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Response of the  
New Zealand  
Police to the  
Commission of  
Inquiry into Police  
Conduct: Fourth  
monitoring report



# Response of the New Zealand Police to the Commission of Inquiry into Police Conduct: Fourth monitoring report

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# Deputy Auditor-General's overview

Upholding the law and protecting people and property can be a dangerous, demanding, and stressful job. To do that job well, the New Zealand Police (the Police) need to have the trust and confidence of the community. To earn trust and confidence, the Police must show respect, consider the needs of victims, and meet very high standards of behaviour.

Although sexual assaults are a relatively small proportion of all crimes, ensuring that they are properly investigated is important for trust and confidence in the Police.

This report is the fourth we have produced on how the Police are responding to the findings of the Commission of Inquiry into Police Conduct in 2007. It follows up on the Police's response to the five recommendations we made in our third monitoring report in October 2012. We have also taken the opportunity to look at changes in the Police's workplace culture.

Overall, the Police have made good progress in addressing the five recommendations from our third report.

## **Investigating sexual assaults**

The Police have given more priority to investigating adult sexual assaults than in the past. They monitor and review the investigations better, using a case management approach. The Police are establishing the reporting systems they need to provide a good view of their investigation activities. They have also introduced a tiered training model for new recruits and detectives that specifies the level of training required to investigate sexual assaults.

The Police are focusing more on the needs of people who have reported a sexual assault. Some of the victim support organisations we spoke to observed that the Police were more empathetic than previously. They felt that the Police showed greater respect for victims and were focusing on what is right for the victim.

However, there is still room for the Police to improve how they communicate with victims and how they collate and use feedback from victims. The Police acknowledge that they need to do more to understand the effectiveness of the improvements they have made for responding to victims of a sexual assault and how they could make further improvements.

## **Responding to poor behaviour**

Since our third monitoring report, the Police have made good progress with how they encourage high standards of behaviour and respond to inappropriate behaviour by Police staff.

Generally, leaders at all levels within the Police are more committed to modelling and supporting the expected standards of behaviour. If expected standards of behaviour are not met, the Police are now more likely to take corrective action and to take that action sooner.

Our impression was that, while most staff now felt more able to “call” or report inappropriate behaviour, they did not always feel assured that management acted on complaints in such a way as to change the behaviour. Actions taken in response to reporting are not always visible enough to staff, which risks staff becoming unwilling to report breaches of conduct or raise matters of concern.

Most police staff we spoke to understood, supported, and displayed the expected values and standards of behaviour. They understood the importance of efforts to build a supportive and positive workplace culture. The values and standards expected are embedded in the training provided to new recruits.

### **Wider workplace cultural changes**

In an organisation of about 12,000 people, it is inevitable that people will sometimes fail to meet expected standards of behaviour. This can happen no matter how many processes, policies, or good practices are in place. What is important is that the Police reduce the likelihood of failures, know when they happen, and take appropriate action. What we heard, observed, and read suggests that, in general, the Police seek to do this.

One of the best ways for the Police to reduce the likelihood of individuals behaving inappropriately in such a large organisation is by improving workplace culture. Therefore, we also looked at changes that the Police have been making to the wider workplace culture. It was important to do this because that culture shapes the professional environment in which the Police manage their own behaviour and investigate allegations of sexual assault.

In my view, the Police are paying more attention to their workplace culture than when we published our third monitoring report. Policing strategies and change programmes have contributed, along with leadership at many levels, increasing diversity in the Police, and recruiting staff with values that match those of the culture the Police are working towards.

It is important that the Police's newer recruits maintain a focus on these values. Leaders in the Police are working to ensure that sergeants and senior sergeants, who have important supervisory roles, are fully aware of their vital role in training and influencing those they supervise.

Although there is clear improvement in the Police's workplace culture since the events that the Commission of Inquiry into Police Conduct covered, the Police know that they need to be vigilant about maintaining their focus on improving their workplace culture and actively manage risks to it.

We agree and have made a number of suggestions for the Police to identify and manage matters that could impede progress towards an improved workplace culture and to further improve how they investigate adult sexual assaults and deal with victims.

### **Next steps**

During our audit, we saw that the Police have made progress towards describing and building a new workplace culture that reflects the spirit and intent of the Commission of Inquiry into Police Conduct's recommendations. The workplace culture is important to providing the excellent standard of service to the community that the Police aspire to. The Police acknowledge that there is more work to do to ensure that these positive changes endure.

The Police must also be able to show that they have changed. It is therefore important that they set up ways to measure improvements in their workplace culture.

Our formal monitoring of the Police's response to the Commission's recommendations will end in 2017. Our last monitoring report will look at how the Police are demonstrating, through their own monitoring and reporting, that they are living up to the high standards expected of them. The onus is on the Police to demonstrate how the organisation has changed, including setting and using appropriate benchmarks and measures to guide how they monitor and report on their progress.

### **Acknowledgements**

The Auditor-General, Lyn Provost, was previously a Deputy Commissioner of Police. As the Deputy Auditor-General, with the same powers and functions as the Auditor-General, I have overseen our monitoring work.

To produce this report, the audit team visited four of the 12 police districts and spoke to about 250 police staff. Those staff included the Commissioner of Police, staff at all levels (including at Police National Headquarters and at the Royal New Zealand Police College), new recruits, and people working at the front counters of police stations. I thank the Commissioner of Police and his staff for their assistance.

I also thank Louise Nicholas and Dr Kim McGregor, other representatives of victim support organisations, and representatives of the State Services Commission, the Independent Police Conduct Authority, and the New Zealand Police Association.

A handwritten signature in black ink, appearing to read 'Phillipa Smith', written in a cursive style.

Phillippa Smith  
Deputy Controller and Auditor-General

11 February 2015

# Introduction

- 1.1 In this Part, we explain:
- our connection with the Commission of Inquiry into Police Conduct (the Commission);
  - the Police’s response to the Commission’s recommendations;
  - how we carried out our audit;
  - what we did not audit; and
  - the structure of this report.
- 1.2 This is the fourth in a series of reports monitoring the progress of the New Zealand Police (the Police) towards giving full effect to the Commission’s recommendations. Readers unfamiliar with the background to this work might find it helpful to refer to our earlier reports, which are available on our website ([www.oag.govt.nz](http://www.oag.govt.nz)). We plan to publish our final monitoring report in 2017.
- 1.3 This report is more targeted than our previous reports. It follows up on matters raised in our third monitoring report. For this report, we looked at how the Police have improved how they manage adult sexual assault investigations and breaches of standards of police behaviour. We also make some wider observations about how well the Police are implementing the spirit and intent of the Commission’s recommendations through broader efforts to change their workplace culture.
- 1.4 Within the Police workforce, some staff are officers with policing powers and others are general employees. In this report, the distinction is sometimes important, so we use different terms. The organisation is “the Police”. When we refer to all employees, we use “police staff”. When we refer specifically to officers with full policing powers, we use “police officers”.
- 1.5 The Commission and our monitoring work have focused on sexual assault complaints and investigations involving adults. Every reference in this report to sexual assault refers to adult sexual assault.

## The Commission of Inquiry into Police Conduct

- 1.6 The Commission released its report in 2007. The Commission’s report criticised the historical conduct of some police officers and their associates from 1979 to 2004. The conduct included inappropriate sexual activity and a culture of scepticism about complaints to the Police about sexual assaults.
- 1.7 The Commission’s report included 47 recommendations for the Police. The Commission’s report was clear that attitudes and behaviour within the Police, and not just their systems and procedures, needed to change.



- 1.8 The Commission recognised that changing behaviour in an organisation is difficult and takes time. It recommended that we monitor the Police's progress for 10 years. The then Auditor-General accepted the Government's invitation to carry out the monitoring role.

### **The Police's response to the Commission's recommendations**

- 1.9 We published our first monitoring report in June 2009. At that time, the Police had responded in a committed manner to the Commission's recommendations and were designing the next phase of their work programme. The Police described that next phase as an "implementation" phase.
- 1.10 We published our second report in June 2010. Although the Police had made significant progress by fully implementing seven of the 47 recommendations, the Police's response was at a critical point. Without more concerted effort, there was a risk that progress would stall, the achievements of the Police's work programme to that point would dissipate, and the benefits of change would not be realised.
- 1.11 We published our third monitoring report in October 2012. We found signs of improvement, including:
- increased priority and resourcing of investigations of adult sexual assaults;
  - a soon-to-be-operating national early intervention system (Early Intervention) to alert the Police to behaviour by police officers that could potentially lead to more serious inappropriate behaviour;
  - some good practices for managing change and inappropriate behaviour; and
  - the Police were monitoring their progress with the 47 recommendations (and had accepted that recommendations were not fully implemented until the desired results had been achieved).
- 1.12 Our third monitoring report also found that the Police had made relatively poor progress with improving services for adult victims of sexual assault. We also found mixed progress with addressing complaints about the Police. We made five recommendations. Figure 1 shows these recommendations and where, in this report, we comment on the Police's progress with implementing them.

**Figure 1**  
**Recommendations in our third monitoring report and where we discuss the Police's progress with them in this report**

We recommended that the New Zealand Police:		
1	give their adult sexual assault investigation work the necessary attention, priority, and resourcing to further progress the Commission of Inquiry into Police Conduct's recommendations about adult sexual assault investigation;	Paragraphs 2.8-2.12
2	implement their catch-up plans for specialist training for adult sexual assault investigation so that all staff who could be involved in or supervise such investigations complete that training by 31 December 2012;	Paragraphs 2.13-2.24
3	[with the Accident Compensation Corporation, the Ministry of Health, and the South Canterbury District Health Board] resolve any outstanding issues with the availability of Sexual Abuse Assessment and Treatment Services in the area serviced by the South Canterbury District Health Board to ensure that people in that area have access to those services;	Paragraphs 2.7, 2.39-2.42
4	maintain their focus on ensuring that misconduct is not tolerated, supporting those who report misconduct, and managing misconduct when it does happen; and	Paragraphs 3.12-3.23
5	fully implement their national early intervention system (Early Intervention) by 31 December 2012 and actively manage the risks associated with how that system is perceived and used.	Paragraphs 3.7, 3.25-3.30

## How we carried out our audit

- 1.13 Our performance audit focused on two questions:
- Have the Police improved how they investigate sexual assaults since our previous monitoring report?
  - Have the Police improved how they manage behaviour since our previous monitoring report?
- 1.14 We also asked questions about whether the wider cultural and practice changes within the Police since our previous monitoring report were in line with the spirit and intent of the Commission's recommendations.

- 1.15 To assess the Police's progress, we:
- interviewed about 250 police staff located in the Wellington, Tasman, Bay of Plenty, and Counties Manukau police districts, at Police National Headquarters, and at the Royal New Zealand Police College in Wellington;
  - observed the Police's use of District Command Assessments in Auckland and Christchurch to assess each police district's performance in terms of the Police's direction and strategy;
  - spoke with representatives of the New Zealand Police Association, the State Services Commission, the Independent Police Conduct Authority, Rape Crisis, Women's Refuge, and Counselling Services (Counties Manukau); members of the Commissioner of Police's Women's Advisory Network Governance Group; and a former Commissioner of Police;
  - reviewed and analysed about 140 police documents, including survey, statistical, and monitoring documents; and
  - spoke to two leaders from the sexual assault support community, Louise Nicholas and Dr Kim McGregor (Rape Prevention Education: Whakatū Mauri).

### What we did not audit

- 1.16 We did not audit:
- the competence or performance of police officers or staff;
  - the Police's responses to individual complaints about police staff conduct; or
  - progress with any of the Commission's recommendations that were outside the scope of our audit (see paragraph 1.3).

### Structure of this report

- 1.17 We expected the Police to have addressed the matters we raised in our third monitoring report. This report is structured to reflect those matters. Part 2 sets out our findings about investigating allegations of adult sexual assaults. Part 3 sets out our findings about how the Police are managing staff behaviour.
- 1.18 The Police's workplace culture is critical to investigating sexual assaults and managing behaviour. Part 4 sets out our observations about the Police's efforts to improve their workplace culture. Part 5 describes the work that we consider the Police need to do to build on and firmly establish the desired workplace culture.
- 1.19 We have made suggestions to help the Police identify and manage matters that could impede their progress towards an improved workplace culture. These suggestions are listed in the Appendix.

# Investigating allegations of adult sexual assault

- 2.1 In this Part, we set out our assessment of the progress the Police have made to improve their investigations of adult sexual assaults.
- 2.2 We looked at the Police's progress with implementing the three recommendations about investigating adult sexual assaults we made in our third monitoring report. Those recommendations were:
- to give their investigation work the necessary attention, priority, and resourcing to further progress the Commission's recommendations about adult sexual assault investigation;
  - to implement their "catch-up plans" for specialist training for adult sexual assault investigations, so that all police staff who could be involved in or supervise such investigations complete that training by 31 December 2012; and
  - with the Accident Compensation Corporation (ACC), the Ministry of Health, and South Canterbury District Health Board, to resolve any outstanding issues with the availability of Sexual Abuse Assessment and Treatment Services (SAATS) in the South Canterbury area.
- 2.3 We expected the Police to have:
- taken action to improve how they deal with sexual assault complaints;
  - improved victims' experiences of the investigation of a sexual assault;
  - recorded how well they are performing with their investigations and how that performance has changed over time; and
  - identified and, where possible, mitigated the risks to maintaining and strengthening improvements in their handling of adult sexual assaults.

## Summary of our findings

- 2.4 We consider that the Police have largely met two of the three investigation-related recommendations from our third monitoring report. The Police have improved their management of sexual assault investigations and know what else they need to do. Further improvements are needed in training, case management, and communication with victims.
- 2.5 The Police recognise that sexual assaults can have destructive long-term consequences for victims. The Police also recognise that their response to a sexual assault victim can have a major effect on how quickly and well a person recovers from the assault.

- 2.6 The Police have given greater priority to sexual assault investigations, and there are signs of improved performance. Since our last report, the Police have implemented in full two important initiatives – case management and tiered training of investigators.
- 2.7 There are still gaps in specialist support services for sexual assault victims in parts of the country. Addressing these gaps is not entirely within the Police’s control because other public sector and community organisations fund specialist services.

## **Improving the investigation of adult sexual assaults**

### **The Police have given high priority to investigating adult sexual assaults**

- 2.8 In our view, the Police have given priority to improving how they deal with sexual assault complaints. For example:
- There is more focus on the needs of victims.
  - The Police now use a case management approach for adult sexual assault investigations, which includes review mechanisms.
  - The Police have introduced a tiered training system in line with the roles of those investigating sexual assaults, including training investigating officers to carry out formal evidence interviews and record what the victim says.
  - Investigating officers also have access to specialists with advanced training in interviewing adult witnesses, and a few investigating officers have had this training themselves.
  - There are more quality reviews and monitoring of caseloads for adult sexual assault investigations in police districts and nationally.
  - Seven of the 12 police districts have at least one adult sexual assault team.
  - All police districts have at least one adult sexual assault co-ordinator, who assigns, monitors, and reviews cases.

### **The Police are using a case management system**

- 2.9 Sexual assault investigations are now “case managed” through the National Intelligence Application (NIA), and investigation processes and procedures are the same for all police districts.

- 2.10 We note that the Police's *Adult sexual assault investigation (ASAI) policy and procedures* (the ASAI policy)<sup>1</sup> state that police staff should promptly record a new complaint in NIA. This is also stated in the Police National Recording Standard. To ensure that all complaints are recorded, we suggest that this requirement be emphasised earlier in the ASAI policy, with more clarity about who is responsible for recording the complaint into NIA. We also suggest that the Police ensure that all staff who have the initial contact with a victim of sexual assault understand this.
- 2.11 The requirement to use NIA as a case management tool for adult sexual assault investigations was applied to all police districts from late 2011 to early 2012. A standard Case Investigation Plan should be used for all sexual violations and any sexual offence involving multiple victims.
- 2.12 In our view, using NIA for case management of these investigations supports greater accountability and transparency because it enables more regular quality reviews and checks. It also enables the Police to review and identify, at a district and national level, where there might be gaps in resources.

### The Police have enhanced their approach to investigation training

- 2.13 During 2013, the Police introduced a tiered training model for all new recruits and detectives that specifies the training required to investigate adult sexual assaults:
- *Level 1 – Basic training (all officers)*: Training in immediate action, which includes referring all incidents to the Criminal Investigation Branch (CIB).
  - *Level 2 – CIB Selection and Induction Course*: Files about sexual assault should be assigned only to investigators who have successfully completed this training. A police officer trained to Level 2 can lead a sexual assault investigation but must be supervised by an officer trained to Level 3 or Level 4.
  - *Level 3 – Detective Qualified Course*: An officer trained to Level 3 can lead a sexual assault investigation and can act in a Level 4 role, but must not close files.
  - *Level 4 – CIB Supervisor Course*: An officer trained to Level 4 must be a detective sergeant or detective senior sergeant. With the appropriate signed approval, the officer supervises, manages, and reviews sexual assault investigations, including closing investigations.
- 2.14 When tiered training was introduced, catch-up training was carried out in all police districts. The aim was to ensure that all existing CIB investigators and

1 The ASAI policy was published on 12 November 2013, after a review of the Adult Sexual Assault Investigation Guidelines published in 2009. The ASAI policy set out that the desired outcomes are to:

- enhance the welfare and safety of sexual assault victims through the service, information, and support provided; and
- improve the investigation, resolution, and accountability of adult sexual assault complaints.

supervisors had completed training to the appropriate level. All officers, other than those seconded elsewhere or on leave at the time, received the training.

- 2.15 The tiered training is a more detailed approach to training than previously. It matches required skills to the level and type of involvement in an investigation. In our view, this approach better equips police officers to investigate adult sexual assaults.

### **Need for ongoing improvement: Training in investigation and support**

- 2.16 In some police districts, there are increasing numbers of sexual assault cases reported to the Police. This puts pressure on those districts' resources. The priority given to investigating sexual assaults will be sustained only if it has enough resources allocated to it and it is not displaced by other priorities. When we did our audit fieldwork, the Police had started looking at the resourcing of child protection teams and adult sexual assault teams to inform its deployment decisions for specialist investigators and trained staff.
- 2.17 Police districts are responsible for organising ongoing and refresher training for longer-serving staff. Keeping training current for a wide range of subjects, including adult sexual assault investigation, is a constant logistical challenge for the Police. The Police told us that ensuring that any staff seconded to sexual assault investigation teams complete the relevant CIB modules and investigators' course and receive support from more experienced colleagues is also a challenge.
- 2.18 People acting in supervisory investigation roles also need to have the required level of investigative training. The Police have reinforced that district leaders are responsible for staff in these positions receiving training at the appropriate level.
- 2.19 We consider that the Police have met our recommendation to introduce catch-up plans for specialist training. The Police carried out a stocktake to identify who, at a district level, needed to do catch-up training. We were told that there are processes for all new investigators to get the right training.
- 2.20 Training police officers and other staff who might have first contact with sexual assault victims is also important. For some victims, the first contact a person has with the Police about their complaint could be with a frontline officer,<sup>2</sup> a person working on the front counter of a police station, or a member of staff who answers external telephone calls.
- 2.21 Currently, frontline officers receive basic training but are expected to hand over quickly to the specialist-trained CIB. Front-counter staff might not have had training in dealing with sexual assault victims.

2 Officers in Public Safety Teams and Neighbourhood Policing Teams and other officers deployed where they are likely to have contact with the public are often referred to as "frontline" officers.

- 2.22 The Police are considering how to ensure that frontline officers and front-counter staff have enough training in dealing with victims in an empathetic manner and that complaints are always recorded, as required by, and explained in, the ASAI policy. The Police told us that they are preparing a training package for frontline and front-counter “watchhouse” staff, which adult sexual assault co-ordinators will roll out.
- 2.23 In our view, it is important that any training focuses on attitude and behaviour, as well as process.
- 2.24 The Police have identified that monitoring compliance with training requirements would be helpful. We support that view. Tighter control and co-ordination of case management for adult sexual assault investigations would also help to ensure that all investigators are up to date with practices. Refresher training in case management would help police staff use the approach consistently and to its full potential.

### Improved focus on the needs of victims

- 2.25 The Police expect their staff to have a strong focus on the needs of crime victims. The Police’s Prevention First strategy and Policing Excellence programme clearly articulate this expectation.
- 2.26 Understanding and addressing needs of victims of adult sexual assaults is reflected in Police guidelines, policies, and procedures for the investigation of sexual assault cases and the training for staff who have contact with adult sexual assault victims. From the evidence available to us, it was clear that, generally, the Police have a strong focus on the needs of victims, particularly in terms of crime prevention work.
- 2.27 Some of the victim support organisations that we spoke to said that the Police were more empathetic than previously. They showed greater respect for victims and were focusing on what is right for the victim. This was consistent with what the Police told us about the feedback they had received directly from victims. Police staff, particularly longer-serving members, agreed that the explicit focus on victims’ needs was an important shift that had improved the experience for victims.
- 2.28 During interviews and focus group discussions in the four police districts we visited, we consistently heard that staff believed that communication with victims and the experience of victims had improved. The observations of the Police’s Assurance Group<sup>3</sup> have confirmed that investigators and Public Safety Teams (who are frontline staff) are focused on the experience of victims.

<sup>3</sup> The Assurance Group carries out internal evaluations and assurance audits, including follow-up work on implementing the Commission’s recommendations. The Police have recently appointed a senior advisor to specifically carry out this follow-up work.



- 2.29 An internal survey of a few victims of family violence and other serious crimes indicated that the Police were usually prompt in responding to calls, helpful in referring victims for immediate and continued advice and support, and professional and sincere in how they worked with victims.
- 2.30 However, some of the victim support organisations we spoke to thought that the Police could improve their communication with victims further. The Independent Police Conduct Authority (IPCA) told us that most complaints are about communication matters. The internal survey also noted that some respondents felt that they had experienced negative behaviour from police staff that would deter them from calling the Police.
- 2.31 The Police have introduced a range of tools to improve communication with victims, including:
- mandatory use of the pamphlet “*Information for Victims of Sexual Assault*” and guidance about the frequency of contact with victims, supported by mandatory recording of contact with victims in NIA (as part of the case management approach); and
  - providing police officers with smartphones and tablets to facilitate communication with victims.

### **Interview facilities have improved**

- 2.32 The ASAI policy also states that formal interviews with victims should be carried out in a dedicated interview room.
- 2.33 Since our third monitoring report, there have been improvements in the Police’s facilities for interviewing sexual assault victims.
- 2.34 The four police districts we visited have access to dedicated interview rooms for interviewing victims. The rooms have soft furnishings and should never be used to interview alleged offenders. Some stations within the police districts use external facilities, and some have purpose-built facilities with specialist interviewing equipment. Two districts have separate centres with forensic medical examination facilities that can be used if needed, purpose-built interview rooms, and welcoming facilities for families and supporters of victims of sexual assault and child abuse.

## The availability of support services has improved but remains inconsistent

- 2.35 The availability of specialist support services, medical support, and forensic services for sexual assault victims has improved since our third monitoring report. Most police districts have SAATS agreements<sup>4</sup> with district health boards and others to provide specialist support services to sexual assault victims. However, inconsistencies in the availability of these services remain.
- 2.36 In four of the 12 police districts, there is a long-standing lack of Doctors for Sexual Abuse Care (or DSAC doctors)<sup>5</sup> in rural areas. This means that victims have to be taken long distances to reach appropriate medical services. Other service gaps reported in some districts were:
- a lack of training for victim support workers (two districts);
  - a lack of access to services to support male victims (two districts);
  - services that were not operating at all hours, every day of the week (one district); and
  - no specialist support services for victims of sexual assault (one district).
- 2.37 In our view, there is an increased risk to the quality of response sexual assault victims might get in remote areas, where:
- the response to the victim depends on the actions of individuals;
  - specialist support services are more difficult to access; and
  - changes in the workplace culture might not be apparent.
- 2.38 In remote areas with small or single-person police stations, the risk that sexual assault victims might not receive the desired high standard response is higher. It is imperative that police staff have had adequate training. We also heard that some staff in remote areas were among those who were harder to influence in terms of the cultural changes, including their attitudes to victims (see paragraph 4.28).
- A SAATS agreement is not yet in place in South Canterbury**
- 2.39 At the time of our third monitoring report, a formal SAATS agreement was not in place in South Canterbury. We recommended then that the Police (with ACC, the Ministry of Health, and the South Canterbury District Health Board) seek to resolve this.

4 SAATS is a medical forensic service providing triage, assessment, treatment, and referral services for all victims of sexual abuse. It is designed to provide a 24-hour, seven-days-a-week service; timely medical triage by a medical specialist or nurse with training in sexual abuse care; expert medical assessment, sexual health advice, and treatment that meets health, injury, and forensic needs; referral to, and co-ordination with, other services in a timely manner; and follow-up treatment, treatment that is provided in a suitable environment, and treatment that meets forensic requirements.

5 See the DSAC website, [www.dsac.org.nz](http://www.dsac.org.nz), for more information.

- 2.40 Despite discussions in the last two years aimed at resolving this situation, the Police, ACC, and South Canterbury District Health Board have not yet set in place a formal SAATS agreement. The delay reflects, in part, challenges South Canterbury District Health Board faces in rebuilding its site after the Canterbury earthquakes. South Canterbury District Health Board intends to include facilities for sexual assault assessment as part of the rebuild. However, approval for funding is needed before a time frame can be produced. This approval is likely to be in March 2015.
- 2.41 South Canterbury District Health Board and ACC have considered other interim agreements because of the lengthy time frame but have not yet resolved this matter. We encourage the three parties to continue their discussions to reach an interim agreement that will provide the best service possible for sexual assault victims.
- 2.42 In the meantime, the Police refer victims in South Canterbury to three DSAC-trained doctors<sup>6</sup> allied with Victim Support.
- 2.43 The Police have specialist support service agreements with the three district health boards in the Central police district. However, the Police have indicated that they might need to review the agreements to ensure that they are working well.

### **Need for ongoing improvement: Further improve understanding of victims' experiences**

- 2.44 To support the Police in giving effect to the Commission's recommendations, the Police's Assurance Group has suggested that the Police:
- carry out a national review of the actual availability of specialist support services compared with what is recorded in the agreements for those services; and
  - introduce a national stocktake of sensitive interview facilities, looking at the availability and standard of those facilities.
- 2.45 We endorse these suggestions.
- 2.46 We agree with the Police that they need to understand how to improve victims' experience of the Police during an investigation. The Police's National Sexual Violence and Child Protection Team is preparing a survey of adult sexual assault victims to help the Police better understand how victims experience the service they receive from the Police and make improvements where necessary.
- 2.47 In our view, the Police could do more to collate and analyse feedback from victims. They could make more use of complaints information (to identify patterns and lessons, and gaps between the service received and the victim's expectations) and

NIA case management information (to better understand trends in the time taken to complete cases). The Police are intending to draw on the new series of monthly reports of recorded crime published by Statistics New Zealand<sup>7</sup> to help identify patterns of victimisation.

## What the Police know about their sexual assault investigations

### The Police carry out internal reviews of their work to implement the Commission's recommendations

- 2.48 The Police's Assurance Group carried out a recent review to assess progress in implementing the Commission's recommendations about sexual assault investigations. The review noted some good practices and identified aspects that required further action. We also noted many of these aspects during our audit fieldwork.
- 2.49 The Assurance Group has recommended improving the use and quality of the monitoring tools, including how the Police could make better use of quantitative performance information to help target improvement activities.
- 2.50 Senior managers within the Police have agreed with the recommendations to improve the monitoring of sexual assault investigations (apart from one that we understand is not possible to resource at this stage).
- 2.51 The Assurance Group will carry out further reviews of the Police's progress in implementing the Commission's recommendations until 2017.

### The Police regularly monitor sexual assault cases

- 2.52 The Police monitor their performance in investigating adult sexual assaults through the following:
- **Weekly monitoring** of sexual assault cases (drawn from the Police's statistical analysis system) shows how well police staff are using case management. This monitoring started in December 2013 and could be analysed by each police district from 31 March 2014. It uses information from NIA.
  - **Quality Assurance Improvement Framework reviews** look at compliance with case investigation requirements. The first bi-monthly report about the reviews was produced in December 2012. An analysis of returns from December 2012 to August 2014 showed that the proportion of reviewed sexual assault case files rated as satisfactory has improved. However, the Assurance Group report noted that the National Sexual Violence and Child Protection Team needs to

<sup>7</sup> See *Recorded crime victims statistics – Police district and area boundaries*, available at <http://nzdotstat.stats.govt.nz>.

promote greater consistency between police districts in using monitoring tools and providing reliable data.

- **Monthly reports** on the performance of the CIB are relatively new and are taken to the National Tasking and Co-ordination meeting. That meeting makes decisions about moving staff to meet demand.
- **Quarterly reports** to the Police Executive from the National Sexual Violence and Child Protection Team give an overview of reported and investigated case volumes. These reports also highlight risks and outline work by police districts to mitigate or remove risks.

2.53 In our view, these are all useful reports. They show that the Police are actively monitoring sexual assault investigations and the associated risks to managing them.

2.54 A senior manager in the Police told us that, with these types of information, “We know our business [the] best we have ever known it.” We agree that the Police now have better reporting systems to provide a good view of their activities.

2.55 The information indicates that the Police’s performance in investigating adult sexual assaults has improved. For example:

- The percentage of cases awaiting assignment has decreased and was about 5% in October 2014.
- Commanders in police districts have redeployed staff to ensure that priority is given to investigating sexual assaults.
- Caseload reports from October 2014 show that few investigators hold more than the recommended number of sexual assault cases.
- Reviews of the Quality Assurance Improvement Framework show improving compliance with case investigation requirements over time.

### Improving the monitoring of performance with investigations

2.56 The Police have identified some risks with their current monitoring and potential improvements. For example, in August 2014, the Police identified that a few sexual assault cases were assigned to sections in Police National Headquarters. District-level monitoring did not cover these cases. Some of these cases had been assigned for more than one year, with little recorded supervision during that time. A team from Police National Headquarters is following up on these cases.

2.57 In our view, the Police should continue to refine the monitoring of their performance in sexual assault investigations, including checking (and, where necessary, improving) the consistency, accuracy, and coverage of the monitoring approaches and information collected.

## Supporting appropriate standards of behaviour

- 3.1 In this Part, we set out our assessment of the extent to which Police have improved how they manage staff behaviour since our third monitoring report.
- 3.2 Any behaviour by police staff, and particularly by police officers, that shows a lack of integrity is a risk to public trust and confidence in the Police. It could also be a risk to the safety of the public and to police staff.
- 3.3 We expected the Police to have:
- clearly set out what appropriate and inappropriate behaviour is;
  - systems and procedures to support appropriate behaviour and manage inappropriate behaviour when it occurs; and
  - taken action to manage behaviour using those systems and processes, as necessary.
- 3.4 We also expected the Police to have identified and, where possible, mitigated the risks to how they manage staff behaviour.

### Summary of our findings

- 3.5 In our view, the Police have largely met the two behaviour-related recommendations that we made in our third monitoring report:
- to maintain their focus on ensuring that misconduct is not tolerated; and
  - to fully implement their national early intervention system (Early Intervention).
- 3.6 The Police expect a high standard of professional behaviour and have a low tolerance for inappropriate behaviour and poor performance.
- 3.7 Early Intervention is now in place, with promising results. However, more can be done to increase awareness and use of the system.
- 3.8 In our view, the Police need to continue to increase staff understanding of the expected standard of behaviour and of the Police's approach to managing inappropriate behavior.

### Setting clear standards of behaviour

#### The Code of Conduct

- 3.9 The Police expect a high standard of performance from staff, including professional behaviour, and have a low tolerance of inappropriate behaviour and poor performance. The Code of Conduct (the Code) sets out the standards of behaviour expected of staff.<sup>8</sup>

- 3.10 Surveys indicate that staff have a relatively good understanding and awareness of the Code, and it is routinely used for performance management, development, and disciplinary purposes.<sup>9</sup>
- 3.11 Compared with State services staff overall, police staff have a lot of pride in working for their organisation, are more familiar with their code of conduct, and agree more that their organisation actively promotes and communicates standards of integrity and conduct.

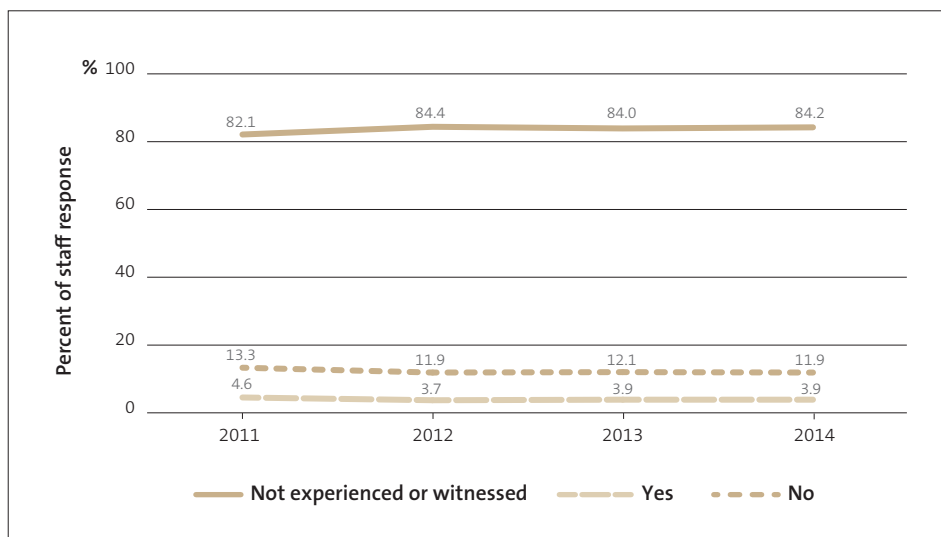
### Reporting inappropriate behaviour

- 3.12 The Code requires police staff to support their colleagues in carrying out their lawful duties and to challenge any “improper behaviour”, as appropriate, including reporting it.
- 3.13 If inappropriate behaviour is not challenged and reported, it could become to be seen as acceptable. The importance of challenging and reporting such behaviour was illustrated by staff from several levels in one district saying to us (and posters in police premises stating):
- The standard you walk past is the standard you accept.*
- 3.14 Our impression was that most staff now felt more able to “call” or report inappropriate behaviour. However, they did not always feel assured that management acted on complaints in such a way as to change the behaviour.
- 3.15 The Police Workplace Survey 2014 (the survey) showed that two-thirds of staff would be confident in raising complaints and that most had not experienced or witnessed cases of harassment, bullying, or discrimination. Figure 2 shows that the numbers of respondents who did not experience or witness these behaviours has increased slightly since 2011.
- 3.16 The survey also showed that three-quarters of the small proportion of staff who had seen or experienced such behaviour did not believe that what they had experienced or witnessed had been effectively dealt with. Of those who did witness or experience such behaviour, the number who believed it was not effectively addressed has not decreased since 2012 (see Figure 2).
- 3.17 Our impression is that actions in response to reporting are not always visible enough to staff. We acknowledge that the Police, like other organisations, are constrained by employment and privacy law in how much they can reveal in such matters. However, some staff told us that they believed the response to complaints in some instances was to move the staff member into a different position. In their view, this could be seen as a reward rather than a consequence.

This risks staff becoming unwilling to report breaches of conduct or raise matters of concern.

- 3.18 Figure 2 shows staff responses from 2011 to 2014 to the question in the Police Workplace Survey, “If you have witnessed or experienced some form of harassment, discrimination, or bullying in the workplace in the last 12 months, do you believe it has been dealt with effectively?”

**Figure 2**  
**Responses from police staff to a survey question about whether harassment, discrimination, or bullying had been dealt with effectively, 2011-2014**



Source: IBM, New Zealand Police Workplace Surveys from 2011, 2012, 2013, and 2014.

- 3.19 When we carried out our audit fieldwork, the Police had reviewed the Code and were amending it to:
- provide more clarity about the expectations of an employee’s off-duty behaviour and personal relationships; and
  - update the organisational values that are reproduced in the Code.
- 3.20 Empathy and Valuing Diversity have been added to the Code as additional core values. These values encourage behaviour that should support a focus on the needs of victims.

### Behaviour in keeping with values

- 3.21 The Police expect staff to behave in keeping with the Police’s evolving strategy, values, culture, and practice.



- 3.22 In their most recent integrity and conduct survey, the Police reported higher levels of integrity and conduct in their workforce than in other State service organisations overall. In general, the Police reported less inappropriate behaviour than the rest of the State services. However, staff who observed inappropriate behaviour were less confident about its management.<sup>10</sup>
- 3.23 Police staff highly rated the conduct and integrity of their workgroups and direct managers. Police staff also told us that they saw, heard, and experienced less inappropriate behaviour than in the past.

### **Need for ongoing improvement: All staff understand the Code of Conduct**

- 3.24 Although there is a good awareness of the Code, we consider that the Police could further improve some staff's understanding of the Code's purposes.

### **Using an early intervention system**

- 3.25 The Police have implemented Early Intervention. The aim of the system is to use rehabilitative interventions to reduce the likelihood that police staff behave inappropriately and to deal with that behaviour before it comes to the attention of the disciplinary system or complaints process. This fits in with the Police's Prevention First strategy.
- 3.26 The Police are using Early Intervention in a manner consistent with its purpose. The Early Intervention database collates information from a range of the Police's systems. The Police's intranet explains that "For each category of information a threshold is set, which, if exceeded will cause an alert to be created." Examples are increased use of force in dealing with an offender, or complaints about a police officer.
- 3.27 The Police told us that 80 cases were created in 2013 and 135 cases in 2014 (105 of the 2014 cases were completed at the time of writing). The most common reason for an intervention in 2014 was complaints about the police officer (53% of cases).
- 3.28 In March 2014, the Police evaluated the outcomes of the 82 early interventions made to that date. Early results were positive, with a 63% reduction in complaints against the police officers involved after the intervention. The Police told us that, from a review of the 135 cases in 2014, they anticipate an even greater reduction in complaints against those police officers.
- 3.29 Figure 3 shows the outcomes of the interventions in 2013 and 2014.

<sup>10</sup> We drew on the Police's integrity and conduct survey for some of this information. The overarching State services survey, *Integrity and Conduct Survey 2013*, is available at [www.ssc.govt.nz](http://www.ssc.govt.nz).

**Figure 3**  
**Outcomes of interventions under the Police’s early intervention system in 2013 and 2014 (calendar years)**

Outcome	2013	2014
	Percentage of cases	Percentage (of 105 completed cases)
No further action being required after the first meeting and discussion (of the cases)	75%	65%
A welfare referral being made	8%	18%
The officer seeking and receiving a change of duties	5%	3%
The officer seeking and receiving further training	4%	1%
The officer receiving ongoing mentoring	3%	-
Supervisor to monitor officer	-	18%

Note: The numbers reflect more than one outcome when the intervention was for more than one reason.

### Need for ongoing improvement: Better workplace understanding of Early Intervention

- 3.30 The Police could increase staff awareness and understanding of Early Intervention. During interviews in police districts, few staff knew how Early Intervention worked and some were mistrustful of it. Supervisors who had used it found it helpful. The Police surveyed staff who have had an early intervention and found that four-fifths of respondents were positive about the experience. We also heard of staff members with stress in their personal lives who welcomed the intervention.

### Taking action in response to inappropriate behaviour

- 3.31 The Police have a high-performance culture and generally take action when inappropriate behaviour is observed and reported, internally or publicly.
- 3.32 With staff matters like these, few people have access to all the details and the full organisational response. This means that all of those affected or aware of the matter do not see the action taken as effective. Some of the survey findings and a few of the comments made to us reflect this. The Police’s dual role as a prosecutor and employer means that managing disciplinary matters is more complicated than in most other organisations.

- 3.33 In our view, it would be helpful, wherever possible, to make staff aware that appropriate action has been taken in response to behaviour that falls short of the Police's expectations.

### **Need for ongoing improvement: Training and performance management**

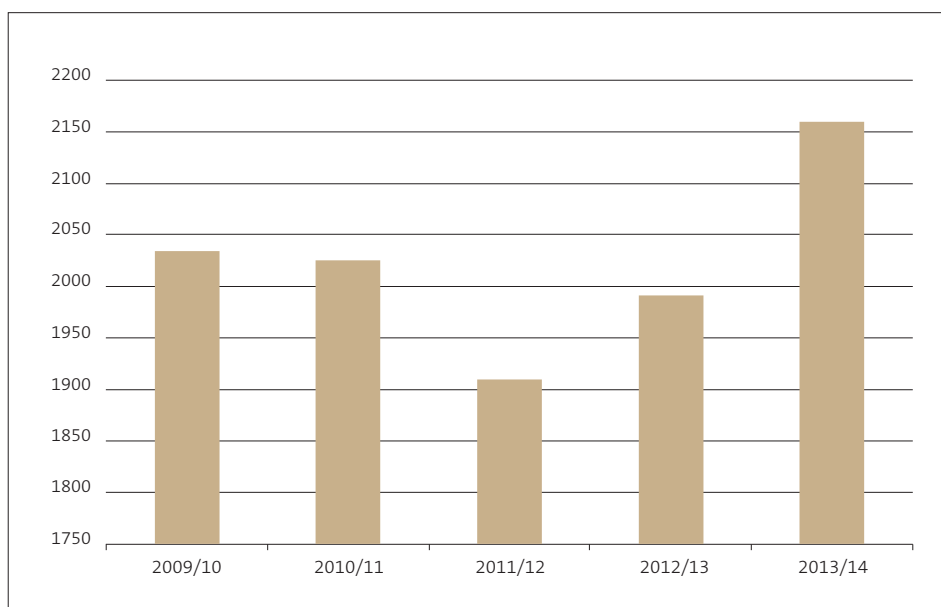
- 3.34 The Police are aware (through various Workplace Survey and Code of Conduct review findings) of the main risks to improving how they manage inappropriate behaviour. In our view, the Police need to keep focusing on those risks and on generally improving how they manage staff behaviour.
- 3.35 Those risks include:
- that people who have observed a breach of the Code (or what they think might be a breach) do not report it;
  - the inadequacy of training of staff in supervisory roles to support appropriate behaviour (training is incorporated into promotion training at the Police College but might need addressing at district level for some longer-serving staff); and
  - that some staff are too inflexible and close-minded to align their behaviour with the organisation's values.
- 3.36 The Police are working to improve performance management through manager training and a new performance management system.
- 3.37 The Police intend to introduce the new performance management system in 2016. The new system is expected to provide managers with better information so they can more effectively influence staff behaviour.

### **Publicity about inappropriate behaviour by the Police**

- 3.38 During our audit, there has been considerable media and public interest in examples of police behaviour that have resulted in members of the Police appearing before the courts, and some police staff leaving the organisation.
- 3.39 In our view, it is most likely that the examples of police behaviour that have attracted public and media scrutiny are partly a result of the greater attention being given to reporting and managing inappropriate behaviour. Although we did not test this specifically, we note that the Police and the IPCA regularly release information to the public about police behaviour, as part of being accountable to the public. In May 2012, the Police also set up a "Praise and Complain" page on their website, with links to make it easier for members of the public to register feedback.<sup>11</sup>

3.40 Figure 4 shows that the number of general misconduct complaints reported to the IPCA, either by members of the public or by police staff, increased by 6.2% between 2009/10 and 2013/14. Around 12% of all complaints investigated are upheld. We did not determine a trend in upheld complaints from the data we reviewed. However, the Police told us that they are seeking to improve their complaints data and analysis to enable them to identify such trends.

**Figure 4**  
**Number of complaints (including sexual misconduct), from 2008/09 to 2013/14**



3.41 In an organisation of nearly 12,000 people, it is inevitable that people will sometimes fail to meet the expected standards of behaviour. Allegations of sexual misconduct are particularly serious. Figure 5 shows the number of complaints that allege sexual misconduct by police staff reported to the IPCA each year since 2009/10. The number of complaints vary, with the highest being 29 in 2012/13 and the lowest being 11 in 2011/12.

**Figure 5**  
**Allegations of sexual misconduct by police staff, from 2009/10 to 2013/2014**

Year	2009/10	2010/11	2011/12	2012/13	2013/14
All allegations of sexual misconduct by police staff	19	17	11	29	19

- 3.42 What is important is that the Police take action to reduce the likelihood of inappropriate behaviour happening, know when it does happen, and take appropriate action. What we heard, observed, and read suggests that, in general, the Police seek to do this.
- 3.43 We note that the latest survey carried out by the Police to measure public trust and confidence in the Police<sup>12</sup> shows a high level of public confidence in the Police. The results indicate a growing improvement in the service received by those (42% of those surveyed) who had direct contact with the Police. The results reflect greater communication, positive attitude, and empathy from police staff.

12 *New Zealand Police Citizens' Satisfaction Survey Final Report for 2013/14 Fiscal Year (July 2013 – June 2014)*, available at [www.police.govt.nz](http://www.police.govt.nz).

## Changes to the Police's workplace culture

- 4.1 After our third monitoring report, we decided to look for, and describe, changes we noticed in the Police workplace culture since our previous visits to police districts. The workplace culture shapes the professional environment within which the Police manage behaviour and investigate adult sexual assaults.
- 4.2 In this Part, we set out our impressions of the extent to which changes in the Police's workplace culture support the spirit and intent of the Commission's recommendations. We formed these impressions during our scoping work for the audit and from talking to people on our fieldwork visits. During the audit, we saw documents that supported our impressions.
- 4.3 We looked at the Police's:
- knowledge of how their culture and practices are changing;
  - consideration of whether the changes to culture and practice are in keeping with the spirit and intent of the Commission's recommendations;
  - idea of the desired culture they aim to have in place by 2017; and
  - identification and, where possible, mitigation of the risks to maintaining and continuing to improve the workplace culture and practices.

### Summary of our observations

- 4.4 The pace of change in the Police's workplace culture appears to have accelerated since our third monitoring report. In our view, the changes in culture are in line with the spirit and intent of the Commission's recommendations.
- 4.5 Policing strategies and change programmes, leadership at multiple levels, increasing diversity in the Police, and recruitment of staff with values aligned to the Police's developing culture have all contributed to this increased pace of change.
- 4.6 To sustain these positive changes, the Police need to maintain current levels of effort and vigilantly manage risks to the progress made so far.

### The emerging workplace culture supports the spirit and intent of the Commission's recommendations

- 4.7 The Police have implemented policing strategies and change programmes that require and promote more professionalism and mindfulness in the Police's approach. These strategies and change programmes are consistent with the spirit and intent of the Commission's recommendations.
- 4.8 In our view, the Prevention First and Victim Focus strategies and the Policing Excellence programme have driven changes in "mindset" and an increased

understanding of professional standards, accountability, and transparency within the Police. In our view, there is greater empathy for victims and a recognition that dealing with sexual assault victims requires patience, courtesy, and respect, as well as specialist skills and training. These changes are in keeping with the spirit and intent of the Commission's recommendations.

- 4.9 Staff are expected to support the Prevention First strategy. *The Prevention First: National Operating Strategy* focuses on targeted policing to reduce offending and victimisation, and to reduce reported crime. It encourages staff to better understand and respond to the drivers of crime by using information ("intelligence") and alternative ways of resolving crime, as well as enforcement. The Police are giving a lot of attention to encouraging and supporting approaches and attitudes in keeping with Prevention First and Victim Focus.
- 4.10 Staff are also expected to support changes to rostering, tasking, and working arrangements to meet service demands. The Police are seeking to make staff available to carry out targeted work, such as prevention work and investigations. The Police are implementing evidence-based deployment and staff rotation to support prevention work and to allow staff to get experience of a range of roles and different environments. This helps staff to develop and to gain a broader perspective of the Police's values and culture.
- 4.11 The Police are helping staff understand what these strategies and changes mean for them. In December 2014, the Police provided all staff with a "*Policing on a Page*" document to further help them understand how the Police's values and culture translate into policing practice.

### **The Police are identifying the workplace culture they want to work towards**

- 4.12 The Police have carried out some work to describe a "desired future state" for the Police. This work includes identifying some indicators for cultural change to help the Police know how cultural change is progressing.
- 4.13 The desired characteristics in 2017/18 that the Police have identified include:
- all police staff understanding the causes and drivers of crime;
  - a deployment-ready workforce, ready for emergency and national security response;
  - high levels of integrity;
  - all staff having a "victim-focus mentality";

- having a safe and inclusive environment for people of all genders, ethnicities, and sexuality; and
  - an organisation that acknowledges the external factors that bring about organisational change.
- 4.14 These characteristics are a continuation, or natural extension, of the culture that the Police have already committed to. At the time of our audit, the Police were preparing an updated version of the Policing Excellence programme entitled *Policing Excellence, the Future*.
- 4.15 As well as preparing an updated change programme, the Police's leadership have signalled that, in future, the Police will give greater emphasis to:
- fully implementing the Commission's recommendations; and
  - supporting and encouraging women to achieve leadership roles within the Police. Recent appointments within the Police demonstrate a commitment to this.

## Wide awareness of cultural and practice changes

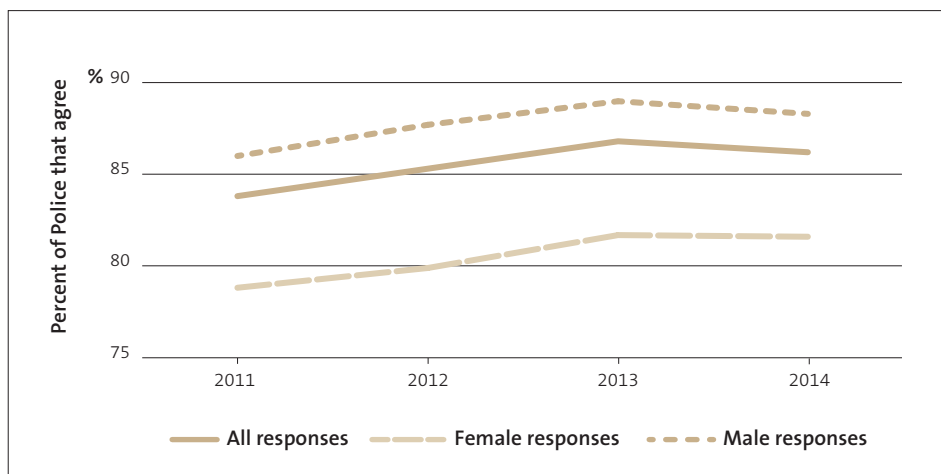
### Observed cultural changes are positive

- 4.16 Cultural changes can be difficult to measure because they include both informal and formal practices within an organisation. Because of this, a previous Commissioner of Police told us that walking around, talking to people, and observing people in action were the best ways to understand the organisation's culture and how it was changing. We did this in four police districts.
- 4.17 Some staff in the four police districts we visited talked about positive changes in the Police's culture. These included:
- significantly less drinking of alcohol;
  - staff now being more held to account for what they do and how;
  - more open and safer communication;
  - higher trust in management; and
  - greater valuing of diversity and the different perspectives this brings.
- 4.18 We saw these views reflected in the Police workplace surveys. Both male and female constables had high rates of agreement when answering questions about how effectively their supervisor managed them and their team, and modelled good behaviour. Similarly, sergeants and senior sergeants had the highest rates of agreement when asked whether people in their team conducted themselves in keeping with the values expected by the Police.



- 4.19 However, some staff we spoke with in provincial areas did not agree with all of the changes, and some reported a lack of trust in management's decisions. The staff understood that they needed to comply with the changes, even if they did not agree with them all.
- 4.20 Figure 6 shows a more positive attitude reflected in the Workplace Survey results from 2011 to 2014. Men were more likely than women to agree that people in their team conduct themselves in keeping with the values expected by the Police. Although the slight dip in the last year could indicate that the Police need to continue focusing on values and desired culture, it is too early to determine whether this dip is part of a reversal of the improving trend.

**Figure 6**  
Police workplace survey question about perceptions of conduct in keeping with police values



Source: IBM, New Zealand Police Workplace Surveys from 2011, 2012, 2013, and 2014.

- 4.21 We also observed that the difference between male and female scores is part of a general trend in responses to the cultural change questions of interest to us. Female staff were less likely to agree with the statements in the survey questions we looked at. However, this did not seem to significantly affect engagement scores. As a group, female staff were more likely to show engagement, based on the results of the Police Workplace Survey.
- 4.22 These observations are consistent with the evidence we obtained during our audit. The Police were paying a lot of attention to:
- the importance and practice of leadership at middle-management level; and
  - having a workforce that is more representative of the communities served by the Police.

- 4.23 Most of the police leaders we spoke to, at many levels within the organisation, understood their role in promoting and modelling changes. They were aware of the Police's core values and of the need to put them into practice.
- 4.24 The Police are bringing in new recruits who share police values. The Police aim to maintain the focus of newer recruits on these values, which can be a challenge. Leaders in the Police were working to ensure that sergeants and senior sergeants, who have important supervisory roles, were fully aware of their vital role in training and influencing those they supervise.
- 4.25 The Police are committed to making their workforce more representative of the communities they serve. The Police have put in place support networks for women and people of minority backgrounds, and targeted recruitment campaigns, to address such challenges as:
- a "closed" workforce with few vacancies, because police officers tend to remain in the organisation for most of their working lives;
  - difficulty in attracting recruits from certain communities; and
  - retaining female recruits.

### Measuring cultural changes

- 4.26 The Police need to assess progress using a set of measures that show the nature and extent of workplace cultural change they are achieving.
- 4.27 The Police have identified that the *New Zealand Police Citizens' Satisfaction Survey*,<sup>13</sup> the Police-commissioned *Workplace Survey*,<sup>14</sup> the State Services Commission's *Integrity and Conduct Survey*,<sup>15</sup> and complaints information are potentially useful in measuring cultural change. These sources were part of the body of evidence for some of the practice changes we described in Parts 2 and 3.

### An ongoing focus on cultural change is still required

- 4.28 The Police need to actively and carefully manage some risks to achieving their intended culture. To attain the intended values, diversity, and practices, the Police need to:
- reach pockets of "old-style" attitudes where they might persist, such as in some rural police stations (including single-person stations) and in the CIB – acknowledging this risk and that managing it is hard;

13 *New Zealand Police Citizens' Satisfaction Survey Final Report for 2014/14 Fiscal Year (July 2013 – June 2014)*, available at [www.police.govt.nz](http://www.police.govt.nz).

14 *New Zealand Police Workplace Survey 2014*, available at [www.police.govt.nz](http://www.police.govt.nz).

15 State Services Commission, *Integrity and Conduct Survey 2013*. The overview report about the public service is available at [www.ssc.govt.nz](http://www.ssc.govt.nz).

- consistently apply the Flexible Employment Opportunity policy<sup>16</sup> (staff do not understand the policy well, managers are not applying it consistently, and a recent review found that some men had negative views of those using the Flexible Employment Opportunity);
- ensure that internal promotion and career development processes are appropriate to deliver on the Police's objectives for a diverse and representative workforce, and have credibility as a merit-based system;
- support and develop cohorts of new recruits and emerging leaders; and
- look at the professional development and possible career paths for staff who are not police officers (it could be beneficial to have staff with a broader range of capability).

<sup>16</sup> The Flexible Employment Opportunity was set up in 2003 to enable staff who left the workforce to return in a part-time capacity. Most often, this has been granted to women returning after parental leave.

## Need to maintain a focus on change

- 5.1 In this Part, we set out what we consider the Police need to do next, given the progress they have made with investigating adult sexual assaults, managing behaviour, and changing their workplace culture.
- 5.2 We acknowledge the progress that the Police have made in changing attitudes and behaviour. The Police do not intend to, and should not, lessen the attention they pay to these matters. Building and embedding desired cultural and practice changes needs constant attention and ongoing vigilance. The Commissioner of Police told us that this was “the beginning of the journey” and not the end of his personal commitment, or that of his executive team, to sustained improvement.
- 5.3 Assuming that change continues in the current and signalled direction, it should:
- support ongoing improvement in how the Police investigate sexual assault cases;
  - support ongoing improvement in how the Police manage staff behaviour; and
  - remain supportive of, and in line with, the spirit and intent of the Commission’s recommendations.
- 5.4 Certain risks need to be managed. Two of these are staff conduct risks. The Police need to ensure that staff understand and abide by the Code of Conduct and that they better understand and trust Early Intervention.
- 5.5 We also identified risks in ensuring that staff training in adult sexual assault investigation remains current and that the Police have enough understanding of the experience of adult sexual assault victims with the Police’s services to ensure that they consistently achieve a high-standard response.
- 5.6 In particular, as discussed in paragraphs 2.20-2.23, there is a risk that the first person an adult sexual assault victim approaches within the Police might not have received training that enables them to respond with the necessary empathy or to record the contact. It is important that the first person to respond to an adult sexual assault victim understands, through training and supervision, how to follow due process and how to respond with appropriate sensitivity, regardless of where that person works within the Police.
- 5.7 We have not made detailed recommendations about how the Police should improve how they investigate sexual assaults, manage behaviour, and change their culture. The Police already know many of the specific improvements they need to make. Since our third monitoring report, the Police have also strengthened their overall monitoring of progress with the Commission’s recommendations.<sup>17</sup>

<sup>17</sup> We expect the Police to formally end work on implementing the Commission’s recommendations at the appropriate time for each recommendation.

- 5.8 We want to reiterate the need for the Police to continue giving attention and focus to building and embedding desired cultural and practice changes. It is important that the Police set up ways to measure improvements in their workplace culture.
- 5.9 We make suggestions for other improvements, and these are listed in the Appendix.
- 5.10 In 2017, we intend to complete our monitoring by looking at how the Police are demonstrating, through their own monitoring and reporting, that they are maintaining the high standards expected of them. The onus is on the Police to demonstrate how the organisation has changed, including setting and using appropriate benchmarks and measures to guide how they monitor and report on their progress.

# Appendix: Our suggestions for the New Zealand Police

It is important that the Police are vigilant about identifying and managing matters that could impede the rate of progress towards an improved workplace culture that reflects the spirit and intent of the recommendations of the 2007 Commission of Inquiry into Police Conduct. These potential barriers could be present now or might still emerge. The Police also need to keep improving how they investigate adult sexual assaults and how they deal with victims.

The suggestions that follow reflect our observations during our audit. We have discussed some of these in greater detail in this report, and we consider others useful for the Police to consider. The list is not exhaustive, and we have not intended any particular prioritisation.

## **Investigating adult sexual assaults and dealing with victims**

To improve how the Police investigate adult sexual assaults and deal with victims, we suggest that the Police:

- continue to monitor training for staff who investigate allegations of sexual assault and prepare appropriate training for staff who might have first contact with a victim of a sexual assault (including greater clarity about who is responsible for recording this contact and the relevant details, as in the ASAI policy);
- consider ways to collate and analyse feedback from adult sexual assault victims in regular recording of cases, to better understand their experience of the Police;
- carry out the already-planned survey of adult sexual assault victims to better understand their experience of the Police;
- consider how to further improve communication with sexual assault victims;
- provide refresher training for staff on case management; and
- better use the available data on their performance in responding to adult sexual assaults to consider trends and identify risks and gaps, including resourcing issues.

## **Improving police staff behaviour**

To help improve managing and improving police staff behaviour, we suggest that the Police:

- continue and expand on ways to increase staff awareness and understanding of Early Intervention;
- consider how to make staff aware that appropriate action has been taken in response to behaviour that falls short of the Police's expectations; and

- provide training in districts for supervisors at a sergeant and senior sergeant level to improve performance management and awareness of modelling values and standards.

**Supporting women and staff from diverse backgrounds**

To help support women and staff from diverse backgrounds in the Police staff, we suggest that the Police:

- improve understanding and consistent use of the Flexible Employment Opportunity; and
- consider how to support professional development for staff who are not officers.

**Assurance Group suggestions**

We endorse suggestions made by the Police's Assurance Group to:

- improve the use and quality of monitoring tools, including considering how to better use quantitative performance information to help target improvement activities;
- carry out a national review of the availability of specialist support services compared with what is recorded in the agreements for those services; and
- introduce a national stocktake of sensitive interview facilities, examining the availability and standard of those facilities.

# Publications by the Auditor-General

Other publications issued by the Auditor-General recently have been:

- Ministry for Primary Industries: Managing the Primary Growth Partnership
- Central government: Results of the 2013/14 audits
- Government planning and support for housing on Māori land
- Ministry of Social Development: Using a case management approach to service delivery
- Water and roads: Funding and management challenges
- Making the most of audit committees in the public sector
- Accident Compensation Corporation: Using a case management approach to rehabilitation
- Challenges facing licensing trusts
- Annual Report 2013/14
- Ashburton District Council: Allegations of conflicts of interest affecting decisions on a second bridge
- New Zealand Transport Agency: Maintaining and renewing the state highway network – follow-up report
- From auditor to soldier – stories of the men who served
- Accident Compensation Corporation: How it deals with complaints
- Ministry of Social Development: How it deals with complaints
- State-owned enterprises: Results of the 2012/13 audits
- Public entities' progress in implementing the Auditor-General's recommendations 2014
- The Auditor-General's strategic intentions 2014/15 to 2017/18

## Website

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