



Thursday 24 July

Speech by Independent Police Conduct Authority Chair Judge Sir David Carruthers

IPCA report on Police investigations into offending by Malcolm Rewa

Good morning everyone. I'd like to begin today by explaining that this is an informational press conference and that I will not be taking questions at its conclusion.

The reason for that is the report's findings are the result of a very thorough and detailed investigation by the Authority. The report therefore speaks for itself.

I also ask that you respect the 11am embargo.

Before I go into the details of the report I will outline the role of the Independent Police Conduct Authority.

The Authority is an independent oversight body concerned with receiving and investigating complaints against the Police. We are required by statute to form an opinion on whether any Police decision, act, omission, conduct, policy, practice or procedure was contrary to law, unreasonable, unjustified, unfair or undesirable.

In this instance the Authority investigated four complaints relating to the Police handling of investigations into offending by Malcolm Rewa spanning almost a decade.

Malcolm Rewa is one of this country's worst sex offenders and his crimes have had a devastating impact on many women and their families.

A thorough investigation by the Authority became necessary to provide those adversely affected by those crimes with details of the Police investigations at that time, and to replace speculation and rumour with facts based on evidence.

The four complaints considered by the Authority came from:

- an individual personally affected by the Police handling of the series of sexual assaults committed by Mr Rewa,
- two individuals who were concerned about the Police investigations into intruder attacks in their homes; and
- from the solicitors representing Teina Pora.

The report notes that the Authority has not considered Teina Pora's conviction for the murder of Susan Burdett in 1992 as part of its investigation as this is outside the jurisdiction of the Authority and is currently before the Privy Council.

Mr Pora's defence counsel complained to the Authority that the Police failed to disclose relevant information to them at Mr Pora's first trial. The Authority found that Police did not withhold relevant disclosure material.

The Authority's 11 month investigation included extensive interviews with complainants and others, as well as a review of the huge amount of material and files available. The Authority also reviewed all of the ESR files and conducted interviews with ESR forensic scientists.

Understandably, some of the information provided by those spoken to by the Authority has been affected by the passage of time.

I will now move to our findings which relate to the complaints received about the timeliness of the Police response to the series of sexual assaults committed in Auckland and the alleged failure by Police to apprehend Mr Rewa earlier.

The Authority identified various aspects in a number of investigations where Police strategy and practices relating to the handling of investigations into sexual assault matters did not meet the expectations of policing even at that time; such as poor practices in interviewing complainants; lack of supervisory oversight; greater priority given to other serious crime; and the failure to follow-up positive lines of inquiry.

Ms A was sexually assaulted in 1987. The Authority found that Police failed to properly investigate information implicating Mr Rewa as the offender for that sexual assault. In particular, Police did not obtain a statement from Ms A regarding her identification of Mr Rewa as the offender, nor did Police attempt to make any inquiries that might have corroborated or called into question the alibi given by him at the time.

Although some faults have been found by the Authority concerning the series of investigations into offending by Malcolm Rewa, it is not clear that any of these would necessarily have led to Mr Rewa's arrest, successful prosecution or earlier identification as the serial sex offender.

The Authority found that at the time of the Police investigations, spanning from 1987 – 1996, there was limited information/intelligence sharing between Police stations, and it was not common practice for intelligence to be shared between districts, nor did a platform exist to allow this to occur easily. Police work at this time was primarily paper-based and it is unlikely that traditional methods of policing could have uncovered the operation of a serial sex offender, across districts, earlier.

It must also be remembered that Police, at that time, had little or no experience in dealing with an intruder serial sex offender. The fact that South Auckland Serial Rapist, Joseph Thompson, was

operating at the same time, and in the same city, was unprecedented and, understandably, complicated matters for both Police and ESR.

Throughout the Authority's inquiry there have been statements in the public arena about this case, in particular in TV3's 3rd Degree programmes. Some of these reports suggested that Police overlooked Mr Rewa's involvement in six incidents, including three sexual assaults, at addresses in London Street, Ponsonby. The programme stated that Police failed to take action in these instances and implied that Mr Rewa was not, for that reason, earlier apprehended as a serial sex offender.

After a complete review of the relevant files the Authority found that there was no action that Police could have taken in respect of any of the different types of offences which occurred in London Street that would have identified Mr Rewa earlier as the serial sex offender.

Today there is a different approach to adult sexual assault cases, generally, with significantly improved education, training, and resources. Some of the progress, particularly with regard to the treatment of victims of sex crimes, can be attributed to the Police response to the recommendations made in 2007 by the Commission of Inquiry into Police Conduct.

Sexual offending is a difficult area for Police and other agencies and there will always be new challenges and changing dynamics. At the moment however, the Authority is satisfied that no further recommendations are required.

Thank you for your time this morning. I am pleased to be able to present you with this report today.

A copy of this address will be available for you to collect from my Communications Manager on your way out.

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