints Authority Amendment Bill) to ensure that the Act:</i></p> <ul style="list-style-type: none"> <li><i>encourages the [Independent Police Conduct Authority] to provide a reasonable level of communication with complainants on the progress of complainants; and</i></li> <li><i>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.</i></li> </ul>	*Paused	<p>In December 2007 Cabinet 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>On 3 June 2008 Cabinet agreed the specific powers necessary for the Authority to fulfil its enhanced functions. Instructions have been issued to Parliamentary Counsel Office for drafting of a Bill.</p> <p>Following instructions to Parliamentary Counsel Office, drafting of a Bill commenced and several meetings were convened by Justice with the Authority, Police and Parliamentary Counsel to discuss issues arising from the proposed amendments and further issues that were presenting.</p> <p>These further issues included the need for some legislative clarification around the Authority's existing powers and the power to commence own-motion inquiries in the public interest.</p> <p>*With the agreement of the Minister of Justice, work on the draft Bill is paused so that other high priority items of the work programme can be progressed.</p>
R31	<p><i>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.</i></p>	Complete	<p>Three new Board members (Richard Woods, Angela Hauk-Willis, and Dianne Macaskill) were appointed to the Authority from 1 September 2010, which brings the total to four board members and the Chair Hon Justice L. P. Goddard. All three new members are non-legal professionals, taking the total of non-legal members to four.</p>