

# Use of force during arrest in Auckland unjustified

# **Summary of the Incident**

- 1. At about 12.20am on Sunday 21 June 2020, officers in a Police patrol van observed Mr Z, who was with a group of friends, spray-painting a wall in Hopetoun Street, Auckland City.
- 2. The officers stopped and, as they got out of the van, Mr Z began running away towards Pitt Street. He was then taken to the ground by an officer.
- 3. Officers A, B, C, and D restrained Mr Z and he was eventually handcuffed. During the struggle, Mr Z was punched, kneed, and put in a head-restraint. Police say that Mr Z was resisting violently, but Mr Z and his friends dispute this. Officer B also alleges that Mr Z attempted to grab one of his appointments (Taser, baton etc).
- 4. During this time, Mr Z's friends were filming the struggle and yelling at the officers to stop hurting Mr Z. Several officers stood in front of Mr Z's friends and warned them to keep back as they were obstructing Mr Z's arrest. One of Mr Z's friends was arrested in relation to this.
- 5. Mr Z was charged with wilful damage and resisting Police. He sustained a number of injuries as a result of the struggle and required hospital treatment.
- 6. In subsequent media coverage of the arrest, Mr Z alleged that the officers profiled him and used excessive force because he was Māori.
- 7. On 24 June 2020, Police notified the Authority of the matter.
- 8. We completed our draft report some time ago but, as Mr Z was defending the charges brought by Police, we wanted to review any pertinent evidence given at trial before publishing our report. Recently, Mr Z pleaded guilty to one charge and the other was withdrawn; there was no further evidence for us to consider.

# Issue examined by the Authority

Issue: Was the force used during Mr Z's arrest justified?

# The Authority's Findings

- 9. The Authority found that it was reasonable for the officers to take Mr Z to the ground in order to effect his arrest. However, punching and kneeing him during the struggle that ensued was not justified under either sections 39 or 48 of the Crimes Act 1961.
- 10. We also concluded that:
  - 1) Officer B's head restraint of Mr Z was justified in order to effect his arrest.
  - 2) Police requested an ambulance soon after Mr Z's arrival at the Auckland Custody Unit.
  - 3) There was no evidence the officers profiled Mr Z or used excessive force because of his ethnicity.

# **Analysis of the Issue**

#### WAS THE FORCE USED DURING MR Z'S ARREST JUSTIFIED?

#### Video footage

- 11. Two of Mr Z's friends captured his arrest on their cell phones. One recording starts slightly earlier than the other, but they both record the arrest from largely the same angle.
- 12. Four officers can be seen restraining Mr Z, who is on the ground. A further two officers and one of Mr Z's friends are standing close by.
- 13. An officer (Officer B) who has his back to the camera, appears to jerk backwards immediately before kneeing Mr Z to the head area. One of Mr Z's friends can be heard yelling, "Oi, you kneed him in the head" repeatedly, and Mr Z can be heard saying, "oi, you kneed me in the head, I'm bleeding ...".
- 14. Officer B then puts his right arm around Mr Z's head area and holds it down to the ground while three other officers restrain Mr Z's arms, legs, and body.
- 15. From this point onwards, the footage records Mr Z's friends repeatedly asking Police what they are doing, and to get off Mr Z as he is hurt and bleeding. The view of the struggle is largely obscured by officers standing in front of Mr Z and keeping his friends at bay.
- 16. The arrest was also recorded on CCTV camera. It does not capture detailed footage of Mr Z's arrest due to the distance. However, it shows that Mr Z is on the ground being restrained for 4 minutes and 14 seconds before he is lifted up to be taken to the Police van.

#### Mr Z's version of events

- 17. Mr Z told the Authority he was walking down Hopetoun Street with a group of about six friends. He had a spray can and was tagging on a wall. His friends saw a Police van and yelled out to him that the Police were there. He saw six officers get out of the van and start running towards him.
- 18. Mr Z denies having a glass bottle in his hand as alleged by Police, and he does not think any of his friends were drinking.
- 19. Mr Z says he panicked when he saw the officers, so he ran and tried to dodge them. He says he was "spear tackled" by an officer into a wall, then hit the ground and was punched in the head. He says the officers did not communicate with him at all and he was not given the opportunity to comply.
- 20. Mr Z recalls hitting the wall and believes he became unconscious for a few seconds when on the ground. He says he "got quite abusive verbally" when the officers started hurting him.
- 21. He recalls being "kicked" and told to stop resisting. He says he told the officers they could not do this, and that it was not right. He says he was kneed and punched two or three times in the head. He believes that, once the officers saw that he was bleeding, they "smothered" him to prevent it being caught on camera, and at the same time he felt knees on the back of his neck and head area.
- 22. Mr Z denies grabbing the officer's appointments as alleged and says that his hands were not free. He acknowledges that after he was "smothered" he kicked his legs out, not to kick anything but to try and roll over. He recalls being put in a headlock but is unsure exactly when. Mr Z does not think he put up much of a fight; he is a small person and is not so physically strong that he could fight four officers who were larger than him.
- 23. Mr Z believes the struggle lasted approximately five to ten minutes before he was dragged along the ground and put into the van, and he was handcuffed for most of that time.
- 24. Once Mr Z arrived at the Auckland Custody Unit, he says he was unconscious and bleeding. He says while in a holding cell, he requested medical attention but was only given water by one of the arresting officers. He says the staff laughed at him. Mr Z was in custody for about an hour before paramedics arrived and took him to hospital.
- 25. Ambulance records show that Mr Z had facial abrasions, a cut under his left eye, and swelling and an abrasion on his left lower rib area. Auckland District Health Board records show that Mr Z presented in the early hours of 21 June 2020. He did not wait to be assessed and instead self-discharged, then presented again later that morning. When he was admitted, his main symptom was pain in his chest. The hospital recorded his injuries as follows:
  - blunt assault with pneumomediastinum (explained to Mr Z as free air below the skin and over the upper chest and neck area as a result of blunt trauma);
  - left black eye;

- bruising and abrasions over left arm, left hip, and thigh; and
- concussion.

Mr Z remained in hospital for two days as a precaution while his condition was monitored.

#### Mr Z's friends

- 26. Mr X saw the van stop and the officers get out. He says the officers punched Mr Z without saying anything or telling Mr Z to stop. He says there was a scuffle, and Mr Z fell into the wall and dropped the spray can he was holding.
- 27. Mr W says he saw an officer "tackle" Mr Z and he believes punches were thrown at Mr Z as he was taken to the ground. Shortly after, Mr W started recording the activity on his cell phone.
- 28. Mr Y says he also saw one of the officers "spear tackle" Mr Z and the officer "punched him over". He says he yelled for the officers to stop, but they did not. He says they gave Mr Z "a few punches, couple of knees", and Mr Z was bleeding. He says one of the officers "just kept going" and would not stop.
- 29. Mr W, Mr X, and Mr Y all believe Mr Z was not initially resisting. They believe it was only when Mr Z was picked up off the ground and carried to the van that he began wriggling or "kicking around a bit".
- 30. Mr W, Mr X, and Mr Y all identify the same officer as having used the force described against Mr Z. They say they did not see the other officers use excess force, nor do they recall Mr Z holding a glass bottle.

#### The officers' versions of events

- 31. Officer A says he was sitting in the front passenger seat of the Police van with Officer E driving. He and some of the officers in the back of the van saw a group walking down Hopetoun Street carrying a mixture of cans and glass bottles, which they believed contained alcohol. As this was a liquor-ban area, Officer A advised Officer E to pull over so they could speak to the group. At this point several of the officers saw Mr Z spray-painting on the wall. When Mr Z noticed the Police van pull up, he immediately ran towards Pitt Street to avoid them.
- 32. Officer A was the first to get out of the van, followed by the officers in the back seats. Officer E remained in the van and radioed Police Northern Communications (NorthComms) to advise them of the situation.

#### Taking Mr Z to the ground

33. Officer A yelled at Mr Z to stop but Mr Z continued to run. Officer A says he attempted to tackle Mr Z towards a wall to arrest him but was unsuccessful. He denies that this was a 'spear tackle'. He says he then saw Officer B make contact with Mr Z and there was a short struggle before Officer B and Mr Z both fell to the ground.

- 34. Officer B says Officer A's attempt to stop Mr Z caused Mr Z to lose his balance and fall against the wall and this caused the glass bottle in his hand to smash. Some of the glass from the bottle hit Officer B on the right side of his face and in his eye. He says he was unable to see anything out of his right eye for approximately 10-20 seconds.
- 35. Officer B ran after Mr Z for a few metres and grabbed hold of him, causing Mr Z to lose his footing and they both fell to the ground. Officer B denies this was a 'spear tackle'. Officer B says he brought Mr Z to the ground on his front where Mr Z began to "wrestle wildly". Although he could not see, Officer B says he believed Mr Z still had the spray can and broken bottle in his hands as he had previously been holding them.
- 36. The officers all state that Mr Z was resisting arrest:
  - Officer A says that Officers B and C were restraining Mr Z's arms, and that Mr Z was thrashing his legs violently and attempting to kick the officers. He assessed Mr Z as being between active resistant and assaultive. He and Officer D attempted to restrain Mr Z's legs.
  - Officer B says Mr Z was trying to get up, rolling over, and bringing his hands up in an
    attempt to wrestle free. He says Mr Z was "violently resisting" by thrashing around and
    grabbing at Officer B's body armour.
  - Officer C says he saw that Mr Z had a Police radio receiver in his hand and he wrenched it from him.<sup>2</sup> He was able to get a handcuff on one of Mr Z's arms but was unable to get the other on as Mr Z was struggling and resisting.
  - Officer D says he attempted to put Mr Z's legs in a leg-lock but was unable to as Mr Z was thrashing his legs and hips around.
  - Officer E says the officers were struggling to restrain Mr Z, who was on his stomach. She
    heard Mr Z swearing and believed he was actively resisting as an officer attempted to
    apply handcuffs. She says Mr Z was pulling away aggressively and was verbally aggressive.
- 37. Officers E, F and G positioned themselves between the officers restraining Mr Z, and his friends. They yelled at Mr Z's friends to stay back and warned them repeatedly they could be arrested for obstruction. At some stage during the arrest, Officer E radioed NorthComms to request further Police assistance.

### **Punches**

Officer B told the Authority he employed two "closed hand strikes", or punches, to Mr Z's head area in an attempt to gain control, as he was concerned Mr Z had weapons. He is not certain where the punches landed. Officer B refutes Mr Z's claim that he was not resisting. He assessed

<sup>&</sup>lt;sup>1</sup> The Perceived Cumulative Assessment (PCA) is an officer's subjective assessment, and continuous re-assessment, of an incident using the TENR model, based on information known about the situation and the subject's behaviour. There are five categories in the PCA – cooperative, passive resistance, active resistance, grievous bodily harm (GBH) or death.

<sup>&</sup>lt;sup>2</sup> This was later established to be Officer B's.

- Mr Z as assaultive and says he believed Mr Z had a broken bottle and possibly the spray can in his hands.
- 39. The punches were delivered before the cell phone footage started so were not recorded. The other officers present say they did not see Officer B strike Mr Z.

#### Knee to Mr Z's head

40. After Officer B punched Mr Z, he continued to resist, and Officer B says he felt Mr Z pulling at his body armour and the appointments on his belt. Officer B says he believed that if Mr Z were to get hold of his appointments, he would have used them against him or his colleagues. He therefore employed a "knee strike" to Mr Z's head area in an attempt to stop Mr Z reaching for the appointments and to direct him away. This was effective. Officer B says he believed this was the most immediate thing he could do to stop Mr Z.

# Head restraint

- 41. Officer B then held Mr Z in a head restraint until another officer applied the handcuffs. He says there was no pressure applied to Mr Z's neck.
- 42. Officer A recalls Officer B putting Mr Z in the restraint to stop him hitting his head on the ground, but he did not describe it as a headlock. He says at the time, Officer B had his arm around Mr Z's neck and was lying face down on the ground towards Mr Z.
- 43. Officers D and F did not see Mr Z being put into the head restraint.

# Handcuffing Mr Z

- 44. Officer C says he was having difficulty applying the second handcuff onto Mr Z's left arm as Mr Z was still resisting. His legs were thrashing around and he was "clenching everything in". Officer C says he believed Mr Z "had the potential" to be assaultive at that point, and Officer D also assesses Mr Z as being active resistant to assaultive.
- 45. Officer D says he kneeled and positioned himself so he could apply his body weight to Mr Z's right leg and restrict him from moving it. Between Officers C and D, they were then able to secure the handcuffs to Mr Z's arms. The Authority is satisfied Officer B punched and kneed Mr Z before he was handcuffed. This is evident from the footage that shows the officers still trying to handcuff Mr Z after the knee strike.
- 46. Mr Z was lifted off the ground and put into the back of the Police van with the assistance of two other officers.
- 47. Once Mr Z was in the van, Officer B noticed that his baton strap had been pulled open, and it was partially drawn. Officer D also found part of Officer B's radio receiver on the ground.

## Were the uses of force justified?

### Taking Mr Z to the ground

- 48. There is no clear footage of the initial apprehension, and no further evidence to support the assertion that Mr Z was punched before he hit the ground. There are differing versions of events as to how Mr Z was taken to the ground, but it is clear it was by the hands of Officer A, Officer B, or both of them.
- 49. Section 39 of the Crimes Act 1961 provides that when "executing or assisting to execute any sentence, warrant, or process, or in making or assisting to make any arrest", Police may use "such force as may be necessary to overcome any force used in resisting such execution or arrest, unless the sentence, warrant, or process can be executed or the arrest made by reasonable means in a less violent manner".
- 50. Mr Z was caught in the act of committing an offence when he started running away from Police. Given that he was running away, we accept it was reasonable for the officers to take him to the ground in order to effect his arrest.

#### Punches and knee strike

- 51. The cell phone footage does not capture the punches as they occurred before the recording started. There are differing accounts as to whether Mr Z was resisting the officers when he was punched. We consider the length of time Mr Z was on the ground was significant and we do not believe the officers would have used the force they did if Mr Z was not resisting.
- 52. In relation to the knee strike, Officer B acknowledges employing this as he believed Mr Z was trying to grab his appointments, although this is denied by Mr Z.
- 53. In assessing this contradiction, we note from the footage that Officer B jerks backwards immediately before striking Mr Z with his knee, which he told us was his reaction to Mr Z grabbing his appointments.
- 54. Section 48 of the Crimes Act states: "Everyone is justified in using, in defence of himself or herself or another, such force as, in the circumstances as he or she believes them to be, it is reasonable to use". Analysis of section 48 requires the following questions to be answered:
  - a) What were the circumstances as the officer believed them to be?
  - b) Was the use of force for the purpose of defending himself or others?
  - c) Was the force reasonable in the circumstances as the officer believed them to be?

#### What were the circumstances as Officer B believed them to be?

- 55. In relation to the punches, Officer B said Mr Z was fighting and resisting arrest, and was assaultive. He says he believed Mr Z might still have a broken glass bottle and spray can in his hands.
- 56. In relation to the knee strike, Officer B says he believed Mr Z was pulling at his body armour and the appointments on his duty belt. He says he believed Mr Z would have used the appointments

against him or one of his colleagues, and the knee strike was the most immediate thing he could do to stop Mr Z from doing so.

### Was the use of force for the purpose of defending himself or others?

- 57. Officer B says he punched Mr Z in order to "gain control" of him and to prevent him from using the spray can or the glass bottle as weapons against him or his fellow officers. We accept the purpose of the punches was to defend himself or his colleagues.
- 58. In relation to the knee strike, Officer B says he employed it to prevent Mr Z from using his appointments against himself and his colleagues. In assessing this, we have also taken into account Officer C who says he saw Officer B's Police radio receiver in Mr Z's hand during the struggle, which is consistent with Officer B's account. On this basis, we accept that Officer B's knee strike was also for the purpose of self-defence.

#### Was the force reasonable in the circumstances as Officer B believed them to be?

- 59. Although we accept that Mr Z was resisting arrest, and Officer B punched him for the purpose of defending himself and his colleagues, we do not consider the punches were reasonable or justified under section 48 of the Crimes Act. Officer B thought the punches were employed within seconds of the knee strike, and the footage indicates that Mr Z was facing downwards when the knee strike was employed. Further, three other officers were in the process of restraining Mr Z when the punches were thrown.
- 60. Likewise, for the same reasons outlined above, we do not consider the knee strike was reasonable or necessary. We consider the strike to Mr Z's head was disproportionate and excessive. It was not justified under section 48.

#### Other uses of force while Mr Z was on the ground

- 61. In addition to the punches and knee strike, Mr Z says he felt other knocks to his head and body as well as knees on his back and head holding him down. Although the other officers deny striking Mr Z in any way, it is highly likely these knocks did occur in the process of them restraining and handcuffing Mr Z. However, there is no evidence of the officers, aside from Officer B, deliberately striking Mr Z.
- 62. Mr Z also told the Authority that after being punched and kneed, the officers 'smothered' him in an attempt to obscure the bleeding from his friends nearby.
- 63. As outlined above, Officer B acknowledges using his right arm to hold Mr Z's head while other officers were trying to handcuff him. There is nothing to suggest this was done to obscure Mr Z from his friends, and it is evident it was to help restrain Mr Z so he could be handcuffed. The hold itself does not appear excessive or dangerous, and so it was justified under section 39 of the Crimes Act.

### Was Mr Z provided with sufficient and timely medical assistance after his arrest?

- 64. Mr Z did not specifically complain to the Authority about his treatment in custody. However, he told us that he was only given water in response to his complaints that he was unwell and that he was laughed at when he said he was in pain.
- 65. The officers confirm that, on arrival at the Auckland Custody Unit, Mr Z was placed in a holding cell where prisoners are held until they are formally received and processed. He complained of being unwell, having a sore chest, and that he was having trouble breathing.
- 66. The holding cells are captured by CCTV cameras. When Mr Z entered the cell, the duty custody sergeant saw on the camera that Mr Z appeared distressed and unwell. He asked the arresting officers what the situation was and was told officers had to restrain Mr Z during his arrest. The sergeant directed that Mr Z be placed under constant observation and an ambulance called.
- 67. The Police event chronology shows that an ambulance was called at 1:01am, 12 minutes after Mr Z arrived at the unit. In the time it took for ambulance to arrive, Mr Z was provided with a glass of water and a blanket. On the CCTV footage he appears to be disoriented at times, moving himself from the cell bench to the floor and talking occasionally with officers in the cell or through the cell door. It was a little over an hour before the ambulance arrived, however we are satisfied this delay was not attributable to Police.

# Was Mr Z racially profiled?

- 68. Mr Z's arrest and the footage of it attracted significant media attention at the time. Mr Z made allegations in the media that he believed the officers profiled him and used excessive force against him because he is Māori.
- 69. In a separate complaint to the Authority, made on Mr Z's behalf, the complainant alleged that Police would not have responded to a Pākehā offender in the same manner. The complainant said this was a racist attack and part of a systemic pattern in how Police use force against Māori.
- 70. The officers refute such a claim. They said they simply drove by Mr Z and his friends who appeared to be breaching the liquor-ban. As they slowed, they saw Mr Z spray-painting the wall, and they apprehended him when he tried to run away. They said they were not aware of Mr Z's ethnicity at the time.
- 71. Notwithstanding our findings in relation to the use of force, we do not believe that Mr Z's arrest and treatment was based in any way on his ethnicity.

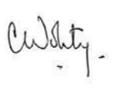
# 72.

# THE AUTHORITY'S FINDINGS

It was reasonable for the officers to take Mr Z to the ground in order to effect his arrest. However, punching and kneeing him during the struggle that ensued was not justified under either sections 39 or 48 of the Crimes Act.

### We also conclude that:

- 1. Officer B's restraint of Mr Z's head was reasonable and not intended to obscure Mr Z from onlookers.
- 2. Police requested an ambulance soon after Mr Z's arrival at the Auckland Custody Unit.
- 3. There is no evidence the officers profiled Mr Z or used excessive force because of his ethnicity.



# **Judge Colin Doherty**

Chair Independent Police Conduct Authority

31 March 2022

IPCA: 20-3801

# **Appendix – Laws and Policies**

#### LAW

- 73. Section 39 of the Crimes Act 1961 provides for law enforcement officers to use reasonable force in the execution of their duties such as arrests and enforcement of warrants. Specifically, it provides that officers may use "such force as may be necessary" to overcome any force used in resisting the law enforcement process unless the process "can be carried out by reasonable means in a less violent manner".
- 74. Section 40(1) of the Crimes Act 1961 provides for Police officers to use reasonable force to "prevent the escape of [another] person if he takes flight in order to avoid arrest", unless the escape can be prevented "by reasonable means in a less violent manner".
- 75. Under section 62 of the Crimes Act 1961, anyone who is authorised by law to use force is criminally responsible for any excessive use of force.
- 76. Section 11 of the Summary Offences Act 1981 provides that every person who intentionally damages any property is liable to imprisonment for a term not exceeding 3 months, or a fine not exceeding \$2000.
- 77. The Local Government (Alcohol Ban Breaches) Regulations 2013 regulation 4 provides that the infringement fee for breaching an alcohol ban is \$250.

### **POLICY**

# Use of force

- 78. The Police use of force policy provides guidance to Police officers about the use of force. The policy sets out the options available to Police officers when responding to a situation. Police officers have a range of tactical options available to them to help de-escalate a situation, restrain a person, effect and arrest, or otherwise carry out lawful duties. These include communication, mechanical restraints, empty hand techniques (such as physical restraint holds and arm strikes), OC spray, batons, Police dogs, Tasers, and firearms.
- 79. Police policy provides a framework for officers to assess, reassess, manage, and respond to use of force situations, ensuring the response (use of force) is necessary and proportionate given the level of threat and risk to themselves and the public. Police refer to this as the TENR (Threat, Exposure, Necessity and Response) assessment.
- 80. Police officers must also constantly assess an incident based on information they know about the situation and the behaviour of the people involved, and the potential for de-escalation or escalation. The officer must choose the most reasonable option (use of force) given all the circumstances known to them at the time. This may include information on the incident type, location and time; the officer and subject's abilities; emotional statement, the influence of drugs and alcohol, and the presence or proximity of weapons; similar previous experiences; and

- environmental conditions. Police refer to this assessment as an officer's Perceived Cumulative Assessment (PCA).
- 81. A key part of an officer's decision to decide when, how, and at what level to use force depends on the actions of, or potential actions of, the people involved, and depends on whether they are: cooperative; passively resisting (refuses verbally or with physical activity); actively resisting (pulls, pushes or runs away); assaultive (showing an intention to cause harm, expressed verbally or through body language or physical action); or presenting a threat of grievous bodily harm or death to any person. Ultimately, the legal authority to use force is derived from the law and not from Police policy.
- 82. The policy states that any force must be considered, timely, proportionate, and appropriate given the circumstances known at the time. Victim, public and Police safety always take precedence, and every effort must be taken to minimise harm and maximise safety.

#### **Empty hand tactics**

- 83. Under the Police 'Use of Force' policy Police officers are taught a range of ways to safely use force without a weapon, known as 'empty hand techniques'. The Police 'Use of Force' policy states that officers can use empty hand techniques to:
  - distract a subject,
  - physical control a subject, and/or
  - defend themselves or another.
- 84. Use of empty hand techniques must be fully reported in a tactical options report, except for touching, guiding, escorting, lifting, and pushing where a person does not fall to the ground. An officer must submit the TOR to their supervisor before the end of the shift in which they used force, or with their supervisor's approval, within 3 days of the end of shift and prior to any rostered days off or leave during this period.

#### **People in Police Detention**

85. The 'People in Police Detention' policy provides that all Police employees are responsible for the care, safety and security of everyone detained including at scenes, during transport, within Police stations and cells at courts. This starts from the moment a person is arrested or detained and does not end until they are released or transferred into the care of another agency, individual or family member.

# **About the Authority**

#### WHO IS THE INDEPENDENT POLICE CONDUCT AUTHORITY?

The Independent Police Conduct Authority is an independent body set up by Parliament to provide civilian oversight of Police conduct.

We are not part of the Police – the law requires us to be fully independent. The Authority is overseen by a Board, which is chaired by Judge Colin Doherty.

Being independent means that the Authority makes its own findings based on the facts and the law. We do not answer to the Police, the Government or anyone else over those findings. In this way, our independence is similar to that of a Court.

The Authority employs highly experienced staff who have worked in a range of law enforcement and related roles in New Zealand and overseas.

#### WHAT ARE THE AUTHORITY'S FUNCTIONS?

Under the Independent Police Conduct Authority Act 1988, the Authority receives and may choose to investigate:

- complaints alleging misconduct or neglect of duty by Police;
- complaints about Police practices, policies and procedures affecting the complainant in a personal capacity;
- notifications of incidents in which Police actions have caused or appear to have caused death or serious bodily harm; and
- referrals by Police under a Memorandum of Understanding between the Authority and Police, which covers instances of potential reputational risk to Police (including serious offending by a Police officer or Police actions that may have an element of corruption).

The Authority's investigation may include visiting the scene of the incident, interviewing the officers involved and any witnesses, and reviewing evidence from the Police's investigation.

On completion of an investigation, the Authority must form an opinion about the Police conduct, policy, practice or procedure which was the subject of the complaint. The Authority may make recommendations to the Commissioner.

#### THIS REPORT

This report is the result of the work of a multi-disciplinary team of investigators, report writers and managers. At significant points in the investigation itself and in the preparation of the report, the Authority conducted audits of both process and content.



Mana Whanonga Pirihimana Motuhake

PO Box 25221, Wellington 6140 Freephone 0800 503 728 www.ipca.govt.nz