

Witness Deposition for Inquest

CORONERS ACT 2006

Regarding the inquiry into the death of **Senior Constable Leonard SNEE and Jan MOLENNAR**

I, Samuel Mark Hoyle, Superintendent of Police at Napier, having been sworn in or affirming an oath to tell the truth

STATE:

My full name is Samuel Mark Hoyle

I hold the rank of Superintendent and am District Commander in charge of the Eastern Police District which includes Napier.

I have held this position for three years

On Thursday 7 May 2009 I was attending a Civil Defence Meeting at the War Memorial Hall Napier when I was advised by phone call of an incident involving a shooting of several Police Officers.

I immediately left the meeting and went to the Napier Police Station.

Inspector Michael O'Leary the District Operations Manager was also at the meeting with me and he also returned to the Napier Police Station.

Once there I deployed Inspector O'Leary forward to the safe forward point (SFP) which at that stage was at the corner of Carlyle and Faraday Streets Napier.

I assigned him the role of Forward Commander for the incident.

At the Napier Police Station I received a briefing from the Napier Area Commander, Inspector Kevin Kalff and the Tactical Coordinator [REDACTED] regarding the information they had at the time of what had occurred.

The initial information that I was advised of was that Senior Constable Leonard Snee had been shot and was deceased.

I was also advised that Senior Constables Grant Diver and Bruce Miller were seriously injured.

At that time the location of Senior Constable Diver was unclear.

I was further advised that a member of the public whose details we did not know at the time had been shot and was injured.

My briefing included that police staff including Armed Offenders Squad (AOS) staff were deployed forward in an attempt to extract the wounded parties and locate Senior Constable Diver.

I was advised that the identity of the subject believed to be responsible was Jan Molenaar born 7 April 1958.

At the time it was believed that he was contained at 41 Chaucer Road Napier and was firing shots at police and members of the public.

I set up a command centre at the Napier Police Station on the first floor with the assistance of other Napier staff.

I briefed Inspector Kalff to send a senior member of staff to attend each of the officer's families and to remain with them as the operation unfolded to ensure they were accurately informed of events prior to any media reports.

After being briefed I advised Police National Headquarters (PNHQ) of the incident.

I then further ensured that we had AOS from other parts of the country for support.

I was also provided with further assistance in terms of additional staff for cordons, tactical deployment and the homicide inquiry.

At 10:28am I was advised that Senior Constable Diver had been located and successfully evacuated from Chaucer Road and was enroute to Hawke's Bay Hospital by helicopter.

At that time I immediately set about ensuring that we had sufficient resources to give the operation some sustainability.

I also wanted to ensure that we had an accurate understanding of where our cordon positions were placed to ensure the scene was safely contained.

This involved briefing Inspector Kalff to prepare long term cordon plans which included ensuring they had sufficient staff.

I briefed [REDACTED] to prepare evacuation plans and scenarios for the schools that were located on Hospital Hill that would require evacuation.

I also ensured that a list of neighbours in the immediately vicinity of 41 Chaucer Road was compiled to also assist with the evacuation plans.

Detective Superintendent Rod Drew was appointed as the Officer in Charge of the Homicide Inquiry and was travelling from Wellington to take charge of this phase.

Early that afternoon the Central Region Special Tactics Group (STG) Commander, [REDACTED] arrived and took charge as the AOS Commander for the operation.

At approximately 3.30pm I moved the command base for the operation from the Napier Police Station to the local Army base situated on the corner of Thackeray and Faraday Streets.

This base was used for the remainder of the operation until Molenaar's body was located.

At about 5pm that day Police Negotiating Team (PNT) Commander [REDACTED] [REDACTED] arrived in Napier and took charge of the negotiations with Molenaar.

As the day progressed further Armed Offenders Squads from the Wellington, Central, and Bay of Plenty Districts arrived to support the operation.

They were further supported by STG staff from Auckland, Wellington and Christchurch.

As the operation developed the initial response and evacuation of the wounded moved into a standard cordon, containment and voice appeal operation.

This is standard operating procedure for armed offender incidents.

This involved outer General Duties Branch (GDB) cordons and an inner AOS cordon.

The operation structure remained as such until its conclusion at approximately 1.00pm on Saturday 9 May 2009.

The structure consisted of as myself as the Operation Commander with the following staff:

- Tactical Commander - [REDACTED]
- PNT Commander - [REDACTED]
- Forward General Duties Commander – Inspector O’Leary
- Officer in Charge, Homicide Investigation - Detective Superintendent Inspector Drew
- Napier Area Commander - Inspector Kalff

[Witness to produce organisation chart]

The dynamic operation lasted for approximately 50 hours and my role as Operation Commander was relieved during the nightshift on the 7 and 8 May by the Central District Commander, Superintendent Russell Gibson.

After the cordon and containment operation was set the Police Negotiating Team followed standard operating procedures with attempts to contact Molenaar.

As previously stated [REDACTED] took charge of this phase from the time of his arrival at 5pm on the 7 May 2009.

For the remainder of the operation I received took regularly briefings from each of the phase O/C's regarding their progress and gave direction where required regarding further action or resourcing required to provide sustainability to the operation through to its conclusion.

I also maintained communication with Senior Police Executive, the Commissioner of Police and the Police Ministers Office through Police National Headquarters.

As the operation progressed I ensured plans were in place for the conclusion of the tactical phase of the operation and the subsequent handover to Detective Superintendent Drew to continue with the homicide investigation phase.

This included the reduction and then removal of cordons and allowing repatriation of residents.

Following the locating of Molenaar's body on Saturday 7 May 2009 a further 24 hours elapsed during which time Ministry of Defence explosive experts and police specialist search group (SSG) members cleared the 41 Chaucer Road scene to make it safe for the homicide team to conduct the scene examination.

Dated at

Thisday of
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Signature of witness.