

Recommendations from the Commission of Inquiry into Police Conduct

Current Status and Progress for the Quarter ended 30 June 2010 ⁽¹⁾

	Recommendations	Status	Progress	Estimated time to completion
	Police policies and procedures			
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	<ul style="list-style-type: none"> A related (but not part of this recommendation) Police project continues to review and consolidate all Police Corporate Instruments (administrative and operational policies and instructions). 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. Police has developed and implemented a national framework consisting of policy principles, standards and templates that ensure all instructions are nationally consistent while allowing regional flexibility in implementing policies. This work was completed in conjunction with recommendations 2; 3; 10; 11; 16; 33; 39; 40; 52; 54. 	R1 is now closed as it has been completed
R2	New Zealand Police should ensure that general instructions are automatically updated when a change is made to an existing policy.	Complete		Completed 2006
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.	Complete		Completed August 2008
R4	An enhanced policy capability should be developed within the Office of the Commissioner to provide policy analysis on sound data, drawing upon the experience of front-line staff and upon research from New Zealand and beyond.	Complete		Completed June 2007

⁽¹⁾ Police received the second monitoring report from the Office of the Auditor-General in June 2010. Quarterly reports from September 2010 will take into account recommendations from the Auditor General's report.

	Recommendations	Status	Progress	Estimated time to completion
	Police Policies and procedures for complaints			
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.	Complete		Completed June 2007
R6	New Zealand Police should ensure that members of the public are able to access with relative ease information on the complaints process and on their rights if they do make a complaint against a member of the police.	Underway	<ul style="list-style-type: none"> • Consultation of the draft national Service Charter was completed during the period. Further work has been delayed pending the development of Service Delivery Standards, and Generic Guidelines for Patrol and Operations. The development of these standards is due to commence in September 2010. • Work on documenting the process for making a complaint and complainants rights has been completed and the Police Manual has been updated. • First visual of the brochure which will inform the public how to find information on the complaints process, was completed during the period and has been distributed widely for review and comment. 	<p>This recommendation is being delivered as part of the Service First Project.</p> <p>Estimated to be completed mid to late 2011.</p>
	Police policies and procedures for complainants			
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.	Complete		Completed May 2009.
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.	Complete		Completed June 2009.
	Adult Sexual Assault Investigation Policy			
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.	Complete		Completed June 2009.

R10	New Zealand Police should incorporate the Adult Sexual Assault Investigation Policy in the "Sexual Offences" section of the New Zealand Police Manual of Best Practice for consistency and ease of reference.	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.	Complete		Completed August 2009.

	Recommendations	Status	Progress	Estimated time to completion
	Communication of policies and training			
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.	Complete		Completed August 2009.
R13	Bearing in mind the mobility of the workforce, New Zealand Police should conduct a review of what training should be mandatory at a national level and what should be left to the discretion of the districts.	Complete		Completed June 2009.
	Consistency and transparency in complaint processes			
R14	New Zealand Police should ensure that the practice of providing investigating officers with a reminder of the standards for complaint investigation is applied consistently throughout the country.	Complete	<ul style="list-style-type: none"> March 2010: This Recommendation is now complete and adherence will continue to be monitored by PNHQ and the IPCA who will conduct regular audits of compliance. 	<p>Technical solution for recording and managing complaints against police implemented July 2009.</p> <p>Full implementation completed mid 2010.</p>
R15	<p>New Zealand Police should improve the process of communicating with complainants about the investigation of their complaint, particularly if there is a decision not to prosecute. Complainants and their support people should be given:</p> <ol style="list-style-type: none"> 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. 	Close to completion	<ul style="list-style-type: none"> 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). 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. The importance and processes for communicating with complainants has been reviewed and reinforced in the ASAI Guidelines which was incorporated in the Intranet based Police Manual and published in July 2009 (recommendations 9 and 10). 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. Victims' Rights Act 2002 training, which will further reinforce the importance of victim communication, is currently under review. 	<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>Expected to be closed mid to late 2010.</p>

	Recommendations	Status	Progress	Estimated time to completion
	Independence of investigations			
R16	<p>New Zealand Police should develop a consistent practice of identifying any independence issues at the outset of an investigation of a complaint involving a police officer or a police associate, to ensure there is a high degree of transparency and consistency. The practice should be supported by an explicit policy on the need for independence in such an investigation. In respect of the handling of conflicts of interest, the policy should, among other things:</p> <ul style="list-style-type: none"> • 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. 	Complete		Completed August 2009.
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"> • 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. • Training packages are currently being reviewed to identify how this policy might be incorporated into existing packages or any refresher ethics training. • 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. 	Estimated completion: mid 2011.

	Recommendations	Status	Progress	Estimated time to completion
	Support for sexual assault investigations			
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.	Close to completion	<ul style="list-style-type: none"> 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. Specific training is focused to two fronts; the ASA Investigators Course - for Investigators (1 week at RNZPC or district) and ASA Initial Complaint Action - for 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). 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 non-stagnant workforce of around 1200 staff. Consultation continues between Training Service Centre and National Coordinator: ASA around oversight and coordination of ASAI courses and this being passed to their BAU. 	Estimated to be completed late 2010 (will then become 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"> 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 and the first evaluation of the service is to be completed by late 2010. 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. 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 jeopardising funding for the support groups that provide this. This has been favourably addressed recently after an independent Review of the pathway changes. The Taskforce for Action on Sexual Violence was addressing funding for agencies that support victim such as Rape Crisis and HELP. 	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.
	Management assurance			
R20	In relation to investigations of sexual assault complaints against police officers or police	Complete	<ul style="list-style-type: none"> Police systems provide that on receipt of a complaint the 	Completed June 2010.

	<p>associates, New Zealand Police should have in place systems that:</p> <ul style="list-style-type: none"> • verify that actual police practices in investigating complaints 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. 		<p>National Manager Professional Standards is to be advised.</p> <ul style="list-style-type: none"> • The criminal investigation process provides for an independent investigator to be identified, tasked and terms of reference for the investigation to be agreed. • Investigations are monitored and the outcomes independently reviewed. • Employment investigation processes relevant to the matter are implemented in tandem. • 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. • Consultation has been completed and the agreed process is now contained in the Independence of Investigations (Safe Processes) policy. • The policy covering Police Investigations of Complaints and Notifiable Incidents has also been approved. 	
--	--	--	---	--

	Recommendations	Status	Progress	Estimated time to completion
	Handling of complaints by the Police Complaints Authority			
R21	The [Independent Police Conduct Authority] should improve its accessibility to people who may wish to make a complaint, for instance, by publicising its newly established website and by wider distribution of its information pamphlet.	Complete	<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>	
R22	The [Independent Police Conduct Authority] should, in conjunction with Police, the Ministry of Justice, and other relevant agencies, develop a communications strategy to increase awareness of the [Independent Police Conduct Authority] and its work.	Complete	<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>	
R23	The [Independent Police Conduct Authority] should actively facilitate the reception of complaints by accepting oral statements on the basis that the complainant will confirm the [Independent Police Conduct Authority's] written record of the complaint.	Complete	The Authority receives and actions oral complaints in the same way it processes written complaints.	
R24	The [Independent Police Conduct Authority] should ensure it has more regular communication with those people whose complaints are under consideration.	Complete	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.	

	Recommendations	Status	Progress	Estimated time to completion
R25	The [Independent Police Conduct Authority] should seek feedback from complainants by way of random sampling on their experience of the complaints process.	Complete	<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.</p>	Completed March 2010.
R26	The [Independent Police Conduct Authority] should develop strategies for addressing its current backlog of complaints, including seeking additional resources as appropriate.	Complete	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. And the Transition Team was replaced by Reviewing Officers. The Authority currently holds 23 cases over one year old.	
R27	The [Independent Police Conduct Authority] should be encouraged to exercise its discretion in favour of accepting historic sexual assault complaints. If there is any doubt about this matter, a further legislative amendment should be included in the Independent Police Complaints Authority Amendment Bill.	Complete	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.	<p>The Independent Police Conduct Authority Amendment Act came into force on 29 November 2007.</p> <p>Work on establishing formal policies with Police is ongoing.</p>
	The Police Complaints Authority and legislative requirements			
R28	The requirement for the police to notify the [Independent Police Conduct Authority] of any complaints received by them “as soon as practicable” (section 15 of the Police Complaints Authority Act 1988) should be amended by adding the words “and in any case no later than 5 working days after receipt of the complaint”, and compliance with this requirement should be monitored by the Professional Standards section of the Office of the Commissioner.	Completed	An amendment was included in the Independent Police Conduct Authority Amendment Act 2007.	The Independent Police Conduct Authority Amendment Act came into force on 29 November 2007.

	Recommendations	Status	Progress	Estimated time to completion
R29	The discretion in section 29(2) (a) of the Police Complaints Authority Act should be removed so that the [Independent Police Conduct Authority] is required to notify the Attorney-General and Minister of Police if, within a 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.	Complete	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.
R30	<p>The Ministry of Justice should review the secrecy provisions in the Police Complaints Authority Act, and make such recommendation as may be appropriate for those provision to be repealed or amended (through the Independent Police Complaints Authority Amendment Bill) to ensure that the Act:</p> <ul style="list-style-type: none"> • encourages the [Independent Police Conduct Authority] to provide a reasonable level of communication with complainants on the progress of complainants; and • 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. 	Underway	<p>Cabinet has agreed to six proposals to enhance the role of the Authority, which will:</p> <ul style="list-style-type: none"> • allow the Authority to undertake its own investigations of complaints about Police misconduct in defined circumstances • allow the Authority to conduct own motion investigations into serious incidents or incidents of significant public interest • amend the current secrecy and privilege provisions so that information gathered during the Authority's investigations can be used in subsequent proceedings • give Authority investigators the necessary powers to carry out their enhanced investigatory role. • enable the Authority to decide whether there is sufficient evidence to warrant a criminal prosecution, in certain circumstances • allow the Official Information Act 1982 to apply to the Authority. <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, the power to commence own-motion inquiries in the public interest, and whether there should be power to direct the Commissioner of Police not to accept a resignation</p>	A Bill was expected to be ready to table in the House in March 2009. However, further discussions are required with the IPCA on the content of the draft Bill and the further matters referred to under 'Progress'. Matters for resolution include the application of the Official Information Act 1982, and the recent proposal by the IPCA to move to Officer of Parliament status. With the agreement of the Minister of Justice, work on the draft Bill is paused until 2010 so that other high priority items of the work programme can be progressed.

			until a disciplinary process has been completed.	
R31	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.	Underway	<p>Two Board members were approved by Parliament in October 2008. The Board then comprised two members (Allan Galbraith and Mel Smith, both non-legal professionals) and the Chair (Justice Goddard).</p> <p>Mr Smith resigned in November 2009. The process for the appointment of three new Board members is under action by the Ministry of Justice.</p>	

	Recommendations	Status	Progress	Estimated time to completion
	The Police Complaints Authority and legislative requirements			
R32	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.	Complete	The Crown Entities Act 2004 requires that consideration be given to the desirability of promoting diversity in the membership of Crown entities.	The Ministry of Justice will provide advice to the Ministers as appointments are considered.
	Police disciplinary system procedures			
R33	Those provisions of the Police Regulations 1992 that establish the disciplinary tribunal system be revoked as soon as possible to enable a more efficient system to come in force.	Complete	<ul style="list-style-type: none"> New Regulations were gazetted and took effect 1 February 2008. Government sign off of new regulations allowed the implementing of recommendations 34; 35; 37; 38; 39; 40; and 49 in addition to recommendation 33. 	<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.	Complete	<ul style="list-style-type: none"> The implementation of the new Regulations and the Code of Conduct, bring Police's employment and disciplinary processes more into line with the general employment framework operated by Government and private sector employers in New Zealand. The new Regulations that have been gazetted include the principles of the disciplinary processes. Procedure and guidance notes for supervisors have been developed and distributed. The Code of Conduct was distributed to all staff on 18 January 2008. Disciplinary policy that reflects the new processes have been incorporated in collective agreements. Collective agreements include the provision that the Code of Conduct applies to all police employees. The disciplinary system is now a business as usual activity and training continues as required. 	<p>The new disciplinary process came into effect with the Regulations on 1 February 2008.</p> <p>Implementation completed.</p>

	Recommendations	Status	Progress	Estimated time to completion
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.	Complete		The new disciplinary process came into effect with the Regulations on 1 February 2008.
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"> Human Resources and Professional Standards continue to consolidate and implement policies and changes, including the development of disciplinary processes under the revised Regulations. Human Resources and Professional Standards are working together enabling the integration of processes and systems. Integration of District Human Resources and Professional Standards functions as occurred in all Districts reflecting their size and local preferences. PNHQ will continue to monitor compliance. 	Completion expected late 2010.
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"> Consistent with the agreed review programme SSC has now completed two reviews of performance management and change management; one in 2007/08 and the other in 2008/09. Terms of reference are agreed for the programme of work for three to five years after December 2009. 	Police are treating this as an ongoing initiative that will run until 2017.
	Code of conduct for police officers			
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

	Recommendations	Status	Progress	Estimated time to completion
	Police Sexual Harassment Policy			
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"> • The policy is now in place. • 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. • Under the policy all mediation settlements will be signed by the parties and by the mediator so that they are full, final and binding. • Extensive revisions were made after consultations both internally and with service organisations. • Revisions have also ensured that the Code of Conduct is appropriately referenced. 	Completed 2010

	Recommendations	Status	Progress	Estimated time to completion
	Police policy on inappropriate sexual conduct and relationships			
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"> • 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. 	Complete		Completed December 2008

	Recommendations	Status	Progress	Estimated time to completion
	Police email and computer use policies			
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.	Complete		Completed 2006
R43	All police officers should be required to acknowledge that they have read and understood any changes to police computer use policies. These requirements should also be fully explained to all recruits during their training.	Complete		Completed 2008
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).	Complete		Completed June 2008
	Ethics training and ethics committees			
R45	All New Zealand Police districts should implement a nationally consistent ethics training programme that all police officers are required to attend. Police officers should also be required to attend regular refresher courses on ethics.	Complete		Completed August 2009
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.	Complete		Completed

	Recommendations	Status	Progress	Estimated time to completion
	Early warning system and performance management			
R47	New Zealand Police should implement a nationally mandated early warning system in order to identify staff demonstrating behaviour that does not meet acceptable standards and ensure such behaviour does not continue or escalate.	Underway	<ul style="list-style-type: none"> • Early Intervention Policy being developed following scan of best practice. Ready to be consulted by late 2010 • The IAPro database, implemented to capture and manage complaints against Police, and will be used to collect data as the basis for the Early Intervention solution. • On track for late 2010 implementation of first stage of technology utilisation of IAPro tool which flags repeat subjects of complaints. • Further work underway to scope the feasibility of interfacing other technology platforms with IAPro 	<p>Policy finalised by end of 2010.</p> <p>First part of IAPro Early Intervention tool to go live by end of 2010.</p>
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.	Complete	<ul style="list-style-type: none"> • The IAPro database was implemented to capture and manage complaints against police in July 2009 and is used to collect data as the basis for the Early Intervention solution. • A flag has been placed against employee records on the HR Database to indicate the existence of a complaint history. This is visible to selected positions for reference. Details of the complaint will not be held on the employee record and will only be able to be sourced from PNHQ Professional Standards. 	<p>IAPro implemented July 2009.</p> <p>Employee complaint history indicator on HR Database was established by the end of second half of 2009.</p> <p>Completed December 2009.</p>
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"> • A review of performance management has been undertaken and documented in a number of papers presented to the Police executive over the last quarter. • 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. • 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. • The performance and development appraisal process was previously reviewed in conjunction with the introduction of the revised Code of Conduct and District Employee Practice Managers are providing training in performance management as part of the revised discipline/Code of Conduct processes. • Performance improvement is now a routine aspect of the disciplinary processes. • 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. Consideration 	Ongoing

			<p>will be given to wider roll-out in 2011.</p> <ul style="list-style-type: none">• Training in performance management will be reviewed and updated for consistency in the 2010/11 year.	
--	--	--	--	--

	Recommendations	Status	Progress	Estimated time to completion
	Police Culture			
R50	New Zealand Police should continue its efforts to increase the numbers of women and those from ethnic minority groups in the police force in order to promote a diverse organisational culture that reflects the community it serves and to enhance the effective and impartial investigation of complaints alleging sexual assault by members of the police or by associates of the police.	Ongoing	<p>Police has participated in and supported the following activities in the last quarter relevant to recommendation 50:</p> <ul style="list-style-type: none"> • 30% Gender Equity target initiative recommendations approved by the Executive • Diversity Induction Programme in consultation with the relevant communities being written for commencing 1 July 2011 • Graduation ceremony for 16 Asian Community Patrol Officers, most of whom are in the recruiting process <p>Additional progress is as follows:</p> <ul style="list-style-type: none"> • Annual report to 30 June 2010 shows static or slight increase in diversity figures 	Ongoing
R51	The Commissioner of Police should invite the State Services Commissioner to carry out an independent annual "health of the organisation" audit of the police culture (in particular, whether the organisation provides a safe environment for female staff and staff from minority groups). The need for the audit should be reviewed after 10 years.	Ongoing	<ul style="list-style-type: none"> • Police has completed the 2010 survey with a satisfactory response rate of 77.1%. • The results were made available to the Police Executive on the 23rd June 2010. • Police is currently engaged in a communication and action planning process involving all staff. • The communication of results is expected to be completed by the end of September 2010 	Ongoing surveys will continue through to 2017.

	Recommendations	Status	Progress	Estimated time to completion
	Reporting of allegations of sexual misconduct			
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"> Policy and practice relating to 'Report and Be Protected' (internal disclosure of wrongdoing) has been revised following executive review and consulted. PEM paper has been prepared for Executive sign-off. IAPro will be evaluated against the business requirements for the capture of data relating to 'Report and Be Protected' once the policy is confirmed. 	The recommendation is estimated to be completed late 2010 with the implementation of the 'Report and Be Protected' 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"> This will be achieved as part of recommendation 52 'Report and Be Protected'. 	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"> This will be achieved as part of recommendation 52 'Report and Be Protected'. 	Refer recommendation 52.
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"> Fostering a culture which encourages reporting of allegations of wrongdoing is a key ethics training programme focus. The ethics training emphasises the responsibility of supervisors and managers in determining the culture that exists and the need to support members who make allegation of wrongdoing against other members or disclose such wrongdoing. Training is delivered within all promotion qualifying courses. 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. 	The recommendation is estimated to be completed once the 'Report and Be Protected' policy is finalised.
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"> The approach for communicating this is being documented as part of the implementation of the 'Report and Be Protected' policy identified in recommendation 52. 	Refer recommendation 52.

	Recommendations	Status	Progress	Estimated time to completion
	Community engagement and feedback			
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).	Complete		Completed May 2009.
	Implementation and monitoring of police initiatives			
R58	New Zealand Police should rationalise the projects and initiatives currently in train (including those started in response to this Commission of Inquiry into Police Conduct, and the review of the Police Act 1958) and any further projects arising out of the Government's response to this report, to ensure that overlaps between projects are addressed, interdependencies are identified, priorities are assigned, and adequate resources are made available to do the work. New Zealand Police should address these issues in its annual statement of intent, and consult with the Minister of Police in respect of the priority to be given to projects.	Complete	<ul style="list-style-type: none"> • Interdependencies between recommendations have been identified and logical work streams confirmed. • COI Recommendations have been prioritised. • Commendation letters marking completion of projects have been developed. 	Completed March 2010.
R59	New Zealand Police should consult with and involve the State Services Commission and other public sector agencies, where appropriate, to ensure that the projects and initiatives of the type described in recommendation R58 take account of best practice in the public sector. The Government should take steps to remove any statutory impediment to such consultation and involvement.	Ongoing	<ul style="list-style-type: none"> • Consistent with the agreed review programme SSC has now completed two reviews of performance management and change management; one in 2007/08 and the other in 2008/09. • SSC is due to complete their third review (2009/10) in August. • A five-year plan was accepted at the final COI Steering Committee meeting of 5 October 2009. 	Police are treating this as an ongoing initiative that will run until 2017.

	Recommendations	Status	Progress	Estimated time to completion
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	<ul style="list-style-type: none"> Police received the Second Monitoring Report from the Auditor General in June 2010. Several recommendations have been made and Police have begun to address these. 	Ongoing audits to continue through to 2017.