

**REPORT OF THE POLICE COMPLAINTS AUTHORITY  
ON AN INQUIRY INTO THE POLICE RESPONSE TO A CALL  
TO THE SCENE OF A DOUBLE HOMICIDE AT RONGOTEA  
ON 16 DECEMBER 2001**

On Sunday 16 December 2001 at 2042 hrs Police received a 111 call from Ms Helen Johns, one of the victims of a double shooting incident at Rongotea, a rural area some 23 kilometres from Palmerston North. Prompt steps were taken to initiate the call out of Armed Offender Squads from Palmerston North and from Wanganui.

Entry to the property from which the 111 call had been made, and clearance of the house on that property, was completed at 2220hrs, both victims (Ms Johns and Mr Paul Allen) being found dead.

**INITIAL MEDIA REPORTS**

Some initial media reports of the incident included a comment attributed to an anonymous off-duty emergency services employee suggesting that Police found two people dead because they did not enter the property sooner.

**NOTIFICATION TO AUTHORITY**

On 24 December 2001, in consequence of the media reports, the Authority was notified of the incident by Police pursuant to the provisions of section 13 of the Police Complaints Authority Act 1988. A Police investigation into the matter was commenced promptly and was completed in July 2002 subject to the completion of the murder proceedings then pending against the offender Douglas Arthur Thompson, and the Inquest by the Palmerston North Coroner.

## **CIRCUMSTANCES LEADING TO CALL-OUT OF ARMED OFFENDERS SQUAD**

The 111 call received at 2042 hrs by the Police Central Communications Centre in Wellington was from a female caller who was moaning and giving no response to the call taker. At 2044 hrs the same female voice was heard asking for help and saying, "*he has a gun*". At 2046 hrs the call taker ascertained that the caller had been shot in the chest in Hammond Road, Rongotea. The caller was having difficulty in responding to questions from the call taker, but at 2048 hrs it was ascertained that a second person '*Paul*' had also been shot "*in the house, then on the front lawn*". At 2050 hrs it was ascertained that the person responsible was a Douglas Thompson who was armed with a .22 rifle. His whereabouts at that time were not known or able to be ascertained.

## **ACTION TAKEN BY SENIOR SERGEANT, PALMERSTON NORTH POLICE STATION**

The Senior Sergeant in charge of the Palmerston North City and Manawatu rural policing areas took action before 2100 hrs, while the caller was still on the telephone to Central Communications, to assemble the on-duty staff, page the members of the Palmerston North Armed Offenders Squad (AOS), nominate a safe arrival point (SAP) at the intersection of Rongotea and Hammond Roads, brief the staff on the situation and issue fire orders and instructions to set up the SAP and cordon off the scene area. The Rural Area Controller was informed and the Wanganui Armed Offenders Squad was also paged. At 2103 hrs an ambulance was requested to attend at the SAP.

## **ASSEMBLY OF ARMED OFFENDERS SQUAD AT SAP**

Officer 1, the O/C of the Palmerston North AOS, having been paged at 2055 hrs, immediately went to the Palmerston North Police Station where he was told the offender was still on the premises of the caller. He received a briefing and after being kitted out he left immediately with other officers for the SAP. An AOS dog handler who was already deployed in the area was instructed to await the arrival of AOS staff at the SAP. As AOS staff arrived at the Police Station they were kitted out and then deployed in several Police cars. The first of them reached the SAP just ahead of the ambulance which arrived at 2123 hrs, close to nightfall. A Constable was immediately deployed down Hammond Road as a sniper covering the SAP while Officer 1 considered whether to await the arrival of the Wanganui AOS or send in a patrol to assess the status of the injured parties. He decided on the latter course, and briefed all Police staff at the SAP. They were told that the location of the offender was unknown. The plan was to go to the address and assess the situation of the injured persons. Once at the address the patrol was to report whether the offender's vehicle was still there,

and if not, they were to check the condition of Mr Allen on the front lawn, and then enter the house to check the condition of Ms Johns. Two officers with military experience were tasked as lead scouts.

### **PATROLLING TO THE HOUSE**

The distance from the SAP to the house was 1.25 kilometres. A garage on the corner of the property was cleared and entry made through a hole in a hedge. Mr Allen was located on the lawn at the front of the house at about 2213 hrs. The house was then entered and cleared using standard AOS drills. Ms Johns was located at 2220 hrs after the house was entered and cleared. The exterior area was cleared with the assistance of Police dogs.

### **TIME TAKEN TO COMPLETE OPERATION**

It is reported that all the initial Police response action was taken in accordance with best practice within the space of 35-40 minutes from the commencement of the 111 call, namely the establishment of the SAP, the call-out and kitting out of the AOS, and the establishment of armed cordons at the critical incident area. The appointed Operation Commander, Officer 2, a commissioned officer, and the O/C AOS, Officer 1, a senior non-commissioned officer, had taken operational and AOS command within the first 40 minutes following the initial action taken by the duty Senior Sergeant at the Palmerston North Police Station. It is also noted that during the greater part of this initial period the Communications Centre had maintained telephone contact with Ms Johns.

Once the Police cordoning and containment of the scene area had been put in place the AOS were then able to move forward into the scene to make it safe for a paramedic trained Constable and ambulance staff to attend to the two persons known to have been shot. From this point of the operation the safety of the victims, other persons in the area and the Police staff involved, was paramount.

The officers did not know the whereabouts of the offender and there was a high degree of risk that he was still in the area to be cleared and made safe. The focus of the Police was on an early entry to facilitate first aid to the victims.

Although the identity of the offender was known and it was possible he may have had a cellphone in his possession, Officer 1 decided not to call the number as he wanted further assistance to deal with the offender once the Wanganui AOS staff reached the scene.

In considering the time taken to reach the house the following circumstances of the operation must be taken into account. There was steady rain. It was pitch dark. There was no street lighting. Visibility was severely restricted. The whereabouts of the offender could not be ascertained. The AOS members had to move forward to the scene over a distance of 1.25 kilometres, clearing one or more outbuildings before entering and clearing the house. This task was completed at 2220 hrs, 1 hour 38 minutes from the time Police received the initial 111 call for help.

### **ACTIONS OF OFFENDER**

Douglas Thompson was found to have left the scene in a motor vehicle belonging to Ms Johns' daughter prior to the Police entry to the property. The Police had no knowledge of his movements or location, or that he had left the scene, until after they had entered and cleared the house.

It is now known that after he left the scene Mr Thompson drove to a location on Stafford and McArthur Streets behind the Feilding Police Station but made no attempt to advise Police of his movements or intention to give himself up until he was sighted near that Police Station at 2247 hrs. He was taken into custody at 2259 hrs.

### **COURT SEQUEL / CORONER'S FINDINGS**

Mr Thompson was arrested and charged with the murder of Ms Johns and Mr Allen. On the opening day of his trial he pleaded guilty to the murder of Mr Allen. At the conclusion of the trial he was found guilty of murdering Ms Johns. On 7 March 2003 the Palmerston North Coroner issued his findings that both victims died as a result of gunshot wounds inflicted by Mr Thompson.

In the case of Mr Allen the Coroner found that he died as the result of a gunshot wound to the chest.

In the case of Ms Johns the finding was that she died as the result of a gunshot wound causing cardiac injuries.

The Investigator reported that there is no evidence to suggest that either victim would have survived their injuries as a result of medical intervention.

The Authority has made further inquiries to ascertain whether Ms Johns' life may have been saved by earlier medical intervention. The advice received is that in theory she may have

survived given such earlier intervention, but this would have required a surgeon to open her chest and to perform heart surgery. The surgeon on call on the night of the shooting was invited to attend the post mortem examination to view the injuries sustained by Ms Johns. On examining those injuries the surgeon advised that they were probably not survivable.

## **REPORT OF INVESTIGATING OFFICER**

The senior officer assigned to investigate the incident on behalf of the Authority, Detective Inspector D Brew, reports that he has examined in the light of best practice the actions taken by Police to deal with the incident. He reports that he is satisfied that all actions taken complied with best practice given the difficult circumstances faced by the commanding officers that night. He has also considered the actions of the individual officers engaged, in particular the members deployed in the Armed Offenders Squad role, and finds no basis for criticism of the manner in which they carried out their duties.

He also finds that the criticism contained in media articles about the time taken to enter the property was unwarranted and cannot be substantiated. He notes that the Palmerston North AOS is not a full-time squad and comprises staff working different shifts and rosters and with different duties according to the branches to which they are assigned. Before deploying the AOS the members have to be called to the Police Station and kitted out for the task. Once assembled the members are briefed on the task, a plan of action is formulated and they are then deployed to a safe arrival point. The greater the distance from the Police Station to the SAP (in this case 23 kilometres), the more time is required to assemble at the SAP. In the present case the investigator finds that the time elapsed from the paging of the AOS until the first members arrived at the SAP (27 minutes) can only be regarded as minimal.

The time taken from their arrival at the SAP until they entered the vicinity of the house was approximately 45 minutes. This was a short space of time given the conditions in which they were operating and the requirement to walk 1.25 kilometres clearing properties and outbuildings en route under the constant threat that the armed offender may well have still been in the area. Despite these difficulties and risks the AOS members moved forward with the intention of providing medical attention to the victims as soon as it was safe to do so.

The investigator concludes that the Police responded to this incident *“in a professional, co-ordinated and exemplary fashion with a view to maximising safety and minimising risk”*. He also finds that *“the officers responsible for the management and leadership of the operation had as a paramount concern the safety and wellbeing of the injured parties”*.

## **FURTHER REVIEW BY SUPERINTENDENT MATTHEWS**

The file in respect of this matter was referred to Superintendent N B Matthews for his review of the actions of the AOS and report to the Authority. Superintendent Matthews is National Manager : Operations at the Office of the Commissioner. He addressed the initial actions taken by the Senior Sergeant at Palmerston North Police Station, the subsequent actions taken by the AOS, and the operation command.

### **Initial Action**

He refers to the Senior Sergeant's actions on being advised of the incident involving a firearm "*just before 2100*". He determined a safe arrival point and dispatched to the scene armed officers from the available on-duty staff after providing them with fire orders and directions to cordon and contain the scene, reinforcing that safety was paramount. The Palmerston North AOS was paged at 2055 hrs and Officer 1 arrived at the Station only minutes later and was briefed by the duty Senior Sergeant. An Inspector was briefed on his arrival at the Station and he then took command of the operation.

Superintendent Matthews finds the initial action undertaken by the duty Senior Sergeant was in total accord with the Manual of Best Practice.

### **AOS Action**

Superintendent Matthews records that the Palmerston North AOS, like all AOSs, is a part-time squad, the members of which have to be assembled and deployed to the scene. He points out that in this case the first AOS members arrived at the SAP 27 minutes after being paged, and the male victim was located 1 hour 18 minutes after the AOS was paged. The officer commanding the AOS had to take into account in formulating his tactical plan a number of factors:

- It was dark.
- The address was rural.
- There was no rural number for the address, and the description of the house was at best sketchy.
- The location of the offender was not known but he could have been in the house.
- The offender was armed and had shot two persons.

Given these factors Superintendent Matthews finds the response of the Palmerston North AOS to have been extremely efficient. In a very short time they located the two victims

without knowing the whereabouts of the offender. The fact that the victims were found to be deceased was tragic, but the actions of the AOS did not contribute to their deaths.

He finds that Officer 1 commanded the response to the incident to the highest level, and that his tactical decisions were absolutely correct, and deserving of commendation.

### **Operation Command**

Superintendent Matthews says that the action of the duty Senior Sergeant at the Police Station in passing command of the operation to an officer other than the AOS commander was correct. The best practice for such an operation is that command needs to be split, to avoid the risk of the AOS commander being responsible not only for tactical command of the AOS but also the overall operation, and being unable to command either aspect of the operation effectively.

In the present case Superintendent Matthews finds that the decision to leave the Inspector at the Police Station providing strategic oversight was absolutely correct and left the AOS commander to resolve the operation tactically.

He also observes that an anonymous person reported in a newspaper to have listened to a Police radio channel probably heard only part of a radio conversation between the AOS commander and an AOS dog handler who was in the area at the time of the call-out and was instructed to await the arrival of the AOS staff at the safe arrival point. That channel was only one of several different means of communication employed during the operation.

His overall conclusion is that there is no basis for any criticism of the actions taken by any of the officers involved in the management, leadership and execution of this operation.

### **REVIEW BY AUTHORITY**

The Authority has independently reviewed the extensive Police files generated by the investigation of the Police response to this incident. I am satisfied that all necessary inquiries have been conducted into the management and execution of the Police actions taken to deal with this incident.

The purpose of the investigation was to consider whether there was any justification for the criticism, reported in the media, about the time taken to reach the victims.

The principal task of the Authority is to receive, investigate and report on complaints alleging misconduct or neglect of duty by any member of the Police. I record that there is no specific complaint in this case against any Police officer involved in this operation.

The focus of this investigation is on the timing of the various steps taken by Police to deal with an armed offender call-out to an incident where a firearm had been used to inflict fatal gunshot wounds.

I have carefully examined all the information on the Police files including the reports by the senior officers which are summarised in the foregoing sections of this report. It should be emphasised that all Armed Offender Squads in the various Police Districts throughout New Zealand are not engaged full-time on AOS duties. It follows that in every case the members have to be assembled, kitted out and briefed for the particular operation. That initial action necessarily requires some time to complete. In addition every such operation needs to be properly planned for the safe and efficient execution of its purpose, requiring the establishment of a safe arrival point and command arrangements.

#### **RELEVANT CIRCUMSTANCES GOVERNING SPEED OF RESPONSE**

In the present case the initial response to the emergency call to Police Central Communications comprised the call taker's efforts to obtain sufficient information as to the nature of the emergency and the address where it occurred. During this initial period it was established that the offender was armed with a rifle, but it could not be established whether he was still at the scene.

The AOS members moved as swiftly as these initial requirements permitted to the SAP in a rural area at the intersection of Rongotea and Hammond Roads, a distance of 23 kilometres from the Palmerston North Police Station. It was by then dark and their forward movement to the scene of the shooting had to be carried out without knowing whether the armed offender was still in the neighbourhood. This movement involved walking over a distance of 1.25 kilometres, and clearing some outbuildings, before the officers could approach the house where they first found one of the victims Mr Allen dead on the front lawn, and after clearing the house found Ms Johns dead in the kitchen.

#### **FINDINGS**

I find that the overall time taken from receipt of the initial 111 call by Central Police Communications until the AOS members entered the property was not excessive given the

circumstances outlined in the foregoing sections of this report. I accept the view of Superintendent Matthews that the initial actions of the duty Senior Sergeant at Palmerston North Police Station in paging the AOS, determining an SAP, and briefing the commanders, was in accord with best practice in dealing with such an emergency, and that his actions were carried out with all due speed. I also find that the actions of the AOS members in assembling at the SAP and then advancing to the critical scene area in darkness without knowing the whereabouts of the armed offender were carried out in an efficient and timely manner given the substantial risks involved in the operation. The AOS commander carried out his duties in an exemplary fashion, and made his tactical decisions correctly.

## **CONCLUSIONS**

I emphasise that there is no suggestion of any misconduct or neglect of duty on the part of any member of Police involved in the response to this incident. On the contrary the Police response was safe, efficient and timely in the circumstances of a double homicide by an armed offender, and the Police members involved are to be commended for their work in dealing with this incident.

**Judge I A Borrin**  
**Police Complaints Authority**  
22 August 2003