

# 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	Total	Completed	Upheld
Allegation			
Use of force on duty (Manual)	185	151	10
Use of force on duty (Restraints)	31	23	
Use of force on duty (Dog bite)	23	18	1
Use of force on duty (Taser)	17	10	
Use of force on duty (Firearm)	16	9	

Arrest/Custodial	Total	Completed	Upheld
Allegation			
Breach of Rights	70	51	2
Unlawful Arrest	53	40	1
Attempted suicide (custodial)	27	16	4
Property (Custodial)	26	17	3
Arrest/Custodial (Other)	22	20	8

Searches	Total	Completed	Upheld
Allegation			
Unlawful search	59	52	8
Property (Searches)	14	11	
Exhibits (Searches)	12	12	3
Damage during search	8	7	

Significant Event	Total	Completed	Upheld
Allegation			
Police pursuit resulting in injury or death	48	28	1
Suicide (non-custodial)	13	5	
Cause injury (non-custodial)	8	1	
Discharge of firearm resulting in injury or death	4	2	
Unintentional discharge of firearm	4	4	3

Traffic Offences	Total	Completed	Upheld
Allegation			
Negligent/dangerous driving	33	21	16
Traffic Offences (Other)	21	20	3
Use of vehicle	14	12	7
Excessive speed	11	8	1
Inappropriate pursuit	11	4	

Service Failure	Total	Completed	Upheld
Allegation			
Inadequate service	354	295	64
Failure - Investigation	340	289	33
Failure - Prosecution	98	87	8
Failure to notify/inform	60	50	17
Failure to attend	40	36	13

Unprofessional Behaviour	Total	Completed	Upheld
Allegation			
Attitude/language (External)	386	296	63
Harassment/Bullying/Discrimination (External)	123	107	3
Attitude/language (Off duty)	25	19	5
Attitude/language (Internal)	16	9	5
Harassment/Bullying/Discrimination (Internal)	15	7	5

Breach of Official Conduct	Total	Completed	Upheld
Allegation			
Breach of privacy/confidentiality	71	61	13
Failure to return property	53	43	9
Conflict of interest	52	31	6
Breach of Official Conduct (Other)	49	44	6
Dishonesty	35	27	5

Workplace Behaviour	Total	Completed	Upheld
Allegation			
Breach of policy (Internal)	53	19	13
Performance/attendance matter (Internal)	15	9	7
Negligence or carelessness (Internal)	7	5	4
Failure to follow lawful instruction	5	3	3
Disgraceful behaviour (Internal)	4	1	

Use of Police Resources	Total	Completed	Upheld
Allegation			
Unauthorised use of database	28	13	6
Misuse of email or internet	5	4	1
Misuse of vehicle	5	2	1
Use of Police Resources (Other)	1	1	

Off Duty Behaviour	Total	Completed	Upheld
Allegation			
Violence (Off duty)	19	10	6
Off Duty Behaviour (Other)	16	9	2
Disgraceful behaviour (Off duty)	14	6	4
Sexual misconduct (Off duty)	8	6	
Drugs/alcohol (Off duty)	8	2	2

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	Total	Completed	Upheld
Group			
Service Failure	1,038	879	158
Unprofessional Behaviour	561	438	81
Breach of official conduct	412	280	76
Use of force on duty	277	216	12
Arrest/Custodial	233	162	29

## 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 used 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 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 potentially 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)