



4 August 2023



Ref: OIA-2023/24-0015

Dear 

Official Information Act request relating to Communications and other information related to the protest at Parliament grounds in 2022

Thank you for your Official Information Act 1982 (the Act) request received on 10 July 2023. You requested:

Please provide under the OIA copies of all communications between the police and health and safety/ Worksafe and/ or Wellington Council about any health and safety planning, accidents, ambulance treatment, hospitalisations and/ or any other health and safety in incidents arising during the protest at parliaments grounds between say 6 February and 2 March 2022.

Please also include:

- 1) all planning to avoid harm to police, the public and protesters at Parliament grounds and/ or in the parliament precinct, including any assessment of risk associated with LRAD devices, use of capsicum spray and extra strength spray on crowds, fire hoses, fire extinguishers by police etc and processes adopted to assist any who were injured and avoid or mitigate harm.*
- 2) reports of all incidents which used equipment in unintended ways and/ or which resulted in any injuries that required hospitalisation*
- 3) all follow up by police of injuries to public which caused hospitalisation including copies of any apologies and information about any compensation*
- 4) all planning about police were expected to deal with tents and other private property on parliament grounds or public or private places on 2 March 2022*
- 5) any reviews about the legality of how police in fact dealt with private property including tents etc on 2 March*
- 6) any incident reports about police vehicles that were damaged by driving into concrete bollards in the parliament percent during the occupation of Few/ March 2022 and the cost of repairs*
- 7) copies of police and any crown law legal advice referred to in What's Ap messages between the Police Commissioner and the Prime Minister or any other minister regarding the legality or otherwise of police issuing trespass notices and/or using force to remove protesters and the date of all such advice. Please note that legal privilege has been waived by the content of the advice being disclosed in the attached what's ap message disclosed recently under the OIA. Please include a full copy of all advice referred to in this what's ap message and any subsequent advice, including the dates*

of all such advice and any NZBoRA assessment and/ or health and safety assessment of police conduct before the decision was made by police to physically attack protesters on 2 March 2022. Please include any assessment of police or Crown liability for members of the public who were injured as a result of police assaults, and assessment of possible compensation entitlements payable.”

This response covers information from both the Department of the Prime Minister and Cabinet (DPMC) and the National Emergency Management Agency, a departmental agency hosted by DPMC.

While your request is focused on the actions of the New Zealand Police and Wellington City Council, we have undertaken a search of our records and engaged widely across DPMC and NEMA to determine if we hold any relevant material. We have read your request broadly and not viewed your numbered questions 1 to 7 as being limited by your request for correspondence between named entities.

Information to be withheld

We have identified legal advice which may be within the scope of your request. Your request, as far as it relates to this information, is refused in full under section 18(a) as, by virtue of section 9(2)(h), there is good reason to withhold this in full. For clarity, I confirm this is not advice related to your request in question 7.

No additional information has been identified as within scope of this request as it more closely relates to the functions of the New Zealand Police, and not DPMC. We note however that you have already made a request to the New Zealand Police and therefore a transfer of this request is not necessary.

In making my decision, I have considered the public interest considerations in section 9(1) of the Act. No public interest has been identified that would be sufficient to override the reasons for withholding that information.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Further information

We understand you have made a request to the New Zealand Police for the above information and that they will be responding to you in due course, as required by the Act.

If you have not done so already, you may also wish to make a request with the Wellington City Council under the Local Government Official Information and Meetings Act 1987.

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Clare Ward
Executive Director
Strategy, Governance and Engagement