

21 April 2026

Submission to Committee Secretariat of the Justice Committee on the ***Policing Amendment Bill***.

As a Catholic Justice and Peace Commission with a firm focus on implementing and prompting Catholic Social Teachings (CST) in all aspects of life and governance, we welcome the opportunity to respond to the Policing Amendment Bill.

While we affirm the legitimate aims of public safety and crime prevention, this Bill through its expanded surveillance powers, broadened discretionary authority to detain or move individuals, and increased capacity for temporary area closures poses serious moral, social, and human-rights concerns. These concerns strongly align with current issues highlighted in public media reporting and legal commentary.

The Catholic Church has made global headlines in political news lately. We wish to reiterate that any political commentary we provide in our submissions is based in Catholic Social Teaching (CST) taken from centuries of Catholic Moral Theology. We share the secular and legal concerns of this Bill through our commitment to uphold CST on human dignity through ‘Imago Dei’, preferential option for the poor and vulnerable, subsidiarity, solidarity, and the common good through equity, restorative justice and peace for all in Aotearoa New Zealand. For these reasons we strongly oppose the Policing Amendment Bill.

Imago Dei¹

It is our belief that every person is made in the image of God (Genesis 1:27). We also believe law-and-order policies must never compromise the dignity of any person, especially those who are vulnerable, easily discriminated against or marginalised. Any law expanding state surveillance, discretionary detainment, or the power to treat people pre-emptively as potential risks violates this sacred dignity. Expanding Police powers in this way will disproportionately effect Māori, youth, and poor or transient populations,

¹ “Being in the image of God the human individual possesses the dignity of a person, who is not just something, but someone...” *Compendium of the social doctrine of the Church*. (n.d.).

https://www.vatican.va/roman_curia/pontifical_councils/justpeace/documents/rc_pc_justpeace_doc_20060526_compendio-dott-soc_en.html n.108

“The dignity of the human person is rooted in his creation in the image and likeness of God.”

Catechism of the Catholic Church (CCC) - IntraText. (n.d.).

https://www.vatican.va/archive/ENG0015/_P5F.HTM n. 1700

treating some persons as potential threats to be managed rather than human beings with God-given worth.

The Bill has the real danger of creating conditions for unreasonable surveillance and collection of personal data, with racialised policing affects, and diminished civil liberties as was seen in the case *Tamiefuna v R*.² In *Tamiefuna*, the Supreme Court held that photographs taken during a routine stop became unlawful because they were retained and uploaded to the intelligence system “for possible future use” without a specific investigative purpose.

The following *Joint Inquiry by the Independent Police Conduct Authority and the Privacy Commissioner*³ launched in 2022 found widespread, unlawful practices of photographing members of the public, driven largely by a lack of understanding of Privacy Act obligations, resulting in photos being taken, used, and retained without warrant or a lawful policing purpose. The Inquiry further found Police often failed to obtain proper, informed consent, particularly when photographing rangatahi (youth), and did not adequately explain why images were being taken or how they would be used. It also found thousands of photographs were improperly stored and retained, including on officers’ phones and in Police databases beyond any legitimate need, with the majority of complaints affecting Māori.⁴

The lawful boundary prior to this Bill, is that Police must be able to identify a specific, concurrent policing purpose at the time of collecting data, with limits on retention and use. Speculative future usefulness is inappropriate, breaches human rights and is unlawful. The Bill effectively erases these necessary human rights boundaries, legitimising intelligence-led surveillance without embedding privacy, youth or race specific accountability or any additional oversights to protections essential to prevent a repeat of systemic breaches. Any legislation that expands discretionary enforcement powers in this context cannot be considered neutral.

The Common Good⁵

²*Police in the wrong over unlawful photo – University of Auckland*. (2025, May 13).

<https://www.auckland.ac.nz/en/news/2025/05/13/police-in-the-wrong-over-unlawful-photo.html>

³*Joint inquiry by the Independent Police Conduct Authority and the Privacy Commissioner into Police conduct when photographing members of the public*. (2022). Independent Police Conduct Authority and the Privacy Commissioner. [8-SEPTEMBER-2022-IPCA-AND-OPC-Joint-Inquiry-into-Police-photographing-of-members-of-the-public.pdf](https://www.ipca.govt.nz/8-SEPTEMBER-2022-IPCA-AND-OPC-Joint-Inquiry-into-Police-photographing-of-members-of-the-public.pdf)

⁴ Cardwell, H. (2022, September 7). Police illegally photographing youth, Māori a “widespread practice”, investigation finds. *RNZ*. <https://www.rnz.co.nz/news/national/474366/police-illegally-photographing-youth-maori-a-widespread-practice-investigation-finds>

⁵ “The common good requires respect for the person as such.” CCC. n. 1907

“The order of things must be subordinate to the order of persons, and not the other way around.” *Compendium* n.165

In a sentence, this Bill will harm not enhance the common good. While the government argues the Bill will “strengthen Police’s ability to detect and prevent crime” and “help keep Kiwis safe”, the common good is not reducible to public order alone.⁶ For the common good to flourish: trust, equity, and respect for rights are required. When trust between Police and communities erode, the common good erodes with it. Criticism from the Privacy Commission that the Bill sets “the bar too low” for safeguards, and risks “lots of court challenges” due to its breadth⁷, demonstrates that this Bill if passed will undermine social cohesion and trust, key elements necessary to maintain equilibrium and the common good.

Preferential Option for the Poor & Vulnerable⁸

Legislation that intensifies existing inequities contradicts our commitment to seeking justice for the oppressed. Policy must be evaluated by its effects on the marginalised and most vulnerable. Groups historically subjected to over-policing such as Māori and Pasifika youth, the homeless, and those from lower socioeconomic communities are at clear risk of increased harm. This is substantiated in secular media reporting that emphasises that expanding move-on orders and detention powers “could disproportionately affect vulnerable populations,” including Māori and the homeless.⁹

The Bill’s likelihood to impact communities that are already over-policed is a direct moral concern. CST obliges us to evaluate laws by their impact on the vulnerable. This option isn’t optional for the Church. CST demands scrutiny of how this Bill will impact Māori, youth, and the homeless. We stand in solidarity where harm is most likely, alongside with those whose dignity and mana may be compromised by these amendments.

Subsidiarity and Solidarity¹⁰

⁶Govt moves to strengthen police surveillance powers in new Law-and-Order push | Law-Order. (2026, March 18). Devdiscourse. <https://www.devdiscourse.com/article/law-order/3842778-govt-moves-to-strengthen-police-surveillance-powers-in-new-law-and-order-push>

⁷ Pennington, P. (2026, March 26). Bill to give police new powers to move and detain introduced to Parliament. RNZ. <https://www.rnz.co.nz/news/political/590754/bill-to-give-police-new-powers-to-move-and-detain-introduced-to-parliament>

⁸ “Those who are oppressed by poverty are not simply devoid of material goods; they are deprived of dignity and identity.” St John Paul II – Centesimus Annus n.57

⁹ O’Brien, J. (2026, March 26). New Zealand Parliament considers expanded police powers to move and detain. *Eva Daily*. <https://www.evadaily.com/article/nz-police-powers-bill-parliament>

¹⁰ “Solidarity is not a feeling of vague compassion or shallow distress... but a firm and persevering determination to commit oneself to the common good.” Pope St. John Paul II. *Sollicitudo rei socialis* (30 December 1987). (n.d.). https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_30121987_sollicitudo-rei-socialis.html n.38

“Solidarity is more than a few sporadic acts of generosity. It is thinking and acting in terms of community.” Pope Francis. *Fratelli tutti* (3 October 2020). (n.d.).

Catholic teaching recognises the State’s authority only when it serves the good of the human person. Excessive centralisation by widening Police control over public spaces violates subsidiarity and displaces community-led safety approaches, including Māori processes such as Māori Wardens. We advocate for local community led initiatives that incorporate whānau, hapū and iwi as partners, not subjects, in shaping public safety. Subsidiarity favours community-based alternatives over expanding dominant coercive powers.

By coercive powers we refer to the Bill’s intention to expand Police powers to temporarily close public areas including parks, beaches, reserves, and carparks, and granting officers authority to direct people to leave, stop vehicles, demand identification, and conduct warrantless arrests for non-compliance.¹¹ Again, we question how removing human rights from evidence gathering or introducing powers to conduct warrantless arrests for non-compliance can be made lawful? It certainly isn’t moral. Rather than empowering communities, centralised control reduces local decision-making. Subsidiarity is breached when policy substitutes Police judgment for community processes, especially in spaces central to shared life and culture.

Our understanding of solidarity is both social and theological. We commit to walking with those who bear unjust burdens. It requires us to listen attentively to Māori communities, justice advocates, and civil-liberties organisations raising legitimate fears about the Bill’s potential for abuse. Solidarity demands that policy must not deepen cycles of suspicion, control, and marginalisation. We encourage dialogue and collaboration, not disregarding those groups and peoples raising concerns.

Recommended Safeguards and Amendments

While we maintain that the Policing Amendment Bill should be withdrawn in its current form, we recognise the Committee’s role in scrutinising legislation and, where necessary, strengthening safeguards. If Parliament proceeds with this Bill, we submit that the following measures are morally, legally, and socially indispensable to mitigate harm and uphold human dignity.

1. Clear and Enforceable Limits on Surveillance and Data Use

https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20201003_enciclica-fratelli-tutti.html n.116

“In its various forms material deprivation, unjust oppression, physical and psychological illness or death the suffering of the poor is a manifest sign of the frailty of human life and the injustices present in society.” CCC. n. 2448 condensed paraphrase.

¹¹Carolino, B. (2026, March 19). Policing Amendment Bill to reaffirm police can record images, sounds in some places. *NZ Lawyer*. <https://www.thelawyer.com/nz/practice-areas/public-sector/policing-amendment-bill-to-reaffirm-police-can-record-images-sounds-in-some-places/569127>

Surveillance, data collection, and intelligence gathering must be strictly limited to specific, contemporaneous policing purposes, consistent with existing privacy law principles. The legislation should explicitly prohibit the routine retention or future-speculative use of images or data gathered without a defined investigative rationale. Retention periods must be clearly prescribed in statute and not left to internal Police discretion.

2. Judicial Oversight and Independent Authorisation

Expanded surveillance and intelligence powers should be subject to prior judicial authorisation, except in genuinely urgent circumstances. Any post-event authorisations must be narrowly framed, time-limited, and independently reviewable.

3. Youth-Specific and Race-Conscious Safeguards

The Bill should contain explicit protections for rangatahi, including enhanced consent requirements and mandatory involvement of caregivers or guardians where practicable. The legislation must require race-disaggregated data collection and reporting, including Māori-specific impact monitoring, with regular publication to ensure transparency and accountability.

4. Independent Oversight and Accountability Mechanisms

Expanded powers should be accompanied by strengthened oversight by the Independent Police Conduct Authority and the Privacy Commissioner, including mandatory audits of compliance. Individuals affected by misuse of powers must have accessible avenues for redress.

5. Partnership-Based Approaches to Public Safety

The Bill should require Police to prioritise community-led safety initiatives, including formal recognition and resourcing of Māori Wardens and other locally grounded responses. Temporary area closures should be subject to demonstrable necessity, proportionality, and consultation where practicable, particularly in spaces of cultural or communal significance.

6. Proportionality and Narrow Drafting

Provisions granting powers to direct movement, detain individuals, or require identification must be narrowly drafted, with clear thresholds to prevent arbitrary or discriminatory application.

Conclusion: Peace & Restorative Justice¹²

¹² “Peace is the work of justice and the effect of charity.” CCC. n. 2304

“If you want peace, work for justice.” Pope St. Paul V. *V World Day for Peace 1972: If you want Peace, work for Justice*. (n.d.). https://www.vatican.va/content/paul-vi/en/messages/peace/documents/hf_p-vi_mes_19711208_v-world-day-for-peace.html

We acknowledge the State's responsibility to promote public safety and prevent harm. However, in Catholic Social Teaching, public authority is legitimate only insofar as it serves the dignity of the human person and the common good. Measures that rely on expanded coercive power without robust safeguards risk undermining both.

The promotion of peace, in the Catholic Tradition, is not merely the absence of disorder but the presence of justice. Legislation that emphasises surveillance, pre-emptive control, and widened discretion over public spaces risks producing compliance through fear rather than fostering trust, reconciliation, and social cohesion. Such outcomes weaken, rather than strengthen, the common good.

We are particularly concerned that the Bill, as drafted, is likely to disproportionately affect Māori, rangatahi, and socially marginalised communities, compounding existing inequities and eroding trust between communities and Police. Catholic Social Teaching obliges us to assess laws by their impact on those who bear the heaviest burdens, and that assessment leads us to conclude that the Bill is fundamentally misaligned with justice and human dignity.

For these reasons, we respectfully urge the Committee to recommend that the Policing Amendment Bill be withdrawn. If Parliament nevertheless proceeds, the protections outlined in our recommendations are essential preconditions for any morally and socially defensible law. We invite legislators to pursue a vision of public safety grounded in humility, proportionality, partnership, and respect for the inherent dignity of every person.

We are still a long way from the time when our conscience can be certain of having done everything possible to prevent crime and to control it effectively so that it no longer does harm and, at the same time, to offer to those who commit crimes a way of redeeming themselves and making a positive return to society. If all those in some way involved in the problem tried... to develop this line of thought, perhaps humanity as a whole could take a great step forward in creating a more serene and peaceful society.¹³

¹³ Pope St John Paul II. *Message for the Jubilee in Prisons (June 24, 2000)*.

https://www.vatican.va/content/john-paul-ii/en/messages/pont_messages/2000/documents/hf_jp-ii_mes_20000630_jubilprisoners.html