



INDEPENDENT POLICE CONDUCT AUTHORITY

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MEDIA RELEASE

NEW NAME, POWERS FOR INDEPENDENT POLICE CONDUCT AUTHORITY

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The Police Complaints Authority has been renamed the Independent Police Conduct Authority in one of several legislative changes made to strengthen the Authority's independent oversight of Police conduct.

The changes were made by the Independent Police Complaints Authority Act 2007, which comes into force tomorrow (29 November 2007). The changes implement recommendations from the 2007 Commission of Inquiry into Police Conduct (the Bazley inquiry) and the 2000 Review of the Police Complaints Authority (the Gallen review).

'These changes enhance the authority's independence and ability to provide robust, impartial and timely oversight of Police activities,' says Authority Chair the Honourable Justice Lowell Goddard.

'They will ensure that Police promptly inform us about any complaints they receive, and allow us to focus our resources appropriately so that serious cases are dealt with in a timely manner. They also confirm that we are able to investigate historic complaints about Police conduct.'

The specific changes are:

- the authority is renamed the Independent Police Conduct Authority
- clarifying that the Authority can investigate historic complaints dating back to before its establishment in April 1989 (as recommended by the Bazley inquiry)
- requiring the Police to notify the Authority no later than five working days after a complaint is received (the law previously required Police to notify the Authority 'as soon as practicable' but did not impose a specific time limit)
- enabling the Authority to refer minor matters back to the Police for investigation where appropriate, so the Authority can focus on investigating serious matters (the Authority will still supervise Police handling of complaints)

- requiring the Authority to inform the Minister of Police and the Attorney General if the Police response to an Authority recommendation is unsatisfactory
- allowing the Authority to have up to five members.

‘The new name reinforces our independence and reflects the fact that our role isn’t simply to respond to complaints,’ said Justice Goddard. ‘We also investigate incidents where Police actions may have caused death or serious bodily harm – for example, deaths in custody or during car chases – regardless of whether there is a complaint.’ The Authority has also adopted a Maori conceptual name: *Whaia te pono kia puawai ko te tika*, which translates as *Seek out justice and let the truth prevail*.

She said the provision for appointment of up to five Authority members was aimed at enhancing accountability and public confidence in the Authority’s oversight of Police conduct by ensuring a range of community views was represented. The previous law provided for the Authority to comprise one person, assisted by a deputy.

‘These changes build on previous work to enhance the Authority’s independence,’ said Justice Goddard. ‘In 2004, the Authority appointed its own investigative staff so it would not have to rely on Police investigating their own in serious cases. We are also implementing operational recommendations from the Bazley inquiry aimed at, for example, improving communication with people who make complaints.

‘Altogether, these developments mean New Zealanders can have confidence that New Zealand Police conduct is overseen by a genuinely independent, impartial and vigilant Authority.’

Justice Lowell Goddard

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INDEPENDENT POLICE CONDUCT AUTHORITY: MEDIA BACKGROUNDER

What are the Authority's roles?

The Authority was set up under the Police Complaints Authority Act 1988. Under that Act, its functions include:

- receiving and considering complaints about alleged Police misconduct or neglect of duty, or Police practices, policies or procedures
- investigating incidents where Police may have caused death or serious bodily harm.

The Authority does not investigate allegations of criminal conduct by Police officers.

What powers does the Authority have?

When it receives a complaint, the Authority can take a range of actions including: investigate; defer action while Police to investigate the complaint; oversee a Police investigation into the complaint; take no action (for example, if the complaint is trivial or vexatious).

If the Authority investigates a complaint or incident and decides that police have acted in a way that is unlawful, unreasonable, unjustifiable, unfair or undesirable, the Authority makes recommendations to the Commissioner – for example, that officers face disciplinary hearings or criminal charges.

If the Police investigate a complaint, the Authority has powers to review or take over the investigation, or give directions to Police about the investigation and its outcomes.

How many complaints does the Authority deal with?

In the year to 30 June 2007, the Authority accepted more than 3000 complaints for investigation.

How many staff does the Authority have?

The Authority has a staff of 18, including the authority chair, the deputy, five investigators and six review staff.

How is the Authority dealing with the recommendations from the Bazley inquiry?

The legislative changes which came into force today were partly in response to the Bazley inquiry. In addition, the Authority has taken several steps to raise its profile and improve communication with complainants in response to procedural recommendations from the Inquiry. Regular updates on this work are available through the Authority's website www.ipca.govt.nz.