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INDEPENDENT POLICE CONDUCT AUTHORITY REPORT ON POLICE SHOOTING OF GRAEME BURTON

An Independent Police Conduct Authority report has praised the courage of the police officer who shot and arrested murderer Graeme Burton early last year, but criticised other aspects of police handling of Burton's case.

The Authority's report, released today, considered the police response to Burton's violent offending (including the murder of Karl Kuchenbecker and shooting of three other people) on the afternoon of 6 January 2007.

The Authority also considered police handling of Burton's case from his release on parole in July 2006 to the time of his shooting.

The Authority praised the actions of Officers A and B, who arrested Burton. 'The two officers showed considerable courage,' said Justice Goddard. 'They made decisions that put public safety over their own safety. When Officer A shot Graeme Burton he was using reasonable force to defend himself and others. There was no other option available to him.'

The Authority also found that, given the threat Burton posed, police were justified in arming the two officers and others in the Wellington region.

The Authority did, however, find fault with police handling of aspects of the Burton case during November and December 2006 – a period when Burton committed a series of armed assaults on Wellington drug dealers, robbing and extorting money from them.

'Warrants for Burton's arrest were issued on 22 and 29 December 2006,' said Justice Goddard. 'The police response to these warrants was not satisfactory.' The first warrant, for breaching parole, was issued by the Wellington District Court. The second was issued by the Parole Board, along with an interim order revoking Burton's parole and recalling him to prison.

'Few officers knew that the warrants existed, and none took ownership of the situation,' said Justice Goddard. 'This resulted in an unreasonable delay before police stepped up their efforts to find and arrest Burton.'

It wasn't until 1 January that a Wellington police shift commander found a faxed copy of the second warrant, placed an alert on the police NIA database and took steps to inform all Wellington staff that Burton was wanted. The first warrant wasn't entered into the NIA system until 4 January, a fortnight after it was issued.

Justice Goddard said that for routine arrest warrants involving minor offending the delays might not be an issue, 'but in this case police had real concerns about Burton's offending, feared for public safety, and wanted Burton back in prison.'

The Authority also found that, though police generally did a good job of informing the Community Probation Service about Burton's actions in the second half of 2006, communication became 'problematic' at a critical time.

The Authority has made six recommendations aimed at improving police management and handling of arrest warrants, and improving police co-operation with Probation and the Parole Board over high-risk offenders. Under section 29 of the Independent Police Conduct Authority Act 1988, Police have to tell the Authority what action they are taking to put these recommendations into effect.

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