

12 April 2024

James
fyi-request-26311-51d8d88b@requests.fyi.org.nz

Dear James

Thank you for your Official Information Act 1982 (OIA) received by New Zealand Police on 4 April 2024 in which you requested information about refusing to accompany a police officer. I have answered each part of your request below.

1. *Since November 1st 2017 until March 1st 2024 how many people if any, have refused to accompany a police officer before they have sought legal advice?*

Police does not collect this level of data and would be required to review each instance where a person was charged with refusing to accompany an enforcement officer. This part of your request is therefore refused pursuant to section 18(f) of the OIA as the information cannot be made available without substantial collation or research.

2. *Under current Police legislation and policy are you able to refuse to accompany an officer when requested until you have sought legal advice? If yes, in what circumstances?*

This part of your request invites Police to form a legal opinion. Police does not provide legal advice or legal interpretation services to the public, nor does the OIA require an agency to form an opinion to answer a request. This part of your request is therefore refused pursuant to section 18(g) of the OIA as the information requested is not held by Police. However, you may find section 59 of the Land Transport Act 1998 to be of interest.

3. *Between November 1st 2017 and March 1st 2024 have any cases/action been taken against the Police for refusing access to a lawyer/legal advice before accompanying a Police officer?*

Police is not aware of any such cases.

If you are not satisfied with the way I have responded to your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



Superintendent Steve Greally
Director: Road Policing

Police National Headquarters

180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand.
Telephone: 04 474 9499. Fax: 04 498 7400. www.police.govt.nz