



26 February 2018

David Roos
fyi-request-7218-9cdd950e@requests.fyi.org.nz

Dear Mr Roos,

Local Government Official Information and Meetings Act 1987 (LGOIMA)

CAS-677720-D1W9Z9

Thank you for your email dated 5 February 2018, requesting information about evidences used to issue fines/infringements.

Request: What level is evidence is required for an infringement to considered reliable enough to issues fines/prosecute?

Response:

Auckland Transport (AT) Operational Process defines the need for a warranted officer to witness and provide evidence for the offence. Should we not be able to gather the evidence requirements for each infringement to be able to legally proceed with an infringement, AT could never support a legal challenge.

AT have to ensure all enforcement guidelines that officers work from are being met. For example, correct and legal signage and marking to be in place during the offence.

In addition, every reported offence has to follow the guidelines listed in the National Schedule of Penalties & Regulations. Evidence, such as measurement of distance from signs front and rear could be relied upon. Photos taken would have to have a verified time and date stamp. Proof of verification must be always available.

Every warranted officer has to ensure that the evidence provided is sufficient for him to agree that an offence took place and issue a corresponding infringement against the provisions of their personal warrant. AT cannot instruct an Officer to issue any infringement that AT or a third party may deem an offence.

If one offence is challenged, the person supplying the evidence would be required to appear in court and supply all required witness statements and verification of evidence provided to the bench at the hearing. AT Prosecution service has a pre-court briefing and the witness would be required to attend.

As part of Parking Compliance, all officers gather correct and effective evidence and attend all briefings and hearings required.

We trust the above information has addressed your request however should you believe that we have not dealt with your request appropriately, you have the right in accordance with section 27(3) of the LGOIMA to make a complaint to the Office of the Ombudsman and seek an investigation and review in regard to this matter.



If you have any further queries, please contact Auckland Transport on 09 355 3553 quoting Official Information request number CAS-677720-D1W9Z9.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Strawbridge'. The signature is fluid and cursive, with a large loop at the end.

John Strawbridge
Group Manager, Parking Services & Compliance