

4 July 2022

[REDACTED]

Dear [REDACTED]

Request for information

Thank you for your request of 30 May and 6 June 2022, in which you requested the following:

- 1. I request the minutes AND the video recordings of all videoconference meetings the Commissioner had with the Prime Minister and the Police Minister:*
 - 11/2/2022 12:45-13:15
 - 13/2/2022 14:00-14:30
 - 16/2/2022 17:30-18:00
 - 17/2/2022 17:30-18:00
 - 18/2/2022 16:00-16:30
 - 21/2/2022 18:15-18:45
 - 22/2/2022 17:45-18:15
 - 24/2/2022 17:30-18:00
 - 28/2/2022 17:30-18:00
 - 2/03/2022 17:30-18:00
- 2. Did the Prime Minister give the Commissioner ministerial directions in regards to the anti-mandate protest, what were these directions?*
- 3. Please explain why "sponge bullets" were deployed against unarmed civilians and under what legislation? How well trained were the snipers for accuracy and what was their criteria for identifying targets? Were they aiming for a particular area of the body? Please provide data you have on rates of injuries or deaths caused with these weapons. Please provide data on all injuries or deaths caused by the use of any police weapon on 2 March 2022 on Wellington streets.*
- 4. What was the "sponge grenade" weapon used? Please provide technical specifications, and NZ Police's tactical manual for deployment.*
- 5. How many rounds of grenades were launched?*
- 6. How many shooters were deployed?*

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 engagement at local and national government levels with those holding

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

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decision rights and responsibilities, including public and private sector actors whose actions materially influenced or impacted on Police decision making. It also includes operational execution (including tactics used and timeliness of tactics).

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.

Please see below a response to your questions.

1. I request the minutes AND the video recordings of all videoconference meetings the Commissioner had with the Prime Minister and the Police Minister:

11/2/2022 12:45-13:15

13/2/2022 14:00-14:30

16/2/2022 17:30-18:00

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21/2/2022 18:15-18:45

22/2/2022 17:45-18:15

24/2/2022 17:30-18:00

28/2/2022 17:30-18:00

2/03/2022 17:30-18:00

2. Did the Prime Minister give the Commissioner ministerial directions in regards to the anti-mandate protest, what were these directions?

Please refer to my response to your request IR-01-22-17185.

3. Please explain why "sponge bullets" were deployed against unarmed civilians and under what legislation?

As noted above, the IPCA's Review includes Police operational execution (including tactics used and timeliness of tactics). While the Review is underway, it is not in the public interest for Police to comment on the use of sponge rounds at the Protest. Where such information is available, it is withheld in reliance upon section 9(2)(ba)(ii) of the OIA.

However, we can confirm that prior to deploying any tactical option Police staff are required to apply the threat assessment methodology TENR (Threat, Exposure, Necessity, Response). TENR is a decision-making process which is used to support a timely and accurate assessment for the safety of police and others. The Police response to any given situation must be considered, timely, proportionate, and appropriate.

The Policing Act 2008 sets out the functions and powers of New Zealand Police and provides for the governance and administration of Police. The Crimes Act 1961 contains provisions permitting the use of reasonable force where necessary for law enforcement purposes.

Both Acts are publicly available at legislation.govt.nz.

Please also find attached copies of the following Police Instructions chapters:

- *Use of Force Overview*, which includes information on reasonable use of force.
- *eXact Impact XM1006*, which includes information on the deployment of sponge rounds.

Sections of the *eXact Impact XM1006* document have been withheld under sections 6(c) and (d) of the OIA: the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or endanger the safety of any person.

*How well trained were the snipers for accuracy and what was their criteria for identifying targets?
Were they aiming for a particular area of the body?*

This tactical option can only be deployed by qualified Armed Offenders Squad (AOS) or Special Tactics Group (STG) operators. To qualify, AOS or STG operators are required to attain a qualification at the AOS Qualifying Course and meet ongoing training requirements.

Please refer to the "Target zones" section of the "eXact Impact XM1006" chapter of Police Instructions attached above.

Please provide data you have on rates of injuries or deaths caused with these weapons.

Since the introduction of sponge rounds in 2015, 54% of Tactical Options Report (TOR) events involving use of a sponge round reported one or more injuries to the subject as a result. A TOR 'event' is the reportable use of one or more tactical options by one officer, against one individual. Multiple TOR events can occur at one incident.

These are predominantly swelling/bruising injuries (86%), with the remainder being either scrape/abrasion (5%), or of unconfirmed type (9%). 20% of injuries required either no treatment, or self-treatment by the subject was sufficient, 65% required professional medical treatment (either at the scene or by a medical professional other than at a hospital) and 15% required treatment at a hospital.

This data is drawn from a dynamic operational database and is subject to change as new information is recorded or updated.

Please note the above figures do not include information from TOR events during the Protest as the IPCA has requested all TORs relating to the Protest for the IPCA's Review. 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.

Please provide data on all injuries or deaths caused by the use of any police weapon on 2 March 2022 on Wellington streets.

Police is not aware of any deaths at the Protest caused by the use of a police tactical option.

Where Police have identified an injury caused by the use of a Police tactical option during the Protest, this will be recorded in a TOR. As noted above, these are withheld in reliance upon section 9(2)(ba)(ii) of the OIA.

4. What was the "sponge grenade" weapon used? Please provide technical specifications, and NZ Police's tactical manual for deployment.

The equipment used by Police is not a "sponge grenade" weapon as you have described. As mentioned in the provided eXact Impact XM1006 Police Instructions, the device currently approved for use is the Heckler & Koch 69A1 40mm Launcher, using the approved eXact iMpat 40mm sponge round (XM1006).

Please refer to the attached eXact Impact XM1006 and Use of Force Overview Police Instructions chapters.

*5. How many rounds of grenades were launched?
6. How many shooters were deployed?*

Nine officers discharged a total of 104 sponge rounds on 2 March.

The IPCA anticipates the Review will be completed and reported on by 31 March 2023. Police recognise the importance of transparency in these matters and look 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 release 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

Use of Force Overview

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Part of the ['Use of Force'](#) chapter

Released pursuant to the Official Information Act (OIA)

Policy statement and principles

What

The use of force against a subject is the highest level of intrusion against a person's rights that Police might take. As such, the use of force is governed by statute, and any force used must be necessary, proportionate and reasonable. Anyone authorised by law to use force is criminally responsible for any excess, according to the nature and quality of the act that constitutes that excess.

Why

The power of Police to fulfil their functions and duties is dependent on public approval of their existence, actions, and behaviour, and on their ability to secure and maintain public respect. One of the cornerstones of maintaining public respect is to ensure that any use of force is reasonable, allowable by law, and accurately reported on. Failure to use force in a reasonable manner will have a detrimental effect on the reputation of Police, and adversely impact on our relationship with the public.

Police must use physical force only when the exercise of persuasion, advice, and warning is found to be insufficient to obtain public co-operation to the extent necessary to maintain law and order, and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

How

Police will ensure that any force used is reasonable by:

- identifying opportunities to prevent harm, where possible, to any person, including victims, police employees, suspects, or other members of the public
- continuously using tactical communication as the preferred option for resolving incidents where action is necessary in response to uncooperative subjects, as this may enable incidents to be resolved without the use of force
- applying the Tactical Options Framework during incidents, thereby assisting employees to appropriately decide when, how, and at what level to use tactical options
- escalating and de-escalating a response based on your continuous perceived cumulative assessment of a situation
- applying the principles of TENR to your PCA
- recognising that:
 - there are risks associated with using force on vulnerable people, which means that police employees have a higher duty of care, when considering use of force against such people, to prevent harm
 - when force is used, Police have a duty of care to minimise the effects of that force used
- empowering staff to make lawful and justifiable decisions on what action to take in order to achieve enhanced outcomes
- accurately reporting use of force through the Tactical Options Reporting portal, and providing rigorous district oversight of all force reported.

Overview

Application of this chapter

This chapter contains a mix of mandated requirements and good practice. It links to other reference material which is intended to support and guide staff to achieve enhanced outcomes. Staff are expected to make good and justifiable decisions based on all of the information available to them on how they exercise their powers. In some cases staff may be justified in responding outside the framework and Police instructions, however the action must be lawful and able to be later justified taking into account all of the circumstances that existed at that time. However where an action detailed in Police instructions is mandated, it must be complied with at all times.

Purpose

This part of the use of force chapter provides instructions and guidance on the operational use of force, and related issues, including:

- definitions related to the use of force
- the legal authority to use force, including the limitations of this authority
- the Tactical Options Framework
- use of force and operational safety
- empowering staff to make lawful and justifiable decisions on what action to take in order to achieve enhanced outcomes
- reporting use of force/tactical options use
- national governance of use of force and Tactical Options Reporting (TOR) data, and
- District and Area management of use of force and TOR data.

Who does the chapter apply to?

The chapter applies to all:

- constables
- authorised officers authorised to carry and use approved equipment according to their role and function under section 24 of the Policing Act 2008.

Other Police Manual chapters relevant to the use of force

- Use of force with Police dogs (dog handlers only)
- TENR - Operational threat assessment
- People in Police detention
- Managing Corrections prisoners
- People with mental impairments
- Arrest and detention
- Demonstrations
- Family violence policy and procedures
- Search and surveillance (includes Searching people)
- Unlawful assembly and riot
- Off-duty interventions
- Health and safety
- Animals
- Formal warnings
- Stab Resistant Body Armour (SRBA) policy
- High Visibility Safety Garments
- Body Armour Systems (BAS) policy
- Public order policing
- Armed Offenders Squads
- Special Tactics Groups (STG)

- Nomex hoods
- Investigation of critical incidents
- Disciplinary policy.

Police Integrated Tactical Training (PITT)

See '[Police Integrated Tactical Training \(PITT\)](#)' policies and procedures.

The Tactical Options Reporting (TOR) database user manual

The Tactical Options Reporting (TOR) database manual contains instructions on how to complete a TOR form. See the [Tactical Options Reporting \(TOR\) Database User Manual](#)'.

Tactical Options Reporting (TOR) training version

You can practice using the TOR database in the 'Tactical Options Reporting (training version only)', located in the [Notifications](#) section of Ten-One. In the training version you can save draft TOR forms and 'send them to your supervisor' (**note:** the TOR form will not actually be sent to your supervisor).

Definitions

Armed Offenders Squad (AOS) database

The AOS database is an electronic application where AOS supervisors report AOS use of force / tactical options use(s) in accordance with their reporting requirements in this chapter.

Categorisation

Categorisation' refers to the categorisation of allegations/complaints by the Human Resources Manager, Integrity and Conduct Manager, and District Commander/Director. This chapter refers to the categorisation of use of force related allegations/complaints only. For further information see '[Disciplinary Policy](#)'.

Constables

The term 'constables' describes constabulary employees, and Authorised officers authorised to carry and use approved equipment according to their role and function under section [24](#) of the Policing Act 2008.

Excess of force and excessive force

While constables are authorised by law to use force, they are also criminally responsible for any excessive use of force, according to the nature and quality of that excessive force. See section [62](#) Crimes Act 1961 and [Limitations on the use of force](#).

Excited delirium

'Excited delirium' means a state of extreme mental and physiological excitement characterised by extreme agitation, hyperthermia, euphoria, hostility, and exceptional strength and endurance without apparent fatigue.

Justified

'Justified', in relation to any person, means not guilty of an offence and not liable to any civil proceedings.

Operational Advisory Committee

The Operational Advisory Committee (OAC), chaired by the Assistant Commissioner: Frontline Capability, is accountable for the oversight and management of the use and reporting of force by constables.

Pain compliance

'Pain compliance' (e.g. when reporting the use of handcuffs, waist restraint belt, and leg restraint – vehicle, **with** pain compliance) means the direct and intentional use of force by a constable that causes pain to the subject, usually evidenced by the subject showing and/or verbalising pain.

Perceived cumulative assessment (PCA)

The 'perceived cumulative assessment' (PCA) is a constable's subjective assessment, and continuous reassessment, of an incident using the TENR model, based on information known about the situation and the subject's behaviour. The PCA may escalate and/or de-escalate more than once during an incident. There are five categories in the PCA - cooperative, passive resistant, active resistant, assaultive, GBH/death - which are represented in the TOF. See [Perceived Cumulative Assessment \(PCA\)](#) in the 'Tactical Options Framework' section in this part.

Police Integrated Tactical Training (PITT)

As part of their training at the Royal New Zealand Police College (RNZPC), recruits are trained in the appropriate use of approved defensive tactics (including mandatory appointments), TASER and firearms. In districts, ongoing PITT provides the means for regularly refreshing constables' knowledge and skill in these areas.

Prepare

'Prepare' means carriage of a tactical option.

Present force and presentation of force

See ['Show force'](#) below.

Protected from criminal responsibility

'Protected from criminal responsibility' means not liable to any proceedings except a civil proceeding.

Reasonable force

New Zealand case law suggests that 'reasonable' force includes force that is necessary and proportionate, given all the circumstances known at the time. Excessive force is **not** reasonable force.

Except in the case of self-defence, reasonableness must be assessed objectively, i.e. **by the standards of the person on the street** - not (subjectively) by the standards of the person using force. See section [39](#) of the Crimes Act 1961.

Reportable force

'Reportable' force is use(s) of force that must be reported in a Tactical Options Reporting (TOR) form, AOS deployment report, and / or Special Tactics Group deployment report. See [Reporting use of force/tactical options use](#)

Self-defence and defence of another

Everyone is justified in using, in the defence of himself, herself or another, such force as in the circumstances as he or she believes them to be, it is reasonable to use. See section [48](#) of the Crimes Act 1961.

Show force

'Show force' means presenting a tactical option at a subject, for example presenting:

- O C spray
- a baton
- a weapon of opportunity, e.g. a Police torch
- a Police dog, i.e. using a dog as a 'show of force'
- laser painting or arcing a TASER
- a firearm.

Subject or subjects

'Subject' or 'subjects' means a person(s) who has had, or may likely have, force used against them.

Tactical Options Framework (TOF)

The Tactical Options Framework (TOF) is a training and operational tool that assists constables to appropriately decide when, how, and at what level to use a tactical option(s). The TOF does not prescribe the appropriate force to be used, instead it assists constables in deciding what level of force is necessary and proportionate, given all the circumstances known at the time.

Note: The legal authority to use force is derived from the law, not the TOF. If you use force that is not authorised by law, or is excessive, the fact that you relied on the TOF will not justify or legitimise the use of that force. See [Legal authority to use force](#).

Tactical Options Reporting (TOR) database

The TOR database is an electronic application where constables report use of force/tactical options use(s), in accordance with the [reporting requirements](#) in this part.

Note: The TOR database includes four different reporting forms: the TOR form, the fatalities and shooting injuries form, the Unintentional/Unauthorised Discharge form, and the Use of Tactical Options on an Animal(s) form. See the Tactical Options reporting (TOR) Database User Manual below:

Response and Operations: Research and Evaluation: (RORE)

The Capability: Research and Evaluation: (RORE) team is based in Frontline Capability at PNHQ. The team undertake research and analysis on, and monitoring and evaluation of, the use of force/tactical options deployment environment, to facilitate evidence-based decision making and improved employee and public safety. The RORE team does **not** monitor the TOR database for professional standards purposes.

TENR

The Police threat assessment methodology 'TENR' (Threat Exposure Necessity Response) is a decision making process that supports the timely and accurate assessment of information directly relevant to the safety of Police and others. The response to any given situation must be considered, timely, proportionate and appropriate.

The overriding principle when applying TENR is that of 'safety is success'. Victim, public and employee safety are paramount, and every effort must be made to minimise harm and maximise safety. See [The relationship between TENR and the Tactical Options Framework TOF](#).

Use force and use of force

'Use force' means the application of force on a subject, for example:

- spraying OC spray
- striking a person with a baton
- using a Police dog to bite a person
- using a TASER by discharge with probes and/or contact stun; and/or
- discharging a firearm.

Legal authority to use force

The Police use of force role

One of the defining features of Police organisations, which captures their unique role in society, is their lawful authorisation to use force in certain circumstances. While the vast majority of Police-public encounters are resolved without the use of force, when necessary to use force, constables must, according to law, use only reasonable force. This includes force that is necessary and proportionate, given all the circumstances known at the time.

Liability for excess of force/excessive force

Everyone authorised by law to use force is criminally responsible for any excess, according to the nature and quality of the act that constitutes the excess. (s62 Crimes Act 1961).

Excessive force is not reasonable force.

Constables are also liable to civil and/or criminal proceedings, and internal disciplinary action under the [Code of Conduct](#), for any excessive use of force.

Forbidden use of force techniques - trachea hold/choker hold

The trachea hold/choker hold blocks a person's airway by forearm compression of the airway. The use of the trachea hold/choker hold is forbidden.

Legal Authority to use force - Crimes Act 1961

Constables' legal authority to use force in the lawful execution of their duty primarily derives from the Crimes Act 1961. This section of the chapter details those key Crimes Act' provisions.

Use of force to execute a process or to arrest

Section 39 - Force used in executing process or in arrest

Where any person is justified, or protected from criminal responsibility, in executing or assisting to execute any sentence, warrant, or process, or in making or assisting to make any arrest, that justification or protection shall extend and apply to the use by him of such force as may be necessary to overcome any force used in resisting such execution or arrest, unless the sentence, warrant, or process can be executed or the arrest made by reasonable means in a less violent manner.

Provided that, except in the case of a constable or a person called upon by a constable to assist him, this section shall not apply where the force used is intended or likely to cause death or grievous bodily harm.

Section 40(1) - Preventing escape or rescue

Where any person is lawfully authorised to arrest or to assist in arresting any other person, or is justified in or protected from criminal responsibility for arresting or assisting to arrest any other person, that authority, justification, or protection, as the case may be, shall extend and apply to the use of such force as may be necessary to prevent:

- the escape of that other person if he takes to flight in order to avoid arrest, or
- the escape or rescue of that other person after his arrest- unless in any such case, the escape or rescue can be prevented by reasonable means in a less violent manner.

Provided that, except in the case of a constable or a person called upon by a constable to assist him, this subsection shall not apply where the force used is intended or likely to cause death or grievous bodily harm.

Use of force to prevent escape

Section 40(2) - Preventing escape or rescue

Where any prisoner of a prison is attempting to escape from lawful custody, or is fleeing after having escaped there from, every constable, and every person called upon by a constable to assist him, is justified in using such force as may be necessary to prevent the

escape of or to recapture the prisoner, unless in any such case the escape can be prevented or the recapture effected by reasonable means in a less violent manner.

Use of force to prevent suicide or serious injury

Section 41 - Prevention of suicide or certain offences

Every one is justified in using such force as may be reasonably necessary in order to prevent:

- the commission of suicide, or
- the commission of an offence which would be likely to cause immediate and serious injury to the person or property of any one, or
- any act being done which he believes, on reasonable grounds, would, if committed, amount to suicide or to any such offence.

Use of force to prevent breach of the peace

Section 42 - Preventing breach of the peace

Every one who witnesses a breach of the peace is justified in interfering to prevent its continuance or renewal, and may detain any person committing it, in order to give him into the custody of a constable.

provided that the person interfering shall use no more force than is reasonably necessary for preventing the continuance or renewal of the breach of the peace, or than is reasonably proportionate to the danger to be apprehended from its continuance or renewal.

Use of force to defend a person

Section 48 - Self-defence and defence of another

Every one is justified in using, in the defence of himself or another, such force as, in the circumstances as he believes them to be, it is reasonable to use.

Fire Orders

Fire Orders' are operationally specific instructions on the circumstances in which Police employees may use firearms, including:

- Principles applying when offenders are armed
- Conditions to be satisfied before use
- Making decisions to use

See the '[Police firearms](#)' part of this chapter for full [Fire Orders](#).

Other Crimes Act 1961 sections authorising the use of force

Constables' legal authority to use force in the lawful execution of their duty is also derived from these sections of the Crimes Act 1961.

- Section 44 - Suppression of riot by Police

Everyone, including police, is authorised to use force under these sections of the Crimes Act 1961.

- Section 52 - Defence of movable property against trespasser
- Section 53 - Defence of movable property with claim of right
- Section 55 - Defence of dwellinghouse
- Section 56 - Defence of land or building
- Section 60 - Discipline on ship or aircraft

Legal authority to use force - other statutes

While constables' legal authority to use force in the lawful execution of their duty primarily derives from the Crimes Act 1961, it is also found in several other Acts. The statutes below contain provisions authorising the use of force in certain circumstances:

- Use of force - search
- Use of force - surveillance
- Use of force to identify a person
- Use of force to execute a process or to arrest (non-Crimes Act 1961)
- Use of force with warrant or order
- Use of force without warrant
- Use of force - surveillance
- Use of force against people with mental health issues or intellectual disabilities
- Use of force involving children and/or young people
- Use of force - Civil Aviation
- Use of force - Fire Service
- Use of force - Fisheries
- Use of force - Coroners
- Use of force - Corrections
- Use of force - Customs
- Use of force - Immigration
- Use of force - Maritime
- Use of force - Miscellaneous

Use of force - surveillance

Search and Surveillance Act 2012

- Surveillance device warrant need not be obtained for use of surveillance device in some situations of emergency or urgency (s48(3))
- Form and content of surveillance device warrant (s55(3))

Use of force to identify a person

Criminal Investigations (Bodily Samples) Act 1995

- Procedure for taking bodily sample pursuant to compulsion order or databank compulsion notice (s54(2))
- Procedure for taking bodily sample under part 2B (s54A)

Note: If you exercise the power conferred by section 54(2), you must, not later than 3 days after exercising that power, furnish to the Commissioner a written report of the exercise of that power.

For more information on taking DNA samples by compulsion see 'Suspect DNA samples (Part 2 samples)' and 'Taking samples by compulsion' in the '[DNA Sampling](#)' chapter.

Policing Act 2008

- Identifying particulars of person in custody (s32(3))
- Identifying particulars for summons (s33(3))

Use of force to execute a process or to arrest (non-Crimes Act 1961)

Arms Act 1983

- Seizure of illegally imported firearms or parts of firearms (s19)

Armed Forces Discipline Act 1971

- Reasonable force may be used to arrest or search (s94)

Civil Defence Emergency Management Act 2002

- Removal of aircraft, vessels, vehicles, etc. (s89)

Gambling Act 2003

- Requirement to remove person who enters gambling venue in breach of exclusion order ([s311\(2\)](#))

Sale and Supply of Alcohol Act 2012

- Closure of licensed premises by Police ([s266](#))

Substance Addiction (Compulsory Assessment and Treatment) Act 2017

- Reasonable force may be used to take (to a place where they are required to attend) or retake a person, detain a person, or enter a premises ([s109](#))

Use of force with warrant or order

Note: For further information on the use of force when carrying out searches, see the '[Search and surveillance](#)' chapter of the Police Manual.

Act	Description
Animal Welfare Act 1999	<ul style="list-style-type: none"> - Search warrants (s131(4)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Anti-Money Laundering and Countering Financing of Terrorism Act 2009	<ul style="list-style-type: none"> - Powers under search warrant (s118(1))
Arms Act 1983	<ul style="list-style-type: none"> - Seizure of firearms, ammunition, airguns, pistols, and restricted weapons held by licensed dealers (s13(2))
Bail Act 2000	<ul style="list-style-type: none"> - Issue of warrant to arrest defendant absconding or breaching bail condition who fails to answer bail (s36(3))
Biosecurity Act 1993	<ul style="list-style-type: none"> - Entry in respect of offences (s111) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply, except for section 118)
Civil Defence Emergency Management Act 2002	<ul style="list-style-type: none"> - Powers conferred by warrant (s80(1))
Criminal Proceeds (Recovery) Act 2009	<ul style="list-style-type: none"> - Application of Part 4 of Search and Surveillance Act 2012 (s114) (Use of force provisions in Part 4 apply)
Domestic Violence Act 1995	<ul style="list-style-type: none"> - Contravention of Police safety order (s124L(2)) - Issue of warrant to arrest person who contravenes Police safety order or fails to attend adjourned proceedings (s124O(4))
Extradition Act 1999	<ul style="list-style-type: none"> - Search warrants (s83(4)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Films, Videos, and Publications Classification Act 1993	<ul style="list-style-type: none"> - Application of Part 4 of Search and Surveillance Act 2012 (s110) (Use of force provisions in Part 4 apply, except for section 118)
Gambling Act 2003	<ul style="list-style-type: none"> - Powers conferred by search warrant (s340(3A)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Misuse of Drugs Amendment Act 1978	<ul style="list-style-type: none"> - Searches associated with detention warrant (s13EA)
Parole Act 2002	<ul style="list-style-type: none"> - Power to enter premises to arrest (s73A(1))

Act	Description
Prostitution Reform Act 2003	- Warrant for police to enter (s30(2)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Radiocommunications Act 1989	- Powers to obtain evidence (s120(4)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply, except for section 118)
Resource Management Act 1991	- Application for warrant for entry for search (s334(2)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Sale and Supply of Alcohol Act 2012	- Constable may apply for search warrant (s270) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Sentencing Act 2002	- Enforcement of confiscation order (s132(3)) - Failure to comply with condition to dismantle and destroy (s137B(3))
Serious Fraud Office Act 1990	- Effect of warrant (s12(1))
Summary Proceedings Act 1957	- Seizure of property (s99(1))
Unsolicited Electronic Messages Act 2007	- Powers conferred by search warrant (s51(5)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply, except for section 118)

Use of force without warrant

Note: For further information on the use of force when carrying out searches see the ‘[Search and surveillance](#)’ chapter of the Police manual.

Act	Description
Animal Welfare Act 1999	- Power to inspect land, premises, and places and stationary vehicles, aircraft, and ships (s127(5))
Biosecurity Act 1993	- Disembarkation (s34)
Hazardous Substances and New Organisms Act 1996	- Search warrants (s119(3)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
International Terrorism (Emergency Powers) Act 1987	- Emergency powers (s10(2))
Land Transport Act 1998	- Powers of entry (s119) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Marine Mammals Protection Act 1978	- Powers of search (s13) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Resource Management Act 1991	- Compliance with excessive noise direction (s328(7)) not repealed

For more information on:

- Police search powers and procedures see ‘[Search and surveillance](#)’ and ‘[Arrest and detention](#)’

- Police powers when searching for drugs see ‘[Drugs](#)’

- Police powers when searching for firearms see ‘[Arms](#)’.

Use of force against people with mental health issues or intellectual disabilities

Act	Description
Crimes Act 1961	- Prevention of suicide or certain offences (s41)
Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003	- Warrant to enter and search places to retake escaped care recipients (s112(4)) - Entry of place without warrant (s113(3))
Mental Health (Compulsory Assessment and Treatment) Act 1992	- Use of force (s122B) A person exercising a power specified in subsection (2) may, if they are exercising the power in an emergency, use such force as is reasonably necessary in the circumstances. (2) The powers are: (a) a power to take or retake a person, proposed patient, or patient in any of sections 32(1) , 38(4)(d) , 40(2) , 41(4) , 41(5) , 41(6) , 50(4) , 51(3) , 53 , 109(1) , 109(4) , 110C(2) , 111(2) , or 113A : (b) a power to detain a person, proposed patient, or patient in any of sections 41(3) , 41(4) , 41(5) , 109(4) , 110C(2) , 111(2) , or 113 : (c) a power to enter premises in either of sections 41(2) or 110C(1) . (3) A person treating a patient to whom section 58 or 59 applies may use such force as is reasonably necessary in the circumstances. (4) If force has been used under this section,— (a) the circumstances in which the force was used must be recorded as soon as practicable; and (b) a copy of the record must be given to the Director of Area Mental Health Services as soon as practicable.
Mental Health (Compulsory Assessment and Treatment) Act 1992	- Absence without leave (s32) - Police assistance (i.e. powers to assist a Duly Authorised Officer) (s41) - Leave of special patients (s50) - Power to direct temporary return to hospital of special patients (s51) - Escape and absence without leave (s53) - Police may apprehend person appearing to be mentally disordered in public place (s109) - Powers of police when urgent assistance required (i.e. powers to assist a medical practitioner) (s110C)

For more information on dealing with people with mental health issues see:

- ‘[People with mental impairments](#)’ and the ‘[Memorandum of Understanding between Police and Health](#)’

- ‘[People who may be more vulnerable to the use of force](#)’ in this chapter.

Use of force involving children and/or young people

Act	Description
Care of Children Act 2004	<ul style="list-style-type: none"> - Preventing removal of child or young person from New Zealand (s77(3)) - Warrant to enforce role of providing day-to-day care for child (s72(2)) - Warrant to enforce order for contact with child (s73(2)) - Execution of warrants (s75(1))
Oranga Tamariki Act 1989	<ul style="list-style-type: none"> - Place of safety warrants (s39(3)) - Warrant to remove child or young person (s40(4)) - Search without warrant (powers to remove child or young person) (s42(1)) - Unaccompanied children and young persons (s48(1)) - Effect of custody order (s104(3)) - Living arrangements where child or young person placed in custody of iwi social service, etc. (s106(1)) - Power of entry (s123) - Preventing removal of child or young person from New Zealand (s205(2)) - Execution of warrant under section 296c (warrant to have young person arrested and brought before the court) (s296D(3)) - Powers to detain and return, and arrest, young person breaching curfew condition (s296L(2)) - Effect of supervision with residence order (s312(2)) - Search without warrant (absconding by children and young persons) (s318(1)) - Search warrants (absconding by children and young persons) (s386(1))

Use of force - Civil Aviation

Act	Description
Civil Aviation Act 1990	<ul style="list-style-type: none"> - Persons who refuse to be screened or searched (s80E(5)) - Security areas and security enhanced areas (s84(5)) - Powers of arrest and seizure of items or substances (s85) <p>Note: Under section 87, every constable shall have and may exercise all or any of the powers conferred on an aviation security officer under this Act or regulations or rules made under this Act.</p>

Use of force - Fire Service

Act	Description
Fire Service Act 1975	<ul style="list-style-type: none"> - Functions, duties and powers of Chief Fire Officer (s28(4)) <p>Note: Under section 32, Police to assist person in charge of fire brigade.</p>

Use of force - Fisheries

Act	Description
Fisheries Act 1996	<ul style="list-style-type: none"> - Power to use reasonable force in exercise of certain powers (s205) <p>Note: Under section 196(2), every constable is a fisheries officer.</p>

Use of force - Coroners

Act	Description
Coroners Act 2006	<p>Police are authorised to use force under these sections:</p> <ul style="list-style-type: none"> - Entry and search under warrant under section 122 (s123) - Entry and search under warrant under section 128 (s129) - Power to seize evidence relevant to post-mortem (s131)

Use of force - Corrections

Act	Description
Corrections Act 2004	<p>Note: Under section 3(1), an 'officer' includes any person appointed or engaged by the Commissioner of Police (or, by delegated authority, a District Commander) under section 11 to provide custodial services in respect of a police jail. Under section 32 of the Corrections Act 2004, a prison includes a Police jail.</p> <ul style="list-style-type: none"> - Photographing and measuring of prisoner (s41(4)) - Use of force (s83) - Use of non-lethal weapons (s85) - Authority to search property (s96(6)) - Search of persons other than prisoners (s99) - Search of vehicles (s101(3))

Use of force - Customs

Act	Description
Customs and Excise Act 1996	<p>Note: Police are authorised to use force under these sections:</p> <ul style="list-style-type: none"> - Searching vehicles (s144)* - Detention of persons committing or about to commit certain offences (s148B) - Searching of persons if reasonable cause to suspect items hidden (s149B)* - Searching of persons for dangerous items (s149BA)* - Search warrants s167(2))* - Procedure for seizure (s226(5)) <p>(For those sections marked with * above, use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply).</p>

Use of force - Immigration

Act	Description
Immigration Act 2009	<p>Note: A constable has all the powers of an immigration officer under sections 276 to 292 (see section 293).</p> <ul style="list-style-type: none"> - Power of entry and search of craft (s284(2)) - Power of entry and search at border place (s285(2)) - Powers of entry and search relating to deportation (s286)

Use of force - Maritime

Act	Description
Maritime Security Act 2004	<ul style="list-style-type: none"> - Restrictions with respect to port security areas (s46) - Persons who refuse to consent to be screened or searched (s54(2)) - No person, craft, or vessel may enter or leave exclusion zones without authorisation (s61(3))
Maritime Transport Act 1994	<ul style="list-style-type: none"> - Entry in respect of offences (s455) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply).</p> <p>Note: An authorised person includes a constable.</p>

Use of force - Miscellaneous

Act	Description
Agricultural Compounds and Veterinary Medicines Act 1997	<ul style="list-style-type: none"> - Issue of search warrants (s69(2)) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply).</p>
Animal Products Act 1999	<ul style="list-style-type: none"> - Powers of Police and animal product officers under warrant (s94(2)) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply).</p>
Antarctica (Environmental Protection) Act 1994	<ul style="list-style-type: none"> - Search and seizure by special inspectors with warrant (s42(2)) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply).</p>
Antarctic Marine Living Resources Act 1981	<ul style="list-style-type: none"> - Powers of search (s9(4)) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply).</p>
Anti-Personnel Mines Prohibition Act 1998	<ul style="list-style-type: none"> - Search warrants (s22) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply).</p>
Chemical Weapons (Prohibition) Act 1996	<ul style="list-style-type: none"> - Search warrants (s23(4)) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)</p>
Child Support Act 1991	<ul style="list-style-type: none"> - Warrant of distress (s183) <p>Note: The constable must first have been appointed as a bailiff under section 15 of the District Courts Act 1947.</p>
Climate Change Response Act 2002	<ul style="list-style-type: none"> - Applications for warrants (s40)
Commodity Levies Act 1990	<ul style="list-style-type: none"> - Power of search (s19(2)) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)</p>
Court Martial Act 2007	<ul style="list-style-type: none"> - Issue of warrant to arrest person absconding or breaching bail condition (s53)
Court Martial Appeals Act 1953	<ul style="list-style-type: none"> - Issue of warrant to arrest appellant absconding or breaching bail condition (s20B)
Dairy Industry Restructuring Act 2001	<ul style="list-style-type: none"> - Issue of search warrant (s29(2)) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply).</p>
District Courts Act 1947	<ul style="list-style-type: none"> - Warrant for recovery of land (s99(1))
Energy (Fuels, Levies and References Act) 1989	<ul style="list-style-type: none"> - Powers conferred by warrant (s37B)

Act	Description
Financial Transactions Reporting Act 1996	- Powers conferred by warrant (s44(2)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Habeas Corpus Act 2001	- Power of arrest of absconder etc (s12)
Health Act 1956	- Power of members of police to assist Medical Officer of Health in relation to infectious diseases (s71A)
Human Assisted Reproductive Technology Act 2004	- Powers of authorised persons (s68)
Human Tissue Act 2008	- Powers of authorised persons (s68) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply, except for section 118)
Insolvency Act 2006	- Warrant to search for and seize bankrupt's property (s150)
International Crimes and International Criminal Court Act 2000	- Issue of search warrant (s102(2)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
International War Crimes Tribunals Act 1995	- Issue of search warrants (s48(3)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Lawyers and Conveyancers Act 2006	- Warrant to search premises (s172)
Motor Vehicle Sales Act 2003	- Issue of warrant (s130(2)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Mutual Assistance in Criminal Matters Act 1992	- Search warrants (s44(3)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Nuclear-Test-Ban Act 1999	- Search warrants (s17)
Overseas Investment Act 2005	- Search warrant (s56(5)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply, except for section 118)
Ozone Layer Protection Act 1996	- Search warrants (s23) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply, except for section 118)
Radiation Protection Act 1965	- Entry and inspection (s24(3)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Trade in Endangered Species Act 1989	- Powers of search (s38(4)) (Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply)
Trade Marks Act 2002	- Form and content of search warrant (s134I)
Tuberculosis Act 1948	- Provision for isolation, in certain cases, of persons likely to spread infection (s16)

Act	Description
Wild Animal Control Act 1977	<ul style="list-style-type: none">- Keeping of specified wild animals in captivity (s12(13)) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply, except for section 118)</p>
Wildlife Act 1953	<ul style="list-style-type: none">- Power of rangers (s39) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply, except for section 118)</p>
Wine Act 2003	<ul style="list-style-type: none">- Issue of search warrants (s65(2)) <p>(Use of force provisions in Part 4 of the Search and Surveillance Act 2012 apply, except for section 118)</p>

The Tactical Options Framework

The purpose of the Tactical Options Framework (TOF)

The Tactical Options Framework (TOF) is a training and operational guidance tool that assists constables to appropriately decide when, how, and at what level to use a tactical option(s). The TOF guides constables to use force that is necessary and proportionate, given all the circumstances known at the time.

However, the legal authority to use force is derived from the law, not the TOF. If you use force that is not authorised by law, or is excessive, the fact that you relied on the TOF will not justify or legitimise the use of that force. See [Legal authority to use force](#).

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Tactical Options Framework



Perceived cumulative assessment

- Your subjective assessment and continuous reassessment of an incident, using the TENR model, based on information known about the situation and the subject's behaviour. The PCA may escalate and/or de-escalate more than once during an incident.
- There are five categories in the PCA, which are represented in the TOF – cooperative, passive resistance, active resistance, assaultive, GBH or death.

Engage, disengage or delay?

- Your decision to escalate or de-escalate your response, and your choice of tactical option(s), must be continuously reassessed, using the TENR model, so you choose the most reasonable option, given all the circumstances known at the time.
- Effective communication between police is as critical as effective tactical communication with the subject(s). Constant assessment, planning and communication between police should occur throughout a use of force incident.

Presence and tactical communication

- Tactical communication is Police's preferred option for resolving incidents. Use tactical communication throughout an incident, alone or in conjunction with any other tactical option used.

Tactical options and degrees of force

- officer presence and tactical communication
- mechanical restraints eg handcuffing
- empty hand techniques eg physical restraints and strikes
- OC spray
- baton – Taser – dogs – weapon(s) of opportunity
- firearms and other force with serious implications

Prepare, show and use force

- "Prepare" force means carriage of a tactical option.
- "Show" force means presenting a tactical option at a subject.
- "Use" force means the application of force on a subject.

Reporting use of force

- The Use of Force chapter of the Police Manual outlines which "shows" and "uses" of force you are required to report. Reporting force facilitates evidence-based decision-making to improve employee and public safety.

- THREAT** The subjects intent, capability or opportunity along with the physical environment
- EXPOSURE** Awareness of safety, security or public trust and confidence issues
- NECESSITY** Assessment of the need to intervene (act) now, later, or not at all
- RESPONSE** Proportionate, timely, reasonable, and lawful Police actions using tactics and tactical options
- TENR** requires assessment and constant reassessment, planning and communication to be successful

The legal authority to use force is derived from the law, not the TOF. If you use force that is not authorised by law, or is excessive, the fact that you relied on the TOF will not justify or legitimise the use of that force.

Reasonable force includes force that is **necessary** and **proportionate**, given all the **circumstances known at the time**.



DF of diagram:

The Perceived Cumulative Assessment (PCA)

The PCA is your subjective assessment, and continuous reassessment, of an incident, using the [TENR](#) model, based on information known about the situation and the subject's behaviour.

The PCA may escalate and/or de-escalate more than once during an incident. Your decision to escalate or de-escalate your response, and your choice of tactical options(s), must be continuously reassessed, using the TENR model, so you choose the most reasonable option, given all the circumstances known at the time.

There are five categories in the PCA, which are represented in the TOF.

1 Cooperative	Willingly responds when approached.
2 Passive resistant	Refuses verbally or with physical inactivity.
3 Active resistant	Pulls away, pushes away, or runs away.
4 Assaultive	Intent to cause harm, expressed verbally, through body language/physical action.
5 GBH or death	Shows action intended to or likely to cause grievous bodily harm or death to any person.

In determining your PCA, you must also consider background information about the situation, which assists your assessment of the level of risk and threat an incident presents. It may include information on:

- the incident, supplied by the Emergency Communications Centre, e.g. the incident type, location, time and distance to the incident
- the number of subjects and constables involved
- your and the subject's abilities, e.g. physical size, strength, skills information about the subject, e.g. results of NIA checks, their emotional state, the influence of drugs or alcohol, the presence of and/or proximity to weapons and/or weapons of opportunity
- similar previous experiences or knowledge with the subject(s) or location, and/or
- environmental conditions, e.g. weather, lighting, physical location.

The TOF and the perceived cumulative assessment (PCA) within it, assists you to:

- assess the level of threat a situation and subject poses
- use reasonable force, given all the circumstances known at the time, through showing and/or using tactical options
- explain the incident where force was used, e.g. the incident background, subject(s) behaviour, the PCA, reason(s) for using the tactic(s) chosen, and the incident outcomes, when reporting force in a TOR form.

For more information on the TOF and the subject and situation PCAs, see the [Relationship between TENR and the Tactical Options Framework \(TOF\)](#).

Relationship between the law, Use of Force chapter and Tactical Options Framework (TOF)

A constable's legal authority to use force is derived from the law (Crimes Act, 1961), not from this Use of Force chapter or the TOF.

Thus, the law will be used to assess any allegations of excessive force. See the legal authority to use force and liability for excess of force / excessive force

Note: As outlined in [Wallace v Abbott](#), reliance on Police Instructions, as the Instructions themselves note, is not in itself an answer to criminal responsibility. Such instructions are, however, properly put forward because they are part of the background against which the reasonableness of police conduct falls to be assessed.

Relationship between TENR and the Tactical Options Framework (TOF)

The Police threat assessment methodology 'TENR' (Threat Exposure Necessity Response) is a decision making process that supports the timely and accurate assessment of information directly relevant to the safety of Police and others. The response to any given situation must be considered, timely, proportionate and appropriate.

The overriding principle when applying TENR is that of 'safety is success'. Victim, public and employee safety are paramount, and every effort must be made to minimise harm and maximise safety. As such, TENR is crucial to the use of force environment, which is characterised by considerable risk and threat, both to constables and the public.

You should determine your PCA by considering the TENR model, given the situation and subject behaviour. TENR is designed to complement and better inform your PCA and your response.

Having considered TENR and determined the PCA, if this assessment requires you to act, including using force, you **must**:

- act in accordance with the law ([see Legal authority to use force](#))
- act in accordance with this chapter
- follow the procedures outlined in the Tactical Options Framework (with particular emphasis on ongoing and recurring assessment), and other Police Integrated Tactical Training (PITT) policies and procedures.

For more information on TENR see [Operational threat assessment \(TENR\)](#).

Tactical communication

Tactical communication with subjects

tactical communication is Police's preferred option for resolving incidents where police action is necessary in response to uncooperative subjects, as it may enable such incidents to be de-escalated, and resolved without the use of force.

Wherever possible and appropriate, use tactical communication throughout an incident, alone or with any other tactical options. Effective use of tactical communication is also likely to reduce police and public harm, and complaints against Police.

Ask Why Options Confirm Action (AWOCA) with subjects

AWOCA is the five-step tactical communications process that underpins the Tactical Options Framework (TOF). Tactical communication is represented by the green 'officer presence and communication' ring in the TOF. This ring encircles all tactical options in the TOF, emphasising the importance of using tactical communication throughout an incident, where possible. See the [Tactical Options Framework](#).

Stage	Description
Ask	Greet and identify.
Why	The reason I am here is... e.g., what conduct has resulted in the police's presence, what law has allegedly been broken.
Options	We can work this out if you... e.g., create and present options for the subject and tell them what they can expect to gain or lose by their actions.
Confirm	Do you understand? Confirm that the subject understands the situation and the options available to them to resolve it.
Action	Action, i.e., tactical options choices. If necessary, this is where you use a tactical option due to a subject's continued and/or escalating resistance.

The scope of tactical communication is wide, including passing on information, making a simple request, commanding immediate responses, and ordering lawful directives.

Where possible, you should progress through the five-step tactical communication process sequentially. However, the situation and/or subject behaviours may make this impractical and/or unsafe; for example, you may go directly from 'Ask' to 'Action' if immediate action is required.

Tactical communication is crucial to safely de-escalating an incident with uncooperative subjects. Tactical communication should be attempted in every incident where Police action is necessary in response to uncooperative subjects, including those that may require force to be used.

For reasons of Police and/or public safety, some incidents require the immediate use of force, as the option to delay and engage in tactical communication, or to disengage, is impractical and unsafe. In these instances, tactical communication should be used as and when possible, alone or in conjunction with any other tactical option used.

For more information on tactical communication see '[TENR - Operational threat assessment](#)'.

Tactical communication with potentially vulnerable people

Tactical communication is crucial to safely de-escalate an incident with uncooperative subjects who may be more vulnerable to the use of force. Tactical communication with a vulnerable person should be at a level and manner that the person understands.

When tactical communication is ineffective (e.g., when dealing with people under the influence of alcohol and/or other drugs/medication) use of force may be required to ensure police and/or public safety. In these cases, you should consider the risks that can be associated with use of force on a potentially vulnerable person, and when safe and practicable to do so, minimise these risks. (Also see 'Tactical communications with subjects' above).

Note: See the '[Police negotiators](#)' chapter of the Police Manual for when a Police Negotiation Team (PNT) must be used (unless circumstances or time prevent).

Communication between Police

Effective communication between Police is as critical as effective tactical communication with the subject(s). Constant assessment, planning and communication between Police should occur prior to and throughout an incident.

Released pursuant to the Official Information Act (2000)

Empty hand techniques

Use of empty hand techniques

Empty hand techniques are a use of force option in the Tactical Options Framework, which can be used to:

- distract the subject
- physically control the subject and/or
- defend yourself or another.

Use TENR when considering using empty hand techniques. See the [TENR – Operational threat assessment](#) chapter.

Risks

When considering using, or using, empty hand techniques, be aware of the following risks:

- Consider your own abilities versus the potential abilities, size, and strength of the subject
- Reduced distance between the officer and subject, increasing the risk of assault, and staff and subject injury
- The need to focus on the subject at close quarters, making the surrounding environment more difficult to monitor
- Reduced effectiveness of empty hand techniques due to slower subject pain recognition, e.g., due to the subject being under the influence of alcohol or other drugs
- The transfer of contagious disease through subject body fluids and broken skin
- Subject access to your appointments, e.g., a firearm or TASER, carried in a holster on an officer's body, increasing the risk of serious staff assault and injury.

Reporting requirements

Other than touching, guiding, escorting, lifting, and pushing where a person is not physically forced to the ground, uses of empty hand techniques must be fully reported in a Tactical Options Report (TOR) form.

Weapons of opportunity

What is a weapon of opportunity?

A weapon of opportunity includes an object, or substance taken from the immediate environment, for use in self-defence or defence of another, where no other appropriate and approved tactical option is accessible or available.

Use of weapon of opportunity

Using a weapon or opportunity should be seen as a 'last resort' when there is a real risk of injury to yourself or another, and no approved tactical options are available. As with all uses of force, using a weapon or opportunity must be necessary and proportionate, and thereby reasonable. All employees are criminally responsible for any excessive use of force.

A weapon of opportunity can take a variety of forms and may provide a variety of defensive capabilities, including the capability for placing restraining holds on violent or struggling offenders or positively repelling an assault.

If a striking action is required, you should avoid vulnerable areas of the body (head, neck, spine, tail bone and groin), unless you believe it to be absolutely necessary to protect yourself or others from GBH.

Reporting requirements

A [Tactical Options Report](#) must be submitted where a weapon of opportunity has been used. See also [Reporting Use of Force/tactical options](#).

Use of force and operational safety

Maximise safety and minimise risk

Operational policing is dynamic and unpredictable, and can pose significant risks to Police and the public. Maximising safety and minimising risk is a core responsibility of Police and its employees.

This section provides high-level guidance on Police and public safety when considering or using force.

See: [Use of force chapters and training resources](#) listed in this chapter for further information relevant to operational safety in the use of force environment.

Health and safety

Police as a 'Person Conducting a Business or Undertaking' (PCBU) under the [Health and Safety at Work Act 2015](#) is committed to ensuring that the risk of injury to its employees is eliminated, so far as is reasonably practicable, and where it is not possible, minimised so far as is reasonably practical, while maintaining a highly effective level of operational capability.

Under the Health and Safety at Work Act 2015, Police has a responsibility to ensure that employees are appropriately trained, equipped, informed, instructed and supervised so as to protect employees from risks to their health and safety arising from work carried out as part of policing business.

Police's responsibilities include:

- care and diligence in understanding the contemporary operational environment and hazards and risks associated with that environment;
- the provision and maintenance of safe systems of work (policies, practices, instructions and other operating guidelines and protocols);
- the provision and maintenance of training, instruction and supervision applicable to the operating environment; and
- the provision of sufficient fit for purpose equipment to mitigate risks.

Employees (which includes contractors and volunteers) **must**:

- take care for his or her own health and safety;
- comply, as far as is reasonably able, with any reasonable instruction that is given by Police to allow it to comply with the [Health and Safety at Work Act 2015](#) or regulations;
- co-operate with any reasonable policy or procedure of Police relating to health or safety in the workplace that has been notified to employees; and
- take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons.

Safety considerations and use of force

As reflected in TENR, victim, public, and employee safety is paramount when considering and using force. You should consider personal factors and situation and subject characteristics that may affect safety including:

- use of tactical communication to safely de-escalate an incident
- subject response to your communication
- the number of subjects
- your and the subject's age, sex, size, and physical ability (including any parity or disparity between yourself and the subject)
- your training and skill level
- your and/or the subject's injury or exhaustion
- the availability of Police back-up or specialist squads

- subject intent
- whether the subject:
 - has any relevant criminal history
 - is under the influence of alcohol and/or other drugs/medication
 - may have mental health issues
 - has, or may have, a weapon(s) and/or is near a weapon(s) of opportunity
 - may be more vulnerable to any use of force
- the situational environment, e.g. a confined area, darkness, uneven surface, crowds and other dangers not directly associated with the incident
- the seriousness of the offence.

People who may be more vulnerable to the use of force

There are risks associated with the use of force on potentially vulnerable people. The greater the degree of force used and the more vulnerable the subject is, the greater the risks.

Note: You will not necessarily be aware that a person on whom force may be used, is potentially more vulnerable to the use of force. If safe and practicable to do so, you should listen to any relevant information provided by a subject, and/or seek information from them and/or their associates to ascertain whether the subject may be more vulnerable to the use of force.

Factors affecting subject vulnerability

Exercise judgement as to the degree of vulnerability (and threat) a subject(s) poses when considering whether to use force and what force to use. People who may be more vulnerable to the use of force include:

- people under the influence of alcohol and/or other drugs/medication
- people with:
 - mental health issues, e.g. depression, anxiety disorders, bipolar disorder, attention deficit hyperactivity disorder (ADHD), autism spectrum disorder (including Asperger's disorder), schizophrenia, and personality disorders
 - intellectual disabilities
 - brain injuries
 - **excited delirium**
 - a hearing or visual impairment
 - asthma or other respiratory illnesses (risks associated with OC spray)
 - epilepsy
 - implanted defibrillators and pacemakers (risks associated with TASER discharge)
- children and young people, especially those of small stature
- elderly people
- overweight people (risks associated with **positional asphyxiation**)
- underweight people and people of small stature (risks associated with TASER discharge)
- pregnant women
- refugees, who often come from backgrounds characterised by extreme violence and trauma of war, and who may be vulnerable, traumatised, and speak little English.

For more information on dealing with people with mental health issues see '[People with mental impairments](#)', and the '[Memorandum of Understanding between Police and Health](#)'.

Reporting use of force/tactical options use

What use of force/tactical options use must be reported in a TOR form?

These shows or uses of a tactical option(s) **must** be fully reported in a Tactical Options Reporting (TOR) form

- whether or not:
 - the subject has been arrested and/or is in Police custody
 - a complaint is expected, and/or
- whether the constable is on-duty or off-duty.

Employees who use force must report

Shows of force

Shows of:

- a TASER (i.e. presentation, laser painting or arcing)
- a firearm.

To be reported on: **Standard TOR**

Note: Excluding Armed Offenders Squad or Special Tactics Group shows of a TASER or a firearm and shows of force during training.

Uses of force

Uses of:

- communication, but **only** when used with one or more of the tactical options below, and **only** the first time it is used
- metal or plastic handcuffs, a waist restraint belt, and a leg restraint – vehicle:
 - **with** pain compliance
 - **without** pain compliance, but **only** when handcuffs, a waist restraint belt, and a leg restraint – vehicle are used with another reportable tactical option
- a spitting hood
- a restraint chair
- **empty hand techniques** **excluding** touching, guiding, escorting, lifting, and pushing where a person is not physically forced to the ground
- O C spray (spraying)
- a baton (striking)
- a weapon of opportunity, e.g. a Police torch
- a Police dog when the subject is bitten and/or otherwise injured
- a TASER by discharge and/or contact stun
- a sponge round
- a firearm (discharge).

To be reported on: **Standard TOR**

Notes:

Excluding any use of force during training.

Unintentional or unauthorised TASER or firearms discharges must be reported in an Unintentional/Unauthorised Discharge form.

Uses of force on an animal

Any use of force on an animal

To be reported on: **Animal TOR**

Unintentional discharges

Unintentional discharge of a firearm or TASER must be reported in an Unintentional discharge form.

To be reported on: **UD TOR**

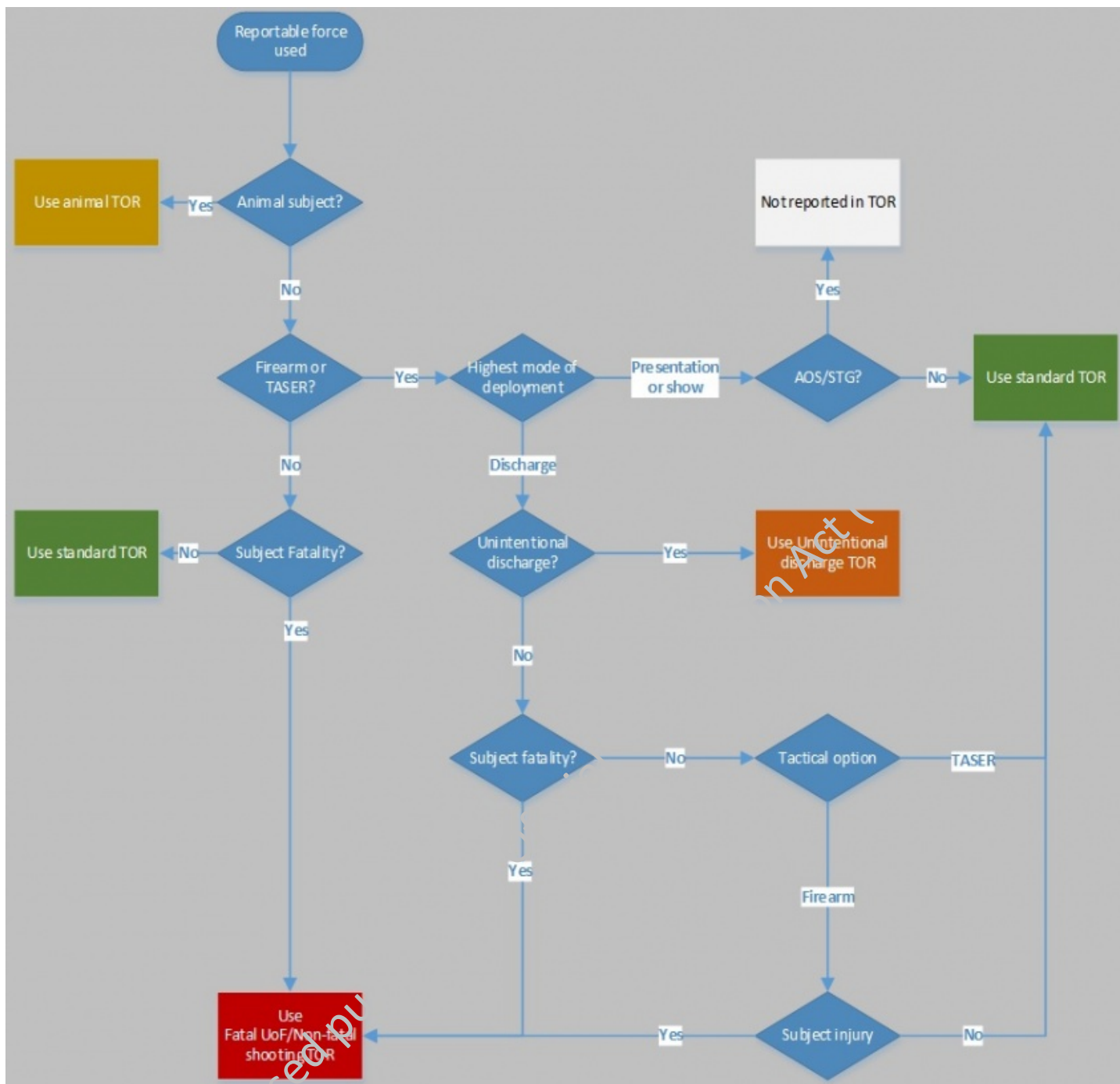
Supervisors must report

Uses of force

- that result in a fatality
- Police shootings that result in injury

To be reported on: **Fatalities / shooting injuries TOR**

Note: Section 54(4) of the Criminal Investigations (Bodily Samples) Act 1995 (Procedure for taking bodily sample pursuant to compulsion order or databank compulsion notice), requires that if you exercise the power conferred by section 54(2), using force to take a bodily sample, you must, not later than 3 days after exercising that power, furnish to the Commissioner a written report of the exercise of that power. In accordance with this reporting requirement, and the reporting requirements in this chapter, a TOR must be submitted if you use [reportable](#) force under this Act.



or information about how the use of force requiring a TOR affects a person's eligibility for formal warnings, see the [Formal warnings](#) chapter of the Police Manual.

Police shooting incidents and incidents which result in a fatality

When a person is injured by the intentional discharge of a Police firearm or dies after Police used force on them, all reportable uses of force which were used at the incident must be reported in a Fatalities and Shooting Injuries TOR. This information is gathered for research and reporting purposes only and does not identify the staff at the incident. Due to the nature of these incidents, the TOR must be submitted by a supervisor, or by another employee assigned to complete the TOR (not the persons who used force), and is reviewed by the District Operations Manager. One TOR must be completed for each incident, regardless of the number of police staff at the incident. Submitting the Fatalities and Shooting Injuries TOR does not replace any requirement to report a Serious Harm Incident.

Unintentional or unauthorised discharge of a TASER or firearm

Any unintentional discharge (operator error or mechanical fault) of a TASER or a firearm, including training, must be reported in an 'Unintentional Discharge' form. Intentional discharges that resulted in unintended consequences (e.g. death or injury to a bystander) must be reported in the Fatalities and Shooting Injuries or standard TOR as appropriate.

or more information on the procedure following an unintentional or unauthorised discharge see these parts:

- [TASER \(Conducted Electrical Weapons\)](#)
- [Police firearms](#).

Use of a tactical option on an animal(s)

Use of a tactical option on an animal(s) **must** be reported in a 'Use of Tactical Options on an Animal(s)' form.

or more information on using tactical options on animals see ['Animals'](#).

Constables' reporting responsibilities

This list outlines the reporting responsibilities for constables who showed and/or used force during a use of force incident.

1. Consider whether the force you used in the incident is reportable. Refer to the table above for force that **must** be reported and the Frequently Asked Questions (FAQ's) about TOR. If you are in doubt about whether or not to report a use of force incident, report it.
2. If the force used is **not** reportable, no further action is required, unless the use of non-reportable force:
 - results in a subject's injury and/or health issue - this requires the completion of a POL258
 - a complaint or investigation is expected - these incidents must be reported to your supervisor, who will direct whether or not the incident must be reported in a POL258
3. If the force used **is** reportable, complete a 'Tactical Options Reporting' (TOR) form, or if applicable, an 'Unintentional/Unauthorised Discharge Report' or 'Use of Tactical Options on an Animal(s)' form. **Note:** For incidents which resulted in a fatality, or a Police shooting that resulted in injury, all uses of force at the incident will be reported by a supervisor, and not by the members who used force. **Access TOR forms** through the '[Notifications](#)' section of Ten-One, by selecting '[Tactical Options Report \(post 1 July 2010\)](#)', then 'Create new report', then 'TOR report' etc.
4. Follow the guidance on [completing a TOR form](#) and, if necessary, the FAQs about TOR when completing your report.
5. Submit the report for review to your supervisor within the prescribed [timeframes](#).
6. If, following review, the reviewing supervisor or Inspector requires more detail or changes to the form, your supervisor will send the form back to you to amend and resubmit.

Timeframes for submitting and reviewing TOR forms

This table sets out the timeframes for submitting, reviewing and signing off TOR forms.

Situation	Timeframe
Initial submission of TOR form	<p>A constable must submit the TOR form or Unintentional/Unauthorised Discharge form, or Use of Tactical Options on an Animal(s) form to their supervisor before the end of the shift in which they used force, or with their supervisor's approval, within 3 days/72 hours of this shift and prior to any rostered days off or leave during this period.</p> <p>A Fatalities and Shooting Injuries TOR must be submitted by a supervisor to the District Operations Manager within 72 hours of the incident.</p>
Resubmitting a TOR form amended following review	If, following the supervisor or Inspector review, a TOR form is sent back to the reporting constable for amendment, the constable must resubmit the form to their supervisor before the end of the shift in which they received it back, or with their supervisor's approval, within 3 days/72 hours of this shift and prior to any rostered days off or leave during this period.
Submitting a TOR form for an off-duty incident	Constables who use reportable force off-duty must submit a TOR form to their supervisor before the end of the day in which they used force, or with the incident supervisor's approval, within 3 days/72 hours of this day. See Off-duty interventions .
Supervisor's review and sign-off process	Supervisors must complete their review (and sign-off, if applicable) before the end of the shift in which they receive the TOR from the reporting constable, or with their supervisor's approval, within 3 days/72 hours after the end of this shift and prior to any rostered days off or leave during this period.
Inspector's review and sign-off process	Inspectors must complete their review (and sign-off, if applicable) within 7 days of receiving the TOR form from the supervisor and prior to any rostered days off or leave during this period.

Timeframes for submitting a POL258 for non-reportable incidents

If...	then you must submit the POL258 to your supervisor ...
you are required by a supervisor to submit a POL258 following an incident where a complaint or investigation is expected	before the end of the shift in which the incident that may result in a complaint or investigation occurred, or with your supervisor's approval, within 3 days/72 hours of this shift and prior to any rostered days off or leave during this period.
you must submit a POL258 following an incident where a subject was injured	before the end of the shift in which the subject injury/health issue occurred, or with your supervisor's approval, within 3 days/72 hours of this shift and prior to any rostered days off or leave during this period.

Note: these timeframes also apply to supervisors submitting these forms to Inspectors.

Guidance on completing a TOR form

When completing a TOR form, ensure that:

the 'tactics you used' section	<ul style="list-style-type: none">- reports tactical options you used in the order you used them- reflects the tactical options reported in the 'incident description' narrative section of the form
the 'incident description' narrative	<ul style="list-style-type: none">- is fully detailed, and explains the incident in the order that things happened, including your TENR assessment and response- reflects the tactical options reported in the 'tactics you used' section of the form
all other parts of the TOR	<ul style="list-style-type: none">- are fully completed.

Note: For reporting of use of force resulting in a fatality, and Police shootings that result in injury, the information required will be different, including no identifiable details of Police employees, and no narrative (the form will guide requirements).

Data and information requests on Police use of force

All internal and external requests for data or information on Police use of force, e.g., Tactical Options Reporting (TOR) data, TOR forms, use of force policies, TASERcam footage, TASER medical reports, must be referred to the Director: Capability upon receipt, for reply.

This includes requests made under the Official Information Act 1982, and Privacy Act 2020.

Data or information on Police use of force must not be externally released without the permission of the Director: Capability.

Released pursuant to the Official Information Act 1982

Frequently asked questions about TOR

Why do I need to report the use of force?

The lawful authorisation to use force in certain circumstances brings with it individual and organisational accountability for any use of force. The public expect constables and Police to administer their use of force role with due diligence and care, which is crucial to public trust and confidence in Police.

Individual reporting of force is consistent with individual legal accountability for the use of force. Tactical Options Reporting (TOR) is the primary mechanism for providing individual accountability for the use of force. Supervisor and Inspector review of TOR forms provides further accountability for the use and reporting of force.

TOR data enables Police to better understand how use of force incidents escalate and/or de-escalate, to assist evidence-based decision making and improved employee and public safety.

What happens to the TOR form that I submit?

Each TOR form submitted by a reporting constable is reviewed by their supervisor and an Inspector. Once signed off, the TOR form is completed and stored in the TOR database.

A TOR for a use of force resulting in a fatality or a non-fatal police shooting is reviewed by an Inspector only, before the form is completed and stored in the database.

Do I have to submit a TOR form myself if I use reportable force?

Yes, if you use reportable force you must submit a TOR form yourself, i.e., it must be completed by you, not another constable. The exception here is if the use of force has resulted in a fatality, or a non-fatal Police shooting, then the TOR must be submitted by a supervisor.

Do I report communication used during a use of force incident?

Only report communication if it is used during a use of force incident **with** one or more reportable tactical options. In these instances, only report communication the first time it was used during the incident.

Do **not** report communication if it is the only tactical option you used at an incident.

Do I report all tactical options I used during a use of force incident?

Yes. When the reporting threshold for one tactical option is reached, **all** tactical options that you used at that incident must be reported, even if these other tactical options are non-reportable when used alone (e.g., communication and handcuffs without pain compliance). Report all tactical options in the order that you used them.

Do I report the use of handcuffs, a waist restraint belt, and a leg restraint vehicle, without pain compliance?

Yes, but **only** when handcuffs, a waist restraint belt, and a leg restraint – vehicle are used with another reportable tactical option.

Do I report carriage of a tactical option that deters a subject?

No.

Do I submit a TOR when I am at an incident when other constables use reportable force, but I do not use reportable force?

No. Only report reportable force you used at an incident.

Do I report use of a Police dog that results in an uncontrolled dog bite, or bite to another dog?

Yes (for dog handlers). Such incidents must be reported in a POL258 (not a TOR form).

Do I report training or deployment accidents involving dogs?

Yes (for dog handlers). Such incidents must be reported in a near miss report (not a TOR form) if there are no injuries, or an incident report if someone is injured. Both forms are accessed through My Police/SAP>My services>My safety info>Create an incident.

Do I report use of force against property?

No.

Do I report use of force in training?

No, except for unintentional TASER or firearms discharges, which must be reported in an Unintentional Discharge form.

Do I report all subjects present at a use of force incident?

Not necessarily. Only report subjects who had reportable force used against them by you. Do **not** report subjects who were at a use of force incident but against whom you did not use reportable force.

If two or more constables use reportable force at the same incident, do we both submit a TOR form?

Yes.

Can I copy another constable's TOR form if we both used force at the same incident?

No. Where two or more constables each use reportable force at the same use of force incident, each constable must submit a TOR form outlining the tactical option(s) that they used themselves, from their own perspective and in their own words.

How do I report more than one use of the same tactical option?

There are two ways to report more than one use of the same tactical option in the same use of force incident, depending on when during the incident you used the tactical option.

If, for example, you used ...
1 two bursts of OC spray in quick succession, report this as one tactic used, i.e., in the 'Tactic 1' section of the TOR form, noting the total duration of spray activation (in seconds).
2 one burst of OC spray, then empty hand tactics, then another burst of OC spray, report: <ul style="list-style-type: none"> - the first burst of OC spray in the 'Tactic 1' section of the TOR form (noting the total duration of the first spray activation), then - empty hand tactics in the 'Tactic 2' section of the TOR form, and then - the second burst of OC spray in the 'Tactic 3' section of the TOR form (noting the total duration of the second spray activation).

Can I use expressions such as 'reasonable' and 'necessary' force?

Yes. However, if you use such expressions in the 'incident description' narrative section of the TOR form, their meaning must be fully explained. Detail the tactical option used, the degree of force used, and the consequences of this use of force, including reporting any subject injuries/health issues in the 'subject injury/health issue' section of the TOR form.

Do I report use of a dog if I am not a dog handler?

No. Only dog handlers report the use of a dog. If you use force at an incident where a dog handler also uses force, only report the (reportable) force you used.

Do I report use of force incidents that result in serious injury?

Yes. All reportable use of force incidents must be reported in a TOR form. Discharges of a Police firearm which result in an injury must be reported, by a supervisor, in a Fatalities and Shooting Injuries TOR.

Do I report use of force incidents that result in a fatality?

Yes. All uses of force which were used at an incident where a person died after force was used on them, must be reported, by a supervisor, in a Fatalities and Shooting Injuries TOR.

How do I report a discharge of a firearm that had an unintended consequence?

If you unintentionally discharge a firearm (except during training), report this in the Unintentional/Unauthorised Discharge form. However, if you intentionally discharged a firearm but accidentally shoot someone then this must be reported by a supervisor using the Fatalities and Shooting Injuries TOR. If you discharge a firearm at a person but miss and do not hit anyone else, then report this using the standard TOR form.

Do I report use of force incidents that result in serious injury to the subject?

Yes. All reportable use of force incidents must be reported in a TOR form. Discharges of a Police firearm which result in an injury must be reported, by a supervisor, in a Fatalities and Shooting Injuries TOR.

How do I report an injury I received in a use of force incident?

If you are injured and/or sustain a health issue during a use of force incident, you must:

- complete a near miss report if there are no injuries, or an incident report if someone is injured (both forms are accessed through My Police/SAP>My services>My safety info>Create an incident) on the day you received the work related injury/health issue, before the end of shift
- get the near miss report signed off by your supervisor
- submit the near miss report to their District Human Resources Department for further action, and
- if the force used was reportable, detail your injury/health issue in the TOR form, as specified in the form, whether or not any treatment was received.

Do I have to receive medical treatment for any injury I received?

If the injury/health issue is more than minor (i.e. professional medical assessment and/or treatment is required) you must be medically examined by a qualified medical practitioner as soon as practicable.

Do I report use of force incidents resulting in subject injuries?

If a subject injury/health issue(s) occurs during...	then all injury/health issue details must be reported in...
a reportable use of force incident	<p>a Tactical Options Reporting (TOR) form, as specified in the form, whether or not any treatment was received.</p> <p>Note: only report subject injuries that resulted from force you used; do not report subject injuries that resulted from force used by other officers.</p>
<p>a non-reportable use of force incident</p> <p>Note: 'Non-reportable' force is use(s) of force that does not need to be reported in a TOR form. A non-reportable subject injury (e.g. a subject initiated injury from wearing handcuffs) must be reported in a POL258.</p>	<p>a POL258 (not a TOR form), whether or not any treatment was received. This must be sent to your supervisor within the prescribed timeframe, who must forward it through the appropriate chain of command to an Inspector.</p> <p>(Note: You should use the initial/existing POL258 on file).</p>

Do subjects have to receive medical treatment for any injury received?

If a subject injury/health issue that occurs during a use of force incident is more than minor (i.e. professional medical assessment and/or treatment is required) the injured subject must be medically examined by a qualified medical practitioner as soon as practicable, providing it is safe to do so.

Note: All TASER discharge subjects must be medically examined by a registered medical **doctor** as soon as practicable. (For further information on medical treatment for TASER subjects see [TASER \(Conducted Electrical Weapons\)](#)).

How do I report a use of force incident that may result in a complaint?

If a complaint or investigation is expected and the force you used is:

- **reportable**, report the incident in a TOR form
- non-reportable, do not report the incident in a TOR form. Instead, these instances must be reported to your supervisor, who will direct whether or not the incident must be reported in a POL258.

If a POL258 is required:

- use the initial/existing POL258 on file
- submit it to your supervisor within the prescribed timeframes
- the supervisor then forwards it through the appropriate chain of command to an Inspector.

Who is my Supervisor or Senior Officer reviewer?

Your supervisor is your immediate supervisor (Sergeant or Acting Sergeant), or in their absence, the O/C station (Senior Sergeant or Acting Senior Sergeant). Ensure you select the correct supervisor reviewer when you submit your TOR.

Note that a TOR for a use of force resulting in a fatality, or a Police shooting that results in injury, is submitted directly to your District Operations Manager (or other District Inspector level position) for review.

Do not submit TOR forms to:

- supervisors who are on leave and cannot complete the review within the 3 day/72 hour timeframe (instead, choose another supervisor)
- senior officers who are on leave and cannot complete the review within the 7 day timeframe (instead, choose another senior officer reviewer).

How do I change the Supervisor or Senior Officer reviewer?

If an incorrect supervisor or Inspector is selected, the person receiving the TOR form must select the correct reviewer in the TOR form via the 'change supervisor' or 'change senior officer' (i.e., Inspector or above) function to ensure that the form is submitted to the correct reviewer.

How do Supervisor and Inspector reviewers attach documents to a TOR going through the review process?

To attach a document to a TOR form going through the review process, ensure the document you want to attach is saved in a file, click on 'browse' under 'Upload images and files', add the document(s), and clearly name each document under 'Enter description'.

How do Supervisor and Inspector reviewers attach documents to a completed TOR form?

To attach a document to a completed TOR form, ensure the document you want to attach is saved in a file, click on 'add attachments' at the top of the TOR form, click on 'browse' under 'Upload images and files', add the document(s), and clearly name each document under 'Enter description'.

Can I make changes to a completed TOR form?

No. Once a TOR form has been completed (i.e. signed off by an Inspector) it cannot be changed. If you need to change a TOR form that has been completed, you will need to submit a new TOR form. Once the new TOR has been completed, contact the Response and Operations Research and Evaluation Research Analyst, who will withdraw the incorrect / old TOR form.

Review and sign off processes for TOR forms

Two staged review process for TOR forms

There are two stages to the TOR form review and sign-off process:

- supervisor review and sign-off, and then,
- Inspector review and sign-off.

Note: The supervisor who reviews your TOR is your immediate supervisor (Sergeant or Acting Sergeant), or in their absence, the O/C station (Senior Sergeant or Acting Senior Sergeant). The Inspector who reviews your TOR may be an Acting or substantive Inspector (or above). Senior Sergeants can apply for Area or District access to the TOR database, as appropriate, via their TOR District Approver.

A TOR following use of force resulting in a fatality or non-fatal Police shooting, will be submitted by a supervisor directly to an Inspector for review and approval. This will be the District Operations Manager, or another Inspector level position.

Each review provides accountability for the use and reporting of force. Effective supervisor and Inspector review is key to enhancing TOR data quality.

How does the supervisor's review and sign-off process work?

If the supervisor...	they must...
supports the constable's actions, as outlined in the TOR form	<ul style="list-style-type: none"> - insert a comment outlining their view of the incident based on information in the form, and, if necessary, discussion with the constable - if required, attach any relevant documents to the TOR form. See 'attaching documents to a TOR form' - send the TOR form to an Inspector for further review.
notes that the TOR form is incomplete and/or that changes to it are required	<ul style="list-style-type: none"> - if necessary, discuss the changes required with the reporting constable - insert a comment outlining the additional information and/or changes required - send it back to the reporting constable to amend and resubmit to their supervisor again.
does not support the constable's actions, as outlined in the TOR form	<ul style="list-style-type: none"> - insert a comment outlining their view of the incident based on information in the form, and, if necessary, discussion with the constable, noting why they do not support the constable's actions - if required, attach any relevant documents to the TOR form - if relevant, note remedial training required.
if a supervisor receives a TOR form back from an Inspector because additional information and/or changes are required	<ul style="list-style-type: none"> - send the TOR form back to the reporting constable to amend as requested and resubmit to their supervisor again.
Once the supervisor has signed-off a TOR form, they must send it to a designated Inspector (or above) for further review and sign-off.	

How does the Inspector's review and sign-off process work?

When an Inspector receives a TOR form from a supervisor and...	they must...
supports the constable's actions, as outlined in the TOR form	<ul style="list-style-type: none"> - insert a comment outlining their view of the incident based on information in the form and, if necessary, discussion with the constable - if required, attach any relevant documents to the TOR form. See 'Attaching documents to a TOR form' - approve the TOR form, completing the review and sign-off process.
notes that the TOR form is incomplete and/or that changes to it are required	<ul style="list-style-type: none"> - if necessary, discuss the changes required with the supervisor - insert a comment outlining the additional information and/or changes required, including where the supervisor is required to attach any relevant documents. See 'Attaching documents to a TOR form' - send it back to the supervisor they received it from. <p>In turn, the supervisor sends the TOR form back to the reporting constable to amend and resubmit to their supervisor again.</p> <p>Note: If the only change required is for the supervisor to attach relevant documents, the supervisor must attach the documents, save the TOR form, and resubmit it to their Inspector again.</p>
does not support the constable's actions, as outlined in the TOR form	<ul style="list-style-type: none"> - insert a comment outlining their view of the incident based on information in the TOR form, and, if necessary, discussion with the supervisor and constable, noting why they do not support the constable's actions - if required, attach any relevant documents to the TOR form. See 'Attaching documents to a TOR form' - if relevant, note remedial training required - if the matter concerns possible use of excessive force, deliberate misrepresentation of the incident, and/or other perceived inappropriate action, the Inspector must: <ul style="list-style-type: none"> - 1) refer the incident to the appropriate Human Resources Manager, Police Professional Conduct Manager, and District Commander/Director for categorisation as: <ul style="list-style-type: none"> i) no breach of the Code of Conduct, i.e., no further action will be taken ii) performance shortfall iii) misconduct or serious misconduct iv) potential criminal offending. - 2) record that Police Integrity and Conduct has been notified by recording 'yes' under "If required, have you notified Professional Standards of this incident?" in the TOR form - 3) attach any documents relevant to categorisation to the TOR form. See 'Attaching documents to a TOR form'. <p>For more information on categorisation, see 'Categorisation' in the 'Disciplinary Policy' chapter of the Police Manual.</p>

What is the review and sign-off process for sergeants and above?

While most TOR forms are submitted by those holding the rank of constable, constables of higher rank also submit TOR forms.

Where the reporting constable is a...	then the supervisor review and sign-off must be completed by a...
Sergeant	<ul style="list-style-type: none"> - Senior Sergeant or Acting Senior Sergeant, and - followed by the Inspector's (or above) review and sign-off.
Senior Sergeant and above	<ul style="list-style-type: none"> - Inspector (or above), and - the subsequent review and sign-off must be completed by a different Inspector (or above).

Attaching documents to a TOR form

During the review process, supervisor and Inspector reviewers may be required to attach relevant documents to a TOR form, including where a TOR event is referred to the appropriate Human Resources Manager, Police Professional Conduct Manager, and District Commander/Director for categorisation. If required, Inspector reviewers can also attach documents to a completed TOR form.

Relevant documents to attach to a TOR form include:

- an officer's statement on the TOR event (not the officer's TOR narrative)
- an officer's notebook entries on the TOR event
- photographs relevant to the TOR event
- documents relating to a complaint about the TOR event
- any other report or document that is relevant to the TOR event being categorised.

Note: If attaching any documents to a TOR following use of force resulting in a fatality, or non-fatal Police shooting, ensure that there are no details on the documents that will identify any member present.

Responsibilities when reviewing TOR forms

When reviewing a TOR form, the supervisor and Inspector must have confidence that the force used was reasonable (and thus lawful), given all the circumstances known at the time.

They must ensure:

- the 'tactics you used' section of the form:
 - reports tactical options used in the order the constable used them
 - reflects the tactical options reported in the 'incident description' narrative section of the form
- the 'incident description' narrative:
 - is fully detailed, and explains the incident in the order that things happened, including the constables TENR assessment and response
 - reflects the tactical options reported in the 'tactics you used' section of the form
- the 'incident overview', 'list of Police at incident', 'list of subjects at incident', 'subject injury/health issue', 'incident resolution', 'staff injury/health issue', and 'staff safety equipment' sections of the TOR form are fully completed.
- any relevant documents are attached.

Supervisors and reviewing Inspectors:

- must, if necessary, discuss the information provided in the TOR form with the reporting constable and supervisor
- must **not** accept a TOR form that is identical to another constable's form.
- ensure that their review follows the supervisor and Inspector review process, as applicable to their reviewer role. See '[How does the Supervisor's review and sign-off process work?](#)' and '[How does the Inspector's review and sign-off process work?](#)'

Reviewing TOR forms for TASER incidents

When reviewing a TOR form for an incident in which TASER was used, the supervisor and Inspector must follow instructions found in the '[TASER \(Electronic Control Devices\)](#)' chapter.

Incorrect selection of supervisors or Inspectors

If an incorrect supervisor or Inspector is selected, the person receiving the TOR form must select the correct reviewer in the TOR form via the 'change supervisor' or 'change senior officer' (i.e., Inspector or above) function to ensure that the form is submitted to the correct reviewer.

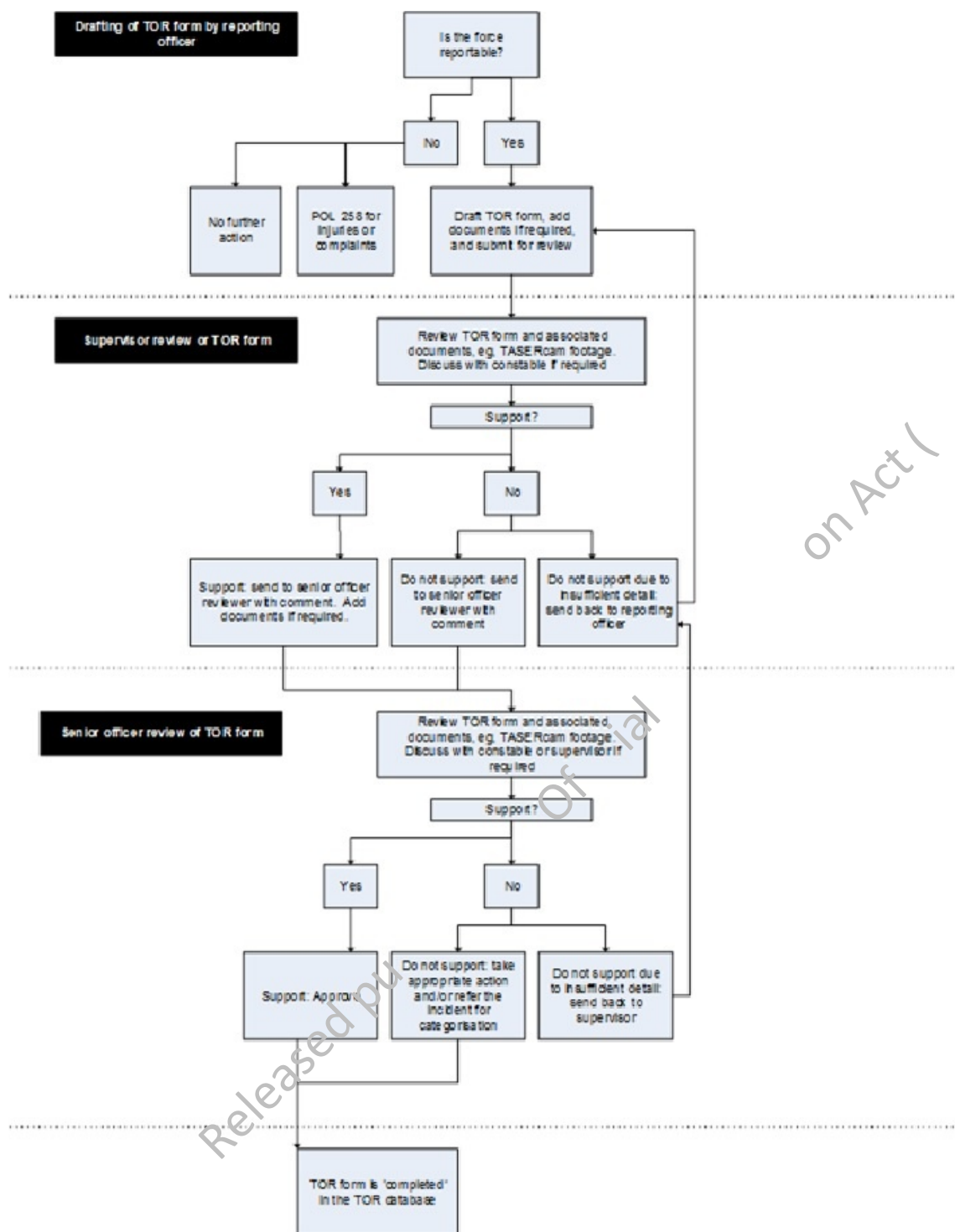
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Diagram: TOR form completion and sign-off process

This diagram outlines the TOR form completion, review and sign off process.



National instructions for governance of use of force and TOR data

The Operational Advisory Committee (OAC), chaired by the Assistant Commissioner: Frontline Capability, is accountable for the oversight and management of the use and reporting of force by constables.

OAC's role is to resolve systemic use of force issues brought to its attention by districts and/or national Police stakeholders, via the Director: Capability. Where appropriate, OAC should escalate such systemic issues to the Police Executive for resolution.

See [Diagram: Management of use and reporting of force](#).

District, Area and Service Centre management of use of force and TOR data

District and Service Centre-level instructions for managing use of force and TOR data

District Commanders and Directors of Service Centres (where applicable to Service Centres) **must**:

- ensure that Area Commanders, Operations Managers, Crime Managers, Road Policing Managers, and Directors of Service Centres manage the use of force, and TOR data, in accordance with relevant requirements in this chapter
- where appropriate, escalate systemic district use of force issues to the Director: Capability, for action; who will, where appropriate, escalate them to the Operational Advisory Committee (OAC) for action.

District Operations Managers **must**:

- manage access to the TOR database so that access is only granted to staff that require it, e.g., District Commanders, Area Commanders, and Operations Managers
- ensure that TOR forms are submitted, reviewed, and signed-off in accordance with the TOR processes in this chapter, including the categorisation of TOR events, where appropriate
- monitor district use of force, e.g., training, equipment and policy issues; use of force related complaints and early intervention processes
- resolve use of force issues, and where appropriate, escalate them to the Area Commander and/or District Commander for action.

Area Commanders **must**:

- ensure that Area TOR forms are submitted, reviewed, and signed-off in accordance with the TOR form process in this chapter
- resolve use of force issues, and where appropriate, escalate them to the Area Commander and/or District Commander for action.

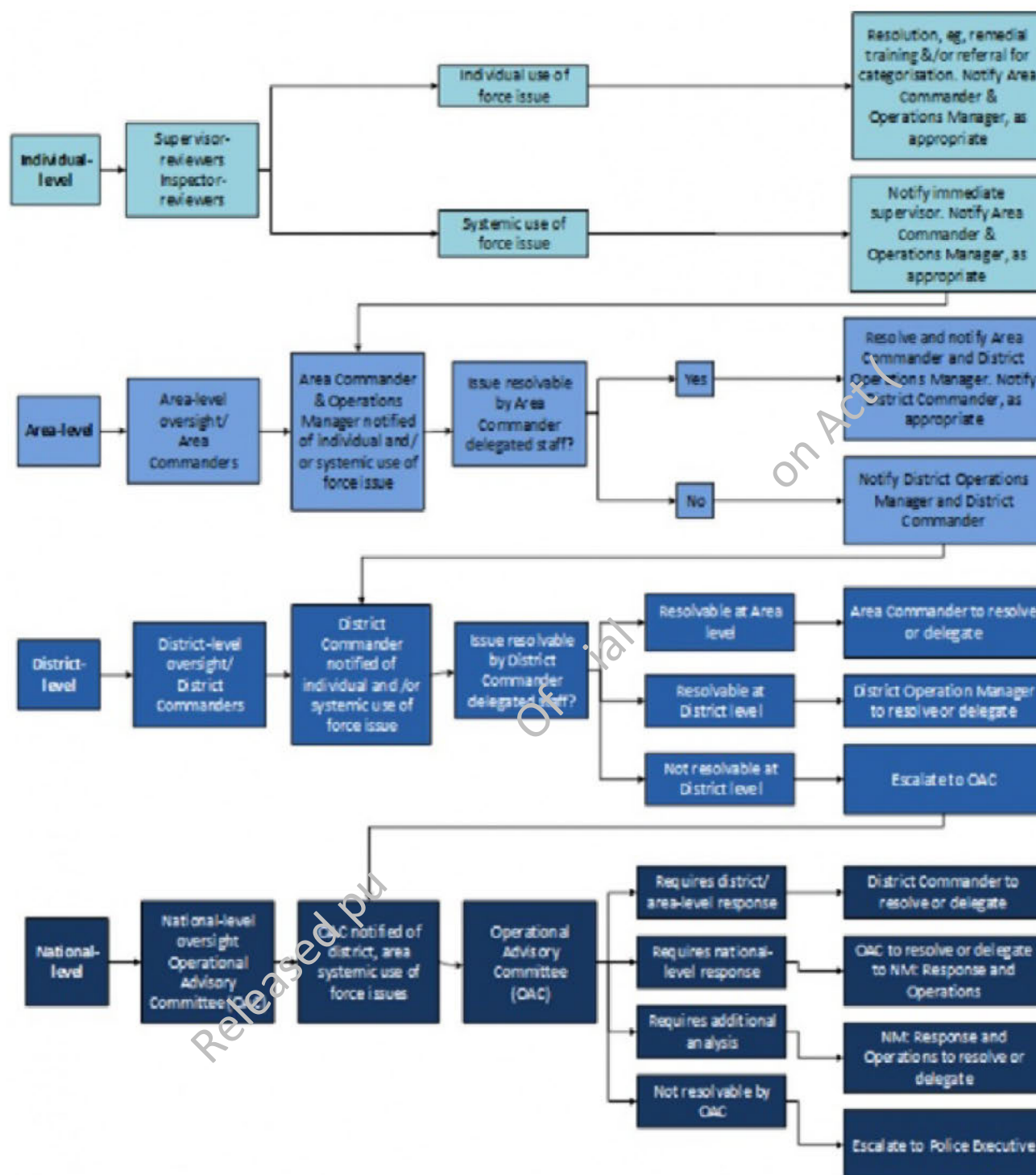
Categorisation of TOR events by Inspector reviewers of TOR events

Where an Inspector reviews a TOR form and does not support the constable's actions as outlined in the TOR form, the Inspector reviewer must, if not satisfied with the constable's explanation, refer the TOR event to the appropriate Human Resources Manager, Police Professional Conduct Manager, and District Commander/Director for categorisation. See '[How does the Inspector's review and sign-off process work?](#)'

Diagram: Management of use and reporting of force

Diagram - Management_of_use_and_reporting_of_force.doc

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The Police Instruction chapter *eXact Impact XM1006* that was originally released with this response has been superseded by a new publicly available version of the same document with fewer redactions. You can access that document here:

<https://www.police.govt.nz/sites/default/files/publications/exact-impact-xm1006-redacted-160223.pdf>

28 July 2022

[REDACTED]

Dear [REDACTED]

Request for information

Thank you for your request of 7 June 2022, in which you requested the following:

In accordance with the Official Information Act 1982, I would like to request all information related to the purchase or hire of the following during the period 01/02/2022 and 10/03/2022.

- any chemical munitions such as OC Spray (MK 60, 9, 3), CS Spray (or their equivalent or similar product)?*
- any less-lethal munitions? such as Sponge rounds, water cannons, simunitions, pepper ball guns (or their equivalent or similar product)*
- any LRADs (or their equivalent or similar product) ?*
- any ARV's?*

Please supply specifications and technical manuals of all equipment purchased. The amount of equipment purchased. Please provide training manual and details of training provided.

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 of its response to the Protest. This includes staff selection, training, operational guidance, equipment, and technology provided to officers who policed the Protest. It also includes Police engagement with local and national agencies where Police and those agencies needed to work together to develop and execute operational plans.

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.

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

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

We consider the following information requested can be made available and is released as indicated following:

information related to the purchase or hire of the following during the period 01/02/2022 and 10/03/2022.

- any less-lethal munitions? such as Sponge rounds, water cannons, simunitions, pepper ball guns (or their equivalent or similar product)*
- any LRADs (or their equivalent or similar product) ?*

We can confirm that Police did not purchase any water cannons, simunitions, or pepper ball guns (or their equivalent or similar product). We also did not purchase any LRADs (or their equivalent or similar product). This part of your request is therefore refused under section 18(e) of the OIA, as the information requested does not exist.

information related to the purchase or hire of the following during the period 01/02/2022 and 10/03/2022.

- any chemical munitions such as OC Spray (MK 60, 9, 3), CS Spray (or their equivalent or similar product)?*

Please refer to the attached correspondence relating to the purchase of Oleoresin Capsicum (OC) Spray during the period 1 February and 10 March 2022.

Please note some information has been withheld under the following sections of the OIA:

- section 6(a) - the making available of the information is likely to prejudice the security or defence of New Zealand or the international relations of the government of New Zealand
- section 9(2)(a) – to protect the privacy of natural persons, including that of deceased natural
- section 9(2)(b)(ii) – the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is subject of the information.

Where information has been withheld, Police does not consider the public interest in releasing the information outweighs the reasons for withholding it.

information related to the purchase or hire of the following during the period 01/02/2022 and 10/03/2022.

- any ARV's?*

We have interpreted your request for “any ARV’s” to mean Armed Response Vehicles. We confirm that following a short trial approximately two years ago, Police do not use Armed Response Vehicles. This part of your request is therefore refused under section 18(e) of the OIA, as the information requested does not exist.

Please supply specifications and technical manuals of all equipment purchased.

Please refer to the attachments for the technical specification sheets for the Mk-3 and Mk-9 variants.

The specifications for each model of OC Spray Police currently employs or purchased during the period in question are set out below.

Mk-3

1.33% Major Capsaicinoids

10% Oleoresin Capsicum

Vol 1.5 OZS

Ten full one-second bursts at a range of 12 to 15 feet.

Mk-9

1.33% Major Capsaicinoids

10% Oleoresin Capsicum

Vol 16 OZS

Twelve full one-second bursts at a range of 25 to 30 feet.

While Police purchased small quantities of the following Mk-60 variant during the period in question, it has not been operationally approved or deployed and its use is still in development.

Mk-60

1.33% Major Capsaicinoids

10% Oleoresin Capsicum

Vol 56 OZS

Thirty (30) full one second bursts at a range of 30 to 35 feet

The amount of equipment purchased.

Police purchased 200 cannisters of Mk-9, 12 Mk-60 cylinders, and 60 Mk-60 refill packs during the period you have asked about.

Please provide training manual and details of training provided.

All officers are trained and certified in the use of OC Spray as part of their annual certifications. All officers are also first aid qualified to be able to deploy with tactical options.

Prior to deploying any tactical option Police staff use the threat assessment methodology TENR (Threat, Exposure, Necessity, Response).

TENR is a decision-making process which is used to support a timely and accurate assessment for the safety of police and others. The Police response to any given situation must be considered, timely, proportionate, and appropriate.

Please also find attached copies of the following documents:

- *OC Spray Police Instructions*, which were in place directly prior to 1 March 2022
- *OC Spray Police Instructions*, which were in effect from 1 March 2022
- *OC Spray Training Manual*.

The IPCA anticipates the Review will be completed and reported on by 31 March 2023. Police recognise the importance of transparency in these matters and look 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 release 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

Oleoresin Capsicum spray.doc

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Part of the ['Use of Force'](#) chapter

Policy statement and principles

What

OC spray or gel are one of a number of tactical options available for use by Police within the [Tactical Options Framework](#).

Why

A key function of Police is to maintain public safety. At times this requires Police to use force, the degree of which is determined depending on the circumstances, from a wide range of tactical options available to them.

Police use of OC spray / gel is governed by sections [39](#), [40](#), [41](#), [42](#), [48](#), and [62](#) Crime Act 1961 - they set out the circumstances in which OC spray / gel or any use of force may be used.

How

Employees issued with O C spray must have a current:

- PITT defensive tactics certification;
- First aid certificate.

All OC spray use must be lawful and reasonable, i.e. necessary, proportionate to the situation and with minimum risk to the public, Police and the subject.

Employees should only use OC spray when exercising any of their statutory powers and/or carrying out their lawful duties. See '[Legal authority to use force](#)' in the 'Use of force overview' chapter.

Before using OC spray, employees will consider communication and other less serious tactical options (e.g. control and restraint techniques or empty handed tactics not needing equipment) for resolving and controlling an incident.

They will be satisfied when using OC spray that the person is resisting (by more than passive resistance) or attempting to prevent police from lawfully controlling or arresting them.

Overview

What is OC spray?

Oleoresin Capsicum spray (OC spray) is an intermediate tactical tool available to Police employees. For the purposes of this policy, OC spray includes a spray and a gel product.

OC spray is a naturally occurring biodegradable product consisting of oleoresin oil suspended in an alcohol and water based carrier. The solution is packaged in an aerosol canister with a propellant and a dye for identification purposes.

Note: In this chapter, Police employees include employees with constabulary powers and Police Integrated Tactical Training (PITT) instructors without constabulary powers that are authorised by the Commissioner to provide training to Police employees.

Approved OC spray

There are currently two types of approved OC Spray:

- **Sabre Red Crossfire stream** (new spray) - for use in general policing situations outside of custody areas.



- **Sabre Red Crossfire gel** (new gel) - for use within Police stations and custody areas.



Carrying and using OC spray

Carrying OC spray

Employees [issued](#) with O C spray must have a current:

- PITT defensive tactics certification;
- First aid certificate.

Employees issued with OC spray must carry it if undertaking duty that may involve personal contact with the public.

OC spray must **not** be carried:

- on a commercial aircraft in the cabin or as checked or carried on baggage
- by employees rostered for duty at demonstrations - unless a District Commander specifically authorises it
- if the employee's first aid certificate has expired.

Using force

All OC spray use must be lawful and reasonable, i.e. necessary, proportionate to the situation and with minimum risk to the public, Police and the subject.

Using OC spray is using force. Employees may be liable under section [62](#) of the Crimes Act 1961 for applying any excess force to a person in the course of Police duties.

Tactical options framework

OC spray is an option available to an employee when their perceived cumulative assessment of the situation is that the persons behaviour is within or beyond the **active resistance** range on the Tactical Options Framework and the situation cannot be resolved by less forceful means. See '[Tactical Options Framework](#)'.

Situations when OC spray may be used

Employees should only use OC spray when exercising any of their statutory powers and/or carrying out their lawful duties. See '[Legal authority to use force](#)' in the 'Use of force overview' chapter.

Consider other options

Before using OC spray, consider communication and other less serious tactical options (e.g. control and restraint techniques or empty handed tactics not needing equipment) for resolving and controlling an incident. You must be satisfied when using OC spray that the person is [resisting](#) (by more than passive resistance) or attempting to prevent Police from lawfully controlling or arresting them.

Person in custody or handcuffs

Unless there are exceptional circumstances, OC spray must not be used on a person:

- in custody in a Police custodial area, and/or
- secured in handcuffs.

Exceptional circumstances include situations when either:

- the person cannot be controlled by less forceful means
- timely assistance is not available
- there is a risk of injury to the person or another person
- the prisoner is in possession of a previously unknown weapon, or
- you need to take immediate action to resolve a situation or prevent a situation continuing.

Using O C spray in crowds

As a general rule, O C spray should not be used in crowded situations. However, it can be used against more than one person at a time, if circumstances justify this.

Using against armed people

If the person is armed with a blunt edged weapon or knife exercise caution and ensure a safe distance is maintained when using OC spray

Avoid using OC spray against a person armed or with access to a firearm. Using OC spray may be appropriate as a supplementary tactic if the person:

- has put their firearm on the ground and is covered by an armed Police constable, and
- [actively resists](#) control by Police.

Warn before using

Before using OC spray, unless impractical, you must:

- warn the person that non-compliance will result in them being sprayed
- give the person a reasonable opportunity to comply before being sprayed
- warn other people nearby that a spray may be used.

Effects of OC spray

On most people, OC spray causes:

- blood vessels to dilate rapidly
- bronchial passages to constrict
- mucous membranes to secrete freely and eyes to burn and close tightly.

Physical symptoms from OC spray can last from 10 to 45 minutes. There are no known long-term after effects. See '[Medical attention](#)'.

After using OC spray

Aftercare

If you use OC spray, afterwards you must:

minimise any residual [effects](#) caused by the spray by providing proper decontamination and proper aftercare as in the 'OC Spray Training Manual' See below:

-

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- ensure the person's face is not covered and they are not left lying face down with their hands constrained behind their back. This may lead to positional asphyxia, where the position of the body interferes with breathing. See '[Positional asphyxia](#)'
- accompany and monitor the person for at least 45 minutes or until the symptoms or effects are no longer apparent.

Medical attention

People with a severe asthma condition who are exposed to OC spray may suffer respiratory distress caused by their airways narrowing (bronchi-constriction). If this happens:

- use the salbutamol inhaler and spacing device to provide relief to the person (**Note: Police are only licensed to administer salbutamol, not to dispense it. It must remain in Police possession and control at all times, and is not to be given to, or left with, unsupervised persons**), and
- immediately seek medical attention.

Also provide medical attention immediately, if the person sprayed:

- does not recover within 45 minutes
- complains of, or appears to be, suffering from a medical condition
- asks for medical attention.

Caution on arrest

You must immediately caution the person if using OC spray leads to their arrest.

Courts might consider admissions made while the person is under OC spray's effect to be unfair and inadmissible. Repeat the caution when the arrested person has had time to sufficiently recover and is capable of understanding.

Report after use

Employees must follow this procedure after OC spray is used against a person, except during training.

Step	Action
1	Provide proper aftercare and if necessary, medical attention for the person sprayed.
2	Notify your supervisor as soon as practical to: <ul style="list-style-type: none">- attend the scene if requested by the attending officerensure the employee has provided proper aftercare and obtained medical attention when necessary
3	Complete a Tactical Options Report before going off duty. Note that if the spray was only used against an animal, use the ' Use of OC Spray on Animal Only ' report.

Issuing and managing OC spray

Employees' responsibilities when spray is issued

Employees must be personally responsible for the security of OC spray canisters issued that are to them. You must ensure canisters are:

- not carried off duty (unless authorised by the District Commander)
- secured at the end of duty in a locked cabinet at the station or in another secure place approved by the district commander.

Before starting duty you must check the canister visually and by shaking it, to ensure the:

- nozzle is unobstructed
- unit is not damaged
- contents are verified
- use by date has not expired.

Supervisors must regularly inspect the integrity of canisters issued to employees under their control.

OC spray register

There must be a robust system in place for controlling stock at all stations where OC spray is stored.

The Area Commander must ensure an OC spray register is operated in their area to record stock levels at each station and other details including:

- date spray is issued or received
- employees name and ID receiving or returning the canister
- employees name and ID issuing or receipting the canister
- the canister's serial number issued or received and the expiry date
- a running total of stock on hand both new and used
- disposal details of used canisters

Storing OC spray

Stocks of OC spray must be stored in a secure environment at normal temperature. They must not be exposed to sunlight.

Store enough stock to enable ready replacement and to issue in emergencies.

Internal control process

OC spray issue must be included as part of the internal control process. Internal control must:

- check to ensure canister use by dates are current and units are not damaged
- reconcile actual canisters held to the OC spray register
- sample check of issued units from the register against what employees actually hold

Internal audit will evaluate and report on the effectiveness of the internal control procedures as part of district audit.

Returning OC Spray on resignation/leaving Police

Employees resigning or leaving Police must ensure a POL217 is completed and their OC Spray canister and holster are returned to Lockheed Martin along with the other specified items.

OC spray coordinator's role

District commanders must appoint a district OC spray coordinator responsible for:

- reviewing and filing copies of Tactical Options Reports and associated papers
- internal control and internal audit of OC spray
- interviewing employees to obtain further information about the spray's effectiveness, medical effects or any training or policy modifications that may be necessary
- making recommendations on any necessary policy or training changes to the Director: Capability, PNHQ.

Used, lost, damaged or expired canisters

If your OC spray is lost or stolen, this must be recorded in the [Security and Privacy Incident Register](#) (SPIR). See 'Loss or theft of Tactical Equipment' in the '[Approved equipment](#)' part of this chapter.

Used, damaged or operationally unused expired canisters must be returned to the issuing office and kept until sufficient quantities are gathered for [disposal](#) (seal any damaged canisters in a plastic bag to prevent leakage). Any partially used canisters may be re-issued to an authorised OC spray trainer.

The approved employee:

- records details of all canisters received and replacements issued in the [OC spray register](#)
- files reports (POL 258) and replacement authorisations.

Disposing of used or damaged canisters

OC spray canisters must be disposed of using the following process.

Step	Action
1	If the OC spray can is damaged, wear appropriate safety apparel when handling - the minimum is rubber gloves and safety glasses.
2	Centralise OC spray for disposal, record the serial number on a spread sheet and place the can into the lockable container provided.
3	When the container is full, enclose a copy of the spread sheet and secure the container with the supplied combination lock.
4	Use the New Zealand Couriers Electronic ticketing system to dispatch the items to the destruction destination.
5	E mail the contracted service provider (steve@steveswholesale.nz): <ul style="list-style-type: none"> - a copy of the spreadsheet listing S/No of canisters to be supplied - the combination for the container.
6	The service provider will: <ul style="list-style-type: none"> - provide a certified copy of the serial numbers destroyed for local records - return an empty container and lock for future use.

Printed on : 02/05/2022

Printed from : <https://tenone.police.govt.nz/pi/review/oleoresin-capsicum-spraydoc>

Oleoresin Capsicum Spray

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Part of the ['Use of Force'](#) chapter

Changes to this version were issued by the Director: Capability on 1 March 2022 in relation to the use of Mk9, a District Commander may authorise the carriage of OC spray at demonstrations, and the requirement to facilitate decontamination and aftercare where Police cannot physically provide it.

Policy statement and principles

What

OC spray or gel are one of a number of tactical options available for use by Police within the [Tactical Options Framework](#).

Why

A key function of Police is to maintain public safety. At times this requires Police to use force, the degree of which is determined depending on the circumstances, from a wide range of tactical options available to them.

Police use of OC spray / gel is governed by sections [39](#), [40](#), [41](#), [42](#), [48](#), and [62](#) Crime Act 1961 - they set out the circumstances in which OC spray / gel or any use of force may be used.

How

Employees issued with O C spray must have a current:

- PITT defensive tactics certification;
- First aid certificate.

All OC spray use must be lawful and reasonable, i.e. necessary, proportionate to the situation and with minimum risk to the public, Police and the subject.

Employees should only use OC spray when exercising any of their statutory powers and/or carrying out their lawful duties. See '[Legal authority to use force](#)' in the 'Use of force overview' chapter.

Before using OC spray, employees will consider communication and other less serious tactical options (e.g. control and restraint techniques or empty handed tactics not needing equipment) for resolving and controlling an incident.

They will be satisfied when using OC spray that the person is resisting (by more than passive resistance) or attempting to prevent police from lawfully controlling or arresting them.

Overview

What is OC spray?

Oleoresin Capsicum spray (OC spray) is an intermediate tactical tool available to Police employees. For the purposes of this policy, OC spray includes a spray and a gel product.

OC spray is a naturally occurring biodegradable product consisting of oleoresin oil suspended in an alcohol and water based carrier. The solution is packaged in an aerosol canister with a propellant and a dye for identification purposes.

Note: In this chapter, Police employees include employees with constabulary powers and Police Integrated Tactical Training (PITT) instructors without constabulary powers that are authorised by the Commissioner to provide training to Police employees.

Approved OC spray

There are currently three types of approved OC Spray:

- **Sabre Red Crossfire** (new spray) - for use in general policing situations outside of custody areas.



- **Sabre Red Crossfire gel** (new gel) - for use within Police stations and custody areas.



- **Sabre Red Mk 9** - for use in crowd management situations



Carrying and using OC spray

Carrying OC spray

Employees [issued](#) with O C spray must have a current:

- PITT defensive tactics certification;
- First aid certificate.

Employees issued with OC spray must carry it if undertaking duty that may involve personal contact with the public.

OC spray must **not** be carried:

- on a commercial aircraft in the cabin or as checked or carried on baggage
- by employees rostered for duty at demonstrations - unless a District Commander specifically authorises it
- if the employee's first aid certificate has expired.

Using force

All OC spray use must be lawful and reasonable, i.e. necessary, proportionate to the situation and with minimum risk to the public, Police and the subject.

Using OC spray is using force. Employees may be liable under section [62](#) of the Crimes Act 1961 for applying any excess force to a person in the course of Police duties.

Tactical options framework

OC spray is an option available to an employee when their perceived cumulative assessment of the situation is that the persons behaviour is within or beyond the **active resistance** range on the Tactical Options Framework and the situation cannot be resolved by less forceful means. See '[Tactical Options Framework](#)'.

Situations when OC spray may be used

Employees should only use OC spray when exercising any of their statutory powers and/or carrying out their lawful duties See [Legal authority to use force](#) in the Use of force overview chapter

Consider other options

Before using OC spray, consider communication and other less serious tactical options (e.g. control and restraint techniques or empty handed tactics not needing equipment) for resolving and controlling an incident. You must be satisfied when using OC spray that the person is [resisting](#) (by more than passive resistance) or attempting to prevent Police from lawfully controlling or arresting them.

Person in custody or handcuffs

Unless there are exceptional circumstances OC spray must not be used on a person:

- in custody in a Police custodial area, and/or
- secured in handcuffs.

Exceptional circumstances include situations when either:

- the person cannot be controlled by less forceful means
- timely assistance is not available
- there is a risk of injury to the person or another person
- the prisoner is in possession of a previously unknown weapon, or
- you need to take immediate action to resolve a situation or prevent a situation continuing.

Using O C spray in crowds

Where the circumstances justify its deployment, OC spray can be utilised against more than one person at a time. The use OC spray in crowded situations should consider the potential for cross contamination of both subjects and staff due to overspray.

Using against armed people

If the person is armed with a blunt edged weapon or knife exercise caution and ensure a safe distance is maintained when using OC spray

Avoid using OC spray against a person armed or with access to a firearm. Using OC spray may be appropriate as a supplementary tactic if the person:

- has put their firearm on the ground and is covered by an armed Police constable, and
- [actively resists](#) control by Police.

Warn before using

Before using OC spray, unless impractical, you must:

- warn the person that non-compliance will result in them being sprayed
- give the person a reasonable opportunity to comply before being sprayed
- warn other people nearby that a spray may be used.

Effects of OC spray

On most people, OC spray causes:

- blood vessels to dilate rapidly
- bronchial passages to constrict
- mucous membranes to secrete freely and eyes to burn and close tightly.

Physical symptoms from OC spray can last from 10 to 45 minutes. There are no known long-term after effects. See '[Medical attention](#)'.

After using OC spray

Aftercare

If you use OC spray, afterwards you must if the circumstances allow:

plan to minimise any residual [effects](#) caused by the spray by providing proper decontamination and proper aftercare or access to decontamination and aftercare as in the 'OC Spray Training Manual' See below:

OC Spray Training Manual V3 (PDF)	693.65 KB
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- ensure the person's face is not covered and they are not left lying face down with their hands constrained behind their back. This may lead to positional asphyxia, where the position of the body interferes with breathing. See '[Positional asphyxia](#)'
- accompany and monitor the person for at least 45 minutes or until the symptoms or effects are no longer apparent.

Medical attention

People with a severe asthma condition who are exposed to OC spray may suffer respiratory distress caused by their airways narrowing (bronchi-constriction). If this happens to someone in your care:

- use the salbutamol inhaler and spacing device to provide relief to the person **(Note: Police are only licensed to administer salbutamol, not to dispense it. It must remain in Police possession and control at all times, and is not to be given to, or left with, unsupervised persons)**, and
- immediately seek medical attention.

Also provide medical attention immediately, if a person sprayed in your care:

- does not recover within 45 minutes
- complains of, or appears to be, suffering from a medical condition
- asks for medical attention.

Caution on arrest

You must immediately caution the person if using OC spray leads to their arrest.

Courts might consider admissions made while the person is under OC spray's effect to be unfair and inadmissible. Repeat the caution when the arrested person has had time to sufficiently recover and is capable of understanding.

Report after use

Employees must follow this procedure after OC spray is used against a person, except during training.

Step	Action
1	Provide proper aftercare or access to aftercare and if necessary, medical attention for the person sprayed.
2	Notify your supervisor as soon as practical to: <ul style="list-style-type: none">- attend the scene if requested by the attending officerensure the employee has provided proper aftercare and obtained medical attention when necessary
3	Complete a Tactical Options Report before going off duty. Note that if the spray was only used against an animal, use the 'Use of OC Spray on Animal Only' report.

Issuing and managing OC spray

Employees' responsibilities when spray is issued

Employees must be personally responsible for the security of OC spray canisters issued that are to them. You must ensure canisters are:

- not carried off duty (unless authorised by the District Commander)
- secured at the end of duty in a locked cabinet at the station or in another secure place approved by the district commander.

Before starting duty you must check the canister visually and by shaking it, to ensure the:

- nozzle is unobstructed
- unit is not damaged
- contents are verified
- use by date has not expired.

Supervisors must regularly inspect the integrity of canisters issued to employees under their control.

OC spray register

There must be a robust system in place for controlling stock at all stations where OC spray is stored.

The Area Commander must ensure an OC spray register is operated in their area to record stock levels at each station and other details including:

- date spray is issued or received
- employees name and ID receiving or returning the canister
- employees name and ID issuing or receipting the canister
- the canister's serial number issued or received and the expiry date
- a running total of stock on hand both new and used
- disposal details of used canisters.

Storing OC spray

Stocks of OC spray must be stored in a secure environment at normal temperature. They must not be exposed to sunlight.

Store enough stock to enable ready replacement and to issue in emergencies.

Internal control process

OC spray issue must be included as part of the internal control process. Internal control must:

- check to ensure canister use by dates are current and units are not damaged
- reconcile actual canisters held to the OC spray register
- sample check of issued units from the register against what employees actually hold.

Internal audit will evaluate and report on the effectiveness of the internal control procedures as part of district audit.

Returning OC Spray on resignation/leaving Police

Employees resigning or leaving Police must ensure a POL217 is completed and their OC Spray canister and holster are returned to Lockheed Martin along with the other specified items.

OC spray coordinator's role

District commanders must appoint a district OC spray coordinator responsible for:

- reviewing and filing copies of Tactical Options Reports and associated papers
- internal control and internal audit of OC spray
- interviewing employees to obtain further information about the spray's effectiveness, medical effects or any training or policy modifications that may be necessary
- making recommendations on any necessary policy or training changes to the Director: Capability, PNHQ.

Used, lost, damaged or expired canisters

If your OC spray is lost or stolen, this must be recorded in the [Security and Privacy Incident Register](#) (SPIR). See 'Loss or theft of Tactical Equipment' in the '[Approved equipment](#)' part of this chapter.

Used, damaged or operationally unused expired canisters must be returned to the issuing office and kept until sufficient quantities are gathered for [disposal](#) (seal any damaged canisters in a plastic bag to prevent leakage). Any partially used canisters may be re-issued to an authorised OC spray trainer.

The approved employee:

- records details of all canisters received and replacements issued in the [OC spray register](#)
- files reports (POL 258) and replacement authorisations.

Disposing of used or damaged canisters

OC spray canisters must be disposed of using the following process.

Step	Action
1	If the OC spray can is damaged, wear appropriate safety apparel when handling - the minimum is rubber gloves and safety glasses.
2	Centralise OC spray for disposal, record the serial number on a spread sheet and place the can into the lockable container provided.
3	When the container is full, enclose a copy of the spread sheet and secure the container with the supplied combination lock.
4	Use the New Zealand Couriers Electronic ticketing system to dispatch the items to the destruction destination.
5	E mail the contracted service provider (steve@steveswholesale.nz): <ul style="list-style-type: none">- a copy of the spreadsheet listing S/No of canisters to be supplied- the combination for the container.
6	The service provider will: <ul style="list-style-type: none">- provide a certified copy of the serial numbers destroyed for local records- return an empty container and lock for future use.

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Printed from : <https://tenone.police.govt.nz/pi/oleoresin-capsicum-spray>

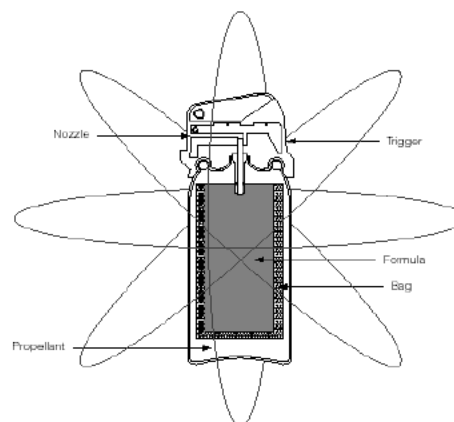
SABRE CROSSFIRE TECHNOLOGY® (CFT®) - STREAM DELIVERY

MK-3 Technical Specifications

Updated: 1/2013

Height:	4.4" *	11.3 cm *
Diameter:	1.50" *	3.80 cm *
Weight:	1.5 oz. / 42 gr. / 45 ml	
Warranty:	5 years	
1-second bursts:	10	
Firing Mechanism:	Flip Top	
Propellant:	Nitrogen	
Canister:	Seamless extruded aluminum – Rated 2Q	
Operating Temps:	-20° F (-29° C) to 120° F (50° C)	

* size equivalent to First Defense® MK-3; 10% PepperFoam® MK-3; 5.5% PepperMace® MK-3; Pepper 10® MK-3



SABRE CFT® units operate in any orientation, in any plane continuously, giving officers greater ability to fire OC in any situation.

Formulation: Water soluble Oleoresin Capsicum (OC) and ultraviolet marking dye. The formulation is **non-flammable** and electronic immobilization device compatible. Each canister is stabilized and contains an operating pressure of 140 PSI.

Labeling: All canisters are labeled with a protective Mylar over lamination cover which resists wear and water damage. Canisters are labeled with the shot pattern, batch number, serial number and expiration date. Individually serialized canisters permit easy identification and link to formulation batch numbers for quality assurance tracking.

Quality Control: Manufacturer maintains quality control system in accordance with the American National Standards Institute (ANSI) for the following:

Operation Test	Discharge Duration Test	Intermittent Discharge Test	High Temperature Exposure Test
Temperature Cycle Test	Operating Weight Test	Gasket Dependability Test	Hydrostatic Pressure Test
One Year Time Leakage Test	Pressure Vessel Test		

Federal Regulations: The manufacturer certifies that all units comply with the following:

29 CFR 1910	Occupational Safety And Health Standards	AOAC 995.03	Oleoresin Capsicum Assay
16 CFR 1500.41	Test for skin irritant	16 CFR 1500.130	Labeling of self pressurized canisters
16 CFR 1500.45	Test method for determining flammability of contents of self pressurized canisters	16 CFR 1500.42	Test for eye irritant
		16 CFR 1500.3	Acute Inhalation Toxicity Study

	Training	Level I Formula		Level II Formula		Level III Formula	
	SABRE Inert®	SABRE Defense®	SABRE 5.5®	SABRE 5.0®	SABRE CS®	SABRE Red®	SABRE®
Model #	50CFT10	51CFT10		56CFT10		52CFT10	
Delivery	Stream	Stream		Stream		Stream	
Range (Ft/Mtrs)	15-20 / 5-7	15-20 / 5-7		15-20 / 5-7		15-20 / 5-7	
Active Ingrid	NA	10% OC		5% OC		10% OC	
SHU's	NA	500,000		2,000,000		2,000,000	
Scoville Content	NA	50,000		100,000		200,000	
Capsaicinoids	NA	0.33%		0.67%*		1.33%*	

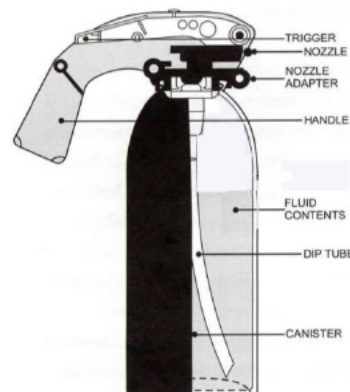
* AOAC Official Method 995.03 Capsaicinoids in Capsicums and Their Extractives, Liquid Chromatographic Method (HPLC). Security Equipment Corporation uses AOAC Method 995.03 because it is the preferred method of the Environmental Protection Agency and the U.S. Federal Government.

SABRE H2O WATER BASED SERIES - STREAM & FOAM DELIVERY

MK-9 Technical Specifications

Updated: 1/2012

Height:	10.5"	26.7 cm
Diameter:	2.5"	6.5 cm
Weight:	16 oz. / 448 gr. / 480 ml	
Warranty:	5 years	
1-second bursts:	Stream: 10 / Foam: 10	
Firing Mechanism:	Pistol Grip Handle with Safety Pin	
Propellant:	Stream - Nitrogen / Foam - 134a & Nitrogen	
Canister:	Seamless extruded aluminum – Rated 2Q	
Operating Temps:	-20° F (-29° C) to 120° F (50° C)	



Formulation: Water soluble Oleoresin Capsicum (OC) and ultraviolet marking dye. The formulation is **non-flammable** and electronic immobilization device compatible. Each canister is stabilized and contains an operating pressure of 140 PSI.

Labeling: All canisters are labeled with a protective Mylar over lamination cover which resists wear and water damage. Canisters are labeled with the shot pattern, batch number, serial number and expiration date. Individually serialized canisters permit easy identification and link to formulation batch numbers for quality assurance tracking.

Quality Control: Manufacturer maintains quality control system in accordance with the American National Standards Institute (ANSI) for the following:

Operation Test	Discharge Duration Test	Intermittent Discharge Test	High Temperature Exposure Test
Temperature Cycle Test	Operating Weight Test	Gasket Dependability Test	Hydrostatic Pressure Test
One Year Time Leakage Test	Pressure Vessel Test		

Federal Regulations: The manufacturer certifies that all units comply with the following:

29 CFR 1910	Occupational Safety And Health Standards	AOAC 995.03	Oleoresin Capsicum Assay
16 CFR 1500.41	Test for skin irritant	16 CFR 1500.130	Labeling of self pressurized canisters
16 CFR 1500.45	Test method for determining flammability of contents of self pressurized canisters	16 CFR 1500.42	Test for eye irritant
		16 CFR 1500.3	Acute Inhalation Toxicity Study

	Training		Level I Formula			Level II Formula			Level III Formula		
	SABRE Inert®		SABRE Defense®		SABRE 5.5®	SABRE 5.0®		SABRE CS®	SABRE Red®		SABRE®
Model #	90H2O60	90H2O60-F	91H2O60	91H2O60-F		96H2O60	96H2O60-F		92H2O60	92H2O60-F	
Delivery	Stream	Foam	Stream	Foam		Stream	Foam		Stream	Foam	
Range (Ft/Mtrs)	25-30/9-10	12-15 / 4-5	25-30/9-10	12-15 / 4-5		25-30/9-10	12-15 / 4-5		25-30/9-10	12-15 / 4-5	
Active Ingrid	NA		10% OC			5% OC			10% OC		
SHU's	NA		500,000			2,000,000			2,000,000		
Scoville Content	NA		50,000			100,000			200,000		
Capsaicinoids	NA		0.33%*			0.67%*			1.33%*		

* AOAC Official Method 995.03 Capsaicinoids in Capsicums and Their Extractives, Liquid Chromatographic Method (HPLC). Security Equipment Corporation uses AOAC Method 995.03 because it is the preferred method of the Environmental Protection Agency and the U.S. Federal Government.

OC Spray - SABRE Red



Manual

POLICE INTEGRATED TACTICAL TRAINING

Owner – Head of School of Response

Police Integrated Tactical Training
The Royal New Zealand Police College
Papakowhai Road, Private Bag 50 906
PORIRUA

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Introduction

OC Spray is a less than lethal intermediate tactical option. It can be successfully used to resolve violent incidents with minimal risk of harm to police, the public and the person involved.

The New Zealand Police have been deploying with various models of OC Spray since 1998. In 2016 NZP trialled and approved the use of 'Sabre Red' produced by Security Equipment Corporation in the USA.

'Sabre Red' products are approximately 6 ½ times stronger than previous products and comes in both 'Stream' and 'Gel' variations.

Gel canisters are primarily for issue and use in Police and Court Custody areas due to the reduced potential of cross contamination.

The effects of the spray can last from 10 to 45 minutes. There are no known long-term after effects. To minimise any residual effect to any person affected by OC Spray it is important that proper after-care is given.

Definition

OC spray is a naturally occurring biodegradable product consisting of oleoresin oil suspended in an alcohol and water based carrier. The solution is packaged in an aerosol canister with a propellant and a dye for identification purposes

History

Approximately 2,000 years ago, the Chinese used pepper to disarm adversaries by blowing it through a straw into an opponent's eyes.

OC Spray was used by the US Wildlife Service against bears and by the US Postal Service against dogs. In 1973 it was made available to US law enforcement agencies.

In 1987 the FBI became interested in the use of OC Spray and over the period 1987-1989 exposed 828 individuals to it. A group of FBI agents and research chemists monitored the use of OC Spray for research purposes. The outcome of all tests culminated in OC Spray being adopted as a general issue item to FBI agents. Currently a large number of federal and state law enforcement agencies throughout the US use OC Spray.

In 1996 OC Spray was introduced in Victoria, Australia on a trial basis. The initial trial was successful and the spray was released for all Australian police members from October 1997.

The New Zealand Police conducted trials in 1996. In 1997 OC Spray was handed to the Christchurch Police for trial at an operational level. In 1998 the findings from this trial resulted in OC Spray becoming general issue to qualified staff.

General

OC Spray is considered the best spray solution currently available on the market. It gives police quick control without the victim suffering any long-term effects. Where lesser means of force are available those options should always be considered first.

There is currently no evidence to suggest that OC Spray is a:

- carcinogenic (cancerous)
- mutagenic (causes mutant defects)
- a dermatological (a skin irritant)
- an ophthalmological (eye irritant).

OC Spray is believed to be effective on approximately 86% of the population. On the remaining 14% it has little or no effect.

OC Spray is effective as a deterrent against aggressive dogs and again has no long-term effects on these animals.

Worldwide studies have shown that using OC Spray has reduced the injuries to police and offenders alike. The subject is incapacitated without a physical struggle, minimising the risk of physical injury to both parties.

Recent studies have also shown that using OC Spray achieved:

- a reduction in the number of complaints against police
- a reduction in the number of injuries to police (anecdotal evidence also showed a reduction in the severity of injuries)
- a reduction in the number of injuries to offenders.

Currently there is no evidence that identifies OC Spray as the primary cause of any death.

Description

The canister used by the New Zealand Police is Sabre Red Crossfire. It is a third generation pepper spray technology which allows the canister to deploy from any angle or orientation. It consists of an aluminum aerosol canister, an actuator cover, a black plastic actuator button, carrier “active” pepper ingredients contained in a bladder and a gas propellant.

‘Live’ canisters contain a food grade oil extract from the New World cayenne peppers. The canister wears a red label and incorporates an ultra-violet dye, which remains on the subject some 24 hours after application. OC Spray has a nitrogen propellant and a water based carrier. The label also displays the manufacturer’s date and expiry date. The contents of a canister expire 5 years from this date if not used beforehand.

The canister weighs 80 grams. The nitrogen propellant and water based carrier send out a steady stream of spray or gel that have an effective firing range of 1 m to 3.5 m in ideal conditions. The canister has sufficient spray for approximately ten one-second bursts. The unit can operate in any orientation, in any plane continuously including upside down. It is important to note that serious injury may be caused to eyes if used within a one metre range.

Training canisters are identical in size and weight. Training canisters display a white label, which is clearly marked ‘Inert Training Unit’. The canister does not contain a dye or the active capsicum ingredient. Propellant pressure is, however, consistent with the operational canister and caution should be applied when using.



**Sabre
Red
Stream**

**Sabre
Red
Gel**

**Sabre
Inert**

Policy and Police Instructions

Authority to Carry

Restricted weapon

OC Spray is categorized as a restricted weapon under paragraph (8), of the Arms Order 1984. Its possession in certain circumstances is also illegal under section 202A Crimes Act 1961 (possession of offensive or disabling substance).

Authority

Police have a statutory authority to carry restricted weapons by virtue of section 3 of the Arms Act 1983. This power exempts the police from liability against prosecution and use of a restricted weapon such as OC Spray, provided such carriage is within the course of police duties.

Carrying OC spray

Employees issued with O C spray must have a current:

- PITT defensive tactics certification;
- First aid certificate.

Employees issued with OC spray must carry it if undertaking duty that may involve personal contact with the public.

OC spray must **not** be carried:

- on a commercial aircraft in the cabin or as checked or carried on baggage
- by employees rostered for duty at demonstrations - unless a District Commander specifically authorises it
- if the employee's first aid certificate has expired.

Use of OC Spray

OC spray is an option available to an employee when their perceived cumulative assessment of the situation is that the persons behavior is within or beyond the active resistance range on the tactical options framework and the situation cannot be resolved by less forceful means.

Police members may only use OC Spray to:

- Defend themselves or others if they fear physical injury to themselves or others, and they cannot reasonably protect themselves, or others less forcefully, or
- Arrest an offender if they believe on reasonable grounds that the offender poses a threat of physical injury and the arrest cannot be effected less forcefully, or
- Resolve an incident where a person is acting in a manner likely to seriously injure themselves and the incident cannot reasonably be resolved less forcefully,
- Deter attacking animals.
- Prevent the escape of an offender if they believe on reasonable grounds that the offender poses a threat of physical injury to any person (whether an identifiable individual or members of the public at large) and the escape cannot be prevented less forcefully.
- OC Spray must not be used against people offering passive resistance. While it can be used against more than one person, OC Spray should not normally be used in crowd situations and is not to be carried by members rostered for duty at demonstrations unless specifically authorised by a District Commander.
- OC Spray is to be used in accordance with the approved training given.

Bill of Rights

When the use of OC Spray leads to an arrest, the arresting member must ensure that the Bill of Rights and Caution are given immediately following the arrest and then repeated once the person has sufficiently recovered from the effects and is capable of understanding. Any admission made while under the effects of OC Spray may result in the Court determining such an admission to be unfair and inadmissible.

Aftercare

Where a person has been affected by the application of OC Spray, it is the responsibility of the spraying member to ensure that that person is provided with proper decontamination and aftercare.

The condition and position of sprayed persons holds the possibility of inducing Positional Asphyxia, (asphyxia caused when the positioning of the body interferes with normal

respiration). Members must ensure that a person is not restrained in a manner in which the face is covered, (Including no spit hoods) and/or, is left lying face down with the hands cuffed behind the back. Restraints or heavy objects on the chest or neck should also be avoided.

Although the immediate effects may be severe, full recovery should occur within 10-45 minutes. There are no known long term effects.

The sprayed person must be accompanied and monitored for at least 45 minutes or until the symptoms or effects are no longer apparent. Treatment should commence as soon as practicable but not before the officers have evaluated the effectiveness of the spray, minimised any further risk of injury and re-established a contact cover role before approaching the sprayed person. Aftercare is to be maintained until symptoms are alleviated and the person is no longer experiencing the effects of spray.

If effects are still experienced beyond this time or there is some doubt for the wellbeing of the person, then medical attention should be sought. Medical attention should also be sought if the person complains of a medical condition, asks for medical attention or in the member's eyes appears to be suffering from a medical condition.

Recommended aftercare procedure

Before starting aftercare apply handcuffs. Remove them only when in a controlled environment.

Aftercare procedures should commence as soon as practicable but not before the member has eliminated any potential injury or further risk of physical harm. Where applicable the member should then offer the following assistance:

Reassurance	Advise that the effects will be only temporary, identify effects being experienced and offer guidance and direction.
Maintain presence	Do not leave sprayed person alone.
Face into wind	A cooling breeze will assist rehabilitation and provide temporary relief.
Apply cool water	Cool water will erase discomfort and wash spray out of pores.
De-contaminant Bio Shield	Apply approved de-contaminant or Bio Shield liberally and dab off with tissues.
Clothing	Remove contaminated clothing where appropriate.
Contact lenses	Have the person remove own contact lenses.
Rubbing eyes	Encourage the person not to rub their eyes as this intensifies burning sensation.

Ventolin	Where the subject displays breathing difficulties, Ventolin maybe given using the disposable cardboard spacer. 1 puff to every 6 breaths.
Baby Shampoo	Johnson's baby shampoo is available in custody areas.

The image displays a variety of medical and safety supplies. On the left is a clear plastic bag containing a black nasal cannula, with a white label that reads "N2 POLICE OC-SPRAY KIT", "PROBREMIL BUREAU", and "Buckley University". In the center is a blue and white Lie-Air bag. To the right are two inhalers: a white BioShield Chemical Aerosol Inhaler and a white Sabre Deco Aerob Inhaler. A yellow Sabre eye mask is also visible. A pair of yellow nitrile gloves is on the right. A clear plastic tube and a black cap are at the bottom right. An instruction card titled "OC Spray Management" is at the top, providing guidance on seeking assistance, rescue, first aid, and improvement of breathing problems.

Decontaminates
Natural decontamination time can take from 10 to 45 minutes. Active decontaminates can offer relief in a much shorter time.

Natural decontamination time can take from 10 to 45 minutes. Active decontaminates can offer relief in a much shorter time.

About 15% of the population suffer from some form of asthma. The effects of OC Spray may add to existing conditions by further narrowing the bronchial tubes.

PITT OC Spray January 2019 11

and may suffer an adverse reaction to OC Spray.

If a person is suffering from respiratory distress and asthma is suspected, medical treatment should be sought immediately.

Salbutamol (brand names Ventolin, Respolin, Airomir and Salbuvent) is a bronchodilator drug that relieves the narrowed airways associated with acute asthma. It is commonly administered via a metered dose inhaler (200 doses) or nebulizer and mask. Its duration of onset is about 5 minutes after inhalation.

Medical advice suggests the risks of not treating an acute asthma attack far outweigh any possible detrimental effects from giving Salbutamol to a non- asthmatic individual.

Side effects from Salbutamol include rapid pulse and tremors.

Administering

If the subject has used the medication before give them the option of using the metered inhaler themselves. If, on the other hand, they are unfamiliar or incapable of delivering a dose themselves, administer using a disposable cardboard spacer device by following these procedures:

Advise that Salbutamol (Ventolin) is going to be given to assist breathing.

The disposable cardboard spacer comes packed flat, push the sides in to pop it out.

Shake the inhaler then remove the mouthpiece cover. Insert the inhaler firmly into the cardboard spacer.

Direct the breathing hole of the spacer at the subject and tell them to breathe out as far as is comfortable and then close their lips around the spacer breathing hole (ensuring their lips create a good seal around the breathing hole).

Press down on the top of the inhaler to release a measured dose into the spacer. Invite the subject to breathe in steadily and deeply through their mouth.

While the subject is holding their breath, remove the spacer from their mouth keeping the inhaler upright. Have the subject continue to hold their breath for as long as is comfortable then exhale.

If a second dose is required wait for about 30 seconds before administering. Repeat steps 1-6.

If you have problems depressing the top of the inhaler while the spacer is in the subject's mouth, remove it from their mouth, release a dose into the spacer and then immediately place it back in the subject's mouth for them to breathe in steadily.

The disposable cardboard spacer is a once only use and should be disposed of after

use. Replace it with a new one (these can be ordered through the SAP system in MyPolice).

Disposable gloves

Secondary exposure may occur from handling contaminated persons or their clothing. To minimise secondary exposure, wear disposable gloves.

Shampoo

Johnson baby shampoo is provided at the station. This product is generally used once the subject has been transported back to the police station for processing. The shampoo is used liberally through the subject's hair and over their face to further assist decontamination.

Effects

The reaction to OC Spray can be divided into two categories: psychological and physical. The effects are considered to be 60% psychological and 40% physical. Psychological responses may include:

- confusion or disorientation
- intense panic
- distraction – loss of focus of the brain
- losing will to fight.

The second category is physical. The physical effects of OC Spray may include:

- a burning sensation on exposed skin
- breathing made more difficult by constricted bronchial passages
- eyes burning and involuntarily closing tightly
- reducing muscle co-ordination
- freely secreting mucous membranes
- rapidly dilating blood vessels
- gagging or gasping for breath
- no response

Reaction times vary from person to person. Responses can be immediate but on average take about 3 to 6 seconds. The effects of OC Spray can last from 10 to 45 minutes.

An individual's reaction time depends on:

- the target area
- the dose
- their pain threshold
- their level of intoxication
- their purpose or goal
- environmental factors
- the canister's integrity
- barriers, such as hair, glasses, hats or clothing.

Risk factors

Members must be aware of the following risk factors when using OC Spray:

- OC Spray can be ineffective or slow working on intoxicated or goal driven people.
- Therefore, it is important that frontline staff consider in advance other options should OC Spray fail to subdue an offender.
- Cross contamination of officers, victims and/or by standers.
- Subjects can shield themselves from the spray stream.
- Deployment of OC Spray at less than 1 m can cause eye injury due to high nozzle pressure.
- Canisters can be taken from, or poorly discarded cans used against officers.
- Blow back and unintentional exposure (cross-contamination) s 6(c) [REDACTED]
- Members can develop a false sense of security and unwittingly fail to maintain a safe distance from the subject. This may also occur when deployment or exposure has little or no effect on the subject.
- Using the index finger to operate the canister, or depress the actuator button is discouraged because:
 1. The index finger is far weaker than the thumb.
 2. Depressing the actuator button with the index finger will often result in low shooting due to the canister tilting forward.
 3. Four fingers around the canister are stronger than three.
- Once a subject has been sprayed the subjects face must not be covered.

Tactical considerations

OC Spray is just one option available to police. Remember that careful planning together with a proper risk assessment and a controlled, cautious approach will minimise the need to use force in most cases.

Using communication, time, team tactics and positioning and maintaining safe, reactive distances are critical to resolving a critical incident successfully.

Members are to keep in mind that OC Spray is non-discriminatory. It may affect both the user and other police if utilised incorrectly. The following principles and techniques are designed to resolve critical incidents successfully with minimal risk to police, bystanders and the subject sprayed.

The three main factors defining any situation are:

- the subject and police
- environmental factors
- bystanders.

Subjects and Police

- Size – this may be an indicator of physical strength.
- Special fighting skills the subject may possess.
- Age – this may indicate physical ability.
- Gender – this will affect physiological reactions.
- Degree of motivation and the mental state of those present.
- Proximity of a firearm and other weapons to the subject (including the officer's).
- Special knowledge about the situation or offender.
- Injury or exhaustion to member(s).
- Ground position.
- Imminent danger.
- Multiple subjects – if members are outnumbered, the level of force may exceed that necessary to control one subject. Waiting for backup or disengaging should be considered.
- Multiple police – lesser control techniques may be used when police outnumber subjects.

Environmental

- s 6(c) [REDACTED]

- s 6(c) [REDACTED]

Bystanders

All bystanders should be removed to safety, where possible.

If unable to evacuate bystanders, take their location into consideration when using OC Spray.

s 6(c) [REDACTED]

Extreme caution – armed subjects

Extreme caution should be exercised when the subject is armed with a blunt-edged weapon or knife s 6(c)

If a member knows an offender is armed with a firearm or knife, the response must be appropriate for dealing with these weapons. Using OC Spray in these situations may create unnecessary risks. s 6(c)

Using OC Spray against a subject armed with a firearm should not normally be considered. However, circumstances may exist where its use would be appropriate, e.g. s 6(c)

Methods of deployment

The decision to deploy OC Spray can be unplanned (reactive) or planned (proactive).

Reactive use

Reactive use of OC Spray occurs when a member is required to react to an immediate threat and deploys OC Spray to prevent injury. It is likely that the member will be required to create and/or maintain sufficient distance from the subject (reaction gap) to draw and deploy OC Spray. This may require the member to move away from the subject while deploying the spray.

s 6(c)

Proactive use

- s 6(c)
- The element of surprise may be used to the member's tactical advantage.
- s 6(c)
- s 6(c)
- If the bursts are accurate and there is no effect, the member should consider an alternative tactical option.
- Alternative options should always be considered in advance, incase spray deployment or exposure is ineffective (e.g. cover officer draws expandable baton).
- Care must be taken to avoid obscuring vision, particularly of the subject's hands,

when holding the canister in the 'sight' (aim) position.

- s 6(c) [REDACTED]
[REDACTED]
[REDACTED]
- Should the canister malfunction or deployment is not viable, the officer should retain possession of the canister.
- It is recommended that the canister be replaced into the scabbard. Do not discard or throw away the canister s 6(c) [REDACTED]
[REDACTED]

Carriage

s 6(c) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

The canister's nozzle should face forward, with the actuator cap and button to the rear. Dome the scabbard retention flap shut for security.

Members should check regularly that the canister has not turned within the scabbard to prevent problems during drawing.

Member's responsibility

OC Spray is personal issue. You are responsible for its safe keeping and handling during the course of your duty.

On issue and at the start of each new shift members must complete a visual and physical check of their canister before placing it in their scabbard. This inspection is to ensure the:

- nozzle is not obstructed
- canister is not damaged
- contents are verified (Quantity, live vs inert, stream vs gel)
- use by date has not expired.

If the canister is damaged and the contents cannot be verified, the member's immediate supervisor should be notified and a report submitted.

Note: Obtain a replacement canister if any doubt exists.

At the end of each shift or when not permitted to wear OC Spray, members should secure the spray in their lockable cabinets for safekeeping. Members are not permitted to wear OC Spray while off duty.

Deployment

When the officer decides to deploy OC Spray, the canister is removed from the

scabbard with the non-master hand and presented towards the subject at a height that allows the officer to see any movement made by the subject's hands.

The officer's master hand is brought close to the duty belt so, if needed, easy access to other appointments can be made. Secondary force options maybe required if OC Spray fails to achieve compliance.

When the officer deploys OC Spray the canister is brought up into 'sight' and aimed towards the subject's head area. § 6(c)

Secondary force options may be required if OC Spray fails to achieve compliance.

If practicable to do so, the member should, at this time, warn the subject that they will be sprayed with OC Spray.

From the sighted position the member depresses the actuator button sending out a steady stream of OC Spray towards the subject.

If practical to do so, a verbal warning of 'spray' is given by the officer to indicate to other officers and bystanders that OC Spray has been deployed (tactical communication).

Accompanying or after deployment of OC Spray, it is recommended that the officer continues to keep safe separation, § 6(c) communicate, consider other tactical options, and cover down the subject ready to re-spray if required.

Note: You should replace your OC Spray each time you use it.

Glossary

Master	Hand used to draw weapons or set up to execute the strongest counter, regardless of which hand is used. In OC Spray use able to draw other options if required, e.g.: baton.
Non-master	The hand opposite to the master hand (the support hand) used to maintain distance and redirect an assailant. Deployment of OC Spray with the non-master hand is preferred so the master hand can go to other options if necessary.
Positional asphyxia	Positional asphyxia arises when any person, due to the position of their body, is unable to breath sufficiently to meet their body's requirements.
Sabre Decontaminant And Bio-shield	Prescribed decontaminant that is a non-reactive, non-toxic herbal extract. It is administered as part of aftercare. Bio-shield is still available for use for after care but is being replaced by Sabre Decontaminant. Some areas still have it in stock.
Target Area	When deploying OC Spray the primary target area is the eyes.
Nozzle	Aperture from which a jet stream of OC is deployed.
Contents verified	Checking to make sure the contents are 'live' (operational and not training) and sufficient quantity.
Use by date	Five years from the date shown on the canister.
Cover down	Maintain line of sight on subject with spray in order to re-deploy if necessary. Safe distance 3-4 metres. Communication with subject should also be occurring at this time.

References

Defensive Tactics Recruit Manual dated January 2019 and authorised by National Manager: Training & Professional Development, Training Service Centre, RNZPC.

NZ Police Instructions. Owner: National Manager: Operations, Office of the Commissioner. Publication Reference: Ten-One 131/10, 156/11, 1181/16.

www.sabrered.com/sites/default/files/product_images/spec-sheets/SABRE%20MK-3%20CFT%20Stream%20spec.pdf

HANNON, Patrick (Paddy)

From: Section 9(2)(a) Official Information Act 1982
Sent: Thursday, 10 March 2022 11:18 AM
To: HANNON, Patrick (Paddy)
Subject: RE: [EXTERNAL] Re: Air Freight
Attachments: MK-60 Fill and Pressurization Instructions v5.0.pdf

Paddy,

Sounds good. Attached are the MK-60 Instructions. If you have any questions here, please let me know.

Also, on the MK-60, I would suggest not pressurizing the unit until you suspect you may have to use it. That way you will get full pressure for maximum usage.

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Wednesday, March 9, 2022 3:13 PM
To: Section 9(2)(a) Official Information Act 1982
Subject: Re: [EXTERNAL] Re: Air Freight

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

s9(2)(a)

I understand it has landed in NZ I can't thank you enough for your assistance with this.

We will have to do some work on the MK60 pressure vessels and their importation to get approval retrospectively with our work safe so I may well be in touch for technical data. Let me get back to my desk as I am still operationally deployed and we are a little understrength as Covid takes hold over here.

Again thanks and take care I will be in touch.

Paddy

Sent from my iPhone

On 10/03/2022, at 10:03 AM, Section 9(2)(a) Official Information Act 1982 wrote:

Hi Paddy,

Circling back here. Any additional support needed from us here at the moment?

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Sent: Wednesday, March 2, 2022 5:19 PM

To: Section 9(2)(a) Official Information Act 1982

Subject: Re: [EXTERNAL] Re: Air Freight

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

s9(2)(a)

Thanks for the update, much appreciated.

Sent from my iPhone

On 3/03/2022, at 12:01 PM, Section 9(2)(a) Official Information Act 1982 wrote:

Paddy,

A quick update from the factory and our shipping department: "I just got the confirmation from Section forwarder that the shipment arrived to their warehouse. They will work on getting it tendered to the airline."

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Sunday, February 27, 2022 4:56 PM
To: Section 9(2)(a) Official Information Act 1982
Subject: RE: [EXTERNAL] Re: Air Freight

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s9(2)(a)

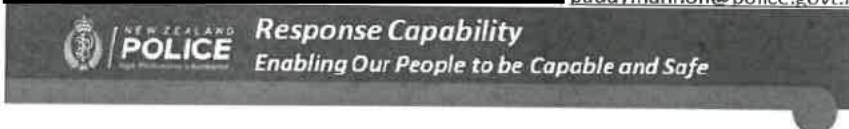
Thought I would update you, the bad news being apparently the freight was held up by security stateside and missed the flight.
Next available flight is a week away so it will not be in New Zealand until the 5th of March. 😞
Thanks for all you help to date.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHO | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



From: Section 9(2)(a) Official Information Act 1982
Sent: Monday, 28 February 2022 1:54 AM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Subject: RE: [EXTERNAL] Re: Air Freight

Paddy,

Sure thing. Operating pressure as follows on those items (specs attached):

MK-60 – 225 PSI (see attached please)
MK-9 – 140 PSI (see attached please)
MK-3 - 140 PSI (See attached please)

Minimum deployment distances as well:

MK-60 – 4 meters (12 ft)
MK-9 – 2 meters (6 ft)
MK-3 – 1 meter (3 ft)

Any additional questions or support you need at the moment?

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Friday, February 25, 2022 7:21 PM
To: Section 9(2)(a) Official Information Act 1982
Subject: RE: [EXTERNAL] Re: Air Freight

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Section 9(2)
(a) Official

I can not express my gratitude enough to you, your company and your employees who have been exceptional in providing assistance to the NZ Police achieve this requirement so diligently and quickly.
Yes here is hoping the transit plan goes without a hitch.
I have some small knowledge gaps around the newer products in particular are you able to advise the discharge pressure for

- Mk 60
- Mk 9
- Mk 3

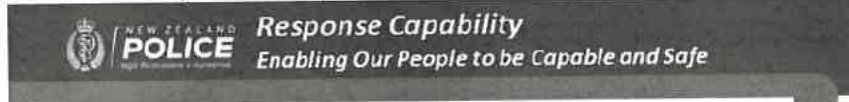
Do you have any recommendations on minimum distance for application for reasons of safety.

Regards

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



From: Section 9(2)(a) Official Information Act 1982

Sent: Saturday, 26 February 2022 6:49 AM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Subject: RE: [EXTERNAL] Re: Air Freight

Paddy,

An update here sir. The order is shipping to the forwarder today. Fingers crossed things run smoothly with the airline.

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982



From

Section 9(2)(a) Official Information Act 1982

Sent: Tuesday, February 22, 2022 2:55 PM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Subject: RE: [EXTERNAL] Re: Air Freight

Thanks Paddy. Happy to help.

The factory did tel **s9(2)(a)** this am that the order may not be completed until later this week/possibly early next week but we were able to get some other orders adjusted to bump this up.

I will have another update tomorrow for you.

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Sent: Tuesday, February 22, 2022 2:36 PM

To: **Section 9(2)(a) Official Information Act 1982**

Subject: FW: [EXTERNAL] Re: Air Freight

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s9(2)(a)

in response to your last update I am forwarding what I got from the supplier this morning after moving the planet to get an order through to secure an early flight for

s9(2)(b)(ii)

I will go back to the supplier and my question is what can we get on that flight. I appreciate the issues you are confronting and am grateful for anything you can do. Conversations to date with the supplier have left our executive in the belief that we can get this capability in time for it to be an operational consideration.

Kind Regards

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



From: Section 9(2)(a) Official Information Act 1982

Sent: Wednesday, 23 February 2022 6:43 AM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Subject: [EXTERNAL] Re: Air Freight

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Morning Paddy - Sorry Sabre are not production ready until early next week, I'm picking those extra 500 cans slowed it down... so it will fly sometime after the 1st March, I'll see what Orbis can tell me about flight options.

Section 9(2)(a)
Official

I f t t A t On Tue, 22 Feb 2022 at 17:51, Section 9(2)(a) Official Information Act 1982

Section 9(2)(a) Official Information Act 1982 wrote:

Hi Paddy

yep it arrived ok... The shipment is all paid for and I'm just waiting on Sabre to confirm it will be ready to make the flight...

cheers

Section 9(2)(a)
Official

On Tue, 22 Feb 2022 at 17:26, HANNON, Patrick (Paddy)
<Patrick.Hannon@police.govt.nz> wrote:

s9(2)(a)

The airfreight has been approved as per your quote.

The order should have arrived with you or expect it shortly as I have had electronic confirmation. Please let me know early if there are any issues.

Again appreciate your assistance with this, here's hoping we can secure the priority freight as indicated.

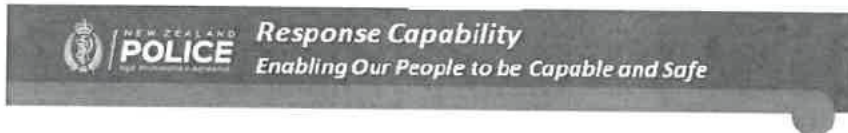
PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHO | P.O. Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



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HANNON, Patrick (Paddy)

From: HANNON, Patrick (Paddy)
Sent: Thursday, 3 March 2022 4:41 PM
To: ROSS, Jason
Subject: Re: OC Spray

Yeah nah, I have previously responded to Dave on a question surrounding Gel for the op. That answer included district information.

PH

Sent from my iPhone

On 3/03/2022, at 3:05 PM, ROSS, Jason <Jason.Ross@police.govt.nz> wrote:

Thanks, I see you have already replied to Dave and Tusha re...

Jas

From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Thursday, 3 March 2022 2:57 PM
To: ROSS, Jason <Jason.Ross@police.govt.nz>
Subject: RE: OC Spray

Jason

Section 6(a) Official Information Act 1982



PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHO | P.O. Box 3017 | Wellington | New Zealand

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paddy.hannon@police.govt.nz



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POLICE
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Enabling Our People to be Capable and Safe

[SEEMAIL]

From: ROSS, Jason <Jason.Ross@police.govt.nz>
Sent: Thursday, 3 March 2022 2:50 PM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Subject: FW: OC Spray

Paddy....Can you please provide an update to me re the quantity, type and status of our current OC spray stocks, our orders coming by both air and sea freight and when they are expected to arrive.

Today if possible....

Thanks
Jason

From: PENNY, Tusha <Tusha.Penny@police.govt.nz>
Sent: Thursday, 3 March 2022 1:41 PM
To: ROSS, Jason <Jason.Ross@police.govt.nz>
Cc: GREIG, David (Dave) <David.Greig@police.govt.nz>
Subject: OC Spray

Hi Jase – can you please provide me with an update re the OC Spray. I was advised by Kelly in the handover **Section 6(a) Official Information Act 1982** But that more was on order and being air freighted?? Are we ok?? Have we ordered sufficient volume?? Is there any other pieces of critical operation equipment that you are concerned about?? Sorry to email bomb you!!

Kind regards
Tusha

HANNON, Patrick (Paddy)

From: HANNON, Patrick (Paddy)
Sent: Sunday, 27 February 2022 2:45 PM
To: RYAN, Kelly
Subject: Re: OC Spray

Last I heard Saturday morning it was due to land Auckland tomorrow.
I am working with supplier to confirm as soon as we can, it is priority freight so fingers crossed it got loaded and has not been bumped during the journey.

Paddy
Sent from my iPhone

On 27/02/2022, at 1:43 PM, RYAN, Kelly <Kelly.Ryan@police.govt.nz> wrote:

I realise you're all caught up in convoy but do you know who I can ask about an ETA on that big OC spray order from Overseas

Nga mihi aroha

Kelly Ryan
Assistant Commissioner (acting) Frontline Capability | New Zealand Police

HANNON, Patrick (Paddy)

From: HANNON, Patrick (Paddy)
Sent: Monday, 28 February 2022 4:37 PM
To: MCDERMOTT, Rosemary (Rose)
Subject: Re: Gel OC Spray tasking

Rose

Thanks for the response, gel has both its advantages and disadvantages in the given situation, just interested as this forms part of my teams core business that our area has not been consulted.

Paddy

Sent from my iPhone

On 28/02/2022, at 4:10 PM, MCDERMOTT, Rosemary (Rose)
<Rosemary.McDermott@police.govt.nz> wrote:

Thanks for the clarity, Paddy:

Section 6(a) Official Information Act 1982

As to why I am wanting to know this, a recommendation has been that any OC spray carriage and use by staff involved in Operation Oversight should be in the gel form.

Your information has been passed to the National Controller who requested the RIOD tasking in the first place. Wellington District's Supt Scott Fraser and Insp Scott Cooper are aware of the recommendation regarding staff using gel-spray.

Regards,

Rose

Senior Sergeant Rose McDermott
Practice Manager, Police Prosecution Service
Police National Headquarters, 180 Molesworth Street, Thorndon, Wellington

P Section 9(2)(a) Official Information Act 1982
M
E rose.mcdermott@police.govt.nz

From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Monday, 28 February 2022 3:43 PM
To: MCDERMOTT, Rosemary (Rose) <Rosemary.McDermott@police.govt.nz>
Subject: RE: Gel OC Spray tasking

Rose

Section 6(a) Official Information Act 1982

Section 6(a) Official Information Act 1982

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a)

paddy.hannon@police.govt.nz



[SEEMAIL]

From: MCDERMOTT, Rosemary (Rose) <Rosemary.McDermott@police.govt.nz>
Sent: Monday, 28 February 2022 3:41 PM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Subject: Gel OC Spray tasking

Hi Paddy,

Thanks for completing the tasking re supplies of gel-OC spray.

Section 6(a) Official Information Act 1982

Thanks,

Rose

Section 6(a) Official Information Act 1982

Senior Sergeant Rose McDermott
Practice Manager, Police Prosecution Service
Police National Headquarters, 180 Molesworth Street, Thorndon, Wellington

Section 9(2)(a) Official Information Act 1982

P
M
E rose.mcdermott@police.govt.nz

HANNON, Patrick (Paddy)

From: MCDERMOTT, Rosemary (Rose)
Sent: Monday, 28 February 2022 3:41 PM
To: HANNON, Patrick (Paddy)
Subject: Gel OC Spray tasking

Hi Paddy,

Thanks for completing the tasking re supplies of gel-OC spray.

Section 6(a) Official Information Act 1982



Thanks,

Rose

Section 6(a) Official Information Act 1982



Senior Sergeant Rose McDermott

Practice Manager, Police Prosecution Service

Police National Headquarters, 180 Molesworth Street, Thorndon, Wellington

P Section 9(2)(a) Official Information Act 1982

M

E rose.mcdermott@police.govt.nz

HANNON, Patrick (Paddy)

From: GREIG, David (Dave)
Sent: Monday, 28 February 2022 2:10 PM
To: HANNON, Patrick (Paddy); Oversight2022; IMT Op Convoy
Cc: LENIHAN, Braydon
Subject: RE: OC Spray holdings

IMT Op Convoy

Section 6(a) Official Information Act 1982

Direction please.

Kind regards
Dave

Dave Greig
Superintendent
Director: Capability
Commander: Major Operations Centre (Op Oversight)
Police National Headquarters

M **s9(2)(a)** | E david.greig@police.govt.nz
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From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Monday, 28 February 2022 11:52 AM
To: Oversight2022 <Oversight2022@police.govt.nz>
Cc: GREIG, David (Dave) <David.Greig@police.govt.nz>
Subject: OC Spray holdings

Dave

Reference the request for OC spray Gel

Section 6(a) Official Information Act 1982

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Ph: **Section 9(2)(a) Official Information Act 1982** paddy.hannon@police.govt.nz



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[SEEMAIL]

HANNON, Patrick (Paddy)

From: GREIG, David (Dave)
Sent: Sunday, 27 February 2022 3:52 PM
To: HANNON, Patrick (Paddy)
Cc: Oversight2022
Subject: FW: Checking supplies of Gel-form OC Spray

Paddy

Can you please provide a status update by midday tomorrow.

Gina, tasking please.

Thanks
Dave

Dave Greig
Superintendent
Director: Capability
Commander: Major Operations Centre (Op Oversight)
Police National Headquarters

Section 9(2)(a)  E david.greig@police.govt.nz
NEW ZEALAND

Safer Communities Together



NZ Police on Facebook



Follow @NZPolice



NZ Police on YouTube

From: MCDERMOTT, Rosemary (Rose) <Rosemary.McDermott@police.govt.nz>
Sent: Sunday, 27 February 2022 1:13 PM
To: GREIG, David (Dave) <David.Greig@police.govt.nz>
Subject: Checking supplies of Gel-form OC Spray

Hi Dave,

Task T0012762 has been entered for you to re-assign:

Check supplies of Gel-form OC Spray - T0012762

For Capability to assess supplies of Gel-form OC spray and ensure sufficient supplies for this week's activities ie so OC spray carriage and use can be in the gel form. Report findings back to MOC.

Rose

Senior Sergeant Rose McDermott
Practice Manager, Police Prosecution Service
Police National Headquarters, 180 Molesworth Street, Thorndon, Wellington

Section 9(2)(a) Official Information Act
1982

E rose.mcdermott@police.govt.nz

HANNON, Patrick (Paddy)

From: Section 9(2)(a) Official Information Act 1982
Sent: Wednesday, 23 February 2022 10:19 AM
To: HANNON, Patrick (Paddy)
Subject: Re: [EXTERNAL] Fwd: SABRE Update

Sure is --they want your phone number and contact for the Air Freight which is new? i'm providing it now
s9(2)(a)

On Wed, 23 Feb 2022 at 10:16, HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz> wrote:
Great news, here's hoping the weather gods play along with plan.

Sent from my iPhone

On 23/02/2022, at 10:11 AM, Section 9(2)(a) Official Information Act 1982 wrote:

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----- Forwarded message -----

From: Section 9(2)(a) Official Information Act 1982
Date: Wed, 23 Feb 2022 at 09:57
Subject: SABRE Update
Section 9(2)(a) Official Information Act 1982

s9(2)(a)

A quick update. Production is expecting to complete this order by end of day tomorrow. The boxes are to be marked for international transit on Thursday (We are expecting winter weather (ice) on Thursday though so this might not happen until Friday).

That said, the order should ship either Friday or Monday (it really depends on if the weather cooperates with us).

I will keep you posted though as I know more.

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982

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An ISO 9001:2015 Certified Company
221 North LaSalle Street, Chicago, IL 60601 U.S.A.
Section 9(2)(a) Official Information Act 1982

www.SabreRed.com



=====

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HANNON, Patrick (Paddy)

From: Section 9(2)(a) Official Information Act 1982
Sent: Wednesday, 23 February 2022 9:17 AM
To: HANNON, Patrick (Paddy)
Subject: RE: [EXTERNAL] SABRE - Follow Up & Thank You

Paddy,

A quick update sir. Production is expecting to complete this order by end of day tomorrow. The boxes are to be marked for international transit on Thursday (We are expecting winter weather (ice) on Thursday though so this might not happen until Friday).

That said, the order should ship either Friday or Monday (it really depends on if the weather cooperates with us).

I will keep you posted though as I know more.

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Monday, February 21, 2022 4:37 PM
To: Section 9(2)(a) Official Information Act 1982
Subject: RE: [EXTERNAL] SABRE - Follow Up & Thank You

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s9(2)(a)

Thanks for taking the time out of your day to talk last week, most appreciated.

I also am grateful for your oversight of the production of our order.

I am working with the supplier to try and get firm commitment on airlift capability, as discussed in confidence with you last week I had concerns about the impact about the approach to this, more so as increasing staff numbers are committed to a building national operation, pressure is coming on to sustain our operational capability within what is currently a limited resource.

Regards

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982

paddy.hannon@police.govt.nz



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From: Section 9(2)(a) Official Information Act 1982

Sent: Saturday, 19 February 2022 10:37 AM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Subject: [EXTERNAL] SABRE - Follow Up & Thank You

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Paddy,

Thank you for taking my call a minute ago. Much appreciated. It was nice to chat with you.

Per our conversation, we have your order and are working to have it produced by end of next week. It should actually ship by early the following week at the latest.

Also, if you do come to the states in May, please let me know. We would be happy to host you and could even arrange a training.

If you have any questions or need any additional support in the meantime as well, please feel free to phone s9(2)(a) or email anytime.

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982

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SABRE





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HANNON, Patrick (Paddy)

From: SRM Workflow System <sharedservice.team@police.govt.nz>
Sent: Tuesday, 22 February 2022 5:04 PM
To: HANNON, Patrick (Paddy)
Subject: PRD Purchase order 9001453076 was Approved

This e-mail was generated automatically.
Please do not reply.

Purchase order no. 9001453076 was Approved From Kelly Ryan.

PO Description : PH7178 P Hannon freight
QID : Patrick Hannon
Requester **Section 9(2)(a) Official Information Act 1982**
Shopping Cart : 1002105227
Shopping Cart name : PH7178 P Hannon freight
Section 9(2)(b)(ii) Official Information Act 1982

Purchase Order Approval Notes:
freight for OC Spray
(JMB486 22.02.2022 13:37:13 NZST)

Purchase Order Lines:
Line Number : 0000000001
Description : Air freight of OC Spray as per quote
Quantity : 1.000 EA
Delivery Date : 22.02.2022

HANNON, Patrick (Paddy)

From: [REDACTED]
Sent: Saturday, 19 February 2022 8:04 AM
To: HANNON, Patrick (Paddy)
Subject: RE: Mk60 and Refills

Yes, that works.

Thanks.

[REDACTED]

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747 Sun Park Drive, Fenton, MO 63026 U.S.A.

[REDACTED]

www.SabreRed.com



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Friday, February 18, 2022 1:02 PM
To: [REDACTED]
Subject: Re: Mk60 and Refills

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5pm CST if that's ok

Sent from my iPhone

On 19/02/2022, at 4:22 AM, [REDACTED] wrote:

Hello Paddy,

I am available at 1:00 CST or 5:00 CST. Please let me know which time works best for you.

Thanks.

[REDACTED]

s9(2)(a)

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From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Sent: Friday, February 18, 2022 12:57 AM

To: Section 9(2)(a) Official Information Act 1982

Subject: Re: Mk60 and Refills

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s9(2)(a)

I would like the opportunity to talk directly with you confidentially. If you are able could you please advise, availability given the time differences most likely 2 to 3 pm your time.
I look forward to your response.

Paddy

Sent from my iPhone

On 16/02/2022, at 9:33 AM, Section 9(2)(a) Official Information Act 1982 wrote:

Hello Paddy,

I CC'd s9(2)(a) on this email so he can get you a quote.

We could turn this around in a few days, but the freight might be an issue. I would recommend air, but that cost is extremely high right now. Ocean will take more than a month to get to you.

Please let me know what you need and we will get it shipped out right away.

Thanks.

s9(2)(a)

s9(2)(a)

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From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Sent: Tuesday, February 15, 2022 2:24 PM

To: Section 9(2)(a) Official Information Act 1982

Subject: Mk60 and Refills

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Section 9(2)

I sincerely hope the new year finds you healthy and well.

I have been asked to investigate the possibility of sourcing Mk60 units and refills at short notice.

If required would you be able to supply an initial 10 live units and 60 refills. If so how quickly do you think you could move them internationally.

Just so you are aware of the reasoning, we are currently dealing with an evolving protest activity at our parliament buildings and our executive are seeking advice on the availability of such resource.

Look forward to your response.

Paddy

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHO | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982

paddy.hannon@police.govt.nz



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HANNON, Patrick (Paddy)

From: SRM Workflow System <sharedservice.team@police.govt.nz>
Sent: Friday, 18 February 2022 1:02 PM
To: HANNON, Patrick (Paddy)
Subject: PRD Purchase order 9001452227 was Approved

This e-mail was generated automatically.
Please do not reply.

Purchase order no. 9001452227 was Approved From Tusha Penny.

PO Description : PH7178 OC spray & holsters

QID : Patrick Hannon

Requester Section 9(2)(a) Official Information Act 1982

Shopping Cart : 1002103942

Shopping Cart name : PH7178 OC spray & holsters

Section 9(2)(b)(ii) Official Information Act 1982



Purchase Order Approval Notes:

Section 9(2)(b)(ii) Official Information Act 1982



HANNON, Patrick (Paddy)

From: Section 9(2)(a) Official Information Act 1982
Sent: Friday, 18 February 2022 2:11 PM
To: HANNON, Patrick (Paddy)
Subject: Re: [EXTERNAL] NZP Police Spray

100% I agree. Thank you for that.

I just let the Logistics coordinator (Air Freight) know as well we are going ahead we need those charges.

Let's see as soon as Sabre finish the production like they said +- 1week and 2x days labeling.

Then we target the first available DG flight into NZ. Theres one every week out of USA to NZ.

Thank you very much.

Section
9(2)

On Fri, 18 Feb 2022 at 13:59, HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz> wrote:

Section 9(2)(a)
Official Information
Act 1982

You are 100% correct, once you have that let us know and we will raise a separate purchase order.

We still need to understand what is available in terms of freight and delays so we make the right selection and decision.

You can contact at anytime on my cell.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHO | P.O. Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



From: Section 9(2)(a) Official Information Act 1982
Sent: Friday, 18 February 2022 1:37 PM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Subject: Re: [EXTERNAL] NZP Police Spray

Hi Paddy.

Got the order will send it through now to Sabre.

I'm still waiting for the final air freight charges but it will be in the ballpark we discussed and I emailed.

Do you want to do another purchase order for the freight by itself when we receive the charges?

Thank you.

s9(2)(a)

On Fri, 18 Feb 2022 at 09:23, Section 9(2)(a) Official Information Act 1982 wrote:

100% I wait for your final instructions.

s9(2)(a)

On Fri, 18 Feb 2022 at 09:16, HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz> wrote:

s9(2)(a)

Thanks for the update and keep me informed of the response.

I am chasing the required approvals for the order, to be safe do not push the go button until the order has been approved and delivered.

PH

Paddy Hannon
Senior Sergeant | Coordinator Deployable Assets | New Zealand Police



From: Section 9(2)(a) Official Information Act 1982
Sent: Friday, 18 February 2022 8:38 AM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Subject: Re: [EXTERNAL] NZP Police Spray

Good morning.

Requested the add of the s9(2)(b)(ii)

Just waiting for the reply and ill hit the go button.

Thank you very much.
Secti

On Thu, 17 Feb 2022 at 14:43, Section 9(2)(a) Official Information Act 1982 wrote:

Hi Paddy.

Hope all is well.

Section 9(2)(b)(ii) Official Information Act 1982

Thank you very much.
s9(2)(a)

On Thu, 17 Feb 2022 at 14:32, HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz> wrote:

s9(2)(a)

Direct to us.

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



From Section 9(2)(a) Official Information Act 1982

Sent: Thursday, 17 February 2022 2:02 PM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Subject: Re: [EXTERNAL] NZP Police Spray

Hi Paddy

s9(2)(a) here... is this not going via s9(2)(b)(ii) We have a set price for them..

Cheers

s9(2)(a)

On Thu, 17 Feb 2022, 1:54 pm HANNON, Patrick (Paddy), <Patrick.Hannon@police.govt.nz> wrote:

s9(2)(a)

Can you get back to me with a price for s9(2)(b)(ii) on the same load as well.

I will get the paperwork underway.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHO LP O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz

From **Section 9(2)(a) Official Information Act 1982**

Sent: Thursday, 17 February 2022 10:40 AM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>; LENIHAN, Braydon
<Braydon.Lenihan@police.govt.nz>

Subject: [EXTERNAL] NZP Police Spray

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Hi there Paddy.

Hope all is well.

Section 9(2)(b)(ii) Official Information Act 1982

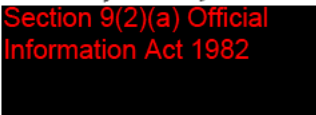


Section 9(2)(b)(ii) Official Information Act 1982



Thank you very much.

Section 9(2)(a) Official
Information Act 1982



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HANNON, Patrick (Paddy)

From: HANNON, Patrick (Paddy)
Sent: Thursday, 17 February 2022 2:50 PM
To: MULLIGAN, Jacqueline (Jackie)
Subject: FW: [EXTERNAL] NZP Police Spray

Jackie

The final line item.

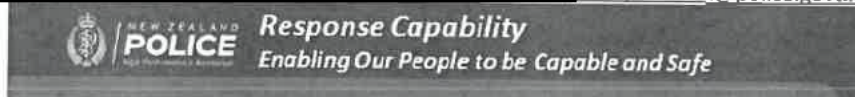
PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHQ | P.O. Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



[SEEMAIL]

From: Section 9(2)(a) Official Information Act 1982
Sent: Thursday, 17 February 2022 2:44 PM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Subject: Re: [EXTERNAL] NZP Police Spray

Hi Paddy.

Hope all is well.

Section 9(2)(b)(ii) Official Information Act 1982

Thank you very much.

s9(2)(a)

On Thu, 17 Feb 2022 at 14:32, HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz> wrote:

s9(2)(a)

Direct to us.

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHQ | P.O. Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



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From: [REDACTED]
Sent: Thursday, 17 February 2022 2:02 PM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Subject: Re: [EXTERNAL] NZP Police Spray

Hi Paddy

[REDACTED] here... is this not going via s9(2)(b)(ii) [REDACTED] We have a set price for them..

Cheers

[REDACTED]

On Thu, 17 Feb 2022, 1:54 pm HANNON, Patrick (Paddy), <Patrick.Hannon@police.govt.nz> wrote:

[REDACTED]

Can you get back to me with a price for s9(2)(b)(ii) [REDACTED] on the same load as well.

I will get the paperwork underway.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 [REDACTED] paddy.hannon@police.govt.nz

From: **Section 9(2)(a) Official Information Act 1982**

Sent: Thursday, 17 February 2022 10:40 AM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>; LENIHAN, Braydon
<Braydon.Lenihan@police.govt.nz>

Subject: [EXTERNAL] NZP Police Spray

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Hi there Paddy.

Hope all is well.

Section 9(2)(b)(ii) Official Information Act 1982



Thank you very much.

s9(2)(a)

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HANNON, Patrick (Paddy)

From: HANNON, Patrick (Paddy)
Sent: Thursday, 17 February 2022 2:35 PM
To: MULLIGAN, Jacqueline (Jackie)
Subject: FW: [EXTERNAL] NZP Police Spray

Jackie

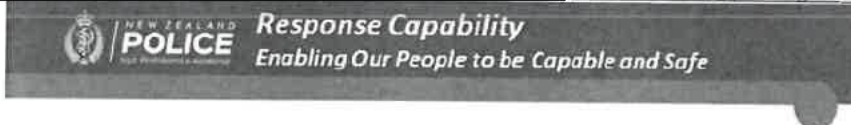
Can you please raise an order for the below items against **Section 9(2)(a) Official Information**
I understand they are in the system.
I have one further line I am awaiting a price for 500 cans Mk3 stream and I will pass that to you as soon as I have it.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



[SEEMAIL]

From: **Section 9(2)(a) Official Information Act 1982**
Sent: Thursday, 17 February 2022 10:40 AM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>; LENIHAN, Braydon
<Braydon.Lenihan@police.govt.nz>
Subject: [EXTERNAL] NZP Police Spray

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Hi there Paddy.

Hope all is well.

Section 9(2)(b)(ii) Official Information Act 1982



Section 9(2)(b)(ii) Official Information Act 1982

Thank you very much.

s9(2)(a)

Section 9(2)(b)(ii) Official Information Act
1982

Shopping cart

Number : 1002103891

Name : Section 6(a) Official Information Act 1982

Date : 17.02.2022

Goods recipient:

PNHQ

Police National Headquarters

Mr. Craig Schomaker

180 MOLESWORTH STREET

WELLINGTON

Delivery point:

POLICE NATIONAL HEADQUARTERS

New Zealand Police

Craig Schomaker

PO Box 6011

WELLINGTON 6011

Section 9(2)(b)(ii) Official Information Act 1982

Shopping cart

Number : 1002103891

Name : Section 9(2)(a) Official Information Act 1982

Date : 17.02.2022

Location

Police National Headquarters
PO Box 3017
WELLINGTON
NEW ZEALAND

Requester:

PNHQ
Police National Headquarters
Mr. Craig Schomaker
180 MOLESWORTH STREET
WELLINGTON
NEW ZEALAND

for item 2

Account assignment**Percent**

100.00

Assigned to**G/L account****Business area****Location**

Police National Headquarters
PO Box 3017
WELLINGTON
NEW ZEALAND

Requester:

PNHQ
Police National Headquarters
Mr. Craig Schomaker
180 MOLESWORTH STREET
WELLINGTON
NEW ZEALAND

HANNON, Patrick (Paddy)

From: SCHOMAKER, Craig
Sent: Thursday, 17 February 2022 2:18 PM
To: HANNON, Patrick (Paddy)
Subject: OC Spray
Attachments: Shopping_Cart (3).pdf

Sergeant Craig Schomaker

Team Leader – Response Capability

Capability Group | New Zealand Police | PNHQ | PO Box 3017 | Wellington, NZ

Section 9(2)(a) Official Information Act 1982 email: craig.schomaker@police.govt.nz



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MOC REQUEST

Section 6(a) Official Information Act 1982

Date/Time: 16/2/22

Decision/ Request Title: Request for Supply of OC Spray

Background / Reasoning:	
Decision / Action Requested:	<p>Requestors Name: S/Sgt Richard PONTON Functional Lead Approver: Dion BENNETT Item/Service Required: OC Spray (foam / gel type) # of items required: As many as possible due to significant number of staff deployed. When required: ASAP Priority: High Is it essential?: Yes</p>
Key Considerations:	
MOC Comments:	
Officer making decision: Date / time: Decision: Signature:	

HANNON, Patrick (Paddy)

From: ROSS, Jason
Sent: Thursday, 17 February 2022 11:08 AM
To: HANNON, Patrick (Paddy)
Subject: FW: MOC REQUEST OC Spray
Attachments: MOC REQUEST OC Spray.docx

Importance: High

Hi Paddy....

Can we talk urgently about this please.

Regards
Jason

Inspector Jason Ross

Acting Director: Capability

New Zealand Police | DMUHQ | PO Box 3017 | Wellington, NZ

Section 6(2)(a) Official Information Act 1982 email: jason.ross@police.govt.nz

From: Oversight2022 <Oversight2022@police.govt.nz>
Sent: Thursday, 17 February 2022 11:03 AM
To: ROSS, Jason <Jason.Ross@police.govt.nz>
Subject: FW: MOC REQUEST OC Spray
Importance: High

Hi Jason,

As requested can we please look at sourcing Section 6(a) Official Information Act 1982 for Wellington District
To provide to the Out Of District staff for their time in Wellington.

POC – S/Sgt Richard Ponton at Wellington District

Thanks

Rupert Friend

Senior Sergeant

Logistics

s6(a)
s9(2)(a) Rupert.Friend@police.govt.nz



From: LogisticsConvoy <LogisticsConvoy@police.govt.nz>
Sent: Wednesday, 16 February 2022 5:09 PM
To: Oversight2022 <Oversight2022@police.govt.nz>
Subject: MOC REQUEST OC Spray
Importance: High

Requested to send through to MOC by Craig Rendel/Wade Jennings as required for all staff deployed to the operation.

HANNON, Patrick (Paddy)

From: HANNON, Patrick (Paddy)
Sent: Wednesday, 16 February 2022 5:44 PM
To: [REDACTED]
Subject: RE: Mk60 and Refills

Thank [REDACTED]
[REDACTED]

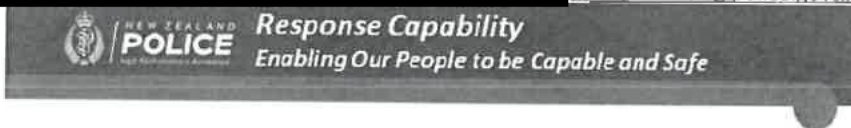
Much obliged.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHO | P.O. Box 3017 | Wellington | New Zealand

[REDACTED] paddy.hannon@police.govt.nz



From: [REDACTED]
Sent: Wednesday, 16 February 2022 5:42 PM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Cc: LENIHAN, Braydon <Braydon.Lenihan@police.govt.nz>
Subject: Re: Mk60 and Refills

Hi there Paddy.

I sent the questions through to the guys at Sabre. As well as Logistics companies re freight options.

[REDACTED]

We will have the answers soon enough to your questions.

Thank you very much.

[REDACTED]

On Wed, 16 Feb 2022 at 17:19, HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz> wrote:

Hey [REDACTED]

Thanks for sorting that you are correct.

A robust conversation with [REDACTED] and I value your assistance in helping us sort this.

Regards

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



From: Section 9(2)(a) Official Information Act 1982
Sent: Wednesday, 16 February 2022 5:08 PM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Subject: Re: Mk60 and Refills

Hi Paddy.

Re you and s9(2)(a) conversation. The correct code you are after from Sabre is the s9(2)(b)(ii)

It's the s9(2)(b)(ii)

Section 9(2)(b)(ii) Official Information Act 1982



Section 9(2)(b)(ii) Official Information Act 1982



Thank you very much.

s9(2)(a)

On Wed, 16 Feb 2022 at 14:44, HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz> wrote:

s9(2)(a)

Thanks for the update. I knew the boats had sailed but had no confirmation like you normally get that your items had been loaded.

That's the problem I have been having with other items the loads getting bumped.

Unfortunately today of all days I don't have my cell having left it behind this morning.

I am available on the **s9(2)(a)** until around 3-30 and should be back on cell by 5.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P.O. Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



From: **Section 9(2)(a) Official Information Act 1982**

Sent: Wednesday, 16 February 2022 2:38 PM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Subject: Re: Mk60 and Refills

Hi Paddy.

Hope all is well.

Yes, the Philadelphia and California ships have sailed that I can confirm. Both should be in the port later this month.

I gave **Section 9(2)(a)** your number **s9(2)(a)** he is trying to get hold of you on the cell.

Thank you very much.
s9(2)(a)

On Wed, 16 Feb 2022 at 13:32, HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz> wrote:

s9(2)(a)

I appreciate what you are saying, the request so we can inform the executive around options is

Section 9(2)(b)(ii) Official Information Act 1982

That way they can make a decision as to whether or not it is a realisable option.

As well as that supply a price for standard shipping at least I can pitch that as being an investment in the future so we have the capability on hand.

Finally have you had confirmation that either of the orders from Philadelphia or California have been uplifted and are on the boats. Indications I have been told is that the boats have sailed, just seeking confirmation that the orders were in fact loaded.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHO | P.O. Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



Response Capability
Enabling Our People to be Capable and Safe

From: Section 9(2)(a) Official Information Act 1982

Sent: Wednesday, 16 February 2022 1:22 PM

To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Subject: Re: Mk60 and Refills

Hi guys

I've just seen these emails..on half way to gisborne from Napier..

It's unlikely these could be supplied in a short time such as a week or so..

Cheers

Section
9(2)(a)

On Wed, 16 Feb 2022, 12:08 pm HANNON, Patrick (Paddy), <Patrick.Hannon@police.govt.nz> wrote:

Section 9(2)(a)
Official Information
Act 1982

Thanks for that, unfortunately Section 9(2) seems to be on the road at present and I am having difficulty contacting him.

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz

From Section 9(2)(a) Official Information Act 1982

Sent: Wednesday, 16 February 2022 11:56 AM

To: Section 9(2)(a) Official Information Act HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>; Section 9(2)(a) Official Information Act 1982

Subject: RE: Mk60 and Refills

Senior Sgt Hannon,

Looping in Section 9(2)(a) Official Information Act 1982 He will be able to get you a quote.

s9(2)(a) – Sgt needs pricing on the following:

Section 9(2)(b)(ii) Official Information Act 1982

Section 9(2)(b)(ii) Official Information Act 1982

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982

From: Section 9(2)(a) Official Information Act 1982
Sent: Tuesday, February 15, 2022 2:33 PM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Cc: Section 9(2)(a) Official Information Act 1982
Subject: RE: Mk60 and Refills

Hello Paddy,

I CC'd s9(2)(a) on this email so he can get you a quote.

We could turn this around in a few days, but the freight might be an issue. I would recommend air, but that cost is extremely high right now. Ocean will take more than a month to get to you.

Please let me know what you need and we will get it shipped out right away.

Thanks.

s9(2)(a)

SECURITY EQUIPMENT CORPORATION
An ISO 9001:2015 Certified Company
747 Sun Park Drive, Fenton, MO 63026 U.S.A

Section 9(2)(a) Official Information Act 1982

www.SabreRed.com

From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Tuesday, February 15, 2022 2:24 PM
To: [REDACTED] Section 9(2)(a) Official Information Act 1982
Subject: Mk60 and Refills

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

s9(2)(a)

I sincerely hope the new year finds you healthy and well.

I have been asked to investigate the possibility of sourcing Mk60 units and refills at short notice.

If required would you be able to supply [REDACTED] s9(2)(b)(ii) If so how quickly do you think you could move them internationally.

Just so you are aware of the reasoning, we are currently dealing with an evolving protest activity at our parliament buildings and our executive are seeking advice on the availability of such resource.

Look forward to your response.

Paddy

Paddy Hannon
Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

=====

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HANNON, Patrick (Paddy)

From: Section 9(2)(a) Official Information Act 1982
Sent: Wednesday, 16 February 2022 3:51 PM
To: HANNON, Patrick (Paddy) Section 9(2)(a) Official Information Act 1982
Cc: Section 9(2)(a) Official Information Act 1982
Subject: RE: Mk60 and Refills

Sgt,

I am in touch with Section 9(2)(a) Official Information Act 1982 More to follow sir.

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Tuesday, February 15, 2022 5:08 PM
Subject: RE: Mk60 and Refills

Section 9(2)(a) Official Information Act 1982

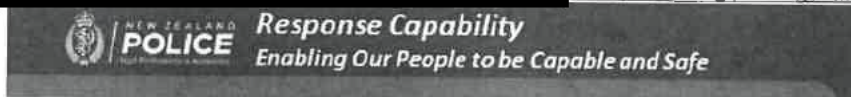
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

s9(2)(a)

Thanks for that, unfortunately s9(2) () seems to be on the road at present and I am having difficulty contacting him.

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHO | P.O. Box 3017 | Wellington | New Zealand
Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



From: Section 9(2)(a) Official Information Act 1982
Sent: Wednesday, 16 February 2022 11:56 AM

To: Section 9(2)(a) Official Information Act 1982 HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz> s9(2)
Section 9(2)(a) Official Information Act 1982

Subject: RE: Mk60 and Refills

Senior Sgt Hannon,

Looping in Section 9(2)(a) Official Information Act 1982 He will be able to get you a quote.

s9(2)(a) - Sgt needs pricing on the following:

Section 9(2)(b)(ii) Official Information Act 1982

Thanks,

[CLICK HERE](#) to learn SABRE's Biggest Advantage

Section 9(2)(a) Official Information Act 1982



From: Section 9(2)(a) Official Information Act 1982
Sent: Tuesday, February 15, 2022 2:33 PM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Cc: Section 9(2)(a) Official Information Act 1982
Subject: RE: Mk60 and Refills

Hello Paddy,

I CC'd s9(2)(a) on this email so he can get you a quote.

We could turn this around in a few days, but the freight might be an issue. I would recommend air, but that cost is extremely high right now. Ocean will take more than a month to get to you.

Please let me know what you need and we will get it shipped out right away.

Thanks.

Section 9(2)(a) Official Information Act 1982

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Section 9(2)(a) Official Information Act 1982

www.SabreRed.com



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Sent: Tuesday, February 15, 2022 2:24 PM

To: [REDACTED] **Section 9(2)(a) Official Information Act 1982**

Subject: Mk60 and Refills

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s9(2)(a)

I sincerely hope the new year finds you healthy and well.

I have been asked to investigate the possibility of sourcing Mk60 units and refills at short notice.

If required would you be able to supply [REDACTED] **Section 9(2)(b)(ii) Official Information Act 1982** If so how quickly do you think you could move them internationally.

Just so you are aware of the reasoning, we are currently dealing with an evolving protest activity at our parliament buildings and our executive are seeking advice on the availability of such resource.

Look forward to your response.

Paddy

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHO | P.O. Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 [REDACTED] paddy.hannon@police.govt.nz



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POLICE**
Te Kaitiaki Take Kōwhiri

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HANNON, Patrick (Paddy)

From: HANNON, Patrick (Paddy)
Sent: Wednesday, 16 February 2022 11:11 AM
To: s9(2)(a)
Subject: RE: Mk60 and Refills

Bob

Thanks for the reply and I look forward to the detail.

Air freight is the option we are considering.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHQ | P.O. Box 2017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



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[SEEMAIL]

From: Section 9(2)(a) Official Information Act 1982
Sent: Wednesday, 16 February 2022 9:33 AM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Cc: Section 9(2)(a) Official Information Act 1982
Subject: RE: Mk60 and Refills

Hello Paddy,

I CC'd s9(2)(a) on this email so he can get you a quote.

We could turn this around in a few days, but the freight might be an issue. I would recommend air, but that cost is extremely high right now. Ocean will take more than a month to get to you.

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Thanks.

s9(2)(a)

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747 Sun Park Drive, Fenton, MO 63026 U.S.A

Section 9(2)(a) Official Information Act 1982

www.SabreRed.com



From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>

Sent: Tuesday, February 15, 2022 2:24 PM

To: [REDACTED] Section 9(2)(a) Official Information Act 1982

Subject: Mk60 and Refills

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[REDACTED] s9(2)(a)

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I have been asked to investigate the possibility of sourcing Mk60 units and refills at short notice.

If required would you be able to supply [REDACTED] s9(2)(b)(ii) If so how quickly do you think you could move them internationally.

Just so you are aware of the reasoning, we are currently dealing with an evolving protest activity at our parliament buildings and our executive are seeking advice on the availability of such resource.

Look forward to your response.

Paddy

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

[REDACTED] Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



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HANNON, Patrick (Paddy)

From: HANNON, Patrick (Paddy)
Sent: Tuesday, 15 February 2022 2:51 PM
To: LENIHAN, Braydon
Subject: RE:

Braydon

Section 6(a) Official Information Act 1982



I will enquire with the supplier.

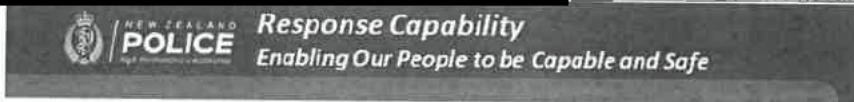
PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police

Response and Operations | PNHO | P.O. Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982
paddy.hannon@police.govt.nz



[SEEMAIL]

From: LENIHAN, Braydon <Braydon.Lenihan@police.govt.nz>
Sent: Tuesday, 15 February 2022 9:39 AM
To: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Subject: RE:

Morning

Yes Yes and Yes

Can I ask the following

How many units doe we have (including the one I now have)

How much operational spray

How many refill canisters do we have

What is the ability to order and time frame on delivery on each item if required (unit, spray, gas)

How much work did we do? Have we got any training/risk/instruction documentation on these and had we sought any legal or governance guidance

Thanks mate

Inspector Braydon Lenihan
Manager: Tactical Equipment



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From: HANNON, Patrick (Paddy) <Patrick.Hannon@police.govt.nz>
Sent: Monday, 14 February 2022 13:58
To: LENIHAN, Braydon <Braydon.Lenihan@police.govt.nz>
Subject:

Section 6(a) Official Information Act 1982

We have two of these units currently.

I have left one on your desk with an inert fill if you want to demonstrate.

If you have used a soda stream you can use one of these.

I will have to go to the armoury to check what operational spray I have.

Do you want me to check with the states on availability of product.

PH

Paddy Hannon

Senior Sergeant | Coordinator Deployable Assets | New Zealand Police
Response and Operations | PNHQ | P O Box 3017 | Wellington | New Zealand

Section 9(2)(a) Official Information Act 1982 paddy.hannon@police.govt.nz



[SEEMAIL]

4 July 2022

[REDACTED]

Tēnā koe [REDACTED]

Request for information

Thank you for your requests to the Department of Prime Minister and Cabinet and the Minister of Police, which were transferred to Police on 14 June 2022, in which you requested the following:

"Under the Official Information Act 1982 I have the following questions please:

1. It appears that Ms. Ardern met with the Police Commissioner and Police Minister more frequently than usual for the Government during the month of February 2022 according to Rt Hon Jacinda Ardern Ministerial Diary. I would like to request the minutes AND the recordings of the following videoconference meetings:

- 11/02/2022 12:45 - 13:15 MEET: Commissioner of Police and Hon Poto Williams Via videoconference Hon Poto Williams, Commissioner Andrew Coster, officials, and advisers*
- 13/02/2022 14:00 - 14:30 MEET: Commissioner of Police and Hon Poto Williams Via videoconference Hon Poto Williams, Commissioner Andrew Coster, officials, and advisers*
- 16/02/2022 17:30 - 18:00 MEET: Commissioner of Police and Hon Poto Williams Parliament Buildings Hon Poto Williams, Commissioner Andrew Coster, officials, and advisers*
- 17/02/2022 17:30 - 18:00 MEET: Commissioner of Police and Hon Poto Williams Via videoconference Hon Poto Williams, Commissioner Andrew Coster, officials, and advisers*
- 18/02/2022 16:00 - 16:30 MEET: Commissioner of Police and Hon Poto Williams Via videoconference Hon Poto Williams, Commissioner Andrew Coster, officials, and advisers*
- 21/02/2022 18:15 - 18:45 MEET: Commissioner of Police and Hon Poto Williams Via videoconference Hon Poto Williams, Commissioner Andrew Coster, officials, and advisers*
- 22/02/2022 17:45 - 18:15 MEET: Commissioner of Police and Hon Poto Williams Via videoconference Hon Poto Williams, Commissioner Andrew Coster, officials, and advisers*
- 24/02/2022 17:30 - 18:00 MEET: Commissioner of Police and Hon Poto Williams Via videoconference Hon Poto Williams, Commissioner Andrew Coster, officials, and advisers*
- 28/02/2022 17:30 - 18:00 MEET: Commissioner of Police and Hon Poto Williams Via videoconference Hon Poto Williams, Commissioner Andrew Coster, officials, and advisers*
- 2/03/2022 17:30 - 18:00 MEET: Police Briefing Via videoconference Andrew Coster, Commissioner of Police, advisers, and officials*

My second question is this:

Notwithstanding that the Commissioner is not responsible to, and must act independently of, any Minister of the Crown regarding the maintenance of order in relation to any individual or group of individuals, and the enforcement of the law in relation to any individual or group of individuals, can you please advise me whether the

Police National Headquarters

180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand

Telephone: 04 474 9499. www.police.govt.nz

Prime Minister or the Police Minister gave the Police Commissioner any ministerial directions in regards to the "Convoy 2022" anti-mandate protest action, and what these directions were?

My third question is this:

Can you also please advise me if the Prime Minister, Police Minister or Cabinet were made aware at any time during the day of 2 March 2022 that the Police had deployed the use of "sponge grenade" weapons on the body and heads of unarmed citizens on Wellington streets and what her/their response was?

My fourth question is this:

Was the Prime Minister, Police Minister or Cabinet aware of the type of injuries that can be caused by "sponge grenades" and had they received any information about this, prior to the deployment?

My fifth question is this:

Given that "sponge grenades" were added to the police arsenal as a 'less lethal option' for armed offender situations, does the Prime Minister, Police Minister or Cabinet now affirm that the NZ Police may now freely use "sponge grenades" on unarmed protestors as an appropriate response to clear streets and lawns in any future protest or occupation?"

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

As previously advised, 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 engagement at local and national government levels with those holding decision rights and responsibilities, including public and private sector actors whose actions materially influenced or impacted on Police decision making. It also includes Police command and control, decision-making processes, and operational execution (including tactics used and timeliness of tactics).

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.

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.

However, Police can advise that:

- the Commissioner of Police is not responsible, and must act independently of, Ministers regarding the maintenance of order and enforcement of the law, as set out in the Policing Act 2008.
- we did not record or take minutes of the regular briefing meetings held by the Minister of Police during the Protest.
- we did not brief the Prime Minister, Minister of Police, or Cabinet regarding the use of sponge rounds or the implications arising from their use prior to their deployment at the Protest.
- we have not received feedback from the Prime Minister, Minister of Police, or Cabinet regarding the use of sponge rounds in future.

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

Please note it is not correct to describe sponge rounds as a tactic only for use with armed offenders. The eXact iMpact 40mm sponge round was introduced as a less than lethal tactical option available to the Armed Offenders Squad and the Special Tactics Group in situations where it is too dangerous for Police to get close to a violent or assaultive individual using other tactical options. It provides a mid-range tactical option that is beyond the range of a TASER. The eXact iMpact 40mm sponge round is used in accordance with the Tactical Options Framework and its deployment must be reasonable, proportionate, and necessary in the circumstances. The Tactical Options Framework does not distinguish armed and unarmed subjects as both are capable of behaviour up to and including causing death or grievous bodily harm.

A copy of the Police Tactical Options Framework is attached for your information.

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.

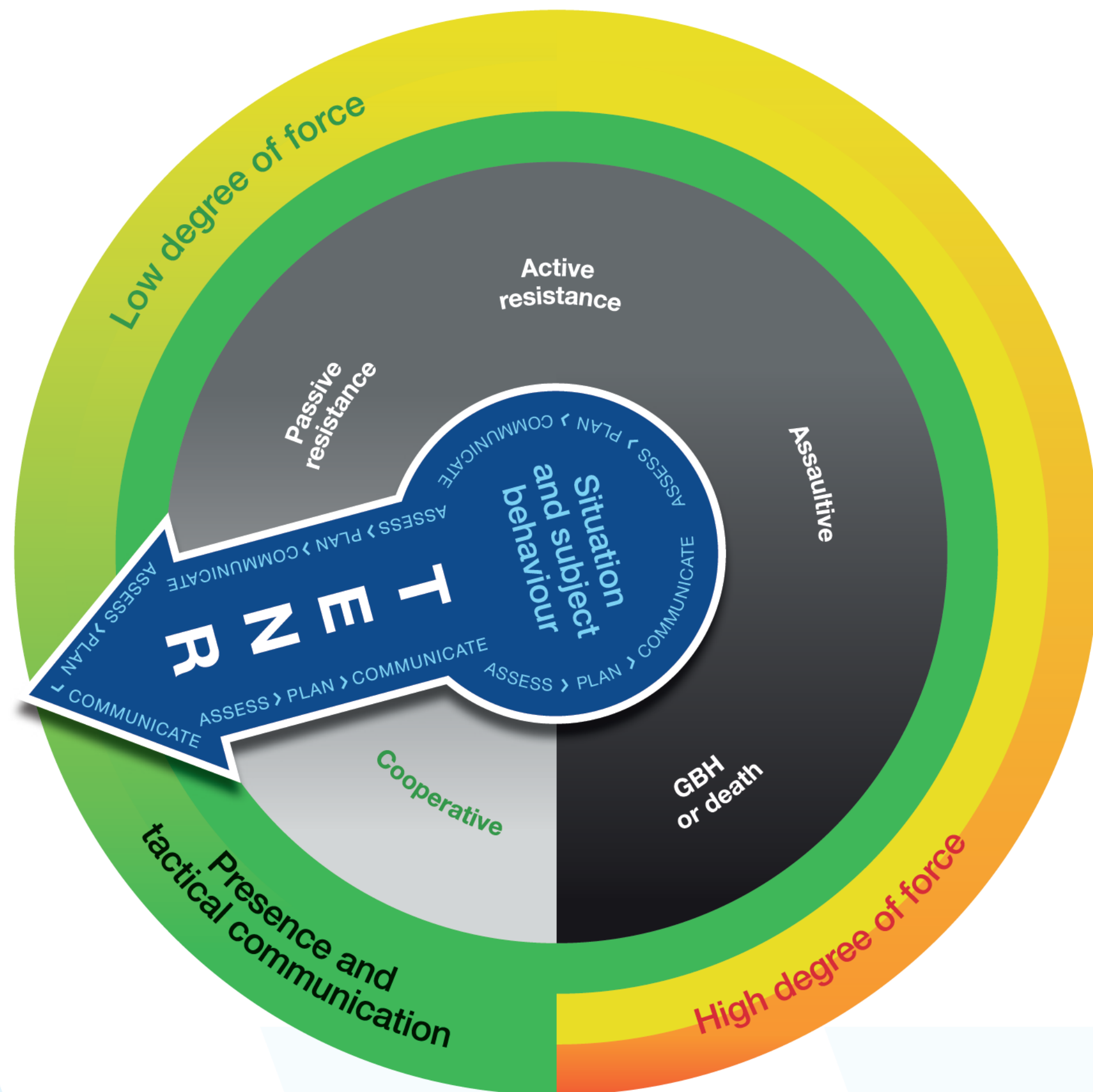
You have the right to ask the Ombudsman to review my decision if you are not satisfied with the response to your request. Information about how to make a complaint is available at: www.ombudsman.parliament.nz.

Nāku noa, nā



David Greig
Superintendent
New Zealand Police

Tactical Options Framework



- THREAT** The subjects intent, capability or opportunity along with the physical environment
- EXPOSURE** Awareness of safety, security or public trust and confidence issues
- NECESSITY** Assessment of the need to intervene (act) now, later, or not at all
- RESPONSE** Proportionate, timely, reasonable, and lawful Police actions using tactics and tactical options
- TENR** requires assessment and constant reassessment, planning and communication to be successful

Perceived cumulative assessment

- Your subjective assessment and continuous reassessment of an incident, using the TENR model, based on information known about the situation and the subject's behaviour. The PCA may escalate and/or de-escalate more than once during an incident.
- There are five categories in the PCA, which are represented in the TOF – cooperative, passive resistance, active resistance, assaultive, GBH or death.

Engage, disengage or delay?

- Your decision to escalate or de-escalate your response, and your choice of tactical option(s), must be continuously reassessed, using the TENR model, so you choose the most reasonable option, given all the circumstances known at the time.
- Effective communication between police is as critical as effective tactical communication with the subject(s). Constant assessment, planning and communication between police should occur throughout a use of force incident.

Presence and tactical communication

- Tactical communication is Police's preferred option for resolving incidents. Use tactical communication throughout an incident, alone or in conjunction with any other tactical option used.

Tactical options and degrees of force

- » officer presence and tactical communication
- » mechanical restraints eg handcuffing
- » empty hand techniques eg physical restraints and strikes
- » OC spray
- » baton – Taser – dogs – weapon(s) of opportunity
- » firearms and other force with serious implications

Prepare, show and use force

- "**Prepare**" force means carriage of a tactical option.
- "**Show**" force means presenting a tactical option at a subject.
- "**Use**" force means the application of force on a subject.

Reporting use of force

- The Use of Force chapter of the Police Manual outlines which "shows" and "uses" of force you are required to report. **Reporting force facilitates evidence-based decision-making to improve employee and public safety.**

The legal authority to use force is derived from the law, not the TOF. If you use force that is not authorised by law, or is excessive, the fact that you relied on the TOF will not justify or legitimise the use of that force.

Reasonable force includes force that is **necessary** and **proportionate**, given **all the circumstances known at the time**.