Request for a Police report relating to the Cave Creek tragedy

Legislation
Official Information Act 1982, s 18(e)
Agency
New Zealand Police
Ombudsman
Anand Satyanand
Case number(s)
W44474
Date
October 2001

Request for a Police report relating to the Cave Creek tragedy—existence of the report confirmed—search undertaken in Christchurch, Greymouth and Wellington—author of report consulted, as well as members of the Commission of Inquiry—report unable to be found

The father of a young person killed at Cave Creek asked the Police for a copy of the final report on the Police investigation of the matter. The existence of the report was confirmed by the officer who wrote it and another officer who read it.

The Police responded that they had made exhaustive but fruitless efforts to find the report in Christchurch, where the report was compiled, and in Greymouth, where the Cave Creek Commission of Inquiry hearings were conducted. They also said that they had been assured that there were no other files where the report would have been stored. The requester suggested that either the Counsel assisting the Cave Creek Commission of Inquiry or the Commission of Inquiry itself might hold a copy of the report. It was also suggested that a copy of the report might be found at either Police Headquarters in Wellington or the Crown Law Office.

The Police advised that they had consulted the Commissioner of the Cave Creek Inquiry and the Counsel assisting the Commission and searched the records of the Crown Law Office and the Office of the Police Commissioner but had been unable to find the report. They asserted that they had no other avenues of inquiry to pursue.
It appeared that, although the report had existed, there was no alternative but to accept that the report could not be found and that the Police had reason, in terms of section 18(e) of the OIA, to refuse the request.

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