



24 August 2017

LGOIMA No. 8140001767
(Please quote this in any correspondence)

Valerie Morse

By Email: fyi-request-6287-5586c589@requests.fyi.org.nz

Dear Valerie

Local Government Official Information And Meetings Act 1987

Trespass by Police from Council premises

I refer to your request, which we received on 27 July 2017, concerning trespass by police from council premises. I also refer to my email dated 2 August 2017 seeking refinement of the second part of your request. You replied on the same day and withdrew that part of the request.

A copy of any delegated authority to the NZ Police to trespass people from Council facilities

In order to trespass someone from property you must be the lawful occupier of the property. In certain circumstances, the Police are given authority to act on behalf of Auckland Council as the lawful occupier of council property.

The Police are typically given the authority in conjunction with events on council property or for locations that require monitoring. This is in order to remove those persons whose behaviour is such that they are a risk to others or who are creating, or likely to create, a nuisance to others, and whose removal is desirable in order to prevent a breach of the peace.

In these instances the Police will receive authority in relation to a particular property for a specified period of time on a standard "Authority to Act" authorisation form. The authorisation form, signed by the council, provides the Police with the authority to act under section 56 of the Crimes Act 1961 and the provisions of the Trespass Act 1980.

Auckland Council also currently authorises the Police to act on behalf of the council to remove trespassers from, and prevent trespass to, all community facilities and libraries as stated in the attached authorisations. These authorisations are limited to one year so the council can review them each year to ensure they are effective in achieving the desired outcomes and to retain control over this activity.

Please find attached the signed trespass authorisations that are currently in effect.

Please note that some names and signatures of staff members have been redacted from the authorisation document to protect their privacy. This information is withheld under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Any advice, policy, notes, minutes, emails, instructions or any other information relating to Auckland Council's Trespass Act rights & responsibilities.

Please find attached the council's Trespass Procedure document dated 18 August 2015.

This procedure document was prepared by the council's Security and Access Services team in consultation with the council's legal department and is based on best practice to ensure that the council is complying with the relevant laws.

I hope you find this information useful. If you have any further queries please contact me on 09 301 0101, quoting LGOIMA No. 8140001767.

Should you believe Auckland Council has not responded appropriately to your request you have the right to seek a review of the decision from the Ombudsman.

Yours sincerely



Jenny Hua
Privacy & LGOIMA Business Partner
Democracy Services