

6 October 2022

R Anthony

fyi-request-20399-bxxxxxxx@xxxxxxxxx.xxx.xxx.xx

Dear R Anthony

Thank you for your Official Information Act 1982 (OIA) request of 30 August 2022, where you requested the following information:

- *I request under the Official Information Act the pursuit radio traffic and audio from the commencement of the Failure to Stop to the conclusion of the pursuit that resulted in the fatal shooting of Jerrim Toms in Auckland in March of 2018.*
- *All radio call signs besides the Eagle Police helicopter and the Police Communications operator can be redacted if needed. The audio should be provided in MP3 format, ideally.*

This audio forms part of the active inquest file under the jurisdiction of the Coroner. Therefore your request is refused pursuant to section 6(c) of the OIA, as the making available of that information would be likely to prejudice the maintenance of the law.

The Independent Police Conduct Authority provided a public report on this matter on 28 November 2019, which you may find useful. It is available here:

<https://www.ipca.govt.nz/Site/publications-and-media/2019-reports-on-investigations/2019-nov-28-fatal-shooting-toms-justified.aspx>

In addition, you may write to the Coronial Services Unit at csu.auckland@justice.govt.nz and request this material.

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 request a review is available at: www.ombudsman.parliament.nz.

Yours sincerely

LCleaver

L Cleaver
Senior Project Officer