

22 February 2022

Tracy Livingston  
Email: [fyi-request-18318-e59d1f92@requests.fyi.org.nz](mailto:fyi-request-18318-e59d1f92@requests.fyi.org.nz)

Dear Tracy

***Request for Information – IR-01-22-3293***

Thank you for your online request dated 08 February 2022 requesting information regarding an incident that occurred in Whangarei. You requested:

*"I don't see how releasing the name and rank/job description of a man seen openly to torture and abuse another man will 'prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial" so*

*2) Please evidence the reason for your refusal for information, by giving the incident report for this incident.*

*3) Two uniformed policy enforcement officers and one other who had no identifying marks and did not introduce himself, attacked this man, Brad, on no lawful grounds. We believe it is important to know who he is. So please fulfil the request and inform us of his name and rank (if any) or job description (if any)."*

Your request has been considered in accordance with the Official Information Act 1982. We are unable to provide the requested information for the following reasons under s6 (c)

- to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial

In Police operations, and the general maintenance of law and order, the requirements for effective action, protection of the due process of law, and upholding the basic individual rights, combine in many instances to call for protection. Information sought about current investigations or matters before the court may be able to be withheld if it would prejudice the investigation or the right to a fair trial.

We can confirm that the man who used the taser in this incident is a member of the NZ Police Northland District

You have the right to ask the Ombudsman to review my decision if you are not satisfied with Police's response to your request.

Yours sincerely

Tracy Morgan  
File Management Centre

**Whangarei**

88 Cameron Street  
Telephone: 09 430 4500 . [www.police.govt.nz](http://www.police.govt.nz)