

Securing the future Networked policing in New Zealand

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Police Act Review and Victoria University of Wellington's School of Government

PRESENTATION BY Greg O'Connor President, NZ Police Association

Thank you for the opportunity to represent the view of the New Zealand Police Association at this forum.

The Police Association endeavours to be a well informed voice of its membership on policing matters and it is pleasing to note that Police Associations and Police Unions around the world are now more and more being seen as legitimate participants in the policing environment including police reform.

I have been fortunate to be part of two significant international academic forums recently addressing police reform and I strongly believe practitioners and academics benefit from the resultant exchange of views and ideas

Any discussion on police, policing or law and order should begin with an understanding not just of the environment we police in, but also of what industry we are all in. It is my contention that we are all in the fear of crime industry.

From the security guard on the door of a nightclub to the Minister in Charge of policing, to the leading criminologist at the local University, to the police officer in the I car, we all exist to reassure those who directly or indirectly are responsible for our appointment that we are contributing to the safety of society.

The owner of the nightclub knows he won't make money unless people can come to his business and they will only come if he can control the activity within to

reassure his patrons. The Minister of Police is entrusted by her peers to ensure voters feel that the government is acting to make them safe from crime, and even criminologists only receive the funding to study their science on the premise that such study will ultimately enable the understanding necessary to improve the safety of society.

It is my contention that were there no crime, there would be no fear of crime, and therefore none of us, whether we be police officers, support staff, forensic scientist or judge would be required to exist.

Given then that that is the industry we are all in, discussion around any legislation which governs or impacts on a significant component of that industry, namely the public police, is always going to be heavily influenced by all the other players in that industry.

I would argue that in the fear of crime industry, it is the public police which are the most obvious component, if not necessarily the most important. They are the most obvious because they are visible, and have traditionally been looked to by society to deal with civil disorder and the victimisation from which the fear of crime grows.

However as I have discussed, there are many other components of the industry, to each of which the fear of crime is an important factor. At the poles are the private security firms and the politicians.

The degree of fear of crime is important for the survival of both groups. For the private security firm, the higher the better, for the government the lower the better. For the public police, with no vested interest either way other than public service, they are to a certain extent in the middle of the conflicting priorities of the extreme.

The Commissioner or Police Chief is tasked with maintaining public order, reducing the incidence of crime and apprehending and prosecuting those responsible for breaching the law. Essentially being the public's representative using the resource and powers necessary to keep the citizens safe.

The Commissioners and each of their Constables are given the power to do what the citizens, through their government, require them to do.

They develop an individual and institutional craft and specialist knowledge which enables them to do this to the best of their ability.

However what has occurred in most countries, including New Zealand, is that crime and consequently the fear of crime, has risen over recent decades.

The public police have been unable to sufficiently reassure the public that they are as safe as they wish to be. Evidence of this has been the growth of the private security industry which I would argue grows at the same rate as the fear of crime.

What has also happened however is that considerable pressure has gone on governments to deal with their constituents' fear of crime.

Increased media portrayal of crime, both actual and as entertainment through the television, movie and book industry has raised public awareness of crime and its consequences. This real and imagined belief that society is an increasingly dangerous place has led to electoral demands that something be done to reduce crime.

Politicians ignore such demands at their electoral peril. They respond by being seen to invest more in law and order, often through the obvious means of increasing police and related budgets.

Being electorally conscious of the need for such spending to be obvious to the voters, the politicians are anxious to have a considerable say over how such money will be spent.

Increased funding will inevitably come with demands for accountability and with increased compliance to ensure it is spent where intended by the politicians, thus giving rise to increased bureaucracy and the need for measurability.

Advice and direction of how resource is best spent, and which strategies and philosophies should be employed are sought from many sources outside policing, including academia, other government departments, private industry, and community groups.

Politicians seek to ensure funding is directed in the area they think best by directing and tagging the funding to areas which are both obvious to the electorate and are measurable. By this method, they are able to establish a degree of control over the way the police is operated. A classic case of he who pays the piper calling the tune.

A major risk develops if the area in which the funding is directed, or the philosophy imposed on police is not compatible with the realities of delivering a full policing service, one maintains the necessary balance of policing activity across a broad spectrum.

By the time problems become media, thus political issues, often there have been failures in other areas that need to be addressed before the symptom can be addressed.

The increase in methamphetamine use in New Zealand is an excellent example, where police officers were aware of the extent of the problem long before the symptoms of abuse of the drug, such as the rise in violent crime and the entrenchment of organised crime became obvious to the electorate.

An opportunity to attack the problem before it became unmanageable was lost because of a failure to direct resource into the area due to it not having been recognised by the expert advisors or the funders.

This really brings me to the main point of my presentation.

There will always be crime and an accompanying fear of crime. There will always be a demand from the public to reduce both, especially of politicians.

The resource available is unlikely ever to meet the demand, therefore there will always be a temptation by politicians to direct funding to areas of most public concern, and to apply a measurement regime to ensure that resource is properly distributed.

This invariably and inevitably leads to specialisation within police. Youth offending, drug offending, burglaries, road policing and minority policing are areas to which funding is directed as these are areas where politicians can point out that funding has increased.

The problem is the inevitable unmet demand will be carried in other areas, invariably areas that are difficult to measure. 24/7 response is the most obvious sector. This is the area of traditional policing where other agencies are increasingly filling the gap in public demand.

Organisations like Walk Wise in Wellington are a combination of both, being private security guards employed by a private firm who are funded by the Council to essentially walk the beat in Wellington CBD to provide for a demand for safety not able to be met by the public police.

This is replicated throughout New Zealand.

Private firms can be found patrolling the wealthier suburbs of most New Zealand cities. They are rarely found in the lower socio economic areas, other than patrolling commercial premises.

The question of whether it matters who does the job is a topic on its own, but the point is that the commissioners are left with little discretion to use their knowledge of their policing craft to decide where policing resource is best deployed, where they are able to be directed by political masters.

As more and more unmet demand is picked up by other groups, including government and local government organizations, the risk is the duplication and inefficiencies which are a feature of policing in countries like the United States and Canada where thousands of independent forces operate..

In those areas, local cities and councils generally fund the police with a wide variation in the level of service delivery, and a vastly increased amount of political influence over police strategy and even operation.

So not only is there likely to be more political influence, there will be more political organizations seeking to influence policing direction.

What is important then in New Zealand is that, with the appropriate level of accountability and compliance, police commissioners be able to rely on their knowledge of their policing craft to best police their area of responsibility.

An analogy is getting ones car repaired. You can tell the mechanic to fix the vehicle within a set budget or alternatively, give him set and measurable instructions on what to do to the car, what to replace and what to recondition. The mechanic can carry out your instructions, but the car may still not be fixed at the completion of the job.

Reducing crime and fear of crime is the goal of most of those involved in the fear of crime industry.

Ensuring that those with vested interest in just that fear being reduced or increased, do not have control the policing agenda is an important feature of cornerstone legislation like the police act.

Every decision which affects policing must be taken in the context of how it will impact on the whole police and policing industry.

In summary, maintaining an adequate funding base to deliver core non specialist policing is not as attractive to political funders as directing new or existing funding towards a definable and media attractive area.

Continuing to silo funding into specialist non frontline areas of policing without maintaining other essential areas will simply create a greater gap between what the public demand by way of 24/7 response and what can be provided.

This gap will continue to be filled by other agencies operating outside any coordinated strategy and delivering a variable level of service and without the necessary economies of scale in the case of public policing.

The inevitable fragmentation of delivery will result in the public receiving a more expensive and less effective response to their policing needs. It is essential that police commissioners have the flexibility to allocate their policing services according to a strategy designed to cut the incidents and fear of crime without being forced to police according to strategies designed to cater to the constituency with the greatest political leverage.

Any new legislation like the Police Act must be created as part of a strategy. That strategy should be to make our citizens the safest in the world by reducing crime.

Legislation which ensures that decision made around public policing are made in an informed and co-ordinated manner are essential.

ENDS