



waves

Waitakere Anti-Violence Essential Services

WAVES Trust

p: (09)838 4834 e: administrator@waves.org.nz f: (09)838 4835 www.waves.org.nz
7 Henderson Valley Rd, Henderson Post: PO Box 121450, Henderson, Waitakere 0650

Policy Group
Police National Headquarters
cost.recovery@police.govt.nz

Submission on the Consultation Paper regarding cost recovery for police services 2013

Submitted by:
WAVES Trust
PO Box 12-1450
Henderson
Auckland 0650

Contact:
Manager
WAVES Trust
09 838 4656(bus)
manager@waves.org.nz

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We wish to speak with the Police about our submission if that is possible

WAVES Trust is an interagency family violence network organisation. The membership is primarily government and non-government service providers who work in the area of family violence. There are also members who are not specifically family violence agencies but their work complements or supports efforts to reduce violence in Waitakere.

We are committed to strengthening the work of those who support and inform victims of family violence and those who hold offenders accountable and support them to make positive changes to their behaviour. WAVES acts to support and resource all member agencies to practice to the highest standards of integrity and professional ethics.

WAVES Trust provides:

- A networking forum to encourage and support statutory and community services to provide integrated and collaborative services to reduce family violence
- Links to other organisations through the interagency network
- Community advocacy and representation on initiatives that target family violence
- Information about best practice in family violence intervention and support for the implementation of best practice

- Primary prevention, capacity building and education opportunities for those working to reduce family violence
- Contract management of interagency projects and contracts
- Access to current, relevant research
- Monitoring of community initiatives such as the Waitakere Family Violence Court
- An overview of information deficits and initiation of local research

WAVES Trust is a charitable trust. Governance is vested in the Board chaired by trustee Waitakere Family Violence Court Judge David Mather. There are 6 trustees including David Mather, Penny Hulse (Deputy Mayor, Auckland Council), Howard Dawson (CEO, Man Alive), Steve Kehoe (Waitakere Police Area Commander), Tiaria Fletcher (Manager, Lifewise Family Services) and Betty Sio (CEO, Pacific Islands Safety & Prevention Project Inc.).

There are currently four staff members – a Manager, one part-time Coordinator, one part-time researcher, and an Administrator, and one contracted part-time Project Leader.

Background & Summary

WAVES Trust has had a strong relationship with Waitakere Police since the Trust's beginnings as a victim advocacy service in 1993. The Trust's role in the community has evolved over time and we now provide services and information to a network comprised of family violence service providers and related agencies in Waitakere, which includes local and regional Police.

Whilst a number of our network members are government agencies like Police, Child Youth and Family Services and Work and Income most are non-government organisations (NGOs). Many of these NGOs are small local not-for-profit agencies completely reliant on government and charitable funding to provide services to victims or perpetrators of family violence and their children.

Our submission is presented from the viewpoint of those services for whom police vetting cannot be described as a private benefit but rather is a necessary function of safe service delivery. Our recommendations are:

We recommend that the principles for cost recovery should include a clear definition of what constitutes 'private benefit'.

We recommend that the definition of 'private benefit' should be clearly articulated and the activities of non-profit making organisations, charities, and community events should be exempted from this definition.

We recommend the category 'Reasonableness/suitability' should exempt non-profit and community-focused activities (including fundraising for charities) from being considered as providing 'largely private benefit'.

We recommend that Police vetting for NGO organisations, charities, and other non-profit making activities should be exempt from cost recovery.

Submission

1. *Do you believe that Police should be able to recover all or some of the costs of providing certain services?*

We make no comment on the concept of cost recovery as it relates to police activities that support profit-making activities. Our submission is concerned about the impact of cost recovery from non-government organisations (NGOs) and community-oriented activities.

In relation to the content of the Consultation Paper, we suggest that examples given from other jurisdictions are insufficient to assess the value or otherwise of cost recovery. For the purposes of consultation it would be helpful to know what efforts were made by governments to expand the funding of NGO services affected by mandatory charges for police vetting? Was there a transition plan to mitigate any adverse effects of cost recovery on social services? Have the impacts of cost recovery on social services ever been evaluated and what were the findings?

Efforts at consultation will be inadequate if they proceed without information about the wider impacts of cost recovery in other jurisdictions.

2. *Do you agree with the stated principles for cost recovery (must be fair; must further Police and Government outcomes and meet standards; be simple and predictable; clear and transparent methodology for charging)*

We recommend that the principles for cost recovery should include a clear definition of what constitutes ‘private benefit’.

3. *Do you support allowing the Police to recover the full economic cost of providing certain services, and not just the direct cost? If not, why not?*

We make no comment on this question.

4. *Do you believe Police should be able to charge for services that generate a largely private benefit?*

The definition of ‘private benefit’ is not clearly stated in the consultation document, which describes the services in question as providing a ‘predominantly private benefit’.¹ Services in our network argue that their use of police vetting, for example, does not provide a predominantly private benefit. NGOs make no profit from their activities and, in the case of

¹ New Zealand Police, *Cost Recovery for Certain Police Services: Public Consultation Paper December 2012–March 2013*, Wellington, 2012, p.15, <http://www.police.govt.nz/sites/default/files/about-us/cost-recovery-dec-11-2012.pdf> (Accessed 18 February 2013).

family violence, work with many very vulnerable adults and children. Police vetting provides a public good because it enables organisations to screen out employee and voluntary applicants who have a known history of breaching trust and/or criminal activity, thereby preventing them having access to vulnerable members of the public and supporting preventive policing.

We also raise the issue of policing at public and community events, which the Consultation Paper suggests is as another area for potential cost recovery. In Waitakere we recognise the significant contribution our local police make to the annual White Ribbon Day March through Henderson township. Events like the White Ribbon Day March generate no income or profits and proceed on strength of community and organisational goodwill, and commitment to challenging the destructive force of family violence. Meeting demands for cost recovery in relation to police attendance would require a radical reframing of the event's ethos to enable fundraising and/or income-generation to the detriment of both the event and the reputation of our community-focused police force.

The White Ribbon Day March is an important generator of community goodwill towards the police and recognition of the very valuable contribution they make to public and family safety. Arguably police presence at such events is an important aspect of preventive policing as are other community-facing goodwill-building initiatives such as the Neighbourhood Policing Teams.

In addition, the cost recovery proposals under consultation fail to acknowledge that NGOs often support police activities. A formal example of this would be the Family Violence Inter-Agency Response System (FVIARS) that is the subject of MOUs between police and community agencies, but we are also aware of other less formal arrangements where services attend home visits with police when there are concerns about family violence. Some of our members feel rightly aggrieved that their unfunded contribution to local policing is not recognised by the narrow discussion in this Consultation Paper.

We recommend that the definition of 'private benefit' should be clearly articulated and the activities of non-profit making organisations, charities, and community events should be exempted from this definition.

5. *Do you think that the criteria used to identify services suitable for cost recovery are appropriate? Can you think of a better way of assessing services for cost recovery?*

See our answer to question 4.

6. *Do you agree with the proposed process for determining the level of cost recovery to be applied (i.e. a public/private benefit analysis of the identified service)?*

We recommend the category ‘Reasonableness/suitability’ should exempt non-profit and community-focused activities (including fundraising for charities) from being considered as providing ‘largely private benefit’.²

7. *Do you consider the Police vetting service to be suitable for cost recovery?*

Members of our network are very concerned about this proposal. As one of our members argues:

This check is important and there should be no barriers to any non-profit organisation working on tight budgets to completing this test. Although it gives some security to organisations, in reality it is the Government (through its Ministry contracts) that insist on this check and the Government (through the Police) that provide the test. Therefore to pass on the cost of that compliance to a non-profit or charitable organisation appears unfair.

Other comments include that police vetting is vital for public safety and cost recovery could mean that organisations not required to vet applicants may choose not to do so in order to save money, especially if organisations have no avenue to pass those costs on. This scenario is of great concern for public safety and the government has a duty to ensure that its actions mitigate rather than heighten risk to children and vulnerable people.

We recommend that Police vetting for NGO organisations, charities, and other non-profit making activities should be exempt from cost recovery.

8. *What are your views on the proposed charges for Police vetting services? In particular, how do you think this will affect you and your business or organisation?*

Our members do not support the imposition of charges for police vetting services.

² NZ Police, p.13

9. *What other impacts might this proposal for cost recovery have on you? These impacts could be social, economic, compliance related, cultural or health related. Are you able to quantify these impacts?*

In addition to increasing organisations' compliance costs, cost recovery for police activities in support of non-profit making organisations and events could have the following impacts:

- Reduction in available funds for social services (both government and non-government), and in extreme cases loss of services.
- Increased risk of harm and exploitation of children and vulnerable people.
- Increase in reported crime particularly around breach of trust and abuse-related crimes.
- Increased recidivism in criminal activities.
- Reduction in community goodwill towards police including reduction in opportunities to work with community agencies to raise police profile and build trust.
- Reduction in community organisations' capacity and support for collaborative work with police.
- Significant administrative costs for both police and community sector.
- Increasing compliance costs requiring funding from government contracts, resulting in moving money around government departments rather than actually 'recovering' costs.

10. *Are there any other comments or issues that you would like to raise on the cost recovery proposals outlined in this consultation document?*

We are concerned that this Consultation Paper is narrowly focused and does not raise issues beyond identifying potential cost recovery transactions. As you can see from our answer to question 9 we can foresee significant flow on effects from this proposal that need to be thoroughly investigated and resolved before any cost recovery programme is implemented. Poorly prepared changes have the potential to cost the government and the country more than they generate.

We thank NZ Police for giving us the opportunity to present this submission and are be happy to converse further on this matter with the Police.