

25 November 2020

Tom Atkinson
fyi-request-13879-e42d45ea@requests.fyi.org.nz

REF: IR-01-20-29177

Dear Tom

I refer to your Official Information Act request of 30 September in which you asked about warrantless searches.

1. You requested data about the number of warrantless searches undertaken and the number of convictions resulting from warrantless searches. Police do not record any information that links a charge or its subsequent outcome directly to a warrantless search. However, we do capture information about the number of warrantless searches conducted and the number of people charged in criminal proceedings where the collection of evidential material relevant to those proceedings was significantly assisted by the exercise of a warrantless search power. This information is made publicly available in the Police Annual Report, where it was first reported in 2013 (following the introduction of the Act in October 2012). You can find Police's Annual Reports on our website. I have provided below the reported numbers per year from those reports per your request. No such information was recorded prior to the introduction of the Act in 2012. We note with respect to the below data that we changed our recording practice in 2018/19 with the introduction of new functionality for our staff to capture this information on their iPhones.

<i>Financial Year to 30 June</i>	<i>Number of occasions warrantless search powers were exercised</i>	<i>Number of people charged in criminal proceedings where the collection of evidential material relevant to those proceedings was significantly assisted by the exercise of a warrantless search power</i>
2012/13 (from 1 October 2012)	6,167	3,324
2013/14	6,674	3,770
2014/15	7,048	3,866
2015/16	7,553	4,328
2016/17	7,203	4,686

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2017/18	7,537	4,553
2018/19	10,855	3,698
2019/20* <i>Interim figures still being finalised</i>	22,607	5,207

2. You requested information about warrantless searches (and convictions resulting from these searches) where the smell of cannabis was included as a reasonable cause. Although circumstances regarding the use of warrantless search powers form part of the information recorded by our staff when this occurs, these are usually captured by way of 'free text' entered in an electronic form. There is no quantitative record of specific causes, such as the suspected presence of cannabis, that would allow us to accurately answer this question, without reviewing the information recorded for every one of the more than 75,000 total searches represented in the data presented above. As such this part of your request is refused pursuant to s18(f) of the Official Information Act 1982 as it cannot be made available without substantial collation or research.
3. You requested, for reference, the number of judge-signed warrants. The table below provides the number of search warrant applications made by Police and granted by the Court, based on the date granted.

<i>Financial Year to 30 June</i>	<i>Search warrant applications granted</i>
2012/13 (from 1 October 2012)	5,818
2013/14	7,974
2014/15	6,881
2015/16	6,501
2016/17	6,125
2017/18	6,199
2018/19	6,052
2019/20	6,478

If you are not satisfied with my response to your request, you have the right pursuant to section 28(3) of the Official Information Act 1982 to complain to the Ombudsman and seek a review of Police's decision.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kathryn Wilson', with a stylized flourish at the end.

Kathryn Wilson
Manager: Strategy & Capability
National Criminal Investigations Group