

National Top 5 Allegations by Type

Allegations are grouped into categories or types of behaviour or performance. Some allegations appear in more than one category, usually differentiated by having originated externally (reported by a member of the public, either an individual or organisation), internally (reported from within Police, either by an employee or through standard reporting channels. These relate primarily to operational reviews initiated internally, but may also include internal complaints about conduct in the workplace) or from off duty behaviour (indicating the Police employee was not acting in their capacity as a member of Police).

The types of allegation are (follow the links to see the allegations in each type):

[Use of force on duty](#)

[Arrest/Custodial](#)

[Searches](#)

[Significant event](#)

[Traffic Offences](#)

[Service Failure](#)

[Unprofessional Behaviour](#)

[Breach of Official Conduct](#)

[Workplace Behaviour](#)

[Use of Police Resources](#)

[Off Duty Behaviour](#)

The following tables show the most common allegations that are in each type, as the 'Top 5' (calculated by the number of times that allegation is used).

If less than 5 allegations are listed, then those are the only allegations from that allegation type that have been used.

It is important to understand that this **does not equate to the number of reported incidents**. An allegation may be used multiple times (that is against a number of involved employees) in one incident.

Nor does it equate to the number of staff, as each involved employee may be facing several allegations.

Also shown are the totals of completed investigations, and how many of the allegations have been upheld. It should be noted that in some cases, although the investigation has been completed, the final outcome has not yet been recorded. This will mainly be due to administrative requirements and workloads.

Use of force on duty			
Allegation	Total	Completed	Upheld
Use of force on duty (Manual)	52	15	3
Use of force on duty (Dog bite)	8	3	1
Use of force on duty (Restraints)	6		
Use of force on duty (Taser)	5		
Use of force on duty (OC Spray)	5	4	2

Arrest/Custodial			
Allegation	Total	Completed	Upheld
Breach of Rights	24	6	2
Attempted suicide (custodial)	8	4	
Unlawful Arrest	7	5	
Cause injury (custodial)	5	3	
Property (Custodial)	5	2	

Searches			
Allegation	Total	Completed	Upheld
Unlawful search	17	7	
Damage during search	3		
Property (Searches)	2		

Significant Event			
Allegation	Total	Completed	Upheld
Police pursuit resulting in injury or death	18	4	
Suicide (non-custodial)	5	4	
Discharge of firearm resulting in injury or death	4		
Attempted suicide (non-custodial)	2		
Discharge of firearm (no injury)	1		

Traffic Offences			
Allegation	Total	Completed	Upheld
Negligent/dangerous driving	8	2	
Excessive speed	4	2	2
Use of vehicle	4		
Traffic Offences (Other)	2	3	1

Service Failure			
Allegation	Total	Completed	Upheld
Inadequate service	103	44	2
Failure - Investigation	76	34	2
Failure to notify/inform	24	6	4
Failure to return property	11	7	4
Inadequate victim management	11	5	

Unprofessional Behaviour			
Allegation	Total	Completed	Upheld
Attitude/language (External)	84	32	7
Harassment/Bullying/Discrimination (External)	25	11	1
Attitude/language (Off duty)	9	3	1
Harassment/Bullying/Discrimination (Internal)	8		
Unprofessional Behaviour (Other)	1		

Breach of Official Conduct			
Allegation	Total	Completed	Upheld
Breach of privacy/confidentiality	25	11	2
Conflict of interest	15	3	1
Dishonesty	14	2	
Unlawful act	4	2	
Corruption	3		

Workplace Behaviour			
Allegation	Total	Completed	Upheld
Disgraceful behaviour (Internal)	5		
Breach of policy (Internal)	4		
Failure to follow lawful instruction	3	1	1
Harassment/Bullying/Discrimination (Internal)	2		
Violence	2		

Use of Police Resources			
Allegation	Total	Completed	Upheld
Unauthorised use of database	6	2	2
Misuse of email or internet	2		

Off Duty Behaviour			
Allegation	Total	Completed	Upheld
Violence (Off duty)	10	3	1
Disgraceful behaviour (Off duty)	4		
Sexual misconduct (Off duty)	2		
EBA - TON (Off duty)	1		

The following table shows the most common allegation types, calculated by the number of times allegations from that category have been used.

Top 5 Allegation Groups			
Group	Total	Completed	Upheld
Service Failure	251	104	15
Unprofessional Behaviour	127	47	10
Breach of official conduct	90	29	7
Use of force on duty	77	22	6
Arrest/Custodial	54	22	3

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 their actions will harm any person, including themselves.

Police have a number of options, and selection of which to use is a judgement of the scale of threat or imminent danger to the employee or another person, and the possibilities of other people being at risk of injury by the course of action chosen.

These allegations are used when an employee has potentially exceeded their power of use of reasonable force.

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

Constabulary employees have the power to search a person in custody or (under the Search and Surveillance Act) 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

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 [use of force](#) 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

Relating 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 allegations 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 allegations 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 allegations 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 allegations 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.

Use of force on duty

Use of force on duty (Firearm)
Use of force on duty (Baton)
Use of force on duty (Taser)
Use of force on duty (OC Spray)
Use of force on duty (Dogbite)
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)
Cause injury (custodial)
Cause death (custodial)
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)
Cause injury (non-custodial)
Cause death (non-custodial)

Traffic Offences

EBA - TON (on duty)
Use of vehicle
Excessive speed
Negligent/dangerous driving
Inappropriate pursuit
EBA - ION (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 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)
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)
Sexual misconduct (Off duty)
Drugs/alcohol (Off duty)
Violence (Off duty)
EBA - TON (Off duty)
EBA - ION (Off duty)
TON Issued (non EBA) (Off duty)
ION Issued (non EBA) (Off duty)
Off Duty Behaviour (Other)