



SUPPLEMENT  
TO THE  
**NEW ZEALAND GAZETTE**  
OF

WEDNESDAY, 23 APRIL 1980

*Published by Authority*

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*Royal Commission to Inquire Into and Report Upon the Circumstances of the Convictions of Arthur Allan Thomas for the Murders of David Harvey Crewe and Jeanette Lenore Crewe*

ELIZABETH the Second, by the Grace of God Queen of New Zealand and Her Other Realms and Territories, Head of the Commonwealth, Defender of the Faith:

To Our Trusty and Well-beloved The Honourable ROBERT LINDSAY TAYLOR, of Sydney, Australia, One of Her Majesty's Counsel Learned in the Law and retired Chief Judge at Common Law, Supreme Court of New South Wales; The Right Honourable JOHN BOWIE GORDON of Heriot, lately Minister of the Crown; and the Most Reverend ALLEN HOWARD JOHNSTON, C.M.G., of Hamilton, Archbishop of New Zealand:

GREETING:

Whereas, in 1971, Arthur Allan Thomas was tried and convicted, in the Supreme Court at Auckland, of the murders of David Harvey Crewe and Jeanette Lenore Crewe; And whereas, in 1973, following the making by the Court of Appeal of an order directing a new trial, Arthur Allan Thomas was again tried and convicted, in the Supreme Court at Auckland, of those murders; And whereas Arthur Allan Thomas, having been sentenced to imprisonment for life for those murders, was detained in prison under that sentence until the 17th day of December 1979 when His Excellency the Governor-General was pleased to grant to Arthur Allan Thomas a free pardon in respect of his conviction of those murders:

And whereas it is desirable that inquiry should be made into the circumstances of the two convictions:

KNOW YE that We, reposing trust and confidence in your integrity, knowledge, and ability, do hereby nominate, constitute, and appoint you, the said

The Honourable ROBERT LINDSAY TAYLOR,  
The Right Honourable JOHN BOWIE GORDON, and  
The Most Reverend ALLEN HOWARD JOHNSTON,—  
to be a Commission to inquire into and report upon—

1. Whether the investigation by the Police into the deaths of David Harvey Crewe and Jeanette Lenore Crewe was carried out in a proper manner; and, in particular,—

- (a) Whether there was any impropriety on any person's part in the course of the investigation or subsequently, either in respect of the cartridge case (Exhibit 350) or in respect of any other matter?
- (b) Whether any matters that should have been investigated were not investigated?
- (c) Whether proper steps were taken, after the arrest of Arthur Allan Thomas, to investigate any matter or information, if any, which suggested that he was not responsible for those deaths?

2. Whether the arrest and prosecution of Arthur Allan Thomas was justified?

3. Whether the prosecution failed at any stage to perform any duty it owed to the defence in respect of—

- (a) The disclosure of evidentiary material which might have assisted the defence?
- (b) Any other matter?

4. Whether, in respect of the jury list for either trial,—

- (a) The Crown or the Police or the defence obtained preference in respect of the time at which the list was supplied?
- (b) Any persons named on the list were approached by representatives of the Crown or the Police or the defence before the jury was selected?
- (c) Anything was done otherwise than in accordance with normal practice or was improper or was calculated to prejudice the fairness of the subsequent trial?

5. Whether, after each trial,—

- (a) The Crown or the Police made an adequate investigation into new matters, if any, which may have related to the deaths of David Harvey Crewe and Jeanette Lenore Crewe or to the trial and which were placed before the Crown or the Police by any person or persons?
- (b) Any relevant facts became known to the Crown or the Police which were not known to them at the time of the trial?

6. What sum, if any, should be paid by way of compensation to Arthur Allan Thomas following upon the grant of the free pardon?

7. Such other matters as are directly relevant to the matters mentioned in paragraphs 1 to 6 of these presents:

But nothing in paragraphs 1 to 7 of these presents shall empower you to inquire into or report upon the actual conduct of the trials, whether by the Courts or on the part of the Crown or the defence:

And We hereby appoint you, the said  
The Honourable ROBERT LINDSAY TAYLOR,  
to be the Chairman of the said Commission:

And for the better enabling you to carry these presents into effect you are hereby authorised and empowered to make and conduct any inquiry or investigation under these presents in such manner and at such time and place as you think expedient, with power to adjourn from time to time and place to place as you think fit, and so that these presents shall continue in force and any such inquiry may at any time and place be resumed although not regularly adjourned from time to time or from place to place:

And you are hereby strictly charged and directed that you shall not at any time publish, save to His Excellency the Governor-General, in pursuance of these presents or by His Excellency's direction, the contents of any report so made or to be made by you, or any evidence or information obtained by you in the exercise of the powers hereby conferred on you, except such evidence or information as is received in the course of a sitting open to the public:

And you are hereby directed that where documents of a confidential nature, such as Police files, solicitors' files, and other confidential documents of the Crown or of any other person, are disclosed to you, you shall disclose the contents of those documents, whether in your report or to other persons (including parties to the inquiry), only to the extent that, in your opinion, such disclosure is proper and necessary in the interest of making full inquiry into any of the matters set out in paragraphs 1 to 7 of these presents or of reporting thereon:

And it is hereby declared that the powers hereby conferred shall be exercisable notwithstanding the absence at any time

of any one of the members hereby appointed so long as the Chairman or a member deputed by the Chairman to act in his stead, and one other member, are present and concur in the exercise of the powers:

And We do further ordain that you have liberty to report your proceedings and findings under this Our Commission from time to time if you shall judge it expedient to do so:

And, using all due diligence, you are required to report to His Excellency the Governor-General in writing under your hands, not later than the 31st day of January 1981, your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof:

And, lastly, it is hereby declared that these presents are issued under the authority of the Letters Patent of His Late Majesty King George the Fifth, dated the 11th day of May 1917, and under the authority of and subject to the provisions of the Commissions of Inquiry Act 1908, and with the advice and consent of the Executive Council of New Zealand.

In witness whereof We have caused this Our Commission to be issued and the Seal of New Zealand to be hereunto affixed at Wellington this 24th day of April 1980.

Witness The Right Honourable Sir Keith Jacka Holyoake,  
Knight Companion of the Most Noble Order of the Garter, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Member of the Order of the Companions of Honour, Principal Companion of the Queen's Service Order, Governor-General and Commander-in-Chief in and over New Zealand.

KEITH HOLYOAKE, Governor-General.

By His Excellency's Command—

R. D. MULDOON, Prime Minister.

Approved in Council—

P. G. MILLEN, Clerk of the Executive Council.