

MEDIA STATEMENT

Tuesday 17 October 2023

Non-fatal shooting by Police in Kaiapoi justified

The Independent Police Conduct Authority has found that Police were justified in shooting a man who confronted officers with a crowbar and knife at Kaiapoi on 25 June 2022. The man suffered serious injuries to his hands, chest, abdomen and legs but survived.

At about 7.30pm on Kaiapoi's main street, a member of the public called Police and said a man had threatened him and his wife with a metal bar. Two officers attended, and the man advanced aggressively towards them brandishing a crowbar, then damaged the Police vehicle with the bar. The two officers tried to arrest the man, using their Tasers, but were unsuccessful.

Two other officers arrived, and they attempted to engage with the man, who was also wielding a knife, and unsuccessfully tried to subdue and arrest him using pepper spray and Tasers. Police managed to direct the man away from a busy part of Kaiapoi and maintained a presence around him as he walked into nearby Peraki Street.

The man then entered a property and attempted to escape over a fence. Officers confronted him, and he chased them to the front garden where he advanced on them with a crowbar. Two further officers arrived and one of them tried again to Taser the man. When the man advanced on that officer, another officer, fearing for the safety of his colleague, fired his rifle in two bursts of six rounds. These did not stop the man, who continued to advance towards the officer. Another officer, also fearing for his colleague, fired his pistol three times. The man fell to the ground and was secured. The officers provided medical assistance.

While recovering from surgery for his wounds, the man was charged with various offences, including assault with a weapon and threatening to kill, but was found to be unfit to plead on account of his mental health.

The Authority found the use of pepper spray and Taser by officers was justified, as was the shooting of the man by two officers, who were both acting in defence of another.

"Verbal instructions and communication, and then the use of pepper spray and Tasers had failed to stop the man. We commend the officers who went into a darkened rear property in pursuit of an aggressive and unpredictable suspect. After that, when an officer tried to Taser the man, he was faced with a serious threat and the two armed officers responded appropriately to defend him." said Authority Chair, Judge Kenneth Johnston KC.

The Authority completed its investigation into this incident in early 2023 but delayed the release of its public report until after the conclusion of the man's related court proceedings in September 2023.

A copy of the report is attached.

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