

10 June 2022

Detective Senior Sergeant Hassall  
Counties-Manukau

## **Terms of Reference – Review of Police Investigation into Homicide of Arthur Easton**

### **Background**

1. Arthur Eason was killed in his home address at Papakura on 13 October 1985. An intruder entered his home and stabbed Mr Easton and one of his sons. A homicide investigation was launched, and Mr Hall was arrested for the murder in December 1985.
2. Mr Hall was convicted at trial in 1986 and his conviction was later upheld in the Court of Appeal in 1987. He has continued to maintain his innocence, has unsuccessfully applied for the Royal Prerogative of Mercy on three occasions. This is his second appeal against conviction Thank-you in anticipation for your work in completing this review.
3. The case has been subject to further investigative work led by private Investigator Tim McKinnell on behalf of Mr Hall. A fresh appeal was heard by the Supreme Court on 8 June 2022 and Mr Halls convictions were quashed.
4. The Crown assessment was that there was insufficient admissible evidence to seek a re-trial and accordingly no re-trial was ordered. Police and the Crown have been subject to significant criticism in the media and from Mr Hall and his supporters.

### **Investigation Review**

5. You are asked to complete a full review into the original police investigation. That review should ensure the following tasks are completed:
  - 5.1 All documents that are able to be located entered into the Investigations Management Tool (IMT). This should include any material that relates to the Court of Appeal Hearing and petitions for Royal Prerogative of Mercy.
  - 5.2 All phases of the investigation reviewed in detail to identify any lines of inquiry that have potential to advance the investigation.

- 5.3 Any exhibits still held are to be subject to case conference discussions with the ESR/Police fingerprints regarding potential for further forensic work
- 5.4 As the review progresses, an investigation plan detailing any proposed re-investigation activity is to be maintained
- 5.5 The investigation plan will be reviewed periodically by the Northern Detective Superintendent and approvals given as appropriate for any additional inquiry work before any work is undertaken.
- 5.6 Please ensure that a designated victim liaison person is appointed and maintains contact with Mr Easton's family as appropriate and that all contacts are recorded in NIA.
- 5.7 All review activity should be undertaken with an objective mindset and in line with the Police values.

#### **Out of Scope**

6. During the original investigation, a witness (Mr TURNER) was interviewed by Police and had a statement recorded. Mr TURNER recounted seeing a person running from the general direction of the scene in circumstances where it could be inferred that this person was the offender. Mr TURNER described that person as a male Māori.
7. When Mr TURNERS trial statement was prepared, the description was omitted and the original statement not disclosed to defence. His statement was read at trial and as such the jury and Mr Halls defence were not aware that the description given was inconsistent with Mr Hall who is European.
8. Additionally there is other material relevant to identity and a reconstruction that appear not to have been disclosed prior to trial.
9. The conduct associated with the decision to keep relevant information from the defence and the jury is subject to a separate investigation under a specific terms of reference and is out of scope for the purposes of this review.
10. Acting D/Supt Graham Pitkethley has been assigned this terms of refence and a priority is to locate any file material that is relevant to this investigation.
11. For the avoidance of doubt, the Witness TURNER, the Crown Prosecutor [REDACTED] and the Police Officers who led the investigation ([REDACTED] and [REDACTED]) are not to be contacted unless prior approval is given by myself or someone else performing the role of overseeing Detective Superintendent.

### Media and Operational Security

12. There will be significant interest in the Police review by the media and supporters of Mr Hall and Mr Easton's family.
13. No media commentary is to be provided or any information provided to the media without the approval of myself or someone else performing the role of overseeing Detective Superintendent.
14. Operational security should be maintained and any staff who work on the investigation reminded of their obligations in this regard. The file should be locked down on IMT.

### Timeframes

15. A person will likely be appointed by the Minister of Justice to determine on the balance of probabilities whether Mr Hall is innocent and therefore deserving of appropriate compensation.
16. Any information that is relevant to this determination should be identified in a timely manner so that further inquiry work can be completed.
17. The 'review' phase of the investigation should be completed as soon as possible and in any event no later than 30 September 2022.
18. Please keep me updated fortnightly on the progress of the review with verbal/written updates as appropriate or when any significant information arises.
19. Thank-you in anticipation for your work in completing this review which is critical to ensuring every opportunity is identified to obtain justice for Mr Easton's family and to ensure trust and confidence in Police.



D.C.LYNCH  
Detective Superintendent: Northern