

THE NEW ZEALAND BRAVERY DECORATION (N.Z.B.D.)

James Alexander MUIR Constable, New Zealand Police

Date of action: 23 June 2007

Date of award: 2 April 2011

Citation

At 3.00 a.m. on 23 June 2007 a stolen vehicle was observed entering Mt Maunganui. The vehicle was being driven by two 14-year-old youths who had escaped from a Child, Youth and Family residential bush programme in the Upper Ruatoki Valley. They had burgled two rural residences, from which they had obtained firearms and ammunition, as well as the car, and had committed further offences in Whakatane. Constable James Muir, aged 41 years, and his Police dog, Neo, were called out to join the pursuit.

While the vehicle was being pursued, the passenger climbed into the back seat, armed himself with a 0.303 rifle and began to fire at the Police vehicles, including Constable Muir's car. About this time the offenders' car began to slow, as its tyres had been spiked by the Police earlier in the pursuit. The offending vehicle was forced to stop. Constable Muir, seeing that his colleague was in a dangerous situation, came to his aid by parking immediately behind the offenders' vehicle.

By this time, another officer had got out of his car and attempted to apprehend the driver of the offenders' car. The youth in the back of the car pointed the rifle at the Constable who, fearing he would be shot, took cover behind a nearby wall. The two constables then verbally challenged the two youths to surrender. The youth with the rifle then pointed it first at the other officer and then at Constable Muir. At one stage Constable Muir saw the youth work the bolt and heard a "click" as the trigger was pulled. Fortunately the rifle chamber was empty. The driver of the offenders' car then got out of his vehicle and surrendered. The youth with the rifle also got out of the vehicle and moved towards the other officer's Police car, which still had its engine running. Before he could reach it, Constable Muir released his dog, Neo, who apprehended him. While this was going on, the other youth attempted to escape, and was also apprehended.

Constable Muir acted calmly and professionally in a dangerous and rapidly changing situation over which he had no control, and in which he had no alternative but to render assistance to his colleague. Throughout the incident there was the risk of being shot by an offender who showed that he was prepared to use a firearm to affect his escape.