



Independent Police
Conduct Authority

Mana Whanonga Pirihimana Motuhake



Statement of Performance Expectations

1 July 2022 – 30 June 2023

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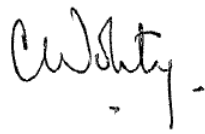
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Preamble

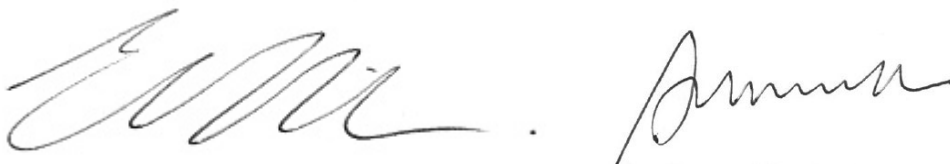
This Statement of Performance Expectations has been prepared in accordance with the requirements of sections 141 and 142 of the Crown Entities Act 2004.

It aligns to and should be read in conjunction with the Independent Police Conduct Authority's *Statement of Intent 2020/21 to 2023/24* and describes the Authority's performance measures and annual forecast financial statements for the 2022/23 year. It also outlines our response to the specific entity directives contained within our responsible Minister's Letter of Expectations 2022/23.



Judge Colin Doherty

Chair



Liz Sinclair

Member

Simon Murdoch

Member

Our vision and purpose

Our vision is to:

Be a world class oversight body that, by contributing toward improved trust in Police conduct, contributes to a safe and just society.

The Authority works to achieve this vision by maintaining an effective oversight system that ensures that complaints about, and incidents involving, Police conduct, and any practice, policy, or procedure, are fairly and impartially investigated or reviewed; that grievances and issues are identified and resolved in a timely fashion; and that any recommendations made and implemented result in improved Police performance.

At the heart of our work is the belief that such a system will lead to greater public trust in Police and policing as a whole. That trust and confidence will in turn contribute toward increasing the overall effectiveness of Police and the Authority in achieving the Government's justice sector outcomes.

We are therefore committed to:

- demonstrating to the community and to the Government that the Authority is an independent and effective oversight body that contributes significantly to the promotion of public trust and confidence in New Zealand Police;
- providing high levels of productivity, timeliness, and quality control in the delivery of services;
- ensuring that our findings and recommendations are well grounded and feed into Police training and development;
- ensuring that the New Zealand public, particularly vulnerable sectors of our communities, is aware of the presence and work of the Authority; and
- observing the principles of Te Tiriti o Waitangi and recognising the diverse culture of modern New Zealand.

Our strategy to achieve this vision

To achieve this vision, we are focused on five key areas:

- continuous improvement in the efficiency and effectiveness of our service delivery;
- using our data and technology aided capability to develop more targeted services, and enhance our overall operational capability;
- increasing emphasis on our preventive role;
- effective engagement with communities to achieve more equitable outcomes, and;
- working with Police to ensure a greater focus on good custodial practice that meets international standards.

MAXIMISING EFFICIENCY & EFFECTIVENESS

The Authority faces a continuing increase in demand for our services and ongoing constrained resources. In response to the recommendations provided by the external review of our business processes (commissioned in 2020) the Authority has now made a number of changes that have maximised effectiveness and efficiency to the full extent possible within the current resourcing model. The changes made were enabled by the additional resources received through our 2020 Budget Bid.

Specifically, the Authority has addressed the following:

1. Continued to work with Police in a co-operative way to find areas of shared agreement, thereby reducing the time spent on renegotiating with them the Authority's mandate.
2. Restructured some existing operational roles to create a clearer division of labour and span of control, giving effect to some of the efficiencies contemplated by the Review.
3. Introduced additional functions, including some specialist senior operational roles, to reflect the growing maturity of the Authority, and make some additional appointments to existing roles to better manage the current and future increases in volume.
4. Improved the effectiveness and efficiency of a range of processes and the core complaints management system, including:
 - reviewed agreed processes and timeframes for Police response to our information requests (RFI's)
 - reviewed and streamlined some aspects of our triaging and categorisation processes
 - working co-operatively with Police, developed additional channels through which clarification and resolution of any contestable aspects of complaint resolution can be quickly and efficiently addressed without the need for elevation

- assessed the proportionality of resource allocation and investigative methodology employed relative to the complexity assessment of cases requiring independent investigation
- participated in and provided feedback to Police Professional Conduct personnel about the Police Disciplinary Pilot which is due for nationwide implementation in July 2022
- continued engagement with our technology vendor to better utilise and extend the analysis and insights functionality available via our complaint management system (CMS)
- continued to explore technological solutions that can assist in maintaining the currency of our operational environment and systems.

The changes we have made are designed to ensure that we have established modern, agile processes that can be adapted in scale and application to better manage the increasing volume of complaints within the resources available to us.

USING DATA INSIGHTS TO DEVELOP TARGETED SERVICES, AND TECHNOLOGY SOLUTIONS TO ENHANCE OPERATIONAL CAPABILITY

We continue to undertake prioritised components of this work under a staged implementation plan. We are currently focused on exploring potential technology enhancements to support the expert human resource capabilities within the Authority.

These types of solutions look to provision the Authority with cutting-edge technological capability that can assist in identifying data insights within the growing volume of ‘big data’ and cross-sector/inter-agency analysis required in our work. We are also exploring other technology such as automated transcription, advanced document review systems, and software to assist in review of audio and video material. Leveraging technology will enable our expert staff to focus on more strategic, human-centric aspects of our work, such as interviewing, and face-to-face interactions with people.

During the 2022/23 period we will revisit aspects of the suspended schedule of development we have identified, prioritising several work programmes including:

- Automation of higher global level reporting on broader trends, complaint volumes, complaint completion rates and delays.
- Providing customised dashboards and self-service reporting to the leaders and team members to show workloads, the complaints pipeline, and progress on tasks, such as requests to Police for information.
- Connecting the Authority’s data to other sources of evidence like crime rate statistics.
- Checking for equity of access – in particular whether any ethnicities or communities (such as rural communities) and any Police districts are under-represented in the complaints received.
- Measuring and reporting against wider trend information and longer-term targets to tell the performance story about the impact the Authority is seeking to achieve and show progress in achieving its outcomes and impacts over a longer period of time.

Our highest priority across all of these work programmes is ensuring that we are building a futureproof system which allows us to quickly access the information and insights we need to make robust yet flexible decisions in the delivery of all our services. We continue to work with the system vendor to identify likely costs involved and prioritising of the further developments which might be undertaken. We are exploring the option of engaging a Senior Data Analyst on a fixed term basis to assist in progressing the work outlined above.

CONTINUING TO STRENGTHEN OUR WORKING RELATIONSHIP WITH POLICE AND FOCUS ON PREVENTION

We consider our relationship with Police critical to the effectiveness of our work. The Authority is more likely to be successful in achieving its core purpose of maintaining and enhancing public trust and confidence in Police if its work not only holds Police to account for misconduct or neglect of duty, but also prevents similar problems from recurring.

Our focus is on prevention where possible, and we see merit in working with Police to review policies, practices and procedures where we identify issues that need to be addressed. The strength of our working relationship with Police is the lynchpin for this. We intend to continue focusing on early communication to Police of issues we identify and discussing how Police are best able to address these. We make recommendations on policy, practice or procedure issues following investigations and monitor Police's acceptance and implementation of these.

In addition, our relationships with Police are an important part of our thematic work. Where we observe patterns arising across more than one case, we undertake thematic reviews and where appropriate make recommendations for changes to Police systems and processes. We believe that such reviews are an efficient application of the Authority's resources and, when used in appropriate cases, produce effective outcomes and impact. The extent to which we carry out thematic reviews is subject to resource constraints. In the 2022/23 period we expect to conclude our investigations and deliver the Public Report for several complex investigations, meaning our ability to undertake thematic work will be limited.

We are interested in making good use of any other Police mechanisms which may allow the lessons learned from our work, or emerging themes, to be applied more broadly into policing work at a practical level. We have worked with Police and established a channel to enable us to report appropriate issues through to Police and be involved with identifying ways for these to inform prevention work by Police.

ENHANCING ENGAGEMENT WITH STAKEHOLDERS AND WITHIN OUR COMMUNITIES

It is the Authority's aspirational intention to ensure that there is greater public recognition of the Authority, and more widespread understanding of the Authority's role and function and how it can be accessed (especially amongst those groups identified as being vulnerable and disadvantaged).

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

impartially. 'Name recognition' on its own does not necessarily achieve that. We must strengthen our engagement with Māori, Pasifika, migrant communities, and young people.

We therefore need to find alternative forms of engagement that are culturally specific and effective. Enhanced engagement means not only disseminating our own information but listening to the views and ideas of those with whom we engage.

The Authority remains cognisant of the need to identify targeted service delivery models that give better representation and access to our services, especially for those communities who are under-represented in our complaint statistics, yet over-represented in wider Justice sector statistics.

WORKING WITH POLICE TO ENSURE A GREATER FOCUS ON GOOD CUSTODIAL PRACTICE

The Authority's work in monitoring Police custodial facilities is undertaken not only through our routine audits and inspections but also our follow-up work (including detailed investigations where necessary) when there are complaints or incidents of harm arising from custodial practice.

A paper presented at a recent OPCAT NPM (Optional Protocol to the Convention against Torture, National Preventative Mechanism) Chairs meeting highlighted the Authority does not currently meet the international expectations on the 'regularity' of the inspections of Police facilities we undertake. To meet this international standard will require the Authority to reconsider the resourcing allocation and means of delivering this core function during 2022/23. This may include additional or reallocation of existing FTE resource. Management are drafting resource options for consideration by our Board that will consider the number of resources required. In addition, management have been asked to consider alternative methods of follow-up after our in-person inspections, and consideration of ways in which Police themselves may be able to better assist us in this work. The vision for this aspect of our work is that the Authority, as the oversight body for Police facilities, will be able to direct and advise the methodology for these inspections and may seek to explore methodology utilised by other countries that takes a multi-agency, multi-disciplinary approach to the resourcing this work.

As with other countries and organisations who have ratified OPCAT the Authority believes that 'regular independent' inspection of places of detention is critical to ensuring that custodial practices and facilities meet international standards. Our OPCAT work feeds into many aspects of the preventative focus we have within our work, and as such, we see focus on this area of our work as a critical component of the broader work that we undertake.

During the 2021/22 year we finalised the framework document which outlines the collaborative initiative between the Authority and the Office of the Ombudsman to ensure consistency of oversight and monitoring across all Court cells. The Authority aims to expand our monitoring of Court cells as part of that initiative, as resourcing allows.

Addressing the Minister's specific expectations for 2022/23

Our Responsible Minister, the Minister for Justice, expressed three specific expectations for the Authority during the 2022/23 year. The expectations focus on maintaining the capability and capacity to perform our core functions to the expected standards, and to ensure that the Authority carefully considers and develops appropriate strategy to mitigate against fundamental organisational risks faced by the Authority at this current time.

The 2020 Martin Jenkins Efficiency and Effectiveness Review confirmed that the Authority performs its core functions well, but that the growing demand for its services and for additional functions needs to be reflected within the operational maturity and capability of the Authority. This means that the Authority must focus on ensuring that it can continue to meet those expectations through innovative strategy and longer-term strategic vision for the future Authority.

The Minister's expectations are that the Authority:

- continue to develop a long-term strategy and corresponding operating model that best delivers trust and confidence in investigation and resolution of complaints
- consider how IPCA can continue to support staff wellbeing and improve staff retention and recruitment
- continue to identify and implement measures to minimise deterioration to the timeliness of complaint management and the growth of the backlog of complaints.

In response to these specific expectations, the Authority is focused on the following areas:

1. Long-term strategy and operation model

The Authority is exploring a long-term strategy and operating model based on an agile organisational approach. Such an approach encourages innovation when considering how our work gets done. It means that we do not accept that the way we work is fixed and unchangeable. To travel this path requires the Authority to embed the ability to move fast, to be nimble and responsive to changes in our operating environment. This means that when need arises, for example, critical Police investigations such as Police shootings, the Authority will create cross-functional teams and utilise innovative technology solutions in file and investigation management in an endeavour to deliver outcomes faster. The Authority considers timeliness and quality of independent investigations a critical contributor to maintaining and increasing trust and confidence in the investigation and resolution of complaints.

2. Staff wellbeing, recruitment and retention

The Authority recognises that our ability to recruit and retain staff has been constrained by our remuneration banding. Simply put, we have not been able to compete in a competitive market for the specialist resources we require. To mitigate this, we have commenced a review of salary banding across all roles within the Authority. With Budget 2022 outcomes confirmed, the Authority now has the ability to move some remuneration levels to mitigate recruitment and retention challenges. While these resources we will not allow us to fully address this concern, it will allow the Authority to address the most acute market disparities and help to prevent further loss of critical staff and allow us to advertise vacancies at competitive market remuneration.

We monitor staff welfare closely, particularly more so through the pandemic. We are however concerned about the impact on our staff of exposure to some material staff view as part of the investigative process. While we employ orthodox processes to assist staff (EAP Support Services), we continue to explore how we might support staff to manage that exposure, for example through more individualised post-incident support, regular professional supervision, resilience training, and in-house sessions to help manage exposure to confronting material.

We also intend on directing some of the additional funding received towards professional development and training for our staff. These opportunities will encompass development of Te Reo Māori, Tikanga Māori, leadership, soft-skills development, and technical training for utilisation of new technology aides that we may adopt to help us with aspects of our work.

3. Minimise deterioration to the timeliness of complaint management and the growth of the backlog of complaints

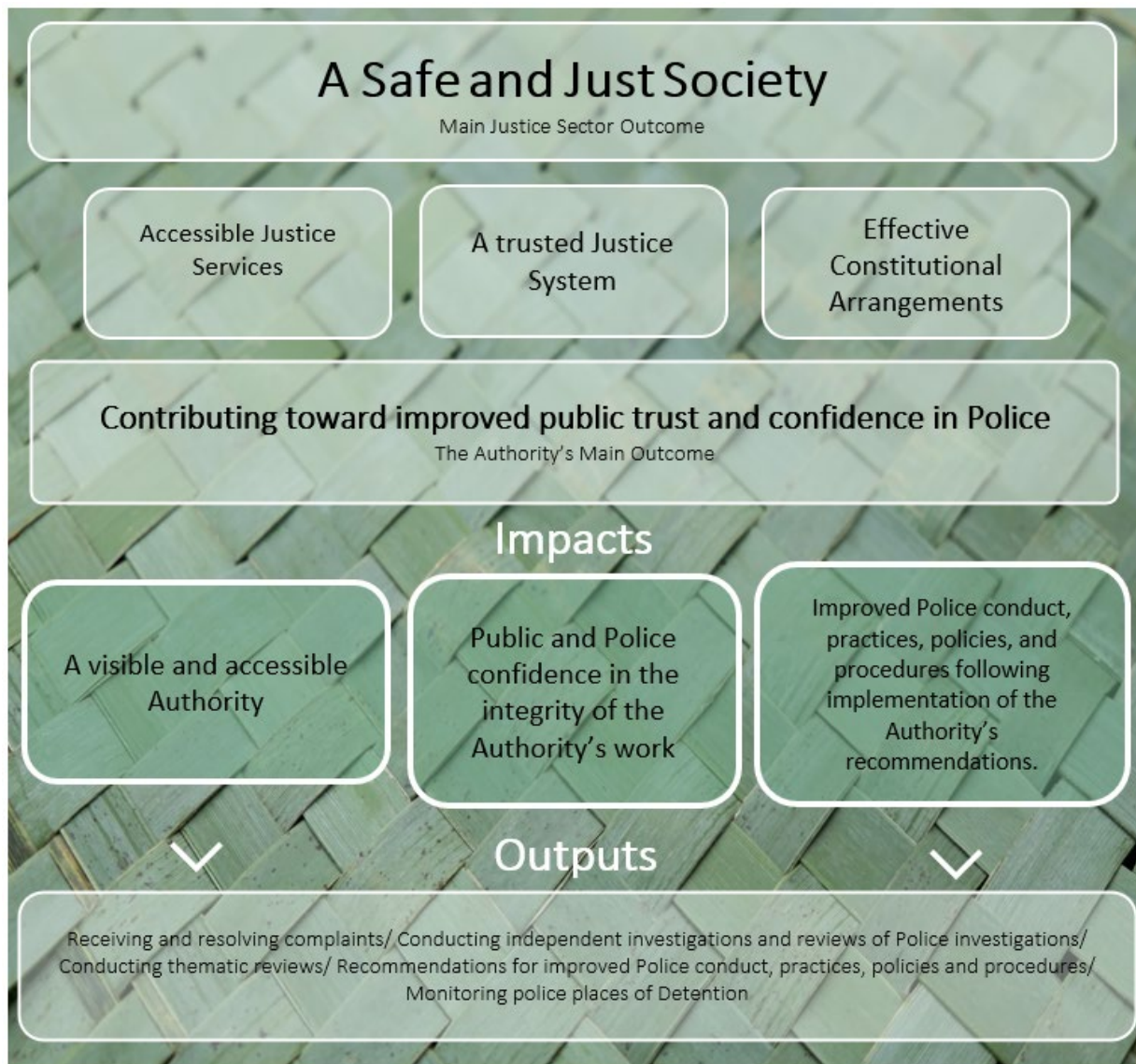
Resourcing and how we do our work have a significant impact on timeliness. There is considerable emphasis on minimising deterioration in performance throughout our risk management strategy. Critical to mitigating this risk is the retention of our experienced staff for longer tenure, as handover to new less experienced staff has impact on throughput and takes time to achieve the requisite high standard of work. Maintaining timeliness therefore has a direct correlation to the level of resourcing.

The ability to retain highly trained and experienced staff together with an operating model that provides the capability to quickly form cross-functional teams to investigate and report on critical incidents is expected to have a positive effect on timeliness.

We continue to explore resourcing and technology options that will contribute to improving timeliness.

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.



Overview of services for 2022/23

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 2022/23 financial year, the Authority's Vote Justice baseline revenue will be \$6.74 million (GST exclusive).

Within the 2022/23 financial year, the Authority will also receive the residual allocation of \$2.75 million provided to undertake the independent investigation and review (the Review) of the policing of the occupation and protest activities on and around Parliament grounds in Wellington during February and March 2022 (the Protest).

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 the Police and uphold the rights of persons in Police detention. The appropriation is intended to ensure the fair, effective and timely provision of those services.

The funding received in relation to the Review is outlined in a Variation to Appropriation dated 22 April 2022, and is provided to appropriately resource the Authority to undertake the Review of the policing of the occupation and protest activities on and around Parliament grounds. The Review will provide 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.

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 quarterly performance reports covering key results and performance highlights, any emerging issues, and significant performance variances or risks. Separately, we will provide regular updates to the Minister, through the Secretary for Justice, on the progression of the Review throughout its duration, and at its conclusion through our final report.

Key measures for our outputs

The Authority expects to receive in excess of 6,000 complaints (including notifiable incidents) in 2021/22. This is a substantive increase on the projected position indicated to the Minister at the close of the 2020/21 period. Over the last four years the Authority has recorded an increase of 130% ¹in the number of complaints and notifications it has received.

The overall increase in complaint numbers continues to impact upon the Authority's ability to meet some of its performance targets. Notwithstanding the conflated volume for 2021/22, we anticipate increased volumes of approximately 5% year-on-year for the foreseeable future. Our ability to manage the increasing volume of complaints remains under considerable pressure, and as a result we have limited contingencies to absorb 'sudden-shocks' to our BAU (such as the 1,900 complaints received in relation to the Protest). In that period alone we received nearly 50% of projected annual complaint volume within a period of 23 days. It is evident that the Authority cannot continue to be resourced and deliver its services under the current model. In response we have outlined our strategies to ensure that we utilise the resources we do have to best effect.

Need for operational agility

The 2020 Martin Jenkins Efficiency and Effectiveness Review recommended changes aimed at maximising the effectiveness and efficiency of the Authority. While the Authority has implemented the majority of the recommendations (see section "Our Strategy to achieve this vision" pages 6-9), we continue to explore and experiment with how our work gets done. Operational Managers within the Authority see value in adopting an agile organisational operating approach to our work. A proposal for the Boards consideration is under development. What might this mean?

This requires the Authority to embed dynamic capability and stability into the way we work. Dynamic capability includes the ability to move fast, to be nimble and responsive to changes in our operating environment. Stability provides a stable platform, an anchor of things that do not change as quickly or as often.

The Authority will consider, amongst other things, some reallocation of existing resources, for periods of time to lift specific areas of operational capability. The intention being to allocate latent capacity and capability to where it is needed most. In such an environment a culture of 'capability building' emerges, which means that more flexible levels of resourcing can be deployed across all areas of the organisation, adapted and scaled to the area of most need at a given time. Building latent capability means the Authority is better placed to absorb sudden shocks and mitigate against impact on performance.

¹ The projected annual complaint volume for 2021/22 includes the 1,900 complaints received in relation to the February/March anti-mandate protest/occupation and associated policing activities at parliament grounds.

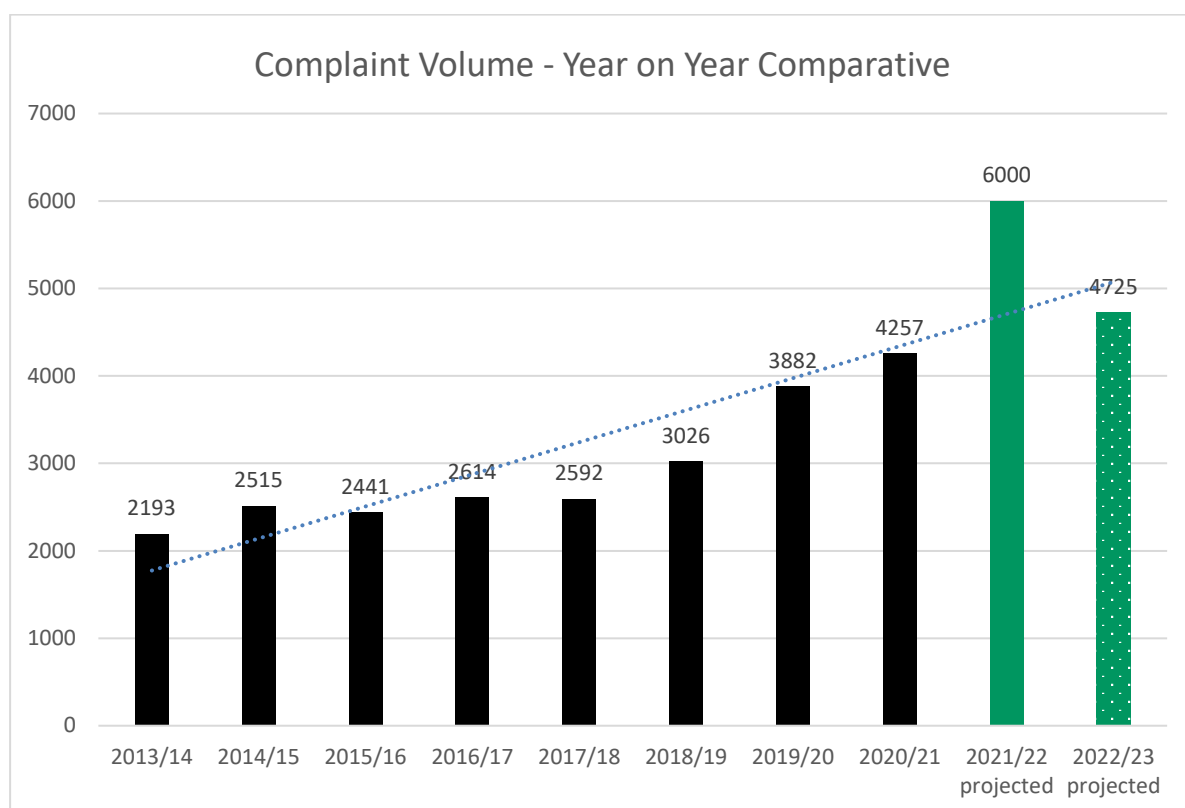
This means that when need arises, for example, critical investigations such as Police shootings or project work, the Authority can quickly assemble cross-functional teams and utilise innovative technology solutions in file and investigation management to deliver outcomes faster.

Achieving a more flexible operating model is realised over time, the Authority does not expect to make such a transition in the short-term, rather this proposal signals a strategic change towards realising the operational maturity envisaged by the 2020 efficiency and effectiveness review and is the reflective response from the Authority as to how it will fully achieve that vision now that it has completed the majority of other recommendations.

Adjustment to 2022/23 Performance Targets

The 2021/22 year has presented unprecedented complaint volumes and a series of unique demands for the Authority's services. Unavoidably the demand for our services during 2021/22 will have flow-on impacts upon our ability to meet some of our performance targets in the following year. As a result, some targets for 2022/23 have been updated to take account of the continuing increase in volume and the one-off Protest event. Where applicable, the changes are explained in a footnote to the specific measure.

The caseload over the 2021/22 year and previous years is shown in the figure below.



The resulting performance targets identified on pages 21-24 are in the Authority's view fair and realistic.

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.

One way in which the Authority can maximise the efficiency and effectiveness of its work is by incrementally moving towards a more preventive focus in our work, and through the broader reach and application of its thematic review work across multiple complaints. These focuses, coupled with the adoption of a more agile operational model, will allow the Authority to apply dynamic, scalable levels of resourcing across the different areas of our work. This strategy will in time allow the Authority to operate with greater agility and resilience to mitigate against specific and periodic spike in demand upon our resources.

The Authority is constantly reviewing the longer-term strategic objectives and business continuity of the Authority, which will result in the Authority pursuing several work programmes within the 2022/23 financial year, including:

- future-proofing recent technology enhancements so that the Authority operates as a technologically current organisation
- review of emerging capability requirements, current roles, including scope, job-sizing, and remuneration banding as a means of improved attraction and retention of staff, and new professional development opportunities within the Authority
- future premises and workplace requirements
- supporting the fulfilment of mature organisational capability as recommended in the 2020 Martin Jenkins Efficiency and Effectiveness Review.

The Authority's financial performance is reviewed by the Board on a quarterly basis, receives continuous external review throughout the year, and external financial consultation is sought for any significant strategic initiatives. Additionally, the budget is reviewed and adjusted as required during the financial year, considering expenditure trends and needs.

Summary of outputs and output expenses for 2022/23

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 Police, and uphold the rights of persons in Police detention

- Output 1: Receive, manage, and ensure resolution of complaints.
- Output 2: Conduct 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.
- Output 5: Undertake the Review of the policing of the occupation and protest activities on and around Parliament grounds in Wellington during February and March 2022 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.

TOTAL: Forecast output expenditure

\$10,560,238

Forecast revenue:

Forecast Crown Revenue	\$6,742,000
Forecast Crown Revenue (the 'Review')	\$2,750,000
Interest Revenue	\$6,000
Other Revenue	

TOTAL: Forecast revenue

\$9,498,000

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](#).

Output and Impact measures

The Authority's Impact Measures are recorded in the Authority's *Statement of Intent 2020/21 to 2023/24*. We intend to review some of our targets for both our Output and Impact Measures in the 2023/24 financial year, develop new targets, and possibly replace redundant measures. In particular, we are looking to provide better measures of our performance in the following areas:

- the development of a Community and Stakeholder Engagement Strategy and programme, and a set of new measures focused on this work
- appropriate Impact Measures aligned to the growing thematic focus and direction of our work
- measuring and monitoring equity of access to the Authority's services by high priority/vulnerable community groups, i.e., Māori, Pasifika, youth, people with mental health conditions and will look to develop new measures with cross-sector alignment and comparative
- working with Police to more formally regularise the process for monitoring the acceptance and implementation of our recommendations
- performance measures which monitor appropriate learning opportunities for Police arising from the full breadth of matters reported to us and feeding these into the Police Lessons Learnt work programme.

2022/23 OUTPUT MEASURES

Output Measure 1: Receive and manage complaints and incident

<i>Measures</i>	<i>2021/22 Estimated Actuals</i>	<i>Performance target forecast</i> <i>2022/23</i>	<i>How it will be measured</i>
All notifications of new complaints and incidents are acknowledged within seven days	99%	99%	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 within 28 days	65%	75%	The Authority's database
All new complaints and incidents requiring additional information	50%	70%	The Authority's database

to be supplied by Police or any other person are categorised and decisions made about the appropriate actions within 56 days			
Where a decision is made to take no action upon a complaint, the letters to Police and the complainant are issued within 14 days of making that decision	99%	95%	The Authority's database
Where the Authority identifies a reasonable grievance that it believes can be resolved without a detailed investigation, the Authority and Police agree on the actions that are appropriate to resolve that grievance and the agreed actions are undertaken	95%	95%	The Authority's database
Where the Authority receives an 'Expression of Dissatisfaction' ² on any complaint, the final outcome of the Authority's review will be communicated to the complainant within 30 days of the expression of dissatisfaction being received	80%	85%	The Authority's database

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

<i>Measures</i>	<i>2021/22 Estimated Actuals</i>	<i>Performance target forecast</i> <i>2022/23</i>	<i>How it will be monitored</i>
Reviews of Category B cases will be completed by the Authority within 28 days of receiving the file or Final Report from Police ³	85%	85%	The Authority's database
Independent investigations carried out by the Authority will	75% 85%	80% within 12 months 90% within 24 months	The Authority's database

² 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.

³ 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.

be concluded as soon as practicable ⁴			
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 spreadsheet and project plans
Reports as a result of Category A investigations are clear, consistent and well structured and have well-argued conclusions ⁵	100%	100% of reports meet required standard	Five randomly selected reports are independently reviewed by an external reviewer.

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

<i>Measures</i>	<i>2021/22 Estimated Actuals</i>	<i>Performance target forecast 2022/23</i>	<i>How it will be measured</i>
All systemic issues ⁶ identified by the Authority 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>2021/22 Estimated Actuals</i>	<i>Performance target forecast 2022/23</i>	<i>How it will be measured</i>
All systemic custodial management issues in Category A, Category B and Category C cases are raised and discussed with the Police prior to the completion of the relevant review or independent investigation ⁷	100%	100%	The Authority's database

⁴ The 12-month and 24-month periods exclude any period during which a draft final report or letter is awaiting submissions from Police.

⁵ The Authority produces approximately 50 public reports annually, the independent reviewer selects 10% of these across a range of incidents for review.

⁶ This excludes OPCAT issues, which are addressed under Output measure 4.

⁷ This measure has been amended to also refer to Category C cases as these can also contain such issues.

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	60%	100%	The Authority's spreadsheet
A programme of announced and unannounced visits to custody units will be undertaken ⁸	New measure introduced 2021/22	15-25 visits ⁹	The Authority's spreadsheet
A report to District (with recommendations and outcomes) for each visit to a custody unit will be provided within 60 days of each visit ¹⁰	New measure introduced 2021/22	100%	The Authority's spreadsheet

⁸ This is a new measure to reflect the additional programme of work now being undertaken.

⁹ The 2021/22 initial year set the target of visit at 30-40 visits per year. In accordance with the UN recommendations we have altered this target to have a more qualitative preventative focus, thereby focusing on higher risk facilities and a reduction in the number of facilities we seek to inspect annually.

¹⁰ This is a new measure to reflect the additional programme of work now being undertaken.



Financial Statements

Annex 1: Forecast financial statements 2022/23

	Estimated Actuals 2021/22 \$	Forecast 2022/23 \$
Revenue from Crown	5,747,000	6,742,000
Revenue from Crown (Review)	750,000	2,750,000
Other Income	196	-
Interest income	14,031	6,000
Total revenue	6,511,227	9,498,000
Remuneration to auditors	46,902	52,711
Amortisation	27,183	20,387
Communication charges	31,306	35,206
Depreciation	91,344	66,189
Personnel	4,455,945	5,834,873
Printing and stationery	12,645	16,494
Professional fees	178,261	335,000
Rent	466,974	412,438
Services and supplies	287,401	225,172
Subscriptions	2,483	9,767
Training	585	87,000
Travel and accommodation	55,430	90,000
Review Expenditure	125,000	3,375,000
Total expenditure	5,781,090	10,560,238
Net comprehensive income for the year	730,137	(1,062,238)

	Estimated Actuals 2021/22 \$	Forecast 2022/23 \$
Cash & cash equivalents	596,939	667,030
Term Deposits	1,500,000	750,000
Accrued Interest	2,581	2,581
GST receivable	38,062	115,970
Total current assets	2,137,581	1,525,580
Property, plant and equipment	322,660	256,471
Intangible assets	79,283	58,896
Total non-current assets	401,943	315,367
Total assets	2,539,524	1,850,947
Capital Contribution (Current)	13,333	2,222
Creditors and other payables	78,031	405,025
Employee entitlements	208,749	268,749
Total current liabilities	300,113	675,996
Non-Current Liabilities	78,055	75,833
Net assets	2,161,356	1,099,118
Total public equity	2,161,356	1,099,118

	Estimated Actuals 2020/21 \$	Forecast 2021/22 \$
Opening equity	1,431,219	2,161,356
Net comprehensive income for the year	730,137	(1,062,238)
Closing equity	2,161,356	1,099,118

	Estimated Actuals 2021/22 \$	Forecast 2022/23 \$
Receipts from Crown revenue	6,497,000	9,492,000
Interest received	14,031	6,000
Other Income	196	-
Net GST received	(6,469)	(35,257)
Cash will be applied to:		
Payments to suppliers and employees	(5,840,502)	(10,142,652)
Net cash flows from operating activities	664,256	(679,909)
Cash will be provided from:		
Proceeds from term deposits	(67,098)	750,000
Cash will be applied to:		
Purchases of property, plant and equipment	(48,722)	
Purchases of intangible assets	-	
Acquisition of term deposits		
Net cash flows from investing activities	(115,820)	750,000
Net increase/(decrease) in cash held	548,436	70,091
Plus cash at the start of the year	48,503	596,939
Cash held at the end of the year	596,939	667,030
Represented by:		
Cash & cash equivalents	596,939	667,030

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

STATEMENT OF UNDERLYING ASSUMPTIONS

Significant assumption

The opening position of the forecast statements is based on audited results for 2020/21, the known 2021/22 expenditure to 31 March 2022 and the anticipated out-turn as at 30 June 2022.

Nature of forecast financial statements

The forecast 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 – 50.0% 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 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

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, and 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 2022 results and have been prepared on the basis of assumptions as to future events that the Authority 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.
- The Authority's 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 2023 forecast.

Appendix - Category definitions

Category A – IPCA independent investigation

Principle

There is a category of cases which, in the public interest, need to be independently investigated in order to ensure public confidence in the integrity and objectivity of the investigative process and the outcome.

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 (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:

- a) it raises one or more significant systemic issues;
- b) it shows a pattern of significant misconduct by an individual officer;
- c) it raises integrity issues in relation to a senior officer or an area, District, or Police generally;
- d) a Police investigation on its own is unlikely, in the view of the Authority, to be perceived as having sufficient robustness to attract public credibility; or
- e) 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 is categorised, there will be a discussion with the District Professional Conduct Manager (and, if necessary, Police Professional Conduct at Police National Headquarters) 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 complaints 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) matters which 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.

