



**Policing (Cost Recovery)
Amendment Bill**

**Submission to the Law and Order
Select Committee**

February 2015



For a better working life

New Zealand Public Service Association
Te Pūkenga Here Tikanga Mahi

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Introduction

The New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (the PSA) is the largest trade union in New Zealand with over 59,000 members. We are a democratic organisation representing members in the public service, the wider state sector (the district health boards, crown research institutes and other crown entities), state owned enterprises, local government, tertiary education institutions and non-governmental organisations working in the health, social services and community sectors. Many PSA members are part of the children's workforce.

Since 1913, most State servants have been members of the PSA and as State services have been contracted PSA coverage has extended to non-governmental organisations and the private sector. People join the PSA to negotiate their terms of employment collectively, to have a voice within their workplace and to have an independent public voice on the quality of public services and how they're delivered.

The PSA is an affiliate of the New Zealand Council of Trade Unions Te Kauae Kaimahi and supports its submission on this bill.

PSA submission

The purpose of the Bill is to put in place a process whereby the Police can seek through regulation for specified services to be given a designation ("demand services") that will enable Police to recover the cost of those services on a user-pays basis. Clause 4 of the Bill (proposed section 79B (3)) specifies provision of vetting services by Police as an example of a demand service.

The introduction through legislation of cost-recovery for policing services is a significant change to the way in which policing is funded. It is important that this change is openly debated through the select committee process by those most likely to be affected.

We understand, from the Regulatory Impact Statement (RIS), that the Police have been considering cost recovery options for some time and that the major objections received in an earlier consultation process were from sporting

organisations. Proposing this Bill in the context only of cost recovery for Police vetting services, rather than for example policing of large for-profit sporting events, could be seen to be avoiding direct democratic and public debate of the proposal by those most likely to be strongly opposed.

The children's worker safety checking requirement put in place by Part 3 of the Vulnerable Children Act 2014 will soon take effect and this will create a significant increase in the demand for Police vetting. Government has not budgeted for or funded the cost of children's worker safety checking. It appears that this may be a major driver for this bill coming forward at this time and for the focus on cost-recovery for Police vetting services.

The PSA submits that, while it is entirely understandable that the Police do not wish to cover this not insignificant cost from within their current baseline, this is in reality a case of an unfunded policy initiative rather than a situation justifying a fundamental change to the way in which policing services are funded.

When the Vulnerable Children's Bill was being considered by select committee many submitters, including the PSA, drew attention to what appeared to be an underestimation of the cost of children's worker safety checking. The introduction of a fee for Police vetting will compound this.

The safety checking process is a key part of the Government's strategy for achieving one of its 10 result areas – Result area 4, reducing the number of assaults on children. This goal is laudable and clearly identified by the Government as being of significant public benefit rather than merely of benefit to private organisations or individuals. We support the view of Child, Youth and Family Services, summarised at p.9 of the RIS that "Police vets are used to ensure the safety of the vulnerable....these vets are done in the public good".

It is the PSA's understanding that no agency or organisation that will be required to safety check their children's workforce has been allocated funding to cover the initial or ongoing cost of this. If the Police simply pass on the cost to the State services and the private and community sector agencies employing the children's workforce, this will simply shift the funding issue from the Police to those organisations. Many of these organisations, particular those in the community sector, are already underfunded for the services they deliver.

We share the concern of the Ministry of Education, summarised in at p.9 of the RIS, that "there is a risk that cost recovery will dis-incentivise the use of vetting and screening...and consequently affect the safety of children."

The PSA submits that because children's worker safety checking contributes directly to the achievement of one of the Government's key result areas which is of direct benefit to vulnerable children, and to the public good, it is inappropriate for this

service to be designated as a “demand service” and funded through cost-recovery. Government should directly allocate funding to the Police vetting service to cover the cost of children’s worker safety checking.

The PSA recommends that the committee delete from clause 4 of the Bill, “79B (3) Without limiting the generality of subsection (2), an example of a demand service is the provision of vetting services by Police.”

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