

IR-01-22-4812

28 March 2022

s.9(2)(a) OIA
s.9(2)(a) OIA

Tēnā koe s.9(2)(a) OIA

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 21 February 2022, in which you asked for information relating to the Wellington protests.

You requested the following:

Has police commissioner discussed using water cannon and baton charge against Wellington protesters in any internal meetings? If not why

No. Water cannons and baton charging are not tactical options that Police use.

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.

Yours sincerely



David Greig
Superintendent – Major Operations Centre
New Zealand Police

Police National Headquarters

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31 March 2022

s.9(2)(a) OIA
s.9(2)(a) OIA

Tēnā koe 

Request for information

Thank you for your Official Information Act 1982 request of 21 February 2022, in which you asked the following:

Have any communications disruption devices or strategies during in Wellington during the duration of the Convoy protest (February 8 onwards). In particular, devices or strategies that disrupt cell phone calls, messaging, and/or cell phone internet data.

If so,

- Who conducted this operation?*
- What devices or strategies have been used?*
- What devices and/or services were affected?*
- How many devices/users were affected?*
- When were they used and for what period?*
- What locations were targeted?*

I can confirm that no devices or strategies were employed to disrupt cell phones or other communication devices during the protest at Parliament between 8 February and 2 March 2022.

I trust you find this information helpful.

Nāku noa, nā



Scott Cooper
Inspector
New Zealand Police

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IR-01-22-4632

4 April 2022

s.9(2)(a) OIA
s.9(2)(a) OIA

Tēnā koe s.9(2)(a) OIA

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 18 February 2022, in which you asked for information relating to the Wellington protests.

You requested the following:

Please provide all relevant documents that were on the Commissioner's mind when he made the claim "negotiation and deescalation is the only safe option, and therefore most desirable, way to resolve the Wellington.

When Commissioner Coster said on 18 February 2022 that "negotiation and escalation is the only safe option" for resolution of the Parliament protest, he was giving his cumulative assessment of the circumstances as he understood them to be, based on numerous in-person briefings and conversations with Police staff and others with an understanding of the situation.

This assessment included an understanding of the nature of the crowd, observed protestor responses to Police tactics, the physical environment, and the options available to Police to resolve the occupation. The Commissioner addressed some of these factors in interviews provided to TVNZ's Q+A programmes, which aired on 20 February and 6 March 2022.

Across all its operations, Police uses two key tools for assessing risk and determining the most appropriate tactics – Operational threat assessment (TENR) and the Tactical Options Framework. Documents summarising these tools are attached.

The specific factors and wider circumstances that informed the Commissioner's assessment will be examined as part of the Independent Police Conduct Authority review of Police's management of the protest, which will be published upon its completion.

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Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Greig', with a large loop at the end.

David Greig
Superintendent – Capability
New Zealand Police

TENR-Operational threat assessment

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Overview

Executive summary

The Police threat assessment methodology (TENR) is a decision making process that supports the timely and accurate assessment of information directly relevant to the safety of 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. In addition, these criteria points apply:

- Police must apply TENR assessment methodology to all posing situations that involve risk and have the potential to cause harm.
- TENR assessments must be carried out in conjunction with the [Police Integrated Tactical Training \(PITT\)](#) and [Use of force](#) chapters of the Police Manual, the **Tactical Options Framework** (see PDF below), associated staff safety technical training regimes, the [Co-ordinated Incident Management System](#), [Civil Defence and Emergency Management](#) and other relevant Police Manual chapters and Standard Operating Procedures.
- TENR can be conducted intuitively, worked through in a Police notebook, or in detail as part of a planned operation, depending on the circumstances.



[Tactical options framework \(PDF\)](#)

147.26 KB

* A notebook card of the above (pdf) can be ordered via Lockheed Martin (710237 Lockheed PLC241 tac op-card)

Application and purpose

This chapter applies to a:

- constables
- authorised officers
- any other Police employees who from time to time may need to conduct a threat or risk assessment

and:

- details the policy behind TENR and how it must be used.

Definitions

Threat	'Threat' means any individual/s, or any act/s, or anything/s likely to cause harm or that have the potential to hinder Police in the performance of their duties.
Exposure	'Exposure' means the potential for harm (physical or otherwise) to people, or the security of places or things. Exposure can be mitigated through assessment and planning.
Necessity	'Necessity' is the assessment to determine if there is a need for the operation or intervention to proceed now, later or not at all.
Response	'Response' means the proportionate and timely execution of Police duties aided by the appropriate use of tactics and tactical options.
Risk	'Risk' means the effect of uncertainty on Police objectives combining the consequences of an event and the associated likelihood of that event occurring.
Suspect	'Suspect' means a person who poses a threat of harm to themselves, other members of the public or Police.

TENR - operational threat assessment

TENR elements

TENR is a tool that enables better decision-making where:

T - the **threat** is assessed

E - the **exposure** is managed

N - the **necessity** to intervene is considered

R - and any **response** is proportionate, and based on a considered risk assessment of threat, exposure and necessity.

Things to be aware of

When you apply TENR you must:

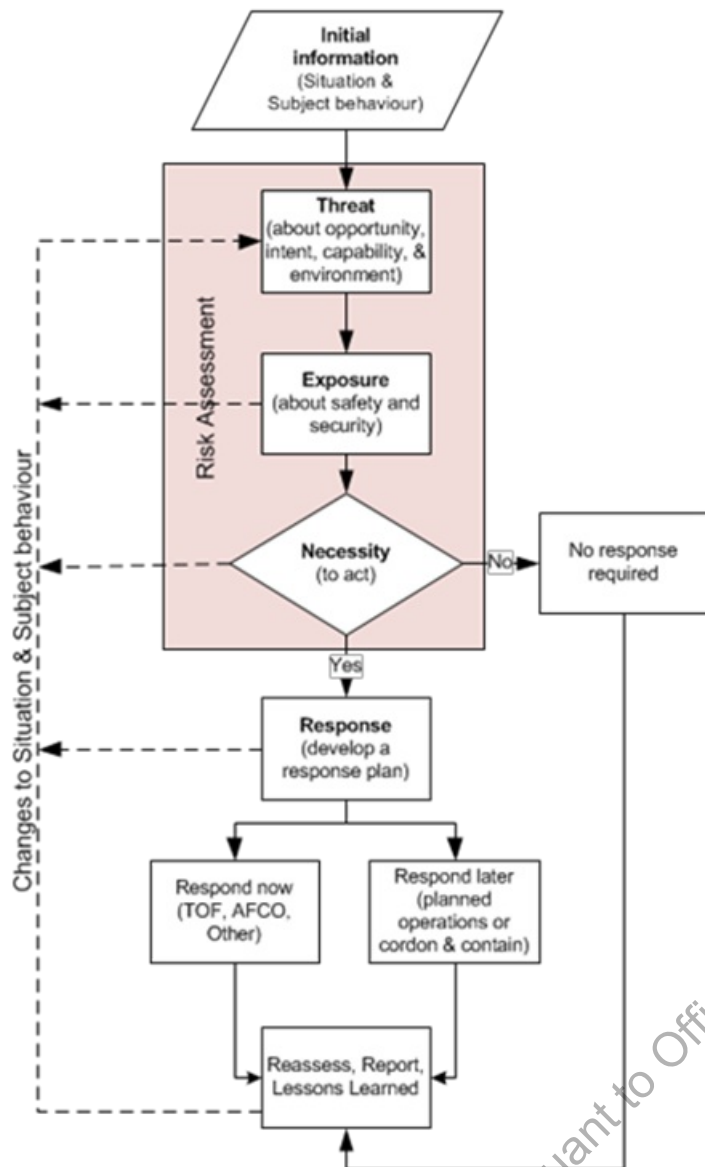
- comply with existing legislation and policy
- respond proportionately to any threat.

TENR is not an end in itself - where appropriate, it guides:

- effective training, specifically staff safety technical management
- robust systems
- operational preparedness
- accurate and timely intelligence
- effective communication
- quality supervision and leadership
- robust command and control framework
- the Tactical Options Framework.

TENR diagram

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Roles and responsibilities

Employee responsibilities

Employees must take a reasonable care for their own health and safety, and take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons. Each employee has a responsibility to identify, assess and control risks within the workplace and in the operational policing environment.

Employees are subject to the chain of command and have an overriding responsibility to act reasonably, act in compliance with this chapter, and act with legal justification during the execution of their duties.

Employees must ensure:

- their training certifications in a required competencies are current
- they carry their authorised equipment and appointments when they deploy on duty
- they are fit for duty
- they understand and comply with legislation, policy and procedures
- they follow lawful orders and instructions
- they report identified training, knowledge and experience gaps to their supervisor and seek guidance when necessary.

Any incident has the potential to develop and change quickly. It will not always be possible to have complete and accurate information about the incident at hand. In these instances, employees must be able to demonstrate they followed relevant Police operating procedures during the 'necessity' to act assessment.

Understanding the threat, exposure and necessity will guide planning leading to the 'response'. The response must be proportionate to the threat and the risk to Police and the public. In some instances - having taken account of the circumstances into account - it might be appropriate to delay an immediate response.

Employees should seek the advice and guidance of a supervisor or other more experienced officers where a developing situation requires their support.

All employees must understand and apply TENR within the operational policing environment.

Supervisor responsibilities

Supervisors must ensure:

- all employees understand and apply TENR within the operational policing environment
- before, during and after each phase of any operation or relevant incident, the situation is assessed and reassessed
- employees are adequately trained, certified and equipped and the equipment is current, in working order and is available to staff in accordance with policy, practice and procedures
- faults or gaps in training and experience are identified, reported and addressed and failure to meet training standards is performance managed in accordance with the performance improvement framework
- risky behaviours are identified and mitigated
- active leadership in risk situations
- appropriate [debriefs](#) are undertaken with employees; ensuring that lessons learned are recorded through the [Lessons Learnt](#) Intranet page, and information relating to new police operating procedures supported by technological developments are shared, (subject to the appropriate mandate from Police).

Police organisational responsibilities

Police has responsibilities to provide employees with:

- accurate policy and procedures,
- training,
- supervision and,
- suitable equipment

to most effect ve y manage the threats posed by the env ronment n wh ch they are operat ng.

Po ce must a so take reasonab e steps to:

- acqu re and keep up to date know edge of work hea th and safety matters
- ga n an understand ng of the nature of the hazards and r sks assoc ated w th operat ona po c ng
- use appropr ate resources and processes to e m nate or m n m se r sk to hea th and safety from operat ona po c ng
- ensure appropr ate processes for rece v ng and cons der ng nformat on regard ng hazards and r sks, and for respond ng n a t me y way to that nformat on.

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TENR assessment procedures

Assessing the threat

Threat is about how serious the situation is (or could be), and the present or potential danger the situation, environment, or suspect presents to themselves, other members of the public or Police. In relation to a suspected offence, it includes the suspect's intention to resist or avoid arrest. Police must assess the threat posed by the suspect/situation based on all available information including what they see and hear, and what is known about the suspect/situation.

In order to better understand the threat of a situation or suspect, the 'threat' element of TENR is broken down into the following four sub-sets:

- **Intent**
- **Capability**
- **Opportunity**
- **Physical environment.**

Follow these steps to assess the threat.

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Step	Assess
1 Intent	<p>In regards to a suspected offence, consider the situation and/or the suspect's key intent by asking yourself:</p> <ul style="list-style-type: none"> • What crime(s) has been committed/detected/suspected? • What current offending is being investigated? • Is this a continuing threat? • What is the key current state of mind (based on the reactions) and mental health of the suspect? • How committed is the suspect to achieve the criminal aim? • Is there propensity for violence / anti-social behaviour if confronted? • Is the suspect under the influence (or key to be under the influence) of any substances? • What is the history of criminal activities and associations? • What do Police know about the suspect?
2 Capability	<p>In regards to a suspected offence, consider if the suspect's physical capability of carrying out the threat by asking yourself:</p> <ul style="list-style-type: none"> • Is there a history of firearm (or other weapon) possession or use? • Does the suspect have knowledge of and access to counter-surveillance, computer or other electronics equipment? • Does the suspect own or have access to motor vehicles? • Has the suspect been imprisoned, involved in criminal activities and associations, or do they have knowledge of law enforcement process or procedures? • Was the suspect ever targeted by Police? • Does the suspect have known co-offenders, associates, gang affiliations/associations? Will they influence the suspect's behaviour? • Does the suspect have family, neighbours and others that can provide information or influence the suspect's behaviour? • What do Police know about the location?
3 Opportunity	<p>In regards to a suspected offence, consider what means or opportunity the suspect has to carry out any unlawful intent or threat by asking yourself:</p> <ul style="list-style-type: none"> • Does the suspect have the capability or means (e.g. firearm) with which to carry out the act? • Is the suspect anywhere near the intended victim? • Does the location support the suspect's intent?
4 Physical environment	<p>In regards to any situation, consider the physical environment Police are entering into and what risks are present within that environment. These may be risks associated with a suspect, other persons in the environment, physical terrain, weather and lighting conditions, fires, chemicals, gases or other environmental factors:</p> <ul style="list-style-type: none"> • Are there problems with the approach, exposure, or access to the location? • Does the terrain, vegetation, obstruction, or other issues create hazards? • If approaching a suspect's house, is the location fortified, secured by firearms, lights, other measures, guarded by dogs, or are there other hazards? • Has the location ever been used as a 'canal' or does it pose a biological/safety hazard? • How far away is additional support for the suspect? • Are other subjects involved, or key to become involved, and what are their capabilities?

Assessing the exposure

Exposure is about the potential harm to Police employees, Police operations, Police reputation and to others. In all instances, good assessment and planning can mitigate the degree of exposure.

To understand exposure better, consider exposure in the following subsets:

- **Safety**
- **Security.**

Follow these steps to assess the exposure.

Step	Assess
1 Safety	<p>Consider the type of injury or harm that could occur to Police employees or the public, including victims, family and passers-by. Ask yourself:</p> <ul style="list-style-type: none"> • How close are Police and others to the threat posed by the suspect or situation, and how well Police control that threat? For example, where a suspect's capability extends to the use of firearms, Police must consider how close to the source of that threat Police and others should be. • Is there potential for force to be used against an employee or the public? • Is there a likelihood of harm from any source during the intended deployment? • Do Police have the appropriate resources (staff, tactical options) available to manage the threat? How far away is additional support? • Am I currently training? Do I have the right skills for this situation? Do I have current and working equipment to protect me and others? • What are the likely outcomes of the proposed Police action?
2 Security	<p>Consider the security of the operation which, if not properly managed, could lead to failure. Ask yourself:</p> <ul style="list-style-type: none"> • Are your communications secured? • Is there potential to lose or damage Police equipment? • Can cordons be established and maintained to contain the subject(s)?

Assessing the necessity to act now, later or not at all

Any response to a situation must first take into account all available information and must be supported by a clear assessment of the known threat and exposure involved.

Follow this step to assess 'necessity' - whether to act now, later or not at all - so that you come to an informed decision of how critical it is to respond.

Step	Assess
1	<p>Every Police deployment must be timely and proportionate to the threat and the exposure. Ask yourself:</p> <ul style="list-style-type: none"> • Is it appropriate to delay the response? • Have you identified the suspect? • Do you have processes and controls available to de-escalate the threat to a manageable level? • Are you trained and skilled to meet the threat? • Do you have all the resources you need to respond safely and effectively now or, should I delay the response until the right resources are available? • Is there a clear chain of command? • What are the consequences to Police and/or public in delaying the response?

Important: Any option must reasonably endeavour to **maximise safety** and **minimise risk**.

Developing a response

Before you respond

Discuss your intended response with your supervisor where the necessity to respond permits.

Your response options

Consider the options available to you based on threat, exposure and necessity, and plan a response that is timely, proportionate and appropriate. Ask yourself:

- Should you delay action until other resources, skills or equipment are available? Remember that caution is not cowardice, and there may be good reasons to cordon and contain the subject while awaiting the arrival of specialists - e.g. AOS, PNT.
- Is a more detailed investigation into the threat environment required before you can act safely?
- Do you need to take prompt action to prevent further loss of life or injury? Remember that even in active situations you must first carefully assess the situation and make decisions, based on appropriate and approved risk assessment methods, and supported by your training and experience.

Note: Remember that in active response situations you must continuously reassess your response based on the situation as it unfolds, and the subject's behaviour.

Response methods

Any action you take in response to a suspect/situation related threat must be in accordance with the [Police Integrated Tactical Training \(PITT\)](#) and [Use of force](#) chapters of the Police Manual, the **Tactical Options Framework** (see PDF below), associated staff safety technical training regimes, the [Co-ordinated Incident Management System](#), [Civil Defence and Emergency Management](#) and other relevant Police Manual chapters and Standard Operating Procedures.



Tactical options framework (PDF)

147.26 KB

Recording and reporting

The recording and reporting is not part of the operational TENR threat assessment process, these are things you need to consider:

Notebook recording

You should make use of your notebook in unplanned incidents, fit meetings, to record your TENR threat assessment - see notebook guidelines in the ['Notebooks and Job Sheets'](#) chapter.

Reporting the use of force

Use of force must be reported in a Tactical Options Reporting (TOR) form, according to the reporting instructions in the ['Use of force'](#) chapter.

Debrief

You should conduct or be part of a formal or informal debrief - see ['Debriefs'](#) chapter.

Data updates and reports (lessons learnt)

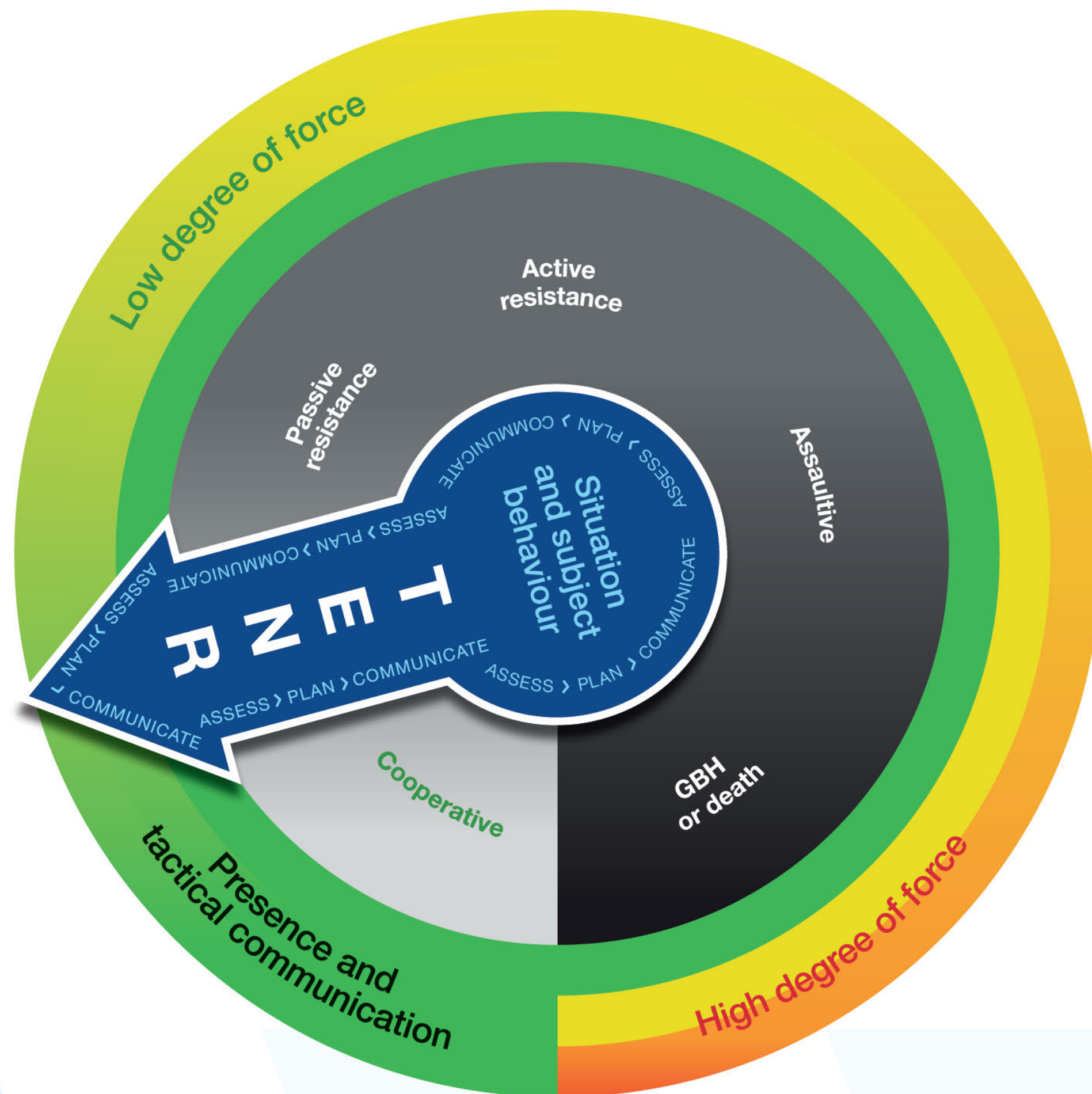
You should provide data updates or reports as required by the ['Debriefs'](#) chapter. Lessons learnt should be submitted via the [Lessons Learnt](#) Intranet site.

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Printed from : <https://tenone.polic.govt.nz/p/tenr-operational-threat-assessment>

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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**.

IR-01-22-7409

7 April 2022

s.9(2)(a) OIA
s.9(2)(a) OIA

Tēnā koe s.9(2)(a) OIA

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 15 March 2022, in which you asked for information relating to the Wellington protests.

You requested the following:

All Eagle helicopter footage from Wellington/of the convoy protest on March 3, from 6am to 9am, and from 3pm to 8pm that day.

Police is currently undertaking a criminal investigation into activity that occurred at the Wellington protest on 2 March 2022. The footage from Eagle has been taken as part of that active investigation.

Therefore, your request is refused under s6(c) of the OIA, as the making available of the information is likely to prejudice the maintenance of the law including the prevention, investigation and detection of offences and the right to a fair trial.

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.

Yours sincerely

David Greig
Superintendent – Major Operations Centre
New Zealand Police

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11 April 2022

IR-01-22-7819

s.9(2)(a) OIA
s.9(2)(a) OIA

Tēnā koe s.9(2)(a) OIA

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 18 March 2022, which was transferred from Fire and Emergency New Zealand (FENZ). You asked for information relating to the use of water cannons on protestors outside Parliament on Wednesday 2 March 2022.

On 21 March 2022 Ministerial Services emailed you to clarify what you meant by the term water cannons as water cannons are not a tactical option that Police use.

You clarified that you were referring to “any firefighting equipment or other equipment used to spray water at or near members of the public (including but not limited to those involved in the protest). This includes water cannons, fire hoses and any other similar equipment.”

My response to each of your questions can be found below and relate to the use of fire hoses by Police on 2 March 2022.

1. Is there a precedent for this?

I know of no other incidents where FENZ hoses were used by Police against people assaulting Police.

2. What safety concerns were considered with regards to the possibility of children or pregnant women being hit?

There were no reports of pregnant women or children throwing dangerous items at Police. At the time the hoses were being used they were controlled by Police.

3. What general safety issues were considered?

General safety concerns were for the prevention of other fires being started near the cenotaph, slippery ground and Police being grievously wounded by protestors hurling objects intended to maim.

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4. *What factors suggested that this was a reasonable course of action?*

Factors considered were the high degree of sustained violence being used against Police, the presence of Molotov cocktails and one protestor preparing to throw a Molotov cocktail.

5. *Was there any thought about the damage to the reputation of the fire service?*

FENZ was consulted prior to authorisation being granted.

I hope this information is of use to you.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Greig'.

David Greig
Superintendent – Capability
New Zealand Police
