



10 August 2018

Reference: IR-01-18-5681

Mr Mark Hanna

Fyi-request-8308-27193c5b@requests.fyi.org.nz

Official Information Act request by email dated 11 July 2018

Dear Mr Hanna,

Your request under the Official Information Act 1982 ("Act") via email 11 July 2018 has been allocated to various workgroups within NZ Police. Police Professional Conduct will be responding to your questions 4, 4a, 4b and 4c.

I have considered your request under the Act and respond to each of your questions as listed:

4. A list of all potential breaches of the TASER (Electronic Control Devices) manual or other misuse of a taser investigated by NZ Police, broken down by month from January 2014 until the most recent month for which information exists;

Please find attached a spreadsheet showing potential breaches of the TASER (Electronic Control Devices) policy broken down by month from January 2014 to current.

4a. The nature of each of these incidents (e.g. taser used against a person offering only passive resistance); and

This request is refused pursuant to section 18(f) of the Act in that the information requested cannot be made available without substantial collation or research. The volume of work involved in reviewing each of these instances would impact on the other operations of this office. This request could be met with additional resource, therefore, pursuant to section 18A(1)(a) of the Act, please advise if you would like this request to be answered on payment of a charge.

4b. The outcome of each of these investigations (e.g. whether or not the investigation found there was misconduct)

The attached spreadsheet shows all investigations that were commenced in relation to alleged misuse of the Taser. The outcome of these investigations is shown by way of being either upheld or not upheld.

4c. The actions taken by NZ Police in response to each of these instances.

The action taken for each individual instance is refused pursuant to section 9(2)(a) of the Act, to protect the privacy of natural persons.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact Inspector James McGrogan ph 04 4748872. Inspector McGrogan is able to provide further assistance should you be willing to change or refine your request.

Yours sincerely



Inspector Donna Laban

Acting National Manager: Police Professional Conduct

TASER INCIDENTS BY MONTH															
Year	2014			2015			2016			2017			2018		
	Upheld	Not Upheld	Ongoing	Upheld	Not Upheld	Ongoing	Upheld	Not Upheld	Ongoing	Upheld	Not Upheld	Ongoing	Upheld	Not Upheld	Ongoing
January					1	1		1		1					
February				1	1					1	1				
March				1	1		1	1		2			1		
April	1	1			2		2	2	1						1
May		1			2										1
June		1		1				1							1
July							1	1		1			1		
August	1	1					1			2					
September	1						2	1							
October		3			1		1	1							
November	3	1		1				1		1			1		
December	1	1		1	1		1								
Totals	7	9		5	9	1	9	9	1	8	1	2	1		3

NOTES

There was one criminal charge laid in March 2015, resulting in an acquittal in December 2016.

DISCLAIMER

The information contained in this response is based on data extracted from an operational database that contains over 50,000 records, the majority of which date from prior to the introduction of the current database application on 1 July 2009, and improved data structures gradually and continuously introduced from December 2010 onwards. Therefore not all the data is reliable and may result in omissions and/or errors, especially prior to 2011. The data is dynamic and subject to change as new information is received. While quality assurance has been undertaken on some low-volume critical incident types (e.g. Police use of firearms resulting in injury or death), and reviews are undertaken of database records as and when anomalies are identified, quality assurance of all the data would require the manual checking of many thousands of hard copy and electronic files, which is beyond the resources available to NZ Police.