

Incidents, Employees and Allegations

This table shows the **number of incidents** that have occurred in each District, the **number of involved employees** (that is have allegations made against them), the **number of allegations made** (against employees or the organisation) and the **types of allegation** that are being made.

Firstly there is a general summary showing the totals for each Police District. Also shown in this summary are the number of completed investigations and how many were concluded with **at least one of the allegations** in that incident being upheld (see page 13 for a definition of 'upheld').

This is followed by further tables with breakdowns by employee type and allegation type for each Police District.

It is to be noted that numbers of staff vary between districts and this will be reflected in the varying numbers of complaints in each district.

See page 10 for an explanation of the types of allegation.

Jan - Jun 2022						
Summary Totals						
Districts	Incidents Involved Allegations Completed upheld allegation					
Auckland City	185	220	242	126	10	
Bay Of Plenty	113	146	177	69	6	
Canterbury	195	218	245	109	9	
Central	140	180	217	86	16	
Counties/Manukau	167	217	260	118	12	
Eastern	72	93	107	43	6	
Northland	93	121	134	62	6	
Southern	117	133	146	69	2	
Tasman	58	70	87	38	6	
Waikato	162	201	228	112	13	
Waitematā	164	192	228	117	18	
Wellington	171	208	227	106	12	
Service Centres	151	196	190	68	17	
National	1,788	2,195	2,488	1,123	133	

Please note that in some cases (usually Service Centres where the staff are actually located in District) there may be less allegations made than the number of involved staff. This occurs when staff from one district are involved in an incident originating from or being investigated in another District.

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Districts	Involved Staff	Allegations Made	Type of Allegation/Conduct
Auckland City	113	125	Use of force on duty (38) Arrest/Custodial (4) Searches (1) Significant Event (3) Traffic Offences (4) Service Failure (45) Unprofessional Behaviour (17) Breach of Official Conduct (10) Use of Police Resources (1) Off Duty Conduct (2)
Bay Of Plenty	102	120	Use of force on duty (7) Arrest/Custodial (8) Searches (19) Significant Event (4) Traffic Offences (3) Service Failure (36) Unprofessional Behaviour (16) Breach of Official Conduct (22) Workplace Behaviour (1) Use of Police Resources (2) Off Duty Conduct (2)
Canterbury	120	136	Use of force on duty (21) Arrest/Custodial (5) Searches (11) Traffic Offences (2) Service Failure (35) Unprofessional Behaviour (34) Breach of Official Conduct (19) Workplace Behaviour (2) Use of Police Resources (2) Off Duty Conduct (5)
Central	129	155	Use of force on duty (25) Arrest/Custodial (11) Searches (14) Significant Event (1) Traffic Offences (2) Service Failure (53) Unprofessional Behaviour (16) Breach of Official Conduct (27) Workplace Behaviour (1) Use of Police Resources (3) Off Duty Conduct (2)

Districts	Involved Staff	Allegations Made	Type of Allegation/Conduct
Counties/Manukau	134	165	Use of force on duty (9) Arrest/Custodial (7) Searches (2) Significant Event (6) Traffic Offences (1) Service Failure (73) Unprofessional Behaviour (35) Breach of Official Conduct (16) Workplace Behaviour (1) Use of Police Resources (1) Off Duty Conduct (14)
Eastern	61	69	Use of force on duty (9) Arrest/Custodial (3) Searches (2) Significant Event (3) Service Failure (15) Unprofessional Behaviour (20) Breach of Official Conduct (8) Workplace Behaviour (3) Use of Police Resources (4) Off Duty Conduct (2)
Northland	91	104	Use of force on duty (5) Arrest/Custodial (4) Searches (12) Significant Event (1) Service Failure (39) Unprofessional Behaviour (21) Breach of Official Conduct (14) Workplace Behaviour (2) Use of Police Resources (1) Off Duty Conduct (5)
Southern	74	75	Use of force on duty (5) Searches (1) Significant Event (1) Traffic Offences (3) Service Failure (29) Unprofessional Behaviour (23) Breach of Official Conduct (9) Use of Police Resources (2) Off Duty Conduct (2)

Constabulary				
Districts	Involved Staff	Allegations Made	Type of Allegation/Conduct	
Tasman	46	60	Use of force on duty (14) Arrest/Custodial (6) Searches (3) Significant Event (5) Service Failure (10) Unprofessional Behaviour (10) Breach of Official Conduct (10) Off Duty Conduct (2)	
Waikato	117	131	Use of force on duty (15) Arrest/Custodial (8) Searches (7) Significant Event (1) Traffic Offences (1) Service Failure (50) Unprofessional Behaviour (30) Breach of Official Conduct (17) Use of Police Resources (1) Off Duty Conduct (1)	
Waitematā	126	147	Use of force on duty (25) Arrest/Custodial (9) Searches (5) Traffic Offences (3) Service Failure (46) Unprofessional Behaviour (36) Breach of Official Conduct (14) Workplace Behaviour (1) Use of Police Resources (4) Off Duty Conduct (4)	
Wellington	125	135	Use of force on duty (16) Arrest/Custodial (26) Searches (4) Significant Event (1) Traffic Offences (5) Service Failure (35) Unprofessional Behaviour (32) Breach of Official Conduct (14) Use of Police Resources (2)	

Jan - Jun 20

Districts	Involved Staff	Allegations Made	Type of Allegation/Conduct
Service Centres	67	58	Use of force on duty (2) Arrest/Custodial (3) Service Failure (11) Unprofessional Behaviour (14) Breach of Official Conduct (13) Workplace Behaviour (4) Use of Police Resources (1) Off Duty Conduct (10)
National	1,305	1,480	

Districts	Involved Staff	Allegations Made	Type of Allegation/Conduct
Auckland City	107	117	Use of force on duty (6) Arrest/Custodial (2) Searches (3) Significant Event (3) Traffic Offences (4) Service Failure (59) Unprofessional Behaviour (13) Breach of Official Conduct (8) Use of Police Resources (19)
Bay Of Plenty	44	57	Use of force on duty (6) Arrest/Custodial (6) Searches (2) Traffic Offences (1) Service Failure (32) Unprofessional Behaviour (6) Breach of Official Conduct (4)
Canterbury	98	109	Use of force on duty (10) Arrest/Custodial (8) Searches (2) Significant Event (1) Traffic Offences (1) Service Failure (57) Unprofessional Behaviour (19) Breach of Official Conduct (10) Use of Police Resources (1)
Central	51	62	Use of force on duty (7) Arrest/Custodial (5) Searches (2) Significant Event (3) Traffic Offences (1) Service Failure (29) Unprofessional Behaviour (8) Breach of Official Conduct (6) Use of Police Resources (1)

Districts	Involved Staff	Allegations Made	Type of Allegation/Conduct
Counties/Manukau	83	95	Use of force on duty (7) Arrest/Custodial (2) Searches (2) Significant Event (1) Traffic Offences (3) Service Failure (54) Unprofessional Behaviour (16) Breach of Official Conduct (7) Off Duty Conduct (3)
Eastern	32	38	Use of force on duty (6) Arrest/Custodial (3) Searches (2) Significant Event (1) Traffic Offences (1) Service Failure (9) Unprofessional Behaviour (11) Breach of Official Conduct (3) Off Duty Conduct (2)
Northland	30	30	Use of force on duty (3) Arrest/Custodial (1) Traffic Offences (1) Service Failure (17) Unprofessional Behaviour (5) Breach of Official Conduct (2) Use of Police Resources (1)
Southern	59	71	Use of force on duty (7) Arrest/Custodial (6) Searches (3) Significant Event (6) Traffic Offences (5) Service Failure (28) Unprofessional Behaviour (11) Breach of Official Conduct (5)

Districts	Involved Staff	Allegations Made	Type of Allegation/Conduct
Tasman	24	27	Use of force on duty (3) Arrest/Custodial (3) Searches (1) Traffic Offences (1) Service Failure (8) Unprofessional Behaviour (9) Breach of Official Conduct (2)
Waikato	84	97	Use of force on duty (7) Arrest/Custodial (8) Searches (4) Significant Event (1) Traffic Offences (1) Service Failure (55) Unprofessional Behaviour (18) Breach of Official Conduct (3)
Waitematā	66	81	Use of force on duty (10) Arrest/Custodial (10) Searches (1) Significant Event (2) Service Failure (41) Unprofessional Behaviour (4) Breach of Official Conduct (12) Use of Police Resources (1)
Wellington	83	92	Use of force on duty (8) Arrest/Custodial (14) Searches (2) Significant Event (2) Traffic Offences (2) Service Failure (44) Unprofessional Behaviour (10) Breach of Official Conduct (8) Use of Police Resources (1) Off Duty Conduct (1)

Districts	Involved Staff	Allegations Made	Type of Allegation/Conduct
Service Centres	129	132	Use of force on duty (6) Arrest/Custodial (5) Service Failure (74) Unprofessional Behaviour (24) Breach of Official Conduct (14) Workplace Behaviour (2) Use of Police Resources (3) Off Duty Conduct (4)
National	890	1,008	

Explanations of allegation types

Use of force on duty

Constabulary employees and Authorised Officers have the power to use reasonable force to overcome someone escaping or resisting Police or when there is a justifiable belief the offender's actions will harm any person, including themselves.

Police may use physical force only when the exercise of persuasion, advice and warning is insufficient to obtain cooperation. Police use a tactical options framework to determine what option is most appropriate to achieve their objective in resolving a situation. The safety of the involved person and other people and Police staff who are present must be considered as part of the decision.

These <u>allegations</u> are used when an employee has potentially exceeded the level of force necessary to achieve their objective.

Arrest/Custodial

Constabulary employees have the power to arrest and detain in custody. Use of these powers must be in accordance with legislation and considering a person's rights under the law.

Being arrested and placed in custody can be a stressful experience, and peoples' behaviour can become volatile and unpredictable. Alcohol or drugs can increase these risks.

Procedures have been developed to minimise the risks to everyone concerned, but sometimes errors of judgement can be made in such a stressful or hectic environment. People in custody also sometimes misunderstand what is happening and why. For example, their property and certain clothing items will be removed to prevent their use in harming themselves or others. Escape attempts are also dangerous and people in custody may even self-harm or attempt suicide.

It is of paramount importance to control people and the situation in these circumstances, which may include a use of force to subdue someone whose behaviour makes them a greater risk to everyone, including themselves.

These allegations are used when there has potentially been a lapse in the correct procedures.

Searches

Under the Search and Surveillance Act 2012 Constabulary employees have the power to search a person in custody, or a property or residence, for evidence of a criminal offence, or possession of an offensive weapon or illegal substances, and seize such items.

The search, seizure, retention and return (or possible destruction) must be conducted in accordance with the law and Police policy and procedure.

These allegations are used when there has potentially been a lapse in the correct procedures.

Significant event

These <u>allegations</u> are used when there has been a significant event. Significant events include, but are not restricted to:

- A Police pursuit resulting in injury or death;
- A Suicide or attempted suicide (non-custodial) immediately following an interaction with Police;
- A <u>use of force</u> by Police resulting in serious bodily harm or death;
- A use of a mechanical restraint resulting in serious bodily harm or death;

- A discharge of a firearm by Police whether intentional or unintentional, or resulting in no injury, injury or death;
- A serious bodily harm or death that appears to have been caused by Police by any other means;
- An action by a Police employee that may bring Police into disrepute or undermine trust and confidence in Police.

Traffic Offences

Allegations that relate to the alleged illegal or inappropriate driving of a Police vehicle on duty.

This includes an alleged inappropriate pursuit. Even if a pursuit does not result in injury or death (see Significant Events), there is strict policy and procedure around initiating, continuing or abandoning a pursuit.

Service Failure

The Service Failure <u>allegations</u> will actually be part of the type 'Breach of Official Conduct'.

However for our statistical reporting, in order to highlight these particular types of perceived conduct that are currently being targeted for remedial action, the allegations have been moved into this (new) type category.

The levels of performance for highlighting are to do with a perceived failure to provide an adequate service to the public in criminal investigations, victim focus and court proceedings.

Unprofessional Behaviour

The Unprofessional Behaviour <u>allegations</u> will actually be part of the types 'Breach of Official Conduct', 'Workplace Behaviour' or 'Off-Duty Behaviour'.

However for our statistical reporting, in order to highlight these particular types of perceived conduct that are currently being targeted for remedial action, the allegations have been moved into this (new) type category.

The behaviours for highlighting are alleged inappropriate and unprofessional language or attitude, and any alleged form of harassment, bullying or discrimination, in any environment.

Breach of Official Conduct

There is an expectation under the Code of Conduct that all employees will follow 'Our Values' of:

- Professionalism
- Respect
- Integrity
- Commitment to Māori and the Treaty
- Empathy
- Valuing Diversity

This is true for behaviour when dealing with the public in an official capacity. In addition there are standards of procedure and practice in accordance with policy and the law that are expected to be met in all dealings with the public.

These <u>allegations</u> are intended for use when potentially this expectation has not been met.

Workplace Behaviour

There is an expectation under the Code of Conduct that all employees will follow 'Our Values' of:

- Professionalism
- Respect
- Integrity
- Commitment to Māori and the Treaty
- Empathy
- Valuing Diversity

This is true for behaviour in the workplace as well as when dealing with the public.

These allegations are intended for use when this expectation is potentially not met.

Use of Police Resources

Police employees have access to a number of electronic devices, vehicles, clothing, equipment and weaponry to assist them in the execution of their duties.

Use of these items is governed by strict policy and most especially that they should only be used for work related purposes and only when appropriate.

These <u>allegations</u> are intended to be used for the potential misuse of these resources.

Off Duty Behaviour

There is an expectation under the Code of Conduct that all employees will follow 'Our Values' of:

- Professionalism
- Respect
- Integrity
- Commitment to Māori and the Treaty
- Empathy
- Valuing Diversity

This is true for behaviour while off duty as well as in an official capacity.

These allegations are intended for use when this expectation has potentially not been met.

Explanation of outcomes

Upheld/Not upheld

Police Professional Conduct use a number of findings, actions taken and outcomes ranging from serious misconduct and dismissal through to 'not at fault' or 'other redress available'. Where appropriate there may also be some form of facilitated resolution that is satisfactory to all the parties involved, rather than a formal employment outcome.

For the purposes of external reporting these multiple types and combinations of outcomes are 'distilled' into 'Upheld/Not upheld', the definitions of which are:

Upheld

Indicates that the employee or Police as an organisation were at fault and some form of disciplinary or performance action, or change to policy or procedure was required. It does not necessarily indicate culpability, as the fault may be a lapse, error in judgement or poor performance that was not solely responsible for the undesirable outcome.

Not upheld

Indicates no fault has been identified that is attributable to any employee or the organisation. In some cases some form of action may still be taken, usually some form of resolution that is satisfactory to all parties involved or the circumstances being treated as a learning opportunity.

Use of force on duty

Use of force on duty (Firearm – non-discharge)

Use of force on duty (Baton)

Use of force on duty (Taser)

Use of force on duty (OC Spray)

Use of force on duty (Dog bite)

Use of force on duty (Restraints)

Use of force on duty (Other object)

Use of force on duty (Manual)

Arrest/Custodial

Unlawful Arrest

Breach of Rights

Improper search whilst in custody

Property (Custodial)

Exhibits (Custodial)

Escapes custody

Suicide (custodial)

Attempted suicide (custodial)

Custodial injury Custodial death

Arrest/Custodial (Other)

Searches

Unlawful search

Damage during search

Property (Searches)

Exhibits (Searches)

Searches (Other)

Significant Event

Police pursuit resulting in injury or death

Discharge of firearm resulting in injury or death

Discharge of firearm (no injury)

Unintentional discharge of firearm

Suicide (non-custodial)

Attempted suicide (non-custodial)

Non-custodial injury

Non-custodial death

Traffic Offences

EBA - Over 400 Mgms/Litre (on duty)

Use of vehicle

Excessive speed

Driving behaviour

Inappropriate pursuit

EBA - 251-400 Mgms/Litre (on duty)

Driving under influence of drugs (on duty)

Traffic Offences (Other)

Service Failure

Inadequate service

Failure - Investigation

Failure - Prosecution

Failure to attend

Failure to notify/inform

Inadequate victim management

Inadequate bail management

Failure to return property

Service failure - Other

Unprofessional Behaviour

Attitude/language (External)

Attitude/language (Internal)

Attitude/language (Off duty)

Harassment/Bullying/Discrimination (External)

Harassment/Bullying/Discrimination (Internal)

Breach of Official Conduct

Dishonesty

Unlawful act

Treatment of CYP

Falsification of document

Perjury

Corruption

Conflict of interest

Failure - Other

Breach of privacy/confidentiality

Inappropriate/unlawful disclosure

Cause damage to property

Breach of policy (External)

Negligence or carelessness (External)

Performance/attendance matter (External)

Sexual misconduct (External)

Disgraceful behaviour (External)

Breach of Government regulations (External)

Breach of Official Conduct (Other)

Workplace Behaviour

Disgraceful behaviour (Internal)

Sexual misconduct (Internal)

Drugs/alcohol

Violence

Performance/attendance matter (Internal)

Negligence or carelessness (Internal)

Failure to follow lawful instruction

Breach of policy (Internal)

Breach of Government regulations (Internal)

Workplace Behaviour (Other)

Use of Police Resources

Misuse of email or internet

Unauthorised use of database

Misuse of vehicle

Misuse of property

Damage to property

Use of Police Resources (Other)

Off Duty Behaviour

Disgraceful behaviour (Off duty)

Drugs/alcohol (Off duty)

Violence (Off duty)

EBA - Over 400 Mgms/Litre (Off duty)

EBA - 251-400 Mgms/Litre (Off duty)

Excessive speed (Off duty)

Driving behaviour (Off duty)

Driving under influence of drugs (Off duty)

Breach of Government regulations (Off-duty)

Off Duty Behaviour (Other)

Disclaimer

The information contained in this release is based on data extracted from a continuously expanding operational database, with the earliest record dating from January 1984. The current more efficient database application was introduced on 1 July 2009, and improved data structures were gradually and continuously introduced from December 2010 onwards. Therefore, not all the data is reliable and may result in omissions and/or errors, especially prior to 2011. The data is dynamic and subject to change as new information is received. While quality assurance has been undertaken on some low-volume critical incident types (e.g. Police use of firearms resulting in injury or death), and reviews are undertaken of database records as and when anomalies are identified, quality assurance of all the data would require the manual checking of many thousands of hard copy and electronic files, which is beyond the resources available to NZ Police.