

8 March 2021

REF NUMBER: IR-01-20-38608

Ti Lamusse
fyi-request-14340-41bbb4d6@requests.fyi.org.nz

Dear Ti Lamusse

I refer to your Official Information Act 1982 (OIA) request dated 20 December 2020 for information relating to the fleeing driver policy.

You requested:

1. *In this (<https://www.stuff.co.nz/national/123751755/speeding-driversnow-more-likely-to-get-police-pursuit-reprieve>) recent article from Stuff, it was claimed that the police have a "new policy" around high speed pursuits. Please provide me that policy document.*

The following policy has been attached for your reference.

- 'Fleeing Driver Policy'

Please note that some information has been redacted pursuant to section 6(c) of the OIA, as the making available of that information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

Please also note that Fleeing Driver Policy itself is not new. The latest version of this policy was revised to give effect to the recommendations that resulted from the joint New Zealand Police and Independent Police Conduct Authority joint thematic review into fleeing drivers. You can find more information about this review at the following link:

- <https://www.ipca.govt.nz/Site/publications-and-media/2019-reports-on-investigations/2019-mar-15-fleeing-driver-joint-thematic-review.aspx>
2. *Please provide me with all research, regulatory impact statements, and policy analysis that are associated with this policy document.*

As a result of the joint thematic review, eight high level recommendations, with 33 action points aligned with each of these various recommendations, were produced. Police has agreed to action each of the 33 recommended action points.

In response to action point eight, the Evidence Based Policing Centre has completed six research reports. Two of these reports can be found on Police's website at the following link:

- <https://www.police.govt.nz/about-us/publication/fleeing-driver-research-reports>

Police National Headquarters

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The remaining four reports are due to be uploaded by early March. This part of your request has been refused pursuant to section 18(d) of the OIA in that the information requested is or will soon be publicly available.

Regulatory impact statements are only required where there is a proposal for a regulatory change. The Fleeing Driver Policy is operational. This part of your request has been refused pursuant to section 18(e) of the OIA, as the document alleged to contain the information requested does not exist.

The following papers are considered by Police as 'policy analysis' and are attached for your reference:

- Fleeing driver events: Overview of investigation and policy papers – OCGG/20/31
- Fleeing Driver Policy – Recommended revision as a result of the joint IPCA/Police thematic review – ELB/20/35
- Fleeing driver events: Cross-jurisdictional comparison of effectiveness of post-event investigations – OCGG/20/33
- Fleeing Driver Events: Investigation Practice Guide – OCGG/20/32

Please note that some information contained in these documents has been withheld pursuant to the following sections of the OIA:

- 6(c), as the making available of that information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.
- 9(2)(a), as the withholding of the information is necessary to protect the privacy of natural persons.
- 9(2)(ba), as the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information.
- 9(2)(g)(i), as the withholding of the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

Please note that one report relating to feedback from District consultation would also be considered as 'policy analysis' however, this has been withheld in its entirety pursuant to section 9(2)(g)(i) of the OIA as the withholding of the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

You have the right, under section 28(3) of the OIA, to ask the Ombudsman to review my decision if you are not satisfied with the way I have responded to your request.

Yours sincerely



Superintendent Steve Greally
Director: National Road Policing Centre