

22 May 2019

Our Reference: IR-01-19-8450

Mr Hugh Davenport
Email: fyi-request-9922-52029666@requests.fyi.org.nz

Dear Mr Davenport

I am writing to you in response to your request submitted 25 March 2019. You requested:

- 1. The Police notebook entries for the incident from the three attending officers*
- 2. Any policies in the Police manual or elsewhere on how to react to threatening behaviour*
- 3. Any policies on whether Police should take people holding weapons that have threatened people for their life into custody immediately*
- 4. Any policies on whether Police should confiscate weapons being used in a threatening manner*
- 5. Any policies on whether Police should take into account previous witness statements about threatening behaviour into account.*
- 6. Any further actions the Police took in this incident after the day, including timelines, and whether an arrest ever took place.*
- 7. If the officers did not follow the policies Police have for this incident, I would like to enquire what follow up those officers have had (suspension, remedial training, etc).*

My response will answer questions 2-5 only. Questions 1, 6-7 will be responded to by another work group.

A threat is 'a declaration of an intention to punish or hurt'. If the person has the power to carry out the threat, the offence may become an assault.

Please find enclosed with this the Police Manual chapter, Behaviour Offences which outlines what can be done about such behaviour offences.

Police threat assessment methodology (TENR) is a decision making process that supports the timely and accurate assessment of information directly relevant to the safety of the Police and other.

In the course of a police officer's duties there are instances where they are faced with potential threats to themselves or members of the public. In these situations the officer undertakes a subjective assessment, and continuously reassesses the incident using the

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TENR (Threat, Exposure, Necessity and Response) model, based on information known about the situation and the subject's behaviour.

Please find enclosed a copy of the Police Manual chapter, TENR-Operation threat assessment.

Police must have a legislative power to arrest or detain a person, and the arrest or detention must be reasonable or necessary in the particular case.

Please find enclosed a section of the Police Manual chapter, pages 1-4, Arrest and Detention which outlines the requirements of arrest.

There is no policy pertaining to the use of previous witness statements and the seizing of exhibits, Police are guided by the law in these matters, which pertain to the rules of evidence which are covered in law, therefore this part of your request is refused pursuant to section 18(e) of the Official Information Act 1982 in that the policies do not exist.

You have the right, under section 28(3) of the Official Information Act 1982, to ask the Ombudsman to review my decision if you are not satisfied with the way I have responded to your request.

Yours sincerely



Andrew Sissons
Acting Superintendent
National Manager: Response and Operation

