

**Recommendations from the Commission of Inquiry into Police Conduct
Current Status and Progress for the Quarter ended 30 September 2009**

	Recommendations	Status	Progress	Estimated time to completion
	Police policies and procedures			
R1	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	Partially complete	<ul style="list-style-type: none"> ➤ Police continues to review and consolidate all Police Corporate Instruments (administrative and operational policies and instructions). ➤ Corporate Instruments, together with Professional Standards and Crime Services continue to prioritise, review and consolidate those instruments relating to investigating complaints of misconduct against police officers, as well as those relating to the investigation of sexual assault allegations. ➤ Police has developed and implemented a national framework consisting of policy principles, standards and templates that ensure all instructions are nationally consistent while allowing regional flexibility in implementing policies. ➤ This work is being completed in conjunction with recommendations 2; 3; 10; 11; 16; 33; 39; 40; 52; 54. 	<p>Review and update of relevant Corporate Instruments are estimated to be completed by December, 2009.</p> <p>New mechanism for publishing the Corporate Instruments online library went live August 2008.</p> <p>Policies, instructions and directives, relating to this recommendation, have been consolidated and converted to the new online library - completed June 2008.</p>
R2	New Zealand Police should ensure that general instructions are automatically updated when a change is made to an existing policy.	Complete	<ul style="list-style-type: none"> ➤ A new set of standardised instrument templates and instructions have been developed and implemented online. ➤ Formal development, consultation and approval processes have been implemented to ensure that general instructions are updated when a change is made to an existing policy. ➤ This process will be applied to the Corporate Instruments Document Management site as part of the Corporate Instruments Initiative noted in recommendation 1. 	Completed 2006.
R3	New Zealand Police should develop a set of policy principles regarding what instructions need to be nationally consistent and where regional flexibility should be allowed.	Complete	<ul style="list-style-type: none"> ➤ A set of policy principles for ensuring consistency in national instructions has been developed and implemented. ➤ The process for regional flexibility has also been completed through the development and implementation of Memorandum of Understanding templates and instructions. ➤ These principles and guidelines have been applied to the Corporate Instruments online library as part of the Corporate Instruments Initiative noted in recommendation 1. ➤ The new policy around local instructions is being generalised to encompass the Policing Act 2008. 	National phase completed April 2007. Regional Phase completed August 2008.
R4	An enhanced policy capability should be developed within the Office of the Commissioner to provide policy analysis on sound data, drawing upon the experience of front-line staff and upon research from New Zealand and beyond.	Complete	<ul style="list-style-type: none"> ➤ All the necessary appointments have been made. The Policy Group was established in June 2007 and a work plan drawn up. ➤ As part of the policy process, relevant research and front-line staff will be involved to varying degrees in the development of operational policy. 	Completed June 2007.

	Recommendations	Status	Progress	Estimated time to completion
	Police Policies and procedures for complaints			
R5	New Zealand Police should develop an explicit policy to notify the Commissioner of Police when there is a serious complaint made against a Police officer. This policy and its associated procedures should specify who is to notify the police commissioner and within what time frames.	Complete	<ul style="list-style-type: none"> ➤ An explicit policy was developed and published in June 2007 that specifies: <ul style="list-style-type: none"> ○ that the Commissioner of Police must be notified of any serious complaint made against a Police officer or any Police staff member; and ○ who is to notify the Police Commissioner and within what time frames. ➤ The programme of work combined recommendations 5, 8, 14, 16, 20, 47, 48, 52, 53, 54 and 56 with regards to determining a technical solution to best meet the business requirements identified. ➤ The technical solution to support the complaints process (IAPro), was implemented on 6 July 2009 and includes specific functionality to ensure current information relating to serious complaints is available to the Commissioner of Police. 	Completed June 2007. Ongoing improvement to provide a robust and more effective system - completed July 2009.
R6	New Zealand Police should ensure that members of the public are able to access with relative ease information on the complaints process and on their rights if they do make a complaint against a member of the police.	Underway	<ul style="list-style-type: none"> ➤ A national Service Charter which documents the process for making a complaint as well as specifies the right of complainants continues to be developed as part of the Service First Project. Once complete this charter will be made readily available via police station public counters, websites and the like. 	This recommendation is being delivered as part of the Service First Project. The schedule for delivery of the Service First Project, including recommendation 6, will be available by the end of 2009.
	Police policies and procedures for complainants			
R7	New Zealand Police should undertake periodic surveys to determine public awareness of the processes for making a complaint against a member of the police or a police associate.	Complete	<ul style="list-style-type: none"> ➤ The process for conducting regular surveys has been implemented as part of the Service First project. Recommendation 7 is reflected in one question in the Citizens' Satisfaction survey that asks about people's knowledge of how to make a complaint. This question, along with others is reported as part of the Service First Project. ➤ The baseline Citizens' Satisfaction survey was completed in June 2008 by Gravitas Research and Strategy Ltd and the results were made available to Police Executive Committee (PEC) and communicated to districts between October and December 2008. The overall survey results were released to the public in December 2008. ➤ The 2008/09 survey was undertaken as part of the Service First Project and is being managed by the Organisational Performance Group from July 2009. 	Completed May 2009.

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R8	New Zealand Police should develop its database recording the number of complaints against police officers to allow identification of the exact number of complaints and the exact number of complainants for any one officer.	Complete	<ul style="list-style-type: none"> ➤ The programme of work combined recommendations 5, 8, 14, 16, 20, 47, 48, 52, 53, 54 and 56 with regards to determining a technical solution to best meet business requirements. ➤ The technical solution (IAPro), selected to meet the identified business requirements, was implemented 6 July 2009. 	Completed June 2009
	Adult Sexual Assault Investigation Policy			
R9	New Zealand Police should review the implementation of the Adult Sexual Assault Investigation (ASAI) Policy to ensure that the training and resources necessary for its effective implementation are available and seek dedicated funding from the Government and Parliament if necessary.	Complete	<ul style="list-style-type: none"> ➤ The revised Adult Sexual Assault Policy is now part of the Police Manual. The Adult Sexual Assault / Child Abuse Team will continue to audit the compliance rate as part of business as usual. ➤ Training delivery and long-term training through the Investigative Professional Development Programme is also ongoing as part of business as usual 	Completed June 2009
R10	New Zealand Police should incorporate the Adult Sexual Assault Investigation Policy in the "Sexual Offences" section of the New Zealand Police Manual of Best Practice for consistency and ease of reference.	Complete	<ul style="list-style-type: none"> ➤ ASAI Guidelines have been finalised following substantial consultation both internally and externally. ➤ ASAI Guidelines have been communicated via the Police intranet on 1 July 2009. ➤ ASAI Guidelines are referenced within the "Sexual Offences" section of the Police Manual. 	Completed June 2009
R11	New Zealand Police should strengthen its communication and training practices by developing a system for confirming officers have read and understood policies and instructions that affect how they carry out their duties and any changes thereto.	Complete	<ul style="list-style-type: none"> ➤ Business requirements defined for providing an online facility for Police, which will: <ul style="list-style-type: none"> ○ Track the delivery of online publications ○ Track the opening of the documents by staff ○ Provide a facility for testing understanding by requiring each staff member to answer a series of questions online, from the content of the policy or instruction ➤ ILearn application (Moodle) has been successfully implemented to meet the above business requirements. 	Completed August 2009
	Communication of policies and training			
R12	New Zealand Police should strengthen its communication and training practices to ensure the technical competencies of officers are updated in line with the new policies and instructions.	Complete	<ul style="list-style-type: none"> ➤ National Training Requirements process has been established that collects national training requirements on an annual basis. This ensures technical competencies of officers are kept up to date as policies, instructions, legislation and practices change. ➤ The process enables training to be based on priority for the coming financial year. The process is now embedded in Training Service Centre business as usual. ➤ New National Ethics training package titled "Contemporary Policing in NZ - Discretion Ethics and Professionalism" was successfully piloted in October 2008. Training at a national level commenced early 2009. ➤ The proposal to mandate Ethics training as cyclic training was subsequently approved by PEC April 2009. 	Completed August 2009

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R13	Bearing in mind the mobility of the workforce, New Zealand Police should conduct a review of what training should be mandatory at a national level and what should be left to the discretion of the districts.	Complete	<ul style="list-style-type: none"> ➤ Nationally mandated training is determined annually, reviewed and prioritised against set criteria by the Training Governance Committee, and approved by PEC. ➤ The process for determining mandated and discretionary district training has been confirmed by PEC. This process allows for approximately 50% of training hours to be mandated nationally and the remaining 50% left to the discretion of the districts. ➤ The process for mandated training is now established and this recommendation has moved into business as usual. 	Completed June 2009
	Consistency and transparency in complaint processes			
R14	New Zealand Police should ensure that the practice of providing investigating officers with a reminder of the standards for complaint investigation is applied consistently throughout the country	Underway	<ul style="list-style-type: none"> ➤ Instructions on the standards required for complaint investigations form part of a generic template that is forwarded to investigators following receipt of a complaint against police. ➤ A specific 'investigation standards' policy has been created which encompasses the relevant general instructions. The policy is currently going through a second round of consultation. ➤ Ongoing dialogue continues with the investigations and review team at the IPCA in order to streamline systems and processes. ➤ The technical solution (IAPro) for recording and managing complaints against Police was implemented 6 July 2009. 	<p>Technical solution for recording and managing complaints against police implemented July 2009.</p> <p>This recommendation is estimated to be completed in the second half of 2009.</p>
R15	<p>New Zealand Police should improve the process of communicating with complainants about the investigation of their complaint, particularly if there is a decision not to prosecute. Complainants and their support people should be given</p> <ol style="list-style-type: none"> realistic expectations at the start of an investigation about when key milestones are likely to be met the opportunity to comment on the choice of investigator regular updates on progress, and advance notice if the investigation is likely to be delayed for any reason assistance in understanding the reasons for any decision not to prosecute 	Partially complete	<ul style="list-style-type: none"> ➤ Police form POL1060, Police Record of Victim Contact, was identified as a key tool to enhance communication. The promotion and use of this form continues to be monitored and assessed. ➤ The processes for communicating with complainants has been reviewed and reinforced in the ASAI Policy which was incorporated in the Police Manual and published in July 2009 (recommendations 9 and 10). ➤ The Adult Sexual Assault Core Reference Group (ASA-CRG) continues to ensure the communication aspect is firmly entrenched. ➤ Victims' Rights Act 2002 training is currently under review. 	This recommendation is estimated to be completed in the second half of 2009 with the revision of POL1060 and the review of the Victims' Rights Act 2002 training.

	Recommendations	Status	Progress	Estimated time to completion
	Independence of investigations			
R16	<p>New Zealand Police should develop a consistent practice of identifying any independence issues at the outset of an investigation of a complaint involving a police officer or a police associate, to ensure there is a high degree of transparency and consistency. The practice should be supported by an explicit policy on the need for independence in such an investigation. In respect of the handling of conflicts of interest, the policy should, among other things,</p> <ul style="list-style-type: none"> ➤ identify types and degrees of association ➤ define a conflict of interest ➤ provide guidelines and procedures to assist police officers identify and adequately manage conflicts of interest (including in cases where cost or the need to prompt investigation counts against the appointment of an investigator from another section or district) ➤ ensure that the risk of a conflict of interest involving investigation staff is considered at the outset of any investigation involving a police officer or police associate. 	Complete	<ul style="list-style-type: none"> ➤ The “Independence of Investigations (Safe Processes)” policy was implemented in July 2009. ➤ An interim 'conflict of interest' policy had previously been implemented in November 2008 and has subsequently been superseded. ➤ The technical solution (IAPro) for recording and managing complaints against police was implemented 6 July 2009. 	Completed August 2009.
R17	New Zealand Police should expand the content of its ethics training programme to include identifying and managing conflicts of interest, particularly in respect of complaints involving police officers or police associates.	Partially complete	<ul style="list-style-type: none"> ➤ Training packages are currently being reviewed following the release of the “Independence of Investigations (Safe Processes)” policy to identify updates required. ➤ The policy principles were previously included in the National Ethics Training programme from draft and interim 'conflicts of interest' policies. This included complaints against, or observed offending by, members of Police. ➤ The supervisors' ethics training package was revised to include material on identifying and managing members who may be subject to such conflicts of interest. ➤ A new national ethics training package entitled "Contemporary Policing in NZ - Discretion Ethics and Professionalism" was piloted in October 2008 and training at a national level commenced early 2009. ➤ Ethics training was mandated as cyclic training in April 2009. 	Training packages to fully reflect conflicts of interest by the end of 2009.

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	Support for sexual assault investigations			
R18	New Zealand Police should ensure that training for the Adult Sexual Assault Investigation Policy is fully implemented across the country, so that the skills of officers involved in sexual assault investigations continue to increase and complainants receive a consistent level of service.	Underway	<ul style="list-style-type: none"> ➤ This recommendation is to remain open until mid 2010 to ensure training is on track for complete coverage of target audience prior to handing over to business as usual (Training Services Centre) to manage remaining training. ➤ Roll-out of District and RNZPC ASAI Training courses continues with 292 investigators trained in the 2007/08 financial year and 183 investigators in the 2008/09 financial year. Training will continue for 2-3yrs to enable complete coverage of the targeted audience. ➤ Training has been focused on two fronts, these being: <ol style="list-style-type: none"> 1. ASA Investigators Course - training for Investigators (1 week course at RNZPC or within district). 2. ASA Initial Complaint Action - training for those receiving the initial complaint/contact in ASA matters. Aimed at watchhouse, reception, Comms and frontline staff (3 hrs, facilitated by CIB trainers or local CIB who are ASA trained). ➤ Consultation continues between Training Service Centre and National Coordinator: ASA around oversight and coordination of RNZPC and district adult sexual assault investigation courses.. 	Estimated to be completed mid 2010.
R19	New Zealand Police should initiate cooperative action with the relevant Government agencies to seek more consistent Government funding for the support groups involved in assisting the investigation of sexual assault complaints by assisting and supporting complainants.	Recommended for closure	<ul style="list-style-type: none"> ➤ Funding has been made available to Doctors for Sexual Abuse Care (DSAC) as part of 08/09 and 09/10 financial years, in response to Sexual Abuse Assessment and Treatment Service (SAATS), a nationwide endeavour to bring consistency and sustainability to medical and medical forensic response to sexual violence. ➤ For the 10/11 financial year there is a service delivery agreement between DSAC and Police to provide funding. ➤ SAATS continues to roll-out as a multi-agency model which is now under business as usual for Police. Outstanding issues with DHB agreement to the process continues to be managed by ACC and Police. ➤ National Coordinator ASA / CAT will continue to monitor the issues surrounding NGO funding, but NZ Police has no additional funding capability to support this area. ➤ The Taskforce for Action on Sexual Violence has been established and covers funding for Rape Prevention Education (RPE) and supporting agencies. Ministry of Social Development are leading this with Police support. The Taskforce final report is expected in the coming quarter and Police will continue to support this through business as usual. 	Closure of this recommendation has been proposed as ongoing activities are now covered under business as usual.

	Recommendations	Status	Progress	Estimated time to completion
	Management assurance			
R20	<p>In relation to investigations of sexual assault complaints against police officers or police associates, New Zealand Police should have in place systems that</p> <ul style="list-style-type: none"> ➤ 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 	Partially complete	<ul style="list-style-type: none"> ➤ Police systems provide that on receipt of a complaint the National Manager Professional Standards is to be advised. ➤ The criminal investigation process provides for an independent investigator to be identified, tasked and terms of reference for the investigation to be agreed. ➤ Investigations are monitored and the outcomes independently reviewed. ➤ Employment investigation processes relevant to the matter are implemented in tandem. ➤ Improved standards and procedures for the investigation process have been developed to ensure that Police procedures eliminate any potential or perceived conflicts of interest arising during the investigation process. Consultation is currently being undertaken on these procedures with the business and service organisations. ➤ Consultation continues and once the process has been concluded the identified improvements to the investigation standards and procedures will be implemented. 	Estimated to be completed second half of 2009.
	Handling of complaints by the Police Complaints Authority			
R21	The [Independent Police Conduct Authority] should improve its accessibility to people who may wish to make a complaint, for instance, by publicising its newly established website and by wider distribution of its information pamphlet.	Complete	<p>The Authority's website has been completely overhauled resulting in a more user-friendly and informative experience for visitors. Complaints and inquiries can be submitted on line, and reports and other publications produced by the Authority are easily accessible.</p> <p>In addition, the Complaints Management Team (CMT) (previously called the Service Centre) is now fully operational. The CMT receives complaints, classifies them, allocates them to the most appropriate response, monitors and tracks them, and collates and provides all the necessary statistical data. It also maintains regular contact with complainants. The CMT provides a triage filter so that the Investigation and Review sections may operate more efficiently and effectively.</p>	
R22	The [Independent Police Conduct Authority] should, in conjunction with Police, the Ministry of Justice, and other relevant agencies, develop a communications strategy to increase awareness of the [Independent Police Conduct Authority] and its work.	Complete	<p>All key components of the strategy, including consultation with external stakeholders, revamping of website, and completing and distributing new information pamphlets, are now in place. The Authority and the Police have agreed on new, streamlined communications processes.</p> <p>The Authority's new website was short listed (one of 10) in the best plain English website category in the September 2009 WriteMark New Zealand Plain English Awards.</p>	

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R23	The [Independent Police Conduct Authority] should actively facilitate the reception of complaints by accepting oral statements on the basis that the complainant will confirm the [Independent Police Conduct Authority's] written record of the complaint.	Complete	The Authority receives and actions oral complaints in the same way it processes written complaints.	
R24	The [Independent Police Conduct Authority] should ensure it has more regular communication with those people whose complaints are under consideration.	Complete	More focused effort is being made in regard to more regular contact with complainants. This is resulting in reduced complainant anxiety and frustration levels. Investigators maintain close contact with complainants during the course of investigations. For complaints dealt with in other ways (e.g., where the Authority is overseeing a Police investigation) the CMT maintains regular contact with complainants to ensure they are kept up to date with progress.	
R25	The [Independent Police Conduct Authority] should seek feedback from complainants by way of random sampling on their experience of the complaints process.	Under review	The Authority has had the opportunity to assess the success of the Northern Ireland model which involved a full public survey. While the COI provided the opportunity for public submissions, the Authority sees merit in undertaking a survey of New Zealand complainants. However, the financial and operational implications require detailed consideration. The Authority is currently exploring options for implementing a survey of complainants.	The Authority will consider the financial and operational implications arising from surveying complainants with a view to implementation at the end of the 2009–10 financial year. This timeframe means that the survey will be able to take into account a minimum 12 to 18 full months' operation of the Authority's new complaints handling processes, and communications improvements.
R26	The [Independent Police Conduct Authority] should develop strategies for addressing its current backlog of complaints, including seeking additional resources as appropriate.	Complete	The strategies have been implemented, and have proved highly effective. The backlog of 1611 complaint files on hand at year-end 2006-07 had, with the assistance of extra, temporary staff, been reduced to 211 files by year-end 2007-08. A Transition Team was formed in July 2008 with the express task of eliminating the backlog by June 2010. However, quicker than expected progress has seen the backlog reduced to 30 files by year-end 2008-09. The Transition Team has now been replaced by the Reviewing Team which is responsible for efficient management of all incoming complaint files, as well as work on the remaining backlog of 30 files.	
R27	The [Independent Police Conduct Authority] should be encouraged to exercise its discretion in favour of accepting historic sexual assault complaints. If there is any doubt about this matter, a further legislative amendment should be included in the Independent Police Complaints Authority Amendment Bill.	Complete	The Authority accepts historical sexual assault complaints.	The Independent Police Conduct Amendment Act came into force on 29 November 2007. Work on establishing formal policies with Police is ongoing.

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	The Police Complaints Authority and legislative requirements			
R28	The requirement for the police to notify the [Independent Police Conduct Authority] of any complaints received by them “as soon as practicable” (section 15 of the Police Complaints Authority Act 1988) should be amended by adding the words “and in any case no later than 5 working days after receipt of the complaint”, and compliance with this requirement should be monitored by the Professional Standards section of the Office of the Commissioner.	Completed	An amendment was included in the Independent Police Conduct Authority Amendment Act 2007.	The Independent Police Conduct Authority Amendment Act came into force on 29 November 2007.
R29	The discretion in section 29(2)(a) of the Police Complaints Authority Act should be removed so that the [Independent Police Conduct Authority] is required to notify the Attorney-General and Minister of Police if, within a reasonable time the Authority makes a recommendation to the police under section 27(2) or 28(2), the police fail to take action that seems to the [Independent Police Conduct Authority] to be adequate and appropriate.	Complete	An amendment was included in the Independent Police Conduct Authority Amendment Act 2007.	The Independent Police Conduct Authority Amendment Act came into force on 29 November 2007.
R30	The Ministry of Justice should review the secrecy provisions in the Police Complaints Authority Act, and make such recommendation as may be appropriate for those provision to be repealed or amended (through the Independent Police Complaints Authority Amendment Bill) to ensure that the Act <ul style="list-style-type: none"> ➤ encourages the [Independent Police Conduct Authority] to provide a reasonable level of communication with complainants on the progress of complainants; and ➤ does not inappropriately prevent the [Independent Police Conduct Authority] from investigating complaints that may results in criminal or disciplinary proceedings being taken against a member of the police. 	Underway	Cabinet has agreed to six proposals to enhance the role of the Authority, which will: <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. 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.	A Bill was expected to be ready to table in the House in March 2009. However, further discussions on the content of the draft Bill are required with the IPCA. Matters for resolution include the application of the Official Information Act 1982, and the recent proposal by the IPCA to move to Officer of Parliament status. With the agreement of the Minister of Justice, work on the draft Bill is paused until 2010 so that other high priority items of the work programme can be progressed.

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R31	On the enactment of the Independent Police Complaints Authority Amendment Bill, the Government should ensure that the majority of members of the [Independent Police Conduct Authority] are from outside the legal profession. If this is not possible with a three-person Authority (if the Authority and the deputy are both lawyers), the Government should give consideration to promoting further legislative change to enable a five-person Authority to be appointed.	Complete	Two Board members were approved by Parliament in October 2008 so that now the Board comprises two members (Allan Galbraith and Mel Smith, both non-legal professionals) and the Chair (Justice Goddard).	
	The Police Complaints Authority and legislative requirements			
R32	The Government should adopt a policy that those appointed as members of the [Independent Police Conduct Authority] reflect community diversity and strengthen the community's perception of the [Independent Police Conduct Authority's] independence.	Complete	The Crown Entities Act 2004 requires that consideration be given to the desirability of promoting diversity in the membership of Crown entities.	The Ministry of Justice will provide advice to the Ministers as appointments are considered.
	Police disciplinary system procedures			
R33	Those provisions of the Police Regulations 1992 that establish the disciplinary tribunal system be revoked as soon as possible to enable a more efficient system to come in force.	Complete	<ul style="list-style-type: none"> ➤ New Regulations were gazetted and took effect 1 February 2008. ➤ Government sign off of new regulations allowed the implementing of recommendations 34; 35; 37; 38; 39; 40; and 49 in addition to recommendation 33. 	<p>New Regulations came into effect on 1 February 2008 and therefore this recommendation is completed.</p> <p>The enactment of the Policing Act 2008 enabled the new progressive disciplinary system and the Code of Conduct to work fully.</p>
R34	New Zealand Police should implement a best practice State sector disciplinary system based on a Code of Conduct in keeping with principles of fairness and natural justice as part of the employment relationship.	Complete	<ul style="list-style-type: none"> ➤ The implementation of the new Regulations and the Code of Conduct, bring Police's employment and disciplinary processes more into line with the general employment framework operated by Government and private sector employers in New Zealand. ➤ The new Regulations that have been gazetted include the principles of the disciplinary processes. ➤ Procedure and guidance notes for supervisors have been developed and distributed. ➤ The Code of Conduct was distributed to all staff on 18 January 2008. ➤ Disciplinary policy that reflects the new processes have been incorporated in collective agreements. ➤ Collective agreements include the provision that the Code of Conduct applies to all police employees. ➤ The disciplinary system is now a business as usual activity and training continues as required. 	<p>Phase 1 complete - The new disciplinary process came into effect with the Regulations on 1 February 2008.</p> <p>Implementation completed.</p>

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R35	The new disciplinary process should allow independent investigation of alleged misconduct where necessary or appropriate (in accordance with section 5A and 12 of the Police Act 1958) but should not include the use of a formal disciplinary tribunal.	Complete	<ul style="list-style-type: none"> ➤ The disciplinary process allows clear separation of criminal matters from disciplinary matters. ➤ The process also allows for serious misconduct, whereby matters are referred to an independent disciplinary hearing that will undertake an inquisitorial role to inquire into the misconduct. ➤ New disciplinary process is operational including disciplinary hearings for serious misconduct rather than tribunals. 	Phase 1 complete - The new disciplinary process came into effect with the Regulations on 1 February 2008. Phase 2 - complete.
R36	New Zealand Police should ensure that the human resource and professional standards functions are fully integrated in all aspects of their operations and systems.	Underway	<ul style="list-style-type: none"> ➤ Human Resources and Professional Standards continue to consolidate and implement policies and changes, including the development of disciplinary processes under the revised Regulations. ➤ Human Resources and Professional Standards have co-located within Police National Headquarters. This co-location is assisting these groups to work more closely together and enables the integration of processes and systems. ➤ Existing processes and procedures have been reviewed and new processes developed to gain efficiencies and streamline processes. ➤ Integration of District Human Resources and Professional Standards functions continues. 	Estimated to be completed in 2010.
R37	The Commissioner of Police should invite the State Services Commission to review the police approach to performance management and discipline to ensure their systems and processes are adequate, standardised, and managed to a standard that is consistent with best practice in the public sector.	Ongoing	<ul style="list-style-type: none"> ➤ Consistent with the agreed review programme SSC has now completed two reviews of performance management and change management; one in 2007/08 and the other in 2008/09. ➤ SSC and Police are in the process of defining the programme of work for the next three to five years. 	Police are treating this as an ongoing initiative that will run until 2017.
	Code of conduct for police officers			
R38	A Code of Conduct for sworn police staff should be implemented as a matter of urgency. Subsequently, the existing Code of Conduct for non-sworn staff should be brought in line with the new code for sworn members.	Complete	<ul style="list-style-type: none"> ➤ A new Police Code of Conduct has been introduced for both sworn and non-sworn staff. ➤ The Code of Conduct sets clear standards and behaviours expected of all police employees, with breaches of these standards being dealt with under the new disciplinary system. ➤ Awareness sessions for employees will continue to be provided to all staff as part of business as usual. 	The Code of Conduct introduced in 2008 and the Policing Act 2008, together complete this recommendation.

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	Police Sexual Harassment Policy			
R39	New Zealand Police should amend its Sexual Harassment Policy to include a requirement that any mediated resolution of a complaint of sexual harassment be finalised in writing and signed by both parties.	Underway	<ul style="list-style-type: none"> ➤ The Sexual Harassment Policy has been revised to apply to all forms of harassment and allows for parties to attend mediation where the harassment is at a low level and it is within the powers of the wrong doer to remedy e.g. through an apology. ➤ Under the policy all mediation settlements will be signed by the parties and by the mediator so that they are full, final and binding. ➤ Extensive revisions were made after consultations both internally and with service organisations. ➤ Revisions have also ensured that the Code of Conduct is appropriately referenced. ➤ The policy has been consulted with the Police Association and final updates are being agreed prior to implementation. 	Estimated to be completed by the end of 2009.
	Police policy on inappropriate sexual conduct and relationships			
R40	<p>New Zealand Police should develop standards, policies, and guidelines on appropriate sexual conduct towards, and the forming of sexual relationships with, members of the public. These should be incorporated into all codes of conduct and relevant policy and training materials. The standards, policies, and guidelines should be developed with the assistance of an external expert in professional ethics and should</p> <ul style="list-style-type: none"> ➤ specify actions and types of behaviour of a sexual nature that are inappropriate or unprofessional ➤ prohibit members of police from entering any relationship of a sexual nature with a person over whom they are in a position of authority or where there is a power differential ➤ provide guidance to members and their supervisors about how to handle concerns about a possible or developing relationship that may be inappropriate ➤ emphasise the ethical dimensions of sexual conduct, including the need for police officers to avoid bringing the police into disrepute through their private activities. 	Complete	<ul style="list-style-type: none"> ➤ The Professional Distance Policy has been finalised and consulted both internally and externally with the Police Association. ➤ Policy published and communicated. 	Completed December 2008.

	Recommendations	Status	Progress	Estimated time to completion
	Police email and computer use policies			
R41	Directions given by New Zealand Police management on what constitutes inappropriate use of police email and the Internet should not allow for any individual interpretation of appropriateness by police officers.	Complete	<ul style="list-style-type: none"> ➤ A new policy that addresses this recommendation, was introduced in 2006 ➤ All users of Police computer systems are required to acknowledge the new policy on computer use, including email and internet usage, each time the user logs on. ➤ The logon screen reads as follows: <i>"Use of this computer system is subject to statutory requirements and Police policy - refer to General Instructions A400-406, C800-803 and S600-603.</i> <i>All usage of the system and information on it may be subject to review. There should be no expectation of privacy of information or communication.</i> <i>Proceeding with the logon, beyond this screen, is deemed to be an acknowledgement of the conditions of us.</i> <i>Misuse of the system or information on it may result in disciplinary action or prosecution.</i> <i>To accept and continue press Ctrl-Alt-Delete and enter your QID and password."</i> 	Completed 2006.
R42	New Zealand Police should introduce a requirement that all staff sign a document to confirm that they have read and understood the acceptable use policies for the Internet and email. These requirements should be fully explained to all recruits during their training.	Complete	<ul style="list-style-type: none"> ➤ Each time a user logs on to the Police system they are required to acknowledge the acceptable use policies for internet and email. ➤ Recruits are given a full copy of the policy, which they must read, and are led through the basic process of logging in and out of the Police IT systems. The application of the policy is discussed using examples and recruits are required to sign a letter stating they have read and understood the policy. 	Completed 2006.
R43	All police officers should be required to acknowledge that they have read and understood any changes to police computer use policies. These requirements should also be fully explained to all recruits during their training.	Complete	<ul style="list-style-type: none"> ➤ Each time a user logs on to the Police system they are required to acknowledge the acceptable use policies for internet and email. ➤ In relation to recruit training, recruits are given a full copy of the policy and are taken through examples in training. They then sign a letter stating that they have read and understood the policy. ➤ These requirements for communicating and tracking acknowledgement of changes have been defined with recommendation R11 and will be delivered as part of the "Corporate Instruments" initiative noted in recommendation R1. They will be deemed as critical instructions. 	Completed 2008.
R44	New Zealand Police managers should receive regular reports on the use of the Internet by their staff. This reporting requirement should be built into the early warning system that the police are developing (see recommendations R47, R48).	Complete	<ul style="list-style-type: none"> ➤ Regular reporting of Internet use was implemented prior to the COI report being released. ➤ A new gateway was implemented that has significantly improved the organisation's ability to monitor individual user's Internet use and identify potential issues requiring early intervention. 	Completed June 2008.

	Recommendations	Status	Progress	Estimated time to completion
	Ethics training and ethics committees			
R45	All New Zealand Police districts should implement a nationally consistent ethics training programme that all police officers are required to attend. Police officers should also be required to attend regular refresher courses on ethics.	Complete	<ul style="list-style-type: none"> ➤ A new national ethics training package titled "Contemporary Policing in NZ - Discretion Ethics and Professionalism" was piloted in October 2008 and training at a national level commenced early 2009. ➤ This package includes learning objectives around ethics, the Policing Act 2008 and the Code of Conduct. ➤ 9590 employees had attended the "Contemporary Policing" training to 21 July 2009. ➤ Ethics training was mandated as cyclic training in April 2009. 	Completed August 2009.
R46	New Zealand Police should ensure that the establishment of ethics committees is mandatory for all police districts. There should be a national set of guidelines to guide police districts on the purpose, operation, and membership of their ethics committees.	Partially complete	<ul style="list-style-type: none"> ➤ Ethics Committee Guidelines were implemented in March 2009 making Ethics Committees mandatory in all districts and in PNHQ and a national coordinator was appointed. ➤ Ethics Committees functioning in accordance with the new guidelines in Northland, Auckland, Counties Manukau, Waitemata, AMCOS, Waikato, Eastern, Central, RNZPC, PNHQ, Wellington, Tasman, Canterbury and Southern. ➤ Work on establishing ethic committees in the remaining districts continues. ➤ Systems for assisting ethics committees have been established. 	<p>Technical Phase (National guidelines) complete.</p> <p>District establishment of committees continues.</p>
	Early warning system and performance management			
R47	New Zealand Police should implement a nationally mandated early warning system in order to identify staff demonstrating behaviour that does not meet acceptable standards and ensure such behaviour does not continue or escalate.	Underway	<ul style="list-style-type: none"> ➤ A paper has been developed to capture current research into early intervention and to define the scope for future policy development. ➤ An Early Intervention Policy to be developed and implemented based on the agreed scope. ➤ The IAPro database was implemented to capture and manage complaints against Police in July 2009 and will be used to collect data as the basis for the Early Intervention solution. 	<p>Early Intervention Policy to be developed and implemented.</p> <p>IAPro implemented July 2009.</p>
R48	The early warning system should ensure that all relevant information, sufficient to give a complete picture of an officer's full record of service, is captured in a single database, and is accessible to police managers and supervisors when making appointments and monitoring performance, as well as to complaint investigators when appropriate.	Partially complete	<ul style="list-style-type: none"> ➤ A paper has been developed to capture current research into early intervention and to define the scope for future policy development. ➤ An Early Intervention Policy to be developed and implemented based on the agreed scope. ➤ The IAPro database was implemented to capture and manage complaints against police in July 2009 and will be used to collect data as the basis for the Early Intervention solution. ➤ Work is currently underway to develop an indicator to be placed against an employee record on the HR Database to indicate the existence of a complaint history. This will be visible to selected positions for reference. Details of the complaint will not be held on the employee record and will only be able to be sourced from PNHQ Professional Standards. 	<p>IAPro implemented July 2009.</p> <p>Employee complaint history indicator on HR Database to be established by the end of second half of 2009.</p>

	Recommendations	Status	Progress	Estimated time to completion
R49	New Zealand Police should review its approach to performance management, including the training provided to supervisors and managers, the performance appraisal process and documentation, and the methods in place to ensure that the follow-up identified in the performance improvement plans actually occurs.	In progress	<ul style="list-style-type: none"> ➤ A review of performance management has been undertaken and documented in a number of papers presented to the Police executive over the last quarter. ➤ The review findings are being used by Police as input to the process of defining the programme of work for the next three to five years undertaken in conjunction with SSC. ➤ SSC have also completed two reviews of performance management and change management; one in 2007/08 and the other in 2008/09 under recommendation 37. ➤ The performance and development appraisal process was previously reviewed in conjunction with the introduction of the revised Code of Conduct and District Employee Practice Managers are providing training in performance management as part of the revised discipline/Code of Conduct processes. ➤ Performance improvement is now a routine aspect of the disciplinary processes. 	Ongoing
	Police Culture			
R50	New Zealand Police should continue its efforts to increase the numbers of women and those from ethnic minority groups in the police force in order to promote a diverse organisational culture that reflects the community it serves and to enhance the effective and impartial investigation of complaints alleging sexual assault by members of the police or by associates of the police.	Ongoing	<p>Police has participated in and supported the following activities in last quarter relevant to recommendation 50</p> <ul style="list-style-type: none"> ➤ Islam Awareness Week including a two week Islam Awareness Exhibition at the Royal New Zealand Police College (RNZPC). ➤ Australasian Council of Women in Police (ACWAP) conference. ➤ Five year celebration of the Auckland Unitech Pre Police course to identify applicants from Auckland's diverse communities. ➤ Maori Language Week. <p>Additional progress has been made with:</p> <ul style="list-style-type: none"> ➤ RNZPC wing 258 graduating and the first three prizes going to female recruits. It also included the first recruit of Lao ethnicity. ➤ The second female District Crime Services Manager appointed. ➤ Counties/Manukau recruitment campaign seminar registrations increase by 77% in over the previous campaign. 106% increase in females, 145% increase in Maori, 83% increase in Pasifika and 57% increase in Asian registrations. ➤ TSC hosted Maori, Pacific, Ethnic and female students groups from Christchurch, Wellington and Napier colleges who received recruitment presentations and tours of the college. <p>The six month Equity & Diversity report was released showing:</p> <ul style="list-style-type: none"> ➤ An increase from 4.9% to 6.3% Female Commissioned Officers over the last 12 months. ➤ Maori recruits entering the college have remained at 12.9%. ➤ An increase in Pacific recruits from 6.4% to 6.5%. ➤ An increase in Asian recruits from 4.7% to 7.1%. 	Ongoing

	Recommendations	Status	Progress	Estimated time to completion
R51	The Commissioner of Police should invite the State Services Commissioner to carry out an independent annual "health of the organisation" audit of the police culture (in particular, whether the organisation provides a safe environment for female staff and staff from minority groups). The need for the audit should be reviewed after 10 years.	Ongoing	<ul style="list-style-type: none"> ➤ Health Audits are made up of findings from the engagement survey, additional specific questions, and other data. ➤ The 2008/09 Health Audit included an engagement survey of all employees to better understand perceptions of organisational fairness. Districts continue to progress activities and initiatives resulting from the engagement survey. ➤ Tenders received for a "fit for purpose" survey tool are currently being reviewed. The selection process is expected to be completed by the end of 2009 in readiness for the next survey in 2010. 	<p>Ongoing surveys will continue through to 2017 with the next survey expected to be conducted 2010.</p> <p>Full census audit completed in 2008/09 financial year.</p> <p>Baseline audit completed in 2007/08 financial year.</p>
	Reporting of allegations of sexual misconduct			
R52	New Zealand Police should review its current policies, procedures, and practices on internal disclosure of wrongdoing, and actively promote a single stand-alone policy for all disclosures, including (but not limited to) those made under the Protected Disclosure Act 2000. The policy should ensure that proper inquiry is always made where information received indicates that a police member or associate may have committed a sexual offence.	Underway	<ul style="list-style-type: none"> ➤ Policy and practice relating to 'Report and Be Protected' (internal disclosure of wrongdoing) has been revised following executive review prior to wider consultation. ➤ The IAPro database was implemented to capture and manage complaints against police in July 2009. ➤ IAPro will be evaluated against the business requirements for the capture of data relating to 'Report and Be Protected' once the policy is confirmed. 	The recommendation is estimated to be completed in 2010 with the implementation of the Report and Be Protected policy.
R53	New Zealand Police should ensure that the policy and the approach of "report and be protected" are well understood and implemented nationally.	Underway	<ul style="list-style-type: none"> ➤ This will be achieved as part of recommendation 52 'Report and Be Protected'. 	Refer recommendation 52.
R54	New Zealand Police should ensure that all other relevant policies, procedures, and practices are consistent with the stand-alone policy on the reporting of serious wrongdoing and the approach of "report and be protected".	Underway	<ul style="list-style-type: none"> ➤ This will be achieved as part of recommendation 52 'Report and Be Protected'. 	Refer recommendation 52.
R55	The New Zealand Police ethics training programme should aim to foster a culture which encourages reporting of allegations of wrongdoing by police members or police associates and provide support to those who make disclosures, consistent with the "report and be protected" approach.	Partially complete	<ul style="list-style-type: none"> ➤ Fostering a culture which encourages reporting of allegations of wrongdoing is a key ethics training programme focus. ➤ The ethics training emphasises the responsibility of supervisors and managers in determining the culture that exists and the need to support members who make allegation of wrongdoing against other members or disclose such wrongdoing. ➤ Training is delivered within all promotion qualifying courses. ➤ The principles of the draft 'Report and Be Protected' policy have been incorporated in the National Ethics Training programme with further detail to be added once the policy has been confirmed. 	The recommendation is estimated to be completed in 2010 with the implementation of the Report and Be Protected policy.

	Recommendations	Status	Progress	Estimated time to completion
R56	New Zealand Police managers and supervisors should actively communicate to police members the expectation that they will report any allegations of sexual misconduct made against a colleague or a police associate. Police managers and supervisors should encourage and support members to report such allegations.	Underway	➤ The approach for communicating this is being documented as part of the implementation of the 'Report and Be Protected' policy identified in recommendation 52.	Refer recommendation 52.
	Community engagement and feedback			
R57	Each police district should establish groups of community representatives, chaired by recognised community leaders, which meet regularly to provide comment and feedback on police service delivery and policing issues throughout the district. Relevant information obtained from the feedback from the community should be incorporated into the police early warning system (see recommendation R47, R48).	Complete	<ul style="list-style-type: none"> ➤ PEM approved the community engagement feedback model and that require districts to report progress through business quarterly plan reports. ➤ Quarterly reporting in the National Business Plan will be assessed to ensure districts are meeting the guidelines and requirements. 	Commission of Inquiry Steering Committee approved the closure of this recommendation 4 May 2009.
	Implementation and monitoring of police initiatives			
R58	New Zealand Police should rationalise the projects and initiatives currently in train (including those started in response to this Commission of Inquiry into Police Conduct, and the review of the Police Act 1958) and any further projects arising out of the Government's response to this report, to ensure that overlaps between projects are addressed, interdependencies are identified, priorities are assigned, and adequate resources are made available to do the work. New Zealand Police should address these issues in its annual statement of intent, and consult with the Minister of Police in respect of the priority to be given to projects.	Ongoing	<ul style="list-style-type: none"> ➤ Interdependencies between recommendations have been identified and logical work streams confirmed. ➤ COI Recommendations have been prioritised. ➤ Those projects and initiatives identified in Appendix 4, Volume 2 of the Commission of Inquiry Report into Police Conduct will be reported on in the second half of 2009. 	Estimated to be completed by the end of 2009.
R59	New Zealand Police should consult with and involve the State Services Commission and other public sector agencies, where appropriate, to ensure that the projects and initiatives of the type described in recommendation R58 take account of best practice in the public sector. The Government should take steps to remove any statutory impediment to such consultation and involvement.	Ongoing	<ul style="list-style-type: none"> ➤ Consistent with the agreed review programme SSC has now completed two reviews of performance management and change management; one in 2007/08 and the other in 2008/09. ➤ SSC and Police are in the process of defining the programme of work for the next three to five years. 	Police are treating this as an ongoing initiative that will run until 2017.

	Recommendations	Status	Progress	Estimated time to completion
R60	The Government should invite the Controller and Auditor-General to monitor, for the next 10 years, the New Zealand Police implementation of all the projects and initiatives of the type described in recommendation R58, and also the police implementation of the recommendations of this Commission of Inquiry into Police Conduct as approved by Government. The Controller and Auditor-General should report regularly to Parliament on this matter during the ten-year period.	Ongoing	<ul style="list-style-type: none"> ➤ The Office of the Auditor General has conducted its first audit including interviews, site visits and a desktop review. ➤ The first audit report has been tabled in Parliament and is available to the public. 	<p>The first report was completed 30 June 2009.</p> <p>Ongoing audits to continue through to 2017.</p>