

12 April 2023

Ashlee Basham

fyi-request-21491-61bc2717@requests.fyi.org.nz

Tēnā koe Ashlee

Request for information

Thank you for your request of 24 January 2023, for the information relating to the 2022 protest on and around Parliament grounds.

As you may be aware, the Independent Police Conduct Authority (IPCA) has commenced an independent investigation and review (Review) of the policing of the occupation on and around Parliament grounds in Wellington during February and March 2022 (Protest).

Details of the scope of the Review are available on the IPCA's website¹ and you will note this scope includes Police planning and preparation of its response to the Protest. This includes staff selection, training, operational guidance, equipment, and technology provided to officers who policed the Protest, and Police engagement at local and national government levels with those holding decision rights and responsibilities, including public and private sector actors whose actions materially influenced or impacted on Police decision making.

The IPCA anticipates the Review will be completed and reported on in April 2023. Police recognises the importance of transparency in these matters and looks forward to the release of the IPCA's report, at which time more detailed information regarding the Police response to the Protest is likely to be publicly available.

In the meantime, your request has been considered in accordance with the Official Information Act 1982 (OIA), and I can now provide the following response.

1. *The convoy, in which Operation Convoy was initiated for, had been advertised for a couple of weeks prior to its launch on the 6th of February, 2022. This would have one assume that the Police were already aware of, and potentially advised of, the convoy and its intentions. As such my request is as follows:*
 - a. *On what date was Operation Convoy initiated?*

Operation Convoy was initiated on 8 February 2022.

- b. *By who was this Operation initiated?*
- c. *Who requested/commanded for this Operation to be initiated?*

Operation Convoy was initiated by Wellington District Commander Superintendent Corrie Parnell, who was also the local controller.

- d. *What was the purpose of this Operation?*

¹ <https://www.ipca.govt.nz/Site/publications-and-media/2022-media-releases/2022-mar-24-investigation-review-occupation-parliament.aspx>

The operational objective was to ensure public safety and uphold the law while recognising the lawful right to protest.

e. I request any and all communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material pertaining to the inception and initiation of Operation Convoy.

Operation Convoy was a substantial operation that involved hundreds of Police staff in the planning and implementation. Identifying "all communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material" would require substantial collation or research. Therefore your request is refused under section 18(f).

2. *On Tuesday the 8th of February, 2022, at around 6am, I chose to invoke the Wellington Police on behalf of convoy organisers (I was nominated to do so) and requested their assistance with the protest that was to occur later on in the day on Parliament Grounds, as an end result to the Convoy that was making its way from both Bluff in the South Island and Cape Reinga in the North Island. As a result the Police did turn up and a mutual relationship was formed in order to keep the protest lawful and safe. The Police response seemed, to me, to be delayed by a few hours and only when numbers increased, and a subsequent phone call by myself was made, did Police turn up. As such my request is as follows:*

a. I request any and all communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material pertaining to the invoking of the Wellington Police, their decisions, planning and orders on the day of the 8th of February, 2022.

We have interpreted your request to be for information relating to your contact with Police on 8 February 2022.

Please refer to the attached extract from Senior Sergeant Nigel Bullock's notebook. Please note that as this response is to be released through the FYI website, your phone number has been withheld under section 9(2)(a) of the OIA, to protect the privacy of natural persons.

3. *During the day of the 8th of February, 2022, I had extensive communications with the Wellington Police and the team they had deployed. By working together we minimised as much chaos as could be achieved. The Police assisted with notifying me of vehicles in risk of being towed or having further action being taken, they also assisted with ensuring Police presence was active and by purposely preventing escalation with intimidating numbers, and by wearing security or plain clothes outfits. I assisted the Police in updating them on the progress of the day, handling their requests and negotiating the best I could within the powers I held in my personal capacity. Towards the end of the day a communication breakdown occurred between the crowd of protesters and the MC that was in place to help the flow of the day and make any and all announcements required. The Police had contacted myself and requested that vehicles that were blocking the roads, or parked in inconvenient places, be moved a few inches towards the curb or moved out of the way to ensure all people, vehicles, and the likes, who were needing to return home either from work in the vicinity or to their homes in the vicinity. After relaying this information to the MC he subsequently chose to inform the protesters that they were to leave and come back on the 19th on February for another protest. This statement/request shifted the energy of the protesters to one filled with anger. Due to some of the "Freedom Movement" influencers who took over the mic the crowd was subdued and the situation was de-escalated.*

Then on Wednesday the 9th of February, 2022, I had not received any communications from the Police as expected. What I instead witnessed was the MC who had caused the issues on the previous day was now clearly in direct communication with the Police, as he was calling vehicle registration numbers over the microphone and requesting they move their vehicles. This type of communication was previously through myself and actioned by myself in order to minimise public disapproval of Police services and communications. During the day of the 9th of February there seemed to be an ever

increasing police presence, increasing escalation and 3 arrests made. As such my request is as follows:

- a. *As the MC in question is a Pastor of Destiny Church, I ask for any and all communications between this Pastor, Destiny Church, The Freedom and Rights Coalition and the Police, or any and all communications that directly relate to the involvement of this Pastor, Destiny Church and The Freedom and Rights Coalition.*

We have been unable to identify any communications between Police and the individual you refer to as the MC, Destiny Church or The Freedom and Rights Coalition in relation to their involvement with the Protest on or before 9 February 2022. Your request is therefore refused under section 18(e) of the OIA, as the information does not exist or cannot be found.

- b. *Who made the decision to change the point of contact and negotiation from Convoy Organisers to this Pastor?*

From Police's perspective there was never a single "point of contact," rather Police actively sought to open and maintain communications with a wide range of protesters - particularly those who identified themselves as protest leaders - from an early stage.

- c. *Who was the officer in contact with this Pastor?*

For the reasons set out in our response to 3.a., your request is refused under section 18(e) of the OIA.

- d. *Why was the decision made for contact to change from Convoy Organisers to this Pastor?*

Please refer to my response to 3.b above.

- e. *I request any and all communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material pertaining to my statements in point 3 and questions therein listed above (a-d).*

As advised above there was never a single point of contact and therefore no decision to change "the" point of contact. This part of your request is therefore refused under section 18(e) of the OIA, as no such information exists.

4. *On Thursday the 10th of February, 2022. Police action was in full force. I missed a phone call from the Police at around 11am. I was not present on the grounds. At around 1pm I called the Police back and spoke to a Sergeant on the ground involved in the Police operation. I expressed my disgust in their actions as I had been sent videos of the chaos that was ensuing. I asked why the chain of contact set up initially was broken and why they had refused to contact me until now. The sergeant was unable to answer my line of questioning and stated he was only told to contact me and was unsure of other orders. The sergeant requested that I assist in the negotiation of having the tents either lowered or removed. I requested that the Police back off and allow negotiation to occur as while people are being actively arrested and "attacked" there was no room for negotiation. I advised the sergeant that I would do my best to get to Parliament Grounds, to which took numerous hours. After the phone call with the Sergeant the Police action did not cease, in fact further unsuccessful operations were performed. As such my request is as follows:*

- a. *Who was the sergeant that I spoke to on the 10th of February?*

Given the phone number you provided we have been able to identify the officer you spoke with as Inspector Patrick Thomas, although his recollection is that this call took place on Wednesday 9 February 2022.

b. *Who ordered for the sergeant to contact me on the 10th of February?*

Inspector Thomas has confirmed he contacted you on his own initiative.

c. *Why was the sergeant ordered to contact myself on the 10th of February?*

Inspector Thomas contacted you as part of Police's wider attempts to maintain constructive engagement with a wide range of protesters, particularly those who identified themselves as protest leaders.

d. *Why did the Police continue to attempt to remove tents and structures off of Parliament grounds even after speaking with me, and if negotiation was needed?*

On the morning of 10 February Superintendent Parnell issued a media statement explaining the decision to begin evicting people from the Parliamentary precinct in the following terms:

"Police have this morning trespassed all protesters at Parliament after the Speaker of the House closed the grounds.

Police have appealed repeatedly to protestors to leave the grounds and have begun evicting people from the precinct.

While Police acknowledges people's right to protest, this needs to be conducted in a way that do not unfairly impact on the wider public."

The full statement can be found here: [UPDATE: Protest activity, Parliament grounds | New Zealand Police](#)

e. I request any and all communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material pertaining to my statements in point 4 and questions therein listed above (a-d).

Police has not identified any additional communications, notes etc in relation to parts 4.a. through c. of this request.

Regarding the decision to begin evicting protesters referenced in part 4.d., identifying all "communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material" would require substantial collation or research. Therefore your request is refused under section 18(f) of the OIA.

5. *From documentation that I have seen, I am aware that on the 9th of February Trevor Mallard, the Speaker of the House at the time of the protest, had requested the Police to "accompany parliamentary staff who hold a designation as occupier of the parliamentary precincts while they deliver the trespass notices". This request was in the form of a letter. This request was then translated into an email on the 9th of February by a Detective Sergeant who stated that Trevor Mallard had "requested that all tents and structures which have been erected are to be removed now", if tents and structures were not removed Police were to close Parliament grounds, leaving those remaining on Parliament grounds open to trespass and arrest. This email request I believe was then actioned on the 10th of February. As such my request is as follows:*

a. *Could you please confirm that the Police first carried out the initial request from Trevor Mallard before the email from the Detective Sergeant was actioned?*

I can advise the Police staff did attempt to accompany parliamentary staff to deliver trespass notices on 9 February.

b. *Could you please advise as to the policies and procedures that the Police have in place in regards to trespass notices?*

Please refer to the *Trespass Police Instruction*, which is publicly available here: <https://www.police.govt.nz/about-us/publication/trespass-police-manual-chapter>

- c. *Could you please advise if these policies and procedures cover protest situations and specifically in public places such as Parliament grounds.*

Please refer to *Policing functions within the Parliamentary Precincts*, which is publicly available here: <https://www.parliament.nz/mi/pb/parliamentary-rules/other-rules-and-protocols/policing-functions-within-the-parliamentary-precincts/>

- d. *Could you please advise as to why the Police prioritised actioning the request of Trevor Mallard rather than maintaining their communication and negotiations with convoy organisers, and protesters?*

Police continued communications with protesters but were acting on lawful trespass order issued by the Speaker of the House, the lawful occupier of the Parliament buildings and grounds.

- e. *Who made the decision to prioritise the request from Trevor Mallard?*

The decision to move to evict people from the Parliamentary precinct was made by Superintendent Parnell.

- f. *Could you please advise as to the policies and procedures that the Police have in place in regards to these types of situations and what the best practice would be?*

Please refer to my responses to parts 5 b. and c. above.

- g. *Did the Police seek any legal advice before actioning any requests from Trevor Mallard?*

Yes.

- h. *I request any and all communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material pertaining to my statements in point 5 and questions therein listed above (a-g).*

Identifying all “communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material” would require substantial collation or research, therefore your request is refused under section 18(f).

Legal advice is withheld under section 9(2)(h), to protect legal privilege.

6. *On 16th February, 2022, after speaking to a sergeant involved in negotiations over the phone, I received an email from this sergeant stipulating that their goal is “to ensure a peaceful and lawful protest takes place and that all persons remain safe.” This email also outlined what the Police needed in order for this to happen and offered terms for negotiation. When speaking with the sergeants and officers involved in the negotiations, they always confirmed and affirmed our rights to protest, and always insisted on keeping the protest lawful and safe. This was also the goals of the convoy organisers and of the protesters. However the actions of the Police always seemed to show the opposite of what their words were stating and promising. As I am sure you can understand that this is confusing, as such I request the following;*

- a. *Were there two different teams deployed to handle the protest situation? One team deployed for behalf of the protesters and one team deployed of behalf of Trevor mallard?*

- b. *If so, could you please advise as to why this occurred?*

All Police teams deployed under Operation Convoy were acting on one mission, “to ensure public safety and uphold the law while recognising the lawful right to protest.”

- c. *If not, can you please advise as to why the information the officers contacting convoy organisers was so contrast to the actions of those on the ground?*

As advised, Police continued communications with protesters but were acting on lawful trespass order issued by the Speaker of the House, the lawful occupier of the Parliament buildings and grounds.

- d. *I request any and all communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material pertaining to my statements in point 6 and questions therein listed above (a-c).*

As there are no communications, notes etc regarding Police operating two different teams, this part of your request is refused under section 18(e) of the OIA as the information does not exist.

7. *Early in morning on the 21st of February the Police conducted an operation in which 100s of concrete barriers were installed around Parliament grounds. In my conversations with police I was informed that a meeting had taken place around midday on the 20th of February, 2022, about these concrete barriers. Certain "influencers" at the protest had been invited to this meeting, however I was also advised by the Police that convoy organisers had not been invited nor had they been advised about this meeting. As such my request is as follows;*

- a. *Why were convoy organisers not contacted and invited to attend this meeting?*

Several individuals who had identified themselves as protest leaders were invited to and attended this meeting, which took place on 20 February 2022.

- b. *Who made the decision to hold this meeting?*

The meeting was initiated by Deputy Commissioner: Iwi & Communities and Deputy Commissioner: Strategy & Service, together with the Advanced Police Negotiation Team and in consultation with those who had identified themselves as protest leaders.

- c. *Why was this meeting held, and what was its purpose?*

The meeting formed part of the broader Police engagement with protesters, and discussed traffic management and the installation of bollards around the surrounding streets, health and safety of protesters, access for food and toilets and other general matters. Also discussed, was the need to prevent further influx of vehicles into the area due to safety concerns and the protestors intentions (including in relation to resolution of the protest).

- d. *I request any and all communications, notes, documentation, meeting notes/minutes and meeting dates/times, parties and persons involved, and all other relevant information/material pertaining to my statements in point 7 and questions therein listed above (a-c).*

The meeting occurred on Sunday 20 February 2022 at 10.30am at the Wellington Railway Station and concluded at 12.10pm. Police attendees were Deputy Commissioner Wally Haumaha, Deputy Commissioner Jevon McSkimming, Detective Inspector John van den Heuvel and Senior Sergeant Cameron Anderson. Protest representatives were Leighton Baker, Katie Ashby-Koppens, Pastor Heker Roberston and Claire Deeks. A notebook entry of the meeting was made by Senior Sergeant Anderson and Detective Inspector John van den Heuvel. I have attached a copy of those notebook entries.

Please note that as part of its commitment to openness and transparency, Police proactively releases some information and documents that may be of interest to the public. An anonymised version of this response may be publicly released on the New Zealand Police website.

You have the right to ask the Ombudsman to review my decision if you are not satisfied with the response to your request. Information about how to make a complaint is available at:

www.ombudsman.parliament.nz.

Nāku noa, nā



David Greig
Superintendent
New Zealand Police



20/02/22

030 Meeting With Railway Team

DC Hancock, DC McSkimming, Insp Van Der Heide
Sgt Anderson

Heck Robertson, Leighton Bider, Clare Deeks

- Via Zoom Katie, ~~Al~~

Apologies Raza, Corbielle

Keralein WH.

Introductions.

Katie Ashby (Kapers?) Melbourne Victoria.

- Not original organisers of convey.
- * No clear group as leaders
Majority of people who could possibly influence people.

Encouraged by experience of officers

- Negotiator.

- Would like to move traffic but
would need support to do that.

- Coordinated approach is not helpful.

- World Renard Mediator. Secured.

IM - Lawful

Support swirling up "borderline"

- We would like you to leave Remiss if we did not affirm that.
- Don't think Speakers Letter has an infinite time limit.
- Responsibility of leaders potentially problematic for you.
- Losing control, growing issues inside protest.
- On going safety of 'institutes'.

1100

HR

Delegate Group.

- Situation - now, not from days ago.
- Other groups on site.
- How do we support. -
- Culture on the ground trying to identify rogue element.
- Holiday stage passing messages.

LB

- Peaceful
- Using stage to control crowd.
- 30% of NZ supports Protest - Which poll?
- Negative government abuse.
- All have felt harmed & hurt, job losses, business losses, suicides, lost house. Nothing to lose.
- "Government won't talk until you're gone"

WH - Has to leave due to extra-accusing influences around government.

- Talking of Police BAN around the country.

- Identify original leaders. Advise WH with a view to bringing them to speak with Te Atiāwhā.

- Potential second meeting with WH in next 48 hours.

- ~~Potential~~

40 • useful points from WH.

- 24 - 72 hours clear messaging
Protestors to see some change. (Government)

- Parking Sky Arena full? Yes

- Centre Part? Privack had No.

→ Toilets need to be cleaned - more.

- Coordinated plan to clear roads, manage traffic. Emergency Operations.

JM - Police will not enable protest to grow

→ Toilets

- Parking etc.

- No police action inside

- No breaching government buildings
Debris etc returns strong.

- No food disruption


- No stopping infrastructure

- No tablets being disrupted.

- Hard borders on records .ie. 1 way door
- Commit to advise before any action.

Im to liaise with KC.

Meeting ended.



Cam Anderson
Senior Sergeant E878
Western Bay of Plenty
/ /

Transcript of Senior Sergeant C ANDERSON's notes of meeting on 20/02/2022

22/02/2022

1030 Meeting Wgtn Railway Stn

DC Haumaha, DC McSkimming, Insp. Van Den Heuvel, S/Sgt Anderson

Hecker Robertson, Leighton Baker, Claire Deeks

- Via Zoom Katie

Apologies Roger, Gabrielle

Karakia WH

Introductions:

Katie Asbey (Coppins?) Melbourne Victoria

- Not original organisers of Convoy
- No clear group of leaders.
- Majority of people who could influence people

Encouraged by experience of officers

- Negotiation
- Would like to move traffic but would need support to do that.
- Government approach is not helpful.
- World renowned mediator secured.

JM – Lawful

- Support suring up "boarders"
- We would like you to leave, remis if we did not affirm that.
- Don't think speakers letter has an infinite time limit
- Responsibility of leaders potentially problematic for you.
- Losing control, growing issues inside protest
- Ongoing safety of 'constituents'

1100 Delegate Group

HR - Situation now, not from days ago

-Other groups on site

- How do we support
- Culture on the ground trying to identify rogue element
- Holding stage passing messages

LB – Peaceful

- Using stage to control crowd
- - 30% of NZ supports Protest – Which poll?
- Negative government abuse
- All have felt harmed & hurt, job losses business loses, suicides, lost house. Nothing to lose.
- “Government won’t talk until your gone”
-

WH – Has to leave due to another meeting. Influences around government.

- Talking of Police BAU around the country.
- Identify original leaders. Advise WH with a view to bringing them to speak with Te Atiawa
- Potential second meeting with Iwi in next 48 hours.

KC – Useful points from WH

- 24-72 hours clear messaging

Protestors to see some change (Government)

- Parking Sky Arena Full? Yes
- Centre Port? Private Land No
- Toilets need to be cleaned – more
- Coordinated plan to clear roads, move traffic. Emergency Operations

JM – Police will not enable protest to grow

- Toilets
- Parking etc
- No Police action inside
- No breaching government buildings, Defensive actions strong.
- No food disruptions
- No stopping infrastructure
- No toilets being disrupted
- Hard boarders on roads ie 1 way door
- Commit to advise before any action.

JM to liaise with KC