

13 July 2020

Our Reference: IR-01-20-15017

Jaye Barclay
fyi-request-12996-a1e14dfc@requests.fyi.org.nz

Dear Jaye,

I am writing in response to the email you submitted 1st June, 2020. Your request has been considered pursuant to the Official Information Act 1982. Specifically you requested:

- 1. People fatally shot by the New Zealand police (including armed constabulary and police force records) with dates and ethnicity of the victim listed*
- 2. People non-fatally shot by the New Zealand police (including armed constabulary and police force records) with dates and ethnicity of the victim listed*
- 3. Other encounters with the New Zealand police that resulted in civilian casualties (e.g. deaths during chases, in crashes caused by police cars etc) with dates and ethnicity of the victim listed*

For each of these, if possible I would also like to know the names of each person, but if that information needs to be withheld for privacy reasons, please redact as necessary.

This response addresses questions 1 & 2. Road Policing will respond to question 3.

The information requested in Questions 1 and 2 is refused pursuant to section 18 (d) of the Official Information Act 1982 as it will be publicly available in July 2020. This Tactical Options Research (TOR) report will encompass your requested information prior to, and including 2019.

However, I have included a link to the TOR report where you will find the requested information for 2017 & 2018.

<https://www.police.govt.nz/sites/default/files/publications/annual-tactical-options-research-report-6.pdf>

<https://www.police.govt.nz/sites/default/files/publications/annual-tactical-options-research-report-7.pdf>

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You clarified via email on 24 June 2020, that your request wording, *including armed constabulary and police force records*, means, *basically any data from any available police records*.

Your request for police force records is refused pursuant to section 18 (f) of the Official Information Act 1982 as the information requested cannot be made available without substantial collation or research.

To give you context for my response to questions 1 and 2: Police do not record data on all instances where officers are deployed with a firearm. However it is policy mandate that when an officer presents a firearm they must complete a Tactical Options Report (TOR) in each instance.

This individual reporting of force is consistent with individual legal accountability for the use of force. TOR is the primary process for ensuring individual accountability for the use of force. Supervisor and Inspector review of TOR forms provides further accountability for the use and reporting of force.

For your consideration, the Independent Police Conduct Authority (IPCA) investigate incidents that involve serious and fatal injury. They report and release their findings to give a comprehensive account of incidents.

They publish their findings on their webpage and to assist you I have included the link to the reports on their investigations.

<https://www.ipca.govt.nz/Site/publications-and-media/2020-Reports-on-Investigations/>

<https://www.ipca.govt.nz/Site/Outcomes/Summaries-of-Police-investigations-overseen-by-the-IPCA.aspx>

I trust you are satisfied with my response to your request. If not, you have a right under section 28(3) of the Official Information Act 1982 to ask the Office of the Ombudsman to seek an investigation and review of my decision.

Yours sincerely



Inspector N. Brown
Acting National Manager: Response & Operations
