

# Complaint of excessive force during arrest in Tawa

## INTRODUCTION

1. On Tuesday 10 May 2016, Police arrested Mr X after his partner called the Police emergency line, 111, to say she had been assaulted by him. During the arrest, Mr X was pepper sprayed, punched in the face and body, and had a carotid hold manoeuvre used against him.
2. On 28 October 2016, Mr X complained to the Authority that Officer A repeatedly punched him and “*choked him out*” until he lost consciousness. Mr X also complained that Officers B, C and D punched him a number of times in the backseat of a Police car.
3. The Authority notified Police of the complaint and advised that the matter would be investigated by the Authority. This report sets out the results of that investigation and the Authority’s findings.

## BACKGROUND

4. This section of the report provides a summary of the incident and the evidence considered by the Authority. When quoting or describing the accounts of any officer, complainant or witness, it is not intended to suggest that the Authority has accepted that particular account.
5. Analysis of the evidence and explanations of where the Authority has accepted, rejected or preferred that evidence is reserved for the ‘Authority’s Findings’ section.

### Summary of events

6. On Tuesday 10 May 2016, Officer A was dispatched to an address in the Linden area. Officer A was informed that a female had called the Police emergency line, 111, to say she had been assaulted by her partner, Mr X. Officer A was provided with Mr X’s description and was advised that Mr X was in breach of his bail conditions.

7. As Officer A neared the address, he located Mr X leaning against a fence on an adjoining street, so he got out of his vehicle to speak to him.
8. Officer A told the Authority that, when he approached Mr X, he informed him that Police had received a complaint about him and he was under arrest for breaching his bail. According to Officer A, Mr X told him: *“that’s not going to happen”*, and he began to *“puff up”* and clench his fists. As a precaution, Officer A pulled out his pepper spray (also known as oleoresin capsicum or ‘OC’ spray).
9. On seeing the spray, Officer A said Mr X turned to run away. As he turned, Officer A fired a single burst of pepper spray which hit Mr X on the side of his head. Officer A told the Authority that he was justified in spraying Mr X as Mr X was fleeing to avoid arrest. He had no time to warn Mr X before using the spray. He said the spray had no effect on Mr X, and he sprinted off down a driveway and around the back of a house.
10. Mr X told the Authority that he *“refused to be arrested”* so he ran off. As he ran past an outdoor dining table, Mr X said he threw the table behind him to stop Officer A from following him.
11. Officer A said the table bounced off him and did not cause him any injury. Although the table slowed him down, he managed to close the distance between them and grab Mr X as he looped back around the front of the house.
12. Mr X said that when Officer A caught up with him, *“he jumped up with a closed fist and punched me in the face”*. He said he told Officer A to stop, but Officer A continued *“throwing punches”* and he was forced to push him back.
13. Officer A accepts that he punched Mr X once in the face. However, he said his action was in response to Mr X attempting to punch him in the head. Officer A said punching Mr X created some space between the two of them. Because he did not want to get closer to Mr X and risk getting punched a second time, Officer A said he gave Mr X another burst of pepper spray to his face. Officer A did not feel he had time to warn Mr X before using the spray. Officer A said the spray had no effect on Mr X, and he ran off up the driveway.
14. As soon as Mr X got onto the street, he ran down the road to where his brother-in-law was sitting in a van. Mr X told the Authority that he stopped at the van because he wanted someone to witness him giving himself up to Officer A.
15. When Officer A arrived at the van Mr X said he was *“giving up”*. However, Mr X said Officer A responded by *“punching me in the face, [then he] grabbed me from behind in the choker hold, and choked me out. All I remember was seeing blackness”*.
16. Mr X said that when he regained consciousness he could hear his brother-in-law yelling at Officer A. At that point, another officer (Officer C) arrived and Mr X told him: *“let me up, I can’t breathe, I can’t breathe”*.

17. Officer A told the Authority that when Mr X ran off for the second time, he took a hard left past his Police dog van and continued straight. At this point, Officer A, who was following Mr X, said he considered stopping to get his dog out. However, he said he was concerned that he would lose sight of Mr X in the time it would take to get his dog out so he decided to continue chasing him.
18. Officer A said Mr X stopped running when he reached a white van. As he approached Mr X, Officer A put his pepper spray away and reached out to grab him. Officer A said Mr X responded by throwing another punch which “glanced” off the side of his face. Officer A started to “grapple” with Mr X, and because he was “putting [him] at risk”, Officer A said he punched him again.
19. Officer A stated that he feared Mr X would cause him serious injury. He explained to the Authority that if Mr X landed the “right punch” to his head, it could potentially cause him “grievous bodily harm”.
20. Officer A told the Authority he was by himself, and was concerned about what Mr X would do next. As a result, he punched Mr X “two or three times” in the side and on the top of his head. Officer A said that on the last punch, Mr X went into a “shell position”, where he brought his arms over his head and turned his back to Officer A.
21. Officer A said that Mr X’s actions offered him the opportunity to gain control of the situation, so he reached over Mr X’s back and put him in a headlock. Officer A said that in his experience, people in a headlock usually relax. Instead, Mr X began to resist and “buck” against him in an attempt to throw him off.
22. At this point, Officer A considered what tactical options he had left. He told the Authority that communication and pepper spray had not worked. His dog was no longer an option, and although empty hand tactics were having some effect, they were not enough to make Mr X submit to the arrest. As a result, Officer A decided that the carotid hold manoeuvre was the safest and most suitable option available to him.<sup>1</sup>
23. Officer A told the Authority that he was aware that the carotid hold manoeuvre was no longer on the tactical options framework (see paragraph 44). However, he believed that he was “justified in applying it”, as he considered Mr X could cause him grievous bodily harm.
24. Officer A said he modified the headlock into a carotid hold and within a few seconds Mr X started to go limp and lose consciousness. He lowered Mr X to the ground, into a seated position, and released the pressure from around his neck. Officer A said he kept Mr X in a secure headlock so that when he woke up he would not be able to “play up again”.

---

<sup>1</sup> A ‘carotid hold’ manoeuvre involves squeezing the sides of a person’s neck, temporarily cutting off blood flow to the person’s brain and causing him or her to lose consciousness for a short time. It is not supposed to impede the person’s ability to breathe.

25. Officer A stated that Mr X gained consciousness quickly and started “*tapping out*” which Officer A took to mean that he had “*given up*”. However, as Mr X was recovering, Officer A said his brother-in-law came over and started yelling about Police abuse and saying that he was filming what was happening.
26. Officer A said he was reluctant to release Mr X, as he would then have two males to deal with and he was still alone. However, as he began to tell Mr X’s brother-in-law to leave, Officers B and C arrived at the address.
27. Officer B told the Authority that when she arrived at the scene she could see Officer A on the ground struggling with Mr X. She said Officer C helped hold Mr X down while she assisted with handcuffing him.
28. Officer C told the Authority that, after Mr X was handcuffed, he continued to behave aggressively as he was taken to Officer B’s Police car. He said Mr X was swearing at them and he resisted their efforts to put him in the left rear passenger seat.
29. At this point, Officer D arrived at the scene.
30. Mr X told the Authority that once he was placed in the car he un-locked the seatbelt and slid across to the right rear passenger seat so he could yell out the window to his partner. As he did so, Mr X said Officer D came over, swore at him, and told him to move back to the correct seat. Mr X tried to explain to Officer D that he was trying to talk to his partner but Officer D would not listen and continued to swear at him.
31. Mr X said Officer D then “*jabbed*” him. Mr X told the Authority that he would have “*jabbed*” Officer D back if he was not handcuffed, so instead he spat at him.
32. Mr X stated that Officer D responded by punching him in the face while at the same time a female Police officer (Officer B) in the driver’s seat began “*jabbing*” him from the front. He said a third officer (Officer C) then opened the rear passenger door and pulled him across the back seat while also “*jabbing*” him.
33. Officer D denies punching Mr X. He said that when Mr X refused to move back to the rear left passenger seat, he and Officer B moved him to the correct seat. He said he tried to put Mr X’s seatbelt on but he kept undoing it. When he tried fastening Mr X’s seatbelt for the last time, Officer D said Mr X spat directly into his face.
34. Officer D told the Authority that he did not want to get spat on again, so he pushed the side of Mr X’s face into the “*c pillar of the vehicle*”. He held Mr X there until Officer B was able to bring over a spit hood.
35. Officer D said that, while it was possible Mr X could have thought he punched him, he was actually using “*the heel of his open palm*” to push Mr X’s jaw to the side so he could maintain control of his head. He said he used “*sufficient force*” to limit Mr X’s ability to spit again.

36. The Authority also spoke with Officers B and C who assisted Officer D when he was in the Police car. Officer B said that Mr X was being uncooperative and would not do what he was told.
37. Officers B and C both deny “jabbing” Mr X and state that Officer D only pushed Mr X’s head away after he spat at him in the face.

### Events following arrest

38. Following Mr X’s arrest, he was taken back to the Porirua Police Station and later to the Wellington Central Police Station where he was examined by a Police doctor. The Tactical Options Report noted that Mr X had “swelling and bruising” to his face and the back of his head. However, no treatment was required.
39. Mr X was charged with resisting Police, escaping custody, and three counts of assaulting Police. Two charges of assaulting Police and the charge of resisting arrest were later withdrawn as part of a plea negotiation.

## LAW AND POLICY

---

### Law on the use of force

#### *Use of force by Police officers*

40. Section 39 of the Crimes Act 1961 provides for law enforcement officers to use reasonable force in the execution of their duties such as arrests and enforcement of warrants. Specifically, it provides that officers may use “*such force as may be necessary*” to overcome any force used in resisting the law enforcement process unless the process “*can be carried out by reasonable means in a less violent manner.*”
41. Section 40 of the Crimes Act 1961 provides that a Police officer may use necessary force in order to prevent a person from fleeing to avoid arrest, unless the escape can be prevented by reasonable means in a less violent manner.
42. Section 48 of the Crimes Act 1961 states: “*Everyone is justified in using, in defence of himself or herself or another, such force as, in the circumstances as he or she believes them to be, it is reasonable to use.*”
43. Section 62 of the Crimes Act 1961 makes a Police officer criminally responsible for any excessive use of force.

### Policy on the use of force

#### *Police guidance on use of force*

44. The Police’s Use of Force policy provides guidance to Police officers about the use of force. The policy sets out the options available to Police officers when responding to a situation. Police

officers have a range of tactical options available to them to help de-escalate a situation, restrain a person, effect an arrest or otherwise carry out lawful duties. These include communication, mechanical restraints, empty hand techniques (such as physical restraint holds and arm strikes), OC spray, batons, Police dogs, Tasers and firearms.

45. Police policy provides a framework for officers to assess, reassess, manage and respond to use of force situations, ensuring the response (use of force) is necessary and proportionate given the level of threat and risk to themselves and the public. Police refer to this as the TENR (Threat, Exposure, Necessity and Response) assessment.
46. Police define TENR as:
  - ‘Threat’ is about how serious the situation is (or could be), and the present or potential danger the situation, environment, or suspect presents to themselves, other members of the public or Police. Police must assess the threat posed by the suspect, based on all available information including what they see and hear, and what is known about the suspect.
  - ‘Exposure’ is about the potential harm to Police employees, Police operations, Police reputation and to others. Exposure can be mitigated through assessment and planning.
  - ‘Necessity’ is the assessment to determine if there is a need for the operation or intervention to proceed now, later or not at all.
  - ‘Response’ means the proportionate and timely execution of Police duties aided by the appropriate use of tactics and tactical options.
47. The overriding principle when applying TENR is ‘safety is success’. Any force must be considered timely, proportionate and appropriate given the circumstances known at the time. Victim, public and Police safety always take precedence, and every effort must be taken to minimise harm and maximise safety.
48. An officer must also constantly assess an incident based on information they know about the situation and the behaviour of the people involved; and the potential for de-escalation or escalation. The officer must choose the most reasonable option (use of force), given all the circumstances known to them at the time. This may include information on: the incident type, location and time; the officer and subject’s abilities; emotional state, the influence of drugs and alcohol, and the presence or proximity of weapons; similar previous experiences; and environmental conditions. Police refer to this assessment as an officer’s Perceived Cumulative Assessment (PCA).
49. A key part of an officer’s decision to decide when, how, and at what level to use force depends on the actions of, or potential actions of, the people involved, and depends on whether they are: cooperative; passively resisting (refuses verbally or with physical inactivity); actively resisting (pulls, pushes or runs away); assaultive (showing an intent to cause harm, expressed verbally or through body language or physical action); or presenting a threat of grievous bodily

harm or death to any person. Ultimately, the legal authority to use force is derived from the law and not from Police policy.

50. Police policy states that any force must be considered, timely, proportionate and appropriate given the circumstances known at the time. Victim, public and Police safety always take precedence, and every effort must be taken to minimise harm and maximise safety.

#### *Oleoresin Capsicum (Pepper) spray*

51. Pepper spray is used by Police to subdue people; it causes a stinging sensation and generally makes people very compliant so as to avoid further aggressive behaviour.
52. The Police Manual states that an officer may only use pepper spray when it is *“lawful and reasonable i.e. necessary, proportionate to the situation, and with minimum risk to the public, Police and the subject.”*
53. The policy also states that an officer may only draw and deploy pepper spray against a person that is actively resisting an officer (defined as physical actions such as pulling, pushing or running away – that is, *“more than verbal defiance”*), and where the situation may not be resolved by less forceful means.
54. The policy requires that, unless impractical, before pepper spray is used on a person, the person is warned that non-compliance will result in them being sprayed, the person is given a reasonable opportunity to comply, and other people nearby are warned that spray will be used.

#### *Carotid Hold*

55. The carotid hold requires an officer to be physically close to a person, who is often violent, and is only effective when it is applied correctly. If it is not applied correctly, the carotid hold poses a real risk of significant injury to either the subject or the officer. For this reason, prior to 2012 the carotid hold could only be used in the ‘grievous bodily harm or death’ range of an officer’s PCA (refer to paragraphs 44-50).
56. In 2012 Police undertook a study which showed that the carotid hold was a ‘high risk’ tactical option that the majority of international enforcement agencies had discontinued. The study determined that use of the carotid hold ran counter to the Police safety objectives, in that it ‘maximised risk and minimised safety’ rather than the reverse’ (see paragraph 47).
57. The decision was therefore taken to remove the carotid hold manoeuvre as a tactical trained technique as from 1 July 2012.
58. Although the carotid hold is no longer an approved tactical option, it is not a forbidden technique and the use of the hold is not a breach of policy. The use of a carotid hold, like any use of force, must be reasonable and proportionate, and within the statutory limitations provided by the Crimes Act (see paragraphs 40 – 43).

## THE AUTHORITY'S INVESTIGATION

---

59. As part of its investigation, the Authority interviewed Mr X and Officers A, B, C and D. The Authority also reviewed all Police documentation relating to Mr X's time in custody and his court proceedings.
60. During Mr X's interview, he advised the Authority investigator that his brother-in-law did not take a video recording of his arrest. The Authority has endeavoured to speak to Mr X's brother-in-law, but despite enquiries has been unable to locate him.
61. The Authority's investigation considered the following issues:
  - 1) Were Police justified in arresting Mr X?
  - 2) Was the use of pepper spray justified?
  - 3) Was the force used by Officer A at the van appropriate and justified?
  - 4) Did Police use excessive force against Mr X in the Police car?
  - 5) Was Mr X provided with appropriate aftercare?

## THE AUTHORITY'S FINDINGS

---

### Issue 1: Were Police justified in arresting Mr X?

62. On Tuesday 10 May 2016, Police received a 111 call about an assault that had just occurred and Officer A was dispatched to attend the job. He was given a description of Mr X, and was told that he had assaulted a female and that he was in breach of his bail conditions.
63. When Officer A located Mr X leaning against a fence, he identified him as the person of interest. Officer A approached Mr X and advised him that Police had received a complaint about him and that he was under arrest for breaching his bail conditions.
64. Officer A had good cause to suspect that Mr X had assaulted the female and that he was in breach of his bail conditions. The Authority finds that the arrest was lawful and appropriate under the circumstances.

### FINDING

Officer A was justified in arresting Mr X.

## Issue 2: Was the use of pepper spray justified?

65. After being told that he was under arrest, Officer A said Mr X “*puffed up*” and clenched his fists. As a precaution, Officer A said he brought out his pepper spray. When Mr X saw the pepper spray he turned and began to run off. As Mr X turned to run, Officer A fired a burst of spray which hit Mr X on the side of his head. Officer A did not warn Mr X before using the spray. Officer A said using the spray had no effect on Mr X’s behaviour.
66. Mr X told the Authority that he did not want to be arrested so he ran off. Mr X also accepts that he threw a table behind him in order to slow Officer A down. However, when Officer A caught up with him, Mr X said Officer A punched him multiple times in the face, until he was forced to push him back.
67. Officer A admitted to punching Mr X once in the face. However, he said that his action was in response to Mr X punching him in the head. At this stage Officer A said he deployed another burst of spray to Mr X’s face. He said he chose to do this because he did not want to close the physical distance between Mr X and himself and risk being punched again. Officer A did not warn Mr X before using the spray. The second burst of spray was also ineffective, and Mr X ran off again.
68. The Authority accepts that Mr X’s behaviour, in running away after being arrested, amounted to active resistance as described by Police policy (see paragraph 53). As such, the Authority finds that Officer A was justified in using pepper spray against Mr X in the first instance.
69. There are conflicting versions about what happened when Mr X was sprayed a second time. However, it is evident from Mr X’s attempt to slow Officer A down by throwing a table in his direction, and by running off a second time, that he was trying to avoid being arrested. As a result, the Authority is satisfied that Mr X was still actively resisting Officer A, and therefore, his use of pepper spray against Mr X the second time was justified.
70. Officer A did not warn Mr X on either occasion before spraying him as set out under the policy (see paragraph 54), stating that he did not have time to do so. The Authority is satisfied that the situation was a fast moving one. On the first occasion Mr X was running away. If Officer A had taken time to warn Mr X he would have increased the distance between them making it unrealistic to consider using the spray as an appropriate tactical option. On the second occasion there was an ongoing tussle between them. Officer A was in close proximity and under the circumstances it was impractical for Officer A to provide a warning. In addition there were no other people in the vicinity and so the lack of warning did not impact on anyone else.

### FINDING

Officer A was justified in using pepper spray against Mr X on both occasions.

### Issue 3: Was the force used by Officer A at the van appropriate and justified?

71. Officer A has not denied using force against Mr X. He has admitted to punching Mr X, using pepper spray against him, and applying the carotid hold which caused him to lose consciousness.
72. Officers B and C both state that when they arrived at the address Officer A was struggling with Mr X on the ground.
73. Mr X denies punching Officer A and says that he was “*giving up*”.
74. To a large extent, the sequence of events as described by Officer A and Mr X are consistent. Where their accounts differ, is whether the use of the carotid hold was reasonable and proportionate to the resistance Mr X offered. As discussed in paragraphs 46-50, all officers receive training about the appropriate use of force when responding to an incident. The TENR operational threat assessment is a tool designed to help officers make better decisions by having officers assess the threat, manage the exposure, consider the necessity of intervention and ensure any response is proportionate and based on a risk assessment of threat, exposure and necessity.
75. In this instance, Officer A states that his use of a carotid hold was justified because he was defending himself and feared Mr X would cause him grievous bodily harm. He said he considered other tactical options (communication, pepper spray, dog, and empty hand tactics) but ruled them out given the circumstances (see paragraph 22).
76. Officer A says that his subjective assessment was that Mr X was in the ‘grievous bodily harm or death’ range. If the Authority was to prefer Mr X’s evidence that he was “*giving up*” then that could not have been so. We are unable to resolve the evidential conflict between the two, but even taking Officer A’s evidence at its highest, the Authority considers Mr X’s actions amounted to being in the ‘assaultive’ range, for the following reasons -
  - Mr X was not armed with a weapon; and
  - Officer A describes Mr X as only throwing one punch at him which “*glanced*” off Officer A; and
  - Officer A’s rationale that if Mr X landed the right punch to his head it could potentially cause him grievous bodily harm, would mean that many “*assaultive*” (or even lower rated) situations would automatically escalate into the “*grievous bodily harm*” category without justification; and
  - Mr X had stopped running, had responded to Officer A’s punches by facing away from Officer A and assumed a position akin to surrender (“*shell position*” with his arms over his head); and
  - at the time the restraining hold was used, Mr X was simply “*bucking*” against Officer A’s headlock, which the Authority takes to mean he was attempting to shrug Officer A off.

77. It is debatable whether the restraining hold used by Officer A was a “choker” or a “carotid” hold. Mr X was of the view he had been restrained in a choker hold and was “choked out”. There may be debate about terminology but if Mr X’s evidence is preferred, that would tend towards a choker hold particularly as he said to Officer C who arrived after he regained consciousness “let me up, I can’t breathe, I can’t breathe”. That utterance is consistent with being restrained in such a way as to restrict oxygen so as to cause unconsciousness rather than restricting the supply of blood to the brain to achieve the same end.
78. In the end the Authority recognises that Officer A is not only an experienced policeman but also trained in the martial arts and has the experience and expertise to describe the technique he used to restrain Mr X. Therefore, the Authority accepts a carotid hold was used.
79. In the Authority’s view Officer A did not appropriately consider the potential harm using a carotid hold could have had on Mr X. The overarching principle of the TENR tool is to minimise harm and maximise safety. The carotid hold was removed from the tactical options framework because it was considered to be a ‘high risk’ technique, with potentially serious consequences to either the subject or the officer. Any decision by an officer to use this manoeuvre, therefore, needs to be proportionate to the risks the officer is facing.
80. Given the risks associated with the carotid hold that Officer A knew or ought to have known about, the Authority does not consider that Officer A was justified in using it where objectively, Mr X’s behaviour was not in the ‘threat of grievous bodily harm or death’ category. Officer A’s TENR assessment process was flawed in that respect. However, the Authority does accept that punching Mr X was proportionate.

## FINDING

Officer A’s decision to punch Mr X was proportionate and justified. However, his use of the carotid hold was disproportionate to the resistance being offered and amounted to excessive force.

### Issue 4: Did Police use excessive force against Mr X in the Police car?

81. Mr X complained that once in the back seat of the Police car, Officer D “jabbed” him and punched him in the face. At the same time, Officers B and C arrived and also “jabbed” him.
82. Mr X accepts that he spat in Officer D’s face, and states that he only did so because he could not “jab” Officer D back as he was in handcuffs.
83. Officer D denies punching Mr X in the face. Instead he said that he pushed the side of Mr X’s face into the “c pillar of the vehicle” using “the heel of this open palm” after Mr X spat at him. Officer D’s version of events was corroborated by Officers B and C who stated that Mr X was uncooperative and spat in Officer D’s face. Both officers deny “jabbing” Mr X.

84. The Authority is satisfied that Police did not use excessive force against Mr X in the Police car.

**FINDING**

Police did not use excessive force against Mr X in the Police car.

**Issue 5: Was Mr X provided with appropriate aftercare?**

85. Mr X was seen by a Police doctor at the Wellington Police station. Although it was reported that he had some “*swelling and bruising*” to his face and the back of his head, no treatment was required.

**FINDING**

The Authority is satisfied that Mr X received appropriate medical attention.

## CONCLUSIONS

---

86. The Authority has reached the following conclusions on the balance of probabilities:

- 1) Officer A was justified in arresting Mr X.
- 2) Officer A was justified in using pepper spray against Mr X.
- 3) Officer A's decision to punch Mr X was proportionate and justified. However, his use of the carotid hold was disproportionate to the resistance being offered and amounted to excessive force.
- 4) Police did not use excessive force against Mr X in the Police car.
- 5) The Authority is satisfied that Mr X received appropriate medical attention.



**Judge Colin Doherty**

Chair  
Independent Police Conduct Authority

**7 December 2017**

**IPCA: 16-0830**

## 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.

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

Being independent means that the Authority makes its own findings based on the facts and the law. It does not answer to the Police, the Government or anyone else over those findings. In this way, its 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 complaints alleging misconduct or neglect of duty by Police, or complaints about Police practices, policies and procedures affecting the complainant in a personal capacity;
- investigates, where there are reasonable grounds in the public interest, incidents in which Police actions have caused or appear to have caused death or serious bodily harm.

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

### This report

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





Whaia te pono, kia puawai ko te tika

PO Box 25221, Wellington 6146

Freephone 0800 503 728

[www.ipca.govt.nz](http://www.ipca.govt.nz)

---