



Ref: AFS 12/1658/22

17 August 2016

Alex Harris

C/- [fyi-request-4291-cf0bf174@requests.fyi.org.nz](mailto:fyi-request-4291-cf0bf174@requests.fyi.org.nz)

Dear Mr Harris

I refer to your Official Information Act request of 22 July 2016 received via email seeking the following information:

1. On how many occasions have undercover police officers entered long-term sexual relationships with members of groups under investigation?
2. On completion of the operation, were the parties in such relationships informed of the undercover officer's true profession and/or identity?
3. Any reports or advice on the ethics of such relationships, the police's possible liability for compensation, and their effects on the admissibility of any evidence gained.

In your letter you quoted from a recent Supreme Court decision in the *Wichman* case, where the Court said "A similar situation (involving sexual relationships but not children) has arisen in New Zealand". The footnote to that statement said "Such conduct was alleged in, for instance, *R v Slater* (1994) 12 CRNZ 198 (HC)."

A review of that case indicates that whilst there was a comment about an unsubstantiated allegation by defence counsel in the *Slater* case, no evidence or information was proved to confirm the allegation. It therefore remains a purely unsubstantiated allegation.

I can find no police records of any such allegations being made against an undercover officer as described, therefore questions 1 and 2 are refused pursuant to s18(e) of the Official Information Act because the information does not exist.

In respect of question 3 there is no report or advice on the matters you refer to, therefore this question is refused pursuant to s18(e) of the Official Information Act because the information does not exist. However, I can advise that questions about legal liability and compensation are covered by various statutes. Further, all New Zealand Police employees must adhere to the New Zealand Police Code of Conduct which was introduced in 2008 as part of their contractual arrangements.

You have the right to ask the Ombudsman to review my decision if you are not satisfied with the way I have responded to your request.

Yours sincerely

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Chris Page  
Detective Inspector  
Acting National Manager: National Criminal Investigations Group