



3 August 2023

Amanda Murtagh
fyi-request-23526-d420c669@requests.fyi.org.nz

Our ref: OIA 106129

Tēnā koe Amanda

Official Information Act request: Independent Police Conduct Authority

Thank you for your email of 18 July 2023 to the Minister of Justice, requesting information under the Official Information Act 1982 (the Act). Specifically, you asked:

Is the Ministry of Justice responsible for the Independent Police Complaints Authority (IPCA) to act in accordance with New Zealand legislation?

On 19 July 2023, you were advised that your request had been transferred to the Ministry of Justice for response under section 14 of the Act.

In response to your request, I can confirm that the Ministry administers the Independent Police Conduct Authority Act 1988 which establishes the IPCA as an independent Crown entity under the Crown Entities Act 2004. The law is available at:
legislation.govt.nz/act/public/1988/0002/latest/whole.html#DLM126241

However, while the Ministry is responsible for the policy underpinning the IPCA Act, and monitors the IPCA's overall performance, section 4AB says: "Except as expressly provided in this or any other Act, the Authority must act independently in performing its statutory functions and duties and exercising its statutory powers."

Moreover, section 105 of the Crown Entities Act says: "A responsible Minister of an independent Crown entity or a Crown entity company may not direct the entity or company to have regard to or to give effect to a government policy unless specifically provided in another Act." There is more information at: ipca.govt.nz/Site/about-us/Independence.aspx

If you require any further information, please contact Media & Social Media Manager Joe Locke at media@justice.govt.nz.

Please note that this response, with your personal details removed, may be published on the Ministry website at: justice.govt.nz/about/official-information-act-requests/oia-responses/.

If you are not satisfied with this response, you have the right to make a complaint to the Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to info@ombudsman.parliament.nz or by phone on 0800 802 602.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Anouk Alexander', with a stylized flourish extending to the right.

Anouk Alexander

Deputy Secretary - Strategy, Governance and Finance