



REPORT FORM

SUBJECT: OPERATION STINGRAY

ADDRESS:

TEXT:

Report Date: 22/03/2016

District Crime Manager
HAWKES BAY

Introduction

This file summarises and completes the various investigations into Op Stingray, the Napier Siege.

I was appointed by the Commissioner to take charge of the criminal investigation soon after the murder of Senior Constable SNEE, and I continued to oversee matters throughout subsequent proceedings. Detective Senior Sergeant Sean Hansen, the acting Eastern District Crime Manager at the time, was appointed 2I/C and assisted by D/Sgt LYNCH played a full hand in the investigation and preparation of the file.

The investigation team was comprised of officers from the Eastern District and various other parts of New Zealand. Some of the officers brought in from other districts came specifically to perform duties which involved dealing with Senior Constable SNEE's body, because they did not know him personally. Len SNEE's murder had a significant emotional impact upon police officers across the country. As a result many other Detectives nationwide offered to join the investigation.

Investigation Phases

The investigation, including forensic examination of the most challenging of crime scenes, was completed to a high standard. I am confident that the events of the day, in particular what happened during the period which saw Senior Constable SNEE shot and killed, and Senior Constables DIVER and MILLER plus Mr Len HOLMWOOD grievously shot and wounded, are established to a standard well beyond reasonable doubt.

The investigation focus developed as the operation and the investigation progressed. In the early stages the principal focus was on providing information to the Operation Commander regarding Molenaar's known intentions, armaments and matters relating to the construction and layout of the house to enable decision making directed toward bringing the siege to a successful conclusion.

At the same time investigations began in regard to Molenaar's criminal offending, and the possible involvement of others. This was primarily directed toward the murder of Senior Constable SNEE and the attempted murder of many others in the early hours of the siege, but also concerned the unlawful supply of firearms to him by others and his involvement in selling cannabis from the address over several years.

After a Police Officer fired two shots at Molenaar soon after midday on 7 May an investigation was launched into the justification for firing those shots. It was not known at that time if Molenaar had been wounded by one or both of the shots, and he inferred to a friend over the telephone that he had been (although he had not).

After Molenaar's death was established the investigation team completed the investigation including scene examinations. The scene inside the house was one of the most challenging I have encountered in 42 years of policing. It had been significantly damaged by scores of rounds of rifle fire from Molenaar, and by the activities of the NZ Defence Force robot which smashed windows in the upper storey of the house searching for Molenaar after it was suspected that he was dead. In addition the scene was infected with Tear Gas which had been fired into the property by police, and contained Improvised Explosive Devices and rudimentary booby traps which had to be made safe by the Defence Force before scene examiners could enter the property.

Later, support was provided to the Coroner by preparation of the papers for Inquest. I gave evidence on two occasions during the Inquest to summarise events and investigations.

Although Molenaar was not amenable to the criminal justice system, one other person was convicted of unlawfully providing him with a firearm, his partner Delwyn Keefe was convicted of dealing cannabis and successful action was taken to forfeit assets related to his drug dealing.

Information and support was provided to Occupational Safety and Health investigators and to the Independent Police Conduct Authority to support their investigations.

The intrusion of members of [REDACTED] onto Molenaar's property (the scene), and the foolish behaviour of members of the public which attracted rifle fire from Molenaar to themselves and Police located nearby were side issues which were dealt with by the investigation team.

Operational Decision Making

Notes outlining the decision making processes of the Operations Commander and Tactical Commander are not available and so are not included in the record.

Ancillary Matters

The early stages of this tragic incident involved acts of bravery by Police Officers, an Ambulance Officer and members of the public. Some of those acts were formally recognised with bravery awards presented by the Governor General to the individuals concerned.

I have issued National Manager's certificates recognising the excellent work done by Detective Sergeant Emmett LYNCH in managing this enormous file and recognising the very high standard of his work, and to Detective Sergeant Gary MILLIGAN who as the Crime Scene Co-ordinator managed examination of a very challenging and important scene to a high standard.

Lessons which should be learnt from this incident have been explored and incorporated in Police Policy. In addition, Detective Senior Sergeant HANSEN (now Inspector) and I have used the case to address many groups within Police, and Crown Solicitors conference, to ensure that maximum benefit is taken from this tragedy and that the lessons of the day have been thoroughly learnt.

Conclusion

This folder, which gives an excellent summary of the matters of importance relating to Operation Stingray, should be filed and archived with the investigation file. It describes in detail the facts surrounding this tragic chapter in New Zealand history.

A handwritten signature in black ink, appearing to be 'R T Drew', written over a series of vertical lines that form a decorative or scribbled background.

R T Drew
Detective Superintendent
National Manager: Criminal Investigations