



SUBMISSION

to the

Law and Order Select Committee

on the

POLICING (COST RECOVERY) AMENDMENT BILL

ABOUT PPTA

1. PPTA represents over 17,000 secondary teachers, principals, and manual and technology teachers in New Zealand; this is the majority of teachers engaged in secondary education – approximately 90% of eligible teachers choose to join PPTA. PPTA is an affiliate member of the New Zealand Council of Trade Unions (“CTU”).
2. Under our constitution, all PPTA activity is guided by the following objectives:
 - (a) To advance the cause of education generally and of all phases of secondary and technical education in particular.
 - (b) To uphold and maintain the just claims of its members individually and collectively.
 - (c) To affirm and advance Te Tiriti O Waitangi.
3. PPTA is not affiliated to a political party and our members individually support a broad spectrum of political parties in Parliament. However, PPTA have consistently promoted policies that promote progressive economics, social policy and employment relations policy. At our 2012 Annual Conference, PPTA members endorsed the following alternative economic model:
 - (a) A fairer tax system;
 - (b) Effective public services;
 - (c) Addressing the public debt myth;
 - (d) Investing heavily in education and training;
 - (e) Regulating financial markets and limiting corporate excess;
 - (f) Respect for the rights of workers (paid and unpaid) and learners; including:
 - (i) Legislation that promotes union membership and collective bargaining;
 - (ii) Avoiding a unilateralist approach to employment relations by engaging employees, employers and those not yet in employment in ways which add value to the economy and society;
 - (iii) Engaging in employment relationships that outlive economic cycles and extend beyond the walls of individual organisations;
 - (iv) Rejecting a low wage economy (which will help to stop the outflow of skilled labour from Aotearoa / New Zealand).
 - (g) Retaining New Zealand’s state assets in full public ownership;
 - (h) Promoting the idea that we are cultural citizens not just economic citizens;
 - (i) Closing the pay gap between the minimum and maximum wages paid across a workforce or industry; and
 - (j) Fiscal policy that acknowledges the importance of the environment.

PPTA SUBMISSION ON THE BILL

4. In drafting this submission, we have reviewed the context and the policy-development process that the New Zealand Police ("**Police**") went through for the proposals in the Bill.
5. PPTA strongly opposes the proposals in the Policing (Cost Recovery) Amendment Bill ("**the Bill**") to enable Police to recover costs for public services, and the specific proposal that Police vetting should be one of the services to be subject to a cost recovery regime.
6. PPTA supports the points made in the submissions by the New Zealand Council of Trade Unions and the New Zealand Teachers Council.

CONTEXT

Legislation

7. Section 9 of the Policing Act 2008 ("**the Act**") sets out the core functions of the Police as:
 - (a) keeping the peace;
 - (b) maintaining public safety;
 - (c) law enforcement;
 - (d) crime prevention;
 - (e) community support and reassurance;
 - (f) national security;
 - (g) participation in policing activities outside New Zealand; and
 - (h) emergency management.
8. The Regulatory Impact Statement ("**RIS**") to the Bill notes that the Act "does not currently enable Police to charge for any of the functions designated in the Act"¹, although Police acknowledges that Police do recover fees for firearm licensing under the Arms Regulations and are able to enter into willing buyer / willing seller agreements with other Government agencies, such as the Department of Corrections.²

POLICING (COST RECOVERY) AMENDMENT BILL

Key proposals in the Bill

9. The Bill will empower the Minister of Police to recommend regulations empowering the cost recovery of a "demand service". A demand service is proposed to be one that:

¹ Policing (Cost Recovery) Amendment Bill Regulatory Impact Statement, page 3
<http://www.treasury.govt.nz/publications/informationreleases/ris/pdfs/ris-police-pcr-may14.pdf> (last accessed 26 January 2015).

² Ibid, pg. 16.

- Constitutes policing; and
 - Is provided only on the request of an individual or organisation; and
 - Is provided to the individual or organisation requesting it for the direct benefit of a particular person or organisation (even though there may be indirect benefit to the public as a whole).³
10. The Bill specifically includes Police vetting services as a demand service⁴ and specifically excludes the response of the Police to calls for service relating to potential offending, the conduct of criminal investigations, and the prosecution of criminal offences⁵ as demand services.
11. Before making regulations, the Minister must be satisfied that any fee or charge is consistent with the following criteria:
- **Justifiability:** The fee or charge recovers no more than the actual and reasonable costs (including both direct and indirect costs) of the service to which the fee or charge relates;
 - **Equity:** The fee or charge for a particular service, or a particular class of services, should generally – and to the extent practicable – be obtained from the users of the service at a level that matches their use of the service;
 - **Efficiency:** Costs should generally be allocated and recovered in order to ensure that maximum benefits are delivered at minimum cost; and
 - **Transparency:** The manner in which costs relate to the nature and duration of the service should be clear.⁶
12. Before making regulations, it is proposed that the following consultation requirements are met:
- The Minister must be “satisfied that the Commissioner of Police has done everything reasonable on his or her part to consult the persons or organisations (or representatives of those organisations) that appear to the Commissioner to be affected or likely to be affected by the fee or charge”⁷;
 - This includes:
 - Giving appropriate notice of the intention to make the regulation and the purpose of it;

³ Clause 4, new section 79B(2).

⁴ Clause 4, new section 79B(3).

⁵ Clause 4, new section 79B(4).

⁶ Clause 4, new section 79C.

⁷ Clause 4, new section 79D(1).

- A reasonable opportunity for interested persons to make submissions; and
 - The adequate and appropriate consideration of those submissions.⁸
13. It is proposed that there is the ability to grant exemptions for paying any prescribed fees or charges (in whole or part) through regulations or by special direction from the Minister of Police⁹.
14. Other provisions set out the ways that fees and charges can be set.¹⁰

Police's rationale for change

15. The stated problem in the RIS to the Bill is that:
- The status quo does not support future sustainability of Police services – (i.e. current funding does not stretch across the work to be done); and
 - The status quo is inequitable to the taxpayer (i.e. a suggestion that the general public receives limited benefit from some of the services provided to defined individuals or groups, but currently the public bears the full cost of providing them).¹¹
16. In the RIS, Police note that the scope of its work is expanding and that the changes proposed in the Bill are required to “refine the use of Police’s limited resources to focus more on victims and prevent crime before it happens”, in line with its stated objectives in the Policing Excellence Strategy, signed off by Cabinet in 2009. Further, Police notes that one of the restrictions to meeting the objectives in the Policing Excellence Strategy is its limited powers to increase forms of revenue.

The real problem: Government not investing in the real cost of policing

17. All of the statutory public services are currently paid for through the Vote Police appropriation.
18. Police, like other public services, should be funded appropriately to ensure that they are able to deliver services efficiently and effectively. However, PPTA are concerned that Police, like many other public services and schools, are not

⁸ Clause 4, new section 79D(2).

⁹ Clause 4, new section 79G.

¹⁰ Clause 4, new section 79E.

¹¹ Policing (Cost Recovery) Amendment Bill Regulatory Impact Statement, page 3

<http://www.treasury.govt.nz/publications/informationreleases/ris/pdfs/ris-police-pcr-may14.pdf> (last accessed 26 January 2015).

being funded adequately by the Government to deliver what they need to, in line with their statutory responsibilities.

19. We requested information from the Parliamentary Library about the current budget for Police and whether there had been an increase in real terms over the last four years. The library's advice is outlined below:

"The table below sets out the appropriations (budget) voted by Parliament for the NZ Police in nominal (current year) and real (\$2014) figures (nominal figures adjusted for inflation using the Consumer price Index, or CPI, to arrive at equivalent dollar comparisons for 2014).

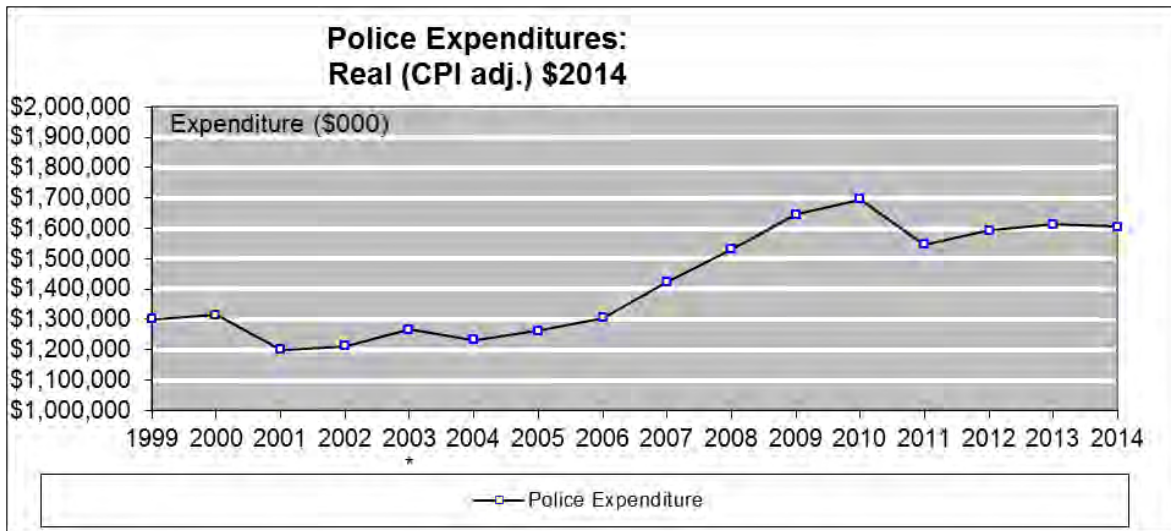
While the table¹² shows a nominal increase of \$44.5 million between 2010 and 2014, **in real terms (2014) there was a \$91.736 million decrease in funding between 2010 and 2014.**

Fiscal Year (ending June)	Vote POLICE Appropriations Nominal (\$000)	Vote POLICE Appropriations Real (CPI adj) (\$2014)	CPI index
1999	905,202.0	1,300,139.9	832
2000	934,532.0	1,315,389.6	849
2001	879,686.0	1,200,028.3	876
2002	912,962.0	1,212,210.7	900
2003 *	966,984.0	1,265,658.1	913
2004	964,675.0	1,232,926.9	935
2005	1,016,045.0	1,262,134.9	962
2006	1,092,637.0	1,305,701.2	1000
2007	1,215,885.0	1,424,492.7	1020
2008	1,358,250.0	1,529,791.5	1061
2009	1,488,316.0	1,645,270.7	1081
2010	1,559,984.0	1,696,251.9	1099
2011	1,498,169.0	1,547,374.2	1157
2012	1,556,779.0	1,592,766.2	1168
2013	1,586,730.0	1,612,365.9	1176
2014	1,604,515.0	1,604,515.0	1195

¹² The Estimates of Appropriations for the Government of New Zealand, Budget 2014.

Fiscal Year (ending June)	Vote POLICE Appropriations Nominal (\$000)	Vote POLICE Appropriations Real (CPI adj) (\$2014)	CPI index
<i>change 2010-14</i>	\$ 44,531.00	-\$ 91,736.94	

Parliamentary Library data series, Consumer Price Index



20. It is clear from this data that Government funding for Police has not been maintained at the same level as it was four years ago - \$97 million in real terms is a lot to lose. But this in itself is not a reason to move to a cost recovery model of policing or to transfer payment to others to pick up the short-fall.

21. There is a strong public interest in the delivery of these core policing services being fairly and justly administered by Police within the Government budget (discussed further below). If there is an increased demand on Police services as a result of new Government initiatives and the Government choosing to enter into international agreements, then it should be the responsibility of the Government to pay the bill. Additional costs should not be passed on to charities and public servants or transferred to organisations, like schools, which are themselves suffering under a constrained operating budget.

22. As noted above, the Bill proposes that Police be able to charge for services that are requested by, and have a direct benefit to, individuals or organisations even where there is a benefit to the public. Defining what is a public benefit or private benefit is a murky process. Police vetting is a case in point, where there is a considerable public benefit in having it administered by Police and freely available, particularly in respect of the children's workforce (discussed further below). In addition, by having police vetting explicitly stated in the Bill as a demand service means that the ambit for considering other police services as

demand services is considerably broader than it should be or the public would expect.

23. Despite the exclusions stated in the Bill for when charging may not be appropriate, there is by no means certainty about what services may be exempt from such a regime. In addition, there does not appear to be any consideration given to how public confidence in the Police may be undermined if people can pay for the privilege of Police time and resources at the expense of other policing services or where people may be put off approaching Police for a service even where there is a significant public interest.

PROPOSAL: CHARGING FOR POLICE VETTING SERVICES

Introduction

24. Police vetting is an important public service performed by Police that is consistent with its primary functions of “maintaining public safety”, “crime prevention” and “community support and reassurance” prescribed in section 9 of the Policing Act 2008. In the education sector, police vets helps to ensure that vulnerable people, such as children and young people, are safe and that a person with relevant convictions (that may compromise the safety of children and young people) are identified and assessed early.
25. Teachers are already legally required to have a Police vet before they are able to practice and this needs to be renewed on a three-yearly basis. Teachers end up having to pay this cost themselves as part of the practising certificate fees paid to the New Zealand Teachers Council. Increasing the fee by enabling Police to charge cost recovery will simply add to the regulatory costs that teachers have to pay in order to work in the public service in the education sector.
26. It is unclear why the Government would want to disincentivise people entering teaching as a profession by increasing the costs.
27. Enabling the Police to impose a cost recovery charge will add to the financial pressure that schools are under. Will the Government be increasing the operating budget of schools to match the financial pressure from this proposed new regulation?

Police’s rationale for change

28. Police note that demand on the Police vetting services is likely to increase for three reasons connected with other Government policy:

- New requirements expected under the safety checking regulations to be made under the Vulnerable Children Act 2014 (discussed in more detail below);
- The proposed agreement with Australia for the sharing of criminal history information on individuals for employment vetting purposes; and
- The potential vetting of individuals from New Zealand who are seeking employment in the United Kingdom, Canada, or the United States - “the other “five eyes” countries”^{13, 14}

Vulnerable Children Act 2014

29. Last year Parliament passed the Government’s Vulnerable Children Act 2014. Amongst other things, this Act introduced new safety checking requirements for the children’s workforce (in the state sector). Government regulations made under that Act are likely to require police vetting as part of the new safety checking requirements. This sits alongside non-legislative Government initiatives for NGOs, including the development of safer recruitment guidelines.
30. It is clear Government policy that the changes under the Vulnerable Children Act and through the Children’s Action Plan are both a Government priority and that they seek to address an important public concern. As Hon Paula Bennett notes in her first reading speech on the Vulnerable Children Bill:

“This work has been driven not just by my own and this Government’s passion to better protect children, but also by the determination of the New Zealand public to address this country’s horrific record of child abuse...”

Every year Child, Youth and Family substantiates 22,000 cases of physical, sexual, and emotional abuse and neglect. We have already introduced significant changes that are making a difference, and there is an enormous amount of work under way on the Children’s Action Plan...

I now turn to screening and vetting of what we call the children’s workforce. Although many organisations have checks in place to ensure that unsuitable people do not work with children, there is no consistent approach, and there are a number of gaps. **The bill will introduce a rigorous approach to vetting and screening, with new standard safety checks of the children’s workforce in New Zealand. This approach will reduce the risk of children being harmed by those who are entrusted to look after them and to work around them.** The legislative scope of the standard safety check regime focuses first on paid employees within the Government sector and the services that they fund. Beyond that, it provides voluntary guidance for all other organisations to encourage sound practices in safety checking.

¹³ <http://www.police.govt.nz/about-us/programmes-and-initiatives/cost-recovery/frequently-asked-questions> (last accessed 28/01/15).

¹⁴ Also referred to in the Minister’s first reading speech: http://www.parliament.nz/en-nz/pb/debates/debates/51HansD_20141104_00000016/policing-cost-recovery-amendment-bill-%E2%80%94-first-reading (last accessed 29/01/2015).

The bill will specify the minimum checks that must be conducted, and further detail will be outlined in regulations and guidelines. A workforce restriction will be based on a list of qualifying offences in order to prevent known child abusers and offenders from having control of, or working alone with, children. The workforce restriction will apply to the same category of organisations as the requirement to conduct standard safety checks. **There are cases where children have been abused because a dangerous individual got close enough to do so, sometimes literally by moving into their home. We will not tolerate abusive adults having that freedom and that power over children.**¹⁵

[Emphasis added]

31. These sentiments, and the public interest in child protection initiatives such as police vetting, is also clear in Minister Bennett's press release on the Children's Action Plan work, where she states:

"On average there are **around 22,000 cases of abuse and neglect** of New Zealand children each year. **More than 50 children have died** in the past five years because of extreme abuse, and **one child aged under two years is hospitalised every five days**. During my Green Paper consultation, **nearly 10,000 New Zealanders demanded action**. Today's Budget commitments will make a real and practical difference for our most vulnerable children. **We now have a comprehensive Children's Action Plan to address child abuse and make significant improvements at both government and community levels...**

We are putting millions of dollars into child protection and services for vulnerable children because we know serious abuse imposes enormous costs, both personal and financial.

One per cent of children known to Child, Youth and Family – around 5,000 children – go on to cost New Zealand \$550,000 each by their early 30s in corrections and welfare services."¹⁶

[Emphasis added]

32. The nature of the damage caused by child abuse and the public benefits of a rigorous vetting and screening process are elaborated on in the Ministry of Education's Regulatory Impact Statement *Safeguarding the children's workforce through standard safety checks*, where it states:

"There is **evidence that rigorous vetting and screening processes can provide a barrier to individuals who are considered to be a risk from entering the children's workforce**. For example, in Queensland's, which has a centralised vetting and screening system for the children's workforce, since 2001 5,800 high-risk individuals have been prevented from working in child-related services. The numbers remain high over time (over 860 in 2011/12) showing that inappropriate people continue to seek to engage with children through work...

The impact of child maltreatment is inherently difficult to define because children can be harmed in many different ways, of which abuse, whether physical, sexual or emotional, is only

¹⁵ http://www.parliament.nz/en-nz/pb/debates/debates/50HansD_20130917_00000008/vulnerable-children-bill-%E2%80%94-first-reading (last accessed 28/01/2015).

¹⁶ <https://www.national.org.nz/news/news/media-releases/detail/2014/05/15/investing-to-protect-our-most-vulnerable-children> (last accessed 28/01/2015).

one. However, we do know that the **impact of abuse on the children and families involved can be severe**. In addition, people who are maltreated as children may have an **increased risk** of, for example, **drug and alcohol misuse, juvenile delinquency / conduct disorders and mental health problems**. Not all people who are maltreated as children will develop these problems. However, for those people who do, the financial costs to them and society can be substantial.

There will also be direct cost to the state associated with responding to an incident of abuse. For example, the cost of social service assessments, health assessments, counselling and support, and court time.”¹⁷

[Emphasis added]

33. It is hard to reconcile these comments with the NZ Police’s assertion that “the general public only benefits indirectly from the provision of the vetting service.”¹⁸
34. The vetting and screening of children’s workers is one of the major interventions that the Government is implementing to help keep children safe through the Children’s Action Plan.
35. Children and their families benefit directly from this. As do other vulnerable people where the related workforce is subject to Police vetting. These workers are in a position of trust and confidence and there is a public benefit in having the reassurance of a Police vet before they commence work.
36. 10,000 public submissions on the Green Paper leading to this change show the weight of public interest in interventions that will work to help prevent child abuse.

Expected increase in pressure on Police vetting services?

37. As noted above, NZ Police has suggested that police vetting services will be under increased pressure as a result of other Government policy – namely, the vulnerable children vetting requirements and potential international agreements.
38. The Ministry of Education has done a comprehensive regulatory impact statement on the expected costs of the changes under the Vulnerable Children Act 2014. It notes that:

¹⁷ *Safeguarding the children’s workforce through standard safety checks: Regulatory Impact Statement*, Ben O’Meara, Ministry of Education, pg. 13.

http://www.minedu.govt.nz/~media/MinEdu/Files/TheMinistry/PublicationsAndResources/RIS_SafeguardingChildrensWorkforce.pdf (last accessed 29/01/2015).

¹⁸ *Policing (Cost Recovery) Amendment Bill: Regulatory Impact Statement*, page 4
<http://www.treasury.govt.nz/publications/informationreleases/ris/pdfs/ris-police-pcr-may14.pdf> (last accessed 26 January 2015).

“The majority of this group [state sector organisations and contracted services working in the children’s workforce] already have some form of vetting and screening in place, and additional costs of the policy are not high...

For 260,000 – 280,000 people in the state sector across education, health, welfare and justice, split into a core workforce of 170,000 – 180,000 and a wider workforce of 90,000 – 100,000, the total cost of the new regime is approximately between \$3,190,000 and \$3,420,000 across the three years. This assumes that numbers equivalent to the entire children’s workforce would need to be screened or rescreened over three years.

However, the degree to which providers already meet the requirements should be discounted against this cost... it was estimated that \$2,660,000 to \$2,840,000 of the expected cost of performing an adequate [vetting and screening process] is already met by existing practice.”¹⁹

39. This suggests that the changes will be largely business as usual in terms of demand on vetting services. Not a crisis requiring legislative amendment to empower a new and expansive charging regime for core business that should be met through the existing baseline funding.
40. There is no information provided by Police in the RIS to the Bill or the FAQs on its website about the likely costs associated with new vetting requirements from pending international agreements. However, even if this was the cause of significant pressure (and there is no evidence to suggest that it will be), a case could be made for charging a separate fee for that purpose rather than for everyone who applies for a Police vet in New Zealand. Alternatively, there could be reciprocal no-fees arrangement negotiated as part of the agreement, given that it may be in the public interest / national security of the relevant countries. It does not justify the introduction of a blanket cost recovery regime for all users of Police vetting services.

Costs

41. Police have estimated that approximately \$3.5 million will be collected through imposing a cost recovery charge on police vetting services²⁰ and have indicated in the RIS that \$5 to \$7 may be the starting point for a charge

¹⁹ *Safeguarding the children’s workforce through standard safety checks: Regulatory Impact Statement*, Ben O’Meara, Ministry of Education, pp. 10-11.

http://www.minedu.govt.nz/~media/MinEdu/Files/TheMinistry/PublicationsAndResources/RIS_SafeguardingChildrensWorkforce.pdf (last accessed 29/01/2015).

²⁰ <http://www.police.govt.nz/about-us/programmes-and-initiatives/cost-recovery/frequently-asked-questions> (last accessed 28/01/15).

imposed on each vetting request²¹; with the Minister stating the higher figure of \$7 in her first reading speech on the Bill.²²

42. However, the reality is that if the principle of cost recovery is accepted and agreed to by Parliament in this Bill, the Government will have a broad scope to set whatever fees it likes through the regulations.
43. And there is reason to believe that this could happen, given that the comparable fees for police vetting services are \$42 in Australia (federal)), \$34 in Victoria (Aus) and \$52 in NSW. It would be a small step for the New Zealand Government to decide that, in light of the new international agreements, New Zealand should be charging a similar amount.
44. This would have a disproportionate and negative impact on the current domestic users of the service, who are mainly teachers, public services and NGOs (including for volunteers), and the underlying purpose and public interest in Police vetting services being performed as a public service.

Privacy implications

45. The Departmental Disclosure document required for Bills includes a question about privacy implications. Namely, whether the Bill creates, amends or removes any provisions relating to the collection, storage, correction of, use or disclosure of personal information.
46. NZ Police has noted that the Bill does not create, amend or remove such provisions.
47. With respect, this is the wrong interpretation and there are privacy implications.
48. Personal information is defined in the Privacy Act 1993 as:

“information about an identifiable individual; and includes information relating to a death that is maintained by the Registrar-General pursuant to the Births, Deaths, Marriages, and Relationships Registration Act 1995, or any former Act (as defined by the Births, Deaths, Marriages, and Relationships Registration Act 1995).”
49. Information that is held about an individual and disclosed as part of a Police vet fits within this definition and therefore the Privacy Act applies to this information. This includes:

²¹ Policing (Cost Recovery) Amendment Bill Regulatory Impact Statement, page 1
<http://www.treasury.govt.nz/publications/informationreleases/ris/pdfs/ris-police-pcr-may14.pdf> (last accessed 26 January 2015).

²² Minister's first reading speech: http://www.parliament.nz/en-nz/pb/debates/debates/51HansD_20141104_00000016/policing-cost-recovery-amendment-bill-%E2%80%94-first-reading (last accessed 29/01/2015).

- Having regard to the information privacy principles (including the right to access, and the right to request corrections to, personal information held by a public sector agency, pursuant to principles 6 and 7); and
 - Complying with restrictions on charging for requests relating to personal information held by public sector agencies (sections 35 and 36).
50. The Bill proposes to amend the right to access personal information by allowing Police to impose a charge on accessing this information. This is a privacy implication.
51. It is a concern that Police (and presumably the Ministry of Justice, with legislative responsibility for privacy law who were consulted through the policy development phase) have failed to identify these legal obligations when developing this proposal and this is likely to lead to legal challenges.
52. As demonstrated in the results to the consultation (discussed further below), most New Zealanders would justifiably be concerned that they will be restricted from accessing information held by a law enforcement agency through the imposition of a charge.

Is there support for this proposal?

53. In short, no.
54. Given the loose justification and competing interests outlined above, it should come as no surprise that this policy (charging for police vetting) did not have wide-spread support across government or by members of the public that participated in Police's consultation.
55. At a government level, the RIS to the Bill makes it clear that this policy was not supported by the Ministry of Education, the New Zealand Teachers Council or CYFS. In addition, it appears that at the time of writing the RIS, Police was still having conversations with the NZ Treasury about whether this was the best use of Government funds, there were on-going concerns about additional costs for DIA in relation to citizenship applications, and an overlap with comparable information being provided by the Ministry of Justice.
56. Significantly, the RIS notes that the Ministry of Education's position was that:
- "... vetting and screening is considered a public good and is a preventative service. The Ministry considers that there is a potential risk that cost recovery will disincentivise the**

use of vetting and screening in the education sector and consequently affect the safety of children.²³

57. In addition, the New Zealand Teachers Council were strongly opposed to the proposal and made the following key comments in its submission on the discussion document:

- Police have stated in their guidelines of the police vetting service that the aim of the service is to “minimise the likelihood of more vulnerable members of society being put at risk” – this is not a private benefit for an applicant;
- Police vetting means that our children are safer because they are taught by teachers whose full criminal history has been disclosed; and our communities are reassured by the knowledge that people with dubious criminal histories are highly unlikely to be employed in New Zealand’s schools and early childhood centres;
- The main source of income for the Council is practising certificate fees paid by teachers. Shifting the cost to the Council would force teachers to pay for a service that benefits the general public. There is no additional Government funding that the Council could draw on to fund a charge for Police vetting. This means that any charge for Police vets would need to be passed on to teachers via higher practising certificate fees;
- One of the aims of the cost recovery proposal is to reduce demand on services. Police vetting of teachers is compulsory so there would be no reduction in demand;
- This simply transfers costs from one part of the public service to another and imposes costs on public sector workers. There is nothing in this proposal that will make it more cost efficient or in line with the objectives of *Better Public Services*;
- The SIS does not charge other government departments for the provision of security-related information in respect of public sector employees – a comparable situation with the common goal of ensuring that workers are trustworthy;
- The Council has helped Police to make this an incredibly streamlined process (certainly not justifying a \$7 charge, which appears to be based on out-dated information), with Council staff entering most of the applicant’s

²³ Policing (Cost Recovery) Amendment Bill Regulatory Impact Statement, page 10. <http://www.treasury.govt.nz/publications/informationreleases/ris/pdfs/ris-police-pcr-may14.pdf> (last accessed 26 January 2015).

details and it being a largely automated process through a system called *Query Me*; and

- The figures used by Police in estimating the likely cost are outdated because it was prior to the *Query Me* system being established.

58. Public consultation on the proposal took place in late 2012. Police received 147 submissions on its discussion document. Over half of the submitters were either mostly opposed (27%) or totally opposed (31%) to cost recovery for police vetting services²⁴. Police note in the RIS that:

“The majority of submitters who were opposed in principle to cost recovery for the vetting service, took this position on the basis that vetting serves to protect vulnerable people and the wider community, thereby providing a predominantly public benefit. A large majority of these submitters considered that vetting is part of Police’s public duty obligations and the core functions of crime prevention, maintaining public safety and community support and reassurance (as set out in the Policing Act 2008).”²⁵

59. We note that the Sensible Sentencing Trust have publicly stated that they are “incensed” at the proposal and that the charge would lead to fewer criminal checks and, as a result, greater risk to the public.²⁶

ORAL SUBMISSION

60. We request the opportunity to make an oral presentation to the Select Committee on this Bill.

²⁴ Policing (Cost Recovery) Amendment Bill Regulatory Impact Statement, page 12. <http://www.treasury.govt.nz/publications/informationreleases/ris/pdfs/ris-police-pcr-may14.pdf> (last accessed 26 January 2015).

²⁵ Policing (Cost Recovery) Amendment Bill Regulatory Impact Statement, page 13. <http://www.treasury.govt.nz/publications/informationreleases/ris/pdfs/ris-police-pcr-may14.pdf> (last accessed 26 January 2015).

²⁶ http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11258612 (last accessed 29/01/2015).