

In my opinion, a fair construction of the message was given it by the Police Commissioner, who sent on his version of what had been telephoned to him—namely, that it referred to recovery of bodies and their condition, and on that construction was proper and indeed necessary.

In view of the evidence it is not possible for me to make any definite finding as to how Mr. Scott received the instruction he says he did. Fortunately, however, the actual passing on of the information was not of great importance, and, indeed, so far as it referred to the finding of the bodies, was quite proper. The importance of the message entirely depends upon the effect it had on the release of general information from those engaged in ground operations. Taken as a whole, although, according to some of the reporters, it was used as an excuse by police and Service authorities for refusing information, and opportunities for getting it, to the reporters, the Service authorities and police assert that such control as they exercised over the activities of reporters was due in the interests of order and the requirements of search, quite independent of express authority to either place restrictions in the way of reporters or withhold information from them.

It is quite certain that the actual contents of the message as received by Constable Phillips at Ohakune and noted by him were not disclosed by him to any reporter, police, or Service authority at Ohakune or farther afield. Constable Phillips, who received the message at Ohakune, said that when he received that message he communicated it to no one but just put it on the file with other messages. He said he did not realize he was required to communicate the message to any one, knowing that the Air Department had direct communication with the Army authorities and that it had come from the Air Department. He thought, he said, the airport would communicate direct, and as all messages to and from such occasions come to the police, he considered it was passed to him for information purposes only. He said further, "I knew that my advance party on the mountain had a direct line communication through Army Department and they would receive that message through that source. I did not communicate this message to Senior Sergeant Taylor on the mountain-side. There was no communication at that time, nor did I communicate it to Constable Roscoe at Horopito, nor to the military authorities, and, in short, to no one." He went on to say that on the Saturday, after he had spoken to Mr. Madden, Acting Commissioner of Police, a pressman, a Mr. Steere, followed and had conversation with Mr. Madden about the *Post* report. He said he knew it was about the report because the conversation took place in his presence, and Mr. Steere made reference to the difficulties that had arisen so far as pressmen were concerned "trying to dissociate himself with that report more or less and some of his friends."

Mr. Ellis, a reporter employed by the *Taranaki Daily News*, said that he arrived at Ohakune shortly after midnight on the Friday night and was at the police-station there on the Sunday writing out some notes. He said there was a message exposed alongside. He read it, although it was on the police file. He said the message was, "No information is to be released to the public until it has been received by Prime Minister's Department." He said it formed part of the file, but was not on the top of file. The file was one of those bulldog clip files and the file was open. I think it was clear this was Constable Phillips' note of the message phoned to him.

Mr. Wall, the Press Association agent responsible for the Press Association message, said that while he was at the police-station at Ohakune, Sergeant Taylor instructed Constables Auld and Phillips that no information was to be given out whatever, and that included press. He said, "I immediately told Sergeant Taylor I was the only press representative present and as such was prepared to co-operate with them in any way whatsoever re despatch of information provided we received it." Sergeant Taylor denied that he gave such instructions. To the question "Did you give instructions to Constables Auld and Phillips that no information was to be given out by them?", he answered, "Definitely not"; and Constable Phillips does not mention any such instructions.