

**REPORT OF THE POLICE COMPLAINTS AUTHORITY
ON THE POLICE RESPONSE TO A 111 EMERGENCY
CALL MADE FROM PIHA BY IRAENA ASHER
ON SUNDAY 10 OCTOBER 2004**

INTRODUCTION

At 9pm on Sunday 10 October 2004 Iraena Asher, aged 25, of Auckland made a 111 emergency call to Police seeking assistance. She made the call from an acquaintance's home in Piha using a prepay cellphone belonging to him. The call was connected to the Police Northern Communications Centre (North Comms). At 1.19am on Monday 11 October North Comms received an emergency call made from a different Piha address about a young woman who had suddenly left that address. The caller expressed serious concerns for the woman's safety. The young woman was Ms Asher. Later, at about 2am, she was seen by a couple in the same area near the beach. She has not been seen since.

As Ms Asher's disappearance followed her attempt, five hours earlier, to gain Police assistance, the Police commenced an investigation into the handling of her call to them.

The Police investigation into their response to Ms Asher's call, and the matters addressed in this report, are entirely separate from the Police investigation into her disappearance at Piha and the subsequent unsuccessful search for her.

BACKGROUND

On 10 October Ms Asher and three companions travelled from her flat in Ponsonby, Auckland to Piha, West Auckland arriving at about 9am. Piha is a coastal settlement approximately 40 kms from central Auckland. The group included her boyfriend whom she had met two weeks earlier, and two other acquaintances. Her companions had been drinking at bars in the city, and the group continued to drink alcohol at an address in Piha Road, the home of one of them. Ms Asher's boyfriend also lived in the Piha area. Other persons visited

or were present at the address for short periods during the day. One of the group later acknowledged that some of them "*had some dope*" there at about 5pm.

Throughout the day and in the evening Ms Asher's behaviour was considered by those who were with her or who saw her to be strange and restless. For example, at around midday she climbed a tree next to a deck and then climbed down the tree and left the property and "*disappeared*" to the beach for about one and a half hours. She returned wet and covered in sand. A couple at the beach observed her walking around the shoreline and across the rocks. Her clothing was wet and she then walked through a stream waist deep with her clothes and boots on. The couple spoke with her and recalled that she was emotional, complained of being tired and cold, and was muttering. She appeared to them to be out of place and "*in her own world*". The couple, following her directions, gave her a lift back to the address in Piha Road where she had told them she was staying, and she said she was returning to have a shower and a rest.

Ms Asher remained at the Piha Road address for several more hours. Her boyfriend left that address at about 8pm and walked home after she had asked him to leave. He was not worried about her request because she "*had gone a bit funny*". The other two people were in bed and saw little of Ms Asher over the next hour, and they thought that she was going to sleep on the couch. They did not see her leave the address but it is known that she used, and took with her from the house, a prepay cellphone which belonged to the occupier of the address. They heard the door slam shortly after hearing the cellphone ring briefly, and assumed that she had gone to see her boyfriend who lived nearby.

Ms Asher telephoned the Police at 9pm and sought assistance. It appears that she was still at the address in Piha Road when she made the 111 call using the cellphone. There was also a landline phone at the house but this was not used by her. The content of her call to Police, and the subsequent calls made by Police to her on the cellphone, are addressed below. The last communication from Police was at 9.11pm. In all there were three telephone calls during which the Police spoke with Ms Asher, between 9 and 9.11pm, and a further four unsuccessful attempts by them to speak with her from 9.16pm that evening. The cellphone was later found on the driveway of the property, having apparently been discarded by her.

Between 9.20 and 9.30pm Ms Asher was seen walking up Piha Road by a Piha resident and her son. They were driving down the road into Piha having travelled from the son's home in Auckland. It was a cold, wet night and Ms Asher was a young woman alone and looked

"distressed". She had bare muddy legs, with few clothes on, and was wearing ankle boots. She said that she had been *"kidnapped"*. They offered her help and took her to the woman's home in Beach Valley Road, about 3kms away. They arranged with her that they would drive her back to Auckland the following morning. They thought that she might be under the influence of drugs because of her erratic behaviour both when they first spoke with her on the road and then at their house over the next four hours. At times she sounded coherent and at other times she *"mumbled"* and *"appeared disconnected"*.

Unknown to those who were with Ms Asher or who came into contact with her at Piha that day, she suffered from a mood disorder and her behaviour during the day and in the evening was, as later reported by the Police in consultation with her family, consistent with a relapse of that disorder. It was also reported that her behaviour when mentally unwell would give the appearance that she was on drugs.

Ms Asher declined an offer from the people at Beach Valley Road to contact the Police or an ambulance, and she resisted their offers to contact anyone. She did, however, tell them that she had phoned Police earlier and she told them *"not to worry because they won't be able to trace it"*.

Ms Asher remained with them at the house for nearly 4 hours. She required a lot of attention, was restless, at times appearing disorientated, and her conversation included claims that she had been drugged. They provided her with food, a shower, and assistance with finding telephone numbers and making a call to a friend's home. At about 10.40pm she spoke on the telephone for about twelve minutes with the friend's mother, whom she knew well, and who was aware of her mood disorder. During this call Ms Asher did not seem distressed and, from the accounts of those present and of the woman she spoke with, she conducted a *"normal conversation"* in contrast with her conversations with the residents of the address. She gave no indication during that telephone call that anything was wrong, and she did not repeat her earlier claims that she had been kidnapped or drugged. It was later established that Ms Asher's presence in Piha did not appear unusual to the woman she spoke with as she would often go there and had friends in the area.

Ms Asher watched television with the people at the Beach Valley Road house and they made up a bed for her. The son later told Police that Ms Asher had contradicted her earlier claims that she had been drugged at the house in Piha Road, saying words to the effect *"If I was to be honest, I've only had dope"*. He recalled that she said it in such a way that she *"seemed a*

bit guilty” and he started to doubt what Ms Asher had told them and to think that she may have been suffering from a mental disorder.

Ms Asher went to bed at about 1am wearing a dressing gown provided by one of the occupants. After going to bed she again became restless. She asked the son if he would like to go for a drive or a walk with her but he declined and suggested to her that she get some sleep. At about 1.10am she suddenly got out of bed and left the house. When she would not return despite efforts to coax her back, the Police were called. First one, then both, of the residents of the address searched unsuccessfully for her, on foot and by car, while the son spoke with North Comms. One of the residents found the dressing gown discarded nearby.

Ms Asher was last seen on Marine Parade at Piha Beach at around 2am by a couple walking their dog. She was naked, and that and her behaviour had a short time earlier attracted their attention when she was seen under a streetlight in Seaview Road. She appeared to them to be *“addressing the streetlight”* and kissing the ground. They lost sight of her when she disappeared into darkness down the road towards the beach. The couple looked for her but *“she just vanished”*. They then went home.

At about the same time the first Police patrol arrived at Piha to search for Ms Asher in response to the call made from the Beach Valley Road address. She has not been seen or heard of since. The beach near where she was last seen is known for its strong surf and rips.

POLICE INVESTIGATION OF THE 111 CALL

The investigation was, as noted above, limited to the handling of Ms Asher’s call to the Police. The investigation considered the responses by the North Comms members who were involved with Ms Asher, their superiors, and the field supervisor (a Sergeant at Waitakere) who had been apprised of Ms Asher’s call to Police.

111 call made by Ms Asher at 9pm

From the tape of her 111 call answered by a Call Taker at North Comms Ms Asher first said:

“Could you please umm come and get me from [number] Piha Road?”

(The number provided by Ms Asher was in fact an incorrect street number).

The Call Taker repeated the address and asked *"what's happening there Ma'm?"*

He repeated the question when Ms Asher did not respond.

She replied *"Yes please"*. The Call Taker again asked *"what's happening?"*

Ms Asher replied *"umm I just need to be taken away from here"*.

The Call Taker requested her name and she replied *"Iraena"*, and she said *"... please can you get here as soon as possible"*.

The Call Taker's response was *"yeah can you tell us what's going on Iraena - - Iraena"*.

He again repeated the question when she did not respond.

Ms Asher then said *"I don't feel safe in this house because - - there's a guy here who I'm very afraid of"*.

The Call Taker asked if the person she was afraid of was her *"partner"* and Ms Asher replied *"No"*.

When asked *"Who is the male that you are scared of there - - Iraena?"* she first said *"yes"* and on further prompting named a person who was later established not to have been at the address at that time.

The Call Taker asked *"Is it just you two there Iraena?"* She replied *"no there's, there's a girl here as well who I'm concerned about too"*.

(Ms Asher's concern for the other woman was not shared by the woman).

In response to further questions about why she was concerned and the circumstances of how she came to be there, Ms Asher said *"well I feel, well I feel scared of him"* and *"because he's, basically he's got me here and I just, I don't feel safe here"*.

Ms Asher told the Call Taker that she did not live at the Piha Road address, provided her address in Ponsonby, and said she did not have her *"wallet or anything with me"*, and then said *"... I need help immediately"*.

(Ms Asher's bag was in the vehicle in which she had travelled to Piha and which was parked at the address).

The Call Taker replied *"I can't hear anything going on ... you still haven't told me why you are afraid of this guy. Is that his address?"*, and after he repeated the address Ms Asher replied "yes". (The person named by her did not live at the address and he was not at that time at the address). The Call Taker then asked *"... what's he done to scare you?"*

She replied *"well, he's just been pressuring me for sex and I really don't want to"*.

In response to a question as to her age, Ms Asher correctly told the Call Taker that she was 25. She told the Call Taker that she had been drinking and that she had come in a person's car and *"He's actually quite scary too"*.

The Call Taker asked *"where is he now?"* and Ms Asher said *"in the bedroom"*. The Call Taker asked *"... what's he doing?"*, and she replied *"I don't know. I just need to be taken away from here 'cause I don't know these people very well and I don't feel safe here"*.

The Call Taker advised her *"Okay. We'll try and get there as soon as we can, Iraena. That's your mobile you're calling on?"*. The cellphone she was using was not her phone, and she replied *"I just picked it up off the table, I just thought I want to get out of the situation 'cause it's not healthy for me"*.

Ms Asher said she had known her boyfriend for a week but not very well. She also said that they had started drinking at her flat in Ponsonby that morning and *"... we kept drinking, and now I need your help now please, [number] Piha Road"*.

She said that the other woman in the group was *"in the bedroom as well"*.

Ms Asher said *"I don't feel safe right now and I thought the best thing to do would be to ring the Police and that's what I've done 'cause I want to do the right thing. I'm just fucken really scared, okay?"* She then explained her connection with the other woman who she said she had met through her sister. The Call Taker said *"... you still want a lift though, don't you?"* and Ms Asher replied *"Yeah I do"* and *"I didn't know it was going to be so hard to get some help"*.

The Call Taker explained *"Well I need all the circumstances don't I, Iraena?"*, and Ms Asher

replied “*Yeah you do*”. She referred to it being an “*emergency*”. The Call Taker suggested that she could have taken the cellphone and walked up the road and called, to which Iraena answered that she “*could have, I don’t have any shoes*”. (Ms Asher was in fact wearing shoes when seen walking up the road soon after).

She was advised by the Call Taker “*no worries, we’ll be there as soon as we can*”. Ms Asher replied “*Yeah I hope so*”.

This call lasted five and a half minutes.

Police Response to the Call

The Call Taker recorded the event on screen and included that Ms Asher “*doesn’t feel safe*”, “*states he’s pressuring her for sex*”, that the person she is “*afraid*” of is in the bedroom with another female, that she sounded pretty drunk, “*has been drinking all day*”, and that she was not under immediate threat or danger. The event was coded as a Priority 2 which is an event that requires a timely response (0-30 minutes). This electronic log of the event was sent to a dispatcher for action. The Call Taker had no further contact with Ms Asher.

The next Police member involved with the event was the evening shift dispatcher at North Comms, a Constable, who referred it to the Waitakere Police. The Dispatcher first discussed another incident, a Priority 1 event, with the field supervisor, the shift Sergeant who was at that point at the Henderson station. (A Priority 1 event requires an immediate response – actual threat to life or property now) He then alerted the Sergeant to the event involving Ms Asher. He thought the Sergeant might want to read the Priority 2 event that had just come in from Piha Road, and on the phone referred to it as “*just a bit [of] rubbish*”.

The Sergeant read the electronic record of the event at the station and suggested to the Dispatcher that Ms Asher call a taxi. The Dispatcher updated the event log to include that advice. The Sergeant then left the station to attend to the Priority 1 event which involved inquiries into a reported firearms incident.

Police call to Ms Asher at 9.09pm

The Dispatcher telephoned Ms Asher at 9.09pm, 3 to 4 minutes after Ms Asher had finished talking with the Call Taker. The Dispatcher identified himself as being the Police and asked her “*... can you call a taxi?*”

She replied *"No, 'cause this phone won't let me call out"*.

His response was *"... I'll phone one – which company would you prefer?"*

Ms Asher replied *"the most expensive"*.

The Dispatcher asked *"Sorry?"*

Ms Asher responded *"Umm Discount Taxis"*, which the Dispatcher repeated.

Following a reference by Ms Asher to another taxi company the Dispatcher said to her *"Okay, I will give them a ring and I will ring you back with how long they're going to be"*.

Ms Asher's response was *"I will really need them to come here soon because it's just really weird here 'cause they've given me drugs and stuff as well"*. Ms Asher referred twice to being *"scared"* and said *"and it's probably the drugs as well, making me more paranoid or something, I'm quite scared"*. This was the first time that drugs had been mentioned by Ms Asher.

The Dispatcher said he would ring her back, saying *"Okay, no worries, I'll sort it out"*.

Ms Asher said she was unsure of the precise address, saying *"I think it is either [number] or [number], can you just check the driveways between [number] 'cause I've been on drugs so I don't know what it is, it's between [number] and [number], can you check all those please"*.

The Dispatcher answered *"Okay, yeah no worries"*. The call finished with Ms Asher saying *"cheers"* which was acknowledged by the Dispatcher.

This call lasted about 1 and a half minutes.

Police call to taxi company

The next phone call, made at about 9.10pm, was by the Dispatcher to Discount Taxis Ltd. The Dispatcher identified himself and said that he was from Police Comms.

Dispatcher -

"Am I able to organise a taxi ride for someone please?"

Taxi company -

"Yeah. What was the address?"

Dispatcher -

"It's [number] Piha Road, out Piha".

Taxi company -

"Piha Road in Piha".

Dispatcher -

"Yeah. Now the lady's not a 100% sure on the address. She's pretty sure its [number] but it could be either [number] or [number] as well".

Taxi company -

"We need an exact address".

Dispatcher -

"Yeah. I can't do anything about that".

Taxi company -

"So where's she at?"

Dispatcher -

"[number] Piha Road".

Taxi company -

"In Piha".

Dispatcher -

"Yeah".

Taxi company -

"Oh my gosh".

After further discussion about the location and the Dispatcher providing Ms Asher's name, and that *"she's going to Ponsonby"*, the call ended with the taxi company saying the estimated arrival time was *"about 20 minutes"*.

Police call to Ms Asher at 9.11pm

The Dispatcher then telephoned for the second time the cellphone in Ms Asher's possession, at about 9.11pm, and advised her that *"Discount are on their way out"*. Ms Asher questioned this and the following is the last conversation between her and the Police :

Ms Asher -

"Why aren't Police coming – you know they fucking gave me so many drugs and shit, I was totally confused. I didn't know what I was doing, they actually made me - - oh fuck, I can't do this by myself".

Dispatcher -

"I'll, I'll get the Sergeant to give you a ring".

Ms Asher -

"No wait, can you just wait, can you just talk to me".

Dispatcher -

"Yeah. I'll get the, I'm at the Communications Centre so I can't help you directly from here, and I am doing - - ".

Ms Asher -

"No, no, can you just talk to me".

Dispatcher -

"I'll - - ".

Ms Asher -

"Cause I'm quite scared at the moment".

Dispatcher -

"Yeah and I understand that but - - ".

Ms Asher -

"No you don't understand".

Dispatcher –

“Yes I’m dealing with units as well at the same time, I’m not a call taker - I’m not someone that you phone up and speak, you know, where you speak when you phone 111”.

Ms Asher -

“But you don’t understand”.

Dispatcher -

“I honestly don’t have time to talk to you, I’ll get the Sergeant to give you a phone call, okay?”

The Dispatcher recorded that Ms Asher then terminated the call, it having lasted 1 minute and 18 seconds.

That was her final conversation with the Police. The timing of this call, and of Ms Asher being picked up by the woman and her son who were driving into Piha, indicates that she left the Piha Road address shortly after the above call from Police. The cellphone that she was using was found at the bottom of the driveway of that address.

Following this call the Dispatcher called the Sergeant again. At this stage the Sergeant was in a Police vehicle dealing with the Priority 1 event (the reported firearms incident). He was told that Ms Asher was now saying that she had been drugged and that she was demanding Police. The Sergeant questioned the reason for Ms Asher demanding Police and asked if she could walk, and then suggested that the Dispatcher direct her to walk out of the house and go to a petrol station and ring from there for a taxi, and report to a Police station in the morning. This advice was not put to Ms Asher as the Dispatcher was unable to contact her, as discussed below.

Police call to Ms Asher at 9.16pm

The Dispatcher called Ms Asher for a third time, at about 9.16pm, and the cellphone gave a voicemail message *“The GSM phone you have called is either switched off or out of the coverage area”.*

The Dispatcher then contacted the Sergeant for a third time and they briefly discussed some inquiries made about an unrelated matter before the Sergeant enquired about the Piha

event. The Dispatcher informed him that Ms Asher's phone was switched off, and that he had already advised her that a taxi was going to be 20 minutes away, and that the event would be "*put on hold for a while*". The Sergeant said that from what he could see she was wanting a ride back from Piha and the Dispatcher agreed.

The Dispatcher updated the event log to include "*Phone has been switched off since female has been advised that taxi is only 20 minutes away. Will hold and wait for further*".

Further calls to Ms Asher

At about 9.49pm the Dispatcher again attempted unsuccessfully to contact Ms Asher on the cellphone to check if the taxi had arrived and, he said, "*to ensure her safety*". He also briefed the incoming night shift at North Comms about the event. The night shift commenced duty at 10pm.

The event record shows that three attempts were made by North Comms dispatchers to contact Ms Asher between 9.49pm and 11pm. On each occasion the phone was switched off. The night shift Dispatcher brought the event to the attention of the acting Team Leader on her shift. The event was 'live' and they did not know if Ms Asher had been collected by the taxi and they could not get through to her on the cellphone. She briefed the night shift field Sergeant and at 12.45am put a call through to the landline at the address provided by Ms Asher. A Police patrol was available to go to Piha if required but it was decided to first check the address provided by Ms Asher and to establish whether she had been collected by the taxi. The Dispatcher was advised by a boarder at that address that he had never heard of Iraena Asher and that there were a number of houses located down the same shared driveway. The boarder suggested that the Dispatcher contact the owner of the address in the morning. (It was later established that the correct address was nearby and that Ms Asher had been mistaken about the street number).

The event log was again updated. About 30 minutes later North Comms received the second emergency call from Piha, as summarised below, which they linked to Ms Asher's call.

Second 111 call

An entirely separate event record in connection with Ms Asher was established at 1.19am on Monday 11 October as a result of the emergency call from the Beach Valley Road house. The son of one of the residents at that address reported that he and his mother had picked

up “a young woman who was aimlessly walking along the road” about four hours earlier and that she had left the address at about 1.10am. Their concerns were that she had suddenly departed, and a short distance away had discarded her clothing on a cold night, and that she may have been under the influence of drugs. In response to this call the new event was logged as Priority 1 and Police were promptly dispatched to Piha, and other emergency services were activated, including the Piha alarm to alert residents to an emergency.

Members investigated

The Police investigation into the handling of Ms Asher’s 111 call considered the responses of the three members involved with the event on the evening of 10 October. The three members were the Call Taker and the Dispatcher, who both spoke with Ms Asher, and the Sergeant who spoke only with the Dispatcher. The investigation also considered the role of supervisors and the workload of the North Comms staff and the Police units working in West Auckland that evening.

Statements were taken from the members involved and others on duty that night in North Comms.

Call Taker

The Call Taker was a non-sworn member who had had 1 year’s experience as a call taker preceded by 5 years experience as a sworn officer.

When interviewed the Call Taker explained that he initially believed that Ms Asher may have had a mental disorder, and that she was affected by alcohol. He recalled that she said she was 25, had been partying all day, and seemed vague. After some hesitation she told the Call Taker that she was being pressured for sex. The Call Taker could not hear any noise or disturbance in the background and he did not consider the situation to be an emergency (i.e. a Priority 1 event). However, he did consider that it should be entered into the system and that the Police should attend, hence his entry of it as a Priority 2 event, telling Ms Asher that the Police would get there “as soon as we can”.

Dispatcher

The Dispatcher was a sworn officer who had had 21 months service in the Police, including 7 months as a dispatcher.

When interviewed the Dispatcher explained that the event created by the Call Taker appeared on his screen and he then notified it to the Sergeant at Waitakere after they had discussed the unrelated firearms incident. He acted on the Sergeant's advice that the woman at Piha should call a taxi. When he then spoke to Ms Asher she said in the course of their discussion that she was scared and had been given drugs. There was no background noise to indicate anything untoward, no mention of drugs in the first text of the event (as recorded by the Call Taker), and Ms Asher "*seemed happy*" for him to call a taxi.

The Dispatcher said that Ms Asher became quite emotional when he telephoned her for the second time, after he had arranged for a taxi to collect her, and he said he could not afford to spend a great deal of time speaking with her. He said that he would ask the Sergeant to phone her and at that point she terminated the call.

The Dispatcher updated the event log, telephoned the Sergeant again, and then promptly attempted to telephone Ms Asher again. He could not get through to her and, following a discussion with the Team Leader at North Comms, he left the event 'live' in the system so that further attempts could be made "*to ensure that a taxi had arrived and to ensure her safety*".

Sergeant

The Sergeant had had 9 years experience as a Police officer.

The Sergeant explained that he talked to the Dispatcher at about 9pm about two matters, firstly, the firearms incident that was a Priority 1 event, and then about Ms Asher's call. He read the event log of her call while he was at the Henderson station. He thought that she was not under threat or danger and that she could leave the address freely as the male who she had said had been pressuring her for sex was in another room with someone else. He thought that Ms Asher was looking for a free ride as a taxi from Piha to Auckland would cost over \$200. He added that it "*happens a lot*" that the Police "*are used as a free taxi*".

The next call the Sergeant received was when he was on his way to an address to make inquiries in relation to the firearms incident. He says that he understood that the information he then received from the Dispatcher was that Ms Asher had been taking drugs voluntarily, otherwise he would have thought of contact with the CIB. He also thought that she was under no threat, was free to leave, and in no danger, and that she could go to a place of safety to call a taxi. He said that if the event had presented as a matter of urgency he would have

attended himself or arranged for an incident car to attend. The Sergeant thought that there was a garage at Piha, and he knew of the woman who ran it and Ms Asher could go there for safety. (He was incorrect about the business being a garage but he was correct in that the woman he named ran a motor camp and she had helped people in difficulty in the past).

Police analysis of the event

The Police investigation considered the issues raised over the 111 call made by Ms Asher and the Police response to it. The investigating officer noted that many calls to the 111 service are non-emergency calls, and cellphone users frequently contact Police on 111 because it is free and convenient, and they believe that they will get a quicker response, and because prepaid phones with no credit, and disconnected phones, can only call 111. The Team Leader at North Comms on the evening of Ms Asher's call confirmed that it is a common practice for Police to call taxi companies when people are stranded or require a taxi.

It has been established that Ms Asher could not have made a phone call, other than a 111 call, from the prepay cellphone that she had been using if it exceeded 13 seconds which was the available time remaining. The address in Piha Road did have a landline which she could have used.

Call Takers are required to accurately assess and prioritise each emergency call according to the circumstances. In this case, the Call Taker took into account how Ms Asher was speaking, the lack of background noise, her age, that she had been drinking all day, and that she was being pressured for sex. It was only after some questioning and prompting that she disclosed fears for her safety. The words used by Ms Asher and the way in which they were addressed to the Call Taker did not convey any sense of urgency or danger, and in his words "*alarm bells were not ringing*". She remained relatively calm throughout the call and did not present as a person who was stressed, or under any immediate threat or in danger.

The investigation concluded that the Call Taker had been professional in his dealings with Ms Asher and that he had accurately interpreted and recorded the call from her.

In connection with the Dispatcher, the investigation considered it was appropriate for him to have referred the event to the field supervisor, the Sergeant. The Dispatcher's reference to the event as "*rubbish*", prior to his contact with Ms Asher, was however considered to be inappropriate and it may have contributed to a "*mindset*" that developed between the

Dispatcher and the Sergeant as to how the event should be resolved. The investigation concluded that the matters that were subsequently raised by Ms Asher were not then given the full attention of either member.

The conclusion reached by the investigation was that the Dispatcher and the Sergeant failed to adequately respond to and assess, and reassess, the situation involving Ms Asher. The Dispatcher failed to respond to warning signs from her (that she had been drugged, and was feeling "*more paranoid*" and "*scared*"), and to raise those concerns for appropriate supervisory review. In mitigation the investigation and the review of the investigation by the Police administration took into account the Dispatcher's training, and that he was young with limited experience in the Police.

The investigation considered that the Sergeant placed too much emphasis on Ms Asher being drunk, partying and wanting a ride home because she was stranded. Further, the Sergeant's role as field supervisor required him to make an accurate assessment of the event, and had he done so he would have concluded that Ms Asher was in some danger and he should either have sought further information or sent a unit to establish the situation.

The four units under his control were dealing with other incidents and policing work (the firearms inquiry, arrests, and disorder incidents) but had the situation at Piha been assessed as serious, Police staff could have been made available. The investigation also disclosed that there was a Police inquiry unit available at Henderson, although not under the Sergeant's control, but he had not been informed of this by North Comms.

In addition to the above failings, it emerged during the investigation that inappropriate and unprofessional language was used by the Dispatcher to the Sergeant in between calls with Ms Asher. The language was not heard by Ms Asher or others. The Dispatcher has expressed his regret for his language which he believed was in private conversation with another officer. He added that he mentioned this belief to explain the circumstances of, and not to excuse, his language.

In connection with the supervisors on duty that evening, the Police investigation concluded that the Team Leader who was briefed by the Dispatcher, following the unsuccessful attempt at 9.16pm to telephone Ms Asher, complied with standard operating procedures. The Team Leader had confirmed with the Dispatcher that the Sergeant had decided what the Police response should be. At the time the Team Leader was briefed the Dispatcher could no longer get through to Ms Asher on the cellphone and the event was to be kept 'live' so that further

attempts could be made to contact her. That the Team Leader had not been briefed earlier was not against normal practice because he expected to be notified about serious crimes and major incidents but not Priority 2 events.

The Shift Manager, an Inspector, was not aware of the event and would not be expected to be informed of a Priority 2 event. Supervisors in Communications Centres may become aware of events which are not Priority 1 if they are notified by staff or through routine scanning of events. The Police file shows that 119 event records (including Ms Asher's call) were created at North Comms between 8 and 9.30pm on the evening of 10 October, the majority being Priority 2. The Shift Manager during the Asher event did not come across it through routine scanning, and it was a busy shift with several incidents requiring his attention. He handed over to the night shift manager at 9.30pm and at that stage the event was still 'live'.

The Police at an early date acknowledged, both publicly and in a meeting with the Asher family, that mistakes had been made in their response to the 111 call made by Ms Asher, and they apologised for this. Their inquiry concluded that a patrol car should have been sent to Piha. The decision made by the Sergeant that Ms Asher should use a taxi was not considered to be appropriate. In addition the Dispatcher should in the circumstances have ascertained with greater certainty that a taxi would attend as it was felt that the taxi company call taker did not sound committed to sending a taxi to Piha and had given an unrealistic timeframe for the journey.

Disciplinary sanction against the Dispatcher and the Sergeant was recommended by the Police investigation and has since been imposed.

INDEPENDENT REVIEW OF THE NEW ZEALAND POLICE COMMUNICATIONS CENTRES SERVICE CENTRE (CCSC)

On 28 October 2004 the Commissioner of Police announced that an independent review of the three Communications Centres (Northern, Central and Southern) would be undertaken. The mistakes made in the Iraena Asher event and in some other cases in 2004 had raised questions about the effectiveness of the centres to manage and to respond to calls for a Police response. The objective of the review was *"to make recommendations to ensure the CCSC continues to meet public, staff and Police expectations for public and staff safety, public confidence, and policing effectiveness"*.

The review panel consisted of a Superintendent from the New South Wales Police, a Superintendent from the North Wales Police, a Deputy Chief from the Toronto Police Service, and an organisational psychologist.

The terms of reference for the review were widely advertised and the public and Police staff were invited to make submissions, as were the persons or their families who had expressed concerns over the 111 service. The review included interviews with individuals and relevant groups, and the panel observed the operations of New Zealand's three Communications Centres. Over 120 submissions were received.

The review panel's report was publicly released in May 2005. It is a lengthy report making over 60 recommendations.

In November 2005 the Police provided the Authority with an update on the implementation of the proposed changes to the Communications Centres. They are considering a range of options as to how they might best receive and respond to emergency calls for service. A single non-emergency number will be established in Auckland both as a pilot scheme and to relieve some of the pressure on North Comms, which in turn will reduce the volume of overflow calls which place pressure on the other two centres. A National Communications Centre Advisory Board (with external and internal membership) has been established, and 73 new staff have been appointed to the centres. Emphasis has been given to a range of areas covering training, performance management, quality assurance and developing capability.

POLICE REVIEW OF 17 CASES OVER A 4 YEAR PERIOD, INCLUDING THE ASHER CASE

In addition to the independent review, Police undertook an analysis of seventeen 111 calls over a four year period, brought to their attention by a Member of Parliament, where the Police responses had been criticised. Ms Asher's call was one of those analysed. The Police publicly released the findings of their analysis in February 2005. Again, they found that in Ms Asher's case, and in one other case, they should have dispatched a patrol. Of the remaining cases, thirteen were considered not to have been mishandled, and two cases could not be identified due to the lack of specific detail provided.

INVESTIGATION AND REVIEW BY THE AUTHORITY

The Authority undertook its own investigation of the Police handling of the 111 call made by Ms Asher, and has also reviewed the file generated by the Police inquiry into the matter. In addition, the Authority has considered concerns expressed by the Asher family.

The family consider that the Police did not follow their policy and procedures when dealing with Iraena's 111 call and are critical of *"disrespectful comments in the background"*.

The Police inquiry found that Police resources could have been made available to respond to Ms Asher's call but it was the judgement of the Sergeant, based on his discussion with the Dispatcher, and on the event log, that the Police were not required to attend.

The Dispatcher failed to recognise the increasing distress of Ms Asher as shown in his two conversations with her (which were her second and third conversations with the Police). He did not adequately consider what she was saying and in turn failed to convey her concerns to the Sergeant. The key words and phrases used by Ms Asher that were conveyed to the Sergeant were not given adequate consideration by him. Had there been adequate consideration it is likely that the officers would have come to a different decision than to suggest a taxi in the first instance, or they would have reviewed that decision following the two conversations between the Dispatcher and Ms Asher. The Sergeant did not, however, have the benefit of a transcript of the calls and he was in a Police vehicle at the time that he was contacted about the content of her second and third conversations with the Police, which were with the Dispatcher. The Sergeant was not one of the two members to speak with Ms Asher that night.

I accept that it is neither realistic nor necessary for all calls made to the Police emergency number to be addressed by the dispatch of a Police patrol. Some callers do misuse or abuse the 111 system, and not all circumstances require an emergency response. For example, the independent review of the Communications Centres referred to above noted that nearly 70% of calls to the 111 service are *"false or bogus"*. The centres receive about 1.6 million calls each year; North Comms receives about 70,000 calls a month (including the *555 traffic calls). The review found that non-urgent calls made to Police through 111 are *"compromising"* the timeliness of responses to genuine emergency calls.

Remarks made about the event, including the word “*rubbish*”, and other language used by the same officer, the Dispatcher, were undignified and unprofessional, and demonstrated an inappropriate attitude. I accept that these remarks were made by only one member and did not form part of the event log made by him. That the remarks were made at all, and were subsequently referred to in public, has added to the distress felt by the Asher family. It demonstrates the need for members of the Police to consider their language, and to remain professional, at all times.

The reference by the family to comments made “*in the background*” may have arisen from a concern that the comments may have been heard by Ms Asher while she was still on the phone. The communications tape and transcript show that this was not the case but nonetheless the comments are regarded by both the Police and the Authority to have been disrespectful, as the family say, and unprofessional.

As is now known, following her telephone conversations with the Police, Ms Asher spent nearly four hours in the company of three people who attempted to reassure her, and who provided her with a safe and comfortable environment for the night. They offered her a lift back to Auckland on the following day, she ate a meal provided by them, they accommodated her preferences regarding a shower, and over not being left alone, and she watched television and went to bed on a sofa made up for her.

As noted above, it was not known to those people, or to the Police who dealt with her call, or to her companions in Piha Road, that Ms Asher suffered from a mood disorder and may not have been taking her medication. The subsequent Police investigation disclosed that she had in the past “*disappeared*” or “*run off*” when suffering a relapse of her disorder.

Understandably, neither the people who were in her company that day nor the Police members involved following her call that night were in a position to appreciate the extent to which Ms Asher was in a mentally vulnerable state. Her boyfriend did not know that she suffered from a mood disorder. She declined an offer from the people at Beach Valley Road to contact the Police or the ambulance service, and she resisted their offers to contact anyone.

The woman whom Ms Asher did call at 10.40pm from the Beach Valley Road address was not aware that she had telephoned the Police less than two hours earlier, and could not have known that the Police were at that time attempting to contact Ms Asher. She was aware of

Ms Asher's illness but says that during their telephone conversation (which was of twelve minutes duration) Ms Asher did not at any time sound distressed. Ms Asher's conversation with her sounded "*very normal*" and "*there was definitely nothing in it to alarm me or make me think anything was wrong*".

During the inquiries with Ms Asher's family and friends, it emerged that when she was unwell she would not seek her family's help and this was consistent with her behaviour on the night she disappeared. She did not request that the woman with whom she spoke on the telephone contact her family, nor would she let the people whose home she was in contact them. It was suggested that in her illness she may have preferred that all the people she spoke with on 10 October should think that she had been on drugs in order to explain her behaviour and to avoid psychiatric assessment.

In addition, none of the people at either of the addresses in Piha were aware that Ms Asher had phoned the Police requesting that they attend an "*emergency*", nor were they aware that a taxi had been arranged for her and that the Police were trying to contact her and had made unsuccessful attempts to do so (at 9.16pm, 9.50pm, 10pm, and 11pm on the cellphone and later on the landline at the [incorrect number] address in Piha Road). Had the landline at the correct Piha Road address been used by her the Police would have been able to reach the couple at the address immediately after she had left there.

The taxi that had been arranged to collect Ms Asher at Piha Road, Piha, went to another suburb. Ms Asher did not wait for it and left the Piha Road address a short time after the arrangement for it was put in place. Within minutes of the last successful call from Police to her she was 3 kilometres away at the house in Beach Valley Road and would not have been in Piha Road had a taxi arrived there.

The Police investigation concluded that a patrol car should have been dispatched to Piha after the call from Ms Asher at 9pm. Had a car been dispatched she may or may not have been located by them. She was last seen some five hours later, also 3 kilometres away from where she had made the call to Police. The first Police vehicle to arrive at Piha following the second 111 call at 1.19am took 35 minutes to do so in a Priority 1 situation. Had a patrol car been dispatched to Piha following Ms Asher's call, it would have arrived after 9.45pm but she had left the address within minutes of her last conversation with Police after they had called her at 9.11pm, a call which she terminated at about 9.13pm.

The seriousness of Ms Asher's situation became apparent when she suddenly left the safety of the Beach Valley Road house, and the circumstances were reported to North Comms in the 111 call made from that address. This further event was then associated by North Comms with Ms Asher's 111 call. Police units were dispatched promptly, and other emergency services (fire, ambulance, helicopters, search and rescue) were activated for the search for her. Through enquiries that were then made it was revealed that she had a mood disorder and that she had previously disappeared when unwell.

The last people to see Ms Asher, the couple walking their dog at 2am, did not contact the Police but did link the helicopter to a search for the woman they had seen. They assumed that she would have been found and they went to sleep. In the morning one of them showed the Police where they had last seen Ms Asher.

CONCLUSION

The Police investigation into their response to Ms Asher's 111 call concluded that the call was mishandled by the Dispatcher and the Sergeant but not by the Call Taker. I agree with that conclusion.

As discussed above, the remarks made about the event and the language used by the Dispatcher were undignified and unprofessional.

This incident shows that caution is required on the part of Police members before putting aside what may be a genuine call for assistance because the caller does not sound distressed or appear to be in immediate danger. A caller may be affected by substances or may be mentally unwell and personal contact with the caller, or verification from another source, may be necessary to assess the situation correctly. Judgement calls have to be made by Police and issues will arise about what is properly and reasonably the responsibility of Police and what level of response is required. These are not straightforward issues and I commend the Police administration for undertaking the review of its communications service.

I consider that the extensive recommendations made by the review panel address the issues raised in this matter, and more. In those circumstances I make no further recommendations,

but I do endorse the Police commitment to improve the Communications Centres and the Police responses to the public.

In concluding this report the Authority expresses its sympathy to the family of Iraena Asher in their sad loss of a loved daughter and sister.

Judge I A Borrin
POLICE COMPLAINTS AUTHORITY

18 January 2006