

16 February 2024

Jonathan Ayling
Chief Executive
Free Speech Union

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By email: s9(2)(a) .

Kia ora Jonathan

Response to your letter of 23 January 2024 – Concerning pattern of abuse of speech and protest rights by New Zealand Police

The Minister of Police has referred your letter regarding Police’s approach to keeping the peace at recent protest events to me for response.


I note that much of my previous correspondence to you on this issue (16 December 2023) remains relevant. As we have previously discussed, I recognise and value freedom of expression as an important right in our democracy and agree that Police plays an important role in the protection of this and associated rights.

Police is working hard to strike the right balance in protecting (sometimes competing) free speech interests, alongside our role in upholding the law and the rights of citizens to be free to go about their lawful business. Police must walk a fine line between enabling free speech to occur and ensuring that potentially volatile situations do not get out of hand – something that can happen in a matter of seconds in an emotionally charged environment. Our staff are making difficult decisions, to ensure, first and foremost, public safety is maintained and that those wishing to exercise their rights to free speech are also able to be heard.

The IPCA is the appropriate body to determine if Police’s actions have been appropriate, should there be complaints about Mr Maxwell’s arrest. Police maintains an ongoing and constructive relationship with the IPCA, and this topic will no doubt continue to feature in our discussions as we strive to ensure the right balance is struck in our operational activities.

Police National Headquarters

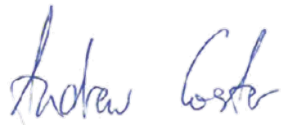
180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand.
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It is unlikely to be the case that police get this right in every situation, given the dynamic environment in which these events play out. However, I can assure you that police are approaching the current protest environment in good faith and endeavouring to protect the competing interests. In the event we make mistakes, we will learn from them.

I note your wish to continue the ongoing dialogue between Police and the Free Speech Union. I welcome this ongoing engagement – to date I have found our engagement to be constructive and respectful.

Ngā mihi



Andrew Coster
Commissioner