

showing some parts of the pursuit. This report deals with two key aspects of our investigation: the pursuit and Police communications.

9. Police were provided with our draft report and given the opportunity to make submissions, in accordance with section 31 of the Independent Police Conduct Authority Act 1988. We received no submissions from the four officers who pursued Mr Z. The Dispatcher and Pursuit Controller made submissions which are reflected in our report. Some submissions from the Police organisation are also discussed.
10. The Authority acknowledges this matter involves the death of a young man and we extend our deepest sympathy to his family.

The Authority's Findings

Issue 1: Was it reasonable for the officers to initially attempt to stop Mr Z, and was their communication sufficient at this point?

Officers A and B were justified in signalling Mr Z to stop for the purpose of enforcing the Land Transport Act 1998, as the car's registration and warrant of fitness had expired.

However, Officer C and D's belief that the car should be stopped was based on their reliance on incomplete information in the written log ('Responder'). Because of this, they wrongly believed the occupants of the car were connected to the recent firearms incident in the city centre and they incorrectly assumed Officers A and B were stopping the car for this reason.

Officer C should have told the Southern Emergency Communications Centre (Comms) Dispatcher that he and Officer D were heading to assist with the firearms incident. While enroute, he should have requested an update over the Police radio. Had he done so, the officers would have very likely learned the firearm had been determined to be a toy and the response had been de-escalated. The failure to request an update ultimately led to a pursuit based on an incorrect assumption. Given Officer C's belief that firearms were involved, he should have communicated his concern over the radio, as well as a plan to stop the car safely.

Issue 2: Were the pursuing officers justified in initiating the pursuit?

Officers A, B, C and D were justified in initiating the pursuit based on what they mistakenly believed the circumstances to be at the time.

However, the Dispatcher should have instructed the officers to abandon the pursuit soon after it was initiated, given what he knew, and the confusion around why the officers were pursuing the black car.

Issue 3: Once underway, should the pursuit have been abandoned?

Given the confusion around the occupants of the black car, their level of alleged offending, and the risks posed by the pursuit, the pursuit should have been abandoned immediately after turning into Vaughan Road.

The Dispatcher should have managed radio traffic more effectively, ensuring the lead vehicle provided pursuit commentary.

Issue 4: Did other Police staff act appropriately?

Officers E, F, the frontline (PST) Senior Supervisor, and other frontline officers aware of the earlier firearm incident, should have transmitted their understanding that the firearm had been determined to be a toy so the pursuing officers could factor that information into their assessment of the risks involved in the pursuit.

Issue 5: Did Police contribute to the crash?

In our view, Police contributed to the crash. Police should not have been pursuing Mr Z at the time he crashed.

The failings of multiple members of Police were a significant factor that contributed to this crash.

Issue 6: Was the written information available to officers during the incident sufficient and accurate?

The written log in the Responder application on the officers' mobile phones could not be relied upon to provide frontline officers with accurate, up-to-date information during the incident. It was missing crucial information that had been communicated over the radio.

There is a lack of clarity amongst Comms staff and frontline officers concerning the purpose of the written log in Responder, and whether it can be relied upon to provide up-to-date, thorough, and key information about an incident.

If Police are providing the ability for frontline officers to access written event information, it is incumbent on Police to ensure it contains accurate, up-to-date, key information.

Issue 7: Has the subsequent Police response been adequate?

Police have not appropriately investigated this matter. Had they done so, they would have identified significant failing concerning the communications and decision making around the continuation of the pursuit.

The Police debrief was insufficient. Attendees failed to identify and address significant factors leading to the pursuit of Mr Z and therefore did not appropriately determine learnings that should have been taken from the incident.

BACKGROUND: THE FIREARM INCIDENT IN THE CBD

11. At 11.22am, on Thursday 31 October 2024, a member of the public ('informant') called 111 to tell Police two male youths were walking down a street in the Rotorua city centre, brandishing a firearm.
12. The 111 Police Emergency Communications Centre (Comms) Call Taker created an incident record and began typing the information received from the informant into the event log on the Police computer system.² As soon as the information was entered, it appeared on the computer of the Comms Dispatcher responsible for managing the Rotorua Police radio channel. The Dispatcher was based in the Southern Emergency Communications Centre in Christchurch.
13. The information a Call Taker enters into the event log, to be read and actioned by the Dispatcher, is also available to frontline Police staff on their mobile phones, through an application called Responder. Frontline officers can review an incident in Responder and read details that have been entered by the Call Taker and the Dispatcher.
14. Upon receiving the information on his computer, the Dispatcher made the following 'priority' radio transmission to officers in Rotorua:

Speaker	Radio Transmission
Dispatcher	<i>We're getting a 6820 [firearm] job coming in for... Tutanekai Street. Two males walking down the road, one holding a gun and making gang signs. Last seen a minute ago at the intersection of Hinemoa and Tutanekai, heading south on Tutanekai.</i>

15. The Dispatcher then provided further details which included that the youths were Māori, aged about 17 - 18 years, both were wearing black sweatshirts, and one had denim shorts. The Police Public Safety Team (PST)³ officers were assigned to respond.
16. About one minute later, a Council CCTV Camera Operator located the teenagers on camera.⁴ The following radio transmissions occurred over the next 50 seconds:

Speaker	Radio Transmission
CCTV Camera Operator	<i>Camera has obs [observations] on the two youths. Currently north end of the Central Mall. Both have black, possibly toy guns. About to enter mall now.</i>

² Police Call Takers (also called Emergency Communicators) answer 111 calls from the public. They find out what is happening and decide on the right Police response. Call Takers send the information through a computer programme to Dispatchers who are responsible for dispatching Police units and managing the Police radio channels, directing and responding to officers in the field. Both Call Takers and Dispatchers are civilians employed by Police.

³ Public Safety Team (PST) officers are frontline, uniformed officers. They are generally the first officers sent to an incident.

⁴ Rotorua Lakes Council operate an extensive CCTV network in a Safer City initiative. Their operator, who is non-Police, can communicate with Police over a Police radio and by phone when required.

PST Unit 1	<i>Can you confirm they're toy guns? Because if so, we might leave them for community cops and head to this gang job.</i>
CCTV Camera Operator	<i>Affirm. They're toy guns. Have photos and footage.⁵</i>
PST Unit 1	<i>Copy. We'll 10-2 to Bell Road again. And if we can get some community cops to follow up with the CBD job.</i>
PST Senior Supervisor	<i>Sorry, how are we able to confirm that they're toy guns?</i>
CCTV Camera Operator	<i>It's a flimsy, slim, plastic toy. Uh, security are with them at this stage. Walked past them nil issue.</i>

17. Upon hearing the CCTV Camera Operator clarify the firearm was a toy and that security did not appear to have seen anything that suggested they were posing a risk:

- The PST officers diverted to a separate gang-related assault incident.
- Two community officers (Officers E and F) said they would attend the toy firearm incident at the mall.⁶

18. This change to a less-urgent response was acknowledged by the Dispatcher:

Speaker	Radio Transmission
Officer E	<i>Myself and [Officer F] will go to the mall.</i>
Dispatcher	<i>Roger, thank you.</i>

19. The Dispatcher told us:

"I re-deployed staff to a priority event where people were being actively assaulted. There was still a response to the firearms event that included Rotorua cameras monitoring remotely and Police staff attendance. There had been a radio transmission from Rotorua cameras saying 'no issues' conveying that the suspects were presenting as compliant which does lower the risk."

⁵ No-one sought to clarify whether there was one or two firearms over the radio. However, based on accounts, it appears officers listening correctly assumed it was one firearm. The Camera Operator says one of the males was holding the small toy pistol and the other was holding a cell phone and it looked like the males were making a Tik Tok or Snap Chat video. The CCTV operator zoomed in the camera to see the firearm closely before establishing it was a toy.

⁶ Community officers are assigned to a specific community and handle policing matters there. They focus on problem solving and crime prevention at a local level, building partnerships and identifying community concerns. They are visible, accessible and familiar to their community.

20. The CCTV Camera Operator told us:

“My perception on it was that they trusted my judgement and they reprioritised where they needed to deploy staff, and they were pretty happy that ... community constables along with the assistance of cameras were able to deal with it. That was my understanding, and the threat level had gone from top tier to very, very, very low grade. Something that still needed attending, but very low grade.”

21. The CCTV Camera Operator then advised over the radio:

Speaker	Radio Transmission
CCTV Camera Operator	<i>Youth last seen south through the mall, keeping obs on the Victoria end in case they empty out.</i>

22. For the next three minutes, radio transmissions related to the assault incident that was occurring on Bell Road. About one minute before the pursuing officers encountered the black car, there was then a radio discussion, which clarified that community officers were attending the mall regarding the toy gun incident. Key radio transmissions were:

Speaker	Radio Transmission
PST Senior Supervisor	<i>What units are heading to the central mall job?</i>
[Discussion]	...
Dispatcher	<i>[Officer F] were you attending the mall job?</i>
Officer F	<i>Yeah, copy, I'm just talking to cameras.</i>

What do Police say their level of response to the firearms incident was at this point?

23. Police officers who heard the toy transmissions, and the Dispatcher, indicated to us that they continued to consider the matter to be very serious (therefore requiring a strong response) because no officer had seen the firearm in person yet, so they could not discount it as being a toy. Police submitted to us that:

“... it is not realistic nor appropriate for any officer in today's environment of 3D printed weapons (capable of firing) to assume that a weapon presented is an imitation or toy firearm. This cannot be confirmed and treated as real until it is seized and verified as imitation. It is noted that members of the public and officers themselves identified or presumed from 111 calls and sightings that this was a real weapon. That to identify or work on the expectation that any weapon in today's environment is a toy places staff and members of the public at unacceptable risk.”

24. We acknowledge Police still believed it necessary to monitor and locate the teenagers who had brandished the firearm. However, it is evident to us that what officers told us reflected hindsight perspectives. On the day, there was no indication from any person involved, that they believed they needed to keep the response as a high priority. In fact, they de-escalated their response to the firearm incident after the CCTV Camera Operator confirmed she believed it to be a toy, as requested. PST members were clearly satisfied with her assessment given they then diverted to another job. A less-urgent response was put in place, with the CCTV Camera Operator continuing to monitor outside of the mall and (unarmed) community officers going to follow up with the teenagers. The Dispatcher indicated he agreed with this plan of action by responding “Roger, thank you” (paragraph 18).
25. At the time, if Police genuinely believed the firearm still posed a high threat, we expect they would have continued with their initial, more urgent response, especially given the teenagers were now inside a mall. We also expect there would have been further communications over the radio regarding the matter, whereas no transmissions were made about the firearm matter for three minutes after the CCTV Camera Operator said the youths had last been seen South through the mall.

What did the officers who conducted the pursuit know?

26. There were four Police staff involved in the pursuit, Officers A and B in the first patrol car, and Officers C and D in the second. All four officers were at the Rotorua Police Station when they heard about the firearms incident in the city centre. Officer A was dealing with a stolen car that had arrived on a tow truck, Officer B was processing a person into custody, Officer C (a sergeant) was in a meeting, and Officer D (an experienced officer) was talking to other Police staff.
27. The officers all say they heard some of the radio “chatter” concerning a ‘priority’ firearm incident but did not hear any of the 50-second radio discussion about the firearm being a toy.
28. Officer C, first heard of the firearm incident after coming out of his meeting. He gathered further information by reading the incident log in Responder on his mobile phone. As the front seat passenger, he read some of the information aloud to Officer D while they drove into the city centre.⁷
29. Responder contained information from the informant who had rung 111. It included that the two males were about 17 – 18 years old, Māori, on foot, and that the informant thought they appeared drunk. The male holding the firearm had pointed it at a girl, then waved it at several other people on the street while laughing. Responder stated: “Looked liek [sic] a replica – had silencer on it”, however, it then said that the informant was not familiar with firearms. Crucially, Responder did not record what the CCTV camera operator said or that the firearm was considered to be a toy. Neither did it indicate that the incident had been de-escalated because of this.

⁷ Due to technical issues, Officers C and D’s patrol car radio could not be heard properly. During the pursuit, Officer C used his earpiece to hear radio transmissions, relaying some information to Officer D.

30. Once Officers A, B, C and D left the Police station in the two patrol cars, the only radio transmissions that related to the firearm incident were regarding the actions of the community officers (see paragraph 22). These transmissions were made around 50 seconds before Officers A, B, C and D encountered the black car.
31. We have investigated this aspect of the case extensively to establish exactly what the pursuing officers knew prior to the pursuit. Although initially we had concerns about this, we now accept the officers did not hear the radio transmissions concerning the firearm being a toy. We also accept that Officers C and D's understanding was based on the detail in Responder, which, it transpires, did not include vital information.
32. Our analysis of whether the officers were initially justified in pursuing the teenagers in the black car (Mr Y and Mr Z) is based on their mistaken belief that the firearms incident involved a real firearm and that these were the teenagers involved.

Analysis of the Issues

ISSUE 1: WAS IT REASONABLE FOR THE OFFICERS INITIALLY TO ATTEMPT TO STOP MR Z, AND WAS THEIR COMMUNICATION SUFFICIENT AT THIS POINT?

33. In this section we explain what happened when Officers A and B first saw Mr Y and Mr Z in the black car. We discuss their reasons for signalling Mr Z to stop, and whether that action was lawful. We also examine the communication that occurred as this is a critical aspect of the officers' decision making during the pursuit that followed.

What happened?

34. Officers A (driving) and B left the Police Station, intending to go to the Bell Road incident via the central city. Officers C and D (driving), in a second car, left the Police Station at the same time, intending to assist with the firearms incident. Both units were in marked patrol cars. Officers C and D were following behind Officers A and B when they turned into Hinemoa Street.
35. As Officers A and B stopped at the intersection with Tutanekai Street, they saw a black car moving from right to left in front of them. Officer A describes it as a "*beat up old car*". The car was moving at road speed, and the manner of driving was good. Officers A and B saw two young Māori males in the car. They did not know the identity of the two teenagers, who turned out to be Mr Z, who was driving, and Mr Y, in the front passenger seat.
36. Officers A and B told us that, as the black car went past, the two youths turned their heads in a manner that indicated to them that they were trying to hide their faces. This caught the attention of the officers, so Officer A pulled out to follow the car while Officer B used her mobile phone to check the car's registration number. Officer B read that the car was registered to an older female from outside Rotorua and that its registration and warrant of fitness had been expired for about six years. There was nothing else that stood out to them about the condition of the car.

37. Officers A and B decided to stop the car and conduct vehicle, licence, and alcohol checks. Given the registered owner was a female, they also intended to find out if the two teenagers had permission to use the car.
38. Officer C then casually asked Officer A the following over the radio:

Speaker	Radio Transmission
Officer C	<i>Do you wanna grab that car [Officer A]?</i>
Officer B	<i>We're onto it.</i>

39. Officer A followed behind the black car for about 100 metres, with his flashing lights on. Officer A said, when Mr Z turned left into Amohau Street: *"I hadn't worked out whether his driving was trying to evade, or ... get away from us..."*. At this point, he also activated his siren.
40. Based on Mr Z's actions and other evidence, we are satisfied he knew Police were wanting him to stop from the moment Officer A signalled him to do so by the use of the flashing lights. Mr Y's account supports this. Mr Y said Mr Z continued driving as he was scared of being stopped by Police.

Did Officers A and B have a lawful reason to stop Mr Z?

41. The Land Transport Act 1998 requires a vehicle to have a current warrant of fitness and registration.⁸ Section 114 of the Act provides officers with the authority to stop the driver of a vehicle by using a siren or flashing lights, to enforce the requirements of the Act.
42. Upon learning that the car's registration and warrant of fitness had expired, it was reasonable and lawful for Officers A and B to signal Mr Z to stop to enforce the requirements of the Act.
43. Mr Z's family were concerned officers may have decided to signal Mr Z to stop because they were young, Māori males. There is no evidence to suggest this was the case. At this stage, Officers A and B had not given any consideration to the possibility that the two occupants may be connected to the firearms event, where the offenders had been described as being two male Māori youths. There is no indication the officers signalled for Mr Z to stop for any reasons other than those discussed above.

Why did Officers C and D believe Mr Z needed to be stopped?

44. Officer C's reliance on Responder meant that he and Officer D had only partial information. When they left the Police Station, they understood that teenagers had waved a firearm around at members of the public, that the teenagers were possibly heading into the mall, and that the informant was leaving the area, having been told to call back if they see the teenagers again.

⁸ Section 242 of the Land Transport Act 1998 and section 8.9 of the Land Transport (Road User) Rule 2004.

45. There were no further updates provided via Responder in the 90 seconds prior to the officers seeing the black car.
46. Police 'Radio and Communication Centre Protocols' states:
- "Use of mobility devices is encouraged,⁹ however assignment to P1 and P2 events should always be made over the radio network,¹⁰ not via a mobility device, for situational awareness of the dispatcher and other front-line staff."*
47. Officers C and D were directly behind Officers A and B at the give-way sign and also saw the two teenagers turn as if to hide their faces from Police.
48. Having recently read the information on Responder, both Officers C and D believed Mr Y and Mr Z may be the two teenagers connected to the earlier firearm incident. Officer C said this was because the two young males matched the physical description of those reportedly seen with the firearm, that *"moments later"* they were in the same area where the two teenagers had been seen, and because the teenagers were attempting to hide their faces from Police.
49. Officer C also incorrectly believed that officers had reported the firearms offenders may be at the scene in a vehicle. We have been unable to ascertain why he believed this.
50. Officers C and D incorrectly assumed that Officers A and B also thought the occupants in the black car were connected to the firearm incident. Hence, they believed Officers A and B were signalling for the black car to stop because the occupants might have a firearm.
51. Officer C said he was surprised when Officer A immediately activated his lights and siren as he thought he would wait until they were in a safer area to stop the vehicle, given the occupants may be armed.
52. Officer C and D followed behind Officers A and B, to provide support, if needed. They activated their lights and siren shortly before turning into Amohau Street.

Conclusion

53. We cannot understand why Officer C, being a Sergeant and very experienced, would not have sought an update from Comms regarding the firearms incident while enroute, especially given he and Officer D were now available and in the immediate area. Radios are real-time and are the main form of communication and source of information provided to officers during an incident. We have listened to the radio record across this time, and it was not busy. If Officer C had requested an update, he would very likely have learnt that the firearm was now believed to be a toy and that the response had been de-escalated.
54. In addition, Police 'Radio and Communication Centre Protocols' states: *"Units undertaking self-initiated tasks must notify the dispatcher of their location and activity."* Given Officers C and D

⁹ It is via an officer's mobility device (cell phone) that they can access Responder.

¹⁰ P1 means Priority 1. These are deemed to be serious incidents that warrant urgent attention. Priority 2 also require prompt attention, although less urgent than Priority 1.

were heading to assist with the firearms incident without the Dispatcher's knowledge, Officer C should have told the Dispatcher that they were doing this, or at least, as we have outlined above, asked for a quick update.

55. Initially, the two Police units had different reasons for believing the black car should be stopped. While Officers A and B signalled for the driver to stop the car for land transport purposes, Officers C and D believed the occupants needed to be stopped as they may be the teenagers involved in the firearm incident.
56. The officers were unaware each unit had a different understanding of the situation due to a lack of communication and incorrect assumptions.
57. After Officer C casually said to "*grab that car*", with Officer B responding that they would, there was 30 seconds of radio silence. This provided ample opportunity for Officer C to communicate with Officers A and B and plan to stop the car safely. Had he done so, he would have realised Officers A and B had not considered that the car occupants may be those sought in relation to the firearms incident.
58. Officer C acknowledged to us that he should have communicated better and formed a plan with Officers A and B.
59. In our view, failures in communication ultimately led to a high-risk pursuit based on partial information and incorrect assumptions.

FINDINGS ON ISSUE 1

Officers A and B were justified in signalling Mr Z to stop for the purpose of enforcing the Land Transport Act 1998, as the car's registration and warrant of fitness had expired.

However, Officer C and D's belief that the car should be stopped was based on their reliance on incomplete information in the written log ('Responder'). Because of this, they wrongly believed the occupants of the car were connected to the recent firearms incident in the city centre and they incorrectly assumed Officers A and B were stopping the car for this reason.

Officer C should have told the Southern Emergency Communications Centre (Comms) Dispatcher that he and Officer D were heading to assist with the firearms incident. While enroute, he should have requested an update over the Police radio. Had he done so, the officers would almost certainly have learned the firearm had been determined to be a toy and the response had been de-escalated. The failure to request an update ultimately led to a pursuit based on an incorrect assumption due to a lack of vital information.

Given Officer C's belief that firearms were involved, he should have communicated his concern over the radio, as well as a plan to stop the car safely.

ISSUE 2: WERE THE PURSUING OFFICERS JUSTIFIED IN INITIATING THE PURSUIT?

60. In this section we describe what happened when Mr Z fled from Police and why the officers decided to pursue. We assess whether the pursuing officers were justified in initiating and continuing the pursuit.
61. We then consider whether the Dispatcher should have allowed the pursuit to be initiated, given the information he had. We also explain why a Pursuit Controller authorised the pursuit.¹¹

What happened when the pursuit was initiated?

62. Officers A and B saw the black car ahead, at the busy, multi-laned Amohau Road/Fenton Street intersection. The black car was amongst other cars in the inside lane of two right-hand lanes, as if to turn right with the green light into Fenton Street.
63. Officer A said “*at the last minute*” Mr Z made a manoeuvre, weaving through traffic to go straight ahead, through a red stop light. CCTV footage shows Mr Z narrowly missed hitting a turning car.
64. With emergency lights and siren still activated, Officer A followed Mr Z through the intersection, while Officer B reported over the radio:

Speaker	Radio Transmission
Officer B	<i>Yeah, we've just had a flee.</i>

65. The Dispatcher immediately asked for the car’s registration number, which Officer B provided.
66. Officer A, while driving, conducted a risk assessment about 100 metres after the intersection. He determined that a pursuit of the black car was unjustified as the driver’s offending was only traffic-related and that did not outweigh the risk which would be created by a pursuit. Having done so, he turned off the lights and siren and reduced his car’s speed while looking for a safe place to pull over.
67. Meanwhile, the Dispatcher asked:

Speaker	Radio Transmission
Dispatcher	<i>Are you in pursuit?</i>

68. Officer B said she was about to say “*No*”, as they were in the process of stopping. However, she did not get the opportunity as, about six seconds later, Officer C made the following crucial transmission over the radio (‘Officer C’s transmission’):

¹¹ The Pursuit Controller is responsible for the control and command of the pursuit. They must confirm the initial reason for signalling the driver to stop and the justification for the pursuit and can direct the abandonment of the pursuit at any time. In most cases, the role is undertaken by the Comms shift commander.

Speaker	Radio Transmission
Officer C	<i>We believe the occupants of that vehicle may be involved in the firearms job in the CBD. Hence the reason we attempted to stop it. It's failed to stop red and blues traveling eastbound on Te Ngae Road now.</i>

69. Officer A told us: “... my risk assessments changed ... at that moment.” About four seconds after he had deactivated their lights and siren, because of the radio comment by Officer C, Officer A reactivated them and began pursuing the black car as the lead Police unit. Officers C and D followed as the secondary Police unit, still under lights and siren.
70. While Officer C’s transmission did not specifically tell Comms they were in pursuit, it was understood that the pursuit was initiated at this point.

Were the officers justified in initiating the pursuit based on what they knew?

What does the ‘Fleeing driver’ policy say?

71. According to Police ‘Fleeing driver’ policy, there are only two potential justifications for initiating or continuing a pursuit:
- an officer’s overall assessment of the situation and offender’s behaviour leads them to determine the driver or vehicle occupants are assaultive or pose a threat of grievous bodily harm;¹² or
 - the driver or occupants are suspected of committing a serious offence and there is a high risk of them committing ongoing offending, harm, or victimisation.
72. Before pursuing, officers must assess the risks posed by a pursuit. They must consider factors such as the time of day, traffic conditions, the profile of the vehicle occupants and threats posed by them, and whether the seriousness of the offending requires their immediate apprehension.
73. Policy states: “An investigation is a viable alternative to initiating or continuing a pursuit.” In this case, this could involve making enquiries using the car registration number, available footage, and co-ordinating a wider search.

Why did Officers A and B engage in the pursuit?

74. Prior to Officer C’s radio transmission, Officers A and B had not considered the two young men in the black car may be linked to the firearms incident.

¹² ‘Assaultive’ includes someone who displays intent to cause harm, through body language/physical action.

75. However, upon hearing Officer C's transmission, both Officers A and B individually reassessed the situation. They now considered:

- the two male occupants in the black car fitted the description of the teenagers seen in the CBD with a firearm;
- they had been seen leaving the area within a few minutes of the firearms job;
- they had acted in a manner indicating they had not wanted to be seen by officers; and
- they had then fled from Police.

76. Based on Officer C's transmission, along with those factors, Officers A and B both say they formed the view there was a high possibility Mr Y and Mr Z were the teenagers sought in relation to the firearm incident. Officer B said:

"... we didn't know who the occupants were ... they could potentially have access to firearms... We don't know where they were going ... what they were capable of. What they were intending to do."

77. Officers A and B determined that they needed to act immediately to stop Mr Y and Mr Z. Officer A said:

"... if we delayed ... following I would have lost sight of the vehicle and, given the registered owner was clearly not the occupants and the lack of recent warrant of fitness history... identifying them to recover the firearm was gonna be difficult at best."

78. Before engaging in the pursuit, Officer A noted and considered the following environmental factors:

- the driver (Mr Z) was not travelling at high speeds and was staying within his own lane;
- the weather was fine, and the roads were dry; and
- it was nearly midday and, while numerous road users were exposed to the driver's manner of driving, the road was not particularly busy, and the traffic was not dense.

79. The officers say they planned to act in accordance with Police practice in planning for the pursuit. They assumed other officers would assist by laying road spikes, to puncture the black car's tyres, causing it to slow down or stop. They would then conduct a high-risk vehicle stop.¹³ Officer A explained that, upon stopping the car, licence and alcohol checks would be carried out. If the firearm was found to be in the car, the occupants would be arrested for having it in their possession.

¹³ Officers A and B had access to firearms in their patrol car, should they be needed. However, unbeknown to Officer C, he and Officer D were in a patrol car with no firearms.

Why did Officers C and D engage in the pursuit?

80. Officer C said:

- *“... once the vehicle starts fleeing my [risk assessment] went up again because I’m thinking right, their behaviour, their subject behaviour is matching...”.*
- *“No other people matching the description had been located by other Police units responding to that priority firearms incident.”¹⁴*

81. Officer D said: *“The justification in my mind’s very much the firearms event.”* He said, given there were two young people with a firearm in a built up area, avoiding apprehension, the pursuit was necessary to apprehend the offenders and remove a firearm that *“in my mind was pretty clearly in the car.”*

82. The fact Mr Z fled added more weight to Officers C and D’s belief that the car occupants were connected to the firearms incident. However, drivers flee for a range of reasons. Officers C and D’s assumption regarding Mr Z’s reason for fleeing was incorrect.

Conclusion

83. Carrying a firearm in a public place, and presenting it to members of the public, is a serious offence.

- Section 50D of the Arms Act 1983 says: *“Every person commits an offence and is liable on conviction to imprisonment for a term not exceeding 5 years who, without lawful purpose, carries or possesses a prohibited firearm in a public place.”*
- Section 52 of the Act provides that a person may be imprisoned for up to 6 months or fined up to \$10,000 for presenting a firearm at a person for no lawful purpose.

84. Given the officers did not know that the firearm had been determined to be a toy and that the matter was being resolved with community officers attending the mall, they could not factor this into their assessment of the risks involved in pursuing.

85. We accept that Officers C and D were justified in pursuing because they thought the occupants of the car had a firearm. This was based on their wrong beliefs due to their reliance on Responder and failure to request an update over the radio.

86. It is apparent that Officers A and B’s decision to pursue was greatly influenced by Officer C’s transmission. This, alongside Mr Z fleeing, caused them to suspect the car occupants were those involved in the firearm incident. It also led them to believe Officers C and D may have further information that justified a pursuit.

87. Officers A, B, C and D were justified in initiating the pursuit based on the information known to them at the time, and their belief that Mr Y and Mr Z may be the teenagers involved in the

¹⁴ We note the Responder information Officer C had read said the informant believed the teenagers with the firearm appeared drunk. There is no indication Officers C or D recalled this or factored it into their assessment of the risks.

firearm incident. We accept that they reasonably believed the risks posed by Mr Y and Mr Z outweighed the risk of the pursuit at this point.

88. We asked Officer C if he would have initiated the pursuit if he had heard or was made aware the firearm was determined to be a toy, and he said: *“We wouldn’t have been in it if we knew that.”*
89. We are satisfied that, had Officers A, B, C and D known the firearm had been determined to be a toy, they would not have initiated the pursuit.

Should the Dispatcher have allowed the pursuit to be initiated?

90. Police policy says dispatchers:

“May abandon the pursuit prior to the Pursuit Controller taking command of the event where the reason for pursuit is not provided or is insufficient to justify a pursuit.”

What did the Dispatcher do when the officers began pursuing the black car?

91. Following Officer C’s transmission saying he believed the occupants *“may be involved in the firearms job in the CBD”*, the Dispatcher briefed the Pursuit Controller (his supervisor) of the situation. While doing so, he also tried to clarify which incident the fleeing driver related to before Comms agreed to the pursuit.
92. The following radio transmissions occurred:

Speaker	Radio Transmission
Dispatcher	<i>Are you both behind it?</i>
Officer C	<i>Affirm. Lights and sirens activated both vehicles. Vehicles two up. Two male Māori matching the age description in the job.</i>
Dispatcher	<i>Roger. Sorry, you think this is in relation to the Bell Road job or the former gang job?¹⁵</i>
Officer C	(Approximately 25 seconds into the pursuit) <i>The firearms in the CBD job.</i>
Officer E	<i>[Officer C], is that the two that were going to the central mall that you think you’ve got?</i>
Officer C	<i>Potentially. They’re just in a vehicle now, obviously.</i>

¹⁵ As well as the Bell Road incident that was ongoing, Police had earlier been involved with another gang-related incident, where offenders had left the scene with a knife or other weapons.

93. At this point, about 45 seconds after Officer C's initial transmission, the Dispatcher provided the pursuit warning, indicating the pursuit was authorised (see paragraph 121).

What did the Dispatcher say?

94. The Dispatcher told us:

"I felt like I wanted to know why they thought the vehicle was linked. That hadn't been portrayed. We just have to trust that, when the unit says they believe they're behind the suspects of the CBD job, that they have the intel ... We have to trust that they know that there is a significant link or... reason to believe that. But I still wanted to know what that was aside from matching a description like black clothing."

95. The Dispatcher also said: "... we needed to treat the reported toy guns as real firearms." He said:

"[The CCTV Camera Operator] confirmed that the firearms were toy guns, however since day one of my training I've known that you can never confirm if a firearm's a toy gun until it's in Police custody and you operate on that – in that manner as if it's real."

96. The Dispatcher explained to us that, with limited frontline staff available, his decisions around where to send officers was "based on reported active physical harm taking place imminently" (see paragraph 18). It seems odd to us that he would redirect PST officers to an active assault elsewhere if he genuinely believed teenagers were waving a real firearm around in the city centre. While we accept the Dispatcher could not fully discount the firearm being real based on the CCTV Camera Operator's assessment that the firearm was a toy, in our view, there is no doubt he allowed a change in response because of the camera operator's assessment.

Conclusion

97. In Officer C's initial transmission, he did not provide any new information that indicated to listeners that he had seen anything that would heighten the risk posed by (what listeners knew to be) teenagers with a toy firearm, other than that it "may" be them who were now fleeing from Police.

98. The Dispatcher:

- was confused about whether the fleeing driver incident related to the firearm incident;
- was confused about why the pursuing officers believed the black car to be linked to the firearm incident;
- knew the CCTV Camera Operator had already stated that the firearm was a toy and he had approved the downgrading of the Police response based on this; and
- knew the teenagers with the (toy) firearm had last been seen in the mall and that the CCTV Camera Operator was monitoring the mall exit(s); and

- knew that two community officers were going to the mall to look for the teenagers with the (toy) firearm.
99. In our assessment, given the Dispatcher’s confusion, knowledge of what had occurred about the firearm being a toy, and the lack of any new information, the Dispatcher should have immediately instructed the officers to abandon the pursuit rather than allowing it to continue while further clarification was sort. The risk to Mr Y and Mr Z, as well as other road users, outweighed the need to pursue.
100. Police submitted to us that:
- “... whilst in an ideal situation it would have been preferable for the Dispatcher to instruct Officers to abandon earlier, in hindsight, and in reference to the Comms logs, the incident itself was confused and only totalled two minutes.”*
101. A pursuit is inherently risky to those involved, as well as other road users. In our view it is unacceptable for Police to condone a Dispatcher allowing a pursuit to continue for almost two minutes, when confused about why the pursuit is occurring. (Radio communications showing how the Dispatcher sought clarification are provided in Issue 3.)

Why did the Pursuit Controller authorise the pursuit?

102. Prior to becoming the Pursuit Controller for this incident, while overseeing the Comms shift, this officer was aware Rotorua Police had been busy dealing with multiple incidents, and that one of these included a firearm. He had been attempting to listen to the Rotorua radio channel while also overseeing other area channels but was unaware of the details concerning the firearm incident.
103. The Pursuit Controller said he asked the Dispatcher the reason for the pursuit and was told the occupants of the fleeing car were believed to be the two males with firearms. The Dispatcher did not tell the Pursuit Controller the firearm incident had been downgraded due to it being a toy. This was important information that should have been communicated to the Pursuit Controller for them to factor it into their assessment of the risks posed by the pursuit.
104. Based on the limited information the Pursuit Controller had at this point, he believed there were *“armed offenders leaving a mall with real guns”*. He instructed the Dispatcher to authorise the pursuit based on this.
105. The Pursuit Controller said he did not know the offenders in the fleeing car were teenagers and he did not know a CCTV camera operator had said the firearm was a toy. He said, had he known these things, he would not have authorised the pursuit.

FINDINGS ON ISSUE 2

Officers A, B, C and D were justified in initiating the pursuit based on what they mistakenly believed the circumstances to be at the time.

However, the Dispatcher should have instructed the officers to abandon the pursuit soon after it was initiated, given what he knew, and the confusion around why the officers were pursuing the black car.

ISSUE 3: ONCE UNDERWAY, SHOULD THE PURSUIT HAVE BEEN ABANDONED?

106. In this section we describe what occurred as the pursuit continued along Te Ngae Road and onto Vaughan Road.
107. Given that driver behaviour is a crucial factor when Police are conducting their assessment of the risks posed by the pursuit, we consider whether sufficient commentary was provided during the pursuit concerning this.
108. We go on to consider whether the pursuing officers should have abandoned the pursuit and whether the Pursuit Controller should have instructed the pursuit be abandoned.

What does Police policy say about abandoning pursuits?

109. 'Fleeing driver' policy states:

"The safety of Police staff, the public, and vehicle occupant(s) (particularly children or young people where they have been identified as such) takes priority over the immediate apprehension of a fleeing driver."

110. Officers who initiate the pursuit must ensure all the risk information is communicated to Comms.¹⁶ Assessments of the risks posed must continue throughout the duration of a pursuit. The Pursuit Controller must ensure the risks associated with a pursuit continue to be justified.
111. A pursuit **must** be abandoned if the risk of harm during the pursuit outweighs the threat posed by the vehicle occupants and the need to immediately apprehend them.
112. The officers in the lead and secondary patrol cars have the authority to order a pursuit be abandoned at any time, as does the Pursuit Controller.
113. Policy states: *"A decision to not pursue or to abandon a pursuit will be supported by Police. No unit can be directed to initiate or continue a pursuit against their judgement."*

¹⁶ If the initiating unit is replaced, the subsequent lead unit takes on the responsibility of communicating the risk information to Comms. Secondary units may also be instructed to perform this task, if, for example, the lead unit is single-crewed or in an unmarked vehicle.

What happened during the pursuit?

What happened on the Amohau Road/Te Ngae Road stretch of road?

114. A short distance from the commencement point of the pursuit, Amohau Road transitions to a posted speed limit of 70 kph and becomes Te Ngae Road. This is also State Highway 30A. This is a main arterial route and has two lanes each way, with a raised curb and grass median strip between. Mr Z was on this road for about two kilometres.
115. On Te Ngae Road, Officers A and B initially caught up with the black car then maintained a distance of about 300 metres behind it, with other road users between them. They intended to observe the black car in order to provide updates on its location. Officers C and D followed about 150-300 metres behind Officers A and B, to provide support, if needed. Officers C and D were unable to constantly see the black car. Officer D describes seeing “*glimpses of it*” two or three times during the entire pursuit.
116. Officer B said Mr Z was weaving in between the two lanes, at an estimated speed of 90 kph, conducting passing manoeuvres with ease. Officer A said:
- “I wouldn't say it was dangerous because he was within his own lane, he was clearly going around... wasn't jerking the steering wheel, it wasn't going from side to side it was... just a bit fast.”*
117. While officers indicated to us that they did not believe the pursuit to be high-risk, it is evident it was. Although none of the officers were aware of this at the time, Mr Z sideswiped a member of the public's car soon after the pursuit began, hitting the left, front side of the person's vehicle. The driver of the sideswiped car said the black car was swerving in and out of lanes, cutting through traffic.
118. Our calculations indicate Mr Z and the officers likely drove average speeds of 120 - 140 kph along Amohau Road/Te Ngae Road. We have asked Police to provide us with speed assessments. They have not been provided.
119. Mr Y and Mr Z were aware Police were chasing them from the beginning of the pursuit. Mr Y told us:

“... we were driving through the CBD and the Police flashed their lights at us. We just carried on going, pretty fast, and then ... they carried on chasing us. Chased us to the red lights. Right up our arse. All the way to Vaughan Road and we were playing bumper cars with the cars until we got onto Vaughan Road ...”

What happened on Vaughan Road?

120. Vaughan Road has a posted speed of 50 kph. At that time, it had less traffic than Te Ngae Road. There are single lanes in each direction with car parking on either side, a speed bump, and a pedestrian crossing. The first kilometre is largely commercial, with one side residential for about 250 metres. The commercial area includes trucking companies and road signs for ‘trucks turning’. After a short rural area, the road becomes largely residential, with houses mostly set

off the road. Mr Z crashed 1.3 kilometres into Vaughan Road, while negotiating an extended ‘S’ bend as he was entering that residential area.

121. About 50 seconds after the pursuit began, the pursuit entered Vaughan Road. At this point, under direction of the Pursuit Controller, the Dispatcher gave what is commonly referred to as the “*pursuit warning*”, officially authorising the pursuit:

Speaker	Radio Transmission
Officer B	<i>Just heading onto Vaughan Road now.</i>
Dispatcher	<i>Comms has command. If there’s any unjustified risk to any person, you may abandon pursuit immediately. Do you understand?</i>
Officer B	<i>Copy, Comms.</i>

122. While the Dispatcher accidentally said, “*you may abandon*” rather than: “*you must abandon*”, officers are familiar with this warning and generally understand they must abandon if there is any unjustified risk.
123. Immediately after the pursuit warning was provided, the PST Senior Supervisor indicated over the Police radio channel that a PST officer was likely nearby. The pursuing officers took this to mean that a PST officer may have opportunity to lay road spikes to assist in stopping the black car, which is a common endeavour in these events.
124. We regard this as significant. The PST Senior Supervisor, who is an experienced officer, had earlier heard the firearm had been determined to be a toy. His comment on the radio, with a focus on road spikes, was another missed opportunity to ensure the toy gun aspect was factored into the pursuit.
125. Officer A said, as Mr Z turned the black car into Vaughan Road, he manoeuvred around another road user, and then his car “*jumped up a bit*”. This indicated to Officers A that Mr Z had clipped the kerb rather than going around the corner smoothly. (This was not reported to Comms.) Mr Z continued driving at speed around another car.
126. Mr Y told us he believes they popped their tyre when Mr Z hit the kerb as he could feel it had gone flat.
127. Officer A recalls Mr Z predominantly stayed within his own lane. Mr Z pulled out to pass two cars but went straight back into his own lane. Officer A followed, still under lights and siren, making the same manoeuvre. Officer A recalls that cars coming towards Mr Z pulled to the left side of the road. Footage shows that these other cars slowed down and sometimes stopped in the lane to allow Mr Z and the two Police cars to pass, and that one oncoming car had to veer off to avoid Mr Z.

128. Officer B said, after they also passed a couple of vehicles, they ended up about 150 metres behind Mr Z with no other vehicles between them.
129. Officer A said he maintained a safe distance behind Mr Z, so he had time to react, if necessary, though could not provide an estimate of the distance. Officer A believed that, although Mr Z and he were travelling above the posted speed limit: “... we weren’t at extreme speeds”.
130. The Police Crash Investigation Report indicates that, about 200 metres along Vaughan Road, the average speed of the vehicles was 85 kph-90 kph. About 270 metres later, the average speed of the black car and Officers A and B car had increased to around 100 kph. At this point, Officers C and D were travelling significantly faster, at about 126 kph in the 50 kph zone, closing the distance between them and the first Police car.
131. Meanwhile, about five seconds after the pursuit warning had been given, one of the community officers, Officer E, asked for clarification around how the black car had been linked to the firearms incident. As the pursuit continued along Vaughan Road, the following transmissions occurred:

Speaker	Radio Transmission
Officer E	<i>(5 seconds after the pursuit warning) Comms... How do we establish?</i>
Dispatcher	<i>That’s a good question. Can we confirm that?</i>
Officer C	<i>(20 seconds after the pursuit warning) Negative. We’re just in the area. Two matching the description in a vehicle. We’ve lit it up and it’s failed to stop. That’s the only link we’ve got. Happy to abandon if we don’t think they’re involved, if we can clarify.</i>

132. The Pursuit Controller said, Officer C’s comment that he was happy to abandon at Comms’ request, suggested that the officers were uncertain that they were pursuing the right people. When the Pursuit Controller and the Dispatcher realised it may not be the youth relating to the firearms incident, both immediately decided the pursuit needed to be abandoned. The Dispatcher prepared to instruct the pursuit be abandoned.

What happened just prior to the crash?

133. The following radio transmissions took place over four seconds, at the time the crash occurred:

Speaker	Radio Transmission
Officer B	<i>Comms, priority.</i>
Comms	<i>Go.</i>

Officer B	<i>Yeah, crash.</i>
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What do Officers A and B say occurred at this time?

134. Officers A and B say, as Mr Z approached the first bend on Vaughan Road, they noticed the front right tyre of the black car appeared to be damaged or going flat. It was smoking and looked like it had started to come off the rim.
135. Officer A said he believed the black car would soon be unable to be driven and the occupants would likely run. Officer A said, in cases such as this, Police extend their following distance, so he decreased his speed around the corner, giving the black car *“a lot more space”*.
136. In viewing the CCTV footage immediately before the crash, it does not appear that Officer A has created distance between his vehicle and the black car. However, we accept this incident was occurring rapidly. Whatever the actions by Officer A, we believe Mr Z could clearly see Police vehicles in pursuit of him as he continued to flee in the black car.
137. Officer B said: *“I wanted Comms and other units to be aware of the vehicle... that had a damaged tyre and it was travelling at speed.”* She called *“Priority”* over the radio, to ensure her transmission took precedence over all other radio traffic.
138. Officer B explained: *“... before I could even transmit to tell Comms [about the tyre] ... the black Nissan approached the left bend, crossed the centreline and crashed into a white van travelling in the opposite lane.”*

What do Comms staff say occurred at this time?

139. The Dispatcher, Pursuit Controller and another Comms member say that, as the Dispatcher opened his mouth to give the direction to abandon the pursuit, Officer B said: *“Comms, priority”*. The Dispatcher said: *“I specifically remember I had to make a split-second decision of whether to tell them to ‘go ahead’ or to order the unit to abandon.”* The instruction to abandon the pursuit was not given before the crash.
140. We acknowledge that, even if the instruction had been given prior to the crash, and officers had abandoned, it was too late for the abandonment to have any effect.

Was sufficient commentary provided during the pursuit?

141. In accordance with ‘Fleeing driver’ policy:
 - the Dispatcher manages the radio channel throughout a pursuit;
 - the initiating (or lead) unit must: *“Ensure all relevant risk information is communicated to [Comms]”*; and

- where resources allow, Pursuit Controllers should: “... *Monitor situation reports to ensure sufficient risk information is being provided to enable informed decision making.*”¹⁷
142. Officer B said she attempted to provide commentary over the radio. However, was unable to do so as other officers and the Dispatcher were transmitting. Most transmissions occurred one after the other, with the only ‘gaps’ being between one and three seconds long. One gap was four seconds long.¹⁸
143. While we acknowledge that Officer B had limited opportunity to provide updates, she made two transmissions where she could have provided more information: first, when she reported that they were entering Vaughan Road, and seconds later, when she acknowledged the pursuit warning.
144. The lack of commentary meant Comms did not know:
- that the weather was fine and the roads dry;
 - the traffic density and flow;
 - that Mr Z had made the dangerous manoeuvre at the Fenton Street intersection;
 - that Mr Z (and the officers) had gone through the red light at that intersection;
 - that Mr Z was weaving between cars on Amohau Street/Te Ngae Road;
 - that Mr Z had gone around another vehicle and clipped the kerb going into Vaughan Road;
 - the speed of Mr Z nor the speed of the pursuing officers; and
 - that Mr Z had overtaken two cars causing an oncoming car to pull over, on Vaughan Road.
145. The Dispatcher acknowledges that “*there was a lot of confusion and chaos on the air*” making it difficult for Officer B to provide commentary but said he believed every transmission made was relevant.
146. The Dispatcher should have called for a brief radio silence and requested an update regarding the conditions and manner of driving, so the Pursuit Controller could factor these aspects into his assessment of the risks.
147. Officer C said, as he could not see the black car very often, he was relying on Officer B to report on Mr Z’s manner of driving. However, as a senior officer in the field (who was making radio transmissions), it would have also been appropriate for him to request Officer B provide commentary on Mr Z’s manner of driving.

¹⁷ We note policy does not stipulate exactly what Officer B should have been reporting, as the commentator of the pursuit. See our recommendation in paragraph 231.

¹⁸ While Comms can transmit over all other radio users, officers in the field cannot. An officer will often call “*priority*” when they consider it urgent enough for their transmission to be immediately heard.

148. Officer C told us that, upon reflection, after 30 seconds of receiving no commentary from the lead unit, he should have considered telling them to abandon or pull over so he and Officer D, as senior officers, could become the lead unit and provide commentary.

Should Police have abandoned the pursuit earlier?

Should the pursuing officers have made the decision to abandon the pursuit?

149. Officers A and B believed the risks created by the pursuit were justified based on their belief that the black car occupants may have a firearm. Both officers said that while Mr Z was travelling above the speed limit, they did not consider his speeds to be extreme.

150. Officer D said, given his suspicion that the black car occupants were the teenagers who had a firearm, he believed the level of threat met the threshold for the pursuit to continue.

151. Officer C told us that he would have abandoned the pursuit immediately, if someone such as city camera operators or other Police units had said the black car occupants were not those involved with the firearm incident, but: “... *not one person could do that...*”.¹⁹

152. In our assessment, the pursuing officers should have abandoned the pursuit after the first minute, soon after turning into Vaughan Road. The risk of continuing the pursuit outweighed the offending, given:

- Officers C and D only *suspected* the teenagers *may* be the teenagers involved in the firearms incident - and on fairly flimsy grounds;
- Officers A and B only *suspected* the teenagers *may* be those involved in the firearms incident after hearing their supervisor, Officer C, say he believed them to be;
- Police had not seen a firearm so could not be certain that Mr Y and Mr Z had one in the car;
- Officer C had read on Responder that the two males with a firearm appeared drunk. Therefore, if they were the teenagers with a firearm this may also negatively influence the driver’s manner of driving and decision-making;
- Officers A, B, C and D knew the driver of the black car (Mr Z) was a young person (a teenager) and that age and driving experience can impact a driver’s decision-making;²⁰
- Mr Z had not shown any intention of stopping for Police after his dangerous manoeuvre at the intersection, and across the next two kilometres;

¹⁹ Officer C was aware that Rotorua has a ‘state of the art’ city camera network. He knew it was monitored, that the camera operator would be reviewing the footage, and that the operator was able to use the Police radio to provide Police with live information. Responder had also stated: “*Rot cameras has obs*”.

²⁰ ‘Fleeing driver’ policy says officers should consider the following when assessing the risks of a pursuit: “*What is the likely age of the driver, the impact of age on their decision-making ability, and driving experience?*”

- Mr Z was continuing to drive at a high speed, which was at least double the posted speed limit, with the two Police units following at a similar and, on occasion, greater speed;
- Mr Z showed he was prepared to pass other vehicles at speed;
- Officer A saw the black car clip the kerb, which, in our view, indicates he had poor control of the car;
- Officers A and B knew the black car had not had a warrant of fitness for about six years and was a “beat up old car”; and
- Officer B had not provided any commentary on Mr Z’s manner of driving, so Officers C and D, as well as Comms staff, were unable to factor this into their assessment of the risks.

153. Police policy acknowledges that there are risks associated with pursuing fleeing youths. It was unlikely Mr Z would stop fleeing of his own accord while two patrol cars were closing the gap between them, at speeds above the speed limit. The officers should have backed off. This would have lessened the pressure on Mr Z and provided him with an opportunity to alter the manner in which he was driving.

Should the Pursuit Controller have instructed that the pursuit be abandoned?

154. We cannot determine exactly when the Pursuit Controller plugged in and began listening to the radio transmissions. However, we accept that he soon began:

“... getting an understanding that there was some issue about whether we had the right vehicle in the first place, and obviously if it wasn’t the right vehicle the pursuit wouldn’t be justified, but we needed to know that.”

155. The Pursuit Controller told us:

“... when you give the warning, any unjustified reason you must abandon pursuit. To me if you’re not sure ... you are following the right vehicle it’s not justified, so I think the unit should have not pursued in the first place or abandoned...”

156. We accept that the Pursuit Controller had very limited information available to him in the short time he was involved in the pursuit, and that he instructed the abandonment soon after he became aware there was a lack of certainty that the pursuers were following the two suspects the Police wished to apprehend.

Conclusion

157. Police based their assessments almost entirely on the supposed offences of the occupants of the black car. They did not, in our view, sufficiently consider the risk factors posed by the pursuit.

158. We acknowledge that no-one knew Mr Z was 15 years old. Nevertheless, it would have been appropriate to factor age into the pursuit, given they had been told the two males with the firearm were believed to be 17–18 years old. Officer C and the Dispatcher should have considered that the driver may be drunk, as that had been indicated by the informant and entered into Responder. Also, Officers A and B were aware that the black car’s warrant of fitness

had expired almost six years previously, which suggests the 1990 car was likely to be in poor condition. These factors increase the risk involved in pursuits.

159. We acknowledge the pursuit was a fast-moving event. However, while radio time was used to establish the car occupants' possible link to the (toy) firearm incident, crucial information concerning the risks of the ongoing pursuit, such as the manner of driving and environmental factors, was entirely absent.

160. Police should have abandoned the pursuit immediately after turning into Vaughan Road as:

- by this point it was apparent there was still significant confusion around whether the black car's occupants were the teenagers involved in the firearms incident;
- the Dispatcher and other officers listening to the radio (outside of Officers A to D – see Issue 4) knew, by that point, that the officers were pursuing suspects whose actions related to a firearm the CCTV Camera Operator had confirmed to be a toy;
- while the Dispatcher, community officers and PST officers may have thought the pursuing officers had seen the firearm suspects do something that escalated the situation and justified a pursuit, no information was provided to suggest this was the case;
- there was no commentary being provided by the lead unit, so Comms and the secondary unit were unable to factor Mr Z's manner of driving into their assessment of the risks;
- Mr Z was continuing to show a clear intention to flee, was passing cars at high speeds, and had a disregard for other road users; and
- the risks posed by the pursuit were increased on Vaughan Road, due to it being single-laned in each direction, with a high potential for trucks and other vehicles coming in and out of commercial businesses, as well as the residential areas.

161. Instead of abandoning the pursuit, and despite their ongoing confusion, Police continued following closely at increasing speeds, increasing pressure on Mr Z. Forty-five seconds after the pursuit warning was given, Mr Z crashed.

FINDINGS ON ISSUE 3

The Dispatcher should have managed radio traffic more effectively, ensuring the lead vehicle provided pursuit commentary.

Given the confusion around the occupants of the black car and their level of alleged offending, and the risks posed by the pursuit, the pursuit should have been abandoned immediately after turning into Vaughan Road.

ISSUE 4: DID OTHER POLICE STAFF ACT APPROPRIATELY?

162. In this section we discuss whether other officers should have made a radio transmission raising the fact the CCTV Camera Operator had said the firearm was a toy.

163. When we spoke to Officer C, he said:

“All it would’ve taken would’ve been someone to go ‘oh, no, no that’s all dealt with, you can let that one go, we’ve got them here’ or ‘they’ve been dealt with by security’ or ‘no, no that job’s been resolved’ but for two minutes people heard this, I was very clear over the radio as to ... where my head was at. Not one person involved said: ‘Nah, nah that’s not correct’.”

What did the community officers do?

164. While driving to the mall, Officers E and F, phoned the Rotorua Lakes Council CCTV Camera Operator directly, putting her on speaker so they both could hear her. She provided them with a more thorough description of the two teenagers seen with the toy firearm, and said she would email photos to Officer F.²¹

165. The CCTV Camera Operator was on the phone with Officer F for the duration of the pursuit, while also listening to the Police radio and watching the cameras outside the mall. She said, when she heard officers were pursuing the teenagers reported to have been seen with a firearm, she told Officer F on the phone that this could not be correct as she had not seen them leave the mall building. The CCTV Camera Operator said, as she is not a Police member, she did not consider she was able to involve herself in the Police communications during the pursuit. However, she said: *“I kept saying to [Officer F] that I didn't think that was them in that car.”* She said Officer F said: *“... hold on as there was a lot going on at that time, and there was, the radio was very busy.”*

166. Officer F said he was confused when he heard units were pursuing a vehicle that was possibly related to the firearm incident.

167. Officer E explained that, based on the information known to himself and Officer F, they considered the firearm incident to be low risk. However, it appeared to him that the pursuing officers believed the fleeing teenagers were potentially posing a high risk. He thought the pursuing officers must have new information that others were unaware of, such as, the fleeing car occupants may have pointed a firearm at the officers, or a member of the public may have called Police with further information. Officer E thought that telling the pursuing officers the firearm was believed to be a toy gun may help. However, he was also concerned that, given he may not know all the information, it could be: *“... putting something into their mind that jeopardises their safety”.*

168. We accept Officer E's reason for not indicating to the pursuing officers that the firearm he was dealing with was believed to be a toy, as he genuinely believed he may not have all the necessary

²¹ The photographs came through at 11.32am, just after the crash.

information and may inadvertently put those officers at risk. However, he should not have remained silent, given what he knew.

169. Officers E and F were both listening to the CCTV Camera Operator who was telling them she believed the two teenagers had not yet left the mall, and who strongly believed the firearm was a toy based on her review of footage and photos. In our view, Officers E and F had a responsibility to share this information with the pursuing officers so they could factor it into their assessments.

Why didn't any other members of Police tell the pursuing officers the firearm was a toy?

170. Based on radio transmissions made by the PST Senior Supervisor, it is evident he was keeping up to date with what was occurring with the firearm incident and subsequent pursuit. He had firstly asked over the radio: "... how are we able to confirm that they're toy guns?" After the Camera Operator had responded that it was a "*flimsy, slim, plastic toy*", and the PST units had subsequently been diverted to the Bell Road incident, the PST Senior Supervisor had sought clarification on which units were going to the mall. Shortly after the pursuit had entered Vaughan Road, he suggested another PST unit was "*probably pretty close to that job*", meaning they could potentially lay spikes. Given what he knew, the PST Senior Supervisor should have raised the issue that the firearm had been determined to be a toy.
171. Transmissions indicate members of the PST Senior Supervisor's team also knew that the CCTV Camera Operator had concluded the firearm was a toy, yet none said this over the radio. While we understand they were involved in other incidents at the time, we consider it would have been appropriate for them to also raise the issue over the radio.

Conclusion

172. It is concerning that Police staff who clearly accepted the CCTV Camera Operator's view that the firearm was a toy chose to remain silent on the matter when they heard the pursuit occurring on the radio.
173. Several officers say that, despite the CCTV Camera Operator's assertion, they were not prepared to mention the firearm was a toy until a member of Police was able to see it 'in person'. We acknowledge this is a sound, safe practice. However, it was a key piece of information that the pursuing officers needed to have so they could factor it in when weighing up the risks of the pursuit. The information could have been presented over the radio in a manner which indicated that the firearm was deemed to be a toy.
174. In our assessment, the above Police staff are open to the criticism that they were remiss in their duties in this respect. The officers should not have remained silent in relation to such important information.²²

²² Our criticism does not include the CCTV Camera Operator.

FINDING ON ISSUE 4

Officers E, F, the PST frontline Senior Supervisor, and frontline officers aware of the earlier firearm incident, should have transmitted their understanding that the firearm had been determined to be a toy so the pursuing officers could factor that information into their assessment of the risks involved in the pursuit.

ISSUE 5: DID POLICE CONTRIBUTE TO THE CRASH?

175. In this section, we discuss the lead up to the crash, and whether Police actions contributed to the crash.

What factors contributed to the crash?

176. The Traffic Crash Report includes the following factors likely contributed to the crash:

- Mr Z was a 15-year-old, unlicensed, most likely inexperienced driver.
- Traces of cannabis were present in Mr Z's blood sample. However, there was no testing to determine the level, so it is unclear to what degree this may have impaired his driving ability.
- The car was travelling more than 100 kph when approaching the corner.
- The car was in a "*poor structural condition with major rust problems*".
- A rear tyre had low tyre pressure due to a screw being embedded in it, and the front right tyre was fully deflated.²³
- That Mr Z "*would certainly have been aware of*" the two Police cars following behind him, signalling for him to stop.

177. The Police Crash Investigation Report says that, about 300 metres before the crash site, the vehicles were travelling at an average speed of about 100 kph. Officers A and B were two seconds behind the black car, which equates to 55 metres. Officers C and D were a further two seconds, therefore a further 55 metres, behind Officers A and B. Mr Z was travelling at about 106–109 kph just prior to braking at the corner where he crashed.

178. Regardless of the factors above relating to Mr Z and the black car, in our assessment, it is unlikely that the crash would have occurred, had it not been for Police failures which led to the initiation and continuation of the pursuit:

²³ Mr Y told us the tyre was punctured when they hit the kerb at the beginning of Vaughan Road.

- Crucial information that would have significantly impacted the decision to pursue was missing from Responder, which Officers C and D largely relied upon for their information (discussed further in Issue 6).
- The pursuit continued into Vaughan Road, despite multiple officers knowing there was still confusion around whether the occupants of the black car were linked to the firearm incident.
- The Dispatcher and several officers who were aware of the pursuit failed to say the firearm had been determined to be a toy based on the CCTV Camera Operator's observations.
- Radio traffic was not being effectively managed. Subsequently, no information pertaining to the risks posed by the pursuit was given concerning relevant environmental factors, the manner of driving, and speeds being travelled.

179. Police submitted to us:

"... for whatever reason Mr Z chose to continue to drive in the manner described and failed to stop for Police. The factors that caused Police to initiate a justified stop remain as justified and therefore it is challenging that they are interpreted as a significant factor in this crash."

Conclusion

180. Police are only justified in initiating and continuing a pursuit when certain criteria are met. As laid out in paragraph 71, they must either:

- believe the driver or vehicle occupants pose a threat of assault or grievous bodily harm; or
- they must suspect them of committing a serious offence and believe there is a high risk of them continuing to offend or cause harm.

181. Police say the pursuit was justified as they believed the two unknown youths had a firearm.

182. However, the two Police units were pursuing the wrong youths because they thought they may possess a firearm that other members of Police already understood to be a toy.

183. Had this crucial information been communicated, as it should have been, the pursuit would not have been initiated or would have been abandoned earlier. Instead, members allowed the pursuit to continue, assuming Officer C knew something that he did not know.

184. Mr Y and Mr Z were not the teenagers sought by Police in relation to waving the (toy) firearm around in public. They were not in possession of a firearm. They had not committed offences that reached the threshold for a pursuit. Police 'got it wrong'.

185. Police should not have been pursuing Mr Z at the time he crashed. Had they not been, it is unlikely 15-year-old Mr Z would have been travelling at the speed he was and lost control, firstly when hitting the kerb turning into Vaughan Road, and secondly when he crashed into the van.
186. In our view, Comms staff, the pursuing officers, the community officers and the PST officers listening who did not communicate their understanding that the CCTV Camera Operator had said the firearm was a toy, must all bear a degree of responsibility for the initiation and continuation of the pursuit.

FINDINGS ON ISSUE 5

Police should not have been pursuing Mr Z at the time he crashed, and in our assessment, it is highly unlikely he would have crashed had they not been closely pursuing him.

The failings of multiple members of Police were a significant factor in this crash.

ISSUE 6: WAS THE WRITTEN INFORMATION AVAILABLE TO OFFICERS DURING THE INCIDENT SUFFICIENT AND ACCURATE?

187. Policy indicates officers generally use the Police radio as their primary source of information during incidents. However, in this matter, the pursuing officers had missed crucial radio transmissions around the firearm being a toy.
188. We understand Police have multiple other ways of sharing information, such as emails and other applications. In this incident, Officer C accessed the written incident log on his mobile device via 'Responder', as earlier explained. He relied heavily on Responder to provide him with information, and while reading this aloud, provided information to Officer D.
189. In this section, we consider whether the written information in Responder was sufficient and whether it accurately reflected what had been communicated over the Police radio channel. We then consider the wider issue of officers relying on a written source of information.

How was the information provided over the Police radio and Responder different?

190. The 111 Call Taker entered most of the information into the event log on the Police computer system, recording what the informant said. The Dispatcher received and used this information for his radio broadcasts and made two entries himself. The information entered into the event log was automatically made available to the officers through an application on their mobile phone called Responder.
191. In this case, Responder did not contain important information that was communicated over the radio.
192. The following information was provided over the radio and in Responder before Officers A, B, C and D left the Police station. It shows how the information provided over the radio and in Responder concerning the firearm differed. Responder included the description of the firearm

as provided by the informant, whereas radio transmissions said what the CCTV Camera Operator was seeing:²⁴

Responder ²⁵	Radio
<ul style="list-style-type: none"> • One holding handgun • Have pistol • Around 20 cms long • Looked like a replica – had silencer on it • Black or dark coloured • Informant not familiar with firearms 	<ul style="list-style-type: none"> • One holding a gun • Both have black, possibly toy guns • Affirm. They're toy guns. Have photos and footage • It's a flimsy, slim, plastic toy

193. The 111 Call Taker was still entering information into Responder for more than three minutes, after the Camera Operator had determined the firearm to be a toy over the radio.
194. While officers listening to the radio knew the PST officers had passed the incident over to the community officers after hearing the firearm was a toy, this critical piece of information was not evident on Responder.
195. Responder noted the teenagers were “*possible[sic] headed into mall*”. However, it did not say that security staff had walked past the teenagers with no issues being identified, that they had last “*been seen south through the mall*”, nor that the CCTV Camera Operator was watching the south side of the mall in case they came out.
196. No entries were made between the time when the 111-call ended, and the crash occurred.

What instructions do Police provide about the recording of information during an incident?

197. Police ‘Radio and Communications Centre Protocols’ says it is the role of dispatchers to: “... *maintain a continuous record of event and unit status*”.
198. In Priority 1 and 2 events, the event text can be updated by the officers assigned to the event, their supervisor, or the District Command Centre overseeing the event. Other units in the field must first get the approval of the Dispatcher if they wish to update the event text.

What did the Dispatcher say about the use of Responder?

199. The Dispatcher told us that, as a non-sworn member of Police, he does not have any hands-on experience or access to Responder. His understanding is that Responder is not the primary tool for acquiring job information.
200. The Dispatcher explained that dispatchers are required to enter logistical and tactical information into the written log. He entered “*Rot cameras has obs*” into the event log so that

²⁴ The CCTV operator said one of the teenagers was holding the small pistol and the other was holding a cell phone. No-one sought to clarify whether there was one or two firearms over the radio. However, based on accounts, it appears most officers listening correctly assumed it was one firearm.

²⁵ Spelling has been corrected for the purposes of this report.

the 111 Call taker knew Police were monitoring the teenagers and so that there was a record of the time when the Camera Operator located the teenagers.

201. Other than that, he explained that *“running a written log is not the dispatcher’s role”*, and dispatchers do not have time to maintain one. He said, when dealing with multiple incidents on a busy channel, dispatchers: *“... document what pertinent information we can, but our priority is the radio and to answer units via radio transmissions, as well as reading job updates, and reading new jobs coming in so we can triage them.”*
202. The Dispatcher told us: *“I did not have time to narrate Rotorua Camera’s ongoing updates in the event log.”* Regarding not recording that the firearm had been reported to be a toy,²⁶ he said: *“Due to the busyness of the channel with multiple events taking place at once, there had been no time to document this.”*

What did Officer C say about his use of Responder?

203. Officer C was unaware that the information contained in Responder lacked critical information known to officers listening to the radio. He said, if Responder had included information such as that the CCTV Camera Operator had said, *“Affirm. They’re toy guns. Have photos and footage”*, he would not have pursued (or allowed the pursuit to occur).
204. Officer C was greatly concerned that, in this event, the written log could not be relied upon to provide him with critical information which would have impacted his decision-making. He told us:

“Any job ... where it’s fast-paced, I’ll rely on Responder a lot. And this the first time in my career that I’ve seen that not everything that goes over the radio is clearly going onto Responder.”

205. Given this, it is likely other officers are also using Responder, believing it contains all the relevant and important information.

Conclusion

206. Officer C and D’s decision making was significantly affected by their reliance on the information contained in Responder, which was lacking crucial details.
207. Crucial information communicated over the radio was not recorded in the written log. We note that there is little guidance around what is required of dispatchers regarding keeping an ongoing written record of information during an incident.
208. The Dispatcher, and other Comms staff we spoke to, do not consider Responder to be a complete source of key information that officers may rely upon. Hence, they indicated that, when entering key information into the event log, they are not considering whether it provides sufficient information for frontline officers who may not have heard radio transmissions.

²⁶ Paragraph 95 relates.

209. We acknowledge it is not always possible for officers to hear the live updates on the Police radio. Information can easily be missed. Likewise, it is not always practical for members to ask for updates over the radio due to heavy or priority radio traffic. Nor is it necessarily practical for dispatchers to have the added responsibility of maintaining a written log for officers in the field while also performing their other tasks.
210. There is confusion around whether the written log currently available to frontline officers in Responder, is intended to be relied upon to provide accurate, up-to-date information during an event. There is a lack of guidance in Police policy around what is expected of the Dispatcher regarding entering information into the event log for the purpose of providing up-to-date information to officers on the frontline.
211. At the very least, Responder should have messaging that the information contained in it may not be complete or accurate.

FINDINGS ON ISSUE 6

The written log in the Responder application on the officers' mobile phones could not be relied upon to provide frontline officers with accurate, up-to-date information during the incident. It was missing crucial information that had been communicated over the radio.

There is a lack of clarity amongst Comms staff and frontline officers concerning the purpose of the written log in Responder, and whether it can be relied upon to provide up-to-date, thorough, and key information about an incident.

If Police are providing the ability for frontline officers to access written event information, it is incumbent on Police to ensure it contains accurate, up-to-date, key information.

ISSUE 7: HAS THE SUBSEQUENT POLICE RESPONSE BEEN ADEQUATE?

212. In this section we address whether the Police investigation into the incident was adequate. We consider whether it sufficiently identified and addressed areas of concern.
213. Immediately following the crash, Rotorua Police commenced a critical incident investigation.
214. The same afternoon of the crash, the Police investigation team knew that Mr Y and Mr Z were not the teenagers reportedly seen with a firearm in the CBD and that they did not have a firearm, toy or real, in their possession. Police had also located the youths that had the toy firearm.
215. Three weeks after the incident, Officers A, B, C and D were first interviewed by Police.²⁷ (We note Police provided the officers with the pursuit portion of the radio transmissions, but not the transmissions that occurred prior concerning the firearm being a toy.)

²⁷ The delay between event and interview is not unusual due to a need to organise the appropriate parties.

216. Following their Police interview, Officers A, B, C and D were interviewed by Authority investigators. The officers said they did not know until our interviews that the firearm had been determined to be a toy.
217. We decided further investigation was required concerning what the pursuing officers believed. Officers A, B, C and D all knew of the firearm incident before seeing the black car, yet said they did not know it had been determined to be a toy before the pursuit. Given this, in May 2025, we interviewed the officers again, under oath, in the presence of the Authority Chair, Judge Kenneth Johnson KC. Their accounts satisfied us that the officers had not heard the radio transmissions about the firearm being a toy.
218. However, during these interviews it became apparent that Officers C and D had solely relied on the information in Responder, which did not include the information concerning the firearm being determined to be a toy. This was significant as it highlighted a key failing in how Police communicate, which adversely influenced this incident.
219. Police obtained a Traffic Crash Report which included speed calculations of the black car and Police cars from just before Vaughan Road, then to the crash site. While this was of a good standard, we were perplexed that it did not include an analysis of speed and driving behaviours from the start of the incident prior to and along Te Ngae Road. We believed a full and thorough analysis of what occurred during every stage of the short pursuit was crucial, particularly given the confusion that was evident over the radio and that there had been a collision with a member of the public on Te Ngae Road. We requested Police complete the additional analysis. However, this did not occur.
220. In March 2025, almost five months after the incident, Police conducted a debrief. There appears to have been no consideration as to what should have happened and why there was different information across the participating Police staff. The only issue identified (pertaining to the incident) related to the two community officers using a cell phone to communicate with the CCTV Camera Operator, while enroute to the mall, as outlined in paragraph 164. Discussion was that this was “*problematic*” as other units were not privy to that information. It was determined that staff would be advised the Police radio must be used in Priority 1 events, such as this.
221. We strongly disagree. As we have outlined, by the time the community officers phoned the Camera Operator, the response to this event had been de-escalated and was no longer Priority 1. It had already been determined that the firearm was a toy. The community officers spoke to the CCTV Camera Operator so she could assist with locating the teenagers with the toy firearm within the mall. Therefore, we consider their decision to speak to the CCTV Camera Operator over the phone, rather than unnecessarily taking up radio space, was completely appropriate.
222. It is concerning to us that debrief learnings focused on the use of a cell phone, while ignoring the clear failings around communication and the impact this had on decisions that led to the pursuit, and decisions made during the pursuit.

223. The Police investigation report says Police considered communication during the incident and determined staff used three forums: the Police radio, Responder, and officer's Police cell phones. Police deemed this to be:

"... problematic as not all the information was being shared in [a] timely and transparent way to all attending units. The key findings are Officers A, B, C and D did not have all the information."

224. However, Police then concluded:

"... the evidence gained through this investigation clearly highlights [Mr Z] as being responsible for the fatal crash"

and that:

"... there is no evidence, act, or omission that Police staff involved had any causal link to the death..."

225. The Police findings are conflicting. They accept the pursuing officers did not have all the information, although conclude that all responsibility lay with Mr Z and not Police.

226. We take a significantly different view. The fact the pursuing officers believed the occupants may have a firearm was due to failures by Police to ensure up-to-date or accurate information was recorded, sought or communicated. These failures continued as the pursuit progressed.

227. Mr Z's actual offences of driving an unregistered and unwarranted car, and fleeing from Police in the manner he did, did not reach the threshold for a pursuit.

228. We are concerned that Police have not sufficiently considered their part in this matter. There are multiple learnings that should be taken from this incident to help prevent a tragedy of this nature occurring again.

FINDINGS ON ISSUE 7

Police have not appropriately investigated this matter. Had they done so, they would have identified significant failing concerning the communications and the decision making around the continuation of the pursuit.

The Police debrief was insufficient. Attendees failed to identify and address significant factors leading to the pursuit of Mr Z and therefore did not appropriately determine learnings that should have been taken from the incident.

229. In addition, a key aspect of any Police investigation of this nature is for Police to engage with the affected parties. The parents of Mr Z expressed concern to the Authority around a lack of communication. A review of communications with Mr Z's family found Police appropriately appointed a liaison officer and eventually met. We are satisfied Police made appropriate attempts to communicate with Mr Z's family and acted in accordance with Police policy regarding this. That said, we acknowledge Mr Z's family were under considerable stress following the death of Mr Z and would have appreciated further contact.

Recommendations

230. For the reasons provided in Issue 6, we recommend:

- Police outline detail within Responder that the written information may not be complete or accurate; and
- Police provide further guidance and training regarding the radio being the single source of truth in priority incidents such as these.

231. As seen in paragraph 141, the 'Fleeing driver' policy does not clearly stipulate what information is required of officers providing commentary during a pursuit (such as what speeds are being travelled). Therefore, we recommend:

- Police include more specific guidance on what type of information an officer is required to report when providing commentary for a pursuit.



Judge Kenneth Johnson KC

Chair
Independent Police Conduct Authority

4 June 2026

IPCA: 24-25058

Appendix



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 Kenneth Johnston KC.

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. At significant points in the investigation itself and in the preparation of the report, the Authority conducted audits of both process and content.



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