



IPCA

Independent Police
Conduct Authority

Mana Whanonga Pirihimana Motuhake



STATEMENT OF PERFORMANCE EXPECTATIONS

2020/21



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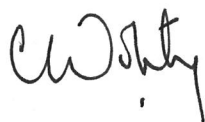
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Preamble

This Statement of Performance Expectations has been prepared in accordance with the requirements of sections 141 and 142 of the Crown Entities Act 2004.

It aligns with the Independent Police Conduct Authority's (the Authority's) 2021/22–2023/24 Statement of Intent and describes the Authority's performance measures and annual forecast financial statements. The Statement of Performance Expectations should be read in conjunction with the Statement of Intent.



Judge Colin Doherty

Chair



Liz Sinclair

Member



Simon Murdoch

Member

FUNDING

The Authority is funded by the Crown through the 'Services from the Independent Police Conduct Authority' appropriation. The purchase of outputs within this appropriation is solely by the Minister of Justice and is detailed in the Estimates of Appropriations for Vote: Justice and the Authority's Statement of Intent 2020/21 to 2023/24.

During the 2020/21 financial year, the Authority's Vote: Justice revenue will be \$5.7 million (GST exclusive). All figures in this document are GST exclusive.

SCOPE OF APPROPRIATION

The scope of the Authority's appropriation, as detailed in the Estimates of Appropriations, is to investigate incidents and investigate and resolve complaints against Police and uphold the rights of persons in police detention.

CONSULTATION WITH, AND REPORTING TO, OUR RESPONSIBLE MINISTER

The Authority will consult with the Minister of Justice, our Responsible Minister, on our activities for the purposes of financial accountability and of ensuring that our outputs are being delivered. We will also inform the Minister as appropriate on any issues that may result in significant media, public, or parliamentary attention. The Authority will also work constructively with the Ministry of Justice as the Minister's 'Monitoring Department'.

The Authority will provide the Minister with four-monthly performance reports covering key results and performance highlights, any emerging issues, and significant performance variances or risks.

FINANCIAL STRATEGY

The Authority's financial management processes are designed to support the delivery of outcomes aligned to the government's wellness objectives of a just and safe New Zealand.

There has been a substantial and sustained increase in the number of complaints received by the Authority over the last 18 months, with a corresponding impact on the Authority's workload. The Authority continually seeks to improve the efficiency with which it delivers its services in order to maximise the effectiveness of its work with the resource available to it.

Personnel expenditure will always represent the greatest area of investment and cost for the Authority. The Authority's strategy is to set remuneration and employment conditions so as to attract and retain

the best possible employees but recognises that employment costs must remain sustainable within our appropriation. We are also mindful of the need to develop capability and capacity in support of our longer-term strategic direction and work programme as outlined in our updated Statement of Intent 2020/21 – 2023/24.

Our major capital investment over the last 12 months has been the development of a new case management system, which became operational in October 2019. The previous system was old and no longer fit for purpose, and was increasingly “crashing” and disrupting work. The new system has significantly enhanced the Authority’s ability to undertake its work efficiently and effectively and has resulted in improved business workflow, more comprehensive and accurate case data, and better information on performance and trends. This, together with the increase in the Authority’s appropriation of \$3.8m over the next four years, has enabled us to set timeliness targets that are greater than those achieved in 2019/20. It will take us a little time to build our capacity, so that the targets in 2020/21 are still set at a level a little below that needed to provide a satisfactory standard of service delivery. However, we are aiming to achieve that standard in the 2021/22 financial year.

The new case management system, combined with other changes to the Authority’s electronic environment, enabled us to set up remote connections for all staff at short notice when the State of Emergency relating to Covid-19 was announced. While the work of a small number of staff was disrupted by working from home (because of other factors such as childcare), the overall disruption to workflow was minimal. Indeed, the Authority has identified some opportunities as a result of more flexible working arrangements that might enable greater efficiencies in the future and will be developing more detailed policies to that end early in the 2020/21 year.

There has been some capital cost associated with remote working that is reflected in the budgeted depreciation expenditure in this document. Otherwise the impact of Covid-19 is expected to have a minor impact on operations and has not been factored into our performance targets.

The Authority’s financial performance is reviewed by the Board on a monthly basis. Additionally, the budget is reviewed and adjusted as required during the financial year, taking into account expenditure trends and needs.

Summary of outputs & Output expenses for 2020/21

The forecast expenses for the Authority's sole output class, and the total forecast revenue, are provided below:

Forecast output class expenditure:

OUTPUT CLASS: Investigate incidents and resolve complaints against the Police, and uphold the rights of persons in police detention

Output 1: Receive, manage, and ensure resolution of complaints.

Output 2: Carry out independent and timely investigations into Police conduct and report on these as required.

Output 3: Make recommendations for improved Police conduct, practices, policies and procedures, based on the results of investigations, and monitor their implementation.

Output 4: Monitor and report on places where persons are held in Police detention.

Total: Forecast output expenditure	\$6,150,777
Forecast revenue:	

Forecast Revenue Crown	\$5,700,000
Forecast interest revenue	\$56,967
Forecast other revenue	\$0.00

In order to allocate resources most effectively, the Authority categorises cases by assessing them across a range of factors, including the level of seriousness and the most appropriate means of resolving the matter. Generally speaking, we independently investigate the most serious complaints and incidents, while other matters are referred to Police for investigation or resolution under the Authority's oversight. There are also cases that for a variety of reasons do not require further action.

There is therefore a detailed and rigorous triaging process, which results in the allocation of cases into four categories. These are set out and explained in more detail in the [Appendix](#).

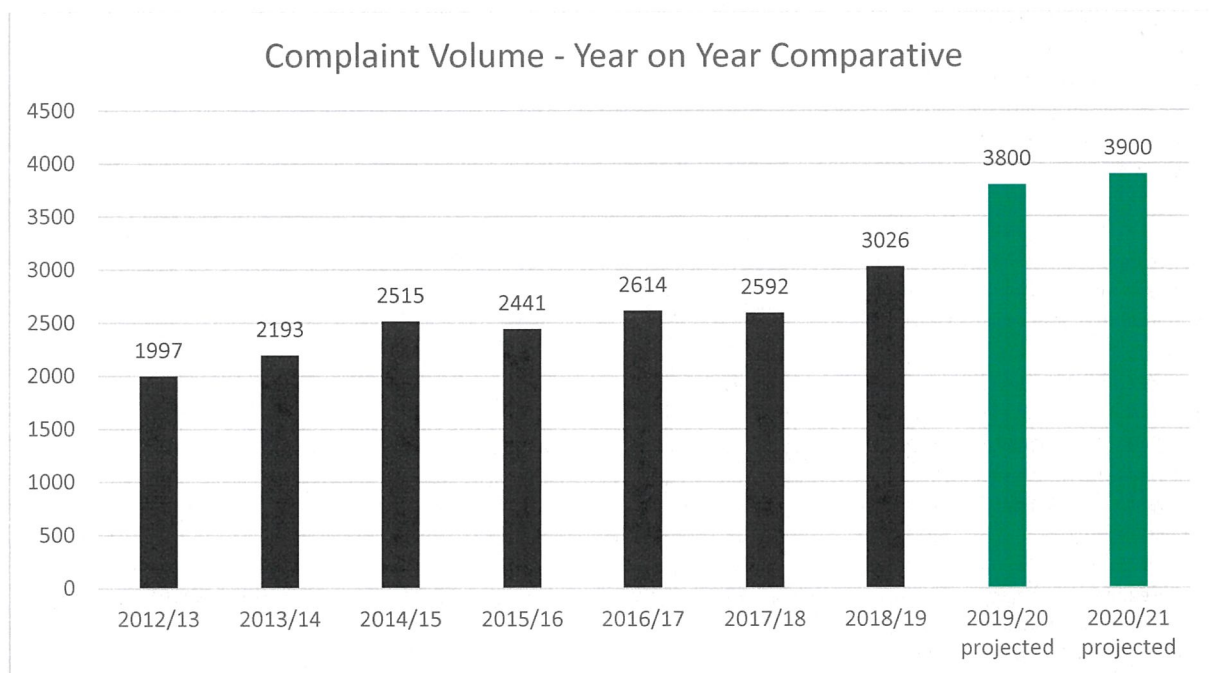
Our outcomes framework

The Outcomes Framework below, detailed in the Authority's Statement of Intent, demonstrates the links between its outputs and the broader targets of the Justice Sector.



Key measures for our outputs

The Authority expects to have received approximately 3800 complaints (including notifiable incidents) in the 2019/20 financial year, an increase of more than 30% over the previous year. The Authority explored the reasons for this increase, and believes that it has resulted from an earlier misinterpretation by Police of what constitutes a complaint, so that large volumes of ‘complaints’ being made on the Police’s “Expression of Dissatisfaction” on-line form, and through the “Praise and Complaint” process, were not being notified to the Authority. The Police and the Authority agreed at the beginning of 2019 that all matters involving a complaint about an individual, an individual incident or a perceived systemic failure within policing were notifiable under section 15 of the IPCA Act, and relevant staff were notified of this. The sustained increase in complaint volume since February 2019 is therefore likely to have arisen from an earlier under-reporting by Police, which has now been remedied. The caseload over the 2019/20 year, and previous years is shown in the figure below.



The measures that were put in place by the government to address the threat posed by Covid-19 changed the nature of the complaints we received during the last quarter of the 2019/20 financial year, but the volume continued on the expected trajectory. The Authority has therefore made no adjustment to overall volume of cases in the light of recent events, and expects the volume to slightly increase in the 2020/21 period as additional Police numbers come on stream.

The performance targets identified below have been set in the light of that predicted volume.

Longer term impact measures, that have previously been included in this document, are now contained in the Statement of Intent 2020/21 to 2023/24.

OUTPUT MEASURES

Output measure 1: Receive and manage complaints and incidents

<i>Measures</i>	<i>2019/20 Estimated Actuals</i>	<i>Performance target forecast 2020/21</i>	<i>How it will be measured</i>
All notifications of new complaints and incidents are acknowledged within seven days	97%	95%	The Authority's database
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	61%	75%	The Authority's database
All new complaints and incidents requiring additional information to be supplied by Police or any other person are categorised and decisions made about the appropriate actions are taken within 56 days	70%	80%	The Authority's database
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	86%	95%	The Authority's database
Where a complaint discloses a reasonable grievance, the Authority and Police agree on the actions that are appropriate to resolve that grievance and the agreed actions are undertaken	100%	95%	The Authority's database
Where the Authority receives an 'Expression of Dissatisfaction' ¹ 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	50%	80%	The Authority's database

¹ 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.

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

<i>Measures</i>	<i>2019/20 Estimated Actuals</i>	<i>Performance target forecast 2020/21</i>	<i>How it will be measured</i>
Reviews of Category B cases will be completed by the Authority within 28 days of receiving the file or Final Report from Police ²	62%	85%	The Authority's database
Independent investigations carried out by the IPCA will be concluded as soon as practicable ³	58% 89%	80% within 12 months 95% within 24 months	The Authority's database
For each Category A case that proceeds to a full investigation, an investigation plan, milestones and a completion date will be set and monitored	100%	100% of investigations	The Authority's database
Reports as a result of Category A investigations are clear, consistent and well-structured and have well-argued conclusions ⁴	100%	100% of reports meet required standard	Independent peer review by an external reviewer.

² The 28-day period excludes any period during which the IPCA is awaiting further information requested from Police or a draft final report or letter is awaiting submission from Police.

³ The 12 month and 24 month periods exclude any period during which a draft final report or letter is awaiting submission from Police.

⁴ The Authority produces approximately 35 public reports annually and selects five of these across a range of incidents for review.

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

<i>Measures</i>	<i>2019/20 Estimated Actuals</i>	<i>Performance target forecast</i> <i>2020/21</i>	<i>How it will be measured</i>
All systemic issues ⁵ 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	100%	100%	The Authority's database

Output measure 4: Monitor places of Police detention

<i>Measures</i>	<i>2019/20 Estimated Actuals</i>	<i>Performance target forecast</i> <i>2020/21</i>	<i>How it will be measured</i>
All systemic custodial management issues in Category A and Category B cases are raised and discussed with the Police prior to the completion of the relevant review or independent investigation	100%	100%	The Authority's database and OPCAT Spreadsheet
Reviews of the Police audits of District Custodial Management files, being conducted bi-monthly according to a programme agreed with Police, are completed with 60 days	100%	100%	The Authority's database

⁵ This excludes OPCAT issues, which are addressed under Output measure 4.

Annex 1: Forecast financial statements 2020/21 – 2022/23

	Estimated Actuals 2019/20	Forecast 2020/21	Forecast 2021/22	Forecast 2022/23
Forecast Statement of Comprehensive Income for the year ended 30 June				
Revenue from Crown	5,171,000	5,700,000	5,747,000	5,747,000
Other Income	30,448	-	-	-
Interest income	42,260	54,303	36,688	33,331
Total revenue	5,243,708	5,754,303	5,783,688	5,780,331
Expenditure				
Remuneration to auditors	37,290	38,083	38,083	38,083
Amortisation	31,241	36,595	27,447	20,585
Communication charges	30,499	30,499	30,499	30,499
Depreciation	81,403	119,388	96,222	76,735
Personnel	4,190,924	4,726,315	4,902,418	4,887,419
Printing and stationery	16,494	16,494	16,494	16,494
Professional fees	188,716	348,716	188,716	188,716
Rent	403,917	412,884	412,884	412,884
Services and supplies	233,488	215,758	215,758	215,758
Subscriptions	6,367	9,767	9,767	9,767
Training	1,585	10,000	10,000	10,000
Travel and accommodation	93,336	100,000	100,000	100,000
Total expenditure	5,315,261	6,064,500	6,048,288	6,006,561
Net comprehensive income for the year	(71,553)	(310,197)	(264,600)	(226,229)

Forecast Statement of Financial Position for the year ended 30 June

	Estimated Actuals 2019/20	Forecast 2020/21	Forecast 2021/22	Forecast 2022/23
Current Assets				
Cash & cash equivalents	505,860	292,412	246,983	224,359
Term Deposits	909,913	650,000	500,000	350,000
Accrued Interest	13,545	13,545	13,545	13,545
GST receivable	29,762	31,590	27,424	27,424
Work in Progress		-	-	-
Total current assets	1,459,080	987,548	787,952	615,328
Property, plant and equipment	245,846	304,488	238,267	191,912
Intangible assets	145,327	108,731	81,285	60,700
Total non-current assets	391,203	413,220	319,552	252,612
Total assets	1,850,283	1,400,768	1,107,504	867,940
Current liabilities				
Capital Contribution (Current)	13,333	13,333	13,333	13,333
Creditors and other payables	59,812	88,828	73,496	73,496
Employee entitlements	315,000	160,000	160,000	160,000
Total current liabilities	388,145	262,161	246,829	246,829
Non-Current Liabilities	74,167	60,833	47,501	34,166
Net assets	1,387,971	1,077,774	813,174	586,945
Total public equity	1,387,971	1,077,774	813,174	586,945

Forecast Statement of movements in Equity for the year ended 30 June

	Estimated Actuals 2019/20	Forecast 2020/21	Forecast 2021/22	Forecast 2022/23
Crown Equity				
	1,459,524	1,387,971	1,077,774	813,174
Net comprehensive income for the year	(71,553)	(310,197)	(264,600)	(226,229)
Closing equity	1,387,971	1,077,774	813,174	586,943

Forecast Statement of Cash Flows for the year ended 30 June

	Estimated Actuals 2019/20	Forecast 2020/21	Forecast 2021/22	Forecast 2022/23
Cash flows from operating activities				
Cash will be provided from:				
Receipts from Crown revenue	5,171,000	5,700,000	5,747,000	5,747,000
Interest received	49,128	54,302	36,688	33,331
Other Income	30,448	-	-	-
Net GST received	5,513	1,957	2,167	-
Cash will be applied to:				
Payments to suppliers and employees	(5,199,776)	(6,204,620)	(5,956,285)	(5,927,954)
Net cash flows from operating activities	56,313	(448,361)	(170,430)	(147,623)
Cash will be provided from:				
Proceeds from term deposits	900,000	909,913	650,000	500,000
Cash will be applied to:				
Purchases of property, plant and equipment	(94,926)	(25,000)	(25,000)	(25,000)
Purchases of intangible assets	(27,042)	-	-	-
Acquisition of term deposits	(909,913)	(650,000)	(500,000)	(350,000)
Net cash flows from investing activities	(131,881)	234,913	125,000	125,000
Net cash flows from financing activities				
Net increase/(decrease) in cash held	(75,568)	(213,448)	(45,430)	(22,623)
Plus cash at the start of the year	581,428	505,860	292,412	246,982
Cash held at the end of the year	505,860	292,412	246,982	224,359
Represented by:				
Cash & cash equivalents	505,860	292,412	246,982	224,359

Annex 2: Notes to and forming part of the financial statements

STATEMENT OF UNDERLYING ASSUMPTIONS

Significant assumption

The opening position of the forecasted statements is based on audited results for 2018/19; the known 2019/20 expenditure to 31 March 2020 and the anticipated out-turn as at 30 June 2020.

Nature of forecasted financial statements

The forecasted financial statements have been prepared as a best efforts indication of the Independent Police Conduct Authority's future financial performance. Actual financial results achieved for the period covered are likely to vary from the information presented, potentially in a material manner.

Reporting entity

The reporting entity is the Independent Police Conduct Authority, a Crown entity as defined by the Crown Entities Act 2004, and is domiciled in New Zealand. As such, 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.

Basis for preparation

Statement of compliance

The forecast financial statements of the Independent Police Conduct Authority have been prepared 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 forecast financial statements have been prepared in accordance with New Zealand Public Benefit Entity (NZ PBE) International Public Sector Accounting Standards (IPSAS). These prospective financial statements are compliant with Public Benefit Entity Financial Reporting Standard 42 Prospective Financial Statements (PBE FRS-42).

Measurement base

The forecast 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.

Functional and presentation currency

The forecast financial statements are presented in New Zealand dollars, rounded to the nearest one dollar. The functional currency of the Independent Police Conduct Authority is New Zealand dollars.

SIGNIFICANT ACCOUNTING POLICIES

The following significant accounting policies have been adopted in the preparation and presentation of the forecast financial statements:

Revenue recognition

Revenue comprises the fair value of the consideration received or receivable.

Revenue from the Crown

The Independent Police Conduct Authority is primarily funded through revenue received from the Crown, which is restricted in its use for the purpose of the Independent Police Conduct Authority meeting its objectives as specified in the statement of intent.

Revenue from the Crown is recognised as revenue when earned and is reported in the financial period to which it relates.

Interest

Interest revenue is calculated based on the net cash-flow received throughout the year.

Operating leases

Operating lease payments, where the lessors effectively retain substantially all the risks and benefits of ownership of the leased items, are included in the forecast statement of comprehensive income as an expense, in equal instalments over the lease term when the leased items are in use.

Where the leased items are not in use, the operating lease payments will be treated as a prepayment until the items are being used to derive income. These prepayments are released to the forecast statement of comprehensive income on a straight line basis over the period of the remaining operating lease term.

Debtors and other receivables

Debtors and other receivables are initially measured at fair value and subsequently measured at amortised cost using the effective interest method less any provision for impairment.

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 overdrafts.

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 deposits, 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. Significant financial difficulties of the bank, probability that the bank will enter into receivership or liquidation, and default in payments are considered indicators that the deposit is impaired.

Property, plant and equipment

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

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.

Where an asset is acquired at no cost, or for a nominal cost, it is recognised at fair value when control over the asset is obtained.

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 included in the forecast statement of comprehensive income.

Subsequent costs

Costs incurred subsequent to 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 forecast statement of comprehensive income as they are incurred.

Depreciation

Depreciation is calculated on a diminishing value basis on property, plant and equipment once in the 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% DV
Furniture & fittings	25.0% DV
Leasehold improvements	25.0% DV

Intangible assets

Software acquisition

Acquired computer software licenses are capitalised on the basis of 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 Authorities 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

Amortisation is charged on a diminishing value basis over the estimated useful life of the intangible asset.

The following amortisation rate is used in the calculation of amortisation:

Software	25.0% DV
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Impairment

Property, plant and equipment and intangible assets 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 amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

Value in use is 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 amount, the asset is impaired and the carrying amount is written down to the recoverable amount. The impairment loss is recognised in the forecast statement of comprehensive income.

Financial liabilities

Creditors and other payables

Creditors and other payables, comprising trade creditors and other accounts payable, are recognised when the Independent Police Conduct Authority becomes obliged to make future payments resulting from the purchase of goods and services.

Employee entitlements

Short-term employee entitlements

Provisions made in respect of employee benefits expected to be settled within 12 months of reporting date, are measured at the best estimate of the consideration required to settle the obligation using the current remuneration rate expected.

These include salaries and wages accrued up to balance date, annual leave earned, but not yet taken at balance date.

The Independent Police Conduct Authority recognises a liability and an expense for bonuses where it 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 forecast statement of comprehensive income as incurred.

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 an 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 and consequently is exempt from the payment of income tax. Accordingly no charge for income tax has been provided for.

Cash flow statement

The Cash Flow Statement is prepared exclusive of GST, which is consistent with the method used in the statement of comprehensive income.

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 and includes at call borrowings such as bank overdrafts, 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.

Annex 3: Critical judgements in applying the Authority's accounting policies

In the application of New Zealand Public Benefit Entity (NZ PBE) International Public Sector Accounting Standards (IPSAS), management is required to make judgements, estimates and assumptions about carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstance, the results of which form the basis of making the judgments. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period or in the period of the revision and future periods if the revision affects both current and future periods.

Judgements made by management in the application of IPSAS that have significant effects on the financial statements and estimates with a significant risk of material adjustments in the next year are disclosed, where applicable, in the relevant notes to the financial statements.

These forecast financial statements are based on IPCA 2020 results and have been prepared on the basis of assumptions as to future events that IPCA expects to reasonably occur, associated with the actions it reasonably expects to take.

The main assumptions are as follows:

- Operating costs are based on historical experience. The general historical pattern is expected to continue.
- IPCA activities will remain substantially the same as the previous year.

There are no significant events or changes that would have a material impact on IPCA's 2021 forecast.

Category A – IPCA independent investigation

Principle

Guidelines

There are a number of 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 (eg 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 (eg 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.



IPCA

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