

30 August 2023

Amanda Murtagh
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Our ref: OIA 106534

Tēnā koe Amanda

Official Information Act request: Independent Police Conduct Authority

Thank you for your email of 6 August 2023 to the Ministry of Justice (the Ministry) requesting, under the Official Information Act 1982 (the Act), information regarding who holds the Independent Police Conduct Authority (IPCA) accountable. Specifically, you requested:

*Who is responsible for holding the Independent Police Complaints Authority to account when they fail to act within the Independent Police Conduct Authority Act 1988?
Where is this transparently explained to New Zealanders?*

In response to your request, the IPCA Board has primary responsibility for ensuring the IPCA acts in line with the relevant legislation. This is set out in section 53 of the Crown Entities Act 2004 (CEA), and section 4A of the IPCA Act 1988. These are available at:

- legislation.govt.nz/act/public/2004/0115/latest/DLM329631.html
- legislation.govt.nz/act/public/1988/0002/latest/DLM126241.html

Beyond that, the Minister of Justice and Parliament (through Select Committee annual reviews) are responsible for reviewing the operations and performance of Crown entities. This includes holding them accountable if they are not acting in line with legislative requirements. These responsibilities are set out in section 27 of the CEA, as above, and the Standing Orders of the House of Representatives respectively. Standing Orders are available at: parliament.nz/en/pb/parliamentary-rules/standing-orders/

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



Andy Fulbrook
Acting Deputy Secretary, Strategy, Governance and Finance