

IR-01-22-10061

24 May 2022

P Taylor
fyi-request-19073-963002fe@requests.fyi.org.nz

Kia ora

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 6 April, in which you asked for information regarding the protests in Wellington on 2 and 3 March 2022. You requested the following:

In accordance with the Official Information Act 1982, I would like to request the Tactical Operations Reports submitted at the end of shift on the 02/03/2022 or 03/03/2022 for or by those officers that used the following items at the Wellington protest:

- 1) *Batons*
- 2) *OC Spray*
- 3) *Tear Gas*

Your request has been considered in accordance with the Official Information Act 1982 (OIA), and I can now provide the following response.

As you may be aware, the Independent Police Conduct Authority (IPCA) has commenced an independent investigation and review (Review) of the policing of the occupation on and around Parliament grounds in Wellington during February and March 2022 (Protest).

Details of the scope of the Review are available on the IPCA's website¹ and you will note this scope includes Police planning and preparation, equipment provided, and operational execution including tactics used.

Whilst this Review is underway, information relating to the issues under investigation and review is expected to be the subject of examination by the IPCA under its powers of investigation under the IPCA Act 1988. With this Review commenced, there is a strong public interest in allowing these matters to be considered in the round by the IPCA.

¹ <https://www.ipca.govt.nz/Site/publications-and-media/2022-media-releases/2022-mar-24-investigation-review-occupation-parliament.aspx>

Police National Headquarters

180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand.
Telephone: 04 474 9499. www.police.govt.nz

We consider that the information you have requested tends to go to the heart of the matters that are under investigation and review by the IPCA. Where such information is available, it is withheld in reliance upon section 9(2)(ba)(ii) of the OIA. It is in the public interest for the Review to be completed without earlier predetermination of the matters it is considering.

We envisage relevant information will be released following the conclusion of the IPCA's Review.

However, I can confirm Police did not use 'tear gas' at any time during the protest and therefore that part of your request is refused pursuant to section 18(e) of the OIA as the information requested does not exist.

The IPCA anticipates the Review will be completed and reported on by 31 March 2023. Police recognises the importance of transparency in these matters and looks forward to the release of the IPCA's report, at which time more detailed information regarding the Police response to the Protest is likely to be publicly available.

Please note that as part of its commitment to openness and transparency, Police proactively releases some information and documents that may be of interest to the public. An anonymised version of this response may be publicly released on the New Zealand Police website.

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 make a complaint is available at: www.ombudsman.parliament.nz.

Nāku noa, nā



David Greig
Superintendent
New Zealand Police