



13 March 2018

Joseph

Email: [fyi-request-7371-22e722fb@requests.fyi.org.nz](mailto:fyi-request-7371-22e722fb@requests.fyi.org.nz)

Dear Joseph

I refer to your questions about arrest sent to Police on 3 March 2018 as follows:

*Specifically, if a member of Parliament (e.g the Prime Minister) is seen by a constable committing a crime, can they be arrested by said constable or do they have some sort of immunity?*

*Also, can an on-duty constable be arrested for a crime?*

Please note that Police is not obliged to form an opinion, create information or provide legal advice to answer a request for information. Your questions are not a request for official information under the Official Information Act.

Information on statutory provisions can be located at [www.legislation.govt.nz](http://www.legislation.govt.nz). The Commissioner of Police and Speaker of the House of Representatives have also entered into agreements, and these can be located at the following links:

<https://www.parliament.nz/media/4071/2017-06-01-signed-policing-protocol-between-the-speaker-and-the-commissioner-of-police.pdf>

<https://www.parliament.nz/media/3990/signed-search-warrant-agreement-170601.pdf>

If you are not satisfied with my response to your request you have the right to complain to the Office of the Ombudsmen and seek an investigation and review of my decision.

Yours sincerely

Inspector Blair Telford  
Ministerial Services