



National Council of Women of New Zealand

Te Kaunihera
Wahine O Aotearoa

Oral submission to the Law and Order Select Committee on the NCWNZ submission on the Policing (Cost Recovery) Amendment Bill, 217-1, S15.03 made by Dr Judy Whitcombe and Bernice Williams on 25 February 2015

Law and order Select Committee

Deputy Chair: Kanwaljit Singh Bakshi, National List; Todd Barclay, National List; Mahesh Bindra, NZ First List; David Clendon, Green List; Kelvin Davis, Labour Te Tai Tokerau; Phil Goff, Labour Mt Roskill; Ian McKelvie, National Rangititkei; Lindsay Tisch, National Waikato, Jonathan Young, National New Plymouth; Poto Williams, Labour, Christchurch East.

Good morning. My name is Judy Whitcombe and my colleague is Bernice Williams. We are both members of the Parliamentary Watch Committee of the National Council of Women of New Zealand. This submission has been prepared from a background of policy decisions and consultation with the members of our organisation.

Introduction

NCWNZ members acknowledge the vital role the police play in maintaining a safe society. The work the police perform is considered a public good and, as such, has always rightly been funded by taxpayers. The majority of our members who were involved in our written submission strongly believe the current funding practice should continue unaltered.

However, some of our members accept the principle that the police, like other government agencies, should be allowed to recover costs for some of their services. Members' reluctant acknowledgement of this, was tempered by concerns about the type of police services which should be charged for, and the effects of charging or recovering costs, on volunteer and charitable organisations.

Part 4A Cost Recovery

Section 79B Policing services that may be subject to cost recovery

(2) Demand service defined

Several branches supported the concept of the demand service under certain circumstances. Such circumstances would include large public gatherings for which people buy tickets. These would include events such as music festivals (Auckland's Big Day Out and Gisborne's Rhythm and Vine Festival) and popular sporting events such as the Sevens or the Opening of the Cricket World Cup. It is envisaged the police could work alongside Māori wardens on these occasions.

However, in its present form, NCWNZ does not feel the Bill provides sufficient detail about what the term **demand service** will apply to. For example, what about annual Christmas parades or A&P shows? Will organisations be legally obliged to request a **police demand service** or will it be discretionary? It was felt that there is some ambiguity between the points covered in **79B (2)** and those in **79B (4)**. There needs to be greater transparency about what these **demand services** will, and will not, include.

Concern was also expressed that the cost of requesting the necessary policing services could deter some organisations from using them.

(3) Vetting Services

Most considered police vetting to be important for protecting the vulnerable members of society and helping to prevent crime.

While there was some support for paying the police to vet people applying for positions in commercial organisations, members generally did not accept that individuals should have to bear the cost of this service, particularly those applying for relatively lowly paid jobs such as rest-home care workers or volunteers.

One branch considered the vetting process could be improved by making greater use of the computer technology that is already available.

Several branches were concerned that some organisations may become overzealous in requiring their staff (paid or voluntary) to be vetted by the police. Examples they gave were 'Story Grans' at kindergartens, 'Friends of the Court' volunteers and parents helping out at school by listening to children's reading.

Section 79D Consultation

The process for consultation was a cause for concern as the submission noted. While the police are required to give notice of their intention to make regulations, and there is provision for submissions, (3) states that the failure to comply does not affect the validity of any regulations made under Regulations relating to cost recovery (s102A). It was thought that this required clarification

Section 79G Exemptions

All our members who responded felt strongly that not-for-profit organisations and charities (such as the Red Cross, St John's Ambulance, the Salvation Army and many more) should be exempt from paying the police vetting fees. These charitable organisations already find it hard enough to raise money. Having to raise extra money from the general public to pay the police to vet the many volunteers on whom they rely, would be an imposition.

Moreover, it hardly seems reasonable to expect that the volunteers who generously give their time to help others, should have to pay the police for vetting services. These volunteers already meet their own travel and other related costs. If potential volunteers are to be charged for being vetted before they are allowed to work in not-for-profit organisations, they may well decide it is not worth the effort. We cannot let this happen. Care of the population, particularly those whom the many non-profit organizations help, is a measure of society's well-being.

One branch pointed out that the hundreds of volunteers working throughout New Zealand society can help extend the eyes and ears of the police. Youths who are occupied in well run groups are less likely to need police 'services'. Abuse of the elderly is often picked up by a visitor or caregiver.

In Summary

The responses from our branches and members indicated that there was widespread opposition to charging the voluntary sector for police checks. It was felt that a "user-pays" model does not fit in with policing nor does it equate with a public service.

While Clause 79D does make provision for consultation with potentially affected groups, this could be an extensive and time consuming process. The written submission noted the clear exemptions, which members identified, should be made from any cost recovery system.

Thank you for the opportunity to make this submission.

Judy Whitcombe

25 February 2015

Questions/comments

Poto Williams thanked Judy for her presentation and reported that she shared the concerns of NCWNZ as expressed in the submissions provided. She noted there are 97,000 community and voluntary sector organisations in New Zealand and she expressed her concern for the vulnerable population of the country should the amendment to the Bill go ahead. She spoke on the economic benefit of continuing the police vetting service, and noted the economic sense in dollar terms of retaining the status quo versus the potential harm that could arise from removing the existing police vetting. Poto asked Judy if NCWNZ agreed with her interpretation of potential negative outcomes especially to the country's vulnerable population if the police vetting service becomes a user-pays model. Judy agreed.

Ian McKelvie responded to Judy's comment that a computerised system could be employed to prevent an individual being required to source multiple copies of police vetting certificate for multiple employers. He said that a single certificate for an individual could be used for multiple employers. [Bernice: This is not always practicable, and often an employer simply asks permission of an individual for a police vet to be carried out, and the individual does not receive his or her copy of the certificate.] In reference to NCWNZ's comments on cost recovery in relation to Music Festivals and similar, Ian asked for clarification on how it would be possible to differentiate between a normal policing check or something that was included in an entry cost. Judy responded that there could be an option where a ticket price for an event such as a Music Festival, included the cost for Police presence.

Todd Barclay read from a Treasury document on the proposed Amendment examining cost recovery for police vetting in terms of national defence and public good. He asked where NCWNZ sees cost recovery on a continuum between public good and public demand. Judy replied that it depended on the commercial nature of an operation. Todd asked, considering the function of police vetting, was NCWNZ's position in favour of cost recovery somewhere in the middle ground between ensuring public good and public demand. Judy said that the submission acknowledged that cost recovery was possible in some situations but volunteer and community organisations should be excluded.

Mahesh Bindra asked if NCWNZ envisaged a loss of public goodwill towards the Police if the police vetting charges moved to a user-pays model. Judy replied that she believed that could be a likely outcome. Manesh asked, if the amendment goes through, would NCWNZ envisage a loss of goodwill to the Police and to the State. Again, Judy said yes, and commented that she felt the opinions of NCWNZ reflected the groundswell of public opinion on the matter.

Note: There was only one woman on this 10 member committee

Bernice Williams

25 February 2015