

A review of Police and  
iwi/Maori relationships:  
*Working together to reduce  
offending and victimisation among Maori*

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for  
**Maori, Pacific and Ethnic Services**



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## **Acknowledgements**

Iwi leaders, kuia, kaumatua, staff in Maori social services, Maori Wardens and the men participating in a family violence programme interviewed for this review were generous with their time, and in sharing their experiences and ideas on what Police and iwi/Maori could do better to reduce offending and victimisation. There were strong emotions related to poor treatment of individuals and seeing so many of their people suffer the consequences of offending and victimisation. There were also shining examples of Police demonstrating skill, understanding, perseverance and kindness which had made a difference in the lives of individuals, families and communities.

Within Police, thoughtful contributions were made by a range of staff, from District Commanders to Authorised Officers. Among Police, many had caught the vision of what could be achieved by working with iwi/Maori and addressing the drivers of crime.

While recognising that change will be generational, there is a sense of readiness for Police and iwi/Maori to work together to reduce offending and victimisation. And despite the scale of the problem, there was an overriding sense of optimism.

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## Foreword

One of my key priorities as Commissioner of Police is to reduce offending and victimisation among Maori. That can only be done in partnership with iwi, Maori leaders, service providers and communities.

This review was undertaken to identify what action Police could take internally and how we could improve the way our organisation and staff work alongside iwi, Maori service providers, and the people we serve.

I want to thank the kuia, kaumatua, iwi leaders, community members, Maori Wardens, Police staff and those from government and community agencies who contributed their insights and ideas on what Police can do to be more effective in achieving this shared goal.

My commitment is reflected in the changes I have made to leadership and governance within Police. I have already taken action to appoint Maori Responsiveness Managers (MRMs) in every District. MRMs will hold Inspector rank, and report directly to their District Commander. The MRMs will provide strategic leadership within Police and work with iwi and community partners to reduce offending and victimisation among Maori. I have also communicated my expectations to all staff, and particularly those in leadership roles, of the paramount importance in achieving results with, and for, Maori.

The Police Executive has also been restructured and I have created a new position: Deputy Chief Executive: Maori to provide leadership at the highest level.

Police practice is actively reviewed for any potential bias, for example in the use of alternative pre-charge resolutions, which is managed by the DCE: Maori. The DCE: Maori also oversees the action taken in response to this review.

Reducing offending and victimisation among Maori is part of Police honoring its commitment to the Treaty - which is one of our core values - and will be a key focus of my tenure.

Mike Bush, MNZM

Commissioner of Police



# Contents

<b>Executive summary</b>	<b>i</b>
<b>1. Introduction</b>	<b>3</b>
Purpose	3
Method	3
<b>2. Why focus on victimisation and offending victimisation among Maori?</b>	<b>4</b>
<b>3. Structural bias and bias in the Criminal Justice System</b>	<b>6</b>
<b>4. How Police have responded in the past</b>	<b>7</b>
Having a representative workforce	8
Maori constabulary	8
Maori officers in leadership	8
Deployment of Maori constabulary by District	9
Staff in specialist roles with a focus on Maori	10
Ratio of specialised staff and resident Maori population	12
Building cultural competence	13
Maori Wardens	14
<b>5. Prevention First</b>	<b>15</b>
<b>6. The Turning of the Tide</b>	<b>17</b>
Reducing prosecutions: target for PF and T4	19
What is needed to deliver PF and T4: Police	21
Maori Responsiveness Manager	22
Promoting integration	24
Focusing on two parts of the CJS: pre-charge & released prisoners	25
MPES National office	28
<b>7. What is needed to deliver PF and T4: iwi/Maori partners</b>	<b>29</b>
Building trust and confidence in Police among Maori	29
Relationships before partnerships	31
Readiness to act	31
Information and results	32
Maori Advisory Boards	33
Operation Eight	34
Iwi self-determination	35
Whanau Ora	35
<b>8. What is needed: justice sector</b>	<b>36</b>
<b>9. Conclusion</b>	<b>37</b>
<b>10. Action taken</b>	<b>38</b>



## Executive summary

This is a summary of the review of Police and iwi/Maori relationships and what can be done together to reduce offending and victimisation. It draws together information from interviews with iwi/Maori stakeholders, police and government agencies,<sup>1</sup> offending and victimisation statistics, workforce and population data, and analysis of research.<sup>2</sup>

This review has been timed to inform Police structure, capacity and partnerships with iwi/Maori as part of delivering Prevention First (PF), Turning of the Tide (T4), the Road Policing Strategy (RPS), the Responsiveness to Maori (RTM) framework and meeting wider Better Public Services targets.

### Why focus on victimisation and offending among Maori?

Maori account for a large amount of Police work. Maori are more likely to be victims of crime, and to experience repeat victimisation (particularly for family violence).<sup>3</sup> While Maori only make up 14% of population, Maori comprise 45% of arrests, 38% of convictions and over 50% of prison inmates.<sup>4</sup> Maori are also significantly more likely than non-Maori to be reconvicted and reimprisoned.<sup>5</sup>

On average, Maori experience more factors which contribute to offending and victimisation: low education, low skills, unemployment, drug and alcohol abuse, and living in deprived neighbourhoods. These are often linked and mutually reinforcing so that they can create a vicious cycle in people's lives.<sup>6</sup> Durie (2003) described the 'trapped lifestyles' that come from the interaction of these risk factors and "*a confused or partially developed identity which detrimentally affects Maori wellbeing and leaves them more vulnerable to offending and victimisation.*"<sup>7</sup>

The factors which increase the likelihood of exposure to the criminal justice system (CJS) can then be compounded by bias within the CJS. This can take the form of direct discrimination and/or indirect discrimination (eg through policies which are seemingly neutral but end up creating bias, like not granting bail to people who are unemployed: see Morrison, 2009).<sup>8</sup>

Population projections suggest a pressing need for better responses to offending and victimisation among Maori. Overall young people are more likely to be offenders and victims of recorded crime. Maori already have a youthful population, and the number of Maori in the 15-29 year old age group is projected to increase by 28% by 2021.<sup>9</sup>

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<sup>1</sup> Interviews with 137 people were undertaken in 10 of the 12 Police Districts (all except Southern and Tasman). These areas have comparatively low Maori populations, and the main iwi for the South Island (Ngai Tahu) were included in interviews undertaken in Canterbury. Purposive sampling was used for initial contacts, guided by local iwi liaison officers, MPES national office and senior Police staff. Key roles within Police were interviewed (District and Area Commanders, ILOs, Prevention Managers, Victim Managers) as well as a mix of specialist and front-line roles (family violence, Neighbourhood Policing Teams, Public Safety Teams). From the initial contacts, snowball sampling was used to recruit other participants. Half of the interviews were with Maori: iwi leaders, kuia, kaumatua, Maori Wardens, Maori social service providers and men participating in a family violence programme. The remainder were with a broad range of Police staff. Two interviews were undertaken with Te Puni Kokiri and Probation staff, and Justice, Probation, Courts and TPK were consulted on the draft. The majority of interviews were in-depth, one-on-one and face-to-face and used a mix of structured and semi-structured questions.

<sup>2</sup> Independent research has been used to provide an outside perspective: Te Whaiti and Roguski (1998), Te Puni Kokiri (2002), Maxwell (2005), McKay, (2013), OAG, (2003), Morrison, (2009). Human Rights Commission (2012), IPCA (2013), NZ Police (2012), SSC, the Treasury and the Department of the Prime Minister and Cabinet (2012).

<sup>3</sup> New Zealand Crime and Safety Survey (2006).

<sup>4</sup> Source: Statistics NZ. Population data, ethnic group, Apprehensions; Dataset: Annual Apprehensions for the latest Calendar Years (ANZSOC), Convictions: dataset: Adults convicted in court by sentence type - all offence types. Imprisonment, Dataset: Adults convicted in court by sentence type - most serious offence.

<sup>5</sup> Reconviction and imprisonment rates for released prisoners, Spier (2002). Also see Nadesu (2008 and 2009).

<sup>6</sup> Cabinet Officer (2007). Breaking the cycle: Taking stock of progress and priorities for the future.

<sup>7</sup> Durie (2003), as cited in Morrison (2009), page 80.

<sup>8</sup> Morrison (2009).

<sup>9</sup> <http://www2.stats.govt.nz/domino/external/web/nzstories.nsf/0/f2b10e7110a655aacc256d2d000b3407?OpenDocument>

# What has been done in the past

The ways Police addresses the disproportionate representation of Maori in crime, crash and victimisation statistics (including bias) are summarised in Table 1. This table also shows the four main types of action to respond to structural bias identified in the Human Rights Commission’s report *A fair go for all? Addressing structural discrimination in public services*.<sup>10</sup>

**Table 1: ‘Inward’ and ‘outward’ action to respond to victimisation and offending among Maori**

Focus	Type of action	Specific action
Inward	<p><b>Build organisational commitment</b> through:</p> <ul style="list-style-type: none"> <li><i>Leadership</i></li> <li><i>Review of practices</i></li> <li><i>Knowing communities</i></li> <li><i>Creating a workforce that reflects clients and has cultural competence</i></li> <li><i>Collecting good quality ethnicity data</i></li> </ul>	<ul style="list-style-type: none"> <li>• commitment to Maori and the Treaty is a core value</li> <li>• developing a representative workforce</li> <li>• leadership development of high-potential Maori officers</li> <li>• having specialised roles focused on iwi/Maori relationships and responses, with representation on the Police Executive</li> <li>• developing the cultural competence of all staff</li> <li>• building a culture that reinforces the Police Code of Conduct and challenges any covert and overt expressions of bias</li> <li>• reviewing internal policies and practices to reduce risks of indirect discrimination</li> <li>• recording, reviewing and reporting data by ethnicity and iwi.</li> </ul>
Outward	<p><b>Be proactive</b>, by:</p> <ul style="list-style-type: none"> <li><i>Building relationships</i></li> <li><i>Working with others</i></li> <li><i>Working holistically</i></li> </ul>	<ul style="list-style-type: none"> <li>• building connection with communities through Neighbourhood Policing Teams, and participation in school, sporting and community events</li> <li>• seeking external support from (and accountability to) iwi/Maori stakeholders through Maori Advisory Boards (MABs)</li> <li>• working with iwi/Maori initiatives and responses to offending</li> <li>• supporting and working in partnership with the national network of Maori Wardens</li> <li>• developing partnerships with iwi/Maori providers to respond to drivers of crime eg referrals to Whanau Ora</li> <li>• working with iwi/Maori initiatives and responses to offending eg rangitahi youth courts.</li> </ul>
	<p><b>Involve communities</b>, by:</p> <ul style="list-style-type: none"> <li><i>Supporting community owned and led work, with a cultural framework</i></li> </ul>	
	<p><b>Develop targeted programmes</b>, to:</p> <ul style="list-style-type: none"> <li><i>Respond to specific inequalities</i></li> </ul>	

## Strategic priorities

Police’s Prevention First (PF) and Turning of the Tide (T4) strategies respond to the disproportionate rates of offending and victimisation among Maori:

- **Prevention First (PF)** re-orientates Police to focus on reducing offending and victimisation, in addition to response and investigation functions. PF sets out five areas of focus: families, youth, alcohol, organised crime and drugs, and road policing. Maori are disproportionately represented across all of these areas
- **The Turning of the Tide (T4)** was developed by the Police Commissioner’s Maori Focus Forum and Maori, Pacific and Ethnic Services (MPES) within Police to set specific targets for reducing the disproportionate representation of Maori in offending, victimisation and crash statistics. T4 consolidated the earlier work on iwi-led Crime and Crash Plans. A key feature of T4 is the recognition of the role iwi and Maori agencies, groups, whanau and communities play in achieving these targets.

Police cannot achieve and sustain the aims of PF or T4 without support from iwi/Maori leaders, service providers, communities and whanau.

<sup>10</sup> See Appendix 4 for actions recommended to address structural bias in public services from HRC report.



For Maori, relationships are needed before partnerships. Feedback from interviews with iwi/Maori stakeholders suggests that too often Police can rush to action and assume leadership rather than working to develop partnerships. Another common theme was that senior Police personnel often change, which slows progress as relationships of trust need to be re-built.

At the national, District and Area level Police have regular meetings with iwi/Maori leaders and community representatives who sit on Maori Advisory Boards (MABs). If working as intended, these forums allow iwi/Maori input to Police at strategic, operational and tactical levels. In some areas the MABs need to have greater iwi and community representation, and be equipped with information to mobilise networks and resources.

The main reviews of how to improve outcomes for Maori in the criminal justice system all identify the need for more Maori owned (not just delivered) responses. This includes allowing for more collective rather than individualistic responses to offending, alongside holistic responses to offending and victimisation.<sup>11</sup> Whanau Ora services allow for this way of working and partnerships are developing with Police, for example in delivering 'conditional' pre-charge warnings. (This is where prosecution can be avoided if agreed actions are completed to redress harm or damage caused or address factors contributing to offending behaviour, for drug and alcohol treatment).

Pre-charge alternative resolutions also help to mitigate the disproportionate prosecution rates for Maori as well as reducing the number of prosecutions overall (and through this, reduce demand on Courts).

An area for development is providing support to prisoners (over half of whom are Maori) before and after release. The high rates of Maori imprisonment can leave families under financial stress, and impact on the physical and mental health of adults and children. Taking a whanau approach helps services to reach the 'invisible children' of prisoners.<sup>12</sup> Workman (2013) also recommended taking a whanau approach, along with building on strengths, working to restore hope, and allowing people to make amends in his paper *The social integration of Maori prisoners*.<sup>13</sup>

Police require the capacity and capability to mobilise internal resources to reduce offending and victimisation among Maori. Across the country there has been a lack of consistency in both the number and seniority of rank for staff with a specialised focus on Maori. Most Iwi Liaison Officers interviewed spoke of the challenge of influencing others internally while holding a constable rank. Many iwi/Maori stakeholders also questioned the value that Police place on specialist Maori roles, and by implication the relationship with iwi/Maori when the majority of officers in these specialist roles are Constables.<sup>14</sup>

Historically rank within Police demonstrates the ability to assume command and control in crises, as well as indicating the number of staff managed. Police need to consider the value it places on specialised roles, particularly under PF. If reducing offending and victimisation is valued, then rank could also be an indicator of the skills and experience needed to address drivers of crime, and of the sphere of influence (both internally and externally) rather than the number of staff managed. A valuing of the specialist skills working with iwi/Maori and a career pathway was recommended in Te Puni Kokiri's 2002 review of Police, and remains relevant in the current environment.<sup>15</sup>

Appointing a Maori Responsiveness Manager at a senior rank will help provide the strategic oversight to connect internal resources to external opportunities. Having these roles at senior level and reporting to District Commanders will address concerns raised by iwi/Maori

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<sup>11</sup> OAG (2003), TPK (2002), Morrison (2009), HRC (2012), Gordon (2009), and Gordon and MacGibbon (2011).

<sup>12</sup> Gordon (2009). Gordon and MacGibbon. Te Puni Kokiri (2011), National Health Committee, (2010).

<sup>13</sup> Workman (2013).

<sup>14</sup> One Advisory Board member (who valued the ILO in question) said iwi see the Constable rank and ask "Why do Police send their boy to speak to our chief?"

<sup>15</sup> Te Puni Kokiri (2002, page 31). Review of New Zealand Police: service delivery to Maori.

stakeholders about access to Police leadership and the internal value placed on staff with a specialised focus on Maori. It will also provide a career path, and help to recruit and retain staff who want to work in these specialised roles.

An area for development is ensuring all workgroups have explicit actions to support T4, and that the tasking and coordination mechanism is used to support ongoing work to reduce offending and victimisation among Maori.

There is a sense of readiness for Police and iwi/Maori to work together to reduce offending and victimisation. And despite the scale of the problem, there was an overriding sense of optimism. In the words of one of the officers interviewed, *“this is a once in a lifetime opportunity to make a difference.”*

## **Action taken**

Since this review was completed, the Commissioner of Police, Mike Bush has:

- directed all Districts to appoint Maori Responsiveness Managers (MRMs) at Inspector rank, with direct line reports to their District Commander
- restructured the Police Executive and created a new role, Deputy Chief Executive: Maori
- met with and apologised to affected families, and will also make a public apology to Tuhoe.

As well as providing leadership to the national network of Maori, Pacific and Ethnic Liaison (MPES) officers, the DCE: Maori is responsible for:

- overseeing the use of pre-charge warnings and reducing disparity for Maori
- overseeing the trial of ‘conditional pre-charge warnings’ in partnership with iwi and Whanau Ora providers in selected sites
- ensuring Maori, Pacific and Ethnic issues are routinely considered as part of national tasking and coordination
- developing the ability to record and report on MPES staff’s activity, to promote the amount and range of their work, review gaps and identify areas for future investment
- ensuring consultation with specialised cultural experts (eg kuia/ kaumatua, iwi leaders and influencers, Iwi Liaison Officers) occurs as part of Community Impact Assessments
- undertaking action based on this review (for example, a national Maori Advisory Board policy is now part of Police Instructions, with the purpose, appointment and payment schedules set out).

# Main report



# 1. Introduction

## Purpose

This is a review of Police and iwi/Maori relationships and what can be done together to reduce offending and victimisation. It draws together information from interviews with iwi/Maori stakeholders, police and government agencies, offending and victimisation statistics, workforce and population data, and analysis of research. This review has been timed to inform Police structure, capacity and partnerships with iwi/Maori as part of delivering Prevention First (PF) and the Turning of the Tide (T4), the Road Policing Strategy (RPS), the Responsiveness to Maori (RTM) framework and meeting wider Better Public Services targets.<sup>16</sup>

## Method

Interviews with 137 people<sup>17</sup> were undertaken in 10 of the 12 Police Districts (all except Southern and Tasman).<sup>18</sup> Half were with Maori: iwi leaders, kuia, kaumatua, Maori Wardens, Maori social service providers and men participating in a family violence programme.<sup>19</sup> The remainder of the interviews were with a broad range of Police staff, from District Commanders to Authorised Officers and staff in advisory and management roles. Two interviews were undertaken with staff from other Government agencies (Te Puni Kokiri and Probation).<sup>20</sup> The majority of interviews were in-depth, one-on-one and face-to-face.<sup>21</sup>

Generic titles have been used when describing the source of quotes, to protect identities. For example Maori Advisory Board (MAB) member is used for people on Maori Focus Forums as well (as this name was used in fewer areas). In some instances, Maori officers have been identified as such, given their ability to comment as both officers and Maori.

Independent research on Maori and Police relationships has been used to provide an outside perspective.<sup>22</sup> The review has also drawn on the comprehensive literature review *Identifying and responding to bias in the criminal justice system: a review of the international and New Zealand research by Morrison (2009)*<sup>23</sup> and reviews of Police, the justice sector and the wider public service.<sup>24</sup> Crime and victimisation statistics have come from published sources and analysis of Police data.

Updates were provided to the Commissioner's Maori Focus Forum part way through the review, and members of this forum were consulted on the draft report.

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<sup>16</sup> See Appendix 1 for the targets for each of these strategies and Appendix 2 for the RTM framework.

<sup>17</sup> Purposive sampling was used for initial contacts, guided by local iwi liaison officers, MPES national office and senior Police staff. Key roles within Police were interviewed (District and Area Commanders, ILOs, Prevention Managers, Victim Managers) as well as a mix of staff in specialist and front-line roles (family violence, Neighbourhood Policing Teams, Public Safety Teams). From the initial contacts, snowball sampling was used to recruit other participants, for example the men on a family violence programme.

<sup>18</sup> These areas have comparatively low Maori populations, and the main iwi for the South Island (Ngai Tahu) were included in interviews undertaken in Canterbury.

<sup>19</sup> Two focus groups were held with 10 men recruited from a family violence programme run by a Maori social services provider. Separate attempts to recruit victims to interview were not successful.

<sup>20</sup> Staff in the Ministry of Justice, Probation, Courts and Te Puni Kokiri were consulted on the draft report.

<sup>21</sup> Group interviews were also conducted, as were a small number of observations. Interviews with Maori and external stakeholders usually lasted between one and two hours. With Police, interviews usually lasted between thirty minutes to an hour, as well a few very short interviews undertaken opportunistically with staff between duties (eg at the Watchhouse). Interviews used a mix of structured and semi-structured questions.

<sup>22</sup> Te Whaiti and Roguski (1998). Police and Maori: perceptions of one another. Maxwell (2005). McKay (2013).

<sup>23</sup> Morrison (2009).

<sup>24</sup> Te Puni Kokiri, 2002. Review of New Zealand Police: service delivery to Maori. Office of the Auditor General, (2003). The Co-ordination and Collaboration in the Criminal Justice Sector. Human Rights Commission (2012). A fair go for all? Addressing structural discrimination in public services, IPCA (2013). Operation Eight: The Report of the Independent Police Conduct Authority. New Zealand Police (2012). NZ Police Citizens' Satisfaction Survey, State Services Commission, the Treasury and the Department of the Prime Minister and Cabinet (2012). Performance Improvement Framework Formal review of the New Zealand Police.

# 2. Why focus on victimisation and offending among Maori?

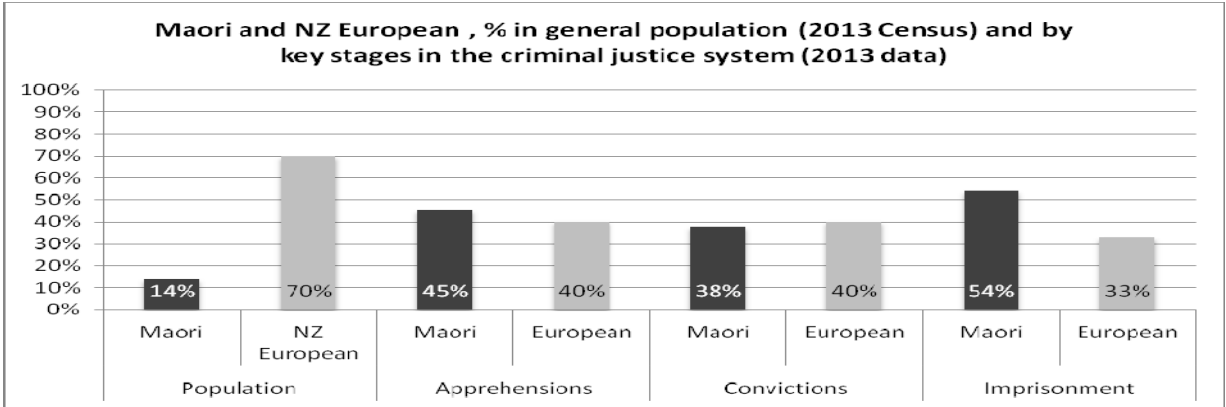
## Victimisation

The New Zealand Crime and Safety Survey (2006) showed that Maori are more likely to be victims of crime; nearly half of Maori aged 15 years or over were victims of crime in the previous year. Maori were also more likely to be repeat victims (with an average of 4.3 victimisations a year) compared to other New Zealanders.<sup>25</sup> Family violence particularly contributes to repeat victimisation among Maori women and repeat youth offending.<sup>26</sup>

## Offending

While Maori only make up 14% of population, Maori comprise 45% of arrests, 38% of convictions and over 50% of prison inmates.<sup>27</sup> Figure 1 shows Maori as a proportion of the total population and then the proportion of Maori in progressive stages of the criminal justice system (CJS): apprehension, convictions and imprisonments. The proportions of Maori in the population and the CJS is compared with that of New Zealand European (who as a group commit similar numbers of offences).

**Figure 1: Maori and NZ European, proportion of the population overall and at stages of the CJS**



Maori are disproportionately represented across all progressive stages of the CJS, and this is particularly the case for imprisonment.<sup>28</sup> One in every 47 Maori males aged between 15 and 40 is currently in prison. (Among Maori prisoners, 80% were first imprisoned at age 24, and 57% were imprisoned under the age of 19 years).<sup>29</sup> Maori are also significantly more likely than non-Maori to be reconvicted and reimprisoned.<sup>30</sup>

Nearly two-thirds (63%) of all youth apprehensions are of Maori (with high rates of repeat apprehensions among Maori youth driving this disproportionate representation). Maori routinely comprise 70% of the high risk drivers identified in monthly analyses.

What the statistics don't capture is the real people, and the real grief experienced by Maori. This is illustrated in the following quotes.

*“When I see the statistics, it’s heartbreaking.”*  
Senior officer (Maori)

<sup>25</sup> <http://www.justice.govt.nz/publications/global-publications/n/nz-crime-survey-2006-maori-analysis/analysis-of-the-maori-experience-findings-from-the-new-zealand-crime-and-safety-survey-2006>  
<sup>26</sup> Internal Police analysis.  
<sup>27</sup> Source: Statistics NZ. Population data, ethnic group, Apprehensions; Dataset: Annual Apprehensions for the latest Calendar Years (ANZSOC), Convictions: dataset: Adults convicted in court by sentence type - all offence types. Imprisonment, Dataset: Adults convicted in court by sentence type - most serious offence.  
<sup>28</sup> Department of Corrections (2008).  
<sup>29</sup> Ministry of Justice (2007).  
<sup>30</sup> Over three-quarters (78%) of Maori are reconvicted within two years of their release from prison, a rate around 10 percentage points higher than that for European (68%) or Pacific people inmates (66%). At two years from release, the reimprisonment rate for Maori is 43%, around 10 percentage points higher than European (31%) or Pacific people inmates (32%). Spier, P (2002). Also see Nadesu (2008 and 2009).

*"We are sick of our young men going to jail, they are the fathers of our future."* Maori social service provider

### Risk factors

On average, Maori experience more factors which contribute to offending and victimisation: low education, low skills, unemployment, drug and alcohol abuse, and living in deprived neighbourhoods. These problems are often linked and mutually reinforcing so that they can create a vicious cycle in people's lives.<sup>31</sup>

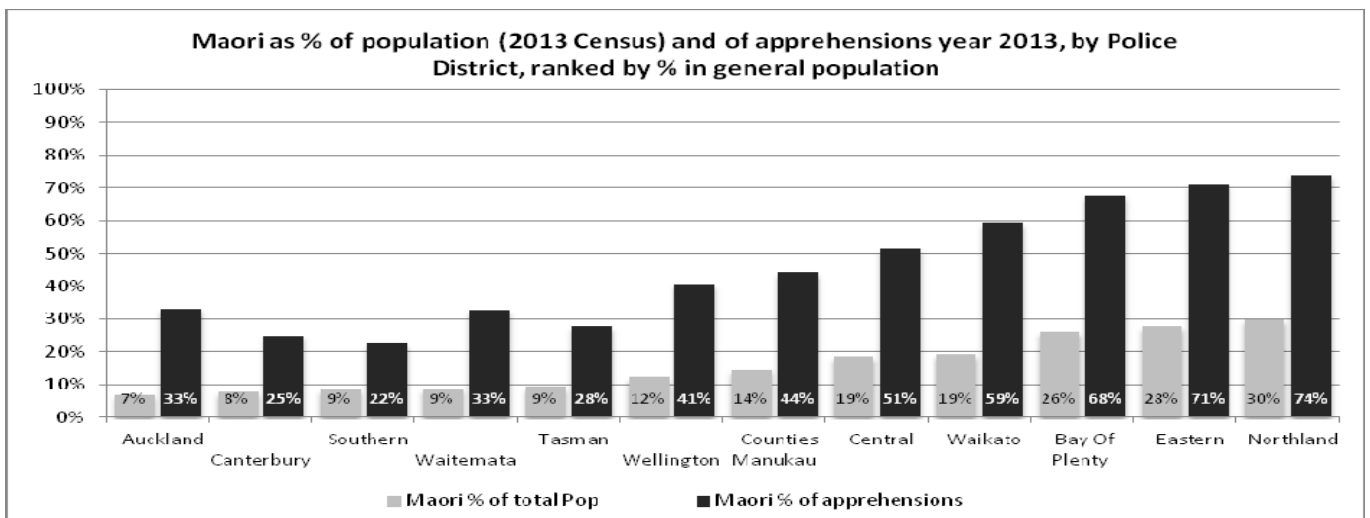
Durie (2003) described the 'trapped lifestyles' that come from the interaction of this risk factors and *a confused or partially developed identity which detrimentally affects Maori wellbeing and leaves them more vulnerable to offending and victimisation.*<sup>32</sup>

### Maori resident populations and the proportion of apprehensions of Maori by District

There is variation across the country in terms of the Maori population, with higher concentrations in the north and lower concentrations in the south. Figure 2 shows the proportion of Maori in the resident population from lowest to highest. Also shown is proportion of apprehensions of Maori by Police District. Generally, as the proportion of Maori in the population increases, so does the proportion of apprehensions for Maori.

In Auckland the Maori population is low relative to the proportion of arrests, compared to other Districts, as the population data reflects residents only, and does not capture the fact people come into the city for business and entertainment). In Canterbury, Maori comprise 8% of the resident population and account for 25% of apprehensions. At the higher end, in Northland Maori comprise 30% of the resident population and account for 74% of apprehensions.

**Figure 2: Proportion of Maori residents and of apprehensions of Maori by Police District (ranked by % of population)**<sup>33</sup>



### Population projections

Population projections suggest a pressing need for better responses to offending and victimisation among Maori. Overall young people are more likely to be offenders and victims of recorded crime. Maori already have a youthful population, and the number of Maori in the 15-29 year old age group is projected to increase by 28% by 2021.<sup>34</sup>

<sup>31</sup> Cabinet Officer (2007).

<sup>32</sup> Durie (2003), as cited in Morrison (2009, page 80).

<sup>33</sup> Source: Statistics New Zealand. Population data, ethnic group (total responses); Apprehension; Dataset: Annual Apprehensions for the latest Calendar Years (ANZSOC),

<sup>34</sup> Source: Statistics New Zealand. At <http://www2.stats.govt.nz/domino/external/web/nzstories.nsf/0/f2b10e7110a655aacc256d2d000b3407?OpenDocument>

### 3. Structural bias and bias in the Criminal Justice System

Some groups in society experience more of the risk factors for offending (and victimisation). Key drivers of structural bias are poor educational engagement and attainment, difficulties in gaining employment and achieving adequate income, a lack of a protective asset base, and poorer health outcomes associated with poverty and disenfranchisement from society. On average Maori are more likely to experience these risk factors.

A comprehensive literature review *Identifying and responding to bias in the criminal justice system: a review of the international and New Zealand* was undertaken by Morrison (2009). This review found that factors that increase the likelihood of exposure to the criminal justice system (CJS) can then be compounded by bias within the CJS, as some groups are more likely to experience:

- direct discrimination
- indirect discrimination (eg through policies which are seemingly neutral but end up creating bias, like not granting bail to people who are unemployed).<sup>35</sup>

Below are the types of inward’ and ‘outward’ actions taken by CJS agencies to respond to bias, identified in Morrison’s review.

**Table 1: ‘Inward’ and ‘outward’ actions taken by CJS agencies to respond to bias**

Focus of action	Action needed
Inward	Increase cultural understanding and sensitivity and improve responsiveness to ethnic groups through: <ul style="list-style-type: none"> <li>• cultural awareness training</li> <li>• increased recruitment of ethnic minority staff</li> <li>• restriction of discretion exercised by individuals at decision-points.</li> </ul>
Outward	Improve relationships between CJ agencies and the ethnic minority communities they serve through: <ul style="list-style-type: none"> <li>• improving public accountability processes</li> <li>• increasing the participation of indigenous groups in the delivery of criminal justice processes.</li> </ul>

Other useful reports on bias at the organisational and /or system level include:

- Te Puni Kokiri. (2002). *Review of New Zealand Police: service delivery to Maori/ Te arotake I nga pirihiimana o Aotearoa.*
- Office of the Auditor General (2003). *The Co-ordination and Collaboration in the Criminal Justice Sector.*
- Human Rights Commission. (2012). *A fair go for all? Addressing structural discrimination in public services.*
- Wehipeihana, N., Fisher, E., Spee K., & Pipi, K. (2010). *Building Diversity: Understanding the factors that influence Maori to join Police.* New Zealand Police.

*Maori perceptions of Police* (te Whaiti and Roguski, 1998) provides a more individual perspective.

<sup>35</sup> Morrison (2009).



# 4. How Police have responded in the past

Over the last 15 years Police have looked to improve services and responses to Maori. (See Appendix 2 for a brief overview of Police strategies to improve responses to Maori, starting with the work initiated by the then Commissioner of Police, Peter Doone).<sup>36</sup>

Police made ‘commitment to Maori and the Treaty’ a core value,<sup>37</sup> recognising one of the most critical relationships Police has is with iwi/Māori. The ways Police seek to honour this commitment and respond to the disproportionate representation of Maori in crime, crash and victimisation statistics are summarised in Table 2.<sup>38</sup> This table also shows the four main types of actions to respond to structural bias identified in the Human Rights Commission’s 2012 report *A fair go for all? Addressing structural discrimination in public services*.<sup>39</sup>

**Table 2: Action taken by Police to respond to victimisation and offending among Maori**

Focus	Type of action	Specific action
Inward	<p><b>Build organisational commitment</b> through:</p> <ul style="list-style-type: none"> <li><i>Leadership</i></li> <li><i>Review of practices</i></li> <li><i>Knowing communities</i></li> <li><i>Creating a workforce that reflects clients and has cultural competence</i></li> <li><i>Collecting good quality ethnicity data</i></li> </ul>	<ul style="list-style-type: none"> <li>• commitment to Maori and the Treaty is a core value</li> <li>• developing a representative workforce</li> <li>• leadership development of high-potential Maori officers</li> <li>• having specialised roles focused on iwi/Maori relationships and responses, with representation on the Police Executive</li> <li>• developing the cultural competence of all staff</li> <li>• building a culture that reinforces the Police Code of Conduct and challenges any covert and overt expressions of bias</li> <li>• reviewing internal policies and practices to reduce risks of indirect discrimination</li> <li>• recording, reviewing and reporting data by ethnicity and iwi.</li> </ul>
Outward	<p><b>Be proactive</b>, by:</p> <ul style="list-style-type: none"> <li><i>Building relationships</i></li> <li><i>Working with others</i></li> <li><i>Working holistically</i></li> </ul>	<ul style="list-style-type: none"> <li>• building connection with communities through Neighbourhood Policing Teams, and participation in school, sporting and community events</li> <li>• seeking external support from (and accountability to) iwi/Maori stakeholders through Maori Advisory Boards (MABs)<sup>40</sup></li> <li>• working with iwi/Maori initiatives and responses to offending</li> <li>• supporting and working in partnership with the national network of Maori Wardens</li> <li>• developing partnerships with iwi/Maori providers to respond to drivers of crime eg referrals to Whanau Ora</li> <li>• working with iwi/Maori initiatives and responses to offending eg rangitahi youth courts.</li> </ul>
	<p><b>Involve communities</b>, by:</p> <ul style="list-style-type: none"> <li><i>Supporting community owned and led work, with a cultural framework</i></li> </ul>	
	<p><b>Develop targeted programmes</b>, to:</p> <ul style="list-style-type: none"> <li><i>Respond to specific inequalities</i></li> </ul>	

<sup>36</sup> Peter Doone was remembered with respect and warmth by many of the iwi/Maori stakeholders interviewed for the work he initiated and his commitment to creating a Police service that was responsive to Maori.

<sup>37</sup> See Appendix 3.

<sup>38</sup> Morrison (2009).

<sup>39</sup> See Appendix 4 for details on actions recommended to address structural bias from the HRC report.

<sup>40</sup> The MABs also provide a forum for Police to receive feedback on Police service delivery and policing issues from a Maori community perspective (in keeping with recommendation 57 from the Commission of Inquiry into Police: “Each police district should establish groups of community representatives, chaired by recognised community leaders, which meet regularly to provide comment and feedback on police service delivery and policing issues throughout the district. Relevant information obtained from the feedback from the community should be incorporated into the police early warning system.” <http://www.oag.govt.nz/2009/police>

### Having a representative workforce

The ethnic composition of the Police service needs to reflect the wider population, to secure and maintain public trust and confidence, and to ensure Police legitimacy.

MPES has led the building of ethnic diversity within Police. This has been done on an ad-hoc basis with involvement from HR from time to time. Initiatives have included:

- Te Haerenga – a national drive to increase recruitment
- MoUs with Te Wananga o Aotearoa, Unitec and Kohanga Reo
- Support to MPE staff with employment issues
- Support to MPE staff with development potential.

MPES and HR identified the clear organisational benefit of a joint work programme.<sup>41</sup> This would allow HR to have oversight of a structured approach to strengthen recruitment, retention and development processes for MPE staff.

### Maori constabulary

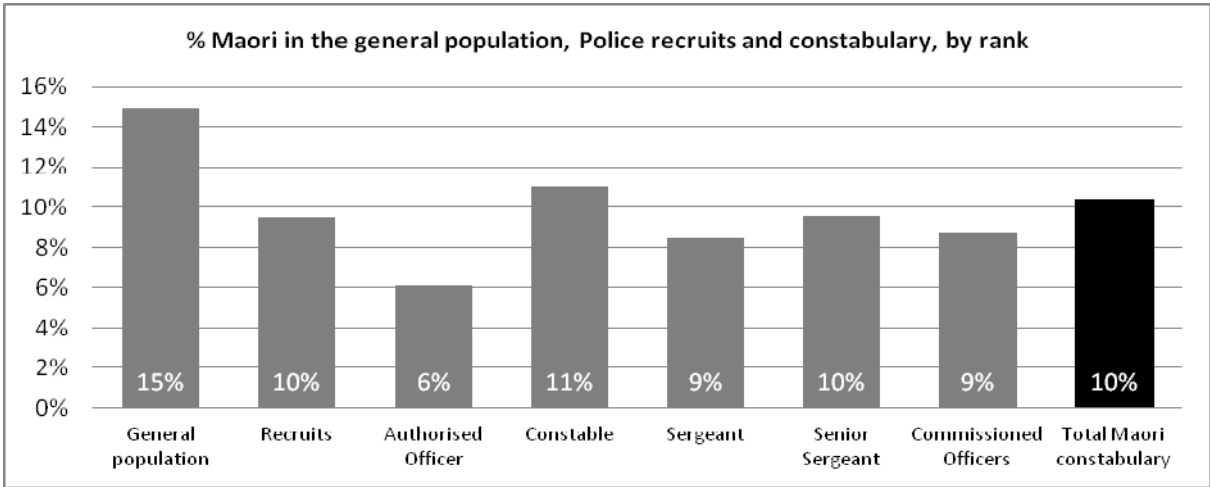
Over the last decade the number of Maori police officers has increased by 31%. Maori police officers now comprise 10% of the total constabulary.<sup>42</sup> This increase has been the result of targeted advertising campaigns<sup>43</sup> and partnerships with Wananga to provide pre-entry training to Maori seeking to join Police.

Research commissioned by Police to understand factors that influence Maori to join Police found that a passionate desire to serve Maori and to create positive change in their community and in Police interactions with Maori (particularly Maori youth).<sup>44</sup> This was echoed in interviews with Maori staff undertaken as part of this review.

### Maori officers in leadership

Figure 3 shows Maori as a proportion of the general population and of Police constabulary, from recruits to commissioned officers and overall. While 9% of commissioned officers are Maori, there are no Maori District Commanders and only two of the 42 Area Commanders are Maori.<sup>45</sup> At the Police Executive level, the Deputy Chief Executive: Maori and one of the Deputy Commissioners are Maori, and the Commissioner of Police has whakapapa links to Ngai Te Rangi in the Bay of Plenty.

**Figure 3: Maori in the general population, and among Police constabulary (by rank)**



<sup>41</sup> Building Police Diversity: proposal for MPES and HR joint work programme to 2015.

<sup>42</sup> Source: data from Police HR, as at October 2013.

<sup>43</sup> <http://www.police.govt.nz/about-us/maori-police/recruiting>.

<sup>44</sup> Wehipeihana, N. et al (2010).

<sup>45</sup> Once the MRM positions are in place, the proportion of Commissioned Officers who are Maori will be 12%.

Some of the officers interviewed commented on the need to start recruiting and developing Maori staff as part of building future leadership demands, as reflected in the following quote.

*“We need to make sure that we start recruiting quality leadership among Maori, who understand the language, the traditions, the culture. We need to be strategic and look forward to our future leadership.”* Senior officer

There was also the recognition that Maori officers need to be part of Police leadership.

*“You can send Police on a cultural course, but over time the only way to transform the culture of Police is from within. Part of this is recruiting more Maori officers... You also need an overt strategy to develop Maori into leadership roles. Changes will come when leaders are influencing from the top. It is hard to make change in Police without rank, as it is a hierarchical organisation.”* Maori Advisory Board member.

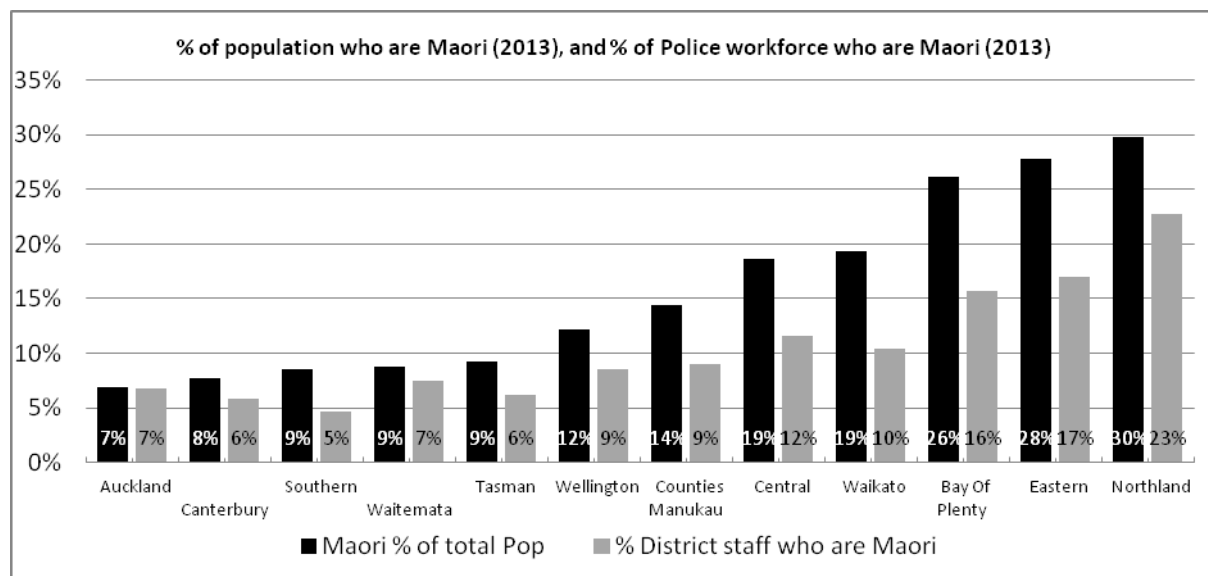
Increasing the number of Maori officers would not lead to change if the organisational culture did not allow these officers to be ‘Maori’.<sup>46</sup> New recruitment campaigns place value on using cultural backgrounds as part of being an officer, and several Maori officers commented that what they bring as Maori is being increasingly valued by Police as an organisation.

*“We need to have a workforce that represents the people we work with. Maori bring a different way of dealing with our own people... Police culture is changing; we are not ashamed of being Maori and we can use it for our advantage. And our colleagues are taking this on”. ILO*

## Deployment of Maori constabulary by District

As Figure 4 shows, the proportion of Maori constabulary in the Districts broadly matches the proportion of Maori in the general population.

**Figure 4: Percentage of Maori in the population and local constabulary by District (ranked)**



<sup>46</sup> Te Whaiti and Roguski (1998), Te Puni Kokiri (2002).

The final column in Table 3 shows the difference between the proportion of the constabulary in each District who are Maori against the proportion of Maori in the resident population.<sup>47</sup> There is a greater disparity in the proportion of Maori constabulary in areas with higher Maori populations. The Districts with the greatest disparities are Eastern (-11%), Bay of Plenty (-10%) and Waikato (-9%). Other areas with higher disparities are Northland, Central and Counties Manukau.

**Table 3: The difference in the proportion of the constabulary in each District who are Maori against the proportion of Maori in the resident population**

Police District	% of Maori in the population (Census 2013)	Maori officers as % of constabulary	Difference % of Maori constabulary and the local Maori population
Auckland	7%	7%	0%
Canterbury	8%	6%	-2%
Southern	9%	5%	-4%
Waitemata	9%	7%	-1%
Tasman	9%	6%	-3%
Wellington	12%	9%	-4%
Counties Manukau	14%	9%	-5%
Central	19%	12%	-7%
Waikato	19%	10%	-9%
Bay Of Plenty	26%	16%	-10%
Eastern	28%	17%	-11%
Northland	30%	23%	-7%

The Maori population is projected to increase in all Districts by 31% between 2006 and 2026, and largest projected increases expected for the northern parts of the North Island. These areas already have among the highest difference between the Maori population and proportion of Maori staff.<sup>48</sup>

### Staff in specialist roles with a focus on Maori

Across the Districts, there are 43 staff in full-time specialised roles to support Police's relationship with iwi/Maori and efforts to reduce offending and victimisation among Maori.<sup>49</sup> Most of these staff are Iwi Liaison Officers (ILOs) working at an Area level with a Constable rank, or equivalent. Three Districts (Bay of Plenty, Central and Waitemata) have an ILO with a Sergeant rank.

Five Districts have a Pouwhakataki (all Sergeants), who provide a District-wide ILO service (Eastern, Bay of Plenty, Waikato, Central, Counties Manukau). Three Districts (Auckland, Counties Manukau and Bay of Plenty) have a full-time Senior Sergeant Maori Responsiveness Advisor.

In addition to full-time specialised roles, three Districts (Waitemata, Wellington and Southern) have Senior Sergeant who are MPES portfolio holders in addition to other duties. Northland has a Senior Sergeant, Youth and Community and Canterbury has a Sergeant, Community Relations.

<sup>47</sup> Source: Statistics New Zealand 2013 population census and Police workforce data, October 2013.

<sup>48</sup> Source: Statistics New Zealand population projections 2006-2026, as cited in Beyond 2020: Population Projections for Maori, Te Puni Kokiri Fact Sheet 004-2010.

<sup>49</sup> This equates to half a percent of all Constabulary (43 out of 8,805 officers).

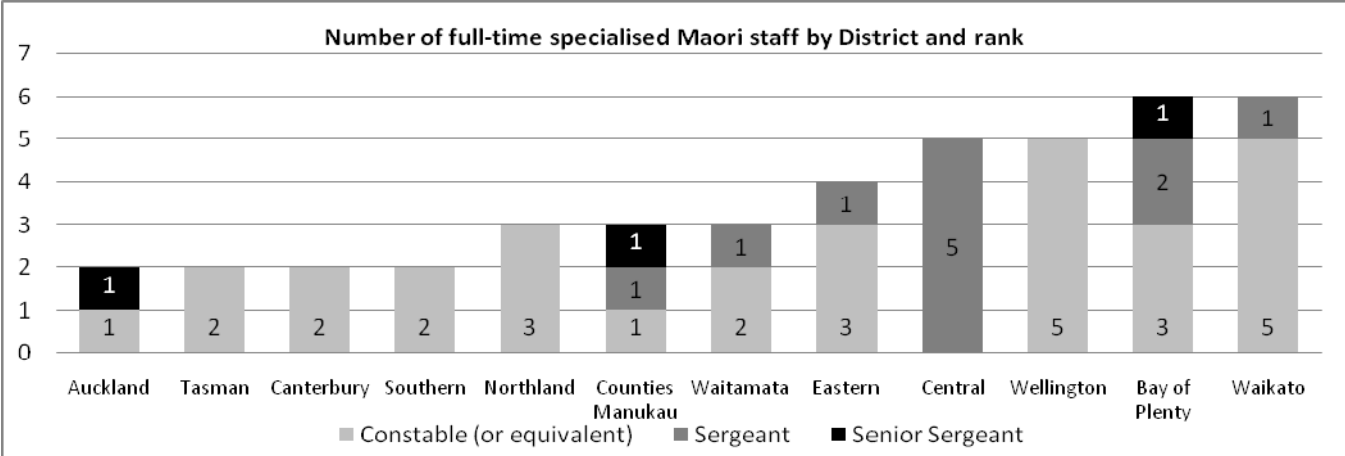
**Table 4: Number and rank of staff with a specialised focus on Maori, grouped by the proportion of Maori in the Districts' resident populations**

Maori as a % of the population	Number and rank of staff with a specialised focus on Maori (ILOs are constable rank or equivalent unless stated)
Under 10%	<ul style="list-style-type: none"> <li>• Canterbury: two ILOs and one Sergeant Community Relations</li> <li>• Auckland: one ILO and one Senior Sergeant</li> <li>• Southern: two ILOs and one Senior Sergeant MPE portfolio holder</li> <li>• Tasman: two ILOs.</li> </ul>
10-19%	<ul style="list-style-type: none"> <li>• Waitemata: two ILOs, and one Sergeant and one Senior Sergeant MPE portfolio holder</li> <li>• Wellington: five ILOs (one current vacancy) and one Senior Sergeant MPE and Youth portfolio holder</li> <li>• Counties Manukau: one ILO, one Sergeant, and one Senior Sergeant</li> <li>• Central: five Sergeants (three current vacancies).</li> </ul>
20-32%	<ul style="list-style-type: none"> <li>• Waikato: five ILOs and one Sergeant</li> <li>• Eastern: three ILOs (one vacancy) and one Sergeant</li> <li>• Bay of Plenty: three ILOs (one vacancy), two Sergeants and one Senior Sergeant</li> <li>• Northland: three ILOs and one Senior Sergeant Youth and Community.</li> </ul>

Across the country there is a lack of consistency in both the number and seniority of rank for staff with a specialised focus on Maori. Figure 5 shows the number of full-time staff in specialised Maori roles, noting rank and total number in each District. (This includes six positions currently vacant: one each in Wellington, Eastern and the Bay of Plenty and three in Central).

Three of the five areas without a full-time Sergeant with a specialised focus on Maori have Senior Sergeants with MPES portfolios (Waitemata, Wellington and Southern). Northland and Canterbury have staff with broader community-focused roles (Senior Sergeant and Sergeant respectively). There is no senior officer in Tasman. The lack of a senior officer with a specialised focus on Maori seems surprising for Northland as it has the highest proportion of Maori in the population (32%) and the highest proportion of Maori apprehensions (27%).

**Figure 5: Number and rank of FTE staff with a focus on Maori by Police District, ranked by total**

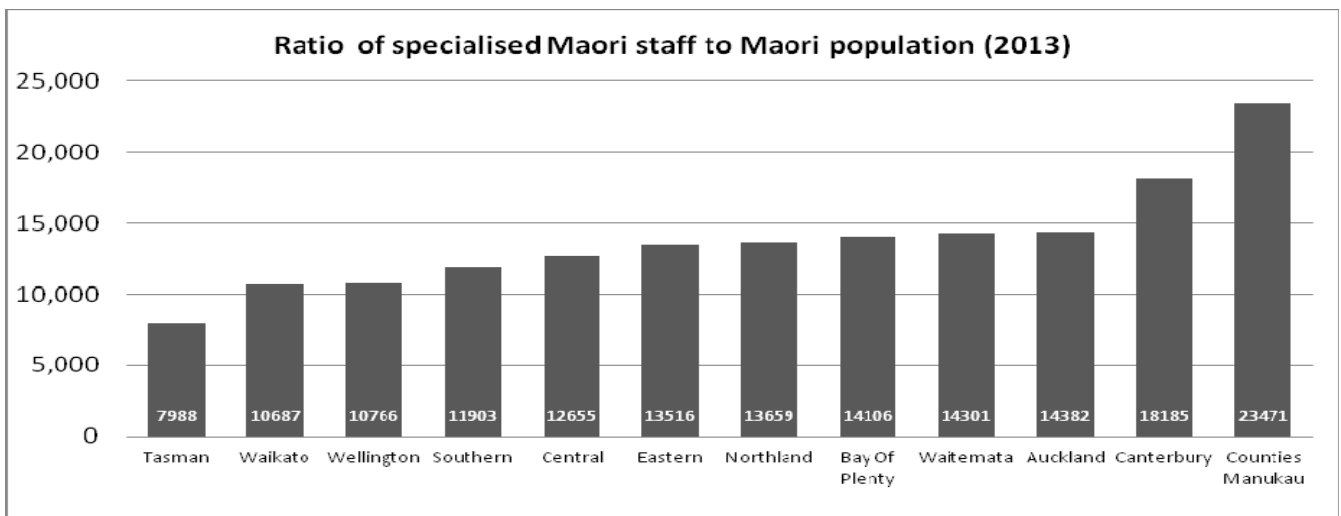


## Ratio of specialised staff and resident Maori population

Figure 6 shows the ratio of staff with a specialised focus on Maori to the resident Maori population ranked from lowest to highest ratios. (MPES portfolio holders and broader community-focused roles are counted as 0.25 FTE in this calculation).

The average ratio is one staff member with a specialised focus on Maori is one to around 14,000 resident Maori population. There is wide variation across the country in the ratio of specialised Maori staff to the resident Maori population, from a low in Tasman (1:7,988) and a high in Counties Manukau (1:23,471). (In interviews, Counties Manukau was one of the areas where the most pressing need for more staff with a specialised focus on Maori was raised).

**Figure 6: Ratio of specialised Maori staff to the Maori population, ranked from lowest to highest**



The ratios do not take into account the geographic spread of communities, travel times or other factors which may increase or decrease the need for staff with a specialised focus on Maori, including:

- levels of economic deprivation and/or income disparity experienced by Maori, both of which can fuel crime and victimisation
- the strength of existing relationships between Police and iwi/Maori (more work is needed to build relationships where these are not strong)
- the availability of iwi leaders to participate in partnerships with Police (harder in areas where Treaty settlements are still underway).

Areas outside main centres felt more investment was needed, given the high social disorder experienced in many of these communities.

## **Need for more specialist staff with a focus on Maori**

A common theme across the Districts was that ILO staff were stretched, given the breadth of their roles, their commitment to serve their people, and the fact they can be called on 24/7 to respond to crises.

*“People don’t die between the hours of eight and four. Land issues don’t finish between eight and four.” ILO*

*“There is so much expected of an ILO, it can be daunting.... We also have to be available most hours. We have to maintain relationships with iwi and our own organisation.” ILO*

The personal and community expectations and lack of a pool of staff to provide cover made it hard for many ILOs to switch off. A few commented that it was only when they went overseas on a holiday that they were able to have a proper break. For some the toll had affected their health and/or their relationships with family. A few said they were becoming increasingly disengaged as a way of coping.

## **Building a pool of staff to cover for ILOs**

Te Puni Kokiri’s 2002 review of Police service delivery to Maori noted that *“Police and Maori expectations and demands on ILOS are such that some ILOs may ‘burn out’*. TPK’s review noted that one way to manage this is have a critical mass of ILOs in a District, to allow pooling of resources to meet planned and unplanned activities, and the development and support of individual ILOs.<sup>50</sup>

Having a pool of officers who can provide cover for ILOs would allow people in these roles time to rest and restore when not on duty. It would also increase the number of staff with exposure to the ILO role and relationships with external partners. This could also help improve succession planning.

## **Building cultural competence**

New recruits receive training to build cultural competence across Maori, Pacific and ethnic communities. Staff can also undertake ‘Responsiveness to Maori’ training. ILO staff run localised training programmes to help build cultural competence within their Areas and Districts. The TPK 2002 review of Police recommended that all senior managers have specific individual performance measures on work undertaken to reduce offending and victimisation among Maori.<sup>51</sup>

## **Being able to pronounce Maori names (people and places)**

In several areas iwi/Maori stakeholders raised the need for officers and Police staff to be more skilled in pronouncing Maori place names and people’s names. The inability to do so was seen as a lack of care and respect. On one level it seems a small thing (in the context of a service which focuses on crime, victims and crashes) but it really matters as part of building trust and confidence among people who are a priority group for Police.

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<sup>50</sup> Te Puni Kokiri (2002; page 31).

<sup>51</sup> Te Puni Kokiri, (2002, page 8).

## Maori Wardens

There are 345 Maori Wardens around the country. Maori Wardens have operated since 1945 and have a tradition of addressing alcohol-related harm and disorder. Maori Wardens now have a broader function, and provide a deterrent effect by undertaking foot patrols in urban areas and helping diffuse conflict situations, especially those involving Maori youth. They also participate in truancy-reduction initiatives and other crime prevention programmes, attend court to support Maori defendants and provide security at social and cultural events.

Maori Wardens are able to engage and reach people in a way that is non-threatening, and can operate in a way that demonstrates care and concern, through being able to take more time and approach situations and people from a Maori perspective. This is illustrated in the following quote.

*“The young people see us differently compared to the Police. We talk to them like they are our sons and daughters. We know how to interact with them at that level, and our own Maori way of asking.”* Maori Warden

There are different levels of resourcing for Maori Wardens; some have access to vehicles provided by Police and others don't. There is also variation in the strength of relationship with Police, with some reporting working closely and well, and others feeling the relationships could improve.

Involving Maori Wardens in calming people at the Watchhouse, and helping explain how the Alternative Resolutions process works was seen as an area for development. (As well as meeting offence criteria, admitting to the offence is a requirement before an alternative resolution can be granted, and this requires both understanding of the process and a level of trust in Police. Maori Wardens were seen as well placed to do this).

The Maori Wardens Project is now a joint venture with Te Puni Kōkiri and the New Zealand Police. In 2007 a \$2.5 million investment was made to support building the capability and capacity of Maori Wardens with a particular focus on youth, safer communities and community reassurance. The Project is administered by TPK.



# 5. Prevention First

Prevention First (PF) re-orientates Police to focus on reducing offending and victimisation,<sup>52</sup> in addition to response and investigation functions. PF sets out five areas of focus: families, youth, alcohol, organised crime and drugs, and road policing, with details shown in Table 5.<sup>53</sup>

**Table 5: Prevention First: key actions to reduce offending and victimisation**

Actions	Prevention First
Understand and deploy to demand	Develop demand profiles Use intelligence-led tasking and co-ordination (including addressing drivers of crime) Workforce planning and rostering to meet demand Initiatives targeted to priority Neighbourhoods (eg Neighbourhood Policing Teams)
Reduction in offences	Reduce reported crime by 13% Focus on prevention and reducing crime and crashes
Reduction in prosecutions	Prosecutions reduced by 19% through: <ul style="list-style-type: none"> <li>the use of pre-charge warnings as an alternative to prosecution (target contribution of 9%)</li> <li>the reduction of crime from Neighbourhood Policing Teams (target contribution of 8% reduction in prosecutions)</li> <li>the reduction of crime through Rostering to Reduce Demand (target contribution of 2% reduction in prosecutions).</li> </ul>
Reduction in offenders and victims	Number of offenders and victims reduced through focus on prevention, targeting: <ul style="list-style-type: none"> <li><b>Families:</b> support and protect vulnerable and dysfunctional families, reduce family violence and child abuse and target crime families.</li> <li><b>Youth:</b> keep vulnerable children and youth safe, decrease the number of youth entering the criminal justice system.</li> <li><b>Alcohol:</b> understand local alcohol problems, target public place drinking, undertake licenced premises checks.</li> <li><b>Road Policing:</b> deliver locally-led prevention programmes and road safety education, work with partners to improve environmental design and the safety of vehicles.</li> <li><b>Organised crime and drugs:</b> build a national picture, increase understanding of youth gangs and how to prevent recruitment to adult gangs, target priority offenders, use tasking and co-ordination (nationally and at District level) to increase the impact on priority problems.</li> </ul>

Maori are disproportionately represented across all of the PF priority areas. Police cannot respond to disproportionate Maori representation without iwi/Maori stakeholders’ support to address the drivers of crime.

Areas for development within PF include increasing Police’s ability to work with iwi/Maori communities and stakeholders.

<sup>52</sup> PF also includes rostering to reduce demand, and a mindset shift (through leadership and a focus on victims).  
<sup>53</sup> The Prevention First targets are: 13% reduction in crime, 19% reduction in prosecutions, and a 4% increase in prevention activities by 2015.

## **Restructure to support Prevention First and create national consistency**

A restructure of District and Area resources has been implemented to support PF. New management positions have been created to focus on crime prevention and victims alongside managers with a focus on response and investigations. The new manager roles are to allow more strategic oversight of each work area and to reduce the number of direct reports to District and Area Commanders. The restructure also aims to create greater national consistency in roles and reporting lines (which in turn supports officers when moving between locations as similar structures and practices are in place).

At the District level the most common restructure has a new District Prevention Manager role which oversees District Managers responsible for Deployment, Intelligence and Road Policing. A new Community, Ethnic and Youth Manager<sup>54</sup> reports to the District Prevention Manager and oversees the District Victim Manager and co-ordinators in Family Violence, Youth and Alcohol. A similar structure is replicated at the Area level.

The PF restructure aimed to use existing specialised staff with a focus on Maori more strategically by placing them under the Prevention work area, reporting to Community, Ethnic and Youth Manager. Under the proposed PF structure, ILOs and Maori Responsiveness Advisors (MRAs) would become a resource for deploying as part of wider tasking and coordination. The shift was seen as having the potential to increase the value of these roles, by incorporating them more routinely in wider Police responses.

### **Views on the change in ILO reporting line**

ILOs and MRAs previously reported to Area or District Commanders. Consultation on the PF restructure did not include the national, District or Area MABs. The majority of Advisory Board members interviewed for this review expressed strong negative reactions to the lack of consultation, as well as the change in reporting structure. The change was seen as devaluing both the internal roles and the external relationships, with a perceived reduction in access to Police leadership. The change was described as 'demeaning', and in one District there was a threat from members to leave the table.

Within Police, most of the senior officers and managers interviewed distinguished between structural and functional reporting lines, and were confident that specialised Maori staff would retain access to Police leadership under the PF structure. This view was not shared by officers in specialised Maori roles. Some noted that current positive relationships meant that the functional relationship could be retained under the restructure for the time-being, but were concerned that this may not be sustained in the future, reducing both access and influence.

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<sup>54</sup> In some Districts these roles also include Alcohol.

## 6. The Turning of the Tide

The Turning of the Tide (T4) was developed by the Commissioner's Maori Focus Forum and MPES to set specific targets<sup>55</sup> for reducing the disproportionate representation of Maori in offending, victimisation and crash statistics.<sup>56</sup> T4 consolidated the earlier work on iwi-led Crime and Crash Plans. A key feature of T4 is the recognition of the role iwi and Maori agencies, groups, whanau and communities play in achieving these targets (see Table 6).

**Table 6: The Turning of the Tide key actions to reduce offending and victimisation among Maori**

	<b>The Turning of the Tide Police</b>	<b>The Turning of the Tide Iwi/Maori to consider</b>
<b>Understand and respond to demand</b>	Police to produce and share Maori specific statistics and intelligence so Maori can decide for themselves what actions will produce the best outcomes. This can include: hot spots and times, high volume crimes, crash sites; adults with high risk of re-offending or being a victim of crime; District charging practices.	Police need to work with iwi, communities, agencies and organisations to help achieve reductions in offending and victimisation, to focus on long-term results & enduring change. Complete iwi crime and crash plans.
<b>Reduce Maori first time offenders entering Justice system</b>	Use hot-spot patrols with support from Maori Wardens Youth breaching licence conditions referred to ILOs for licensing programmes.	Increase the pool of Maori Wardens Provide community-based driver licence programmes Provide temporary accommodation for people with Police Safety Orders (to reduce risk of breaches)
<b>Reduce Maori repeat Maori offenders re-entering Justice system</b>	Proactive cold-calling welfare checks on couples with prior intimate family violence offending Top 10% of Maori youth offenders supported by Youth Offending Teams and/ or Whanau Ora (for them and the whole whanau) Refer all Maori youth apprehended for intimate partner violence to specialist service Include referrals to Whanau Ora in Victim Implementation Plans.	Work with youth who are not being managed by Youth Offending Teams Work with families with known gang associations to develop community-based interventions Provide specialist interventions for youth apprehended for intimate partner violence
<b>Prosecute as a last resort</b>	Refer low level youth offenders directly to Whanau Ora as a conditional warning Use Pre-charge warnings for adult offenders, and referrals via ILOs for higher threshold offences or where higher prior offending but it is not in public interest to charge Offer Police Adult Diversion and treatment options.	Design and deliver Maori Alternative Action Plans, tailored for adult low-level offenders, and 'fee for service' interventions/ treatments for adults who admit guilt and agree to participate
<b>Reduce Maori dying and being injured on roads</b>	Communities given data to guide safety programmes and encouraging compliance ILOs to promote road safety using local media.	Have programmes for high-risk repeat drink drivers Run checkpoints which focus on increasing compliance Increase use of social/ local media.

<sup>55</sup> T4 meets TPK's 2002 Review of the New Zealand Police: recommendation of having national priorities and strategies to reduce Maori offending and victimisation, supported by national targets and performance measures.

<sup>56</sup> The T4 targets are by June 2014: 15% reduction in prosecutions of Maori, 10% reduction in Maori repeat offending, a 5% reduction in Maori first time offenders 10% reduction in Maori repeat victims and a 10% reduction in Maori victims of fatal and serious crashes. Similar targets are in place T4 phase 2, due by June 2018.

Many of the staff in roles with a specialist focus on Maori thought that PF and T4 provided an operating environment that now supported a way that they had been working in already for years, as illustrated in the following quotes.

*“Prevention First and Turning of the Tide has given a title for what we have always done, as well as giving direction.”*  
Senior officer

*“I love the prevention focus; it is not new to us. The rest of our colleagues are catching up.”* ILO

This was shared by many of the iwi/Maori stakeholders, as illustrated in the following quote.

*“With the Turning of the Tide, ILOs can step up and lead. They know how to work with communities. They have been in that space for 15 years, but the organisation had not been ready until now.”* Maori Advisory Board member

Overall, T4 has been well received by iwi/Maori stakeholders.<sup>57</sup> The shared approach to reducing offending and victimisation among Maori was welcomed.

*“The Turning of the Tide is a good working document as the interventions are practical. I thought, this is good, it is written by someone who understands.”* Maori Advisory Board member

Within Police, most senior officers and staff in management roles were aware of T4. There was low to no awareness among staff in response roles (general duties) or in the watchhouses. One district had developed and displayed A3 posters which showed the alignment of T4 actions and targets across all workgroups. Despite this, awareness of T4 and its relevance did not seem to have reached below the senior management level.

T4 had been promoted at staff days in some Districts. The need for more (or any) training was raised in nearly every area.

Some staff were reported to have questioned why Police should focus on a specific group, on the basis that Police should provide an even-handed response to all. Some officers interviewed described how they had initially been sceptical of the approach, but once they had learnt more, could see the benefit, as illustrated in the quote below.

*“I had to speak about Turning of the Tide, and as I started talking, I started believing it. I was a bit thrown; I was usually ‘lock-em up and chuck-em in jail’ CIB perspective. It was quite refreshing, to see things differently; to think about how to stop things happening in the first place. I think I had been thinking too small, tactically and not strategically. I’ve not gone all touchy-feely, this is common sense.”* Senior officer

Ensuring senior sergeants understood and supported T4 was raised as priority by several people, and captured in the following quote.

*“What we really need is the senior sergeants to get the vision, for them to step up, to be supporters. At the moment this isn’t happening. But it is one person at a time; it’s about caring about our community.”* Senior officer

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<sup>57</sup> A few iwi/Maori stakeholders interviewed thought the work had either given insufficient recognition to earlier iwi-led crime and crash plans, or had the potential to cut across existing work. One interviewee reacted negatively to the ideas given in T4 for iwi/ community responses, as iwi are self-determining and should not be instructed, particularly by a crown agency.

## Reducing prosecutions: target for PF and T4

Reducing prosecutions is a target for PF and T4.<sup>58</sup> MPES is the new business owner for Alternative Resolutions for adult offenders, where Police use alternatives to prosecutions for eligible offences and offenders.<sup>59</sup>

### Pre-charge warnings

Pre-charge warnings (PCWs) have been used nationally since September 2010.<sup>60</sup> In the last financial year PCWs have been used to resolve 15% of charges without the need to rely on the courts. The most common offences resolved with a PCW are Disorder and Breach of Liquor Ban offences (when combined these account for around half of all offences resolved with a PCW).<sup>61</sup>

MPES has analysed PCW issuing practices by ethnicity nationally and for each Police District. Overall Maori are less likely to receive a PCW than New Zealand European offenders (12% compared to 17% for New Zealand European). The gap is wider for some offences. For example shoplifting has a 17% PCW resolution rate for Maori, compared to a 26% resolution rate for New Zealand European.

The number, seriousness and recency of prior offending is taken into account in the decision on whether an eligible offence can be resolved with a PCW.<sup>62</sup> The lower PCW rates for Maori is an example of where a seemingly neutral policy (consideration of prior offending) can end up indirectly discriminating against a group (as Maori on average are more likely to have more serious offending histories).<sup>63</sup>

One Senior Sergeant commented that “*Pre-charge warnings don’t address the problem. It would be good if we could refer people so they could get help. This means you are signalling to that person that you don’t just care about their offending, but that you want to do something to help them.*” This occurs in Conditional pre-charge warnings (CPCWs), described next.

### Conditional pre-charge warnings

Conditional pre-charge warnings (CPCWs) are a new work area for Police, and for MPES. An evaluation has been undertaken of one type of CPCW namely Community Justice Panels.<sup>64</sup> Another type of CPCW, the Alternative Resolutions: Enhanced Model (AR:EM) has Police partnering with Whanau Ora providers or runanga who work with offenders to address factors underlying the offending behaviour. There are five AR:EM pilots in development or in early stages of delivery.<sup>65</sup>

Table 7 shows the referral stage and provider for the types of conditional pre-charge warnings.

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<sup>58</sup> Reductions in prosecutions targets: Prevention First, 19% reduction in prosecutions by 2015, T4 target, a 15% reduction in prosecutions of Maori by June 2015 and a 10% reduction by June 2018.

<sup>59</sup> A decision to use an Alternative Resolution is made by a senior officer and guided by the Solicitor General’s Prosecution Guidelines. Offences eligible for a PCW are low-level offences, with a maximum penalty threshold of six months’ imprisonment or less, with some exclusions (family violence and methamphetamine offences).

<sup>60</sup> See the pre-charge warning evaluation report at <http://www.police.govt.nz/about-us/publication/new-zealand-police-pre-charge-warnings-alternative-resolutions-evaluation>

<sup>61</sup> The other most common offence types are Shoplifting (values under \$500), Procure/ possess cannabis and Fighting in a public place. Combined, these five offence types account for around 70% of all PCWs issued,

<sup>62</sup> In New Zealand charging decisions are overseen by the senior officer for the rostered work group/section. In her report, *Withdrawals, Alternative Resolutions and Arresting Behaviours: A Scan*, Collinson (2009) noted the benefits of the UK model where there are dedicated, specialist Custody Sergeants who are separate from the duty section and oversee charging decisions (evidential sufficiency, public interest, victim considerations, use of alternatives), and more impartial and consistent decision-making.

<sup>63</sup> Work is underway to cross-tabulate prior offending and ethnicity with PCW receipt, to understand the impact of prior offending on decisions to charge or to use an alternative resolution.

<sup>64</sup> The evaluation of CJPs found positive early indications that re-offending is reduced for those who go through the CJP process. See New Zealand Police (2012), *Community Justice Panel in Christchurch: An evaluation*. <http://www.police.govt.nz/about-us/publication/community-justice-panel-christchurch-evaluation>. A follow-up study is underway, with a larger pool of participants and a longer period over which to assess subsequent offending.

<sup>65</sup> The areas are: Counties Manukau, Waitemata, Central, Bay of Plenty and Wellington.

**Table 7: The referral stage and provider for the types of conditional pre-charge warnings**

Referral stage	Referrals made to:
Pre-charge	<ul style="list-style-type: none"> <li>• Community Justice Panels, where trained and vetted community representatives set and monitor conditions on behalf of Police</li> <li>• Alternative Resolutions: Enhanced Model, where a service provider (eg Whanau Ora) sets and monitors conditions on behalf of Police</li> </ul>
Post- court	<ul style="list-style-type: none"> <li>• Treatment and/or support services (with the offender paying for these services, instead of making a donation to a charity often required as part of Diversion)</li> <li>• A service provider skilled in working with families, to respond to low-level family violence offences (eg Whakamana Takatini pilot in Wellington).</li> </ul>

Appendix 6 shows PCWs and CPCWs as a part of the graduated responses to adult offenders.

**CPCWs as a way of implementing good practice when responding to Maori offending**

By using iwi/Maori services, CPCWs also have the potential to incorporate good practice elements identified by the Ministry of Justice’s (2009) review on responding to bias in the criminal justice system<sup>66</sup> by:

- taking a holistic approach to address multiple risk factors for offending and victimisation
- incorporating cultural components, delivered by culturally skilled and credible people
- facilitating the participation of the wider family and community.

The need for more Maori designed, developed and delivered community initiatives, and increase whanau capacity to effect change was also raised in the earlier review of Police service to Maori undertaken by Te Puni Kokiri in 2002.<sup>67</sup>

Several of the providers who are delivering CPCWs thought that the compliance element helped to get the offenders in the door, and the quality of the services would keep them. There was a vision to provide support for the longer-term, and for the wider family.

**Addressing the disproportionate Maori prosecution rate**

PCWs and CPWs can both act as ‘circuit breakers’ to address the disproportionate Maori prosecution rate.<sup>68</sup> So even if the apprehension rates for Maori don’t change, what happens next can.

<sup>66</sup> Morrison (2009), pages 91-94.

<sup>67</sup> Te Puni Kokiri (2011). Addressing the drivers of crime for Maori; working paper 014 – 2011. Also see Williams and Cram (2012), What works for Maori. Synthesis of selected literature.

<sup>68</sup> Using these ‘circuit breakers’ helps address structural bias alongside more commonly employed approaches of moderating individual and/or community risk factors, and stops the ‘depoliticising and individualising of dysfunction’, where the focus is ‘on dysfunctional individuals and communities, instead of the structures and processes that create and perpetuate these inequalities.’ See Morrison (2009), page 78 and 92.

## What is needed to deliver PF and T4: Police

### Consistency of staff, with time, cultural competence and credibility

Police cannot achieve and sustain the aims of PF or T4 without support from iwi/Maori leaders, service providers, communities and whanau.

District Prevention Managers (DPMs) have oversight of the prevention activities in each area to achieve organisational and sector targets. These roles have a large span, covering Deployment, Intelligence, Road Policing, Community, Ethnic and Youth, and Victims. The span is potentially too broad to provide the level of sustained focus needed to deliver the Turning of the Tide strategy (which emphasises partnerships and responses with iwi/Maori). Rotation policies are in place for staff in PF management positions, reducing continuity.

In most cases ILOs and MRAs have a depth of relationship with iwi/Maori stakeholders, and tend to stay in their roles longer. As well as bringing consistency, they are also more likely to have higher levels of cultural competence and credibility which supports relationships of trust.

### Rank

The majority of staff with a specialised focus on Maori hold Constable rank or equivalent. Five Districts have Sergeants, and three have Senior Sergeants (Maori Responsiveness Advisors). (See Appendix 5 for the location, number, roles and rank of staff in these positions).

Historically rank within Police demonstrates the ability to assume command and control in crises, as well as indicating the number of staff managed. Police need to consider the value it places on specialised roles, particularly under PF. If reducing offending and victimisation is valued, then rank could also be an indicator of the skills and experience needed to address drivers of crime, and of the sphere of influence (both internally and externally) rather than the number of staff managed.

Many iwi/Maori stakeholders questioned the value that Police place on specialist Maori roles, and by implication the relationship with iwi/Maori when the majority of officers in these specialist roles are Constables.<sup>69</sup> Some iwi/Maori stakeholders thought that based on the work they saw their ILOs do, and on the mana the individuals held, the positions should all be Sergeants at a minimum.

Most ILOs interviewed also spoke of the challenge of influencing others internally while holding a constable rank.

Within Police, rank without respect is anathema. There is a real risk to the credibility of the ILO role if these positions were all increased to senior positions. While externally it seems like a way of honouring and rewarding people who are seen as skilled and valued, internally such a move across the board would create cynicism and resentment. The external desire to increase the value of the roles through increased rank could result in the roles being devalued internally.

### Need for a career pathway

Te Puni Kokiri's 2002 review of Police service delivery to Maori noted that there could be challenges attracting staff to specialist roles focused on Maori as the role was outside a pathway for career progression. This is illustrated in the quote below.

*"The ILO role is a cul-de-sac role. When you look at the aspirations database, no one wants to be an ILO." ILO*

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<sup>69</sup> One Advisory Board member (who valued the ILO in question) said iwi see the Constable rank and ask "Why do Police send their boy to speak to our chief?"

A valuing of the specialist skills and a career pathway for these roles was recommended, and remains relevant in the current environment.<sup>70</sup>

Community engagement lies at the heart of good Policing. In order to engage with communities, Police need people with the right skills in the right place, at the right time. Building an organisation that places values on these skills will not only support Maori (and Pacific and ethnic staff) but will also develop a Police service that better understands communities.<sup>71</sup>

Having more senior specialist roles may also help communicate externally the value placed on these roles (and staff) externally, and help respond to concerns expressed by iwi/Maori stakeholders.

### **More strategic management**

Te Puni Kokiri's 2002 review also noted the need for more strategic use of the ILOs, and this still remains. While ILOs typically have the ability to engage and work in partnership with iwi/Maori, what has been missing is a strategic approach, which delivers demonstrable results. This is illustrated in the quote below.

*“One of the things that prevents an ILO from being effective ... is that their brief is a mile wide and they end up running around like a headless chook”.* Maori Advisory Board member

Placing the ILO role under the Prevention work area was seen as a way of achieving greater strategic direction for ILOs but has not been supported by iwi/Maori stakeholders because of the change in reporting line.

### **Maori Responsiveness Manager**

An alternative option would be to create a new role with a primary focus on providing strategic guidance on reducing offending and victimisation among Maori. The disproportionate level of Maori offending and victimisation and the specialised skills needed to work with iwi/Maori stakeholders require skilled staff within Police able to mobilise internal and external resources in response.

While capability is ultimately what matters, rank needs to be considered for two reasons:

- rank matters within Police, and most ILOs interviewed spoke of the challenge influencing internally while holding a constable rank
- rank matters to iwi/Maori partners, who see the level of rank as reflecting the value placed on the role, and the relationship with them, by Police.

Given the actual and symbolic importance of rank, each District needs at least one senior officer whose primary focus is on reducing offending and victimisation among Maori.

Appointing a senior officer who provides strategic guidance to ILOs and reports directly to the District Commander could address both the rank and reporting line concerns raised by many of the iwi/Maori stakeholders interviewed as part of this review.

In some areas the local population means this strategic role requires a specific focus on Maori. In other areas the role may be more appropriately broadened to cover Maori, Pacific and Ethnic Services (MPES).<sup>72</sup>

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<sup>70</sup> Te Puni Kokiri (2002, page 31). Review of New Zealand Police: service delivery to Maori.

<sup>71</sup> Building Police Diversity: proposal for MPES and HR joint work programme to 2015.

<sup>72</sup> In Auckland the Maori population is low relative to the proportion of arrests, compared to other Districts, as the population data reflects residents only, and does not capture the fact people come into the city for business and entertainment). In Canterbury, Maori comprise 8% of the resident population and account for 25% of apprehensions. At the higher end, in Northland Maori comprise 30% of the resident population and account for 74% of apprehensions.



Three areas already have 'Maori Responsiveness Advisors' (MRAs); Auckland, Bay of Plenty and Counties Manukau. Switching from 'advisor' to Maori Responsiveness Manager (MRM) would align with other prevention roles (and Manager indicates control over resources).

Having this role in each District and having it specifically 'branded' as a Maori Responsiveness Manager in Districts where there are high number and/or proportions of Maori residents may help reduce (but not remove) the strongly negative view expressed by several MAB members and iwi/Maori stakeholders on having roles and workgroups (including PNHQ) which include Maori alongside Pacific and Ethnic populations. From their perspective, the 'MPES' construct was seen as a failure to recognise Maori as tangatawhenua, and as Police not honouring their obligations under the Treaty of Waitangi.

Appendix 8 shows the Prevention First reporting structure and the (now approved) new alternative.

### **MRM at the District Management table**

Historically ILOs typically reported to Area Commanders or District Commanders. In a few areas ILOs also previously sat on Area or District management teams. Under the Prevention First restructure, ILOs no longer have a direct reporting line to Area or District Commanders, and would be unlikely to be part of Area or District management teams (because of the number of managers at the table).

### ***Internal risks***

The Prevention First restructure is currently being implemented. Having a MRM in each District and reporting to the District Commander would require change, and possibly job re-sizing for some roles (eg Community, Youth and Ethnic Managers).

While MPES staff and the majority of iwi/Maori stakeholders interviewed saw benefits in having a senior officer with a specialised focus on Maori reporting to the District Commander, this was not generally supported by other officers. The main reasons given were that District Commanders' workload means the role would not receive the attention required.

### ***External risks***

As noted earlier, there was a strong negative reaction among the majority of iwi/Maori stakeholders interviewed on the change in reporting structure for ILO/MRA staff under PF. The need for more organisational recognition of the specialised skills to work effectively with Maori was raised by several of the iwi/Maori stakeholders interviewed, and these views are captured in the quote below.

*"The Maori Responsiveness Advisor is a specialised, skilled manager, for ourselves and for Police. It needs to operate at a high level across a large work programme and in a multi-agency environment. Within Police, what recognition is there of the importance of this role?"* Maori Advisory Board member

Failure to address the concerns expressed by the majority of iwi/Maori stakeholders on the issue of reporting line and rank of specialist Maori staff may undermine current relationships and act as a barrier towards effective partnerships.

## Promoting integration

While reporting directly to a District Commander may indicate value within the organisational hierarchy, structural position (or rank) does not guarantee influence. A more profound risk from having specialist Maori roles sitting outside the PF structure is that opportunities for workgroups to take responsibility for offending and victimisation among Maori could reduce and be seen as a MRM/ILO responsibility.

Maori account for a high proportion of Police work, and 43 specialist staff (around half a percent of the overall constabulary) cannot be left to shoulder the responsibility alone. This point is illustrated in the following quote.

*“ILOs should not be treated like the brown-bullet, the answer to everything Maori.”* Maori Advisory Board member

*“There is so much expected of an ILO, it can be daunting. They need to be strategic, operational, HR consultants, mediators. How fair is this? We also have to be available most hours. We have to maintain relationships with iwi and our own organisation. We have to build up credibility internally so others have confidence in our specialist skills.”* ILO

With the support of their District Commander, MRMs need to help ensure all work groups understand the importance of reducing offending and victimisation among Maori, and work with them to ensure action is taken. This could be embedded into work groups’ strategic priorities by requiring District and Area Tactical Plans to have explicit actions to reduce offending and victimisation among Maori.

The explicit focus on Maori in the Tactical plans would then shape ongoing tasking and coordination activity. As part of ongoing tasking and coordination, MRMs and ILOs can help by providing information gained from the iwi/Maori stakeholders on current and emerging crime and victimisation issues, as well as potential flashpoints. Maori, Pacific and Ethnic issues are now included as standing item in national Tasking and Coordination meetings.

Staff with more experience in community and preventive policing appeared to understand the both the need to focus on offending and victimisation among Maori, and how to work with specialist Maori staff and iwi/Maori stakeholders when developing responses.

More work is needed to build understanding and demonstrate the benefits of reducing Maori offending and victimisation among staff in investigation and response areas. Operation Eight was raised internally and externally as a recent and high profile example of where insufficient understanding of the cultural context and history had a severe negative impact for iwi, the wider community and also reputationally for Police. (This is explored more later).

All position descriptions could include specific and tailored requirements to demonstrate responsiveness to Maori (RTM).<sup>73</sup> This would also mean career progression requires demonstrating responsiveness to Maori, reinforcing this as a core value for Police.

Some of the Maori social service providers and the Probation officer interviewed for this review also commented on how the manner in which enforcement activity is undertaken can sometimes undermine gains made by offenders. (All recognised that enforcement is needed, but questioned the sometimes rigid application).

Internally, there were examples of using enforcement approaches more creatively by including conversations to help identify what support was needed to keep people complying with conditions and offence free. The ability for Police to refer people to treatment and support services was also raised as having potential (while also noting follow-up would need to be done by others and not Police).

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<sup>73</sup> See Appendix 2.

In one District, Police had partnered with Probation to work with a released senior gang member, developing a contract and setting clear expectations and boundaries that if crossed would result in remand, but that both agencies would work to ensure the released offender did not cross this line. By mixing a supportive element into the enforcement mix, apart from one traffic charge, the man had remained offence-free for over a year. Given his history, this was a significant achievement.

## **Focusing on two parts of the CJS: pre-charge resolutions and released prisoners**

Two parts of the CJS which have the potential to make inroads into offending and victimisation among Maori are:

- the 'circuit breakers' following apprehension (PCWs and CPCWs).
- providing support to released prisoners, to help them stay out of prison and offence free (again in partnership with iwi and Maori service providers).

The pre-charge alternative resolutions can both help mitigate the disproportionate prosecution rates for Maori as well as helping to reduce the number of prosecutions overall (and through this reduce demand on Courts).

A focus on released prisoners also helps respond to the fact that the stage of the CJS with the highest disproportionate representation of Maori is imprisonment. The age-adjusted imprisonment rate for Maori men is about seven times that of New Zealand European men, and for Maori women, nine times the rate.<sup>74</sup> Maori are also reconvicted and reimprisoned at significantly higher rates than non-Maori.<sup>75</sup>

*"It is a shocking statistic, when you look at the prison population. What are we as a country doing about this?... It is a huge social issue, like a giant manufacturing unit."* Maori social service provider

The high rates of Maori imprisonment can leave families under financial stress, and impact on physical and mental health of adults and children.<sup>76</sup> Referrals to iwi/Maori services at both the pre-charge and post-release stages allow behaviours driving offending to be addressed, as well as creating opportunities for wider support to be provided to families. Taking a whanau approach helps services to reach the 'invisible children' of prisoners.<sup>77 78</sup>

In his paper *The social integration of Maori prisoners*, Workman (2013) also recommended taking a whanau approach, along with building on strengths, working to restore hope, and allowing people to make amends.<sup>79</sup>

These are areas with the potential for good results (and contribute to organisational and sector targets), and would help build internal understanding of the benefits of working in partnership with iwi/Maori to reduce offending and victimisation.

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<sup>74</sup> Ministry of Justice (2009). Maori overrepresentation in the criminal justice system. Strategic Policy Brief. National Health Committee (2010). Improving the health of prisoners and their families and whanau. He whakapiki i te ora o nga mauhere o ratou whanau.

<sup>75</sup> Spier (2002). Reconviction and imprisonment rates for released prisoners, Ministry of Justice. Also see Nadesu (2008 and 2009).

<sup>76</sup> Gordon (2009). Invisible children. First year research report. A study of the children of prisoners. Gordon and MacGibbon (2011). A study of the children of prisoners. Findings from Maori data.

<sup>77</sup> Gordon, (2009). Gordon and MacGibbon, Te Puni Kokiri, (2011).

<sup>78</sup> National Health Committee (2010). Improving the health of prisoners and their families and whanau. He whakapiki i te ora o nga mauhere o ratou whanau.

<sup>79</sup> Workman (2013). The social integration of Maori prisoners. A paper presented at the Deakin University Reintegration Puzzle Conference, Auckland August 2013.

## Promoting internal visibility

Much of the work ILOs and MPES staff do is hidden. A large amount of time is spent building and sustaining relationships with iwi/Maori leaders, groups and service providers. Police need these relationships to be in place and working well to understand and respond to crime and victimisation among Maori as well potential flashpoints (eg gatherings of gang members, land protests, issues of national security, civil emergencies). These relationships were also used to contain the fall-out from Operation Eight.

Internally, ILOs' role in responding in sudden death situations was recognised and valued, but often front-line officers interviewed struggled to think of other elements of ILOs work from a Police perspective.

*"When it comes to a sudden death or a homicide, we need that friendly face; ILOs can be worth their weight in gold. But what else do they do besides this?" Senior officer*

*"It can be a lonely slog out when you are out there by yourself and everyone around you is saying "What the hell do you do?"*  
ILO

One of the benefits of PF is that staff across different workgroups are increasingly required to work together, and to work more closely with community partners. On a day-to-day level this is increasing the understanding of the value ILOs, MRAs and MPES staff provide, through their ability to broker relationships with community partners.

*"The ILO is a very skilled man; he is great at building relationships. He is great with communities and families – he is magic. But I'm not sure if he is valued enough. There is a lack of knowledge about how ILOs can help. They need to be more visible, to have more interactions across work groups and promote their role." Senior officer*

The work of the MRMs and ILOs needs to be visible to be valued. Explicit strategies will be needed to overcome a cultural reticence to self-promote (captured in the expression *kaore te kumara e korero mo tona mangaroa*, 'the kumara does not speak of its own sweetness').

Some Area and District Commanders described ways in which they promote internal visibility of the work undertaken by ILO staff and the benefits to the organisation by profiling what they do at briefings with wider staff groups. Having a MRM at the local management table would ensure decision-making takes into account a Maori perspective on what is needed. This would include ensuring all workgroups were actively contributing to reducing offending and victimisation among Maori to achieve PF and T4 targets. It would also communicate internally the value of the role.

*"Every work plan should be based on Maori statistics, and if it's not, then it needs to be. As simple as that." ILO*

Table 8 sets out examples of work for ILOs and MRMs, which may help to explain and expand understanding of these roles, and potential points of engagement with other work groups. The categories could also be developed into a performance framework to ensure that over time the full range of work areas are covered.

**Table 8: Work areas for Iwi Liaison Officers (ILOs) & Maori Responsiveness Managers (MRMs)**

Type of work	Role	Types of activities
Response	ILO MRM	Respond to sudden deaths Assist with investigations where cultural understanding is needed Advise on crises responses or proposed operations where an understanding of land or Treaty issues, historic grievances and current cultural dynamics are needed.
Relationship building	ILO MRM	Attend community events, hui, tangi Develop relationships with marae, iwi leaders, kuia, kaumatua, community leaders, gang leaders, Maori service providers.
Internal capacity	ILO MRM	Provide training and resources to: build a culturally competent workforce (tikanga, te reo, local land and Treaty issues) build understanding of the drivers of crime and how these impact on Maori (by increasing risk factors) promote alternatives to prosecution for Maori adults and youth (PCWs, CPCWs, Alternative Actions). Exercise leadership in the use of cultural protocols (eg powhiri).
Internal partnerships	ILO MRM	Support other work groups provide services which reduce offending and victimisation among Maori, eg Neighbourhood Policing Teams, Victim Intervention Plans, Family Safety Teams, Youth Services Support other work groups to use Maori Wardens (eg delivering road safety messages at checkpoints, deploying them to hotspots of alcohol-related disorder, having them in watchhouses to calm and support Maori offenders) Broker relationships between Police personnel and workgroups and iwi/Maori stakeholders Provide information to support quality intelligence reports and knowledge profiles.
External partnerships	MRM	Support the effective operation of District and Area Advisory Boards Develop partnerships with iwi/Maori providers to deliver services to address offending and victimisation among Maori (eg CPCWs with Whanau Ora)
Strategic work programme	MRM	Develop a strategic work programme Review ILO activity (using work codes as part of a performance management framework)
Reporting	MRM	Produce reports showing work delivered and results achieved Promote successes internally and externally Identify areas for action for own work, other Police work groups and external partners.
Leadership	MRM	Provide input at District and Area Management Teams Review work programmes of other work groups to ensure they have and deliver 'Responsiveness to Maori' Review action taken by other work groups to contribute to Turning of the Tide, and elements of Prevention First with a Maori focus Review policies and processes which may contribute to structural bias, with a specific focus on differential treatment of Maori Provide an iwi/Maori perspective to the stakeholder management framework identified as an area for action in the Performance Improvement Framework (PIF) Identify high-potential Maori officers and support their leadership development.

## **MPES National office**

MPES National Office and Prevention First staff at PNHQ have ad-hoc meetings. A joint work-programme and/or clearer processes for joint work is needed.

ILOs call in to a weekly teleconference held by MPES national office. This provides an opportunity to share learnings and support. Many of the ILOs valued the peer relationships and peer-to-peer learning. Many also saw benefits in having clearer agendas and more focus to these calls.

Police are a national service, with a District led command and control structure. A tension raised by several District staff was that ILOs end up serving three masters: iwi, District management and MPES national office. Care is needed that appropriate processes and communications are used when MPES national office directs ILO activities and priorities, and that this does not cut across local management and direction.

While there were some ILO staff and external stakeholders who thought ILOs/MRAs should report to the General Manager MPES, this was not supported by senior managers in the Districts, as illustrated in the quote below.

*“We have to connect the ILOs to the business. The idea that ILOs report to national office is not good... but nationally there needs to be clear roles and responsibilities for ILOs and showing how this is connected to Turning of the Tide.”* Senior officer

## **New work areas**

Resources are needed to support the embedding of PCWs, including producing monitoring reports. MPES also needs resourcing to support the design and delivery, monitoring and evaluation of CPCWs, as well as building wider sector engagement and support.

MPES is also supporting new ways of working with iwi/Maori partners, through co-location of staff. These new ways of working were seen as exciting opportunities by Police and iwi/Maori stakeholders where they were occurring. Co-location was also raised in other areas as something to pursue.

## **Good practice guides and a focus on results**

District staff also wanted more help to support good practice and collect and report on results, to demonstrate internally and externally the value of their work, and to help build understanding of ‘what works’. They wanted this type of support from MPES national office.

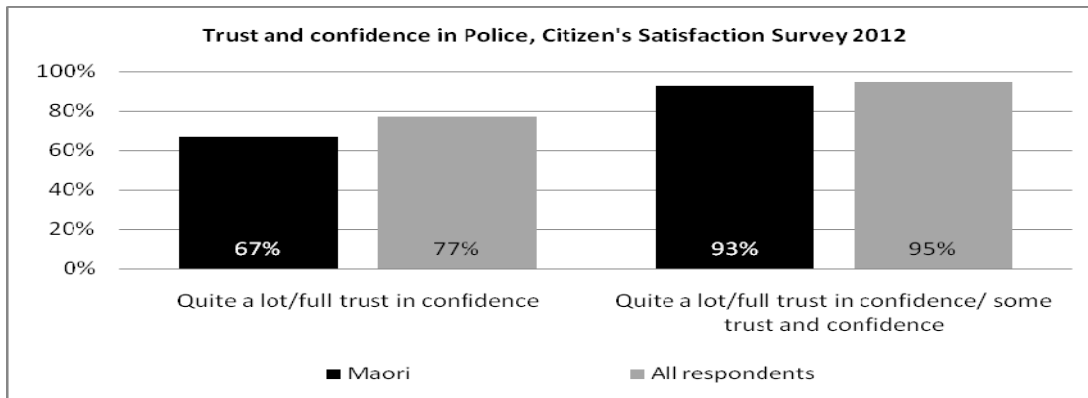
*“We need intelligence that is up-to-date and specific. But there are no district intelligence products that look at Maori.”* Officer

## 7. What is needed to deliver PF and T4: iwi/Maori partners

### Building trust and confidence in Police among Maori

Police undertake surveys of the public's trust and confidence in Police. Fewer Maori report 'quite a lot/full trust and confidence' in Police: 67% compared to 77% for the total population, although the proportion of Maori reporting 'quite a lot/full trust and confidence' has been steadily increasing since the survey began in 2008.<sup>80</sup> When 'some trust and confidence' is added, there is no statistical difference between Maori and all respondents (93% and 95% respectively).

**Figure 7: Trust and confidence in Police, Maori respondents and overall respondents**



Maori attitudes toward the police are shaped by personal and/or whanau experience with the police, and this crosses the generations. In nearly every interview with Maori (whether Police staff or stakeholders) as part of this review, examples were given of negative interactions with Police (experienced directly by the person, or by someone in their wider family). This ranged from what was (or was perceived to be) unwarranted stop and searches, the use of denigrating and/or racist language, to assault. This reflects findings from other research.<sup>81</sup> These interactions, and the re-telling of these to family and friends, explain why some Maori individuals, whanau and communities have a 'sustained distrust' of the Police.<sup>82</sup>

This is illustrated in the following extract of the MBA thesis written by Glenn McKay, who is Maori and a Police officer (currently on secondment to Te Wananga o Aotearoa).

*When growing up in the 1980s, "...one of my koroua was assaulted by the local constabulary to the point where his face was unrecognisable even to his own children. ... Whether or not my koroua broke the law, or even resisted arrest, he didn't deserve the beating he received; especially at the hands of the Police. From that day on, my whanau and my relationship with the police became personal and it was one of dislike and deep distrust... Growing up on the marae I heard many similar stories that were often relived in the kitchen over a game of cards or with a tea-towel in hand."<sup>83</sup>*

From the interviews, there were also shining examples of Police demonstrating skill, understanding, perseverance and kindness in their interactions with Maori which had made a difference in the lives of individuals, families and communities.

<sup>80</sup> NZ Police (2012), NZ Police Citizens' Satisfaction Survey.

<sup>81</sup> Te Whaiti and Roguski (1998). Maori perceptions of Police. Te Puni Kokiri (2002), The Review of New Zealand Police: service delivery to Maori. McKay (2013), Te Wananga o Aotearoa Taumata Raukura Police Preparation Programme Evaluation Project.

<sup>82</sup> McKay (2013, page 13).

<sup>83</sup> Shortened version, used with permission from the author, McKay, (2013).

Staff with a closer connection to the community, and those taking a more preventative approach, were seen as helping to restore and/or build trust and confidence in Police among Maori. Older officers were also seen as taking a more considered, skilled and humane approach in their interactions with Maori.<sup>84</sup> This is illustrated in the following quote from a Maori Warden.

*“Police are hard and fast, there is no time to talk. They can also be hard-nosed when they go and talk to the kids on the street. Sometimes confrontation is needed and it’s okay. But they could be a bit friendlier. It’s mainly the newbies, they stick out their chests. The older ones are more likely to have a conversation.”* Maori Warden

Neighbourhood Policing Teams (NPTs) and Police participation in school, sporting and community events were seen as ways of helping connect to Maori. (The ethnic composition and skill in connecting with Maori was however raised as an area for improvement for some NPTs). Return visits to families after family violence incidents was also raised as a way of demonstrating Police’s care. It could also help Police see different sides of people (when not drunk and/or aggressive).

The cold-calling of offenders to offer support as part of wider prevention initiatives was seen as a huge advance, and was well received among the small number of men participating in a family violence programme who were interviewed as part of this review.

Below is an illustration of the positive response to the more supportive (rather than purely enforcement) approach taken by Police as part of PF, from one of the men attending a family violence programme interviewed as part of this review.

#### **Case study: Response to a supportive (instead of enforcement) approach**

*I had a lot of hatred for the Police. As a child there was a lot of crap happening to me. I’d run away from home and when I got picked up by the Police I’d tell them and they didn’t give a shit. They’d say “You’re underage and you’re going home”. Who cares that you’re getting your head kicked in. I grew up hating them. They would just collect a pay cheque, they didn’t care about us.*

*I’ve not been out of prison for a very long time. One cop came round home just after I was released. I saw him walk up and thought he was coming to dish it out, or tell me he was watching me. But he said, “You’ve just been released, and I know that can be hard”, and he offered to help me. He said if you’ve got a problem don’t be shy to ring, and he gave me his card. He knew about my background. But the way he put it, he made me feel at ease, he didn’t want to threaten me. That’s how it should be, more of that attitude.*

One officer made the following comment (which was echoed by others):

*“I’ve been around, and locked up the grandfathers then the sons and now the grandsons. Enforcement always has its place; some will always have to go to jail. But to make real gains we have to look at how to change lives.”* Senior officer

Some Maori social service providers wanted Police to engage with them more, as part of building better relationships. The idea of co-location of officers was raised by several iwi and Maori social service providers and seen as a way to build connection and understanding.

<sup>84</sup> This was also found in other research, see te Whaiti and Roguski (1998), Te Puni Kokiri (2002), McKay (2013).



## Relationships before partnerships

For Maori, relationships are needed before partnerships. Feedback from interviews with iwi/Maori stakeholders suggests that too often Police can rush to action and assume leadership rather than working to develop partnerships. This is illustrated in the quote below.

*“With Maori, it is always going to take time. It is good practice when you’re working with Maori to sit down and don’t talk about business first of all. And then at a considered time, once you know each other, then start doing the business. Don’t come in all full frontal, that does not go down well with Maori.... Getting straight into business is difficult for Maori. It gives the impression Police do not care.”* Maori Advisory Board Member

### Time and consistency

Relationships with Maori take time and consistency of personnel. Frustration was expressed by several iwi/Maori stakeholders on the frequency of change among senior Police staff. This is illustrated in the following quotes.

*“The Area Commanders and District Commanders come and go. The iwi say “who is in the seat this month?”* ILO

*“Trust is a key. Each time we have a new commander we have to start building up that trust again. And each time we get a new sergeant the same thing happens. It’s starting to come right again but I’m afraid it won’t last long. And a new someone will come along, and the new one will need a new relationship.”* Maori Warden

*“We are always going to be here, it is you fellas that are the ones that move on.”* Maori Advisory Board member

### Ability to engage

In a few areas MAB members interviewed described the challenges in working with some officers in senior prevention roles, with one illustrating this by describing the person as being ‘all head, and no heart’. In contrast, ILOs/MRAs were seen as having the ‘heart’ understanding that is needed to engage and work with Maori. Apart from some isolated instances of poor performance, ILOs/MRAs are seen by iwi/Maori stakeholders as having the cultural competence and credibility to support effective partnerships. ILO staff tend to stay in their roles, so provide the consistency needed to capitalise on the trust and understanding that is only built over time.

### Readiness to act

In some areas relationships were more established, and had progressed to the stage joint work as partners could occur. Table 9 sets out the features of networks, relationships and partnerships.<sup>85</sup> This could be used to review the current state of MABs and identify what actions are needed to progress to partnerships (if not there already).

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<sup>85</sup> New Zealand Police (pending), Partnership Continuum Model, Strengthening Strategic Partnership Review.

**Table 9: Feature of networks, relationships and partnerships**

Type	Features
<b>Network</b>	<ul style="list-style-type: none"> <li>• Limited understanding of each other’s position/ perspective</li> <li>• Relationship may need to be built</li> <li>• Communication limited</li> <li>• Challenging debates</li> <li>• Meetings are ad hoc</li> </ul>
<b>Relationship</b>	<ul style="list-style-type: none"> <li>• Each perspective acknowledged</li> <li>• Some disagreements</li> <li>• Challenges managed</li> <li>• Working model established.</li> </ul>
<b>Partnership</b>	<ul style="list-style-type: none"> <li>• Communication well established</li> <li>• Regular meetings</li> <li>• Shared agenda</li> <li>• Shared outcomes, with progress against targets</li> <li>• Action reviewed and improvements made to processes and/or practices.</li> <li>• The body of knowledge of ‘what works’ is built and shared.</li> </ul>

**Information and results**

Iwi/Maori stakeholders want more information from Police to help understand and respond to offending and victimisation. MAB members also wanted more information to help them mobilise their resources and networks to develop effective responses. Types of information wanted include high crime locations, times, types of offending, and (where appropriate consent and privacy conditions are in place) details on Maori offenders and victims, including iwi affiliation. This information would enable iwi/Maori stakeholders to plan and deliver support that is tailored and targeted to current and emerging needs. The need for more and better information for iwi/Maori stakeholders was also identified in the 2002 TPK review of Police.<sup>86</sup>

In some areas Police have developed information to support a multi-agency response to families with entrenched offending behaviours, particularly looking at containing the adult offending and stopping the transfer of offending behaviours to the children. Support can range from larger and longer-term interventions (debt management, drug and alcohol treatment) to the simple and immediate (ensuring children have access to school uniforms). Regular ‘community tasking’ meetings are held with partner agencies to plan, review and revise action.

Iwi/Maori stakeholders also wanted more results, so they knew what worked well and what need to change. Results also help retain engagement and maintain momentum.

<sup>86</sup> Te Puni Kokiri (2002, page 18).

## Maori Advisory Boards

At the national, District and Area level Police have regular meetings with iwi/Maori leaders and community representatives in Maori Advisory Boards. Area level MABs are intended to support on-the-ground services and initiatives, while the District and national fora support more strategic responses. Some MAB members felt greater clarity was needed on the purpose of the MABs, and questioned whether their contribution was sought at the strategic or operational level, or both.

There was an overriding desire among MAB members to contribute in meaningful ways, and having a clearer understanding of Police expectations and vision would help. There was also a desire for more specific joint areas of focus and for the opportunity to support activity that would lead to demonstrable results.

In some areas, MAB membership had increasingly included Maori who held senior positions in government agencies. Some MAB members in this position commented that they often felt constrained to reflect their agency's interests, and recognised the need for greater representation at the forums from iwi and the broader Maori community. The need to have representation from kuia and kaumatua for advice in tikanga was also recognised.

On both sides there was a desire to ensure the right people were at the table for the current season, to help influence decisions and guide action to reduce offending and victimisation among Maori. Clarifying and better communicating the purpose of the MABs could help members decide on the best composition to meet current and future needs.

Appointments to the MABs are made for three year terms. Many of the Police and MAB members interviewed thought there could be benefit in having an annual review of the MAB composition and operation. This process would help ensure the right people were at the table for the particular stage/ season. The annual review would also provide opportunity for MAB members to feedback to Police what changes and improvements were needed, for example scheduling of meetings, quality of information provided, decision-making processes.

Clarity was sought on how appointments were made to the Commissioner's Maori Focus Forum. Alignment of meeting schedules was sought, so Area level groups could feed into District MABs, which in turn could inform the National MAB. This was also seen as a way of improving information flows both up and back from the different MABs.

In several areas, MAB members reported that they had participated on recruitment panels for Police staff, but did not think sufficient credence was given to their recommendations on the preferred candidate.

A payment schedule sets out the recompense for MAB members attendance at meetings with Police. At the moment, many MAB members are incurring costs for their participation in meetings, and many have received no recompense over years of participation. This is financially burdensome for some, and disrespectful for all. The Police Commissioner instructed all Districts to ensure payment is made according to the schedule, following discussion at the last national MAB.<sup>87</sup>

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<sup>87</sup> The schedule was approved as national policy in April 2014.

## Operation Eight

The 2002 TPK review of Police noted that *“a successful relationship between NZ Police and Maori need to be based on mutual respect and understanding of each other’s values and expectations, and how both can contribute to the mutual goal of reducing Maori offending and victimisation. When engaging Maori in its business, NZ Police needs to understand the cultural context in which Maori individuals operate, and their obligations to communities.”*<sup>88</sup>

Operation Eight<sup>89</sup> was raised in nearly every interview with iwi/Maori stakeholders and Maori staff in Police, not only for the adverse impact it had on Tuhoe; it was a grief they felt as Maori and a grief they shared with iwi and Maori throughout the country. Some said that at the time they questioned their ability to remain as MAB members. The following quotes illustrate this.

*“Police didn’t realise how this would affect people, the grief of the people, it affected us all. It takes us back to historical events we remember; it had the same oppressive feeling. The grief is shared across iwi, across the whole country.”* Maori Advisory Board member

*“When Operation Eight happened, I felt downhearted. Look what Police were doing to our people. That undermined everything that had been put in place to talk to our people.”* Maori Warden

Many of the Maori officers and Police staff interviewed also expressed grief, anger and a loss of trust with the organisation and their colleagues, as seen in the following quotes.

*“When Operation Eight happened, that shook our world. There was fallout with our families, with our wider friends. There has been a loss of trust internally”.* ILO

*“They did not use the ILO network before the operation and that was a slap in the face. And then they expected us to do damage control. It cheapened the position of the ILO even more asking us to clean up the mess we had not made. This left a bitter taste for us all.”* ILO

A deep disappointment was expressed by many over the lack of consultation with MAB members ahead of the operation. The lack of consultation suggested for some that Police saw the MABs as convenient tokens to give the impression of being interested in and responsive to iwi/Maori concerns, but that their input was not in fact valued.

Before the IPCA report on Operation Eight<sup>90</sup> was released, the previous Police Commissioner Peter Marshall held a tele-conference with MAB members throughout the country. This process and the level of trust demonstrated was well received and has helped to restore relationships. As one MAB member commented *“Our worst experience can be our best teacher.”* The current Police Commissioner Mike Bush has since met with and apologised to affected families, and will also make a public apology to Tuhoe.

Police now undertake ‘Community Impact Assessments’ as part of planning operations, and these require consultation with Police staff with specialised cultural knowledge, and with iwi, kuia/kaumatua and community leaders where appropriate.

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<sup>88</sup> Te Puni Kokiri (2002, page 22).

<sup>89</sup> The IPCA report found the decision to undertake the operation was ‘reasonable and justified’, but that Police acted unlawfully in establishing road blocks and detaining and searching people. The review noted there had been *“no assessment of the substantial and adverse impact of such road blocks on the local community.”* The IPCA report noted there are *“...widely and deeply held grievances within Tuhoe against the state”* and that the *“...historical and cultural context... should have been more fully taken into account when planning an operation in the area.”* Police were also found not to have carefully considered the role of ILOs in the operation. One of the report’s recommendations for Police to undertake a Community Impact Assessment for all operations where there is a potential adverse impact on the community. This recommendation has been actioned by Police and is now practice. <http://www.ipca.govt.nz/Site/media/2013/2013-May-22-Operation-Eight.aspx>.

<sup>90</sup> <http://www.ipca.govt.nz/Site/media/2013/2013-May-22-Operation-Eight.aspx>

## Iwi self-determination

One MAB commented that for Police to work successfully with iwi they need to both understand, and to work with, Maori structures: iwi, hapu, whanau.

Some iwi have the resources and vision to create their own funding streams, allowing true self-determination in the services they provide (instead of being locked into government contracts and funding). This changes the relationship as iwi determine what outcomes they want, and government agencies need to align with the priorities set by iwi.

## Whanau Ora

Whanau Ora was seen as having great potential to work with Maori offenders (and their families) to reduce drivers of offending behaviour and victimisation, as seen in the following quote.

*“In the old form of prevention, it was a case of lock people up and oppose bail, and use breaches to get people off the street. The recent approach used crime and crash intelligence-led policing, usually focusing on hot locations. The new good is looking at crime families, taking a longer-term approach and working in partnership with other agencies, particularly Whanau Ora.”* Senior officer

The Whanau Ora approach incorporates elements of good practice identified for responding to offending and victimisation for Maori (holistic, Maori developed and delivered, with a focus on whanau capacity building).<sup>91</sup> Working with Whanau Ora providers also provides a practical example of working in partnership.

Some Whanau Ora providers commented that not having contracts with prescribed conditions (ie to deliver ‘x’ amount and types of services to ‘y’ number of people within a set time period) allows them to absorb new work, for example referrals from Police as part of CPCWs.

## Funding

Other Whanau Ora providers (and other Maori social service providers) interviewed felt additional funding should accompany referrals from Police, otherwise they were providing a service for a government agency without being paid. The lack of funding to support new ways of working was raised as a potential barrier for action, as illustrated below.

*“Police do not bring money to the table, but they bring expectations of what is needed. We have no budget and it is hard to set up programmes. We need partners who have money.”* ILO

In a few areas Police commented that Maori service providers often became oversubscribed, or had wider funding or staffing issues that meant they were unable to deliver timely services. A relationship of trust is needed so providers are able to communicate current capacity. (The risk of not doing this is frustration over delayed responses and a reluctance to make referrals in the future).

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<sup>91</sup> Morrison (2009, pages 91-94). Te Puni Kokiri (2011).

## 8. What is needed: justice sector

A 2003 review of government agencies' responses to Maori in the CJS showed that while there was recognition of the significance of their relationship with Māori as Treaty partners and as offenders and victims of crime, there was a lack of a sector wide approach, reducing the ability of agencies to coordinate action and share good practice.<sup>92</sup> Cross sector initiatives were developed (Effective Interventions, Drivers of Crime), but appear to have been overtaken or subsumed by new, broader work programmes (eg Accessible Justice).

The joint Justice Sector Chief Executives (Police, Justice, Corrections) are now meeting to explore ways of better addressing offending and victimisation among Maori.

Services for disadvantaged people and families work most effectively what they take account of individual, family, neighbourhoods and structural factors, and take a 'life-course' approach to address accumulated adversity. Services are better able to reach and support disadvantaged adults when they take a 'no wrong door' approach, look at the whole family, build on strengths and tailor the intensity of support to those with the greatest needs.<sup>93</sup>

Services can also be easier for disadvantaged people and groups to use when they are provided community groups,<sup>94</sup> and for Maori when delivery processes and providers are culturally skilled.

*"Maori really want to make a change. They may be locked into certain types of behaviour, and they just don't see the light at the end of the tunnel. We just need to open up as many doors as possible."* Maori social service provider

As noted the main reviews of how to improve outcomes for Maori in the CJS all identify the need for more Maori owned (not just delivered) responses. This includes allowing for more collective rather than individualistic responses to offending, alongside holistic responses to offending and victimisation.<sup>95</sup> A quote from a Maori Social Service Provider illustrates this.

*"We need a justice system for our own people, selected by our own people...With young offenders, we need to help restore them, bring healing to them. Then they can see a new way."* Maori social service provider

MPES is looking to establish a governance group with representation from the Justice sector (including the judiciary) to provide oversight in the development of community/ iwi panels to ensure initiatives align with post-court alternatives (eg post-Court referrals to Restorative Justice programmes funded and managed by the Ministry of Justice).

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<sup>92</sup> Office of the Auditor General, (2003). Co-ordination and Collaboration in the Criminal Justice Sector.

<sup>93</sup> Orther D et al (2004). The resilience and strengths of low income families. Family Relations. 53:2. Cabinet Office. (2008), Thinking Family: improving the life chances of families at risk.

<sup>94</sup> Cabinet Office (2006). Improving services; improving lives. Evidence and key themes.

<sup>95</sup> Office of the Auditor General, (2003). Te Puni Kokiri (2002), Morrison, (2009). The Human Rights Commission's 2012 report, A fair go for all. Addressing structural discrimination in public services commented that "New Zealand's justice system is based on perpetrators taking individual responsibility for their crime. Until recently the system has not incorporated Maori and Pacific frameworks of justice that take into account a greater sense of whanau and community responsibility and involvement in the justice process. In tikanga Maori, a collective group is identified as the victim and a collective group is responsible as the offender. (see page 34).

## 9. Conclusion

The Prevention First (PF) and Turning of the Tide (T4) strategies respond to the disproportionate rates of offending and victimisation among Maori. Police cannot achieve this work alone; they need to work in partnership with iwi/Maori.

At the national, District and Area level Police have regular meetings with iwi/Maori leaders and community representatives. If working as intended, these forums allow iwi/Maori input to Police at strategic, operational and tactical levels. In some areas clarity was sought on the purpose of MABs, which in turn determines those best able to contribute.

In some areas the completion of Treaty settlements has freed up iwi leadership and provided resources to act. Whanau Ora services are becoming more established and developing partnerships with Police. Co-location of officers with runanga/ Whanau Ora providers was seen as having potential to support effective partnerships.

Police require the capacity and capability to mobilise internal resources to reduce offending and victimisation among Maori. This means making reducing offending and victimisation among Maori something that is on everyone's agenda, and not left to ILOs/MRAs alone. An area for development is ensuring all workgroups have explicit actions to support T4, and that the tasking and coordination mechanism is used to support ongoing work to reduce offending and victimisation among Maori. The need for more (or any) training on T4 was raised in nearly every area.

ILOs/MRAs have the cultural competence, credibility and time, and provide the consistency needed to develop and sustain relationships with iwi/Maori. There is an increasing readiness to move from relationship to partnerships, with action taken that leads to demonstrable results. MABs need to have greater iwi and community representation, and be equipped with information to mobilise networks and resources.

Appointing a MRM at a senior rank will help provide the strategic oversight to connect internal resources to external opportunities. Having these roles at a senior level and reporting to District Commanders will address concerns raised by iwi/Maori stakeholders about access to Police leadership and the internal value placed on staff with a specialised focus on Maori. It will also provide a career path, and help to recruit and retain staff who want to work in these specialised roles.

There is potential to make inroads into offending and victimisation among Maori by increasing the use of referrals to iwi/Maori services at both the pre-charge and post-release stages.

Results would help build internal understanding of the benefits of working in partnership with iwi/Maori to reduce offending and victimisation, as well as helping maintain engagement and momentum among iwi/Maori partners.

There is a sense of readiness for Police and iwi/Maori to work together to reduce offending and victimisation. And despite the scale of the problem, there was an overriding sense of optimism. In the words of one of the officers interviewed, *"this is a once in a lifetime opportunity to make a difference."*

## 10. Action taken

Since this review was completed, the Commissioner of Police, Mike Bush has:

- directed all Districts to appoint Maori Responsiveness Managers (MRMs) at Inspector rank, with direct line reports to their District Commander
- restructured the Police Executive and created a new role, Deputy Chief Executive: Maori
- met with and apologised to affected families, and will also make a public apology to Tuhoe.

As well as providing leadership to the national network of Maori, Pacific and Ethnic Liaison (MPES) officers, the DCE: Maori is responsible for:

- overseeing the use of pre-charge warnings and reducing disparity for Maori
- overseeing the trial of 'conditional pre-charge warnings' in partnership with iwi and Whanau Ora providers in selected sites
- ensuring Maori, Pacific and Ethnic issues are routinely considered as part of national tasking and coordination
- developing the ability to record and report on MPES staff's activity, to promote the amount and range of their work, review gaps and identify areas for future investment
- ensuring consultation with specialised cultural experts (eg kuia/ kaumatua, iwi leaders and influencers, Iwi Liaison Officers) occurs as part of Community Impact Assessments
- undertaking action based on this review (for example, a national Maori Advisory Board policy is now part of Police Instructions, with the purpose, appointment and payment schedules set out).



# Appendices



## Appendix 1: Targets for the Justice Sector and New Zealand Police

Targets: Better Public Services NZ Police: Prevention First, Road Policing, The Turning of the Tide					
Reductions in:	Better Public Services by June 2017	Prevention First: by June 2015	Road Policing Strategy by June 2015	Turning of the Tide: Maori offenders & victims	
				by June 2015	by June 2018
Overall crime	15%	13%			
Violent offending	20%				
Youth offending*	25%				
Repeat offending	25%			10% adult & youth	10% adult & youth
Prosecutions		19%		15%	10%
First time offenders				5%	5%
Repeat victims				10%	10%
Victims: fatal and serious crashes			High risk drivers Alcohol Speed Restraints Careless/dangerous	10%	10%

\* The BPS target is used to measure the Youth Crime Action Plan (YCAP), a 10 year strategy from 2013-2023 to reduce crime by children and young people and to help those who offend to turn their life around. See <http://www.justice.govt.nz/policy/crime-prevention/youth-justice/youth-crime-action-plan>

**Appendix 2: Responsiveness to Maori (RTM) Framework, 2012 to 2015**

**Responsiveness to Maori (RTM) 2012 to 2015**

“...measures that reach the structures, strategies, systems, management, staff and culture of the organisation in such a way that it accounts for the needs and aspirations of Maori in all activities and in particular core business.” Workman 1998

<b>Transparent Structures</b>	that give Maori a say in setting priorities and making decisions, that enable Maori to monitor progress and hold Police to account – not just to play ceremonial roles.
<b>Long-term Strategies</b>	that are developed with Maori from the outset and that seek to reduce demand for policing services from Maori, especially in relation to victimisation and offending.
<b>Systems</b>	that capture and report in a way that is meaningful to Maori, make it easy for Maori to work with victims and offenders from their own communities, and do not make matters worse for Maori.
<b>Management</b>	that expects everyone to play a role in improving Maori criminal justice outcomes, sets Maori-specific KRAs for staff, includes Maori-specific intelligence in policy and operational decisions and encourages staff in participation in Te Ao Maori.
<b>Staff</b>	at all ranks, who reflect the demographic makeup of the communities Police serves, are trained to be culturally competent, strive to deliver better results for Maori and do not model or mirror bad behaviour.
<b>Culture</b>	that recognises the unique status of Maori as tangata whenua, embraces things Maori, does not tolerate racism in any way, shape or form, challenges racial stereotyping and celebrates Maori successes.

### **Appendix 3: Overview of earlier strategies developed by Police to respond to offending and victimisation among Maori**

In 1996, the then Police Commissioner Doone expressed his concern that the response of the New Zealand Police to Maori 'over-representation' in the criminal justice system had fallen short of a full commitment to the principles of Te Tiriti o Waitangi. He was firmly of the view that to succeed in producing 'Safer Communities Together' Police needed to establish, maintain, and develop problem-solving partnerships with Maori. A key objective of his term as Police Commissioner was for the New Zealand Police to become truly responsive to Maori.

From 1996 onwards, Responsiveness to Maori (RTM) became the umbrella objective under which Maori strategies have since evolved in the New Zealand Police. The first version of the RTM framework was known as Urupare Whītiki / Build Responsiveness to Maori.

Urupare Whītiki identified three key ingredients for establishing effective partnerships between Police and Maori:

1. Police to gain a greater understanding and acceptance of the significance of the Treaty of Waitangi to Maori and to New Zealand.
2. Police to learn how to bring the voice of Maori into policing decisions and operational procedures.
3. Police to implement strategies designed to reduce the incidence and impact of offending by Maori.

By 2000, Urupare Whītiki had been enhanced. It was more focussed on reducing Maori 'over-representation' in victimisation and offending statistics. It was also more specific about the appointment of Maori Advisory Boards in Police Districts.

Since 2000 a number of Districts and Areas have established Maori Advisory Boards. Those Boards mirror, and complement the work of, the Police Commissioner's Maori Focus Forum.

Towards the end of Commissioner Doone's tenure, around 1999, Iwi Liaison Officers (ILOs) were appointed across the 12 Police Districts. Urupare Whītiki was re-branded Haere Whakamua/Moving Forward and was now under the leadership of a new Police Commissioner, Robbie Robinson (2000 - 2005).

*See Report on combating and preventing Maori Crime, Peter Doone. Crime Prevention Unit, Department of the Prime Minister and Cabinet, 2000.*

**Appendix 4: Addressing structural discrimination in public services**

Table A4:1 shows the four main types of actions to respond to structural discrimination identified in the Human Rights Commission’s 2012 report *A fair go for all: addressing structural discrimination in public services*.<sup>96</sup>

**Table A4:1 Actions to respond to structural discrimination from HRC 2012 report**

Focus	Type of action	Specific action
Inward	Build organisational commitment	<ul style="list-style-type: none"> <li>• Show committed leadership at all organisational levels</li> <li>• Analyse institutional practices for possible bias</li> <li>• Know your communities</li> <li>• Reflect diverse client base in workforce</li> <li>• Encourage staff to develop cultural competencies</li> <li>• Encourage staff to engage in reflective practice</li> <li>• Locate power relationships</li> <li>• Foster power-sharing with communities</li> <li>• Collect good quality standardised ethnicity data.</li> </ul>
Outward	Be proactive	<ul style="list-style-type: none"> <li>• Intervene early</li> <li>• Base on human rights</li> <li>• Tap individual, family/ whanau and community potential</li> <li>• Build relationships with communities</li> <li>• Think holistically</li> <li>• Work with other agencies.</li> </ul>
	Involve communities	<ul style="list-style-type: none"> <li>• Support community-led initiatives</li> <li>• Work collaboratively</li> <li>• Empower communities to take ownership of programmes</li> <li>• Incorporate diverse cultural values, norms, philosophies and models</li> <li>• Facilitate participation in decision-making.</li> </ul>
	Develop targeted programmes	<ul style="list-style-type: none"> <li>• Tailor to specific inequalities and specific groups (or parts of groups)</li> <li>• Include appropriate cultural competences</li> <li>• Allocate adequate funding</li> <li>• Provide a reasonable time-frame for success</li> <li>• Evaluate programmes to identify progress and further action required.</li> <li>• Provide avenues for accountability, such as complaints mechanisms.</li> </ul>

<sup>96</sup> See page 49.

**Appendix 5. Police commitment to the Treaty of Waitangi**

Treaty article	Police commitment
Article one	<b>Principle of government, the kawanatanga principle:</b> improve Police and Maori capability to address Maori issues, and contribute to building community capability, through partnership with Maori.
Article two	<b>Principle of self-management, the rangatiratanga principle:</b> acknowledge and consult local iwi and hapu on property rights, user rights, natural resources and assets in the current ownership of the Crown.
Article three	<b>Principle of equality:</b> work with Maori to reduce of offending, re-offending, victimisation and road trauma, and over-representation as offenders and victims

**Appendix 6: Police staff with specialised iwi/Maori roles by Police District, ranked by the proportion of apprehensions of Maori by Districts**

Maori as % of overall population and of % of apprehensions by Police District			Police staff with specialised iwi/Maori roles		
			District-level		Area level
District	% Maori population (2006)	Maori as % of apprehensions (2011)	Maori Responsiveness Advisor	Pouwhakataki	Iwi Liaison Officer
Northland	32%	72%	1 Senior Sgt, Youth and Community		2 Constables 1 Non-sworn
Eastern	29%	69%		1 Sergeant (Tairāwhiti)	1 Constable (iwi co-located)
					2 Constables (1 vacancy) (Hawkes Bay)
Bay of Plenty	28%	65%	1 Senior Sergeant	1 Sergeant	1 Sergeant 2 Constables (1 vacancy) 1 Non-sworn
Waikato	20%	55%		1 Sergeant	3 Constables 2 Non-sworn
Central	19%	51%		1 Sergeant	4 Sergeants (3 vacancies)
Counties Manukau	17%	42%	1 Senior Sergeant	1 Sergeant	1 Constable
Wellington	13%	40%	1 Senior Sgt, MPE and Youth (Portfolio holder)		4 Constables 1 Non-sworn (1 vacancy)
Waitemata	10%	32%	1 Senior Sgt, MPES (Portfolio holder)		1 Sergeant 2 Constables
Auckland	8%	30%	1 Senior Sergeant		1 Constable
Tasman	9%	29%			1 Detective 1 Non-sworn
Canterbury	7%	22%		1 Sergeant 'Community Relations'	1 Constable 1 Non-sworn
Southern	8%	21%	1 Senior Sgt, MPES (Portfolio holder)		2 Constables



## Appendix 7: Maori population, apprehensions and ratio of specialised staff

Appendix Table A7:1 Number and rank of staff with a specialised focus on Maori, grouped by the proportion of Maori in the Districts' resident populations (2006)

% of Maori in pop by band	District	% Maori in pop	Maori % of arrests (2012)	Number of Maori in pop.	Total specialist Maori staff FTEs*	Ratio of specialist Maori staff to Maori pop.
Under 10%	Canterbury	7%	23%	39,400	2.25	17,511
	Auckland	8%	30%	31,800	2	15,900
	Southern	8%	21%	24,700	2.25	10,978
	Tasman	9%	28%	15,600	2	7,800
10-19%	Waitemata	10%	31%	49,000	3.25	15,077
	Wellington	13%	38%	57,900	5.25**	11,276
	Counties Manukau	17%	42%	79,200	3	26,400
	Central	19%	51%	65,400	5**	13,080
20-32%	Waikato	20%	54%	63,700	6	10,617
	Eastern	28%	69%	57,900	4**	14,475
	Bay of Plenty	29%	66%	90,600	6**	15,100
	Northland	32%	72%	47,900	3.25	15,967
	New Zealand	15%	43%	624,400	44 FTEs	14,517

\*MPES portfolio holders and broader community-focused roles are counted as 0.25 of an FTE for Maori, as their roles cover Maori, Pacific and Ethnic, as well as other duties.

\*\*There six vacancies: one each in Wellington, Eastern and the Bay of Plenty and three in Central.

## Appendix 8: Pre-charge warnings and Conditional pre-charge warnings as part of graduated sanctions

Pre-charge warnings (PCWs) and Conditional pre-charge warnings (CPCWs) as a part of the graduated responses to adult offenders. Also shown are who makes the decision to use a graduated sanction, offence and offender edibility and a profile of the offenders and offences processed this way. Information on CPCWs is based on the evaluation of the CJP pilot in Christchurch.<sup>97</sup>

Figure A8:1: Graduated responses to offending: pre and post charge - adults

		Adult offenders	Decision-makers	Offender eligibility	Offence eligibility	Profile of offenders	Profile of offences	
Alternative Resolutions	pre-charge	Verbal warnings	Police  Community/ service providers eg Whanau Ora	Must admit guilt	Offences with a maximum penalty threshold of six-months imprisonment or less, excluding methamphetamine and family violence offences	<b>Pre-charge warnings*</b> Aged 17-20: 45% No prior offences: 46%	<b>Pre-charge warnings:</b> Main offence types Disorder: 26% Breach of Liquor: 24% Shoplifts: 8%	
		'Conditional' pre-charge warnings (Alternative Resolutions: Enhanced Model, Community Justice Panel)						Must admit guilt and complete conditions set – or proceed to prosecution
		Police Adult Diversion						
	post-charge	Prosecution	Courts	Must accept responsibility and complete conditions – or proceed to prosecution	Excludes offences under '3 strikes regime', Class A or B drugs, careless driving if active demerits and offences where not in the interest of safety or victims to use Diversion	<b>CJP (pilot):</b> Aged 17-20: 37% No prior offences: 41%	<b>CJP (pilot):</b> Dishonesty (mainly shoplifting): 53% Property damage: 11% Disorder: 11%	
					<b>Prosecution*</b> Aged 17-20: 31% No prior offences: 15%			

\*Data based on the seven most common offences resolved with a PCW: Breach of Liquor Ban, Disorderly Behaviour, Shoplifting (under \$500), Fighting in a Public Place, Procure/Possess Cannabis, Wilful Trespass, Wilful Damage.

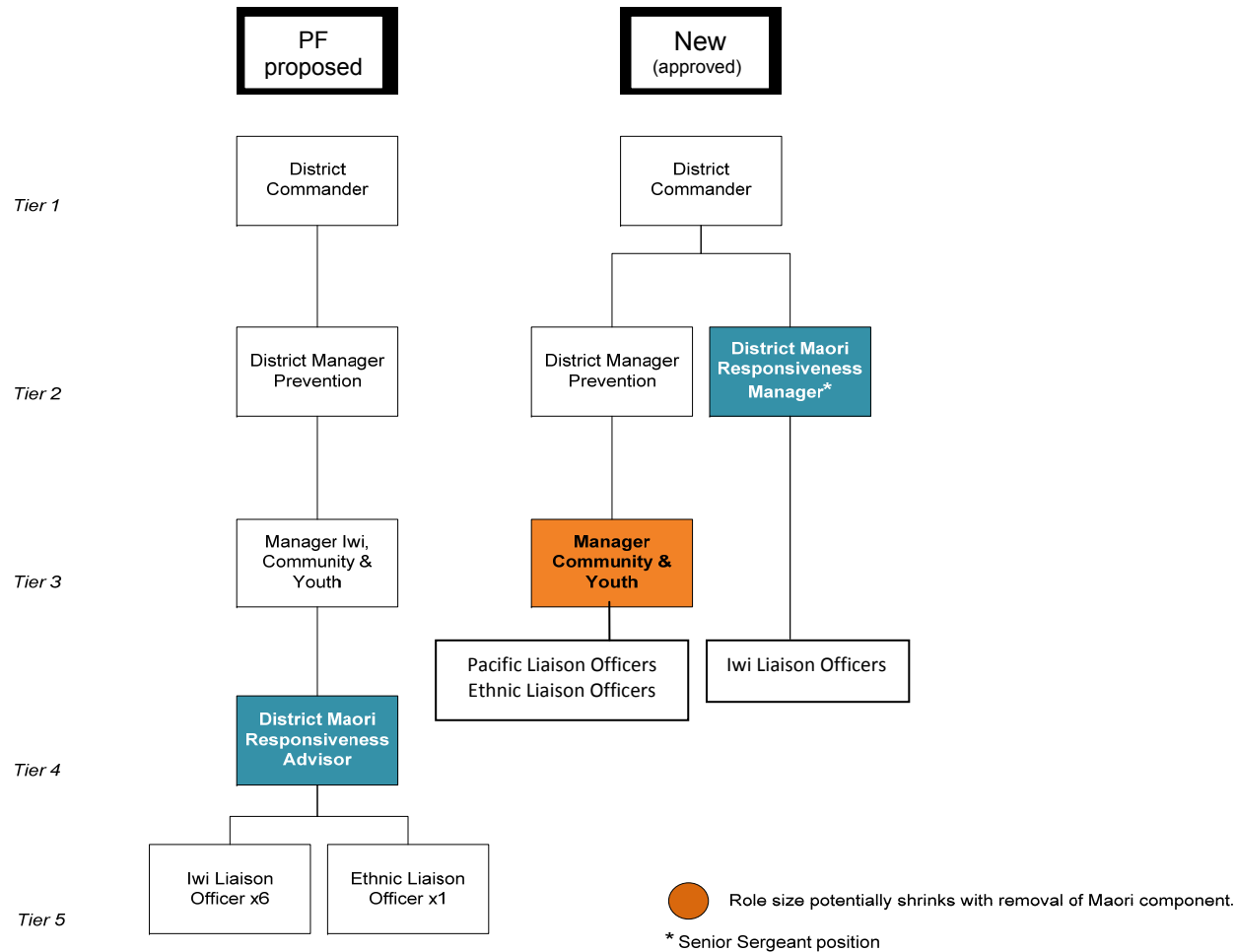
The use of PCWs and CPCWs is similar to the graduated responses used to respond to youth offending which is a more established practice. See Figure A8.2

Figure A8:2: Graduated responses to offending: pre and post charge - youth

		Youth offenders	Decision-makers	Offender eligibility	Offence eligibility	Profile of offenders	Profile of offences
Alternative Resolutions	pre-charge	Warnings	Police Youth Aid	Must admit guilt	All offences except murder/ manslaughter	<b>90%</b> offenders aged 10-13yrs warning or AA	Most common: theft offences
		Police Alternative Actions (AA)					
	post-charge	Intention to charge Family Group Conference	CYF families/ whanau	Must admit guilt and complete conditions set – or proceed to prosecution		<b>46%</b> offenders aged 14-16yrs warning or AA	10-16 yrs olds 16% shoplifting offences
		Prosecution	Courts				

<sup>97</sup> See Community Justice Panel in Christchurch: An evaluation., New Zealand Police, 2012.. <http://www.police.govt.nz/about-us/publication/community-justice-panel-christchurch-evaluation>.

## Appendix 9: Prevention First (PF) structure and the (now approved) new structure



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