



IPCA

Independent Police
Conduct Authority

Mana Whanonga Pirihimana Motuhake

The background of the cover is a close-up photograph of a large, textured surface, possibly a wall or a large plant, with a white, ruffled border at the top. The colors are vibrant and varied, including shades of green, blue, purple, and yellow.

Te Pūrongo Ā-Tau 2021/22 ANNUAL REPORT



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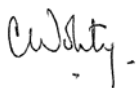
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TO: THE HONOURABLE MINISTER OF JUSTICE

E harikoa ana te Poari ki te whakatakoto i te Pūrongo ā-Tau o Mana Whanonga Pirihimana Motuhake mō te tau i oti i te 30 o Pipiri, 2022.

We have the honour to present to Parliament the Annual Report of the Independent Police Conduct Authority, pursuant to the provisions of the Crown Entities Act 2004.

The report covers the period 1 July 2021 to 30 June 2022.



Judge Colin Doherty

Chair



Liz Sinclair

Member



Simon Murdoch

Member



Foreword by the Chair - Te Kōrero Whakataki

Over the last few years my practice, after reviewing the year, has been to acknowledge the work of Authority staff at the end of my foreword. I am breaking from the norm this year simply because the year has been exceptionally challenging for Authority staff on multiple fronts and I want to acknowledge the effort and contribution they have all made. On the core business front Authority staff shouldered increasing complaint volumes, increasingly serious and complex complaints and carried heavy caseloads due to staff recruiting and retention issues, Covid impacts on staff availability and the investigation and review of the occupation and protest at Parliament.

In addition, the Parliament Protest Review has drawn heavily on Authority staffing resources. A total of twelve seconded staff from across the Authority supported by several secondments from other government agencies and fixed term contractors are supporting the Review. Of course, there has been an impact on our core work given the challenges to find backfill for all roles. I also thank those who have joined the Authority to support this work, they have contributed beyond expectation and we are very fortunate to be able to attract people of such calibre. Throughout the year Authority staff continuously demonstrated resilience, agility, innovative thinking, great teamwork, and a clear sense of belief in the importance of the work we do at the Authority. I thank them all for their continued commitment to the maintenance of high standards and the production of work of such high quality.

Our core business has taken on a much broader array of activities in recent years, evidence of the maturing operational capabilities of the Authority, which despite being stretched at times, has consistently demonstrated the vital contribution we make to the wider justice sector.

The complexities of the diversifying communities we serve is reflected internally in the work that we encounter. Our work is reported on not only by ourselves through our public reports, but extensively by media, and increasingly, the Authority, IPCA, or more frequently “the Police watchdog” has a presence on media platforms on an almost daily basis.

Against this backdrop the Authority has released 39 public reports detailing findings from our investigations and several thematic review reports, managed an increasing number of complaints whilst maintaining measurable gains in throughput efficiencies, resourced and stood up the Parliament Protest Review project team, and continues to advance two major pieces of joint-agency work.

In November 2021 the Authority released its review of Policing in small communities, the Review made 41 recommendations to Police. The Review was undertaken within 12 small communities across the country and interviewed local officers and residents. Somewhat serendipitously, at the time of writing this foreword, I read in the media of the changes being rolled-out across the motu as Police implement those recommendations throughout rural policing practices.

The other thematic review work the Authority initiated this year evolved from complaints we receive in relation to inadequate investigation of fraud by Police. The Review will examine Police response to fraud complaints which may, when it falls short, potentially undermine trust and confidence in not only NZ Police but the criminal justice system generally.

Our joint-agency work, with the Office of the Inspectorate of the Department of Corrections, and the Inspector-General of Intelligence and Security (IGIS), is focusing on events leading up to

the attack at New Lynn Countdown on 3 September 2021, and our joint inquiry between the Authority and Office of the Privacy Commissioner is looking closely into the practice of photographing members of the public who were not being detained or suspected of committing an offence.

This type of work is an important acknowledgement of the growing emphasis on 'whole-of-sector' coordinated response and is consistent with the Authority's strategic emphasis towards a more preventative focus.

Our work 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), is also placing increased demand upon our limited resources. We do, as always, recognise the importance of this work as a critical contribution to ensuring international treaty obligations are adhered to and are considering how best we might resource this important work in the coming year.

We have sometimes referred to ourselves as a small cog within the much larger justice sector. Reading the expanse of the work that has been delivered during the year might suggest a much

larger organisation, so the fact that our core complement of staff sits at around 40-45 FTEs is a huge testament to not only the efforts of our staff, but to the breath of impact our work has and the communities it can reach.

The Authority and Police continue to foster excellent and professional working relationships. I am particularly appreciative of the cooperative working relationship between Authority and Police staff without which the Authority could not operate as effectively as it does. I remain of the view that professional cooperation between us is fundamental to the effective and efficient oversight of policing and to achieving appropriate changes in Police practice and policy.

Finally, I thank the members of the Authority Board, Simon Murdoch and Liz Sinclair, for their excellent governance skills, their support for the Authority and their personal support to me as Chair. The members have worked tirelessly to provide outstanding governance-direction and advice. I thank them for their wisdom and support in challenging times.

Judge Colin Doherty

Chair

INDEPENDENT POLICE CONDUCT AUTHORITY

Mana Whanonga Pirihihihi Motuhake

The year in brief

During the year the Authority:



- Received **6051** complaints about Police (includes Parliament Protest)



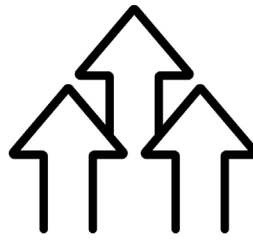
- Categorised **47** complaints for independent investigation



- Published **39** public reports,



- Focused on developing enhanced wellness and professional development support within the workplace



- Experienced a **61%** increase in core complaints over 4 years (excludes Parliament Protest)



- Oversaw **215** Police investigations



- Published **141** website summaries of oversight outcomes of Police investigations



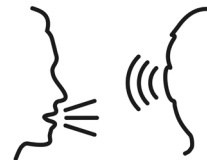
Managed stand-up of project team (21 pax) to investigate policing of Parliament Protest



- Maintained or improved throughput and performance results despite increased volumes



- Facilitated **1244** agreed resolutions of complaints against Police



- Published our thematic review on Policing in Small Communities, resulting in 41 recommendations accepted by Police



- Undertook two major joint-agency pieces of work

Our purpose

The Authority exists so that people have trust that complaints about, and incidents involving, Police conduct will be fairly and impartially investigated or reviewed; those reasonable grievances are appropriately addressed; that any practice, policy or procedure issues will be identified and addressed by appropriate recommendations; and that these will result in improved Police performance.

At the heart of our work is the belief that public confidence in an independent Police oversight system will lead to greater trust in Police and policing. In turn, this will contribute toward increasing the Police's overall effectiveness in achieving government outcomes.

Through impartial and independent oversight, the Authority also provides reassurance to the public and Parliament that policing standards are of the highest calibre.

Optional Protocol to the Convention Against Torture (OPCAT)

Separately, but aligned to the management of public complaints against the Police, 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 they are safe and humane and meet international standards. While this is a separate responsibility the Authority is charged with, it aligns with, and helps inform, aspects of our investigative functions and thematic review work.

Our legislative function

The Authority is an independent Crown Entity under Part 3 of Schedule 1 of the Crown Entities Act 2004.

We are established under the Independent Police Conduct Authority Act 1988 (IPCA Act).

Our primary function is defined under the IPCA Act as follows:

- Receiving and acting on complaints alleging misconduct or neglect of duty by any employee of the Police, or concerning any practice, policy, or procedure of the Police.
- Investigating incidents involving death or serious bodily harm caused, or appearing to have been caused, by an employee of the Police acting in the execution of their duty, where we are satisfied there are reasonable grounds in the public interest to do so.

Our Memorandum of Understanding (MoU) with the Police covers instances which may present reputational risk to the Police. This includes serious offending by a Police officer, or Police actions that may have an element of corruption, regardless of whether there has been a complaint.

When the Authority receives a complaint, we can investigate the complaint ourselves; refer it to the Police for investigation under our active oversight; facilitate a resolution between the Police and the complainant that addresses the complainant's grievance; or take no action.

Our independence

The Authority is an independent organisation.

We demonstrate our independence by making our own judgements about the facts, based upon available evidence and the applicable law. The Authority listens to, and considers the views of, all those involved carefully, but our decisions are based solely on our assessment of the facts and the available evidence.

We explain our evidence and rationale for our decisions clearly to all Police officers subject to our investigations, to complainants, and to the wider community via our public reports and website publications.

We utilise our own resources to undertake investigations into serious matters and publicly report on the outcome unless there is an overriding private interest to the contrary.

We also actively monitor and review the thoroughness and outcomes of Police investigations where we consider it appropriate to do so.

We are statutorily independent by virtue of the Independent Police Conduct Authority Act 1988 (IPCA Act) and the Crown Entities Act 2004. Statutory independence is critical for our effectiveness.

Unless Police actions have resulted in death or serious bodily injury, or we receive a referral from the Police under the MoU, we cannot instigate investigations without a complaint. Nor are we able to prosecute or take disciplinary action against a member of Police. Instead, we may make recommendations to Police, including

that disciplinary or criminal proceedings be considered or instituted.

If we are not satisfied with the Police response to our recommendations, the Authority must inform the Attorney-General and the Minister of Police. If we consider it appropriate we may also transmit a copy of a report to the Attorney-General for tabling in Parliament, and the Attorney-General must do so.

The Authority's investigations are undertaken by experienced staff who come from a variety of backgrounds and areas of expertise. This includes staff with extensive policing experience, either in New Zealand or in other Commonwealth countries, and others with significant legal, criminology, investigative or complaints-management experience. Investigations are subject to review and oversight by management. Any report issued publicly is reviewed and signed by the Chair of the Authority. The Chair, who must be a Judge or a retired Judge, is ultimately responsible for all findings and recommendations.

Although impartiality is critical, it is both appropriate and a practical necessity that the Authority maintains a professional and constructive working relationship with the Commissioner of Police, the Police executive, senior officers, staff from the Police Professional Conduct Group, and Police investigators.

Unless Police actions have resulted in death or serious bodily injury, or the Authority receives a referral from the Police under the MoU, it cannot instigate investigations without a complaint.

Our People

We are governed by a board that is accountable to Parliament and reports to a responsible Minister within Government. Authority board members have a range of relevant skills and experience, including experience in governance, executive level management expertise, and public sector experience.

The current board members are Judge Colin Doherty (Chair), Ms Liz Sinclair and Mr Simon Murdoch.

The Board meets monthly to focus on five key issues concerning its governance functions: ensuring prudent financial management; setting strategic direction and high-level policy; assessing the effectiveness of the Authority's delivery of services against its strategic objectives; monitoring and addressing risks to the organisation; and monitoring the extent to which the requirements of relevant legislation and public expectations are met.

The Chair discharges a range of executive functions to support the day-to-day management of the Authority. The Chair is supported by a General Manager and an organisational structure that prioritises available resources toward the efficient and effective delivery of operational services.

As at 30 June 2022 the Authority had 40 permanent FTEs within its core operations across a mix of permanent, contract and full-time and part-time roles. Over recent years the Authority has strived to increase its capacity and appoint more staff to vital areas, however over the current period we faced significant recruitment and retention challenges. We also established a project team for the Parliament Protest Review involving internal secondment of 12 of our permanent staff. In turn, this required recruitment and training of temporary backfill-staff who are commended for their efforts to

quickly come to grips with the expectations of these roles.

Organisational capability

We aim to deliver the best service we can to the community we serve. We recognise that our work and actions need to be informed by a range of views as this will enhance the credibility, value, and effectiveness of the work that we do. Having greater diversity and inclusion within our workplace is underpinned by acknowledging who we are as individuals, our experiences, and our family and cultural heritage.

In 2021/22 we have developed a series of management-led workstreams under the Public Service Commission's Papa Pounamu framework that aim to develop our awareness and capability within five key areas;

- Cultural competence
- Addressing bias
- Inclusive leadership
- Building relationships
- Employee-led networks

Wellness Support

We are committed to ensuring that we keep every staff member healthy and safe, and that we espouse the values of being a good employer. Like many organisations the Authority and staff faced ongoing challenges in the 2021/22 year, including the ongoing disruptions due to the Covid-19 pandemic and related lockdowns. The need for support and resilience strategies within the workplace was more vital than ever. Wellness-support is delivered through an ongoing Employee Assistance Programme, but also in-house via participation in the workstreams highlighted under the Papa Pounamu framework.

Participation in sector activities

Each year as part of the Government Legal Network – Summer Clerk programme, the Authority hosts tertiary student(s). We intend to continue our participation in this programme on an annual basis to help young graduates, and those looking at a career in the public sector to develop their understanding and knowledge of the functions and justice-related services delivered by the Authority.

Managers and staff participate in a wide range of sector activities, including the Public Sector Network, ICE (Independent Crown Entities) forums, and DiversityWorks discussion.

Broader Outcomes

The Authority is cognisant of the role it plays in contributing to broader Government objectives as part of the wider public sector. This includes the role we play in supporting the Government's Climate Change Response (Carbon Zero) Amendment Act 2019. Our procurement activities (especially travel and leasing arrangements) aim to manage and reduce our carbon emissions. We also foster a culture of environmental responsibility through monitoring and reporting on our emissions and developing strategies to help reduce the impact of our activities on the environment.

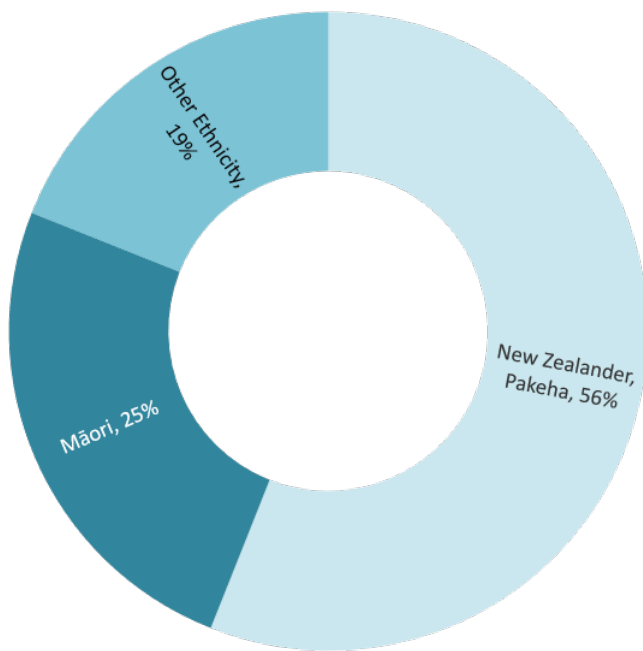
Organisational Profile

Role	FTE Number	% of total staff	% Female	% Male
Managers (including General Manager)	6	15%	66%	34%
Operational - Case Resolution Staff	12.8	32%	77%	23%
Operational – Investigations Staff	9.7	25%	49%	51%
Operational – Cross-organisational advisers	5.5	14%	73%	27%
Team Administrators/Support	5.5	14%	100%	

We are a small organisation numerically. This year, in addition to our core complement of permanent staff the Authority has engaged a combination of fixed-term employees, external secondees from other agencies, and specialist contractors to help us resource the Parliament Protest Review. This has seen our overall head count increase to around 72 staff on a temporary basis to support the delivery of the Parliament Protest Review. Rapid expansion to equip and accommodate these staff has been necessary, as is reflected in the temporary expansion and reshaping of our organisational structure.

Who works here?

Our workplace is representative of the diverse community in which we live. Coming from a variety of backgrounds and communities enhances our collective work, and our ability to best help the communities we serve. This is in part because of a strategic human-resource approach that recognises the value of increased diversity, and the broadening range of specialist skills and experience required to deliver our services.



Maintaining throughput under increased demand

The 2021/22 year has seen an unprecedented level of effort for the Authority. We received, categorised, managed, and concluded more complaints than ever before. In addition, the Authority has stretched its capacity and capability to conduct the Parliament Protest Review, as well as advancing two large-scale joint-agency investigations and major themed reports on policing in small communities and fraud. Staff in the Authority have shown an outstanding level of commitment in responding to these circumstances.

The Authority has been separately funded for the Parliament Protest Review but has had to find capacity within existing resources to deliver other large pieces of work. It is increasingly difficult in a tight labour market to secure the core specialist capabilities we need. Consequently, our operational teams have faced significant recruitment and retention challenges. During the year, the Authority also baselined and prioritised our approach to OPCAT work and determined the need to reprioritise resource into this area to get an acceptable minimum-level of coverage. To maximise our capacity the Authority has:

- Continued to improve the use of analytics from our case management system to inform decision making.
- Kept the emphasis on continuous improvement of core processes within the Authority and between the Authority and Police.
- Looked at how staffing arrangements can be re-shaped to provide better career pathways and grow our specialist capabilities.

The Board has continued concern about the ability to sustain the Authority's operations in the face of forecasted growth in complaint volumes, while also carrying out strategic work such as thematic reviews. At present, potential candidate areas for this type of approach are being queued. Efforts to improve public awareness of, and access to, the Authority are progressing at a low-level due to capacity constraints. Our assessment is that the present level of resourcing provides the minimum viable capacity for the Authority. Progressing solutions to this remains a high priority.

Against this backdrop, we are pleased to be able to report the performance results that follow.

Table 1. Comparative performance – Throughput

Action	2021/22	2020/21 Comparative	% change in throughput or complaint inventory
New complaints received during the period	6051 (4123 core complaints, 1928 Parliament Protest)	4252	42% ↑ ¹ (3% ↓ core complaints)
Total number of files closed during the period	6126	4213	45% ↑ ²
Public reports released (during the period)	39	50	
Current open Category A files	81	97	
Current open Category B files	208	272	
Current open Category C files	70	87	
Current open Category D files	76	5	
Current files awaiting categorisation	676 ³	619	9% ↑
Current open files as at 30 June	1111	1089	2% ↑

¹ This increase is inclusive of the Parliament Protest complaints.

² This increase is inclusive of the Parliament Protest complaints.

³ Table 1 notes total complaints received and closed during the year, identifying both core complaints and Parliament Protest complaints. Complaints received in relation to the policing of the Parliament Protest were triaged and assessed outside of our standard categorisation processes, with complaints and information being assessed on both an individual basis and how it may be relevant to informing the broader thematic review of the policing of the protest. All complaints are managed within our CMS database, but as the Parliament Protest complaints advanced, their management has deviated from standard processes. A small number of Parliament Protest complaints were still awaiting categorisation at 30 June 2022. Parliament protest complaints are excluded from our performance measures (Statement of Performance page 28 – 47)

Volume of complaints, referrals, and trends

Incoming complaint volumes

With the inclusion of approximately 1,900 complaints related to the Parliament Protest, the Authority recorded a 42% increase in complaints (1,799 additional cases) over the previous year. The rate of incoming complaints is still increasing year on year however the rate has slowed slightly over the last two years and experienced a slight check in core complaint numbers in 2021/22.

Annual forecasting anticipates 5% annual growth in complaints. This rate of growth has slowed due to the ongoing impact of Covid-19, the one-off events relating to the protest at Parliament, and in general, the unprecedented events of the last two years changing the interactions between Police and some communities.

During the third quarter of the 2021/22 period, the period of the Parliament Protest, we received an average of 966 per cases a month. It was evident that managing this volume of complaints would place the Authority's already stretched resources under considerable strain, yet it was recognised that the Authority was the appropriate agency to undertake the review of these events. Parliament approved additional funding of \$3.5 million to support the Authority to do this work. Due to the volume of complaints received, the processes for receiving and triaging the protest complaints had to be undertaken outside of usual business processes, they are therefore identified separately, or excluded from our performance reporting.

We anticipate that the trajectory of complaint numbers should revert to a normative growth rate of 5% per annum. Over recent years we have experienced both exponential growth and erratic demand, leading to a compound 61% increase in our core business since 2017/18. This makes planning for, and maintaining, commensurate levels of resourcing extremely challenging.

The Authority operates a triage system to allocate complaints and referrals we receive to either the Investigations Group or the Case Resolution Group. The categories to which cases are allocated are:

- **Category A** – Independent investigation by the Authority.
- **Category B** – Referral to Police for investigation with active oversight by the Authority and a full review of the file, by the Authority, at the conclusion of the investigation.
- **Category C** – Facilitated resolution of a complaint through appropriate action by the Police to address the complainant's grievance.
- **Category D** – Complaint declined by the Authority.

The categories to which cases are assigned are described in detail in [Appendix 1 - Complaint Definitions](#).

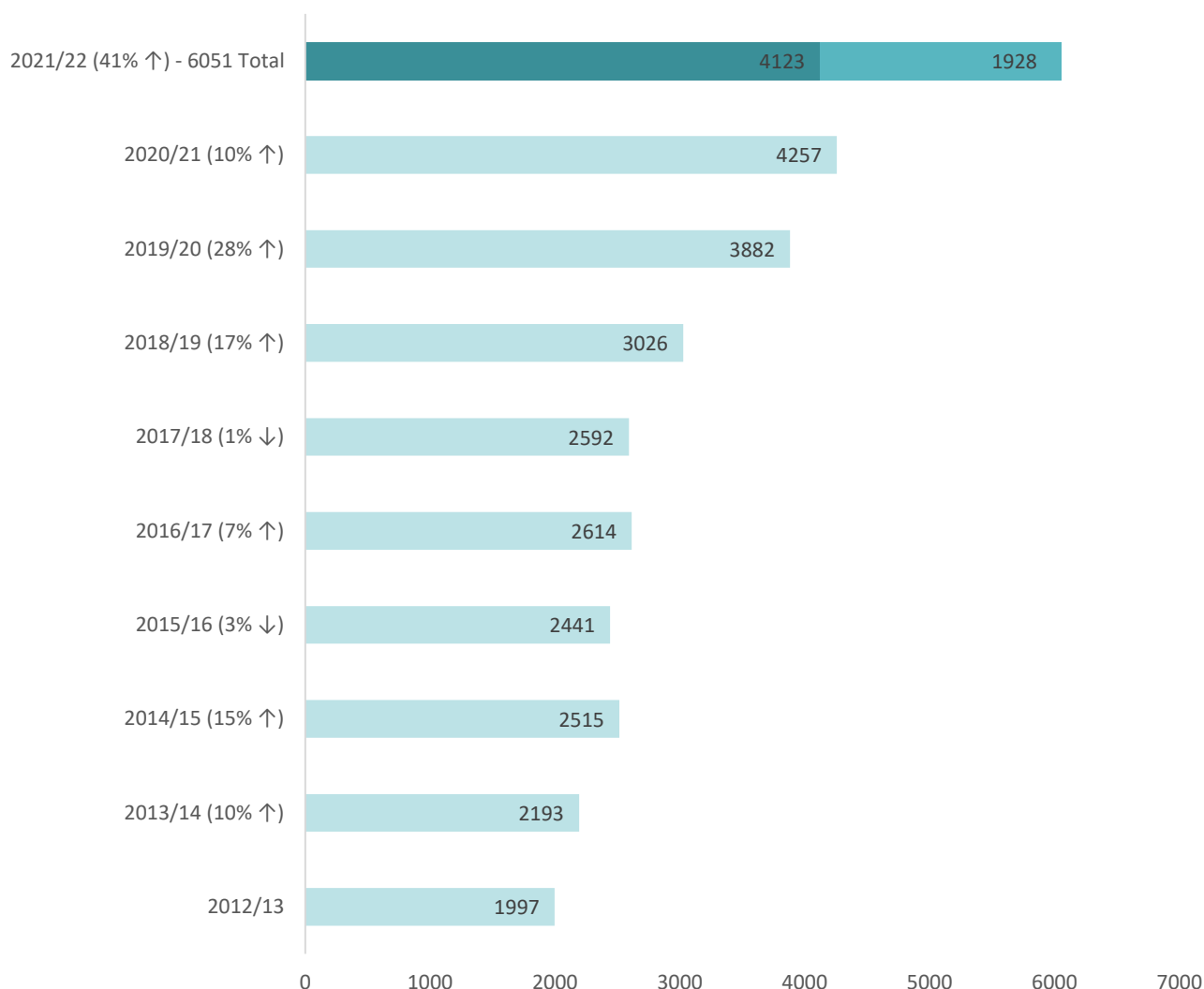
We have been monitoring a slight shift in the categorisation profile of incoming complaints, attributed in part to the impact of Covid-19 and changed policing activities within the community, however it is difficult to confirm this trend against the anomalous influence of two successive Covid-19-impacted years. We continue to carefully track our incoming data and are undertaking detailed investigation of causation.

High complaint numbers and caseloads continue to impact upon the Authority’s ability to meet or sustain the desired level of improvement for some of its performance targets. However, we have been able to post year-end results that have at least maintained, or modestly improved upon the performance results reported in the previous year. The incremental improvement in our results gives confidence that our aspirational performance targets are achievable.

Ongoing efforts to retain the appropriate levels of staffing, alongside our emphasis on sustainable efficiency-gain and processes-improvement, is enabling us to demonstrate some progress despite the continuing challenges.

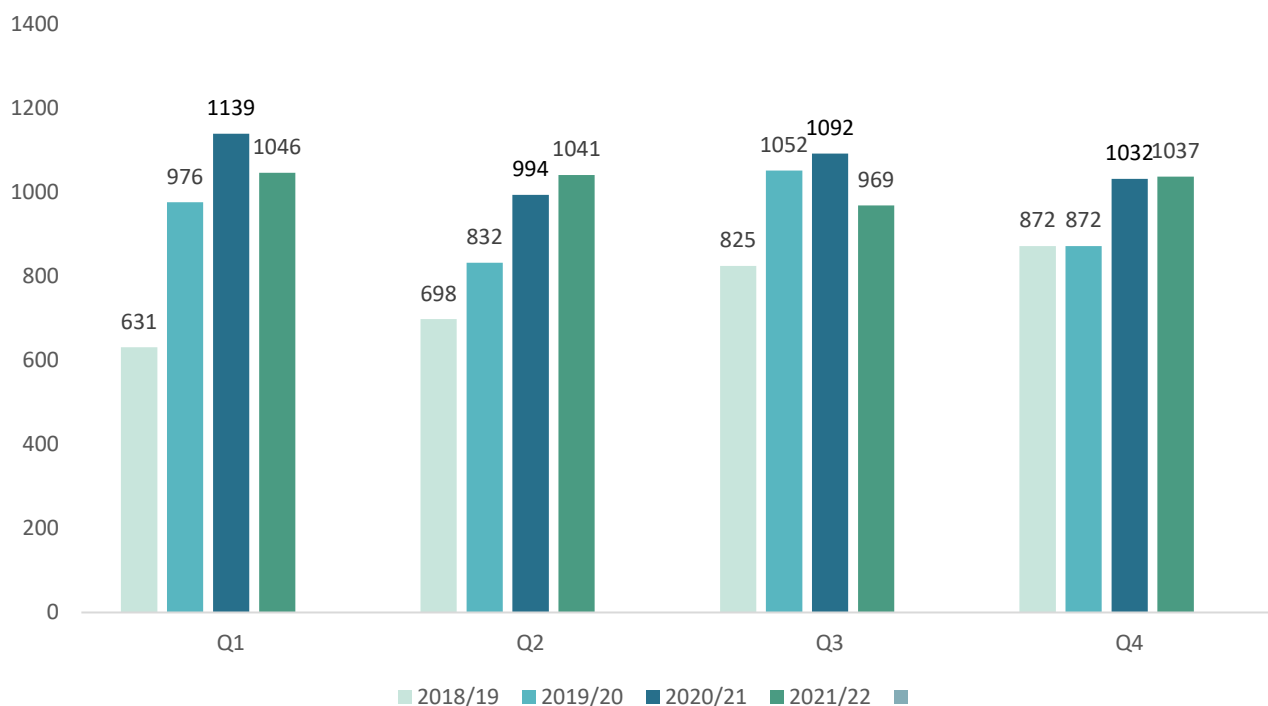
Achieving these results has been possible through the dedicated efforts of our staff, during what continues to be a period of development within our workplace and to the way that we do our work. We take this opportunity to publicly acknowledge the resilience they demonstrate and the excellent work that they do.

Annual complaint numbers 2012/13 – 2021/22⁴

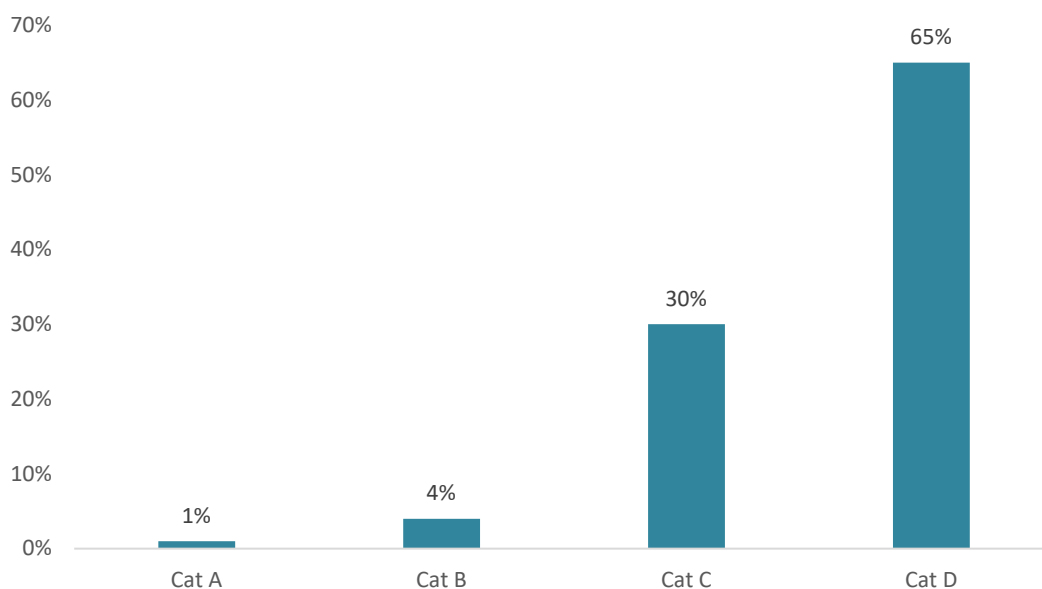


⁴ The 2021/22 year received 4123 core complaints, and 1928 complaints related to the Parliament Protest.

Quarterly core complaint numbers – year comparative⁵



Categorisation Profile ⁶

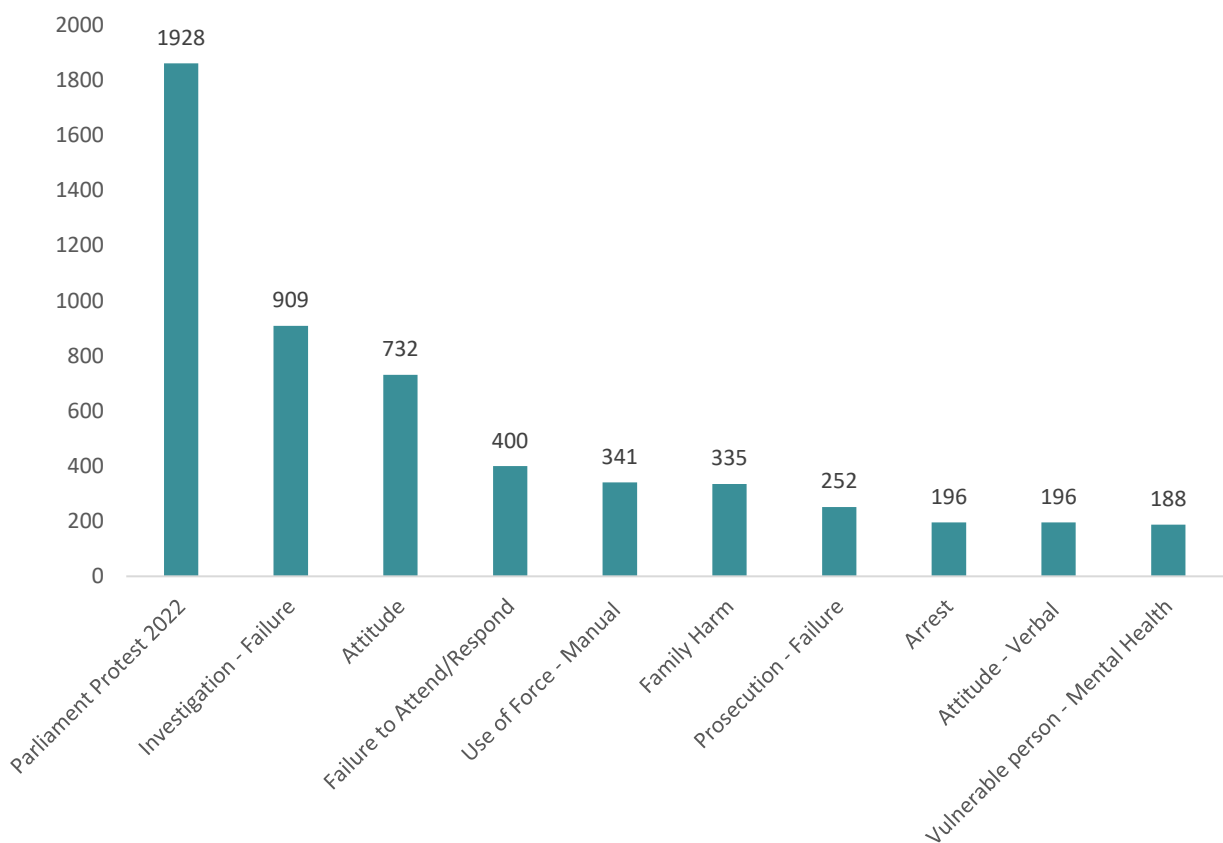


⁵ Core complaints only, Parliament Protest complaints are not displayed within this graph.

⁶ 2020/21 comparatives – Cat A 2%, Cat B 6%, Cat C 33%, Cat D 60%. Please note that some categorisation decisions relating to the Parliament Protest were outstanding as at 30 June 2022 and the shift in overall categorisation representation at year-end was impacted by the large numbers of complaints received in relation to the Parliament Protest.

Complaint Types

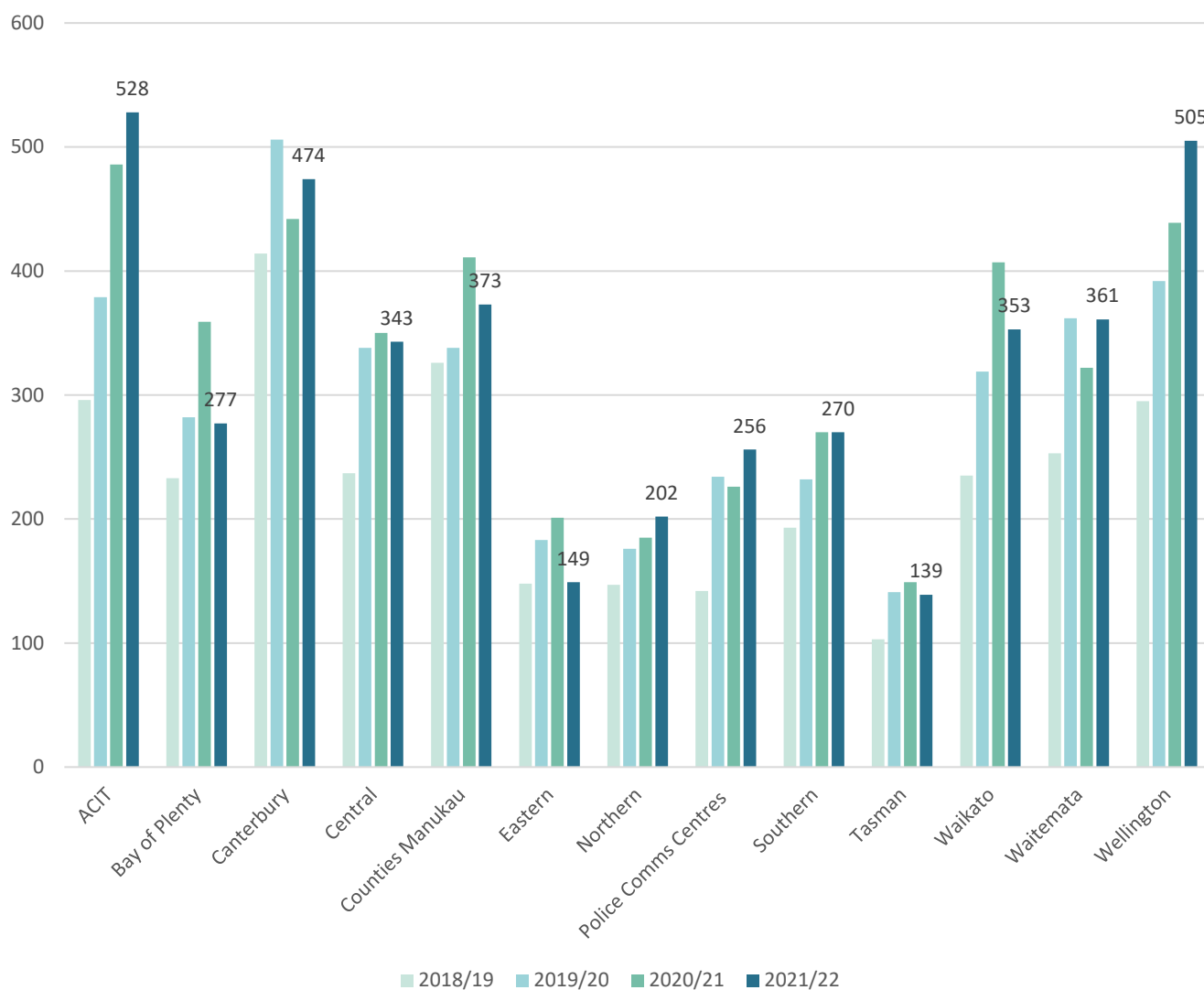
The most common type of complaint we received this year related to the Parliament Protest and associated policing activities during the protest. Across our broader complaint inventory, failure in an investigation, an officer’s attitude or use of language, inadequate service, and the use of force without a weapon ranked similarly to previous years. Complaints about the inadequacy of Police response to ‘Family Harm’ incidents, ‘Vulnerable person – Mental Health’, and similarly themed complaint types remain prominent in our complaint inventory.



An individual complaint may include more than one ‘complaint issue’. For example, ‘Investigation – Failure’ and ‘Attitude – Verbal’ complaints may arise from the same incident. Through the enhanced analysis and functionality of our database we are now able to monitor trends across incoming complaints. This helps us to identify early indicators of change or specific issues arising from current policing activities, or improvement in metrics because of the recommendations we have made.

Complaints by Police District

Complaints received in relation to the Parliament Protest are not displayed in the graph below.⁷ Five districts (ACIT, Canterbury, Northern, Waitemata, and Wellington) recorded small increases in complaint numbers over the previous year.



⁷ 1815 complaints relating to the Parliament Protest were registered against Police Comms Centre's (PNHQ) as the Police district, with a further 113 incorporated within the Wellington district statistics.

Independent Investigations

Each year our investigative staff undertake investigations into a wide range of serious and sensitive incidents and allegations involving the Police.

During the year the Authority released 39 public reports detailing findings from our investigations.

This year saw a marked increase in the number of critical incidents - mainly police shootings, requiring independent investigation. As at 30 June 2022 we were actively investigating eight cases involving police shootings. This number has subsequently increased. These investigations are more complex and resource-intensive for us to investigate. In response we have modified our practices to a team model to ensure these matters are investigated as quickly as possible.

The Parliamentary Protest Review (page 22-23) involves five of our investigators and a total of twelve seconded staff from across the organisation, with two of our investigators taking on leadership roles within the project. This will have a follow-on impact within our business as usual work for the following year as we have not been able to find suitable short-term replacements to backfill all these roles. We have implemented resourcing strategies to support our business-as-usual case resolution and investigation teams.

We have carried up to three investigator vacancies throughout the year as we have faced significant recruitment challenges given the competitive nature of the employment market.

In addition to our core investigative work, and setting up the Parliament Protest Review, we have also advanced, and were nearing the completion of, important thematic review work at the close of the 2021/22 year.

Thematic Reviews – Policing in Small Communities

In November 2021 the Authority released its review of Policing in small communities, which made 41 recommendations to Police. The Review was undertaken within 12 small communities across the country and included interviews with local officers and residents. The purpose of the review was to identify:

- what works well in these types of communities and where improvements to Police service are needed; and
- whether officers in small communities need further training and support.

The Review acknowledged that policing of small communities can be difficult and challenging. Officers are required to deal with a wide range of issues and are generally expected to be available to their community at all times. They often work alone in demanding circumstances without any immediate backup. In order to be effective, they must become part of the community to develop both strong professional and personal relationships. Any conflicts of interest arising as a result of such practice must be carefully managed.

"We met outstanding officers in the course of our review and were impressed at the service they provided ...However, we concluded that Police as an organisation lack an adequate national strategy for the allocation of resources and delivery of services to small and remote communities...they do not always receive sufficient induction, supervision, training, and support. Conflicts of interest sometimes arise that officers are not sufficiently trained and equipped to handle."

Judge Colin Doherty

Our recommendations to Police included;

- better defining the scope of the small community officer's role;
- developing clearer guidance on how to manage conflicts of interest that are particular to small communities;
- providing regular welfare support to small community officers and their families;
- developing a national resourcing model to support decision-making on appropriate resourcing of policing in small communities;
- building more permanent relieving capacity for these roles;
- developing better, more systematic induction processes;
- limiting small community officer roles to a term of 5 years, with the possibility of an extension;
- enhanced training and a support network for small community officers;
- better supervision of officers and more community feedback on how well Police are serving these small communities;
- better promotion and funding of the 105 reporting line to reduce wait times and manage community expectations; and
- more guidance on how officers should engage with their communities.

Police are currently looking at these recommendations through their Rural Policing Enhancement Project (RPEP). Police continue to consult with us on the development of their response to some of these recommendations and we continue to monitor the progress of that project and the broader implementation of our recommendations.

Thematic Reviews – Review of Police management of fraud allegations

The other Thematic Review the Authority advanced this year evolved from complaints we receive in relation to inadequate investigation of fraud by Police. The Authority is reviewing Police investigative practices in relation to fraud, which was initiated following ongoing concerns from complainants about the way Police handled fraud complaints.

Our Public Report on this review will be published in November 2022.

Joint-Agency Investigations

The Authority commenced two significant joint-agency pieces of work during the year;

- The Authority, the Office of the Inspectorate of the Department of Corrections, and the Inspector-General of Intelligence and Security (IGIS) Coordinated Review of events leading up to the terrorist attack at New Lynn Countdown on 3 September 2021, and;
- The Authority and Office of the Privacy Commissioner Joint Inquiry on the practice of photographing members of the public who were not being detained or suspected of committing an offence.

The effort and resource necessary to contribute to these major pieces of work comes from our core investigation team. The time contributed towards joint-agency investigations is considerable, involving several of our senior investigators and legal specialists. However, the Authority's involvement with this type of work is seen as an important acknowledgement of the growing emphasis on 'whole-of-sector' coordinated response and is consistent with the Authority's strategic emphasis towards a more preventative focus through its thematic review work.

Coordinated Review of events leading up to the attack at New Lynn Countdown on 3 September 2021

The Coordinated Review is examining whether the decisions and actions taken by Police, Corrections, and the New Zealand Security Intelligence Service (NZSIS) to assess and mitigate the threat posed by Mr Samsudeen were appropriate and adequate, given their mandates, functions, powers, and resources.

The Co-ordinated Review Report is due for publication in December 2022.

Joint Inquiry into Police photographing of members of the public

The Joint Inquiry by the Authority and the Office of the Privacy Commissioner (OPC) is investigating Police conduct, practice, policies, and procedures as they relate to the photographing of members of the New Zealand public who have not being detained for, or suspected of, committing an offence. This includes whether Police action, policy or procedure has resulted in the privacy of individuals being infringed. The subject matter of the Inquiry falls within the jurisdiction of both the Authority and OPC and both agencies decided to inquire into the reported issues.

The Joint Inquiry Report is due for publication in September 2022.

Parliament Protest Review

The protest was an unprecedented event in New Zealand and represents one of the most significant policing challenges in recent years. It has been the subject of intensive media and other commentary. As of 30 June 2022, the policing of protesters in and around the parliamentary precinct generated over 1,900 complaints to the Authority, which is the largest number of complaints ever received about a single event/Police operation.

The scope of work for the Review project team includes providing the public, Police, and other key stakeholders with an independent assessment of the information Police had, the decisions Police took, the tactics used, and whether the approach taken to policing the protest as it evolved was lawful, proportionate, and appropriate. Details of the scope of our investigation were published on our website on 24 March 2022, specifically the review is examining:

- Police management of intelligence as it related to the protest, including consideration of the intelligence available to Police, the sufficiency of that intelligence, and how it was assessed and informed decision making prior to and throughout the course of the protest.
- Police engagement with iwi, protesters, local businesses, the Courts, and other stakeholders.
- Police engagement with local and national agencies where Police and those agencies needed to work together to develop and execute operational plans.
- Police engagement at local and national government levels with those holding decision rights and responsibilities, including public and private sector actors whose actions materially influenced or impacted on Police decision making.
- Police planning and preparation of its response to the protest. This includes staff selection, training, operational guidance, equipment, and technology provided to officers who policed the protest.
- Police command and control, decision-making processes, and operational execution (including tactics used and timeliness of tactics).
- The powers used to keep the peace, maintain public safety, enforce the law, and provide community support and reassurance, and the tactical exercise of those powers. It also includes how Police balanced the rights of protesters with the rights of other people throughout the course of the protest.
- Any other decisions, acts, omissions, conduct, policy, practice, or procedure issues arising out of points 1- 7, above.

Our Review project team was fully established by June 2022. At the time of reporting work was well underway with the assessment and triage of the 1,900 complaints, critical interviews had been commenced and we were in the process of advising complainants how their complaints would be dealt with. The Review project team expects to escalate its activities over the coming months as it works towards a target completion date to finalise its work and publish a report in March 2023.

High-profile reports released during 2021/22 include:

Concerns about Police enforcement of heavy towing regulation and Auckland Motorway contract

The Authority found that for the last eight years Police failed to properly monitor whether a consortium of heavy vehicle towing contractors, operating under a contract with Police for vehicle recovery on the Auckland Motorways, have been compliant with the law.

[Read the full report](#)

Pursuit prior to fatal crash in Kaitia not justified

Our investigation found that Police should not have started pursuing a Mazda near Kaitia in the early hours of 10 October 2020. The fleeing driver crashed the Mazda seconds after Police abandoned the pursuit. The fleeing driver and three passengers were injured, and one passenger died.

[Read the full report](#)

Officer justified in firing at a man who drove at him

An officer was justified in deciding to fire three shots at a man who drove his car directly at him while trying to escape from Police in Auckland on 31 January 2019.

[Read the full report](#)

Police fail in their duty of care for Allen Ball while in custody in Hawera

The Authority found that, on 31 May 2019, Hāwera Police officers failed to seek medical attention for Mr Ball, who died in a Police cell after being placed there while unresponsive. Mr Ball's cause of death was found to be extremely high levels of codeine and tramadol, and alcohol toxicity. An expert in forensic toxicology says that if medical attention had been given sooner, it is very likely Mr Ball would not have died.

[Read the full report](#)

Officer failed to properly deal with an allegation of theft against another officer

Our public report outlined that when an allegation of theft by a Police Officer was notified to the Police Professional Conduct office around October 2018, an officer failed to make an official record, follow due process, or commence an investigation.

[Read the full report](#)

Broader activities – oversight of Police investigations and the facilitated resolution processes

Independent investigation work is the most visible and widely reported aspect of the work that we do. However, the categorisation process determines that most complaints are managed through active oversight of Police investigations, a facilitated resolution approach, or no formal action by the Authority following a thorough assessment and complaint review process.

Active oversight of Police investigations – Category B

Throughput in this area of our work remains steady (Table 1, page 14) and is undertaken as a shared responsibility by our investigations staff and senior staff from our case resolution team. During the year, Police have implemented several changes to internal employment and criminal investigation policies and practices, which have impacted on Authority-processes which interface with Police. These changes have in part been influenced by our recommendations and emphasize the importance of the cooperative working relationship we have with Police. Being consulted at an early stage of Police policy development means that we can identify critical ways in which our oversight function can help Police by applying an independent preventative lens, and in return, how Police implement changes to become more responsive to the complaint review process.

Facilitated resolution – Category C

Introduced in 2016, the facilitated resolution process manages an increasing number of complaints each year. Primary responsibility for this area of the complaint process lies with our case resolution team who, through the establishment of critical cooperative relationships with Police Professional Conduct staff, agree on the appropriate actions to address the grievances raised via the complaint, and a timeframe within which they are to be undertaken.

Complaints managed via this process can range from relatively minor to serious. Their distinguishing feature is that they can be resolved quickly, efficiently, and effectively because a clear position of the facts, and the likely actions to resolve the grievance, can be agreed at the triage/categorisation stage of the complaint process.

We have increased publication about both our Category B and Category C activities on our website. We intend this to draw attention to the impact of our work that comes from these broader activities and to increase public understanding of all the avenues through which their complaint may be managed.

OPCAT Work Programme

As a National Preventative Mechanism (NPM), the Authority holds responsibility under the Crimes of Torture Act 1989 to monitor and report on places of Police detention. This responsibility overlaps significantly with both our investigation and complaint resolution work emerging from complaints about Police custodial management practices, facilities, or specific incidents.

There are two aspects to the Authority's NPM work: firstly, oversight of the nature and quality of Police custodial facilities; and secondly, oversight of the operation and management of both those facilities and other places in which custodial management is the responsibility of the Police. Police operate

approximately 150 custodial management facilities (containing approximately 850 cells) nationwide. The majority of these are cell blocks situated at Police stations. In addition, Police have a responsibility for those detained at District Courts. Police are not responsible for the physical nature of the Courts' cell facilities, which are the responsibility of the Ministry of Justice. The Authority has joint jurisdiction with the Ombudsman over those facilities. There are 59 District Court cell facilities.

Our inspections involve a visit to the station, where we examine the physical custodial environment, have discussions with custody staff and management, observe the processing of detained people and speak with detained people.

From our inspection we produce a report for each facility that covers:

- staffing levels and training;
- station governance;
- the custody unit, including physical conditions and detainee monitoring;
- rights of the individual;
- reception and detention processes; and
- recommendations.

Due to our limited resources to undertake this work we take a risk-based approach focusing on those facilities that have been identified as high-risk, or where recurring issues have previously been identified via our baseline review of all facilities.

In 2020, Police started a custody review programme to deliver an effective, safe, and transparent custodial service. Its aims include that:

- all parties are physically and psychologically safe in all aspects of the end-to-end custody environment;
- the custody service complies with all relevant legislation, and international conventions and Police are a proactive Treaty partner; and
- all parties recognise and acknowledge that the custody service is effective, fair, safe, and transparent.

The programme was set up with three phases to run through to 2023 – 2024. We are working with Police on policy development and operational improvements. The first phase of the Programme is completed, and Police have created a permanent Custody Group at Police National Headquarters to take forward many of the Programme's remaining workstreams. We will continue to work with this group to ensure custody is safe and effective for detainees.

We intend to start reporting on our OPCAT activities more regularly as they are inextricably intertwined with areas of our core complaints work, and often highlight issues encountered at an individual-complaint level.



STATEMENT OF PERFORMANCE

Progress against our Outcomes Framework



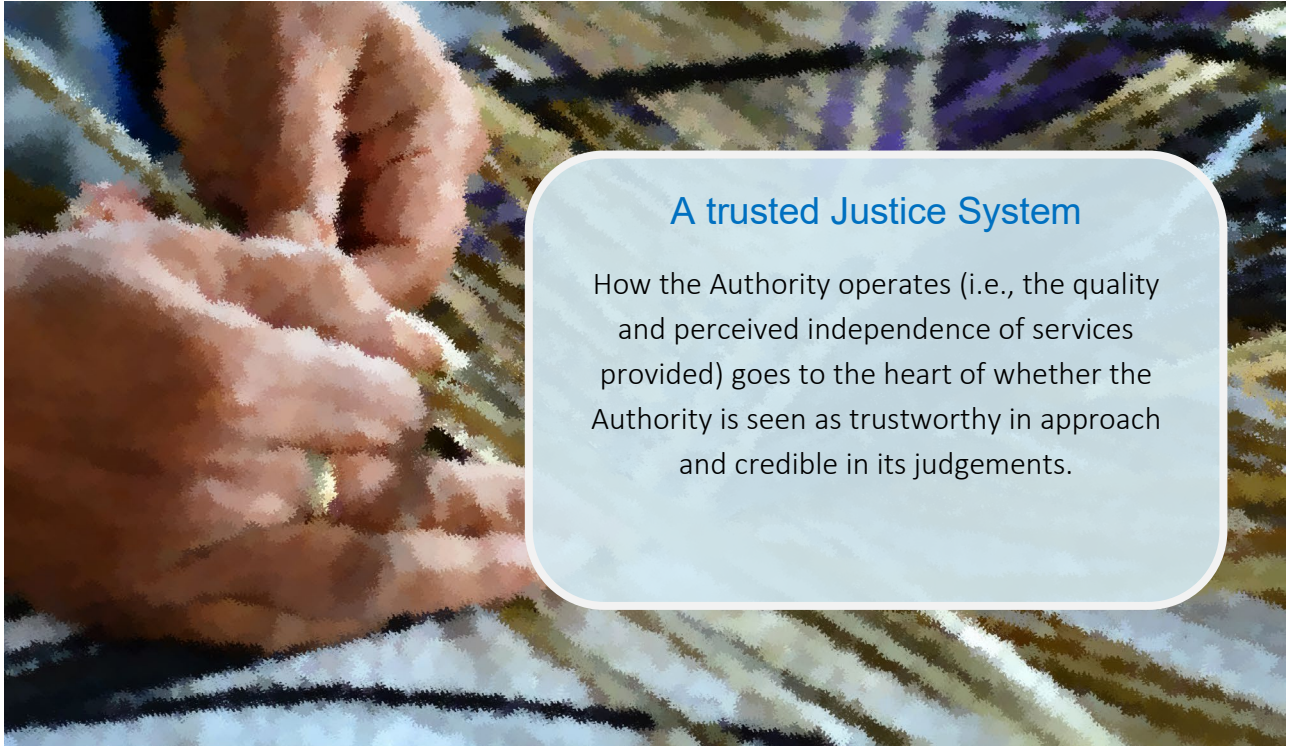
Main outcome: contributing toward improved public trust in Police conduct

The justice sector has an aspirational goal that all New Zealanders should expect to live in a safe and just society. The Authority is part of the justice sector and sees its role as a contributor to achieving the outcomes set for the sector.

The two justice sector outcomes that the Authority most contributes toward are 'A trusted

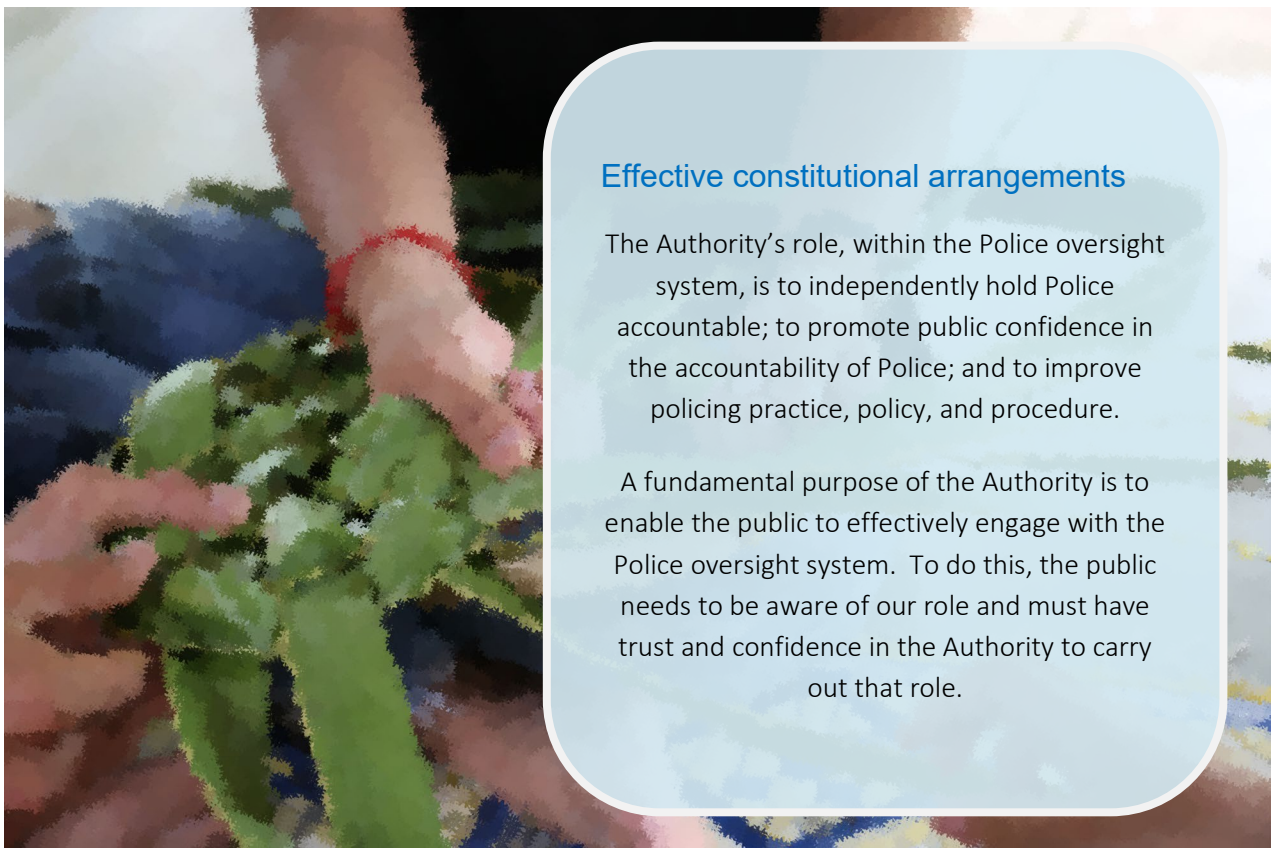
justice system' and 'Effective constitutional arrangements'.

The Authority believes that there is a strong link between our work and improved Police conduct. Improved Police conduct should lead to New Zealanders having increased trust and confidence in Police and policing generally.



A trusted Justice System

How the Authority operates (i.e., the quality and perceived independence of services provided) goes to the heart of whether the Authority is seen as trustworthy in approach and credible in its judgements.



Effective constitutional arrangements

The Authority's role, within the Police oversight system, is to independently hold Police accountable; to promote public confidence in the accountability of Police; and to improve policing practice, policy, and procedure.

A fundamental purpose of the Authority is to enable the public to effectively engage with the Police oversight system. To do this, the public needs to be aware of our role and must have trust and confidence in the Authority to carry out that role.

We achieve our main outcome through the fulfilment of our key role: to ensure that people have confidence that complaints about, and incidents involving, Police conduct will be fairly and impartially investigated or reviewed; that issues relating to Police practice, policy or procedure will be properly identified and addressed; and that any recommendations made by the Authority will be implemented by Police, and will be universally applied resulting in improved Police conduct across all New Zealand. It is our job to try and ensure that the levels of trust and confidence that New Zealanders have in Police and policing generally remains high.

While we are confident that the Authority's work contributes to the measured levels of Public trust and confidence in Police. As evidenced in the broader justice sector surveys, it is not possible to specify our particular contribution. However, the impact of our activities can be, and is, assessable by other performance metrics such as the visibility and accessibility of the Authority; the confidence both complainants and Police have in the integrity of the Authority's work; and implementation of the Authority's recommendations about Police conduct, practices, policies, and procedures.



Response to Minister's Expectations

The 2021/22 Letter of Expectations sets out four entity specific expectations that built upon the recommendations raised in the 2020 Martin Jenkins Efficiency and Effectiveness Review with emphasis on:

- improving processes and use of the Case Management System (CMS) to actively manage potential increases in the number of complaints and notifications;
- improving visibility, transparency and accessibility for Māori, Pacific People and other communities disproportionately affected by the justice system;
- increasing emphasis on, and resources devoted to, working with Police to improve policing through thematic reviews of policy, practice, and procedure;
- strengthening working relationship with the Police to identify areas of shared agreement that will improve the effectiveness and efficiency of both organisations.

Our impact measure reporting and Statement of Service Performance that follow, outline the progress we have made and the activities that have been undertaken to meet these expectations.

Impact Measure 1: A more visible and accessible Authority

- **GOAL** Better access to our services for Māori, Pasifika, and Youth.

The most important objective of community engagement is to ensure that, when people have need of our services, they are able to access our services and have trust that we will deal with them fairly and impartially.

The Authority has two interlinked strategic objectives: increasing visibility and accessibility. However, given resourcing pressures, we need to start with what we can best manage and sustain - accessibility. Increasing visibility will require a full review of our communications and engagement practices and capabilities.

We acknowledge the historic and current over-representation of certain communities within the wider criminal justice system, but our starting point is to improve understanding of, and access to, the complaints system for communities that have proportionately higher interactions with Police. Helping these communities to access the complaints system is a fundamental way that we can build community trust and in Police. We also accept and acknowledge that there are other groups and communities who may be vulnerable or marginalised in terms of access. We already interact with many individuals or families on a case-by-case basis, or through our thematic review work, but it remains our intention to engage in a more proactive way with them and become better known by them.

As a longer-term objective, the Authority wants to engage with prioritised communities to gain a better understanding of specific community concerns about policing that may not be directly related to particular complaints. This aspiration would necessitate a change to our legislation so that we had own-motion jurisdiction.

We have been monitoring the demographics of people accessing our services for 24 months. We do not expect to be able to show markers of the impact of our work within these communities until we have been monitoring this data for a longer period. However, we note the data is proving insightful even at this early stage.



We established the representation targets for this measure in 2019/20 where we sought to confirm an assumption that Māori, Pasifika, and Youth were under-represented in their access to our services relative to over-representation in their interactions with Police. To date the figures support this underlying assumption. From this baseline we expect to be able to develop more focused communication and engagement activities to improve access for those who may want to make a complaint.

Representation targets	19/20	20/21	21/22	22/23
Māori	19%	+1%	+2%	+2%
Pasifika	4%	+5%	+5%	+5%
Youth (17-24 years)	16%	+1%	+1%	+1%

Measure⁸ There will be an increase in the proportion of complainants who are members of targeted communities (Māori, Pasifika, and youth)⁹

Performance target forecast		30 June 2022	2020/21 comparative
Māori	22%	22%	23%
Pasifika	5%	5%	4%
Youth (17-24 years)	18%	11%	14%

⁸ This is a new impact measure introduced in our 2020 – 2024 Statement of Intent.

⁹ Supplying information on ethnicity and age is not a mandatory field on our complaint form, this is because we want to encourage access to the complaints process without concern of bias, or obstacles that may prevent people from accessing our services, reporting is therefore provided based on those complainants who chose to provide this information., 47% of complainants provided this information on Age, and 38% on ethnicity in 2021/22.

Performance July 2021 – June 2022

<u>Measures</u>	How measured	Met / Not Met	Activities Undertaken
The community is informed of the Authority's role in enhancing Police accountability and Police performance: access to the Authority's services is readily available	<ul style="list-style-type: none"> Increasing the information available to the public on the Authority's work and complaint outcomes 	Met	Increased number of publications of Categories B and C summary reports on website, real-time interviews on mainstream media following report releases.
	<ul style="list-style-type: none"> Presenting to targeted Police training courses in order to increase awareness of the Authority's role and functions 	Met	Presentation to 11 groups comprising recruit, Senior Sergeant, dog handler and AOS courses.
	<ul style="list-style-type: none"> Developing and implementing connection with the wider community through the expanded use of social media 	Met	Category A media statements and Category B and C summaries published on website and Facebook, giving expanded view of full breadth of activities undertaken by the Authority.
	<ul style="list-style-type: none"> Widening circulation and use of the Authority's brochure 	Met	Provision of updated brochures to all Police stations and other relevant community agencies. Further use of te reo Māori on website and corporate reporting.



Impact Measure 2: Public and Police confidence in the integrity of the Authority's work

- GOAL** Improved satisfaction with our overall service

- Note: small sample size for some categories¹⁰

Performance for 2021/22 Year				Comparative results reported 2020/21
<u>Measures</u>	Goal	Actual	Met / Not Met	Actual
Participants in surveys are satisfied ¹¹ with their contact with Authority staff (All survey respondents)	70% are satisfied	48%	Not met 6% ↑	42%
Participants in surveys are satisfied with the Authority's investigation processes (Category A)	70% are satisfied	43%	Not met 7% ↓	50%
Participants in surveys are satisfied with the Authority's review processes (Category B)	70% are satisfied	48%	Not Met 6% ↑	42%
Participants in surveys are satisfied with the Authority's facilitated resolution processes (Category C)	70% are satisfied	29%	Not met 3% ↑	26%

Making a complaint to the Authority is not an easy decision or thing for many people to do. Our job is to ensure that when people do make a complaint it is acted upon and processed efficiently, leading to investigation and/or review that is fair and impartial.

Not all our decisions will lead to an outcome that the complainant, or the member of Police being complained about, will fully accept. However, we aim to undertake our work in a way that clearly explains to all interested parties how we have reached our decisions and outlines all the factors we have considered in making that decision.

Our post-closure surveys are an important tool to help us improve our service delivery and are regularly assessed at both Board and management level.

¹⁰ A total of 354 surveys were conducted using a combination of telephone interviews and online survey.

¹¹ Definition of satisfaction – Satisfaction is defined as 'Very Satisfied' or 'Quite Satisfied'. Respondents may also respond 'Neutral', or 'Quite Dissatisfied' or 'Very Dissatisfied'.

Satisfaction research findings are based on interviews with complainants and Police using a combination of online survey and telephone interview. Survey administration, data analysis and reporting are all undertaken by Angus and Associates as an independent third party.

Opportunity for improvement

We are starting to place more emphasis on qualitative research and analysis which is better aligned with all the elements (end-to-end) of our service delivery. We are benefiting from a different kind of feedback from both complainants and Police about the ways we could improve, such as;

- Provide more information and transparency about the timeliness of the complaints process;
- communicate and provide more regular updates, including thinking about how we engage with different groups, or how different groups want to be engaged with;
- method of contact (complainants), a preference to 'talk to' our staff, or a telephone call over email exchange or formal letter;
- better follow-up and reporting (to complainants) on our findings and other recommendations.

In addition, responses from participants identified there continues to be a general lack of understanding by a large proportion of complainants, and some members of Police about the Authority's role, and the complaints process in general.

We are pleased to report improvement against all but one of these performance measures and acknowledge some changes we can make in order to meet some expectations. One significant finding that our research shows is that

the level of satisfaction expressed has a strong correlation to the level, method, and frequency of interaction that we maintain with the individual during the complaint process. Generally, the more interaction the higher the level of satisfaction, however it is not possible for us to apply the same level of resource to all complaints, as we apply a proportionate level of time and resource under our categorisation policy.

Survey responses clearly identified that timeliness of complaint resolution was a key factor in the overall level of satisfaction with the Authority's complaint **processes**. This, coupled with dissatisfaction about their complaint **outcome**, appear difficult for many survey respondents to separate. A large number of complainant respondents expressed that they had previously had a bad experience with Police or 'government agencies' in general and therefore had low expectations, trust and confidence in the complainant process generally. They perceived that the complainant process, and by extension, Authority staff were biased and sided with 'government/Police' as a result.

Despite many respondents expressing these types of views, most indicated high levels of satisfaction when answering individual questions or when asked about interactions with specific Authority staff. Many took the opportunity to thank the Authority, or individual staff members, for our work

Surveying across all categories of complaints we receive indicated we have a very diverse complainant and Police representation within the research group. The reasons why people make complaints vary widely, as do what people think we (or more often Police) do well or need to improve upon. We share some examples of the feedback the survey provides.

"What we had asked for is that the officers involved had training with how to deal with Pasifika and Māori in tough situations. In this particular instance, and because I am aware of young people caught up in the same situation with police through my job, I wanted to have some way of communicating this."

"I didn't get the outcome that I wanted but it did show how much power the IPCA has. I'm a nobody and I didn't get much of an outcome but with the IPCA they worked hard to get it sorted out. They made it really easy to follow and a lot easier than I had thought it would have been – they made it clear."

"I was really disappointed. The time it took to get everything together and then the outcome was just a recommendation. It felt like nothing had happened.."

"I spoke to someone who explained the problem in detail- was great to actually hear why it was done like it was"

"I had a personal phone call from a senior officer who apologised for the misunderstanding. He was extremely pleasant and explained what had happened and apologised for the police not carrying out their duties as they should have."

"Timing is a big one. I understand that some of the delays were caused by police and the need to wait for all the evidence before making a decision, but the IPCA is playing god with a police officer's career and having this hang over you for more than a year is a long and difficult time."

"The timing took months and with no real communication from the IPCA. It took probably three months between lodging the complaint online and then hearing from someone. Once we did hear from someone though, they were efficient in coming out and getting to talk to him, but because so much time had lapsed our memories had become vague and we only had what we had written."

"I pretty much expected the outcome to be as it was. This was simply because of the passage of time. But as I felt that we were somewhat let down by Police on this particular issue, I did want my complaint to be recognised and entered in the system as such."

"We actually got our case reopened by police"

"Prompt, clear and concise information from the IPCA in the first instance outlining the process."

"Just because of the way they viewed the position of the person I made the complaint about – I felt like I was felt I wasn't treated any different from the person I complained about – was all fair."

"It didn't really solve my problem, I still get very little communication from the police"

"When I was contacted about the incident, I was given clear information about what exactly had occurred and where the problem was from the Police's response or lack thereof. It was evident that it had been well investigated and areas for improvement for the future were identified."

"The communication was good throughout the investigation, but it did take a while. It would have been great to have a few more emails during the process about where the investigation was at etc – provide updates."



Measure 3: Improved Police conduct, practices, policies, and procedures following implementation of the Authority's recommendations

- **GOAL** Police accept Authority recommendations for change and improvements in Police conduct, practice, policy and procedures and that following implementation of our recommendations this is reflected in the number and nature of complaints we receive

Performance July 21 – June 2022

Our goal is to have Police accept 95% of our recommendations for changes and improvements in Police conduct, practice, policy, and procedures.

We achieved

100%

for this measure in 2019/20, 2020/21, and 2021/22.

Recommendations to Police is the main mechanism provided within our legislation to influence Police policy, practice, and procedure. It is therefore a very important measure of our effectiveness. Monitoring the number, nature, and successful implementation of our recommendations is a vital component of the Authority's work. As at 30 June 2022, there were 108 active formal recommendations being monitored during implementation by Police. These relate to a wide range of Police policy, process and practice and included ongoing monitoring of the recommendations made by the joint Authority/Police Fleeing Driver report, the 41

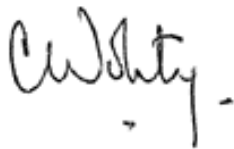
recommendations made by our Policing in Small Communities thematic review work, and recommendations made during the reporting period and previous years.

Annual Accountability Statements

Statement of Responsibility for the year ended 30 June 2022

- We are responsible for the preparation of the Independent Police Conduct Authority's financial statements and statements of performance, and for the judgements made in them.
- We are responsible for any end-of-year performance information provided by the Independent Police Conduct Authority under section 19A of the Public Finance Act 1989.
- We have the responsibility for establishing and maintaining a system of internal control designed to provide reasonable assurance as to the integrity and reliability of financial reporting.
- In our opinion, these financial statements and statement of performance fairly reflect the financial position and operations of the Independent Police Conduct Authority for the year ended 30 June 2022.

Signed on behalf of the Board



Judge Colin Doherty
Chair



Simon Murdoch
Member
INDEPENDENT POLICE CONDUCT AUTHORITY



Liz Sinclair
Member
INDEPENDENT POLICE CONDUCT AUTHORITY

2021/22 Performance Reporting: Statement of Service Performance

In the Statement of Performance Expectations for this reporting year we revised the goal for our performance measures to reflect the limitations resourcing strictures placed on the Authority to ensure we realistically measure our effectiveness in achieving our objectives. We also updated the wording of one measure to better align to the actual practice that occurs. The revised measures broadly fall into the following four categories:

- 1) receive, manage, and ensure resolution of complaints;
- 2) carry out independent and timely investigations into Police conduct and report on these as required;
- 3) make recommendations for improved Police conduct, policies, practices, and procedures, based on the results of investigations and monitor their implementation;
- 4) monitor and report on places of Police detention.

➤ Output Measure 1: Receive and manage complaints and incidents

Triage and categorisation

Performance July 2021 – June 2022				Comparative Performance
				2020/21
Measures	Goal	Actual	Met / Not Met	Actual
All notifications of new complaints and incidents are acknowledged within seven days.	95%	98%	Met	99%
All new complaints and incidents able to be assessed without the need for additional information are categorised and decisions made about the appropriate actions are taken within 28 days.	75%	67% ↑	Not Met	63%
All new complaints and incidents requiring additional information by Police, or any other person, are categorised and decisions made about the appropriate actions are taken within 56 days.	80%	54% ↑	Not Met	46%
Where a decision is made to take no action upon a complaint, the letters to Police and the complainant are issued within 21 days of making that decision.	95%	98% ↓	Met	100%
Where a complaint discloses a reasonable grievance, the Authority	95%	100% N/C	Met	100%

and Police agree on the actions that are appropriate to resolve that grievance and the agreed actions are undertaken.				
Where the Authority receives an 'Expression of Dissatisfaction' ¹² on any complaint, the final outcome of the Authority's review will be communicated to the complainant within 35 days of the expression of dissatisfaction being received.	85%	Data not available.	Not Met	67%

Amongst other things, the continuing effects of the pandemic meant the 2021/22 year was challenging for both the Authority and Police. Performance results during the year have been mixed. However, the modest improvements gained are noteworthy of the efforts made by both organisations regarding process improvement, and the continuing emphasis on working co-operatively to improve public trust and confidence in Police.

Ongoing volume and resourcing pressure means we have only met our goals for half of the performance measures we report against. However, we have maintained or improved upon the previous year's results in all but two performance measures.

Against the backdrop of communities and policing activities moving into the 'new normal' of an endemic post-Covid New Zealand, the influence of these factors on performance is difficult to assess. Despite this, we are pleased that we have avoided major negative impact on performance, and would like to acknowledge the hard work of both Authority staff and Police Professional Conduct personnel who aide us in our work.

¹² An 'Expression of Dissatisfaction' is recorded when the complainant provides the Authority with new evidence in support of their complaint or has a compelling argument that the existing evidence should be reconsidered. We are currently reviewing the basis upon which an EOD will be considered.

Output Measure 2: Independent, high quality and timely investigations and reviews

Performance July 2021– June 2022				Comparative Performance 2020/21
Measures	Goal	Actual	Met / Not Met	Actual
Reviews of Police investigations for Category B cases will be completed by the Authority within 28 days of receiving the file or Final Report from Police.* ¹³	85%	78% ↑	Not Met	61%
Independent investigations carried out by the IPCA will be concluded as soon as practicable.	80% within 12 months* ¹⁴	67% ↑	Not Met	46%
	95% within 24 months* ¹⁵	84% ↓	Not Met	86%
For each Category A case that proceeds to a full investigation, an investigation plan, milestones, and a completion date will be set and monitored.* ¹⁶	100% of investigations	100% N/C	Met	100%
Reports as a result of Category A investigations are clear, consistent, and well-structured and have well-argued conclusions.* ¹⁷	100% of reports meet required standard	100% N/C	Met	100%

The improvement demonstrated against timeliness measures for our investigative processes are particularly gratifying having focused throughout the year on developing streamlined response and scalable investigative ‘teams’ to manage prioritised work and deliver more timely results for our most critical investigative work. Once we can maintain a full-complement of staff within the investigations group we anticipate being able to further improve upon and maintain these incremental improvements against all timeliness measures.

¹³ The 28-day period excludes any period during which the IPCA is awaiting further information requested from Police.

¹⁴ This measure is included in the services from the Independent Police Conduct Authority non-departmental appropriation for Vote Justice for 2021/22.

¹⁵ This measure is included in the services from the Independent Police Conduct Authority’s non-departmental appropriation for Vote Justice 2021/22.

¹⁶ This measure is calculated on the basis of investigation files closed during the 2021/22 year.

¹⁷ The Authority produces approximately 40-50 reports annually and randomly selects five of these across a range of incidents for review by independent reviewer Jane Westaway.

➤ **Output Measure 3: Make recommendations for improved Police conduct, policies, practices and procedures and monitoring implementation of those recommendations**

Performance July 2021 – June 2022				Comparative Performance		
				2020 /21		
Measures	Goal	Actual	Met / Not Met		Actual	
All systemic issues* ¹⁸ identified by the IPCA relating to Police practices, policies and procedures are raised and discussed with Police and appropriate recommendations made where required before the closure of the case. ¹⁹	100%	100%	Met		100%	

We have ensured that all the issues identified during an investigation or review are raised with Police as soon as possible and have achieved this measure. As indicated earlier in the report, this includes informal recommendations that we identify and share with Police during the active management of all case category, leading to earlier intervention, and pre-emptive learning opportunities for both organisations.

¹⁸ This excludes OPCAT issues, which are addressed under Output measure 4.

¹⁹ This measure is included in the services from the Independent Police Conduct Authority non-departmental appropriation for Vote Justice for 2021/22

Output Measure 4: Monitor places of Police detention

Performance July 2021 – June 2022				Comparative Performance		
				2020/2021		
Measures	Forecast	Actual	Met / Not Met	Forecast	Actual	Met / Not Met
All systemic custodial management issues are raised and discussed with the Police prior to the completion of the relevant review or independent investigation. * ²⁰	100%	100%	Met	100%	100%	Met
Reviews of Police audits of District Custodial Management files being conducted bi-monthly according to a programme agreed with Police, are completed within 60 days. * ²¹	100%	75%	Not Met	100%	60%	Not Met
A programme of announced and unannounced visits to custody units will be undertaken ²²	30 – 40 visits. This was later moderated to have a focus on high-risk facilities	7 visits			New measure introduced 2021/22	
A report to District (with recommendations and outcomes) for each visit to a custody unit will be provided within 60 days of each visit ²³		Not Met. Verbal feedback is provided immediately following visit, these are followed up on. Reporting			New measure introduced 2021/22	

²⁰ This measure is included in the services from the Independent Police Conduct Authority non-departmental appropriation for Vote Justice for 2021/22

²¹ This measure is included in the services from the Independent Police Conduct Authority non-departmental appropriation for Vote Justice for 2021/22

²² This is a new measure to reflect the additional programme of work now being undertaken.

²³ This is a new measure to reflect the additional programme of work no being undertaken.

		completed when capacity and demand determine				
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The Authority changed its approach to OPCAT inspections following the drafting of the 2021/22 SPE due to ongoing Covid impact, resourcing and demand. This change takes a risk-based approach to our major inspections. Moving forward into the latter half of the 2022/23 year we will have a dedicated resource to undertake inspections.

During 2021/22 the Authority conducted audits for four districts, Waikato, Waitemata, Bay of Plenty and Southern. It also completed the audit commenced in June 2021 for Central Districts. Three of our reviews of Police audits of custodial records were completed within the requisite 60 days, one Audit exceeded this goal by a matter of days having required further information and clarification from Police on two aspects of the audit material supplied and on matters identified during our review.



FINANCIAL STATEMENTS

2021/22 Financial Statements and Supporting Information

STATEMENT OF ACCOUNTING POLICIES

Reporting Entity

The Independent Police Conduct Authority is an independent Crown entity for legislative purposes, established by the Crown Entities Act 2004. The Authority is domiciled in and operates in New Zealand. The Independent Police Conduct Authority's ultimate parent is the New Zealand Crown.

The principal activity of the Independent Police Conduct Authority is to assess complaints made by members of the public against the Police. The primary objective is to provide public services to the New Zealand public, as opposed to that of making a financial return.

Accordingly, the Independent Police Conduct Authority has designated itself as a public benefit entity (PBE) for financial reporting purposes.

The financial statements for the Independent Police Conduct Authority are for the year ended 30 June 2022 and were approved by the Board on 19th December 2022.

Basis for Preparation

The financial statements have been prepared on a 'going concern' basis, and the accounting policies have been applied consistently throughout the period.

Statement of compliance

The financial statements of the Independent Police Conduct Authority have been prepared in accordance with the requirements of the Crown Entities Act 2004, which includes the requirement to comply with New Zealand generally accepted accounting practice ('NZ GAAP').

The financial statements have been prepared in accordance with Tier 2 PBE accounting standards. This classification is because the Independent Police Conduct Authority has expenditure under \$30m and is not deemed to be publicly accountable as it does not have shares issues on a public market. Accordingly, they comply with PBE accounting standards.

Measurement base

The financial statements have been prepared on a historical cost basis. Cost is based on the fair value of the consideration given in exchange for assets.

Presentation currency

The financial statements are presented in New Zealand dollars, rounded to the nearest one dollar.

Summary of Significant Accounting Policies

Revenue

Revenue Funding from the Crown

The Independent Police Conduct Authority is primarily funded through revenue received from the Crown. This funding is restricted in its use for the purpose of the Independent Police Conduct Authority meeting its objectives as specified in legislation and the scope of the relevant government appropriations. Apart from these general restrictions, the Independent Police Conduct Authority considers there are no unfulfilled conditions or contingencies attached to the funding and it is recognised as revenue at the point of entitlement.

Interest revenue

Interest revenue is recognised using the effective interest method.

Leases

Operating leases

An operating lease is a lease that does not transfer substantially all the risks and rewards incidental to ownership of an asset to the Lessee. Lease payments under an operating lease are recognised as an expense on a straight-line basis over the period of the lease.

Receivables

Short-term receivables are recorded at the amount due, less any allowance for credit losses.

The Independence Police Conduct Authority applies the simplified expected credit loss model of recognising lifetime expected credit losses for receivables. In measuring expected credit losses, short-term receivables have been assessed on a collective basis as they possess shared credit risk characteristics.

Short-term receivables are written off when there is no reasonable expectation of recovery.

Cash and cash equivalents

Cash and cash equivalents comprise cash on hand, cash in banks, other short-term highly liquid investments with original maturities of three months or less, and bank.

Investments

Investments consist of bank deposits with original maturities greater than three months but less than one year.

Investments in bank deposits are initially measured at fair value plus transaction costs. After initial recognition investments in bank deposits are measured at amortised cost using the effective interest method, less any provision for impairment. For bank investments, impairment is established when there is objective evidence that the Independent Police Conduct Authority will not be able to collect amounts due according to the original terms of the deposit.

Property, Plant and Equipment

Property, plant, and equipment consist of the following asset classes: office equipment, leasehold improvements and furniture and fittings.

Property, plant, and equipment are shown at cost or valuation, less any accumulated depreciation and impairment losses.

Additions

The cost of an item of property, plant and equipment is recognised as an asset only when it is probable that future economic benefits or service potential associated with the item will flow to the Independent Police Conduct Authority and the cost of the item can be measured reliably.

Cost includes consideration given to acquire or create the asset and any directly attributable costs of bringing the asset to working condition for its intended use.

In most instances an item of property, plant and equipment is initially recognised at its cost.

Disposals

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount of the asset. Gains and losses on disposals are reported net in surplus or deficit.

Subsequent costs

Costs incurred after initial acquisition are capitalised only when it is probable that future economic benefits or service potential associated with the item will flow to the Independent Police Conduct Authority and the cost of the item can be measured reliably.

The costs of day-to-day servicing of property, plant and equipment are recognised in the surplus or deficit as they are incurred.

Depreciation

Depreciation is calculated on a diminishing value basis on office equipment and furniture and fittings. Depreciation is charged once the assets are on location and condition necessary for its intended use so as to write off the cost or valuation of the property, plant, and equipment over their expected useful life to its estimated residual value.

The following estimated rates are used in the calculation of depreciation:

- Office equipment 25.0% - 50.0% DV
- Furniture & fittings 25.0% DV

Leasehold improvements are depreciated over the unexpired period of the lease or the estimated remaining useful life of the improvements, whichever is the shorter.

The residual value and useful life of an asset is reviewed, and adjusted if applicable, at each financial year-end.

Intangible assets

Software acquisition

Acquired computer software licences are capitalised based on the costs incurred to acquire and bring to use the specific software.

Costs associated with maintaining computer software are recognised as an expense when incurred.

Costs associated with the development and maintenance of the Independent Police Conduct Authority's website are recognised as an expense when incurred.

Software is a finite life intangible and is recorded at cost less accumulated amortisation and impairment.

Amortisation

The carrying value of an intangible asset with a finite life is amortised on a diminishing value basis over its useful life. Amortisation begins when the asset is available for use and ceases at the date that the asset is derecognised. The amortisation charge for each period is recognised in the surplus or deficit.

The useful lives and associated amortisation rates of major classes of intangible assets have been estimated as follows:

- Software 25.0% DV
- Case management system 25.0% DV

Impairment of property, plant and equipment and intangible assets

The Independent Police Conduct Authority does not hold any cash generating assets. Assets are considered cash-generating where their primary objective is to generate a commercial return.

Property, plant and equipment and intangible assets held at cost that have a finite useful life are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable service amount. The recoverable service amount is the higher of an asset's fair value less costs to sell and value in use.

Value in use is determined using an approach based on a depreciated replacement cost for an asset where the future economic benefits or service potential of the asset are not primarily dependent on the asset's ability to generate net cash inflows and where the Independent Police Conduct Authority would, if deprived of the asset, replace its remaining future economic benefits or service potential.

If an asset's carrying amount exceeds its recoverable service amount, the asset is regarded as impaired and the carrying amount is written down to the recoverable amount. The total impairment loss is recognised in the surplus or deficit.

Financial liabilities

Creditors and other payables

Short term creditors and other payables are recorded at their face value.

Employee entitlements

Short-term employee entitlements

Employee benefits that are expected to be settled within 12 months after the end of the period in which the employee renders the related service are measured at accrued entitlements at current rates of pay. These include salaries and wages accrued up to balance date and annual leave earned but not yet taken at balance date.

A liability and an expense for bonuses is recognised where the entity is contractually obliged to pay them, or where there is a past practice that has created a constructive obligation.

Superannuation schemes

Defined contribution schemes

Obligations for contributions to KiwiSaver are accounted for as a defined contribution superannuation scheme and are recognised as an expense in the surplus or deficit as incurred.

Provisions

A provision is recognised for future expenditure of uncertain amount or timing when there is a present obligation (either legal or constructive) because of a past event, it is probable that an outflow of future economic benefits will be required to settle the obligation, and a reliable estimate can be made of the amount of the obligation.

Provisions are measured at the present value of the expenditure expected to be required to settle the obligation using a pre-tax discount that reflects the current market assessment of the time value of money and the risks specific to the obligation.

Goods and Services Tax (GST)

All items in the financial statements are presented exclusive of GST, except for receivables and payables, which are presented on a GST inclusive basis. Where GST is not recoverable as input tax then it is recognised as part of the related asset or expense.

The net amount of GST recoverable from, or payable to, the Inland Revenue is included as part of current assets or current liabilities in the statement of financial position.

The net GST paid to, or received from the Inland Revenue, including the GST relating to investing and financing activities, is classified as a net operating cash flow in the statement of cash flows.

Commitments and contingencies are disclosed exclusive of GST.

Income tax

The Independent Police Conduct Authority is a public authority in terms of the Income Tax Act 2007 and consequently is exempt from the payment of income tax. Accordingly, no provision has been made for income tax.

Cash flow statement

The cash flow statement is prepared exclusive of GST, which is consistent with the method used in the statement of comprehensive revenue and expense.

Definitions of the terms used in the cash flow statement are:

- “Cash” includes coins and notes, demand deposits and other highly liquid investments readily convertible into cash, used by the entity as part of its day-to-day cash management.
- “Investing activities” are those activities relating to the acquisition and disposal of current and non-current investments and any other non-current assets.
- “Financing activities” are those activities relating to changes in equity of the entity.
- “Operating activities” include all transactions and other events that are not investing or financing activities.

Budget figures

The budget figures are those that form part of the Independent Police Conduct Authority 2021/22 Statement of Performance Expectations as approved by the board at the beginning of the year.

The budget figures have been prepared in accordance with generally accepted accounting practice and are consistent with the accounting policies adopted by the Independent Police Conduct Authority for the preparation of the financial statements.

Critical Judgements in Applying the Entity’s Accounting Policies

In preparing these financial statements Management has made estimates and assumptions concerning the future. These estimates and assumptions may differ from the subsequent actual results. Estimates and assumptions are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

There are no estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year.

INDEPENDENT POLICE CONDUCT AUTHORITY
STATEMENT OF COMPREHENSIVE REVENUE AND EXPENSE
FOR THE YEAR ENDED 30 JUNE 2022

2021 Actual \$		Notes	2022 Actual \$	Unaudited 2022 Budget \$
	Revenue			
5,700,000	Funding from the Crown	1	5,747,000	5,747,000
-	Funding from the Crown for review	1	750,000	-
19,293	Interest revenue		17,311	11,839
-	Other revenue		196	-
<u>5,719,293</u>	Total Revenue		<u>6,514,507</u>	<u>5,758,839</u>
	Expenditure			
38,083	Audit fees	2	45,890	38,083
36,244	Amortisation	8	27,183	27,686
1,478	Bad Debts		-	-
33,368	Communication charges		30,253	35,206
103,279	Depreciation	7	100,603	105,788
4,461,163	Personnel costs and Board fees	3	4,594,523	4,859,087
14,793	Printing and stationery		8,572	16,494
286,912	Professional fees and contract services		207,568	250,000
434,889	Rent		493,262	412,884
229,571	Services and supplies		373,568	225,172
3,597	Subscriptions		7,408	9,767
61	Training		500	15,000
74,954	Travel and accommodation		73,076	90,000
<u>5,718,392</u>	Total Expenditure		<u>5,962,406</u>	<u>6,085,167</u>
<u>901</u>	Surplus/(Deficit)		<u>552,101</u>	<u>(326,328)</u>
	Other Comprehensive Revenue and Expense			
<u>901</u>	Total Comprehensive Revenue/(Deficit)		<u>552,101</u>	<u>(326,328)</u>

Explanations of major variances against budget are detailed in note 21.

The Statement of Accounting Policies and the Notes to the Financial Statements form an integral part of these Financial Statements.

INDEPENDENT POLICE CONDUCT AUTHORITY
STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2022

2021 Actual \$	Assets	Notes	2022 Actual \$	Unaudited 2022 Budget \$
	Current assets			
48,503	Cash and cash equivalents	4	1,276,540	366,009
1,432,902	Investments	5	750,000	700,000
32,519	GST receivable	6	69,943	29,184
7,014	Debtors and other receivables	6	5,791	11,646
1,520,938	Total Current Assets		2,102,274	1,106,839
	Non-current assets			
365,282	Property, plant, and equipment	7	325,394	275,387
108,731	Intangible assets	8	81,548	83,058
474,013	Total Non-Current Assets		406,942	358,446
1,994,951	Total assets		2,509,216	1,465,285
	Liabilities			
	Current liabilities			
134,245	Creditors and other payables	9	206,083	80,243
332,266	Employee entitlements	11	225,925	179,079
13,333	Leasehold fit-out capital contribution	19	13,333	22,222
479,844	Total Current Liabilities		445,341	281,544
	Non-current liabilities			
68,333	Make-good provision	18	78,333	58,335
15,555	Leasehold fit-out capital contribution	19	2,222	-
83,888	Total Non-Current Liabilities		80,555	58,335
563,732	Total Liabilities		525,896	339,879
1,431,219	Net assets		1,983,320	1,125,406
	Crown equity			
1,431,219	Total investment by the Crown		1,983,320	1,125,406
1,431,219	Total Crown Equity		1,983,320	1,125,406

Explanations of major variances against budget are detailed in note 21. The Statement of Accounting Policies and the Notes to the Financial Statements form an integral part of these Financial Statements.

INDEPENDENT POLICE CONDUCT AUTHORITY
STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2022

2021 Actual \$		Notes	2022 Actual \$	Unaudited 2022 Budget \$
1,430,318	Total Crown Equity at beginning of year		1,431,219	1,451,734
901	Total Comprehensive Revenue		552,101	(326,328)
1,431,219	Total Crown Equity at end of year		1,983,320	1,125,406

Explanations of significant variances against budget are detailed in note 21.

The Statement of Accounting Policies and the Notes to the Financial Statements form an integral part of these Financial Statements.

INDEPENDENT POLICE CONDUCT AUTHORITY
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2022

2021 Actual \$	Notes	2022 Actual \$	Unaudited 2022 Budget \$
	CASH FLOWS FROM OPERATING ACTIVITIES		
	Cash was provided from/ (applied to)		
5,700,000	Receipts from the Crown	6,497,000	5,747,000
1,245	Receipts from other income	-	-
25,262	Interest received	18,534	11,839
(507)	Net GST received/(paid)	(25,892)	3,709
(5,579,325)	Payments to suppliers and employees	(5,883,792)	(5,993,638)
146,675	Net cash flow from operating activities	605,850	(231,090)
	CASH FLOWS FROM INVESTING ACTIVITIES		
	Cash was provided from/ (applied to)		
-	Proceeds from disposal of Investments	682,902	2,200,000
(201,851)	Purchase of property, plant & equipment	(60,715)	(25,000)
(522,799)	Acquisition of investments	-	(1,700,000)
(724,650)	Net cash flow from investing activities	622,187	475,000
(577,975)	Net increase/(decrease) in cash and cash equivalents	1,288,037	243,910
626,478	Cash and cash equivalents at beginning of year	48,503	122,098
48,503	Cash and cash equivalents at end of year	1,276,540	366,009
48,503	Represented by: Cash & cash equivalents	1,276,540	366,009

The GST (net) component of operating activities reflects the net GST paid and received with Inland Revenue. The GST (net) component has been presented on a net basis, as the gross amounts do not provide meaningful information for financial statement purposes.

Explanations of major variances against budget are detailed in note 21.

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2022

1. Revenue from Crown

The Independent Police Conduct Authority has been provided with funding from the Crown for the specific purposes of the Independent Police Conduct Authority as set out in its founding legislation and the scope of the relevant government appropriations. This year the Independent Police Conduct Authority received additional funding for the review of the policing of the protest at the Parliament grounds. Crown funding is recognised as a non-exchange transaction.

2. Remuneration to Auditors

	2022 Actual \$	2021 Actual \$
Audit of the financial statements	45,890	38,083
	<u>45,890</u>	<u>38,083</u>

3. Personnel Expenses and Board Fees

		2022 Actual \$	2021 Actual \$
Salaries and wages		4,166,577	3,888,149
Defined contribution plan employer contributions		110,529	102,064
Increase/(decrease) in employee entitlements	11	(106,341)	25,543
Board fees	15	<u>423,758</u>	<u>445,407</u>
Total Personnel Expenses		<u>4,594,523</u>	<u>4,461,163</u>

Employer contributions to defined contribution plans include contributions to KiwiSaver.

4. Cash and Cash Equivalents

	2022 Actual \$	2021 Actual \$
Cash at bank	<u>1,276,540</u>	<u>48,503</u>
Total Cash and Cash Equivalents	<u>1,276,540</u>	<u>48,503</u>

While cash and cash equivalents at 30 June 2022 are subject to the expected credit loss requirements of PBE IFRS 9, no loss allowance has been recognised because the estimated loss allowance for credit losses are trivial.

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2022

	2022 Actual \$	2021 Actual \$
5. Investments		
Term Deposits	750,000	1,432,902
Total Investments	750,000	1,432,902

No loss allowance for expected credit losses has been recognised because the estimated 12-month expected loss allowance for credit losses is trivial. Interest rates varies between 0.5% - 2.2% (2021: 0.8% - 0.85%) and all the term deposits are between 3 months and less than 12 months.

	2022 Actual \$	2021 Actual \$
6. Debtors and other receivables		
Accrued interest	3,210	4,433
Sundry receivables	2,581	2,581
Total Debtors and other receivables	5,791	7,014
Total Comprises:		
Receivables from exchange transactions	5,791	7,014
GST receivable (non-exchange transaction)	69,943	32,519

Accrued interest and sundry receivables have been classified as exchange transactions while outstanding GST receivable has been classified as non-exchange in line with PBE IPSAS 9 and PBE IPSAS 23. The carrying value of debtors and other receivables approximate their fair value.

While debtors and other receivables at 30 June 2022 are subject to the expected credit loss requirements of PBE IFRS 9, no loss allowance has been recognised because there is a minimal risk of credit losses.

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2022

7. Property, Plant and Equipment

Movements of each class of plant, property & equipment are as follows:

	Office equipment	Furniture & fittings	Leasehold improvements	Total
Cost	\$	\$	\$	\$
Balance at 1 July 2020	398,665	64,738	308,650	772,053
Additions	34,731	8,594	158,526	201,851
Balance at 30 June 2021	433,396	73,332	467,176	973,904
Balance at 1 July 2021	433,396	73,332	467,176	973,904
Additions	60,715	-	-	60,715
Balance at 30 June 2022	494,111	73,332	467,176	1,034,619

There are no restrictions over the title of the IPCA's property plant and equipment nor are any

Accumulated depreciation	Office equipment	Furniture & fittings	Leasehold improvements	Total
	\$	\$	\$	\$
Balance at 1 July 2020	282,575	54,464	168,304	505,343
Depreciation expense	55,983	3,137	44,159	103,279
Balance at 30 June 2021	338,558	57,601	212,463	608,622
Balance at 1 July 2021	338,558	57,601	212,463	608,622
Depreciation expense	44,957	3,933	51,713	100,603
Balance at 30 June 2022	383,515	61,534	264,176	709,225
Book Value				
At 1 July 2020	116,090	10,274	140,346	266,710
At 30 June 2021 & 1 July 2021	94,838	15,732	254,712	365,282
At 30 June 2022	110,596	11,798	203,000	325,394

property, plant and equipment pledged as security for liabilities.

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2022

	2022 Actual \$	2021 Actual \$
9. Creditors and Other Payables		
Payables under exchange transactions		
Trade creditors	160,215	71,801
Accrued expenses	45,868	62,444
Total creditor and other payables under exchange transactions	206,083	134,245

All payables and creditors were classified as exchange transactions as at balance date. Trade creditors and other payables are non-interest bearing and are normally settled on 30-day terms, therefore the carrying value of trade creditors and other payables approximate their fair value. The Independent Police Conduct Authority has a financial risk management policy in place to ensure that all payables are paid within the credit timeframe.

10. Financial Instruments

The following table details the Independent Police Conduct Authority's exposure to interest rate risk as at 30 June 2021.

	Fixed interest rate bearing \$	Non-interest bearing \$	Total \$
Financial assets measured at amortised cost:			
Cash and cash equivalents			
- Cash at bank	48,503	-	48,503
Loans and receivables			
- Term deposits	1,432,902	-	1,432,902
- Debtors and other receivables	-	4,806	4,806
Total financial assets	1,481,405	4,806	1,486,211
Financial liabilities measured at amortised cost:			
Creditors and other payables	-	111,510	111,510
Total financial liabilities	-	111,510	111,510

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2022

10. Financial Instruments (cont.)

The following table details the Independent Police Conduct Authority's exposure to interest rate risk as at 30 June 2022.

	Fixed interest rate bearing \$	Non-interest bearing \$	Total \$
Financial assets measured at amortised cost:			
Cash and cash equivalents			
- Cash at bank	1,276,540	-	1,276,540
Loans and receivables			
- Term deposits	750,000	-	750,000
- Debtors and other receivables	-	2,581	2,581
Total financial assets	2,026,540	2,581	2,029,121
Financial liabilities measured at amortised cost:			
Creditors and other payables	-	203,359	203,359
Total financial liabilities	-	203,359	203,359

11. Employee Entitlements

	2022 Actual \$	2021 Actual \$
Accrued salaries and wages	-	142,358
Annual leave	225,925	189,908
Total Employee Entitlements	225,925	332,266

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2022

14. Key Management Personnel Compensation

The compensation of the Authority's Chair, two board members and the Leadership team being the key management personnel of the Independent Police Conduct Authority, is set out below:

	2022 Actual \$	2021 Actual \$
<i>Board Members</i>		
Remuneration	423,758	445,407
Full time equivalents	1.1	1.1
<i>Leadership Team</i>		
Remuneration	995,199	1,010,238
Full time equivalents	7	6
Total key management personnel remuneration	1,418,957	1,455,645
Total full-time equivalent personnel	7.0	6.0

There were no post-employment benefits, other long-term employee benefits, termination benefits paid to key management personnel during the year (2021: \$nil).

15. Board member remuneration

The total value of remuneration paid or payable to each Board member during the year was:

	2022 Actual \$	2021 Actual \$
Judge Colin Doherty	380,983	406,074
Simon Murdoch	23,315	24,075
Elizabeth Sinclair	19,460	15,258
Total Board member remuneration	423,758	445,407

Ministry of Justice are paying for Judge Colin Doherty's salary and invoicing Independent Police Conduct Authority for his services.

There have been no payments made to committee members appointed by the Board who are not Board members during the financial year. No Board members received compensation or other benefits in relation to cessation (2021: \$nil).

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2022

16. Commitments

(i) Capital commitments

There are no capital commitments this year. All amounts related to the Case Management System project have been billed (2021: \$nil).

(ii) Operating lease commitments as lessee

Operating lease commitments relate to the lease with Stride Property Limited for building accommodation at 1 Grey Street, Wellington. The lease term is for a period of nine years commencing 1 September 2014, with rights of renewal for a term of six years after 1 September 2023 at the same or higher price. The Independent Police Conduct Authority does not have the option to purchase the leased asset at the expiry of the lease period. The future aggregate minimum lease payments to be paid under non-cancellable operating leases are as follows:

	2022 Actual \$	2021 Actual \$
Less than one year	310,788	310,788
Between one and five years	51,798	362,586
Later than five years	-	-
Total operating lease commitments	362,586	673,374

17. Contingency

There are no contingent liabilities or assets at reporting date (2021: \$nil).

18. Make Good Provision

A provision for an expected make-good payment has been accrued in the accounts relating to the Grey Street Property. This final payment has been estimated at \$90,000 based on prior make-good payments that the Authority has paid and adjusted for inflation, and it is expected to be settled at the end of the lease term. Due to the nine-year lease of the property, this accounts for an annual provision of \$10,000 per year. As at balance date, 94 months of this figure have been accrued, based on the lease commencement date. The estimate for 2022 is: \$78,333. This is classified as non-current liability, as it is expected to be settled in September 2023.

19. Leasehold Fit-out Contribution

DNZ property Fund Limited contributed \$120,000 towards the fit-out for the Grey Street premises during the 2016 financial year. This leasehold fit-out was capitalised and will be depreciated on a straight-line basis over 9 years as detailed in the accounting policies. A liability was recognised for the \$120,000 contribution payment received from DNZ which will be released over the term of the lease, being nine years. As at balance date the current portion of the liability is \$13,333 and the non-current portion is \$2,222.

20. Subsequent Events

There are no events subsequent to reporting date, that the Authority is aware of, that would have a material impact on the financial statements for the period ended 30 June 2022 (2021: nil).

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2022

21. Major Budget Variances

Statement of Comprehensive Revenue & Expense.

1. Crown revenue for the review

Actual - \$750,000; Budget - \$0

Crown revenue received for the review was higher than budgeted due to one off funding being granted to review the policing of the protest at Parliament grounds.

2. Personnel costs and Board Fees

Actual - \$4,594,523; Budget - \$4,859,087

Personnel costs and Board fees were lower than expected due to budgeted new positions not being fulfilled or staff leaving and replacements not being found.

3. Professional fees and contract services

Actual - \$207,568; Budget - \$250,000

Professional fees were under budget due to less legal support needed than anticipated.

4. Rent

Actual - \$493,262; Budget - \$412,884

Rent was higher than budgeted as IPCA was required to hire new premises for staff to complete the review of the policing of the protest at Parliament grounds.

5. Services and supplies

Actual - \$373,568; Budget - \$225,172

Services and supplies were higher than budgeted as IPCA required additional services and supplies to complete the review of the policing of the protest at Parliament grounds.

Statement of Financial Position

1. Cash and Cash Equivalents

Actual - \$1,276,540; Budget - \$366,009

The cash and cash equivalents balance at year end was higher than budgeted. This is due to the timing of term deposits maturing.

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2022

2. Investments

Actual - \$750,000; Budget - \$700,000

Investments are higher than budgeted due to being conservative in the budget preparation by anticipating low amounts of cash available to invest in term deposits.

3. Property, plant & equipment

Actual - \$325,394; Budget - \$275,387

Property, plant & equipment was higher than budgeted as IPCA was required to hire new premises and office equipment for staff to complete the review of the policing of the protest at Parliament grounds.

4. Creditors and other payables

Actual - \$206,083; Budget - \$80,243

Creditors and other payables were higher than budgeted due to the timing of review expenditure being higher at June.

5. Employee entitlements

Actual - \$225,925; Budget - \$179,079

Annual and other leave balances increased during lockdown periods. Staff members were encouraged to take leave after this period, but less opportunity to travel saw these balances remain higher than usual.

Statement of Cash Flows

Any variances against budget in the statement of cash flows have been reflected in the notes above.

INDEPENDENT POLICE CONDUCT AUTHORITY
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE YEAR ENDED 30 JUNE 2022

Summary of income and expenditure on outputs

The Authority has one output class: Investigate and resolve complaints against the police and to uphold the rights of persons in police detention.

<i>Output Financials</i>	<i>2021/22 Actual</i>	<i>2021/22 Budget</i>	<i>2020/21 Actual</i>	<i>2020/21 Budget</i>
Crown Funding *	6,497,000	5,747,000	5,700,000	5,700,000
Interest & Other Revenue	17,507	11,839	19,293	54,303
Total Revenue	6,514,507	5,758,839	5,719,293	5,754,303
Expenses	5,962,406	6,085,167	5,718,392	6,064,500
<i>Net Surplus/(Deficit)</i>	<i>552,101</i>	<i>(326,328)</i>	<i>901</i>	<i>(310,197)</i>

*The Crown revenue received by the Independent Police Conduct Authority is equal to the actual appropriation provided to the Authority under the Vote Justice output class 'Justice Advocacy, Advice and Promotion Services'.



INDEPENDENT AUDITOR'S REPORT

To the readers of the Independent Police Conduct Authority's financial statements and performance information for the year ended 30 June 2022

The Auditor-General is the auditor of the Independent Police Conduct Authority (the Authority). The Auditor-General has appointed me, Sonia Isaac, using the staff and resources of KPMG, to carry out the audit of the financial statements and the performance information, of the Authority on his behalf.

Opinion

We have audited:

- the financial statements of the Authority on pages 51 to 72, that comprise the statement of financial position as at 30 June 2022, the statement of comprehensive revenue and expenses, statement of changes in equity and statement of cash flows for the year ended on that date and the notes to the financial statements including a summary of significant accounting policies and other explanatory information; and
- the performance information of the Authority on pages 34 to 40 and 43 to 48 and 73.

In our opinion:

- the financial statements of the Authority on pages 51 to 72:
 - present fairly, in all material respects:
 - its financial position as at 30 June 2022; and
 - its financial performance and cash flows for the year then ended; and
 - comply with generally accepted accounting practice in New Zealand in accordance with Public Benefit Entity Reporting Standards Reduced Disclosure Regime; and
- the performance information on pages 34 to 40 and 43 to 48 and 73:

- presents fairly, in all material respects, the Authority's performance for the year ended 30 June 2022, including:
 - for each class of reportable outputs:
 - its standards of delivery performance achieved as compared with forecasts included in the statement of performance expectations for the financial year; and
 - its actual revenue and output expenses as compared with the forecasts included in the statement of performance expectations for the financial year; and
 - what has been achieved with the appropriation; and
 - the actual expenses or capital expenditure incurred compared with the appropriated or forecast expenses or capital expenditure; and
- complies with generally accepted accounting practice in New Zealand.

Our audit was completed on 19 December 2022. This is the date at which our opinion is expressed.

The basis for our opinion is explained below. In addition, we outline the responsibilities of the Authority and our responsibilities relating to the financial statements and the performance information, we comment on other information, and we explain our independence.

Basis for our opinion

We carried out our audit in accordance with the Auditor-General's Auditing Standards, which incorporate the Professional and Ethical Standards and the International Standards on Auditing (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board. Our responsibilities under those standards are further described in the Responsibilities of the auditor section of our report.

We have fulfilled our responsibilities in accordance with the Auditor-General's Auditing Standards.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of the Authority for the financial statements and the performance information

The Board is responsible on behalf of the Authority for preparing financial statements and performance information that are fairly presented and comply with generally accepted accounting practice in New Zealand. The Board is responsible for such internal control as they determine is necessary to enable them to prepare financial statements and performance information that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements and the performance information, the Board is responsible on behalf of the Authority for assessing the Authority's ability to continue as a going concern. The Board is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless there is an intention to merge or to terminate the activities of the Authority, or there is no realistic alternative but to do so.

The Board's responsibilities arise from the Crown Entities Act 2004 and the Public Finance Act 1989.

Responsibilities of the auditor for the audit of the financial statements and the performance information

Our objectives are to obtain reasonable assurance about whether the financial statements and the performance information, as a whole, are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit carried out in accordance with the Auditor-General's Auditing Standards will always detect a material misstatement when it exists. Misstatements are differences or omissions of amounts or disclosures, and can arise from fraud or error. Misstatements are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of readers, taken on the basis of these financial statements and the performance information.

For the budget information reported in the financial statements and the performance information, our procedures were limited to checking that the information agreed to the Authority's statement of performance expectations.

We did not evaluate the security and controls over the electronic publication of the financial statements and the performance information.

As part of an audit in accordance with the Auditor-General's Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. Also:

- We identify and assess the risks of material misstatement of the financial statements and the performance information, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- We obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- We evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Board.
- We evaluate the appropriateness of the reported performance information within the Authority's framework for reporting its performance.
- We conclude on the appropriateness of the use of the going concern basis of accounting by the Board and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements and the performance information or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Authority to cease to continue as a going concern.
- We evaluate the overall presentation, structure and content of the financial statements and the performance information, including the disclosures, and whether the financial statements and the performance information represent the underlying transactions and events in a manner that achieves fair presentation.
- We obtain sufficient appropriate audit evidence regarding the financial statements and the performance information of the entities or business activities within the Authority to express an opinion on the consolidated financial statements and the consolidated performance information. We are responsible for the direction, supervision and performance of the Authority audit. We remain solely responsible for our audit opinion.

We communicate with the Board regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Our responsibilities arise from the Public Audit Act 2001.

Other information

The Board responsible for the other information. The other information comprises the information included on pages 5 to 81, but does not include the financial statements and the performance information, and our auditor's report thereon.

Our opinion on the financial statements and the performance information does not cover the other information and we do not express any form of audit opinion or assurance conclusion thereon.

In connection with our audit of the financial statements and the performance information, our responsibility is to read the other information. In doing so, we consider whether the other information is materially inconsistent with the financial statements and the performance information or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on our work, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Independence

We are independent of the Authority in accordance with the independence requirements of the Auditor-General's Auditing Standards, which incorporate the independence requirements of Professional and Ethical Standard 1: *International Code of Ethics for Assurance Practitioners* issued by the New Zealand Auditing and Assurance Standards Board.

Other than the audit, we have no relationship with or interests in the Authority.



Sonia Isaac

KPMG New Zealand

On behalf of the Auditor-General

Wellington, New Zealand

APPENDIX 1

Category A – IPCA independent investigation

Principle

Guidelines

There are a few cases that are so serious that they will typically lead to a Category A investigation. These include:

- a) cases involving death or serious injury caused or appearing to be caused by Police actions;
- b) cases containing elements of corruption or serious criminal misconduct;
- c) other cases of deliberate wrongdoing or other serious misconduct that would significantly impact on public trust and confidence in Police.

A case that meets one of the above criteria will not necessarily be independently investigated if the Authority is satisfied that it has been or is being responded to robustly and expeditiously by Police (e.g., by investigation with a view to possible criminal prosecution or disciplinary proceedings against one or more officers). Conversely, a case that does not meet one of the above criteria may be deemed suitable for a Category A investigation if:

- d) it raises one or more significant systemic issues;
- e) it shows a pattern of significant misconduct by an individual officer;
- f) it raises integrity issues in relation to a senior officer or an area, District, or Police generally;
- g) a Police investigation on its own is unlikely, in the view of the Authority, to be perceived by the public as being sufficiently robust; or
- h) Police have indicated, or the Authority determines, that for public interest reasons it is preferable for the Authority rather than Police to investigate.

Category B – Police investigation with active IPCA oversight

Principle

Where a case requires investigation before the appropriate resolution can be determined, but does not meet the criteria for independent investigation, it will be referred to the Police for investigation with active IPCA oversight.

This may sometimes comprise a limited factual inquiry by the Police (e.g., a phone call to the complainant or a witness to clarify a factual matter) so that it can be determined whether the case is suitable for alternative resolution.

The concluded Police investigation is subject to a full, independent review to confirm that all complaint issues have been addressed and that the outcomes achieved are in accordance with the weight of evidence. The Authority makes its own findings and reports these to the Commissioner and, where applicable, the complainant.

Category C – Facilitated Case Resolution

Principle

Where the complainant has a reasonable grievance to be addressed and the issues are clear, the case should be resolved by appropriate action and redress as soon as practicable.

Guidelines

This category of complaints has the following characteristics:

- a) the issues raised by the complaint are clear;
- b) there does not need to be a substantial investigation to determine the facts;
- c) there is no need for a criminal or employment investigation into the actions of the officers complained about;
- d) some redress or other action to resolve the issues raised by the complaint is practicable.

Complaints in this category can range from the serious to the relatively minor. Their distinguishing feature is that they can be resolved quickly, efficiently, and effectively. This means that complainants can receive timely redress, and that appropriate lessons can be learned by individual officers or Police as an organisation soon after the event.

Before a case with these characteristics are categorised, there will be a discussion with the District Professional Conduct Manager (and, if necessary, Police Professional Conduct at Police National Head Quarters) to discuss and agree on the appropriate actions and a timeframe within which they are to be undertaken. If no such agreement is reached, the case will not be made a Category C.

Category D – No further action

Principle

It is in the interests of both the complainant and Police that matters of no real substance are identified and concluded at the earliest possible opportunity. This decision will only be made after appropriate research, collation and analysis of available information relating to the complaint has been undertaken.

Guidelines

This category of complaint has one or more of the following characteristics:

- a) matters which the Authority considers as minor, frivolous, or vexatious;
- b) matters where there is no support from the person centrally aggrieved;
- c) have been, are about to be or are able to be, decided by another tribunal or by the Court;
- d) matters which disclose no issue requiring investigation;
- e) matters which relate to an incident of which the complainant has had knowledge for over one year;
- f) a conflict in the evidence about the issues complained of that is unlikely to be resolved by further investigation.



