



14 August 2013

John Minto  
4 Ethel Street  
Morningside  
Auckland

**Reference: ExtC2013-0126**

Complaint regarding breach of policy and undesirable behaviour

Dear Mr Minto,

NZ Police have now concluded the investigation into your complaint to the IPCA dated 24 January 2013. This complaint related to Police actions at a protest that you were involved in at the Waihopai Base on 19 January 2013.

In your complaint you made two substantive allegations.

1. That Police staff at the protest had breached Police Policy by wearing Taser's whilst working there
2. The Police officers at the protest had acted unprofessionally in the way that they dealt with a letter that the protest group was attempting to deliver to the Commander of the Waihopai Base.

The investigation into these allegations has involved interviews with Mr Warren Thomson, Mr Steffan Browning and a number of the Police staff present at the incident. There were some difficulties in Mr Browning making himself available for this investigation which has delayed the inquiry.

### **Investigation Result**

1. As a result of the investigation it is clear that some Police staff working at the protest were wearing Tasers and this is in breach of Police Policy. This complaint is **Upheld.**

The staff with Tasers had been deployed on other duties earlier that day that required the use of Tasers and they had neglected to remove them before deploying to the protest. While the wearing was, in that sense, inadvertent it should not have happened. This point has been reinforced with the staff involved, and the Police Operation Commander, to ensure that it does not happen again.

2. The investigation into the second complaint has established that the protest group had moved onto the grounds of the Waihopai Base in an effort to deliver a letter of protest to the Base Commander. They then refused requests to leave by Police the grounds. At the same time the Police staff refused to accept the letter on behalf of the Base Commander.

While there are differing versions about the exact manner that the letter was dealt following this initial exchange I am satisfied that the actions of at least one Police staff member fell short of the professional standards that NZ Police expect. For that reason this complaint is **Upheld**.

The manner in which protests at the Waihopai Base are policed has also been reviewed in order to minimise future issues. This approach includes more dialogue with protest groups and leaders during such events.

The benefits of this approach were seen at the recent protest action at Waihopai in late July 2013 which passed without incident. This successful result was in part due to the protest group not attempting to make unauthorised access onto the Waihopai Base property.

Senior Sergeant Parata outlines in his final report his recommendation that the matter is now completed.

A copy of this letter will be forwarded to the Independent Police Conduct Authority. The Authority is entirely independent of the Police. If you are dissatisfied, you should advise the Authority in writing. The address of the Independent Police Conduct Authority is PO Box 5025, Wellington 6145.

Yours faithfully,



S J Feltham  
Area Commander  
Marlborough Police