

Independent Police Conduct Authority (IPCA)

Position Description

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| Position title: | Investigator |
| IPCA Group: | Operations |
| Location: | Wellington |
| Date of issue: | March 2022 |
| Reports to: | Manager: Investigations |

Position purpose

The Investigator assists the IPCA to undertake its functions under the Independent Police Conduct Authority Act 1988. Specifically, the role involves carrying out independent investigations into complaints about Police conduct and incidents where death or serious bodily harm has been or appears to have been caused by Police employees. The investigator will oversee and review Police investigations into complaints and incidents, where the Authority has decided it is appropriate for them to do so.

The Authority has obligations as a monitoring agency under the Crimes of Torture Act 1989. Investigators may also be involved in the programme of inspection and audit of Police custodial facilities to ensure they are safe, humane and meet international standards.

The Investigator is responsible for all aspects of assigned investigations including the development of investigation plans, identification of relevant issues, analysis of evidence, conduct of interviews and managing the sensitive relationships with complainants, victims, next of kin, and Police staff under investigation. The investigator completes the analysis including consideration of applicable law, Police policy and procedure, and drafts advice to support the Authority's findings. An investigator must apply sound judgement and objective analysis to complex, real-world situations. This will often be in difficult circumstances and involve close public and media scrutiny. Their work is at the core of how the Authority delivers on its aim to provide independent, impartial and proportionate assessments of Police conduct.

For the people most closely affected by the Authority's work investigators are the front face of the Authority. An investigator is expected to bring strong interpersonal and relationship skills and the highest standards of integrity to their work. The investigator's work is critical in enhancing and maintaining the Authority's reputation and the quality of its investigations.

About the IPCA

The IPCA is an Independent Crown Entity established by the IPCA Act to investigate and resolve complaints against the Police. The Authority exists to enhance public trust and confidence that complaints about Police conduct and incidents involving death and serious bodily harm are fairly and impartially investigated or overseen, and grievances are appropriately addressed. It also makes recommendations for change in Police policy and practice which contributes to improved Police performance.

The Authority also serves as a National Preventive Mechanism under the Crimes of Torture Act 1989, which implements the United Nations Optional Protocol to the Convention Against Torture (OPCAT). This involves inspecting and auditing reports on Police detention facilities throughout New Zealand to ensure that they are safe and humane and that they meet international standards.

The IPCA is governed by a Board, which is chaired by a Judge. The Chair is also the operational head of the IPCA.

The IPCA core values are independence, trustworthiness, accountability, vigilance, and integrity.

The IPCA's Operations Group

The IPCA Operations Group includes four functional service delivery areas: Investigations; Case Resolution; Operations Advice and OPCAT.

The Case Resolution Group (comprising two teams) is responsible for receiving, assessing, categorising, managing, and resolving complaints submitted to the IPCA. The Teams manage communication with complainants, liaise with Police Professional Conduct staff and oversees some of the cases requiring police investigation.

Operational advice is provided by senior and principal advisors who work across the Authority providing legal and operation advice to staff.

These groups are supported by a small corporate team that provides customer-oriented services that ensure the IPCA's capability continues to develop and improve in alignment with wider government and state sector agencies. The team provides enabling services and support to all areas of the IPCA to assist in the delivery of the IPCA's operational functions.

Important Relationships

Internal:

The IPCA is a small organisation where the teams work collaboratively. An investigator could expect to have relationships with staff across the organisation and including the IPCA Chair, Board members and General Manager as well as their immediate colleagues.

External

- Complainants, victims, and next of kin
- Police subject and witness officers/staff
- Police National Headquarters Professional Conduct staff
- Police District Professional Conduct Managers and investigators
- Police Association representatives
- Professional contacts e.g., coroners, forensic advisors and counsel representing interested parties.

Key Accountabilities

The Investigator is accountable to the Manager: Investigations, who will monitor and review workload and performance. Key accountabilities for an Investigator include:

| Accountability | Deliverables / Outcomes |
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| Investigations | <ul style="list-style-type: none"> • Develop a plan for each allocated investigation in consultation with their manager. Identify the issues for investigation, relevant legislation and policy. The plan should set clear timeframes for each phase of the investigation. • Conduct investigations appropriate to the circumstances and in line with IPCA’s policies, procedures, and relevant legislation. • Determine who needs to be interviewed and prepare an interview plan covering the relevant issues and themes. • Manage the conduct of interviews including engagement of interviewees, and support to participants (who may be complainants, vulnerable witnesses, police staff, next of kin) throughout the interview process. This may include post-interview follow up and assistance with accessing support services e.g. counselling. • Be able to assess witness credibility and reliability when weighing up conflicting accounts. • Continually review of the progress of the investigation to ensure it is on track and meeting timeframes. Exercise judgement about escalating issues throughout. • Keep all parties updated as the investigation progresses. • Bring developments of an unusual or complex nature to the attention of the Manager: Investigations at the earliest opportunity. • Be able to identify issues and risks that require escalation for resolution. • Report on investigation progress and articulate the issues when briefing the manager or Judge. • Assess and analyse the evidence obtained against law and policy and be able to make sound draft findings and recommendations that are impartial and proportionate to the circumstances. • Identify areas for improvement in Police practice and propose recommendations for change to Police policy and procedures. • Maintain a professional and constructive relationship with Police and be able to articulate the Authority’s view and approach, and advocate effectively for changes to be implemented.. • Prepare draft public reports and ensure all correspondence is of a high standard and appropriate to the intended audience and consistent with the Authority’s writing style. • Manage the section 31 (natural justice) process that provides Police officers with the opportunity to make submissions when adverse comments or findings are made against them. Be sensitive when dealing with officers throughout this process and be able to articulate findings to them as required. • Manage post-closure correspondence where complainants and/or other parties’ express dissatisfactions with our findings or outcomes and provide advice to managers on proposed responses. • Contribute constructively to peer review processes, and share knowledge and expertise (SME) across the Authority. • Be flexible and prepared to travel at short notice to conduct investigations as required. |

| Accountability | Deliverables / Outcomes |
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| Oversight investigations | <ul style="list-style-type: none"> • Identify the issues and scope for each investigation in consultation with their manager and in line with IPCA’s policies, procedures, and relevant legislation. • Prepare initial letters to the Commissioner of Police identifying the key issues for investigation. • When necessary, influence Police to adopt a course of action and articulate the Authority’s view and approach. • Continually review the Police investigation progress to ensure it is on track and what actions are needed if a change in approach is required. Consider whether the IPCA needs to take back the investigation and escalate to a manager as necessary. • Bring developments of an unusual or complex nature to the attention of the Manager: Investigations at the earliest opportunity. • Review Police’s draft investigation reports and analyse the findings against the evidence gathered and relevant policy and legislation, within agreed timeframes. • Determine if all agreed issues have been adequately investigated and influence Police to remedy any shortcomings identified. • Prepare feedback on Police draft investigation reports for approval by their manager, within agreed timeframes. • Be able to identify areas for improvement in Police practice and make recommendations for change to Police policy and procedures. • Prepare file notes for consideration by the manager and the Judge, and letters and website summaries as required before cases are closed. • Ensure all correspondence is of a high standard and appropriate to the intended audience and consistent with the Authority’s writing style. • Manage the section 31 (natural justice) process that provides Police officers with the opportunity to make submissions when adverse comments or findings are made against them. Be sensitive when dealing with officers throughout this process and be able to articulate findings to them as required. • Manage post-closure correspondence where complainants and/or other parties’ express dissatisfactions with our review of the Police investigation provide advice to managers on proposed responses. |
| OPCAT functions | <ul style="list-style-type: none"> • Undertake audits and inspections of Police-managed custodial facilities as part of the Authority’s regular programme and prepare reports of those audits and inspections with recommendations as appropriate. • Identify opportunities to influence Police policy practice and procedure in relation to custody units. • Manage relationships with Police custody staff and PNHQ staff. |
| Relationship management | <ul style="list-style-type: none"> • Develop professional relationships with complainants and other individuals or organisations when conducting IPCA business. • Manage complainant relationships and expectations throughout the investigation. |

| Accountability | Deliverables / Outcomes |
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| | <ul style="list-style-type: none"> • Communicate effectively with a wide range of people and adapt style and approach when necessary. • Develop professional relationships with Police Professional Conduct managers and Police investigators and other employees; and adhere to protocols relating to cooperation and engagement with the Police. • Manage the conduct of interviews including engagement of interviewees, and support to participants (who may be complainants, vulnerable witnesses, police staff, next of kin) throughout the interview process. This may include accessing support services where appropriate. • Establish and maintain positive relationships with Police districts, Police Association Field Officers, Coroners, Forensic Advisors, and Counsel representing Police staff. |
| Business processes and practices | <ul style="list-style-type: none"> • Use IPCA resources efficiently and effectively. • Adhere to the IPCA information management standards and policies and maintain accurate database records. • Maintain the confidentiality and security of all information acquired in the exercise of the IPCA's functions. • Maintain a sound and current knowledge of relevant legislation, and Police practices, policies, and procedures. • Keep up to date on areas of expertise (SME) and provide advice, support and training to other IPCA staff in these areas as required. • Provide coaching and mentoring to the assistant investigator as required. • Contribute to projects and thematic reviews. |
| Specialist expertise | <ul style="list-style-type: none"> • Investigators will develop specialist areas of expertise in addition to their general investigative skills. These may include specialisation in areas of relevant law, for example the Use of Force under the Crimes Act, or Police Policy and practice in relation to operational tactics or custodial management. • Share this expertise across the office to develop staff. • Contribute expertise to thematic work as required. |
| Contribute to the service delivery of the IPCA | <ul style="list-style-type: none"> • Contribute to a positive team environment. • Promote and role model IPCA values. • Work collaboratively with others to achieve goals. • Present a professional image of the IPCA to internal and external business partners. • Contribute productively at team meetings. • Work collegially and effectively with other IPCA business groups. • Provide advice, support and mentoring of colleagues. |

Competencies

| <i>Competency</i> | <i>Evidence</i> |
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| Interpersonal skills | <ul style="list-style-type: none"> • Communicates effectively with a wide range of individuals. • Defuses high-tension situations comfortably. • Displays empathy and sensitivity in distressing and highly emotional situations. • Able to work effectively with people from different cultures, beliefs and backgrounds. • Constructively influences Police decision makers on the Authority's view and investigative requirements. |
| Analytical skills | <ul style="list-style-type: none"> • Processes information from diverse sources. • Identifies key issues, and interprets and applies relevant evidence, law and policy to specific complaints and incidents. • Analyses large amounts of information and identifies relevant issues and questions quickly. • Shows consistent attention to detail. |
| Relationship focus | <ul style="list-style-type: none"> • Responds effectively in a wide range of culturally and ethnically different contexts. • Is dedicated to meeting the expectations and requirements of internal and external stakeholders. • Acts with stakeholders/parties in mind. • Establishes and maintains positive working relationship with Police and exercises judgement when dealing with Police to balance the needs of the investigation and the need to maintain relations and ability to be flexible and amend approach if needed. |
| Judgement | <ul style="list-style-type: none"> • Acts in an impartial, fair, and sensitive manner. • Uses diplomacy and tact. • Makes decisions and forms opinions based on objective analysis. • Assesses situations or circumstances and draws sound conclusions applying common sense and sound analysis. • Able to deal with sensitive, confidential, and disturbing or offensive material. |
| Organisation and time management | <ul style="list-style-type: none"> • Is organised and structured in approach to work. • Develops plans to manage workload and follows through with these. • Utilises technology and systems to manage work effectively. • Plans and organises time and works efficiently. |
| Flexibility | <ul style="list-style-type: none"> • Able to work independently or collaborate with others. • Can effectively cope with change. • Can adapt style and approach to meet changing circumstances. |
| Integrity | <ul style="list-style-type: none"> • Adheres to the IPCA's core values of independence, trustworthiness, accountability, vigilance, and integrity. • Appreciates and understands the importance of privacy and secrecy. |

| Competency | Evidence |
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| Self-development | <ul style="list-style-type: none"> • Aware of personal strengths, weaknesses, opportunities, and limits. • Gains insight from mistakes. • Is open to constructive criticism. • Is personally committed to and actively works to continuously improve. • Understands that different situations may call for different skills and approaches. • Learns quickly when facing new situations. |
| Communication skills | <ul style="list-style-type: none"> • Has excellent written communication skills. • Writes succinct, plain, and grammatically correct English, in a form that is accessible to the general public. • Has strong oral communication skills, including the ability to engage effectively over the telephone and in person with angry or distressed people. • Able to participate in robust conversations and discussions on issues and findings with managers and the Judge. |

Person Specification

Education, Skills, Knowledge, Experience

Required:

- Experience in investigations and project management in complex operational and regulatory environments, requiring the analysis of legal, policy and operational practice issues, and the exercise of independent judgement about challenging real world situations.
- Demonstrated ability to manage multiple relationships in sensitive situations with professionalism, empathy, and integrity.
- Experience of interviewing in an investigative environment.
- Proven ability to translate evidence-based analysis into effective written and oral communication.
- Knowledge or experience in the functions of the Police or other law enforcement agencies.
- Knowledge of Treaty and Responsiveness to Māori.

Desirable

- Legal knowledge.
- A relevant tertiary qualification.