

# ***Fifteen years of change***

## **2007–2022**

MARCH 2023



Progressing the themes  
from the Commission of  
Inquiry into Police Conduct



NEW ZEALAND  
**POLICE**  
Ngā Pirihimana o Aotearoa



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# INTRODUCTION

More than a decade-and-a-half has passed since the 47 Police-specific recommendations were included in Dame Margaret Bazley’s 2007 Commission of Inquiry into Police Conduct (COI) report.

This document sets out progress made since Police published the 2017 *A decade of change* report.<sup>1</sup> It is not a detailed analysis of progress against each of the recommendations.

Due to the passage of time, some of the original recommendations have been superseded by new initiatives or overtaken by events. This document is based on the ‘spirit and intent’ of the original recommendations by reporting on progress against five general themes:

- ▶ Adult Sexual Assault investigations
- ▶ Complaints against Police
- ▶ Ethics – behaviour, performance management and discipline
- ▶ A diverse, inclusive and healthy organisation
- ▶ Policy, practice and process

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<sup>1</sup> <https://www.police.govt.nz/sites/default/files/publications/plc455-strategy-document.pdf>

## BACKGROUND

In February 2004, following a series of media revelations and growing public concern, the Government launched a formal Commission of Inquiry into Police Conduct. The Commission was established to carry out a full, independent investigation into the way in which New Zealand Police had dealt with serious allegations of sexual assault by a small number of Police staff and their associates.

This followed publication of allegations suggesting police officers might have deliberately undermined or mishandled investigations into complaints of sexual assault made against other officers. The Commission's report was publicly released<sup>2</sup> on 3 April 2007 and made 60 recommendations for change, 47 of which were specific to Police. The report was clear that attitudes and behaviour within Police, and not just systems and procedures, needed to change.

The then Commissioner of Police, Howard Broad, fully accepted the Commission's findings and committed to implementing the Police-specific recommendations.

## MONITORING AND REPORTING

To help ensure follow-through on implementation, the Office of the Auditor-General (OAG) was mandated to monitor Police's COI response for a 10-year period.<sup>3</sup> A final COI performance audit – assessing implementation through the decade-long monitoring period – was conducted by the OAG with the findings published in 2017. The OAG's final report noted Police had acted on all the recommendations, that Police's response to the recommendations had matured over time, and Police had become a different organisation.<sup>4</sup>

In 2017, Police stated the conclusion of the mandated monitoring period did not represent a finish line. This document provides an update on progress in the themed areas since the OAG's 2017 findings. It builds on the 2017 *A decade of change* report.

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<sup>2</sup> The report is available at <https://www.parliament.nz/resource/0000055162>

<sup>3</sup> Monitoring reports by the OAG are available at <https://www.police.govt.nz/about-us/nz-police/commission-inquiry>

<sup>4</sup> The final report is available at <https://oag.parliament.nz/2017/police>

# COMMISSIONER'S FOREWORD



It's now more than 15 years since the Commission of Inquiry into Police Conduct (COI) examined police behaviour and practices spanning the quarter-century from 1979 to 2004.

Now, in 2023 - five years on from the Office of the Auditor General's final monitoring report - it's timely to reflect on the progress we have made since 2017.

The findings from the COI significantly changed the way Police operates. Having in place more modern and inclusive policies, processes, systems, training, investigations, quality assurance, performance frameworks, and leadership is now part of our day-to-day business.

Together, this all contributes to ensuring we are delivering the services New Zealanders expect and deserve – a priority for Police.

Our organisation is guided by *Our Values* of: Professionalism, Respect, Integrity, Commitment to Māori and the Treaty, Empathy and Valuing Diversity. These values are at the heart of what is important to Police and the communities we serve.

When I became Commissioner in 2020, I wanted to advance a work environment where everyone can thrive and feel safe. In doing so, I introduced a further priority of *Be First, Then Do*. This is about our staff bringing humanity to every interaction they have with the public. Being able to see a person from a human perspective and better understanding their situation means we can respond more appropriately. We're seeing our staff having greater confidence to talk more openly about their diverse experiences, which helps us police our communities and understand different viewpoints. This is directly tied to achieving our Mission: "to prevent crime and harm through exceptional policing".

Our *Understanding Policing Delivery* Programme (UPD) is underway to identify whether, where, and to what extent any bias may exist at a system level in Police's operating environment. This work will inform how we need to operate in future to ensure our policing is fair and equitable for all communities.

Another of our priorities is "focused prevention through partnerships" – working with others to achieve better outcomes. Our *Te Huringa o Te Tai* strategy guides our partnerships with Māori and we're focused on practical, operational ways of working with iwi and Māori that can be embedded into all we do.

In terms of our own staff, I'm proud of the increase in diversity among frontline officers to better represent the communities we serve. One in four police officers are now women – a 57 percent increase over the past five years<sup>5</sup> – and we've made gains in the proportion of Māori, Pacific, Asian and other ethnicities in the constabulary workforce as well.

The COI shone a spotlight on issues related to sexual offending. Sexual violence is a serious crime and is taken seriously by Police. In the Government's allocation of 1800 additional officers, 187 were allocated as investigators to focus on complex cases including adult sexual assault and child protection investigations.<sup>6</sup>

<sup>5</sup> Total constabulary numbers have grown by 20 percent in the same period.

<sup>6</sup> <https://www.police.govt.nz/sites/default/files/publications/2018-allocation-infographic-highlights.pdf>

We know only around eight percent of sexual assaults are reported to Police although there has been an increase in reporting over time. There was an 11 percent increase in the number of adult sexual assaults reported in the five years between 2017 and 2022, from 3,706 to 4,118.

This increase has occurred alongside significant growth in family harm and mental health incidents during the same period, including through the COVID-19 pandemic when police officers were engaged in the national response.

We expect the demand on Police to continue to rise, driven by the public's trust and willingness to report crime.

We are looking at how best to deploy our staff to meet the demands of a post-COVID environment. Part of this is a project to redesign service delivery,<sup>7</sup> including changes to how we conduct investigations, capture evidence, make better decisions and lift policing expertise.

The past five years have also seen changing social and cultural values, some of which are aligned to developments in technology. These present new risks and challenges. For example, there has been a rise in the use of dating apps and more extreme and more accessible pornography has blurred the lines for many young people about what is acceptable in sexual encounters.<sup>8</sup>

This is the final formal Police report into progress against the recommendations of the Commission of Inquiry into Police Conduct.

While we have made significant progress as an organisation during the past 15 years, our history is not to be forgotten. It is part of who we are and a sharp reminder of what we need to keep sight of as we continue to contend with new challenges.

It is my firm expectation that we can and will always strive to evolve and be better in everything we do as a police service, now and into the future.

**Andrew Coster**  
*Commissioner*

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<sup>7</sup> <https://www.police.govt.nz/sites/default/files/publications/annual-report-2021-2022.pdf>, p36.

<sup>8</sup> <https://www.stuff.co.nz/entertainment/tv-radio/129804161/swipe-with-caution-reveals-the-dark-side-of-dating-in-new-zealand>

# ADULT SEXUAL ASSAULT INVESTIGATIONS

This theme is focused on ensuring processes are in place to encourage supportive and thorough investigation of complaints of Adult Sexual Assault (ASA).

Police was directed to make improvements to communication with victims and support agencies, the calibre of investigations into ASA complaints and the consistency of training of investigators. It was also directed to ensure resourcing was in place to implement the ASA Investigation Policy. “The Commission’s recommendations aimed to improve the services Police provide to the public – in particular, how the Police receive and investigate adult sexual assault complaints”<sup>9</sup>

After 10 years, the OAG commented: “The Police’s beliefs and attitudes towards victims of adult sexual assault have improved significantly over the last 10 years. There is still some variation in the attitude of some police staff, although these staff are increasingly in the minority. The Police have also improved the quality of investigations into adult sexual assault by training specialist staff and keeping good management oversight.” The OAG further commented that resourcing of ASA investigations needed further work, as assigning cases to non-specialist staff can affect the quality of an investigation.<sup>10</sup>

In the five years since the OAG final monitoring report, the number of sexual assaults reported to Police has trended upward. Police has increased specialist staff numbers in response to increasing demand. Training for specialist ASA investigators and the way Police investigates has also progressed and will continue to do so.

The world we live in has also changed significantly since the Commission of Inquiry reported in 2007, and Police too has needed to evolve to keep pace. The increased use of technology, including dating apps and social

media have provided new risks and opportunities. Some technology-driven sexual crimes are emerging. The #MeToo movement and the Abuse in Care Royal Commission of Inquiry have focused public attention on sexual assault. On a positive note, society has begun to recognise that victim blaming is not appropriate, and legislative change has occurred as a result.



<sup>9</sup> Response of the New Zealand Police to the Commission of Inquiry into Police Conduct: Third monitoring report, page 21. <https://oag.parliament.nz/2012/police-conduct/part1.htm>

<sup>10</sup> Response of the New Zealand Police to the Commission of Inquiry into Police Conduct: Final monitoring report, page 13. <https://oag.parliament.nz/2017/police/docs/police.pdf>

## PROGRESS HIGHLIGHTS

*“What is clear is that in recent years there has been growing recognition that rape cases are complex and require specialist training and services. This has long been recognised by our support services, who knew from the 1970s that specialist counsellors were essential. Our doctors developed specialist training for those conducting forensic rape examinations in the 1980s, and in recent years we have seen New Zealand Police recognise the importance of specialist training and supervision for detectives involved in adult sexual assault investigations.”<sup>11</sup>*

– Jan Jordan, Emerita Professor at Victoria University of Wellington

*“In the last 4-5 years there has been more noticeable empathy, higher levels of communication and overall caring/compassion towards victims of sexual violence.”<sup>12</sup>*

– Sexual Violence Crisis Support Agency

### External environment

- ▶ Reporting of ASA has increased. Specifically, the number of ASA victimisations reported to Police increased by 11 percent over the past five years, from 3,706 in 2017 to 4,118 in 2022.<sup>13</sup>
- ▶ ACC has also seen a significant increase in sensitive claims (claims for physical or mental injuries caused by sexual abuse or assault) being lodged, from 7,695 in 2017 to 11,739 in 2021.<sup>14</sup>
- ▶ The Solicitor-General’s Guidelines for Prosecuting Sexual Violence took effect from 1 July, 2019. The Guidelines apply to all sexual cases in Aotearoa, whether prosecutions are conducted by the Crown or Police. The Guidelines entitle victims to have Police decisions not to prosecute reviewed. Police has reviewed approximately 60 ASA cases during the past three years where a decision had been made not to prosecute. Of these, 15–20 percent required further work or the reviewers disagreed with the decision.
- ▶ The Sexual Violence Act introduces a range of changes to the way Police carry out investigations, such as the right for victims to choose how they want to deliver evidence (pre-recording or going to court), and early recording of evidence for victims and witnesses. Significantly, Judges must now give
- juries any direction the Judge considers necessary to address any relevant misconception relating to sexual cases.<sup>15</sup>
- ▶ In 2018, a new offence of strangulation or suffocation came into force in Aotearoa. This carries a maximum penalty of seven years imprisonment.<sup>16</sup> Medical Sexual Assault Clinicians Aotearoa advised that the first disclosure of non-fatal strangulation or suffocation is often made during medical examinations, when victims are directly asked about it. Victims have often not disclosed this to Police in preliminary interviews. (Where Police is involved, a medical exam occurs prior to a formal interview.)
- ▶ Anecdotally, one technology-driven crime type – known as ‘sextortion’ – has increased during the past five years. This involves offenders threatening to distribute private and sensitive material if a ransom is not paid. This can occur when victims are tricked into sending sexually explicit content to offenders on social media. Police has worked with partner agencies to raise awareness of the prevalence of this type of offending.<sup>17</sup>

<sup>11</sup> Jordan, J, New laws are great, but rape victims deserve more radical change, The Spinoff, 3 July 2019. <https://thespinoff.co.nz/society/03-07-2019/new-laws-are-great-but-rape-victims-deserve-more-radical-change>

<sup>12</sup> Meeting between Professor Mike Rowe and Sexual Violence support services, 8 November 2022, Auckland.

<sup>13</sup> Note this is not when the assault happened but when it was reported. The data only includes reports made by victims who are adults at the time of reporting.

<sup>14</sup> For further information see <https://www.acc.co.nz/assets/oia-responses/financial-entitlements-for-sensitive-claims-oia-response-GOV-016043.pdf>

<sup>15</sup> Sexual Violence Legislation Act 2021, s 126A.

<sup>16</sup> Section 189A of the Crimes Act 1961.

<sup>17</sup> <https://www.police.govt.nz/news/release/new-zealand-police-warn-about-rise-sextortion-cases-involving-young-victims>



## Victim support

- ▶ Police has close relationships with ASA support agencies that help achieve good outcomes for victims. For example, officers provide referrals and work closely with support agencies and specialised doctors from Medical Sexual Assault Clinicians.
- ▶ Police continue to provide victims with the *Information for Victims of Sexual Assault* pamphlet, which was last updated in 2019.<sup>18</sup>
- ▶ The *ASA Investigation* Police Manual chapter recommends monthly contact with victims and a victim contact plan. An alert shows investigators and supervisors how many days since the last contact with the victim. Quality assurance reviews also assess victim contact.
- ▶ An ASA page on the Police website provides a range of information and a link for victims to provide feedback.<sup>19</sup>
- ▶ Police has also worked with partners to deliver the *Don't Guess the Yes* sexual violence prevention campaign in Wellington during the past 4–5 years. The campaign is designed to change attitudes and behaviours relating to alcohol consumption and consent, and is directed toward offenders and those around them. The campaign is also being trialled in Auckland.
- ▶ Police is one of the 10 agencies involved in the Family Violence and Sexual Violence Joint Venture, formed in 2018 to improve the whole-of-government approach to family violence and sexual violence. In 2022, the Joint Venture became Te Puna Aonui, an Interdepartmental Executive Board under the Public Service Act 2020. Te Puna Aonui agencies are responsible for implementing Te Aorerekura – the National Strategy to Eliminate Family Violence and Sexual Violence.<sup>20</sup>



<sup>18</sup> <https://www.police.govt.nz/about-us/publication/information-victims-sexual-assault-booklet>

<sup>19</sup> <https://www.police.govt.nz/advice-services/sexual-assault-and-consent/feedback>

<sup>20</sup> <https://tepunaaonui.govt.nz/about-us/>

## Investigation capability

- ▶ Police use the National Intelligence Application (NIA) and the Investigations Management Tool (IMT) for managing ASA cases and investigations. IMT has enabled a move from paper-based files to largely electronic files during the past five years. IMT tracks the course of investigations and the related tasks for each case, assisting in their management and making it easy to share information within the team and with prosecutors and defence lawyers. Investigation plans are now built into IMT. Supervisors have oversight of ASA cases through NIA.
- ▶ A data collection spreadsheet highlights delays in ASA files being assessed and assigned, and monitors the frequency of contact with victims. The spreadsheet is electronically updated daily.
- ▶ A Quality Assurance Improvement Framework (QAIF) for ASA remains in place to monitor implementation of ASA policy and procedures. The QAIF includes annual national reviews of district files and reviews at a district and local area level. Review reports identify areas of improvement for ASA, such as timeliness, completeness and contact with victims.
- ▶ Relating to ASA, Police Prosecutors are responsible for prosecuting indecent assault cases, while Crown Prosecutors are responsible for sexual assault prosecutions. A 2022 Police Prosecutions Service survey of District Court Judges found that overall satisfaction with the performance of Police Prosecutors in 2022 was at a decade high of 94 percent, compared with 86 percent in 2017 (satisfaction has fluctuated during the period). This included 98 percent satisfaction with the professionalism of Police Prosecutors in the courtroom. Areas for improvement were the quality of evidence on files (61 percent satisfied) and the provision of information about the views of victims (56 percent satisfied).
- ▶ Tiered ASA training has been in place at four levels since 2017. This training is developed and delivered by the National ASA team at the Royal New Zealand Police College along with other internal and external presenters.
  - ▶ Level 1 – Recruit training includes values, the history of the Commission of Inquiry, and initial action when receiving a report of sexual abuse. There is also online training on ASA which must be completed by all constabulary staff on initial action, attitudes, and behaviour.
  - ▶ Level 2 – ASA training is part of the Detective Development Course, including investigations, policy, practice, and case law.
  - ▶ Level 3 – The Detective Qualifier Course also includes ASA training focused on investigations, decision making and evidential sufficiency.
  - ▶ Level 4 – Biannually, there is an Advanced ASA one-week training course for Sergeants and Senior Sergeants dedicated to ASA investigations. This includes leadership and communication, the ASA policy, decision making, investigations, and legislation. Louise Nicholas, a campaigner for the rights of women who have been victims of sexual violence, presents to the course and there is additional content on her case as part of the training.
- ▶ ASA training emphasises priority should be given to the care and wellbeing of the victim and a trauma-informed response. It also covers common misconceptions about sexual assault and sexual assault victims. Investigators are directed not to consider whether a judge or jury may be influenced by common misconceptions when assessing the likelihood of conviction (a consideration set out by the Solicitor-General's Prosecution Guidelines in deciding whether or not to charge).
- ▶ ASA staff numbers rose from 105 dedicated ASA investigators in 2017 to 180 in 2022 as a response to increased reports of sexual assault to Police.
- ▶ Police are trialling the use of Investigations Support Officers (ISOs) from September 2022 to June 2023. To date, 24 ISOs have been employed across eight Police districts to support investigators working on ASA and Child Protection. The ISOs have predominantly provided support with investigation files and are highly valued.

# COMPLAINTS AGAINST POLICE

This theme from the Commission of Inquiry pointed to the need for the public to have knowledge of, and confidence in, the way complaints against Police are managed and resolved. That process starts with Police taking active steps to enable complainants to come forward – especially when an alleged offender is a Police employee. Once complaints against Police are received, they must be investigated fairly, thoroughly and impartially. Police was also directed to take community feedback on board.

Complaints against Police, and the manner in which they are managed, were a pervasive thread throughout the COI report.

After 10 years, the OAG commented: “Our work on the complaints data that is relevant to the Commission’s recommendations shows that the number of complaints about police conduct is consistent. The numbers, at five to six complaints each year for every 10,000 people, are low. In our view, considering the sometimes challenging circumstances that the Police work in, these numbers are small. We do not have concerns that the low number of complaints is because of a lack of opportunity to complain. Our data analysis indicates that the Police are upholding more complaints because of better investigation and an increased willingness to hold their staff to account. The Police are completing investigations into complaints more quickly than in previous years. The complaints process still takes longer than what is ideal for complainants, those complained about, and occasionally for the taxpayer.”<sup>21</sup>

In the five years since the final OAG monitoring report, Police continues to have a strong focus on maintaining awareness of integrity and conduct issues among its staff. A priority for Police is to bring humanity to every interaction its people have with members of the public.

A prevention focus encourages professional behaviour throughout the Police workforce via several mechanisms. These include training and a Police High Performance Framework (PHPF).

The disciplinary system has been redesigned and uses restorative justice practices and te ao Māori concepts to support all involved employees.

Awareness raising around conflicts of interest has continued, and staff are encouraged to declare and appropriately manage any conflicts.

Police has also adopted a proactive stance toward preventing corruption. It is working to ensure employees are not susceptible to corruption by external actors, including organised criminal groups.

Police continues to monitor its relationship with the public and welcomes feedback. The digital world we live in today has made it much easier to complain about Police. In a formal sense, Police is held to account by the Independent Police Conduct Authority (IPCA),<sup>22</sup> which has online statistics and case summaries to ensure a light is shone on unacceptable behaviour.

<sup>21</sup> Response of the New Zealand Police to the Commission of Inquiry into Police Conduct: Final monitoring report, page 13.  
<https://oag.parliament.nz/2017/police/docs/police.pdf>

<sup>22</sup> <https://www.ipca.govt.nz/>

## PROGRESS HIGHLIGHTS

### Internal environment/prevention

- ▶ Members of the public are encouraged to provide feedback on service. Commitment of Service<sup>23</sup> posters including a link to provide feedback<sup>24</sup> are displayed in every Police station, on the Police website and in other locations.
- ▶ Police provides service training based on the He Tangata (People) framework. The training is delivered to all recruit wings and other Police employees in public-facing roles. Refresher training is done on an as-required basis. The training is also provided as part of the interim Leadership Development Programme.
- ▶ The PHPF is delivered through strategy, culture, leadership, capability and performance management frameworks. It enables meaningful conversations about performance using a people-focussed approach. The PHPF forms the basis for monthly conversations between leaders and direct reports. Career development plans include how people can get to the next steps in their careers.
- ▶ The *Unacceptable Behaviour – Kia Tū and Protected Disclosures* Police Manual chapters encourage staff to report any concerns about unacceptable behaviour and wrongdoing within Police.
- ▶ *Te Ohu Manawanui*, a new employment process for managing and resolving conduct related matters, was rolled out nationally in 2022. *Te Ohu Manawanui* uses te ao Māori concepts in relation to employee support and restorative justice practices. It is a principles-based approach, defined by *Our Values*.<sup>25</sup> Police is working to balance what is appropriate for a restorative approach (for people who have made a genuine mistake and need support) against the minority of cases involving serious misconduct.
- ▶ The Professional Conduct workgroup has a focus on appropriate interventions that prevent and reduce conduct and integrity issues. The National Integrity Unit, established in 2020, sits alongside the Professional Conduct workgroup and forms a key element in Police's work to deter, prevent, and detect corruption within the organisation.
- ▶ The standard of a Police investigation is set out in the *Police Investigations of Complaints and Notifiable Incidents* Police Manual<sup>26</sup> chapter and the desk file for Professional Conduct District Managers. Complaints are categorised by the IPCA into categories A-D. Category A complaints are a very small percentage (one percent in 2021/22) and are the most serious. They are independently investigated by the IPCA. Category B complaints (four percent in 2021/22) are investigated by Police and actively overseen by the IPCA. Category C complaints are those able to be easily resolved by the IPCA's case resolution team (30 percent in 2021/22). Category D complaints (65 percent in 2021/22) are resolved by Police.<sup>27</sup>
- ▶ A conflict-of-interest declaration is required for every internal investigation of a Police employee and reviewed by the Professional Conduct workgroup or the IPCA.
- ▶ A Criminal Charges Advisory Panel reviews all cases of alleged criminal activity by a Police employee and provides direction, ensuring charging decisions are consistent nationwide. It requires any investigation into an employee be conducted to the normal criminal standard and that consideration of prosecution meet the Solicitor-General's Prosecution Guidelines.

<sup>23</sup> <https://www.police.govt.nz/about-us/about-new-zealand-police/commitment-service>

<sup>24</sup> <https://www.police.govt.nz/contact-us/give-feedback-about-police>

<sup>25</sup> <https://www.police.govt.nz/about-us/our-values>

<sup>26</sup> <https://www.police.govt.nz/sites/default/files/publications/police-investigations-of-complaints-and-notifiable-incidents-210622.pdf>

<sup>27</sup> Independent Police Conduct Authority Annual Report, 2021/22, page 17. <https://www.ipca.govt.nz/Site/publications-and-media/Corporate-publications.aspx>



## Reporting and monitoring

- ▶ Complaints against Police can be registered directly with Police or with the IPCA.<sup>28</sup> The Police website provides information on how to make a complaint (including options in 12 languages). Complaints are acknowledged and a file number and contact details are provided, along with links to support services. For less serious matters, expressions of dissatisfaction (or praise) can be lodged with Police.<sup>29</sup>
- ▶ Expressions of dissatisfaction/praise are followed up and quarterly reports on any trends are regularly sent to Area Managers in the 12 Police Districts.
- ▶ Quarterly statistics including the number of complaints received, completed, and upheld, the number of employees involved, and the themes of complaints are published on the Police website.<sup>30</sup>
- ▶ The Commissioner is automatically notified where an employee is charged with a criminal offence or their work status is impacted.
- ▶ The New Zealand Crime and Victim Survey (NZCVS)<sup>31</sup> collects information about New Zealand adults' experiences of crime. In 2021, a Police module was added to measure trust and confidence in Police as well as perceptions of Police effectiveness, satisfaction with the quality of Police service, Police professionalism and other markers. The latest available results showed:
  - ▶ 74 percent of the general population and 59 percent of Māori reported high levels of trust and confidence in Police.<sup>32</sup> That's despite the survey being undertaken during a period when Police staff had to undertake many different tasks to their normal policing roles because of COVID-19.
  - ▶ 83 percent of respondents considered Police to be professional when conducting their duties.
  - ▶ Of those who had contact with Police, 74 percent were satisfied with the quality of service they received.
- ▶ A customer experience research programme, including a series of surveys on *Our Service, Your Say*, is running from 2022 to 2025 to seek feedback on the quality of service from people who have had recent contact with Police.
- ▶ Police receives community feedback in a number of ways, including social media. Police proactively engages on social media through a following of more than 2.2 million people across several platforms. This creates a significant opportunity for Police to engage with communities. Feedback also occurs through the Police website; consultation processes; community and iwi meetings; and via the office of the Minister of Police. Police also has 26 external advisory boards, including the Commissioner's Māori, Pasifika, and Ethnic Advisory Forums.

<sup>28</sup> <https://www.ipca.govt.nz/site/complaints/>

<sup>29</sup> <https://www.police.govt.nz/contact-us/give-feedback-about-police>

<sup>30</sup> <https://www.police.govt.nz/about-us/publication/professional-conduct-statistics-april-2022>

<sup>31</sup> <https://www.police.govt.nz/sites/default/files/publications/nzcvcs-results.pdf>

<sup>32</sup> <https://www.police.govt.nz/sites/default/files/publications/nzcvcs-survey-results-demographic.xlsx>

# ETHICS, BEHAVIOUR, PERFORMANCE MANAGEMENT AND DISCIPLINE

The intended outcome of this theme was to see Police employees behaving ethically and to a standard reflecting expectations of the communities they serve. This required staff to know what ethical behaviour is and that Police culture and behaviour is consistent with this knowledge.

Equally, if there were ongoing instances of poor behaviour or unethical practices, then Police's performance management and disciplinary frameworks had to be in line with modern practice. The framework needed to serve the interests of those prepared to raise concerns, as well as support good employment practice. The recommendations included having a formal code of conduct in place for all Police employees.

After 10 years, the OAG commented: "The Police have made big improvements in managing staff performance. The Police have been mostly successful in changing their culture to one based on values and respect for diversity. Police staff are more willing to call out poor behaviour by colleagues, although the Police still have work to do in increasing staff confidence that poor behaviour is effectively dealt with."<sup>33</sup>

Now in 2023, Police's Code of Conduct<sup>34</sup> has been in place for more than 15 years. Police's Values are embedded in *Our Business*<sup>35</sup> – a strategy on a page – setting out why Police exists, what it is doing, and how it is doing it. *Our Values*<sup>36</sup> are referenced in conversation and in policy.



<sup>33</sup> Response of the New Zealand Police to the Commission of Inquiry into Police Conduct: Final monitoring report, page 13.  
<https://oag.parliament.nz/2017/police/docs/police.pdf>

<sup>34</sup> <https://www.police.govt.nz/about-us/publication/new-zealand-police-code-conduct>

<sup>35</sup> Our business <https://www.police.govt.nz/about-us/publication/our-business>

<sup>36</sup> <https://www.police.govt.nz/about-us/our-values>

## PROGRESS HIGHLIGHTS

### Supporting our people to do the right thing

- ▶ *Kia Tū – We Stand Together*, established in 2021, is the Police approach to preventing and addressing bullying, harassment, discrimination and other unacceptable behaviour at work. It is a co-designed model based on Māori principles that aims to repair harm and rebuild trust. *The Unacceptable Behaviour – Kia Tū* Police Manual chapter outlines a restorative approach to resolve unacceptable behaviour. A more formal approach is used for more serious cases or where restorative justice processes have not been successful.
- ▶ Police's Code of Conduct was updated in 2022. It links to other policies such as *Kia Tū* and reflects the Commissioner's priority of bringing humanity to every interaction.
- ▶ The *Managing Conflicts of Interest* Police Manual chapter<sup>37</sup> sets out how to appropriately manage conflicts of interest and maintain professional boundaries. Police has released periodic videos and case studies to raise awareness of conflicts of interest and professional boundaries.
- ▶ Police promotes appropriate behaviour using a range of tools including *Our Values*, *Our Code*, and 'SELF CHECK' – an ethical decision-making tool. Mechanisms are also in place to encourage staff to challenge unacceptable behaviour, and to report it if that is not possible.
- ▶ The Commissioner has a values-based kōrero with all incoming recruit wings. Opportunities to reflect and discuss *Our Values* are built into training.
- ▶ A comprehensive early intervention system is in place. This enables managers to take early and consistent action to manage inappropriate behaviour before it continues or escalates. A recent review of the system was undertaken to ensure it remains relevant and aligned to recognised best practice.

### Supporting our supervisors to lead

- ▶ An online resource was introduced to give managers easy access to resources to help them effectively manage people. It is available on mobile devices and desktops. The conflict of interest topic provides advice to supervisors about their responsibilities to help individuals manage their conflicts, and the need to have a management plan.
- ▶ Police's core competencies cover behaviours, technical and leadership areas. *Our Values* are a key component of behaviours. Job applicants and employees (for annual performance reviews) must demonstrate how they have upheld *Our Values*. Annual performance reviews are structured around the PHPF and include performance, behaviours and leadership. There is an increased emphasis on employee wellbeing.
- ▶ The performance management process is supported by regular team culture assessments, and tools and templates are provided to assist the process. Behaviours and mindset are emphasised alongside performance and leadership. Along with the focus on *Our Values*, employees are encouraged to be clear, committed, confident, courageous, curious and calm.

<sup>37</sup> <https://www.police.govt.nz/about-us/publication/managing-conflicts-interest-police-manual-chapter>



# A DIVERSE, INCLUSIVE AND HEALTHY ORGANISATION

The intent of this theme was to see an increase, over time, in both the number of women and people from ethnic minority groups employed by Police. An annual organisational health audit was also recommended, which would assess whether Police provided a safe environment for female and minority group staff.

After 10 years, the OAG commented: “The Police are becoming more diverse because of their recruitment efforts and support of leadership development for women. The Police have set ambitious targets for future recruitment. However, it will be some time until the Police’s workforce is representative of the communities it serves.”<sup>38</sup>

During recent years, Police has used the opportunity of Budget funding for 1800 new police officers to continue to proactively work toward increasing the proportion of women in Police, along with Māori, Pacific and ethnic police officers. It is intended the Police workforce will reflect the gender balance and ethnic diversity of the community as a whole.

A programme is advancing to ensure opportunities for development are open to all Police employees, and to identify those who may become future leaders. Employees are encouraged to ‘bring their whole selves to work’ and work is underway to ensure Police value diversity among its own ranks and within the communities it serves. The organisation continues to support and encourage a wide range of employee-led diversity networks.



<sup>38</sup> Response of the New Zealand Police to the Commission of Inquiry into Police Conduct: Final monitoring report, page 14.  
<https://oag.parliament.nz/2017/police/docs/police.pdf>



## PROGRESS HIGHLIGHTS

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*“Let me be clear on one thing. The Police have done more than any other criminal justice agency in recent years to improve their relationship with Māori, Pasifika and ethnic communities. In comparison to police jurisdictions in both the United States and the United Kingdom we are way ahead.”<sup>39</sup>*

– Tā Kim Workman

### Monitoring/policy

- ▶ The Understanding Policing Delivery Programme (UPD) is being undertaken to identify whether, where, and to what extent any bias may exist in Police’s operating environment. This information will help enhance the delivery of fair and equitable policing for all communities.
- ▶ A workplace culture survey continues to run each year. The 2022 survey showed 52 percent of respondents agreed or strongly agreed they were comfortable with the workplace culture at Police, while 23 percent were neutral. A total of 50 percent agreed or strongly agreed Police has no tolerance for discrimination, while 25 percent were neutral.<sup>40</sup>
- ▶ In response to the culture survey, there are a number of workstreams in place to improve workplace leadership, behaviour and culture. A leadership development framework is being designed to ensure a nationally consistent approach.
- ▶ A Succession Management Programme is in place to be clear about what good leadership looks like and to support staff to achieve this. The programme is led by the newly established Executive Career Board, a development board for senior leadership and critical roles. An expression of interest pool allows staff to nominate themselves or others to fill senior roles as they become vacant. The criteria for leadership roles have changed from primarily focusing on technical skills, to giving significant weight to mindset and behaviour. Police is also reviewing the operation of Development Boards nationally to support the growth and development of its people at all levels.
- ▶ Senior leadership recruitment processes are now outsourced to external recruiters to reduce the potential for (conscious or unconscious) bias.
- ▶ Flexible Employment Options have been enhanced to give staff greater flexibility to work hours or locations that better suit their family or other personal circumstances.

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<sup>39</sup> <https://www.stuff.co.nz/opinion/300722944/biased-policing-is-still-an-issue-in-aotearoa-but-we-can-break-the-mould>

<sup>40</sup> <https://www.police.govt.nz/sites/default/files/publications/culture-survey-results-report-2022.pdf>

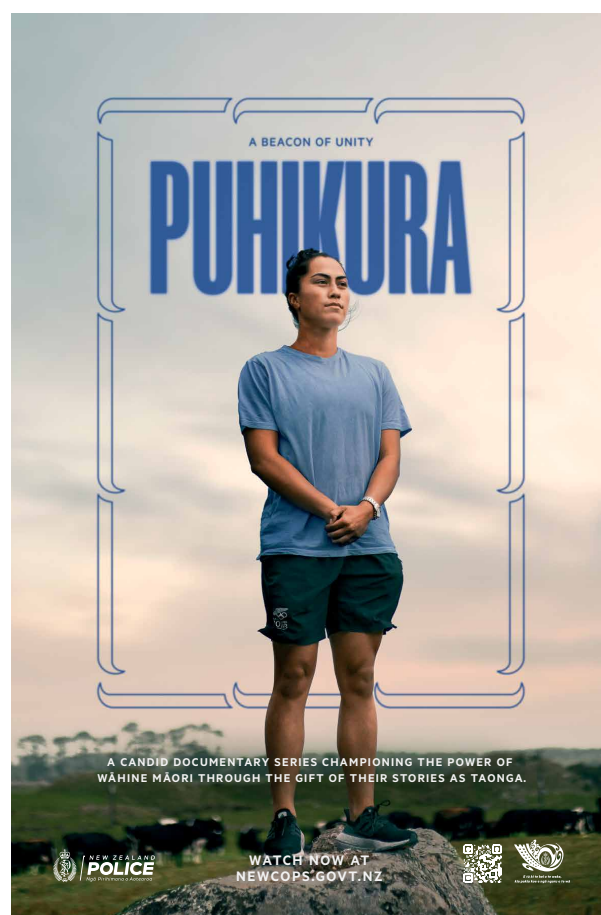
## *Women in policing*

- ▶ Today, women make up 26 percent of police officers nationwide, up from 20 percent in 2017. The number of women in Police has increased by almost 150 percent in the past 15 years, while total constabulary numbers have risen by 40 percent. More than half the constabulary women working for Police have graduated since 2017.
- ▶ Women currently make up 29 percent of Constables, 15 percent of Sergeants, 15 percent of Senior Sergeants, 19 percent of Inspectors, 16 percent of Superintendents, 30 percent of Assistant Commissioners, and 25 percent of Deputy Commissioners. Four of 12 District Commander roles are held by women and significant numbers of women hold Area Commander roles. Of the total number of other Police employees, 66 percent are women.
- ▶ The Women's Advisory Network Governance Group (WANGG), established in 2014, works to achieve equity and equality for all women in Police. District and Service Centre Women's Advisory Networks promote development, provide a community of support, deliver initiatives and hold development days. In 2018, the WANGG was provided an annual budget to fund development initiatives for women.
- ▶ Five districts now have full-time dedicated senior advisor roles established to support women's development and/or diversity in general.
- ▶ For three years, New Zealand has been represented on the Australasian Council of Women and Policing Awards (ACWAP) committee. Aotearoa has had several finalists and winners in the annual ACWAP awards. In 2022, New Zealand Police won its first global women's accolade when Assistant Commissioner Sandra Venables was presented with the International Association of Women in Policing (IAWP) Award for Mentoring and Coaching. In 2023, the IAWP conference will be hosted for the first time in Aotearoa.



## Diversity in policing

- ▶ In 2017, 12 percent of constabulary employees were Māori, five percent were Pacific people, and three percent were Asian. This has increased to 14 percent Māori, eight percent Pacific people, and six percent Asian. There are 30–35 Ethnic Liaison Officers across the 12 Police Districts.
- ▶ In June 2022, Police launched Puhikura – a recruitment initiative to encourage more wāhine Māori to join the organisation.<sup>41</sup> The campaign acknowledges the difficulties wāhine Māori face in the recruitment process, as well as issues relating to Police’s current and historical relationship with Māori. This was followed by 15 community events and resulted in an uplift in interest in joining Police.
- ▶ In 2022, Police’s Pathway Programme won the Diversity Works Emerging Diversity and Inclusion Award. The programme operates for Year 13 high-school students and encourages a broader and more diverse group of applicants.
- ▶ Police has committed to the Whāinga Amorangi Māori Crown Relations Capability Framework to increase cultural competency. The Bicultural Competence project aims to write the narrative of a bicultural New Zealand Police, weaving this into everything the organisation does. An app, *Eke Tangaroa*, was launched to provide quick and easy access to language and cultural support.
- ▶ Three cultural/ethnic-related strategies are currently under review by the Police Iwi and Communities Group. These are *Te Huringa o te Tai*, *Working Together with Ethnic Communities*, and *O Le Taea Fou*. To develop, implement and update these strategies, Police engages formally and informally with community and ethnic advisory forums.
- ▶ Unconscious bias training has been rolled out across the organisation and recruits attend cultural competency training. A hate crime module is delivered to recruits and includes assessments. New modules are under development.
- ▶ The Diversity Liaison Officer (DLO) network, which supports and advises staff on Rainbow matters, continues to grow and develop. Promoting diversity and inclusion, the network of 125 DLOs provides a conduit between Rainbow communities and staff. A DLO conference in 2022 attracted 85 DLOs and Rainbow Allies from every Police district.
- ▶ Diversity panels were piloted in 2021 giving Māori, Pacific and ethnic staff, women, Rainbow staff, and staff with a range of religious beliefs an opportunity to talk about their lived experiences to colleagues. An external evaluation of the panels concluded in October 2022.



<sup>41</sup> <https://www.newcops.govt.nz/puhikura>



- ▶ A Rainbow 101 training module was introduced for all staff in early 2023. The module covers inclusive language and terminology, workplace culture, statement taking and recording of names and gender that may differ from what's on record, using real scenarios. Rainbow 101 training has been provided at the Royal New Zealand Police College to educate recruits on issues impacting Rainbow communities.
- ▶ A disability coordinator supports and assists staff to strengthen partnerships between Police and disabled communities. A new senior advisor role has been created to liaise with the deaf and disabled community. In 2021, Police conducted a Disability Stocktake. Police signed the Ministry of Social Development Accessibility Charter in 2018, committing to accessible information.
- ▶ Police has partnered with Autism New Zealand to recruit a small number of autistic staff as part of a neurodivergence programme pilot.
- ▶ A Religion and Diversity app is being developed, detailing protocols for specific scenarios, allowing staff to quickly check those protocols when responding to an incident.
- ▶ Since 2007, official Police uniform has included a Turban for Sikh officers. In 2020, a Muslim officer helped design and trial the uniform hijab, which is now included in official Police uniform for Muslim female officers.
- ▶ Police has trialled training in staff's primary language where English is their second language.

## Employee-led networks

- ▶ A number of Employee Led Networks (ELNs) represent a range of communities within Police. For example, a Wellington Rainbow ELN, now called *Pirihimana Pride*, formed in 2021, and an Ethnic ELN in 2022. Following this, a group of transgender, gender diverse, and non-binary Police employees established a national ELN: *Next Generation*, which has a focus on creating a safe and inclusive environment for Police's gender diverse people.
- ▶ ELNs are self-determining and can access practical support where needed. Work is underway to ensure ELNs are enabled to be sustainable and thrive into the future. This includes recognising the valuable contribution ELNs make to organisational culture, and to align with the Papa Pounamu Public Service work programme<sup>42</sup> for diversity and inclusion.
- ▶ *Mana Wāhine*, an ELN for Māori, Pacific, and ethnic women, established in 2018, has hosted three national conferences for women in Police featuring a diverse range of speakers, and provides active support to its members.
- ▶ There is also a *Mums in Blue* support network hosted on an external social media platform with more than 990 Police women members. A *Mums in Blue* committee has been established to support this network and tackle issues impacting women, sponsored by a Deputy Commissioner and chaired by an Assistant Commissioner.
- ▶ A Menopause Support Network has recently formed.



<sup>42</sup> <https://www.publicservice.govt.nz/guidance/papa-pounamu/>



## POLICY, PRACTICE AND PROCESS

This theme primarily directed Police to improve the clarity, consistency, access to and ease of use of policies, standards and procedures to manage and guide Police activities, and to strengthen training so staff understand those policies. Monitoring of staff use of Police systems was also encouraged.

Police was also directed to improve its policy analysis capability, drawing on research and experience. It was also recommended that the (former) State Services Commission be used to provide external advice, governance and assurance.

After 10 years, the OAG did not comment on Police's policy environment. Many of the improvements in this area were well-progressed or completed in the first half of the 10-year monitoring period.

The Police Manual is now maintained as an online reference manual accessible by employees from desktop computers and mobile devices. It is continuously updated, and policies are regularly reviewed.

The Royal New Zealand Police College offers training, professional and leadership development to Police staff throughout their careers. The College also provides support and governance for groups throughout Police to align training curricula to the current policy and practice they own and maintain.

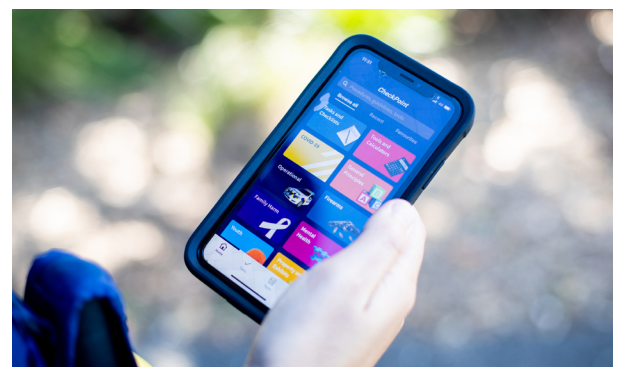
Communities of practice have developed in several areas, which allows for an exchange of ideas. These are facilitated by modern online meeting platforms. Police stays connected to emerging trends through its evidence-based policing capabilities.

## PROGRESS HIGHLIGHTS

### *Policy consistency and accessibility*

Policy information is increasingly at officers' fingertips. The Checkpoint app went live on Police mobile phones in March 2019. The app contains "bite size" content to provide guidance and checklists to frontline staff attending events or incidents. It is designed to complement policies and training. The app is regularly updated to ensure content is current and accurate. There are options for users to provide feedback about the app or its content.

Police has reduced the number of policies (from 780 in 2017 to approximately 600 in 2022). Police prioritises when policies need to be reviewed as part of a regular review cycle. Newly published or updated policies are highlighted on the Police Intranet. In 2022, Police began a review to ensure its internal policy environment is consistent with public service and international good practice.



More than 130 Police Manual chapters have been published on the Police website.<sup>43</sup> Further chapters are progressively being released.

<sup>43</sup> Police Manual chapters can be found at: <https://www.police.govt.nz/about-us/publications/corporate/police-manual-chapters>



## Use of Police systems

- ▶ Policy and procedure, including the information security policy, are in place to govern unauthorised and inappropriate use or a lack of security in relation to information, resources, and technology. The internet is only to be used in line with the Code of Conduct, *Acceptable use of information and ICT* and *Social Media* Police Manual chapters. There are requirements and processes in place to report and manage information security incidents and privacy breaches.
- ▶ Security awareness training for all employees is refreshed every two years. Regular security awareness campaigns have been run through the Intranet, and Police is maintaining security training completion levels at around 90 percent. An updated Security and Privacy Incident Register allows visibility of themes so awareness campaigns can be targeted to protect and secure Police assets, including information.

## Training

- ▶ A Training Approvals and Quality Board oversees training. The role of the Board is to ensure all training delivered in Police is necessary, relevant, well-designed, responds appropriately to external recommendations where appropriate and aligns with organisational priorities. The Board carries out assurance reviews on existing training and training quality is regularly reviewed and evaluated.
- ▶ Workgroups identify training needs based on changing or new legislation or policy, with training development increasingly centralised at the Royal New Zealand Police College.
- ▶ The *Police Deployability* Police Manual chapter sets out the requirements for employees to be deployed. There are certification requirements for specific roles, such as completing a Physical Competency Test, e-learning and other training. Expiry dates for certifications are closely tracked and managed. Attendance at required training is monitored and reported on.
- ▶ There is a process to collect and share operational lessons learnt. The process includes promoting good practice and advocating for system changes and process to reduce risks.
- ▶ During and following the COVID-19 pandemic, Police adapted to make more use of online and video-based training.
- ▶ Annual conferences help communicate technical updates to staff and gather feedback on future developments. For example, the 2022 Adult Sexual Assault conference included a presentation on changes to the Sexual Violence Legislation Act 2021.<sup>44</sup> Police is building and sustaining online communities of practice to share knowledge, address issues, and improve performance.
- ▶ Police is improving and professionalising its understanding of crime types with evidence-based policing research.

<sup>44</sup> For a summary of the key changes see the Beehive media release at: <https://nzfvc.org.nz/news/changes-legislation-sexual-violence-legislation-act-2021>

# ***Fifteen years of change 2007–2022***

*Progressing the themes from the Commission of Inquiry into Police Conduct*

**MARCH 2023**



NEW ZEALAND  
**POLICE**  
Ngā Pirihimana o Aotearoa

