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Media Statement

Commission of Inquiry into Police Conduct

The Commission of Inquiry into Police Conduct's mandate has been altered so that it can complete its work without prejudicing any criminal prosecutions and can have regard to a separate examination of police culture led by the Police Commissioner.

Attorney General Michael Cullen said the Commission would focus generally on how the police responded to the sexual assault allegations and whether the people making them were treated appropriately.

Dame Margaret Bazley will be sole Commissioner. Hon Justice James Bruce Robertson asked to be discharged because of time pressures due to his responsibilities as a High Court Judge and President of the Law Commission.

The Inquiry will run in parallel with investigations by the Police Commissioner into behaviour by a number of police staff which is not consistent with police expectations and may in some cases be criminal.

Dr Cullen said the Bazley Inquiry would provide a source of external advice and reference to the Commissioner who would report to it from time to time, but no later than 3 February next year, on his conclusions and on any actions stemming from them.

This would allow Dame Bazley to reflect that information within her own report, due with the Governor General by 3 March 2006.

The Inquiry's terms of reference are to examine:

- the conduct, procedure, and attitude of the police in relation to allegations of sexual assault by members of the police or by associates of the police or by both;
- the extent [if any] to which unprofessional behaviour within the police in the context of such allegations has been or is tolerated; and
- the manner in which such allegations have been or are investigated and handled by the police, whether directly, or on behalf of the Police Complaints Authority.

It was originally to have reported by 1 November 2004 but the timetable was bent out of shape by the need for criminal investigations to be completed, and later by the laying of criminal charges.

“There was a risk that it could be adjourned for up to two years,” Dr Cullen said.

“Yet there are a number of women who have contacted the Commission with complaints that are not and will not be the subject of criminal investigation. It is important that we expedite proceedings to keep faith with those women and to maintain public confidence in the justice system.”

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