

## Recommendations from the Commission of Inquiry into Police Conduct

### Current Status and Progress for the Quarter ended 30 June 2011

	Recommendations	Status	Progress
	<b>Police policies and procedures</b>		
R1	New Zealand Police (Police) should review and consolidate the numerous policies, instructions, and directives related to investigating complaints of misconduct against police officers, as well as those relating to the investigation of sexual assault allegations.	Complete	Corporate Instruments, together with Professional Standards and Crime Services have completed the review and consolidation of those instruments relating to investigating complaints of misconduct against police officers, as well as those relating to the investigation of sexual assault allegations. This fully addresses the requirements under R1 which Police considers complete.
R2	New Zealand Police should ensure that general instructions are automatically updated when a change is made to an existing policy.	Complete	<p>Police through the Corporate Instruments team has implemented and is practicing 'business as usual' procedures to ensure:</p> <ul style="list-style-type: none"> <li>• business owners are advised 3 months before a General Instruction is due for review (all operational policy is on set cyclic review) and are required to review those policies for currency and integrity (note: a review can also be triggered by other factors, e.g. legislative change, policy changes, government direction etc)</li> <li>• follow-up with business owners if no timely response is received and escalation Police Executive level if business units take no action</li> <li>• there is no conflict in policy</li> <li>• any related General Instruction that is affected is updated or cancelled if no longer required</li> </ul> <p>General Instruction review includes:</p> <ul style="list-style-type: none"> <li>• impact assessment on other groups and other corporate instruments</li> <li>• consultation as required</li> <li>• ensuring that no conflict arises with any other policy or process</li> <li>• any related General Instruction or policy is automatically updated to reflect the change</li> <li>• determining whether any training is required</li> <li>• process check by Team Leader Corporate Instruments</li> <li>• Commissioner issuing/cancelling General Instruction after review</li> <li>• publication with new review/bring-up date.</li> </ul> <p>In summary, any change to existing corporate instruments involves the identification of other instruments (whether General Instructions, Police Manual chapters or otherwise) that are impacted by the change. These instruments are automatically updated in tandem by the business owner under the oversight and monitoring of the Corporate Instruments team. Systems are in place to ensure this happens.</p> <p>Police considers R2 complete.</p>

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	Police policies and procedures		
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	<p>R3 was re-opened based on OAG's assessment that under R2 Police are still reviewing General Instructions. Police consider R2 complete and closed as detailed above. While General Instructions (and other corporate instruments) continue to be reviewed under the oversight and monitoring of the Corporate Instruments team.</p> <p>Also, as General Instructions are national instructions and cannot be issued by districts, national 'business as usual' procedures, through the Corporate Instrument team, are in place and functioning. This was acknowledged in the OAG Second Monitoring Report.</p> <ul style="list-style-type: none"> <li>• Instructions were developed and implemented as business as usual regarding national instructions as well as within districts and flexibility was incorporated into district instructions (Local Orders). Separate instructions, processes and controls exist around this.</li> <li>• Local Orders are consulted by districts with the Team Leader: Corporate Instruments, to ensure that they do not repeat or conflict with national policy. When published in the national electronic database they are also placed on a cyclic review process.</li> <li>• Police has developed and implemented a national framework consisting of policy principles, standards and templates that ensure all instructions are nationally consistent while allowing districts flexibility in implementing policies.</li> </ul> <p>Police considers R3 complete.</p>
R4	An enhanced policy capability should be developed within the Office of the Commissioner to provide policy analysis on sound data, drawing upon the experience of front-line staff and upon research from New Zealand and beyond.	Complete	
R5	New Zealand Police should develop an explicit policy to notify the Commissioner of Police when there is a serious complaint made against a Police officer. This policy and its associated procedures should specify who is to notify the Police Commissioner and within what time frames.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>Notifications that fit the criteria are recorded in IAPro, Police's electronic complaints management system, and reported to Executive &amp; Ministerial Support who also maintains a manual schedule of such notifications.</p> <p>Compliance is audited by Police Conduct Group staff on an ongoing basis.</p>

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	<b>Police policies and procedures</b>		
R6	New Zealand Police should ensure that members of the public are able to access with relative ease information on the complaints process and on their rights if they do make a complaint against a member of the police.	Open	<p>The draft operational policing service delivery standards were tested with a selection of operational staff in Auckland West and Waikato East Areas.</p> <p>Feedback from the pilot test has been gathered and will be incorporated into the draft operational policing service delivery standards and the service charter. It is projected that the standards, charter and the associated implementation plan will be finalised by January 2012.</p> <p>The brochure on <i>How to Make a Complaint about Police</i> is complete and is currently being printed. A communication and distribution plan will be formulated in the next quarter.</p> <p>This recommendation is being delivered as part of the Service First Project.</p>
R7	New Zealand Police should undertake periodic surveys to determine public awareness of the processes for making a complaint against a member of the police or a police associate.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>Police reviewed the Citizens' Satisfaction Survey questions in light of the Office of the Auditor General's report. The wording of the questions has been altered to ask specifically about public awareness of the complaints process.</p> <p>Field work for the Citizens' Satisfaction Survey 2011 was completed on 30 June. The results will be available by October 2011 as part of the public release of the Citizens' Satisfaction Survey 2011.</p>
R8	New Zealand Police should develop its database recording the number of complaints against police officers to allow identification of the exact number of complaints and the exact number of complainants for any one officer.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>The next stage of IAPro, BlueTeam4, has been successfully rolled out to all Districts. This allows District staff to load complaint detail and inquiry progress directly into the electronic complaints management system.</p> <p>Work continues on the development of an Early Intervention process which will be based on IAPro and incorporates a range of other information sources contained on the Police IT platform.</p> <p>A Police Executive Meeting paper outlining the development costs for the Early Intervention application has been prepared seeking approval to progress to the prioritisation stage. This has been approved.</p>
	<b>Adult Sexual Assault Investigation Policy</b>		
R9	New Zealand Police should review the implementation of the Adult Sexual Assault Investigation (ASAI) Policy to ensure that the training and resources necessary for its effective implementation are available and seek dedicated funding from the Government and Parliament if necessary.	Open	<p>Slowdown in this activity has continued since the Christchurch Earthquake in February 2011 and continuing staff pressures at PNHQ. However, file audits in May 2011 indicate growing adherence to the ASAI Guidelines. This is coinciding with enhanced use of the NIA file management functionality with more detail being captured.</p> <p>Work continues between PNHQ and Victim Support's head office to enhance services outside the main centres where specialist support agencies do not exist or do not regularly work with Police. Better trained Victim Support personnel will be used as a back-up to fill the gaps in the availability of specialist support.</p> <p>Planned for the next period is further enhancement of the CIB Induction &amp; Selection Course. More ASA and Child Protection aspects will be introduced. The next dip sampling (60 files) from across the country is planned for September 2011. A stock-take of District responses to ASAI is also planned from September so as to enhance and build a better national picture.</p>

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	<b>Police policies and procedures</b>		
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	
R11	New Zealand Police should strengthen its communication and training practices by developing a system for confirming officers have read and understood policies and instructions that affect how they carry out their duties and any changes thereto.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>A decision was made by Police that it is impractical to confirm that employees have read and understood all policies and instructions. Instead Police will identify those policies that are "critical" to police, (i.e. those that pose the most risk through non compliance and introduce a system to confirm that all employees have read and understood those policies and instructions). A draft risk assessment tool was developed to identify those critical policies. The tool is presently being further enhanced to ensure its integrity. Once the tool is approved the process will be implemented.</p> <p>The existing police electronic learning process (Te Puna) will be used to confirm that Police officers have read and understood critical police policies.</p>
	<b>Communication of policies and training</b>		
R12	New Zealand Police should strengthen its communication and training practices to ensure the technical competencies of officers are updated in line with the new policies and instructions.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>TSC has met with Corporate Instruments and agreed to using Te Puna to publish and assess knowledge and understanding of critical policies of those staff for whom understanding of a policy is a technical competency or requirement of their job. The new 'Changes to Computer Use' policy is the first policy to be launched using this approach.</p> <p>The PeopleSoft Training Management System project has been approved. The project team has commenced work on defining the training requirements based on position (this will be done through broad consultation with the business). The requirements will be available automatically in an individual Training and Development Plan for every staff member. When a new technical competency is introduced for a role requiring training, this will be automatically displayed on an individual's plan, thus communicating what is required to be done.</p> <p>The Management of Learning Solutions (MLS) process has been signed off by the Police Executive, which allows the TSC to carry out analysis to determine the optimum learning solution for a business need. This will ensure that new policies and instructions are assessed to ensure that any learning solution identified is going to be appropriate.</p>

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	<b>Police policies and procedures</b>		
R13	Bearing in mind the mobility of the workforce, New Zealand Police should conduct a review of what training should be mandatory at a national level and what should be left to the discretion of the districts.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>Management of Learning Solutions project (MLS) has been approved by the Police Executive Committee (22 June 2011). The objectives of the project are to :</p> <ul style="list-style-type: none"> <li>• create a more flexible and dynamic process to manage learning</li> <li>• better inform decision makers</li> <li>• provide optimum learning solutions for staff</li> <li>• create a central gateway at TSC to manage requests for learning followed by clear robust analysis, approvals and prioritisation process.</li> <li>• clarify roles and responsibilities of all stakeholders</li> <li>• clarify types of training (e.g. certification, role requirement/mandatory and district selection).</li> </ul> <p>MLS focuses on the delivery of role based training (training the right people), aiming to reduce abstraction from frontline for mandatory training, allowing districts more flexibility to address their own training needs.</p> <p>This project is aligned to the PeopleSoft Training Management System project, the District Training Review, the review of initial training and the leadership framework.</p>
	<b>Consistency and transparency in complaint processes</b>		
R14	New Zealand Police should ensure that the practice of providing investigating officers with a reminder of the standards for complaint investigation is applied consistently throughout the country.	Reopened (pursuant to the OAG 2nd monitoring report)	The policy has been reviewed and while generally still considered fit for purpose, some changes will be made and communicated to district staff.
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"> <li>a) realistic expectations at the start of an investigation about when key milestones are likely to be met</li> <li>b) the opportunity to comment on the choice of investigator</li> <li>c) regular updates on progress, and advance notice if the investigation is likely to be delayed for any reason</li> <li>d) assistance in understanding the reasons for any decision not to prosecute.</li> </ol>	Open	<p>ASAI file audits continue during 2011, with a key focus on monitoring adherence to policy as well as assessing favourable file outcomes. Police believes that more favourable outcomes will be, in part, indicative of enhanced communication processes.</p> <p>The ASAI Guidelines promote working with a specialist crisis support agency from the earliest stage of an investigation, although a common issue outside the main centres is no such agencies exist or they do not regularly work with Police. This can make communication with victims more difficult. PNHQ is currently working with Victim Support National Office in order to use that agency to fill the gaps in the availability of specialist support.</p> <p>Continuing training and adherence with the NIA File Management Programme is enhancing file prioritisation process, information recording (such as victim contact) and in-house investigation transparency.</p> <p>A sector overview continues to be provided by the ASA National Tripartite Forum (Police, DSAC and Crisis Support) which meets 2 or 3 times a year. A stock-take of District responses to ASAI is planned for the next period.</p>

	Recommendations	Status	Progress
	<b>Independence of investigations</b>		
R16	<p>New Zealand Police should develop a consistent practice of identifying any independence issues at the outset of an investigation of a complaint involving a police officer or a police associate, to ensure there is a high degree of transparency and consistency. The practice should be supported by an explicit policy on the need for independence in such an investigation. In respect of the handling of conflicts of interest, the policy should, among other things:</p> <ul style="list-style-type: none"> <li>• identify types and degrees of association</li> <li>• define a conflict of interest</li> <li>• provide guidelines and procedures to assist police officers identify and adequately manage conflicts of interest (including in cases where cost or the need to prompt investigation counts against the appointment of an investigator from another section or district)</li> <li>• ensure that the risk of a conflict of interest involving investigation staff is considered at the outset of any investigation involving a police officer or police associate.</li> </ul>	Reopened (pursuant to the OAG 2nd monitoring report)	<p>The practice, and policy supporting the identification of conflict of interest in an investigation, has been reviewed and while generally considered fit for purpose, any changes as a result of monitoring and review will be made and communicated to district staff.</p>
R17	<p>New Zealand Police should expand the content of its ethics training programme to include identifying and managing conflicts of interest, particularly in respect of complaints involving police officers or police associates.</p>	Partially complete	<p>A stock-take is currently being completed at the TSC to formally define all ethics training that is delivered by the TSC. A paper with the findings ('Ethics in TSC Training') will be presented to the TSC Management Team covering the nature of all ethics training delivered by the TSC in the 10/11 year.</p> <p>A Performance Management training package was designed by the TSC and is being delivered to supervisors. This includes a range of ethics scenarios including conflicts of interest. This material specifically addresses this recommendation.</p> <p>A TSC representative has met with PNHQ HR/OD team to discuss the TSC approach to further this recommendations.</p>

	Recommendations	Status	Progress
	<b>Support for sexual assault investigations</b>		
R18	New Zealand Police should ensure that training for the Adult Sexual Assault Investigation Policy is fully implemented across the country, so that the skills of officers involved in sexual assault investigations continue to increase and complainants receive a consistent level of service.	Open	<p>Response to this recommendation parallels the response to Recommendation 9.</p> <p>Work has been undertaken to enhance the CIB Induction &amp; Selection Course where more ASA and Child Protection aspects have been introduced and a consideration around a second tier training model for ASAI is planned for later in 2011.</p>
R19	New Zealand Police should initiate cooperative action with the relevant Government agencies to seek more consistent Government funding for the support groups involved in assisting the investigation of sexual assault complaints by assisting and supporting complainants.	Open	<p>The focus of this recommendation continues to be the promotion of the Sexual Abuse Assessment and Treatment Service (SAATS), a nationwide medical forensic model delivered via District Health Boards. 15 of the 19 are currently contracted.</p> <p>SAATS is jointly funded by Police, ACC and Ministry of Health and a first evaluation was completed in November 2010.</p> <p>New and enhanced SAATS contracts went live from 1 May 2011 and work is underway to have the final remaining DHB locations under SAATS contracted as soon as practicable.</p> <p>The ASAI Guidelines promote working with a specialist crisis support agency from the earliest stage of an investigation. A common issue outside the main centres is that no such agencies exist or do not regularly work with Police therefore PNHQ is working with Victim Support National Office to better equip that agency as a back-up to fulfil this role.</p>
	<b>Management assurance</b>		
R20	<p>In relation to investigations of sexual assault complaints against police officers or police associates, New Zealand Police should have in place systems that:</p> <ul style="list-style-type: none"> <li>• verify that actual police practices in investigating complaints comply with the relevant standards and procedures</li> <li>• ensure the consistency of practice across the country, for instance in the supervision of smaller and rural stations</li> <li>• identify the required remedial action where practice fails to comply with relevant standards</li> <li>• monitor police officers' knowledge and understanding of the relevant standards and procedures.</li> </ul>	Open	<p>Police systems provide that on receipt of a complaint the National Manager Professional Standards is to be advised.</p> <p>The criminal investigation process provides for an independent investigator to be identified, tasked and terms of reference for the investigation to be agreed.</p> <p>Investigations are monitored and the outcomes independently reviewed.</p> <p>Employment investigation processes relevant to the matter are implemented in tandem.</p> <p>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.</p> <p>Consultation has been completed and the agreed process is now contained in the Independence of Investigations (Safe Processes) policy.</p> <p>The policy covering Police Investigations of Complaints and Notifiable Incidents has also been approved.</p>

Recommendations 21 - 32 belonging to the Ministry of Justice and the Independent Police Complaints Authority have been relocated to the end of this table.

	Recommendations	Status	Progress
	<b>Police disciplinary system procedures</b>		
R33	Those provisions of the Police Regulations 1992 that establish the disciplinary tribunal system be revoked as soon as possible to enable a more efficient system to come in force.	Complete	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.
R34	New Zealand Police should implement a best practice State sector disciplinary system based on a Code of Conduct in keeping with principles of fairness and natural justice as part of the employment relationship.	Reopened (pursuant to the OAG 2nd monitoring report)	The revised disciplinary system is now established and embedded into everyday employment activities. The operation of the disciplinary process is kept under review  The OAG report (2010) states that feedback indicates the disciplinary system based on the Code of Conduct is working. State Services Commission has commissioned further work to determine whether the system is consistent with best practice in the state sector  Discussions have been initiated with service organisations regarding potential improvements to the disciplinary process. Police wishes to streamline aspects of the current procedures, while maintaining employment principles.
R35	The new disciplinary process should allow independent investigation of alleged misconduct where necessary or appropriate (in accordance with section 5A and 12 of the Police Act 1958) but should not include the use of a formal disciplinary tribunal.	Reopened (pursuant to the OAG 2nd monitoring report)	The new disciplinary process allows for independent investigation and does not include the use of a formal disciplinary tribunal.  The independence of investigation is being supported by the work of Rec 16.  Police are continuing to refine the process to ensure it is consistent with current best practice in a disciplinary environment.
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	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 has occurred in all Districts reflecting their size and local preferences.  PNHQ Strategic Alignment process managers have been alerted to this requirement.
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.	Open	Consistent with the agreed review programme SSC has now completed three reviews of performance management and change management; 2007/08, 2008/09 and 2009/10.  Third phase of review (2010) will report on progress with change management.  No review activity in the 4th Quarter.  Police will progress work on recommendations by grouping them under 8 separate themes or "work-teams": Adult Sexual Assault Investigations; Compliance; Complaints; Corporate Instruments; Ethics and Ethnic Minorities; Performance Management and Discipline; and Assurance



	Recommendations	Status	Progress
	<b>Code of conduct for police officers</b>		
R38	A Code of Conduct for sworn police staff should be implemented as a matter of urgency. Subsequently, the existing Code of Conduct for non-sworn staff should be brought in line with the new code for sworn members.	Complete	
	<b>Police Sexual Harassment Policy</b>		
R39	New Zealand Police should amend its Sexual Harassment Policy to include a requirement that any mediated resolution of a complaint of sexual harassment be finalised in writing and signed by both parties.	Complete	<p>The policy is now in place.</p> <p>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.</p> <p>Under the policy all mediation settlements will be signed by the parties and by the mediator so that they are full, final and binding.</p> <p>Extensive revisions were made after consultations both internally and with service organisations.</p> <p>Revisions have also ensured that the Code of Conduct is appropriately referenced.</p>

	Recommendations	Status	Progress
	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"> <li>• specify actions and types of behaviour of a sexual nature that are inappropriate or unprofessional</li> <li>• prohibit members of police from entering any relationship of a sexual nature with a person over whom they are in a position of authority or where there is a power differential</li> <li>• provide guidance to members and their supervisors about how to handle concerns about a possible or developing relationship that may be inappropriate</li> <li>• emphasise the ethical dimensions of sexual conduct, including the need for police officers to avoid bringing the police into disrepute through their private activities.</li> </ul>	Reopened (pursuant to the OAG 2nd monitoring report)	<p>The professional distance policy is in place and operating.</p> <p>OAG report (2010) has indicated that the prohibitions in the Professional Distance Policy should be incorporated into the Code of Conduct to meet the Commission's expectations.</p> <p>Disciplinary and other corrective action have been taken where breaches of the professional distance policy have occurred</p> <p>The Code of Conduct will be reviewed in 2011 to include reference to inappropriate sexual relationships</p>

	Recommendations	Status	Progress
	<b>Police email and computer use policies</b>		
R41	Directions given by New Zealand Police management on what constitutes inappropriate use of police email and the Internet should not allow for any individual interpretation of appropriateness by police officers.	Complete	
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	<p>Each time a computer user logs on to the Police system they are required to acknowledge the acceptable use policies for internet and email.</p> <p>Recruits are given a full copy of the policy, which they must read, and are led through the basic process of logging in and out of the Police IT systems. The application of the policy is discussed using examples and recruits are required to sign a letter stating they have read and understood the policy.</p> <p>A survey has been published in Te Puna requiring Employees to acknowledge they have read and understood the applicable documents. That acknowledgement is then recorded against the employee in PeopleSoft.</p>
R43	All police officers should be required to acknowledge that they have read and understood any changes to police computer use policies. These requirements should also be fully explained to all recruits during their training.	Reopened (pursuant to the OAG 2nd monitoring report)	A new process and policy has been developed, implemented and is currently being tested on the first change to a computer use policy. This roll out is the prototype and it is believed that minor enhancements will be required to streamline the process and confirm its validity, methodology and appropriateness.
R44	New Zealand Police managers should receive regular reports on the use of the Internet by their staff. This reporting requirement should be built into the early warning system that the police are developing (see recommendations R47, R48).	Reopened (pursuant to the OAG 2nd monitoring report)	<p>Regular reporting of Internet use was implemented prior to the CoI report being released.</p> <p>A new gateway was implemented that has significantly improved the organisation's ability to monitor individual users' Internet use and identify potential issues requiring early intervention.</p> <p>A Use of Information Steering Committee was formed in 2008 to oversee trends and issues relating to web/email use and instigate action in order to determine discrepancies.</p> <p>Employees that are reported to the Use of Information Steering committee as being in breach of Internet Usage are now entered into the electronic complaints management system (IAPRO).</p>

	Recommendations	Status	Progress
	<b>Ethics training and ethics committees</b>		
R45	All New Zealand Police districts should implement a nationally consistent ethics training programme that all police officers are required to attend. Police officers should also be required to attend regular refresher courses on ethics.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>The mandated training on performance management (incorporating ethics) which was approved by PEC for 2010/11 has been amended from the original proposed package. It is now targeted at supervisors only and focuses on performance management. Ethics scenarios are currently being developed to be delivered nationally, including management of conflicts of interest and fostering a culture of encouraging and supporting staff in the reporting of allegations of wrongdoing by police officers.</p> <p>A stock-take is currently being completed at the TSC to formally define all ethics training that is delivered by the TSC. A paper with the findings ('Ethics in TSC Training') will be presented to the TSC Management Team covering the nature of all ethics training delivered by the TSC in the 10/11 year.</p> <p>A TSC representative has met with PNHQ HR/OD team to discuss the TSC approach to furthering this recommendations.</p>
R46	New Zealand Police should ensure that the establishment of ethics committees is mandatory for all police districts. There should be a national set of guidelines to guide police districts on the purpose, operation, and membership of their ethics committees.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>Police will continue to monitor the activity, make-up and effectiveness of ethics committees to ensure they are meeting expectations.</p> <p>A review of district ethics committees has been carried out and this has identified a range of methods of compliance with the recommendation.</p> <p>This data will be reviewed and the policy that was developed post the COI report will be revisited to ensure the Ethics Committee model and guidelines continue to provide the outcomes sought by the recommendation.</p>
	<b>Early warning system and performance management</b>		
R47	New Zealand Police should implement a nationally mandated early warning system in order to identify staff demonstrating behaviour that does not meet acceptable standards and ensure such behaviour does not continue or escalate.	Open	<p>The IAPro electronic complaints management system, implemented to capture and manage complaints against Police, will be used to collect data as the basis for the Early Intervention (E I) solution.</p> <p>Implementation of first stage of technology utilisation of IAPro tool which flags repeat subjects of complaints was completed in 2010.</p> <p>Australia and New Zealand Police Advisory Agency (ANZPAA) is currently coordinating EI development at the direction of Commissioners. NZ Police will link in with this work to ensure best practice is reflected in our policy.</p> <p>A Police Executive Meeting paper outlining the development costs for the EI application has been prepared seeking approval to progress to the prioritisation stage. This includes details of the feasibility of interfacing other technology platforms with IAPro.</p>

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	<b>Early warning system and performance management</b>		
R48	The early warning system should ensure that all relevant information, sufficient to give a complete picture of an officer's full record of service, is captured in a single database, and is accessible to police managers and supervisors when making appointments and monitoring performance, as well as to complaint investigators when appropriate.	Reopened (pursuant to the OAG 2nd monitoring report)	<ul style="list-style-type: none"> <li>See Recommendation 47</li> </ul>
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.	Open	<p>A review of performance management has been undertaken and documented in a number of papers presented to the Police executive over the last quarter.</p> <p>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.</p> <p>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. A third review took place in 2010 on change management.</p> <p>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.</p> <p>Performance improvement is now a routine aspect of performance management and disciplinary processes.</p> <p>Revised supervisor training in performance management has begun and will be rolled out by districts in 2011. A number of districts will have delivered this training by the end of July.</p> <p>A new situational competency ("Building Talent &amp; Managing Performance") was introduced in 2010 to support the improvements in performance management</p>

	Recommendations	Status	Progress
	<b>Police Culture</b>		
R50	New Zealand Police should continue its efforts to increase the numbers of women and those from ethnic minority groups in the police force in order to promote a diverse organisational culture that reflects the community it serves and to enhance the effective and impartial investigation of complaints alleging sexual assault by members of the police or by associates of the police.	Open	<p>The NZ Police Ethnic Strategy Towards 2010- Working Together With Ethnic Communities won the 2001 IPANZ Gen-i Public Sector Excellence award for Excellence in Recognising Ethnic Diversity. This strategy had a major impact on how Police relate to the needs of a diverse society both in the general public and within our own ranks. It now forms the platform for a new ethnic strategy towards 2015.</p> <p>Also an award winner on the night our world-leading 111 Deaf Text Service won the award for Excellence in Working Together for Better Services. The service gives registered Deaf or Hearing Impaired users an emergency lifeline and currently has 633 registered users. So far our communications centres have taken 88 emergency 111 texts for Police, fire and Ambulance services.</p> <p>The Maori, Pacific and Ethnic Support Group was launched in Auckland this month.</p> <p>A women in policing initiative - 'Let's Talk' - commenced in June 2011. The initiative involves face-to-face interviews with women across Police. The objective of this initiative is to identify barriers to career progression as well as understand the key factors enabling women to progress in Police. The process also provides support and motivation to women in achieving their career aspirations.</p>
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.	Open	<p>The 2011 Survey was held between 16 May and 30 June 2011</p> <p>The report on the results will be presented to the Police Executive on 20th July.</p> <p>Districts and Service Centres will then roll out the results to their staff from 20th July and this process is expected to take approximately 3 months.</p> <p>Action Plans continue to be implemented in Districts and Service Centres.</p>
	<b>Reporting of allegations of sexual misconduct</b>		
R52	New Zealand Police should review its current policies, procedures, and practices on internal disclosure of wrongdoing, and actively promote a single stand-alone policy for all disclosures, including (but not limited to) those made under the Protected Disclosure Act 2000. The policy should ensure that proper inquiry is always made where information received indicates that a police member or associate may have committed a sexual offence.	Open	<p>'Integrity Reporting Policy', previously known as 'Report and Be Protected' policy has been rewritten and approved by the Police Executive Meeting for final consultation.</p> <p>IAPro will be evaluated against the business requirements for the capture of data relating to 'Integrity Reporting' once the policy is confirmed.</p> <p>Police has also signed up to the Integrity Plus service offered by Crimestoppers which provides an alternative and totally confidential method to raise issues of concern.</p> <p>The policy is with Corporate Instruments for finalisation and a Police Executive Meeting paper has been prepared for consideration once the policy is released.</p>
R53	New Zealand Police should ensure that the policy and the approach of "report and be protected" are well understood and implemented nationally.	Open	This will be achieved as part of recommendation 52 'Integrity Reporting Policy'.

	Recommendations	Status	Progress
	<b>Reporting of allegations of sexual misconduct</b>		
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".	Open	This will be achieved as part of recommendation 52 'Integrity Reporting Policy'.
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	<p>The mandated training on performance management (incorporating ethics) which was approved by PEC for 2010/11 has been amended from the original proposed package. It is now targeted at supervisors only and focuses on performance management. Ethics scenarios are currently being developed to be delivered nationally, including management of conflicts of interest and fostering a culture of encouragement and supporting staff in the reporting of allegations of wrongdoing by police officers.</p> <p>A stock-take is currently being completed at the TSC to formally define all ethics training that is delivered by the TSC. A paper with the findings ('Ethics in TSC Training') will be presented to the TSC Management Team covering the nature of all ethics training delivered by the TSC in the 10/11 year.</p>
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.	Open	The approach for communicating this is being documented as part of the implementation of the 'Integrity Reporting Policy' policy identified in recommendation 52.
	<b>Community engagement and feedback</b>		
R57	Each police district should establish groups of community representatives, chaired by recognised community leaders, which meet regularly to provide comment and feedback on police service delivery and policing issues throughout the district. Relevant information obtained from the feedback from the community should be incorporated into the police early warning system (see recommendation R47, R48).	Reopened (pursuant to the OAG 2nd monitoring report)	A community feedback model was implemented in Districts during 2009/10. A review of the community engagement model has been initiated to assess whether it addresses the requirements of R57 and to review District adherence.

	Recommendations	Status	Progress
	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.	Reopened (pursuant to the OAG 2nd monitoring report)	<p>A dedicated resource within HR has now been established to co-ordinate all projects and initiatives relating to the Commission of Inquiry. This resource will ensure that the CoI recommendations are integrated with business as usual activities currently undertaken within the organisation and also that business as usual activities contribute to the achievement of the recommendations.</p> <p>The recommendations have been allocated into the following eight work streams identified in the 2nd OAG report:</p> <ul style="list-style-type: none"> <li>• Adult Sexual Assault Investigations</li> <li>• Compliance</li> <li>• Complaints</li> <li>• Corporate Instruments</li> <li>• Early Warning System</li> <li>• Ethics and Ethnic Minorities</li> <li>• Performance Management and Discipline</li> <li>• Assurance</li> </ul> <p>Current work is focused on determining key measures for each work stream and the necessary processes to monitor progress towards high-level outcomes under each work stream.</p> <p>An executive-level steering committee, chaired by the Deputy Commissioner: Resource Management, has also been re-established to strengthen governance and confirm the direction to this work.</p> <p>These changes demonstrate that the Commission of Inquiry into Police Conduct remains a priority for Police. This is reflected in the 2011/12-13/14 Statement of Intent and in the 2011/12 National Business Plan.</p>



	Recommendations	Status	Progress
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.	OAG consider this complete	<p>Consistent with the agreed review programme SSC has now completed three reviews of performance management and change management; 2007/08, 2008/09 and 2009/10.</p> <p>Regular meetings have now been established with SSC's newly appointed performance specialist holding the Police portfolio to ensure Police have advice on and access to Public Sector best practice.</p> <p>A meeting with the SSC has been scheduled for 13 July 2011, to discuss and agree upon the terms of reference for the next review of Police's change management progress.</p>
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.	Open	<p>The next audit is expected towards the end of 2011 to produce the results of the third monitoring report to be made available in 2012.</p> <p>The OAG will commence its third review in late 2011 and will provide their third monitoring report in June 2012.</p> <p>No activity in the 4th Quarter</p>

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

### Operational Recommendations

	Recommendations	Status	Progress
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>

	Recommendations	Status	Progress
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.
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> <p>Completed March 2010.</p>
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. 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	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.

## Legislative Amendments

	Recommendations	Status	Progress
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.
R28	The requirement for the police to notify the [Independent Police Conduct Authority] of any complaints received by them “as soon as practicable” (section 15 of the Police Complaints Authority Act 1988) should be amended by adding the words “and in any case no later than 5 working days after receipt of the complaint”, and compliance with this requirement should be monitored by the Professional Standards section of the Office of the Commissioner.	Completed	An amendment was included in the Independent Police Conduct Authority Amendment Act 2007.  The Independent Police Conduct Authority Amendment Act came into force on 29 November 2007.
R29	The discretion in section 29(2) (a) of the Police Complaints Authority Act should be removed so that the [Independent Police Conduct Authority] is required to notify the Attorney-General and Minister of Police if, within a 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.

	Recommendations	Status	Progress
R30	<p>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:</p> <ul style="list-style-type: none"> <li>• encourages the [Independent Police Conduct Authority] to provide a reasonable level of communication with complainants on the progress of complainants; and</li> <li>• does not inappropriately prevent the [Independent Police Conduct Authority] from investigating complaints that may results in criminal or disciplinary proceedings being taken against a member of the police.</li> </ul>	Underway	<p>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>
R31	<p>On the enactment of the Independent Police Complaints Authority Amendment Bill, the Government should ensure that the majority of members of the [Independent Police Conduct Authority] are from outside the legal profession. If this is not possible with a three-person Authority (if the Authority and the deputy are both lawyers), the Government should give consideration to promoting further legislative change to enable a five-person Authority to be appointed.</p>	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>