

12 April 2023

IR-01-23-6990

J A Harris
fyi-request-21324-a5a0a13b@requests.fyi.org.nz

Dear J A Harris

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 6 March 2023, in which you asked for further information regarding your previous OIA request IR-01-23-449 relating to Medicinal Cannabis.

My response to each of your questions can be found below.

1. *Can you please confirm this means there are no procedures in place to identify gaps in Police procedure or content of the Police Manual?*

Police advises that the content of the Police Manual is regularly reviewed for currency, and relevant chapters of the Manual are updated and reviewed as required by policy or law change.

2. *Can you please further confirm, in relation to the original request, that as Police have no procedure relating to medical cannabis patients this means a patient prescribed medical cannabis will suffer no action from Police? For example, where a patient is consuming their medical cannabis and Police receive a complaint or a Police employee detects the use of the cannabis?*

As per your original request and response, I refer you to the Police Instructions chapter titled "Part 14 Medical Cannabis", which can also be viewed via the following link:
<https://www.police.govt.nz/sites/default/files/publications/drugs-part-14-medicinal-cannabis-280622.pdf>

Page eight of that chapter states: "A person who has a certificate from a medical practitioner or nurse practitioner certifying that the person requires palliation may procure, possess, consume, smoke, or otherwise use any plant or plant material of the genus Cannabis or any cannabis preparation." Further, page five of the chapter defines "palliation" as "A kind of care that make patients with terminal illnesses feel better, even though the care cannot cure the patient."

I also refer you to Police Instruction Chapter titled "Part 15 Police discretion with possession/use of controlled drugs and/or possession of utensils offences", which can also be viewed via the following link:
<https://www.police.govt.nz/sites/default/files/publications/drugs-part-15-police-discretion-with-possession-use-of-controlled-drugs-280622.pdf>

You have the right to ask the Ombudsman to review my decision if you are not satisfied with the response to your request. Information about how to make a complaint is available at: www.ombudsman.parliament.nz.

Yours sincerely



David Kirby
Detective Inspector
National Criminal Investigation Group
New Zealand Police