

Submission from Wellington City Council on the Policing Bill

Clerk of the Committee
Law and Order Committee
Select Committee Office
Parliament Buildings
WELLINGTON

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Submission to: **The Law and Order Select Committee**

Bill: **Policing Bill**

From: **Wellington City Council**

Date: **27 March 2008**

Introduction

The Wellington City Council welcomes the opportunity to comment on the Policing Bill. The Council agrees that there is a need to modernise policing legislation and to ensure a robust and strategic framework to underpin the work of the New Zealand Police.

The Council believes that the Bill provides an opportunity for local government to work more closely with the Police in their communities. This could impact on how priorities are determined, how services are delivered, and how accountability for public safety is achieved.

The Council's submission reflects its commitment to advocating for effective engagement between itself, the community and the Police to support an appropriate focus for policing in Wellington City.

The Council's continuing positive relationship with the Police is an important component of its commitment to keeping Wellington a city that is safe and attractive to live, work and play in.

The Council considers police administrative practice should be timely, efficient, effective and respectful of human rights and diversity.

This submission also identifies policing issues which are specific to Wellington as the nations' capital city, a regional centre of employment and entertainment and a growing tourist destination with the potential for further growth.

General View

The Wellington City Council generally supports the Policing Bill and wishes to make the following points.

The particular needs of Wellington City

With some exceptions for centralised police services and diplomatic protection services, the allocation of policing resources (police capacity) for Wellington is primarily based on a population ratio formula. However, Wellington holds a unique position as the capital city of New Zealand and as the premier regional hub. In addition to its large residential population base, it has policing needs which are generated by being:

- the seat of Government – as the nation's capital, Wellington policing must reflect the ambassadorial, ceremonial and security responsibilities it carries. State and head of government visits, for example, pose major challenges for the police in terms of security, logistics and resources and have significant impacts on the policing requirements for the city
- a regional focus for entertainment and services – a large number of people from neighbouring districts visit Wellington for its cultural, artistic and entertainment opportunities
- the employment location for a very large number of workers who commute daily from surrounding districts, and further away
- a major tourist centre for both domestic and international visitors to New Zealand – Wellington earns a high profile and is important to the nation's international reputation
- the base for many companies, drawing significant international investment to New Zealand.

Recommendation

The development of the legislation should include provisions that allow for:

- adequate provision of policing resources that recognise the special nature of Wellington City, both as national capital and regional centre.

Specific Comments

Engagement between the Police and the Council

The Council supports the view that policing is a shared responsibility and that local authorities can work with Police to support the social well-being of communities. The Council contributes to crime prevention with community safety initiatives, regulatory activities, environmental design and planning processes.

The Council agrees that effective policing relies on a wide measure of public support and confidence and includes collaborating with individual citizens, or agencies or bodies other than the Police.

The Council considers that public support and confidence will be enhanced through Police working closely with local government. The Council strongly supports the enhancement of liaison with the New Zealand Police to identify local priorities and develop strategies to develop safer communities.

The Council considers that a robust framework is required to clarify roles and responsibilities and to provide guidance for the development of the necessary relationships.

Recommendation

The development of the legislation should provide a framework that strengthens the relationship between councils and Police with a view to:

- improving community safety
- recognising community priorities identified in the Long-Term Council Community Plan (LTCCP) in terms of resource allocation
- facilitating the exchange of information.

Powers relating to the care and protection of intoxicated people

Alcohol related harm and substance abuse is an issue for the Wellington community and must be met with realistic and practical responses. The Council supports provisions that enable the Police to take incapacitated people into custody as a protective measure. The Council considers that protective custody for intoxicated persons fits well with other city safety strategies being implemented in Wellington.

The Council supports initiatives to reduce the burden on the justice system. The Bill authorises the detention of intoxicated persons where they are incapable of protecting themselves from physical harm, likely to cause physical harm to another person or significant damage to any property. This is an appropriate intervention tool and is complemented by the Council's Liquor Control Bylaw (LCB). The Bylaw is used as an early intervention tool, in that people in breach of the Bylaw are warned and given an opportunity to comply with the Bylaw.

The Council also supports further consideration of the Police's ability to use infringement notices for lower level offences, in that an instant fine will serve as an appropriate penalty for minor anti-social liquor related behaviour.

Recommendation

The development of the legislation should include provisions that allow for:

- infringement notices to be used for minor liquor related offences.

Temporary closing of roads

The proposed temporary closing of roads is intended to provide protection for the public and to assist officers in investigation of serious offences. It is recognised that this provision is often for emergency situations and that forewarnings of closure are not always possible; however as a road controlling authority, the Council seeks an amendment so that the exercise of police powers to temporarily close roads requires Councils to be notified as soon as practicable. In this way, good communication will result in coordinated and efficient temporary road closures, with minimal disruption to other road users.

Recommendation

The development of the legislation should include provisions that allow for:

- councils to be notified of temporary road closures.

Conclusion

The Wellington City Council is supportive of the Policing Bill and welcomes the opportunity for local government to consider its relationships and involvement with Police. This submission outlines the Council's views on how the legislation can be enhanced.

Thank you for the opportunity to comment on the Policing Bill.

Oral Presentation

Please note that representatives for Wellington City Council wish to appear before the Committee should oral submissions be received.

Yours sincerely

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