

ADULT SEXUAL ASSAULT INVESTIGATIONS
STATUS: 30 SEPTEMBER 2011

Recommendations: 9, 10, 15, 18 & 19

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R9	<i>New Zealand Police should review the implementation of the Adult Sexual Assault Investigation Policy to ensure that the training and resources necessary for its effective implementation are available and seek dedicated funding from the Government and Parliament if necessary.</i>	Further Action required Ref: OAG review 2010	<u>Monitoring the implementation of the Adult Sexual Assault (ASA) Guidelines</u> In August 2011 a national survey of Police Districts, focussing on selected areas of the ASA Guidelines, inclusive of the availability and use of medical forensic and specialist support services, relationships with key agencies, ASA interviewing skill levels, use of case management functionality and application of the ASA Guidelines was carried out. The feedback indicates that in the larger metro districts, the guidelines were generally functioning as intended. In the smaller districts however, a number of issues were identified. These include no specialist crisis support service available, retention of L3 trained interviewers, training in Case Management functionality and staff resources. <u>Training and resources necessary for its effective implementation</u> The survey results are being assessed. The ASA Guidelines are to be reviewed. The review will take into account the survey and comments by the Office of the Auditor General in its second monitoring report. A review of current and ongoing ASA training requirements (inclusive of the adult sexual assault training module delivered in districts) is also due to commence. <u>Seek dedicated funding from Government if necessary</u> Dedicated funding has not been sought. However, the survey results indicate that this will need to be reviewed.	Ongoing
R10	<i>New Zealand Police should incorporate the Adult Sexual Assault Investigation Policy in the "Sexual Offences" section of the New Zealand Police Manual of Best Practice for consistency and ease of reference.</i>	Complete Ref: OAG review 2010	The Adult Sexual Assault Guidelines have been incorporated into the 'Sexual Offences' section of the NZ Police Manual for consistency and ease of reference.	Completed

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R15	<i>New Zealand Police should improve the process of communicating with complainants about the investigation of their complaint, particularly if there is a decision not to prosecute. Complainants and their support people should be given realistic expectations at the start of an investigation about when key milestones are likely to be met; the opportunity to comment on the choice of investigator; regular updates on progress, and advance notice if the investigation is likely to be delayed for any reason; assistance in understanding the reasons for any decision not to prosecute.</i>	Further Action required Ref: OAG review 2010	<p>The ASA Guidelines are to be reviewed. The review will take into account the comments by the Office of the Auditor General in its second monitoring report.</p> <p>The next national dip sampling of filed adult sexual assault investigation files, is to commence in November 2011. This audit will provide further data on this issue.</p>	Ongoing
R18	<i>New Zealand Police should ensure that training for the Adult Sexual Assault Investigation Policy is fully implemented across the country, so that the skills of officers involved in sexual assault investigations continue to increase and complainants receive a consistent level of service.</i>	Further Action required Ref: OAG review 2010	<p><u>Training in investigating adult sexual assault complaints</u></p> <p>In August 2011, a national survey of Police Districts, focussing on selected areas of the Adult Sexual Assault Guidelines was carried out. The survey results indicate that adult sexual assault investigation training skill levels are still an issue in some Districts.</p> <p>A review of ASA training requirements is also due to commence. The review will assess current and ongoing training requirements (inclusive of the adult sexual assault training module delivered in districts).</p>	Ongoing
R19	<i>New Zealand Police should initiate cooperative action with the relevant Government agencies to seek more consistent Government funding for the support groups involved in assisting the investigation of sexual assault complaints by assisting and supporting complainants</i>	Further Action required Ref: OAG review 2010	<p>Police continue to contribute funding for the Sexual Abuse Assessment and Treatment Service (a medical forensic service provided by District Health Boards). 15 of the 19 Health Boards provide these services. Some progress has been made to advance the provision of these services by the remaining 4 District Health Boards.</p> <p>Specialist crisis support for adult sexual assault complainants, (such as those provided by Rape Crisis), are <u>not</u> available nationally.</p>	Ongoing

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COMPLIANCE
STATUS: 30 SEPTEMBER 2011

Recommendations: 11, 13, 41, 42 & 43

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R11	<i>New Zealand Police should strengthen its communication and training practices by developing a system for confirming officers have read and understood policies and instructions that affect how they carry out their duties and any changes thereto.</i>	Further Action required Ref: OAG review 2010	A risk assessment tool, developed to identify critical policies and instructions that affect how Police carry out their duties, is being evaluated. <u>Communication and Training Practices</u> Communication and training of critical policy/instruction content will be delivered through the electronic management learning system 'Te Puna'. Te Puna has the functionality to monitor and measure the participant's comprehension of the course content as well as track and record that a participant has read and understood the policy. Course completion (inclusive of non-completion) is also recorded in PeopleSoft. This system allows managers to assess compliance and training requirements of staff.	Ongoing
R13	<i>Bearing in mind the mobility of the workforce, New Zealand Police should conduct a review of what training should be mandatory at a national level and what should be left to the discretion of the districts.</i>	Further Action required Ref: OAG review 2010	The Training Advisory Committee (chaired by Deputy Commissioner: Resource Management) that reviews mandatory national training requirements (cyclic and new) has been changed from annual, to <u>quarterly</u> reviews. This enables operational and strategic training priorities to be regularly reviewed and adjusted if necessary. A draft <u>Managing Learning Solutions</u> (MLS) policy has been developed. The policy requires all training requests for learning solutions in New Zealand Police to be submitted through the Training Service Centre for agreement on the best learning solution. Any proposed plan is then reviewed by the Executive prior to any investment in design and development. <u>District Training Review</u> The consultation phase (inclusive of workshops) of the District Training Review is complete.	Ongoing
R41	<i>Directions given by New Zealand Police management on what constitutes inappropriate use of police email and the Internet should not allow for any individual interpretation of appropriateness by police officers.</i>	Complete Ref: OAG review 2010	All users of the Police computer system are presented at the commencement of the logon process, with a warning about the potential consequences of misuse of the system or information contained within it.	Complete

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R42	<i>New Zealand Police should introduce a requirement that all staff sign a document to confirm that they have read and understood the acceptable use policies for the Internet and email. These requirements should be fully explained to all recruits during their training</i>	Further Action required Ref: OAG review 2010	<u>Police employees</u> The Police Manual chapter, 'Compliance requirements for information security', which covers computer use and security, has been amended to include the following statement: <i>"All employees must:</i> <ul style="list-style-type: none"> <i>acknowledge that they have read and understood any changes to Police computer use policies</i> <i>make the acknowledgement in the prescribed manner ... "</i> All police employees were notified of this change during June - July 2011. Te Puna, an electronic training platform, was used to record acknowledgements and provide an overview of internet and email obligations. See also R43. <u>Recruits</u> Recruit training includes written and verbal content as well as assessment of relevant computer use policies. Recruits must also acknowledge that they have read and understood the policy and their responsibilities. This record is retained on their personal file.	Ongoing
R43	<i>All police officers should be required to acknowledge that they have read and understood any changes to police computer use policies. These requirements should also be fully explained to all recruits during their training.</i>	Further Action required Ref: OAG review 2010	<u>Changes to police computer use policy</u> The Police Manual, specifically the chapter: <i>Compliance requirements for information security</i> , which covers computer use and security has been amended to include the following statement: <i>"All employees must:</i> <ul style="list-style-type: none"> <i>acknowledge that they have read and understood any changes to Police computer use policies</i> <i>make the acknowledgement in the prescribed manner ... "</i> All police employees were notified of this change during June - July 2011. Te Puna, an electronic training platform, was used to record acknowledgements and provide an overview of the to the computer use policy. As at 30 September 2011, 11405 employees had completed the acknowledgment. Managers of employees yet to satisfy the instruction are being actively followed up to ensure those employees (199), have an opportunity to read and acknowledge the update.	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
			<u>Recruits</u> Recruit training includes written and verbal content as well as assessment of relevant computer use policies. Recruits also acknowledge that they have read and understood the policy and their responsibilities. This record is retained on their personal file.	

COMPLAINTS STATUS: 30 SEPTEMBER 2011				
				Recommendations: 5, 6, 7, 14, 16, 20 & 57

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R5	<i>New Zealand Police should develop an explicit policy to notify the Commissioner of Police when there is a serious complaint made against a Police officer. This policy and its associated procedures should specify who is to notify the police commissioner and within what time frames.</i>	Further Action required Ref: OAG review 2010	Police have implemented a policy about notifying the Commissioner of Police of any serious complaint made against a police officer. The Policy, Police investigations of complaints and notifiable incidents , specifies who is to notify the Commissioner and within what time frame. Notifications are recorded in IA Pro (electronic complaints management system). The Police Conduct team monitor compliance and act if any aspect is not complied with. District Commanders were reminded of the policy requirements in September 2011.	Ongoing
R6	<i>New Zealand Police should ensure that members of the public are able to access with relative ease information on the complaints process and on their rights if they do make a complaint against a member of the police.</i>	Further Action required Ref: OAG review 2010	Police are improving access to information on the complaint process. In addition to information on the Police Website, a pamphlet titled: " <i>How to Make a Complaint about Police</i> " is being translated into 11 different languages in preparation for inclusion on the Police web site. The pamphlet is also been printed in 6 different languages for distribution through Police Stations, Citizen Advice Bureaus and Community Law Centres. Information on what a complainant can expect from Police (inclusive of their rights) is outlined in the pamphlet. A webpage enabling the public to make complaints about members of police through the Police Website, (www.police.govt.nz), is also under development. The Police 'Service First' programme, designed to improve service delivery, supports the complaint process by providing information and training to police employees on	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
			<p>how members of the public can make a complaint and how complaints are handled.</p> <p>People in leadership roles also attend Leading Service Excellence workshops. The course content includes recognising opportunities for improvements in service and taking positive steps to make these happen.</p> <p>As of 30 September 2011, around 1,700 employees attended the Service First training.</p> <p>A Service Charter providing a commitment of service to members of the public has been developed and was consulted within Police during the last quarter.</p>	
R7	<i>New Zealand Police should undertake periodic surveys to determine public awareness of the processes for making a complaint against a member of the police or a police associate.</i>	<p>Further Action required</p> <p>Ref: OAG review 2010</p>	<p>The 2011 Citizens' satisfaction survey specifically asked participants about their knowledge of the processes for making a complaint against a member of the police. Of the 4880 respondents, 76% said that they were aware there was a process to make a complaint against a member of Police.</p> <p>All respondents who had contact with Police and one in four respondents who did not have contact were additionally asked if they were confident that they could find out how to make a complaint about Police. Of the 5080 respondents, 87% said they were confident that they could find out what to do if they had a problem. Twelve percent were not confident.</p> <p>While the ongoing periodic surveys may satisfy the recommendation's purpose and its intended effect, Police are taking a holistic view of this recommendation and in particular, intend to assess its effect when the solutions for recommendation 6 are delivered.</p>	Ongoing
R14	<i>New Zealand Police should ensure that the practice of providing investigating officers with a reminder of the standards for complaint investigation is applied consistently throughout the country.</i>	<p>Further Action required</p> <p>Ref: OAG review 2010</p>	<p>The policy, Police investigations of complaints and notifiable incidents which specifies the standards of complaint investigation, together with instructions previously sent to practitioners, have been reviewed. A small number of inconsistencies between the documents were identified. An update clarifying obligations is to be sent out.</p>	Ongoing
R16	<i>New Zealand Police should develop a consistent practice of identifying any independence issues at the outset of an investigation of a complaint involving a police officer or a police associate, to ensure there is a high degree of transparency and consistency.</i>	<p>Further Action required</p> <p>Ref: OAG review 2010</p>	<p>The Independence of investigations (safe processes) policy specifies the importance of 'independence' at the outset of an investigation of a complaint involving a police officer. The policy assists potential investigators to consider and identify any conflicts, actual or perceived and manage and report any conflict.</p> <p>All investigators are required to complete an independence of investigation declaration, acknowledging that they are not aware of any circumstance that could give rise to an</p>	Ongoing

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	<p><i>The practice should be supported by an explicit policy on the need for independence in such an investigation. In respect of the handling of conflicts of interest, the policy should, among other things; identify types and degrees of association; define a conflict of interest; provide guidelines and procedures to assist police officers identify and adequately manage conflicts of interest (including in cases where cost or the need to prompt investigation counts against the appointment of an investigator from another section or district; ensure that the risk of a conflict of interest involving investigation staff is considered at the outset of any investigation involving a police officer or police associate.</i></p>		<p>actual or perceived conflict.</p> <p>The complaint categorisation process has been reviewed. The policy will be amended to ensure a conflict of interest declaration is completed for <u>all</u> categories (currently this requirement only applies to categories 1 - 3).</p>	
R20	<p><i>In relation to investigations of sexual assault complaints against police officers or police associates, New Zealand Police should have in place systems that: - verify that actual police practices in investigating complaints comply with the relevant standards and procedures - ensure the consistency of practice across the country, for instance in the supervision of smaller and rural stations - identify the required remedial action where practice fails to comply with relevant standards - monitor police officers; knowledge and understanding of the relevant standards and procedures.</i></p>	<p>Further Action required</p> <p>Ref: OAG review 2010</p>	<p>The implementation of R14 (consistent standards) and R16 (independence of investigations) will verify and ensure consistency of all police investigation practices, (irrespective of whether the investigation is related to a sexual assault complaint), nationally. Implementation, including monitoring of investigation practices by the national Police Conduct Team, together with the Independent Police Conduct Authority's monitoring regime, will identify any practice failures and enable remedial action where necessary.</p>	Ongoing

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R57	<i>Each police district should establish groups of community representatives, chaired by recognised community leaders, which meet regularly to provide comment and feedback on police service delivery and policing issues throughout the district. Relevant information obtained from the feedback from the community should be incorporated into the police early warning system (see recommendation R47, R48).</i>	Further Action required Ref: OAG review 2010	A review is underway to identify whether the Community Feedback model (introduced in response to R57) is fit for purpose and if not, what other options are available. The review will also consider other mechanisms for gathering feedback from the public about police service and issues, such as (but not limited to) the Citizens' Satisfaction Survey.	Ongoing

CORPORATE INSTRUMENTS

STATUS: 30 SEPTEMBER 2011

Recommendations: 1, 2, 3, & 4

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R1	<i>New Zealand Police should review and consolidate the numerous policies, instructions, and directives related to investigating complaints of misconduct against police officers, as well as those relating to the investigation of sexual assault allegations.</i>	Complete	<u>Review and consolidate policies, instructions and directives</u> All policies, instructions, and directives related to investigating complaints of misconduct against police officers, as well as those relating to the investigation of sexual assault allegations have been reviewed and consolidated on the Police Intranet under the link "Police Instructions". The policies, instructions, and directives are readily accessible to all employees.	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R2	<i>New Zealand Police should ensure that general instructions are automatically updated when a change is made to an existing policy.</i>	Further Action required Ref: OAG review 2010	<u>GI's automatically updated</u> A process is in place to ensure that any change to existing corporate instruments (whether, GI's, policy, or content of the Police Manual) are automatically updated. <u>General instructions</u> General Instructions (GI's) are progressively being reviewed, incorporated into the Police Manual and cancelled. As at 30 September 2011, only 165 of the 1400 plus GI's, that existed at the time of the Commission of Inquiry remain. The Police Manual is now the primary vehicle for communicating critical policies and instructions.	Ongoing
R3	<i>New Zealand Police should develop a set of policy principles regarding what instructions need to be nationally consistent and where regional flexibility should be allowed.</i>	Complete	Police have developed national policy principles (Police Instructions) governing the creation and maintenance of national or regional instructions. The principles set out mandatory requirements and obligations. With regard to Local Orders, the principles make it clear that any district instrument must not conflict with any national policy or guideline. All new corporate instruments whether in the form of a General Instruction, Local Order or chapter in the Police Manual are reviewed by the Corporate Instruments team for consistency and alignment with national policy and guidelines.	Ongoing
R4	<i>An enhanced policy capability should be developed within the Office of the Commissioner to provide policy analysis on sound data, drawing upon the experience of front-line staff and upon research from New Zealand and beyond.</i>	Complete Ref: OAG review 2010	Police have enhanced its policy capability and have front line staff regularly working within the Corporate Instruments Policy Group.	Complete

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EARLY WARNING SYSTEM

STATUS: 30 SEPTEMBER 2011

Recommendations: 8, 44, 47 & 48

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R8	<i>New Zealand Police should develop its database recording the number of complaints against police officers to allow identification of the exact number of complaints and the exact number of complainants for any one officer</i>	Further Action required Ref: OAG review 2010	IA Pro (electronic complaints management system) records the number of complaints against all police employees. This data can be sorted to extract information (reports) on the number and types of complaints (inclusive of the number and types of complaints against an individual employee). A national early intervention process has been approved by the Executive. Implementation of the process (following design and build) is expected to commence late 2012.	Ongoing
R44	<i>New Zealand Police managers should receive regular reports on the use of the Internet by their staff. This reporting requirement should be built into the early warning system that the police are developing (see recommendations R47, R48).</i>	Further Action required Ref: OAG review 2010	Police continue to routinely monitor how police employees use the internet and email. The top five users are reviewed by the Use of Information Steering Committee, chaired by the Deputy Commissioner: Resource Management. Users, who breach acceptable use tolerances, receive two email warnings about their internet or email use before the matter is escalated to Professional Standards for further review and action.	Ongoing
R47	<i>New Zealand Police should implement a nationally mandated early warning system in order to identify staff demonstrating behaviour that does not meet acceptable standards and ensure such behaviour does not continue or escalate.</i>	Further Action required Ref: OAG review 2010	IA Pro (electronic complaints management system) records the number of complaints against all police employees. The data extracted from the system helps determine whether an early intervention should be implemented. A national early intervention process has been approved by the Executive. Implementation of the process (following design and build) is expected to commence late 2012.	Ongoing
R48	<i>The early warning system should ensure that all relevant information, sufficient to give a complete picture of an officer's full record of service, is captured in a single database, and is accessible to police managers and supervisors when making</i>	Further Action required Ref: OAG review 2010	IA Pro (electronic complaints management system) records the number of complaints against all police employees. The data extracted from the system helps inform whether an early intervention should be implemented. A national early intervention process that will extract data from other relevant databases has been approved by the Executive. Implementation of the process	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
	<i>appointments and monitoring performance, as well as to complaint investigators when appropriate.</i>		(following design and build) is expected to commence late 2012. IA Pro and the early intervention process, once implemented, will provide relevant information, (subject to legislative constraints) to managers and supervisors when making appointments and monitoring performance.	

ETHICS AND ETHNIC MINORITIES

STATUS: 30 SEPTEMBER 2011

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

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R12	<i>New Zealand Police should strengthen its communication and training practices to ensure the technical competencies of officers are updated in line with the new policies and instructions.</i>	Further Action required Ref: OAG review 2010	A review of 'technical competencies' for generic constabulary positions has been undertaken and is informing the development of role profiles. A job analysis for the General Duties Constable has also been completed and a generic position description developed. The PeopleSoft Training Management System project is progressing.	Ongoing
R17	<i>New Zealand Police should expand the content of its ethics training programme to include identifying and managing conflicts of interest, particularly in respect of complaints involving police officers or police associates.</i>	Further Action required Ref: OAG report 2010	A review of ethics training in NZ Police was completed by The Royal New Zealand Police College in June 2010. The review found that while there wasn't a current ethics training package, various forms of ethics-based training were nevertheless included in all Schools of Learning, except Patrol and Operational Policing (which primarily focuses on technical training). A range of ethical scenarios covering conflicts of interest, professional distance, whistle blowing, complaints against Police and general ethics have been developed for training delivery.	Ongoing
R39	<i>New Zealand Police should amend its Sexual Harassment Policy to include a requirement that any mediated resolution of a complaint of sexual harassment be finalised in writing and signed by both parties.</i>	Complete Ref: OAG review 2010	The Discrimination and Harassment Policy covers all forms of harassment (including sexual harassment). The policy supports mediated resolution and recommends that any agreement on how the issues should be resolved should be recorded in writing and signed by the parties and facilitator.	Complete

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R45	<i>All New Zealand Police districts should implement a nationally consistent ethics training programme that all police officers are required to attend. Police officers should also be required to attend regular refresher courses on ethics.</i>	Further Action required Ref: OAG review 2010	A review of ethics training in NZ Police was completed by The Royal New Zealand Police College in June 2010. The review found that while there wasn't a current national ethics training package, various forms of ethics-based training were nevertheless included in all Schools of Learning except Patrol and Operational Policing, which primarily focuses on technical training.	Ongoing
R46	<i>New Zealand Police should ensure that the establishment of ethics committees is mandatory for all police districts. There should be a national set of guidelines to guide police districts on the purpose, operation, and membership of their ethics committees.</i>	Further Action required Ref: OAG review 2010	The information from the District Ethics Committees review conducted during the last quarter is currently being evaluated.	Ongoing
R50	<i>New Zealand Police should continue its efforts to increase the numbers of women and those from ethnic minority groups in the police force in order to promote a diverse organisational culture that reflects the community it serves and to enhance the effective and impartial investigation of complaints alleging sexual assault by members of the police or by associates of the police.</i>	Further Action required Ref: OAG review 2010	<p>Police continue its efforts to increase the representation of women, and those from ethnic minority groups, in Police.</p> <p>A joint venture between NZ Police and the Maori Television documentary show, Nga Pirihimana Hou, moved recruiting into the mainstream media. Nga Pirihimana Hou follows the journey of Maori recruits as they reflect on their experiences at The Royal NZ Police College. During broadcasts, viewers are invited to interact live with a Maori officer on the 'NZ Police Recruitment' Facebook page.</p> <p>In the Police recruitment campaign "You can do something extraordinary", street artist Otis Frizzell captured a scene from three real police stories and stencilled each scene onto a wall near the site where the events unfolded. The scenes demonstrate the value which women and those from ethnic minority groups add to Police and the community they serve.</p> <p>In August 2011 Police attended the annual NZ Diversity Forum organised by the Human Rights Commission. During the forum police participated in sharing ideas and good practice relating to race relations and diversity.</p> <p>NZ Police have also initiated the Aspire programme, which aims to develop high potential senior women leaders and provide them with a framework and tools to evolve their careers and take on increasing senior management roles.</p>	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R52	<i>New Zealand Police should review its current policies, procedures, and practices on internal disclosure of wrongdoing, and actively promote a single stand-alone policy for all disclosures, including (but not limited to) those made under the Protected Disclosure Act 2000. The policy should ensure that proper inquiry is always made where information received indicates that a police member or associate may have committed a sexual offence.</i>	Further Action required Ref: OAG review 2010	Police have reviewed its policies, procedures, and practices on internal disclosure of wrongdoing and incorporated these into a stand-alone policy document titled: Protected disclosures (report and be protected) . The draft policy has been circulated to the service organisations for consultation.	Ongoing
R53	<i>New Zealand Police should ensure that the policy and the approach of report and be protected are well understood and implemented nationally.</i>	Further Action required Ref: OAG review 2010	The draft policy, Protected disclosures (report and be protected) , is progressing through the consultative process. See R52. Once finalised and approved, the policy will be implemented nationally.	Ongoing
R54	<i>New Zealand Police should ensure that all other relevant policies, procedures, and practices are consistent with the stand-alone policy on the reporting of serious wrongdoing and the approach of report and be protected.</i>	Further Action required Ref: OAG review 2010	Police have reviewed other relevant policies, procedures, and practices to ensure consistency with the draft Protected disclosures (report and be protected) policy.	Ongoing
R55	<i>The New Zealand Police ethics training programme should aim to foster a culture which encourages reporting of allegations of wrongdoing by police members or police associates and provide support to those who make disclosures, consistent with the 'report and be protected' approach.</i>	Further Action required Ref: OAG review 2010	A review of ethics training in NZ Police was completed by The Royal New Zealand Police College in June 2010. The review found that while there wasn't a current national ethics training package, various forms of ethics-based training were nevertheless included in all Schools of Learning except Patrol and Operational Policing which primarily focuses on technical training. A range of ethical scenarios covering conflicts of interest, professional distance, whistle blowing, complaints against Police and general ethics have been developed for training delivery. The scenarios will be circulated to the Schools for future inclusion in their courses.	Ongoing

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R56	<i>New Zealand Police managers and supervisors should actively communicate to police members the expectation that they will report any allegations of sexual misconduct made against a colleague or a police associate. Police managers and supervisors should encourage and support members to report such allegations.</i>	Further Action required Ref: OAG review 2010	Following extensive consultation and subsequent amendments the draft Protected disclosures (report and be protected) policy has been sent out for final review. The review period closes on 29 October 2011.	Ongoing

PERFORMANCE MANAGEMENT AND DISCIPLINE

STATUS: 30 SEPTEMBER 2011

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

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R33	<i>Those provisions of the Police Regulations 1992 that establish the disciplinary tribunal system be revoked as soon as possible to enable a more efficient system to come in force.</i>	Complete Ref: OAG review 2010	The Police Regulations 1992 were revoked on 1 October 2008 by section 130(5) Policing Act 2008. See section 130(5) and specifically, Part 2 of Schedule 6. A new disciplinary system is now in place.	Complete
R34	<i>New Zealand Police should implement a best practice State sector disciplinary system based on a code of conduct in keeping with principles of fairness and natural justice as part of the employment relationship.</i>	Further Action required Ref: OAG review 2010	A disciplinary system based on the standards of behaviour expressed in the Police Code of Conduct and in keeping with principles of fairness and natural justice has been in place since 2008. The disciplinary process has been reviewed and amendments recommended to enable a more streamlined process. This revised process meets Police's good employer obligations, affords employees all procedural entitlements as established in case law and meets State sector best practice. The revised process and policy will go to the Police Executive for approval in October and will then be released to Service Organisations and employees for consultation.	Ongoing

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No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R35	<i>The new disciplinary process should allow independent investigation of alleged misconduct where necessary or appropriate (in accordance with section 5A and 12 of the Police Act 1958) but should not include the use of a formal disciplinary tribunal.</i>	Further Action required Ref: OAG review 2010	Independent investigators have conducted investigations into alleged misconduct and serious misconduct under the new disciplinary process. The necessity to ensure that any allegation of misconduct is independently investigated is further emphasised in the Independence of investigations (safe processes) policy. The Police Act 1958 was repealed on 1 October 2008 and replaced by the Policing Act 2008. Disciplinary matters are dealt with in accordance with the new Act.	Ongoing
R36	<i>New Zealand Police should ensure that the human resource and professional standards functions are fully integrated in all aspects of their operations and systems.</i>	Further Action required Ref: OAG review 2010	Human Resource and Professional Standards functions (inclusive of systems and processes) are aligned. A full review of human resource and professional standards functions is planned for the next quarter.	Ongoing
R38	<i>A code of conduct for sworn police staff should be implemented as a matter of urgency. Subsequently, the existing code of conduct for non-sworn staff should be brought in line with the new code for sworn members.</i>	Complete	A new Code of Conduct establishing the standards of behaviour expected of <u>all</u> Police employees was introduced in 2008.	Complete
R40	<i>New Zealand Police should develop standards, policies, and guidelines on appropriate sexual conduct towards, and the forming of sexual relationships with, members of the public. These should be incorporated into all codes of conduct and relevant policy and training materials. The standards, policies, and guidelines should be developed with the assistance of an external expert in professional ethics and should; specify actions and types of behaviour of a sexual nature that are inappropriate or unprofessional; prohibit members of</i>	Further Action required Ref: OAG review 2010	The Police Code of Conduct establishes the minimum standards of behaviour expected of all Police employees. The Professional Distance Policy supports the Code of conduct by providing guidance on managing personal relationships (internally and externally) and limiting risks to individual employees and to Police where a conflict of interest or power imbalance may arise. A review of the Code of Conduct is programmed to commence shortly. A review of the Professional Distance Policy will be programmed to align the policy with amendments to the Code of Conduct, and an external expert will be identified and consulted with on the contents of that policy.	Ongoing

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

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
	<i>police from entering any relationship of a sexual nature with a person over whom they are in a position of authority or where there is a power differential; provide guidance to members and their supervisors about how to handle concerns about a possible or developing relationship that may be inappropriate; emphasise the ethical dimensions of sexual conduct, including the need for police officers to avoid bringing the police into disrepute through their private activities.</i>			
R49	<i>New Zealand Police should review its approach to performance management, including the training provided to supervisors and managers, the performance appraisal process and documentation, and the methods in place to ensure that the follow-up identified in the performance improvement plans actually occurs.</i>	Further Action required Ref: OAG review 2010	Performance Management training has been reviewed. New material has been developed that focuses on building the capability of supervisors around performance improvement, building talent and appraisals. The revised training was categorised by the Police Executive as <u>mandatory</u> training for all supervisors of constabulary staff. As at 30 September 2011, supervisors in 8 districts had completed the training with the remaining supervisors, due to complete the training by the end of December 2011.	Ongoing

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

ASSURANCE
STATUS: 30 SEPTEMBER 2011

Recommendations: 37, 51, 58 & 59

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R37	<i>The Commissioner of Police should invite the State Services Commission to review the police approach to performance management and discipline to ensure their systems and processes are adequate, standardised, and managed to a standard that is consistent with best practice in the public sector</i>	Further Action required Ref: OAG review 2010	Police have invited the State Services Commission (SSC) to commence the 2011/12 review. In response, SSC have identified three initial areas of focus: <ul style="list-style-type: none"> • Refreshing the Police case for change with regard to the COI and a call to action • Advancement of women in senior roles: and • Performance management - specifically management of poor performance and talent development. <p>Additionally SSC has invited the Commissioner of Police to propose a small number of priority focus areas, aligned to the implementation of COI Recommendations 37 and 59, and to the Commissioner's own performance expectations to frame the review. Once agreed, these will be reflected in the Terms of Reference.</p>	Ongoing
R51	<i>The Commissioner of Police should invite the State Services Commissioner to carry out an independent annual health of the organisation audit of the police culture (in particular, whether the organisation provides a safe environment for female staff and staff from minority groups). The need for the audit should be reviewed after 10 years.</i>	Further Action required Ref: OAG review 2010	<p>The 2011 Workplace Survey results were presented to the Police Executive on 20 July 2011. District briefings and dissemination of results to staff commenced on 21 July and have now been completed.</p> <p>District Action Plans focusing on addressing improvements identified in the survey have also been finalised.</p> <p><u>Overall results</u></p> <p>The overall survey results establish that there was a definite improvement in both employee engagement levels as well as survey scores generally, over the 2010 results.</p> <p><u>Safe environment</u></p> <p>The results establish that there was an overall improvement in:</p> <ul style="list-style-type: none"> • respect for employee diversity; • confidence in raising concerns about any inappropriate conduct (inclusive of harassment, bullying or discrimination); • confidence that any concern raised would be dealt with appropriately; and • the extent to which employees feel colleagues behave in accordance with NZ Police values. 	Ongoing

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

No	Recommendations	Implementation Status	Progress Summary	Embedded status*
R58	<i>New Zealand Police should rationalise the projects and initiatives currently in train (including those started in response to this Commission of Inquiry into Police Conduct, and the review of the Police Act 1958) and any further projects arising out of the Government's response to this report, to ensure that overlaps between projects are addressed, interdependencies are identified, priorities are assigned, and adequate resources are made available to do the work. New Zealand Police should address these issues in its annual statement of intent, and consult with the Minister of Police in respect of the priority to be given to projects.</i>	Further Action required Ref: OAG review 2010	<p>The Commission of Inquiry (COI) Transition Team, (the HR resource established to coordinate all of the projects and initiatives relating to the COI) has coordinated the following activities:</p> <p><u>COI</u></p> <ul style="list-style-type: none"> • confirmed work stream Business Owners responsible for addressing the COI recommendations; • reiterated roles and responsibilities; • Introduced a more interactive process for reporting progress and mitigating any issues, against each recommendation to ensure oversight of all work streams. <p>State Services Commission (SSC) - 2011 Review Police have consulted with the SSC regarding its fourth review. See Recommendation R59.</p>	Ongoing
R59	<i>New Zealand Police should consult with and involve the State Services Commission and other public sector agencies, where appropriate, to ensure that the projects and initiatives of the type described in recommendation R58 take account of best practice in the public sector. The Government should take steps to remove any statutory impediment to such consultation and involvement.</i>	Further Action required Ref: OAG review 2010	<p>Police have consulted with the State Services Commission (SSC) regarding the terms of reference for the SSC's fourth review of the implementation of recommendations 37 and 59. Police have requested that SSC include specific feedback on the comparison of Police performance against state sector best practice.</p>	Ongoing

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

MINISTRY OF JUSTICE

OPERATIONAL RECOMMENDATIONS - (Independent Police Complaints Authority)

STATUS: 30 SEPTEMBER 2011

No	Recommendations	Status	Progress Summary
R21	<i>The [Independent Police Conduct Authority] should improve its accessibility to people who may wish to make a complaint, for instance, by publicising its newly established website and by wider distribution of its information pamphlet.</i>	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	<i>The [Independent Police Conduct Authority] should, in conjunction with Police, the Ministry of Justice, and other relevant agencies, develop a communications strategy to increase awareness of the [Independent Police Conduct Authority] and its work.</i>	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	<i>The [Independent Police Conduct Authority] should actively facilitate the reception of complaints by accepting oral statements on the basis that the complainant will confirm the [Independent Police Conduct Authority's] written record of the complaint.</i>	Complete	<p>The Authority receives and actions oral complaints in the same way it processes written complaints.</p>

No	Recommendations	Status	Progress Summary
R24	<i>The [Independent Police Conduct Authority] should ensure it has more regular communication with those people whose complaints are under consideration.</i>	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	<i>The [Independent Police Conduct Authority] should seek feedback from complainants by way of random sampling on their experience of the complaints process.</i>	Complete	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. The information obtained from the completed evaluation forms is being collated and analysed. The system and the content of the responses received is providing a tangible measure of the Authority's performance. Completed March 2010.
R26	<i>The [Independent Police Conduct Authority] should develop strategies for addressing its current backlog of complaints, including seeking additional resources as appropriate.</i>	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	<i>The Government should adopt a policy that those appointed as members of the [Independent Police Conduct Authority] reflect community diversity and strengthen the community's perception of the [Independent Police Conduct Authority's] independence.</i>	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 - (Independent Police Complaints Authority)

STATUS: 30 SEPTEMBER 2011

Recommendations: 27, 28, 29, 30 & 31

No	Recommendations	Status	Progress Summary
R27	<i>The [Independent Police Conduct Authority] should be encouraged to exercise its discretion in favour of accepting historic sexual assault complaints. If there is any doubt about this matter, a further legislative amendment should be included in the Independent Police Complaints Authority Amendment Bill.</i>	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	<i>The requirement for the police to notify the [Independent Police Conduct Authority] of any complaints received by them "as soon as practicable" (section 15 of the Police Complaints Authority Act 1988) should be amended by adding the words "and in any case no later than 5 working days after receipt of the complaint", and compliance with this requirement should be monitored by the Professional Standards section of the Office of the Commissioner.</i>	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.
R29	<i>The discretion in section 29(2) (a) of the Police Complaints Authority Act should be removed so that the [Independent Police Conduct Authority] is required to notify the Attorney-General and Minister of Police if, within a reasonable time the Authority makes a recommendation to the police under section 27(2) or 28(2), the police fail to take action that seems to the [Independent Police Conduct Authority] to be adequate and appropriate.</i>	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.

No	Recommendations	Status	Progress Summary
R30	<p><i>The Ministry of Justice should review the secrecy provisions in the Police Complaints Authority Act, and make such recommendations as may be appropriate for those provisions to be repealed or amended (through the Independent Police Complaints Authority Amendment Bill) to ensure that the Act:</i></p> <ul style="list-style-type: none"> <i>encourages the [Independent Police Conduct Authority] to provide a reasonable level of communication with complainants on the progress of complainants; and</i> <i>does not inappropriately prevent the [Independent Police Conduct Authority] from investigating complaints that may result in criminal or disciplinary proceedings being taken against a member of the police.</i> 	*Paused	<p>In December 2007 Cabinet agreed to six proposals to enhance the role of the Authority, which will:</p> <ul style="list-style-type: none"> 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 and the power to commence own-motion inquiries in the public interest.</p> <p>*With the agreement of the Minister of Justice, work on the draft Bill is paused so that other high priority items of the work programme can be progressed.</p>
R31	<p><i>On the enactment of the Independent Police Complaints Authority Amendment Bill, the Government should ensure that the majority of members of the [Independent Police Conduct Authority] are from outside the legal profession. If this is not possible with a three-person Authority (if the Authority and the deputy are both lawyers), the Government should give consideration to promoting further legislative change to enable a five-person Authority to be appointed.</i></p>	Complete	<p>Three new Board members (Richard Woods, Angela Hauk-Willis, and Dianne Macaskill) were appointed to the Authority from 1 September 2010, which brings the total to four board members and the Chair Hon Justice L. P. Goddard. All three new members are non-legal professionals, taking the total of non-legal members to four.</p>