

# Spate of killings by New Zealand police

Tom Peters  
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The recent shootings of two young men in Auckland and Upper Hutt point to a growing tendency for New Zealand's police to resort to lethal force.

On Wednesday, coroner Katharine Greig revealed in an interim report that 21-year-old David Cerven was unarmed when he was shot dead by police officers in Myers Park, Auckland, on August 2. According to some unconfirmed reports, a volley of five shots was fired.

Police claim that Cerven, a Slovakian national, was wanted in connection with a series of aggravated robberies, and was shot after he told officers he had a gun and threatened to shoot them. However, police have so far refused to release details of the shooting, including security camera footage, the results of a post mortem examination or the recording of a phone call made by Cerven to police.

Auckland City District Commander Superintendent Richard Chambers immediately defended the use of lethal force, even though he could not confirm whether Cerven was actually armed. Chambers told media that people "who threaten to use firearms and whose actions indicate that's what they're about to do, take a big risk and my staff will act appropriately."

One of Cerven's workmates told the *Herald* that Cerven was "distraught" about a break-up with his girlfriend and was tens of thousands of dollars in debt. A few weeks before the shooting, Cerven resigned from his job as a waterproofer, telling the workmate that he wanted to join the US Army to raise money to repay a loan for surgery on a knee injury.

The coroner said there was "reasonable cause to believe the death was self-inflicted, though this is in no way a concluded view on the matter." It is not at all clear how Cerven's death could have been "self-inflicted." He was unarmed and died of gunshot wounds inflicted by two police officers.

Renata Marko, a friend of Cerven's family in

Slovakia, told the *New Zealand Herald* that Cerven's mother Maria Cervenova had tried in vain to get more information from police. "She asked why the video from the camera in the park has not been released, she asked about the witness statements, she wanted to know how many times they shot him, but they told her nothing."

The revelation that Cerven was shot while unarmed followed another fatal shooting by police in Upper Hutt, a working class town north of Wellington.

On September 8, 25-year-old Pera Smiler produced a rifle at a McDonald's outlet during the middle of the day. Witnesses described Smiler's behaviour as disturbed and frightening. He fired two shots into the ceiling but did not attempt to shoot anyone or take hostages. In front of numerous witnesses, police officers shot him dead after he reportedly shot at a police dog outside the fast food outlet.

Smiler was a mineworker in Perth, Western Australia, but his fortunes worsened dramatically after returning to New Zealand. He faced charges for welfare benefit fraud and was reportedly rejected after applying to join the army.

Witness Theo Modlik told the *Herald*: "During the standoff I heard him yell 'they're harassing me' and 'hurry up and \*\*\*\*\* shoot me ... I want to die.'"

Superintendent Sam Hoyle stated: "On arrival police staff were fired upon. They have spoken with the man involved and attempted to negotiate a peaceful resolution. After some minutes he has been shot by police."

While it is not clear exactly what happened, one witness, Nikki Hearfield, said: "He wasn't holding the gun aggressively. It was just in his hand to the side." Another, Ugur Kokcu, said Smiler was shot after he raised the weapon slightly.

Tony Loveday, owner of the Skynet City Stop shop opposite McDonald's, told the paper that one of his

employees, a woman who had worked with prison inmates, was attempting to reason with Smiler moments before he was killed. “She was trying to talk him down,” Loveday said. “She said she had a good liaison with him. He was going to put the rifle down. She was only a metre away when he was shot dead. She was pretty adamant he was going to give himself up.”

The fatal shootings of Cerven and Smiler, little more than one month apart, represent a significant escalation in the use of deadly force by police. Thirty people have been fatally shot by police since 1941, three of them in 2015. In every case so far, the officers involved have not been charged.

This death toll does not include 53-year-old Napier man Gregory McPeake, who died in March after being bitten by a police dog, pepper-sprayed and shot with a Taser, when he allegedly attacked his father. His was the first death involving a Taser recorded in New Zealand since the introduction of these weapons in 2008.

In August 2008, the then-Labour Party government Police Minister Annette King told parliament that Tasers were needed as a “less lethal option [compared with firearms] that protects the police, the public, and individuals concerned.”

In fact, Tasers are dangerous and extremely painful devices that have been repeatedly used against vulnerable and mentally ill people. In the US, according to Amnesty International, 540 people were killed by Tasers between 2001 and 2013. On July 31, New Zealand Police Commissioner Mike Bush announced that Tasers would soon be given to all frontline officers.

The use of Tasers has expanded alongside the use of firearms. Superintendent Chris Scahill told the *Dominion Post* that 5,700 officers were now able to use firearms. The paper explained that for “about the past four years all police cars had carried two weapons: a semi-automatic M4 Bushmaster, and a Glock handgun.”

A spokesperson for the National Party government Police Minister Michael Woodhouse told the *Herald* on September 7 that Commissioner Bush is free to arm all police officers with guns if he chooses. This was an “operational” matter and the government would not be involved.

The Police Association has repeatedly called for all

officers to carry firearms. Its president Greg O’Connor used the Smiler shooting to again press for this, even though police with access to guns were on the scene within three minutes.

As the cases of Cerven and Smiler illustrate, the victims of police violence are typically people whose lives have been profoundly disrupted by debt, unemployment and economic hardship. Young people have been most severely affected by the worsening economic crisis. Unemployment is officially about 15 percent for under-25-year-olds, compared with 5.9 percent for the population as a whole.

While corporations continue to shed thousands of jobs, the New Zealand government is implementing austerity measures, including cuts to welfare and other social services, designed to protect the fortunes of the rich and make the working class bear the burden of the capitalist crisis.

As in America, where police now kill more than two people a day, the government’s response to the rising social tensions produced by its policies is to expand the prison system and boost the police, including by arming them with more deadly weapons.



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