



12 July 2018

S18.29

## Submission to the New Zealand Police on the Legislation for the New Zealand Police Vetting Service

### Introduction

- 0.1. The National Council of Women of New Zealand, Te Kaunihera Wahine o Aotearoa (NCWNZ) is an umbrella group representing 245 organisations affiliated at either national level or to one of our 19 branches. In addition, about 350 people are individual members. Collectively our reach is over 350,000 with many of our membership organisations representing all genders. NCWNZ's vision is a gender equal New Zealand and research shows we will be better off socially and economically if we are gender equal. Through research, discussion and action, NCWNZ in partnership with others, seeks to realise its vision of gender equality because it is a basic human right.
- 0.2. The Response to the NZ Police Public Consultation Document has been prepared by the Parliamentary Watch Committee and reflects earlier NCWNZ submissions on the Policing (Cost Recovery) Amendment Bill in 2015,<sup>1</sup> the 2007 Policing Review<sup>2</sup> and the earlier Independent Police Complaints Authority Amendment Bill in 2003.<sup>3</sup>

### 1. General comments

- 1.1. Police vetting is required by many professions, such as teaching and childcare before teachers and social workers are able to practise. The requirement was extended under the Vulnerable Children Act 2014. Many of the workers in these sectors are women. It is important that the access to the information held by the Police is secure and that there is a clear process for its release – and to whom. The purpose of the Police Vetting Service is to provide references for people being considered for those positions which require employees to be of good character.

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<sup>1</sup> NCWNZ. 2015. Submission to the Law and Order Select Committee on the Policing (Cost Recovery) Amendment Bill. S15.03. <https://www.ncwnz.org.nz/wp-content/uploads/2013/06/S15.03-Policing-Cost-Recovery-Amendment-Bill.pdf>

<sup>2</sup> NCWNZ. 2007. Submission to the Police Act Review Team on the Policing Directions in New Zealand for the 21st Century Discussion Document. S07.38. <http://www.ncwnz.org.nz/wp-content/uploads/2013/06/S07.38-Policing-Review.pdf>

<sup>3</sup> NCWNZ. 2003. Submission to the Law and Order Select Committee on the Independent Police Complaints Authority Amendment Bill. S03.31. <https://www.ncwnz.org.nz/wp-content/uploads/2013/06/S03.31-Independent-Police-Complaints-Authority-Amendment-Bill.pdf>

## **2. Functions of the Police Vetting Service**

- 2.1. Public consultation is timely as there is currently no statutory framework for the Police Vetting Service. An amendment to the Policing Act 2008 to establish a legislative framework for the Police Vetting Service is supported. The vetting process should be carried out by qualified people. It is important that the public, employers, and those working in areas where a Police vet is required can have confidence in the process. The current functions of the Service, as outlined on page 9 of the Consultation Document, are supported and should be enshrined in the legislation.

## **3. Access to the Police Vetting Service**

- 3.1. The present process is only available to organisations that have registered with the Police Vetting Service as an approved agency and does not allow the provision of vets to individuals. Individuals are likely to be vetted by the approved agency as they apply for a position. However, the Consultation Document does make some suggestions for individual access to vetting in certain circumstances. These include in-home nannies, relief teachers and locum doctors and nurses. As many of the people in these roles are women, it would be of assistance to women wanting temporary positions in these roles to be able to make individual requests.

## **4. Information released**

- 4.1. The specification of information released in a Police vet is required to be 'relevant and substantiated' and only Police-held information should be released. Information regarding family violence, where the vetting subject was the victim, will require consideration. In family and sexual violence situations women are most often the victims, however, all victims across the gender spectrum should be encouraged and supported to go to the Police. This information will then be held and subject to access in the future. All such victims must have confidence that their contact with the Police receives careful consideration in any future vetting access.

## **5. Establishment of an independent vetting body**

- 5.1. The suggestion of an independent body to manage Police vetting for all requesters is one which warrants further consideration. This possibility would see the information from a vet request be passed from the Police Vetting Service to the independent body. The responses to this Public Consultation will provide evidence as to whether this proposal should be developed.

## **6. Conclusion**

- 6.1. Public consultation on the Police vetting process is timely. A statutory framework for the Police Vetting Service and the establishment of a legislative framework is supported. NCWNZ will be

commenting further on the draft legislation which we anticipate will result from the current Public Consultation.

A handwritten signature in black ink that reads "Gill Greer". The signature is written in a cursive style and is positioned above a solid horizontal line.

Gill Greer  
Chief Executive

Judy Whitcombe  
Acting Parliamentary Watch Convenor