

30 October 2018

Thomas Holmes  
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Ref: IR-01-18-2593

Dear Thomas,

**Request for information**

I am writing further to your complaint to the Ombudsman regarding Police's response to your request of 30 May 2018 for "copies of any policies, procedures, and guidelines that concern vetting of potential recruits".

Police has reconsidered its response, and the information within the scope of your request will now be released to you.

Please find a copy of the New Zealand (NZ) Police Constabulary Recruitment Vetting Standards as at 28 April 2017.

Police regrets any inconvenience the delay in providing this information may have caused you.

Yours sincerely



Andrea Swan  
National Manager: Constabulary Recruitment  
People & Capability Group

Appendices:

A. Constabulary Recruitment Vetting Standards – 28 April 2017

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**Police National Headquarters**

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# Constabulary Recruitment Vetting Standards

**Purpose:**

To provide guidelines for New Zealand Police to assess Recruit and Rejoin applicants eligibility to join.

**Assessment Factors:**

With respect to the offence(s), assessment of the conduct is to be undertaken using the C.A.R.E. decision model to provide guidance in determining the eligibility of the applicant:

- Classification of the offence(s)
- Age of the applicant
- Recency of history
- Extent of history

**Applicants are only appointed as a Recruit or Rejoin where their integrity is not subject of any reasonable doubt or concern. When determining exclusion periods, it may be appropriate to consider a longer exclusion period based on the overall conduct of an applicant. Exclusion periods are calculated from the date of the offence or Court decision unless specified otherwise.**

<p><b>No conviction recorded</b></p>	<p>Constabulary Recruitment have the discretion to take into account all offences regardless of whether a conviction is recorded. A decision by a Court not to record a conviction may be taken into account when determining the gravity of an offence. In the case of youth offenders, outcomes are primarily recorded as charges 'proven' rather than a conviction being entered.</p>
<p><b>Charged but found not guilty</b></p>	<p>Where an applicant has been charged with an offence but found not guilty, or where charges are withdrawn.</p>

## Proven Charges (convictions, discharge without conviction, diversion) including youth offending

#	Charges	Comment	Minimum exclusion period
1.	Crimes against rights of property, including all crimes involving dishonesty under the Crimes Act 1961	Any proven charge	Unsuitable unless exceptional circumstances.
2.	Drugs - includes all offences, except Class C, under the Misuse of Drugs Act 1975	Any proven charge	Unsuitable
	Drugs - Class C offences, under the Misuse of Drugs Act 1975	Any proven charge	7 years from the date of the offence. Unsuitable if supplying
3.	Morality and public welfare. All offences under Part VII, sections 123-150, Crimes Act 1961	Any proven charge	Unsuitable
4.	Violence. All assaults and all "crimes against the person" under Part VIII of the Crimes Act 1961	Any proven charge	Unsuitable

<p>5.</p>	<p>Drink/Drug driving offences under the Transport Act 1962 or Part 6 of the Land Transport Act 1998.</p> <p>*Rejoin applicants will remain subject to outcomes from prior employment investigations or similar.</p>	<p>Conviction for any drink or drug driving related offence, including failing or refusing to comply offences. Infringement offence for excess breath or excess blood alcohol</p> <p>Under 20-year-old excess breath alcohol under 250 micrograms of alcohol per litre of breath or 30 milligrams of alcohol per 100 millilitres of blood</p>	<p>7 years from the date of any offence proven. More than one offence – unsuitable</p> <p>5 years from the date of any offence proven. More than one offence – unsuitable</p>
<p>6.</p>	<p>Any Regulatory Vehicle Infringement Offence</p>	<p>Example, WOF, Registration</p>	<p>0 years</p>
<p>7.</p>	<p>Road Safety Related Traffic Infringements or Written Traffic Warning, excluding drink-driving offences</p> <p>Demerits</p>	<p>Example speed, breach of road rules, mobile phone related offences, driver licencing.</p>	<p>1 offence – 6 months</p> <p>2 to 6 offences – 1 year from date of last offence</p> <p>7 or more offences – 5 years from the date of last offence; maybe unsuitable depending on nature of offences and timeframes.</p> <p>50 or more demerits – unsuitable until demerits fall below 50.</p>

8.	Careless driving		1 year from the date of any offence proven
9.	Careless driving causing injury/death		7 years from the date of any offence proven. More than one offence - unsuitable
10.	Dangerous/reckless driving		7 years from the date of any offence proven. More than one offence - unsuitable
11.	Dangerous/reckless driving causing injury/death		Unsuitable
12.	Driving while forbidden or suspended to drive		7 years from the date of any offence proven. More than one offence - unsuitable
13.	Driving while disqualified to drive		Unsuitable
14.	Unauthorised street racing under the Land Transport (Enforcement Powers) Amendment Act 2009		7 years from the date of any offence proven
15.	Self-disclosure of any criminal behaviour (incl. illegal drugs use)	Exclusion period is to reflect the seriousness (noting's, disclosure, time, frequency and type)	7 years from the date of last use
16.	Other: Sentenced to a period of imprisonment or an electronically monitored sentence for any offence (regardless of whether penalty was wholly suspended)	Any other proven charge not previously listed under any statute or Act in New Zealand Law that carries a term of imprisonment.	Unsuitable
17.	Offences or orders under the Arms Act 1983 or corresponding law that prohibits the person from possession or using a firearm		7 years from the date of any offence proven.

18.	<p>Bankruptcy</p> <p>Current Bankrupt – not discharged</p> <p>Former bankrupt – discharged</p>	<p>Cannot consider applicant until discharged (evidence required).</p> <p>Obtain full circumstances of bankruptcy and credit check, and assess if any integrity issues involved.</p>	<p>Unsuitable</p> <p>2 years from date of discharge</p>
19.	Non-Disclosure	<ul style="list-style-type: none"> <li>• If there is no doubt the applicant has knowingly failed to disclose information in the selection process.</li> <li>• If there is reasonable doubt as to the intentional withholding of information or there are mitigating circumstances, consideration should be given to applicant's suitability</li> </ul>	<p>Unsuitable</p> <p>0 years based on merit</p>
20.	Consume liquor in public place and other liquor act offences	<p>First offence</p> <p>Second offence</p>	<p>0 years</p> <p>2 years from the date of any offence proven</p>
21.	Consume liquor in public place (breach of liquor ban) and other liquor act offences resulted in an arrest		7 years from the date of any offence proven
22.	<p>Providing False Information and/or Declarations</p> <ul style="list-style-type: none"> <li>• Traffic</li> <li>• Tax</li> </ul>		Unsuitable
23.	Obstruct/Hinder Police. Any offence showing disrespect for the role of Police in society		7 years from the date of any offence proven



26.	Trespass Orders	Current Trespass Order on residential or commercial property.	Obtain full circumstances of a Trespass Order before applying discretion on a case-by-case basis.
27.	Intel <ul style="list-style-type: none"> <li>• Other discovery of any criminal behaviour (including illegal drug use by applicant)</li> </ul>	Exclusion period is to reflect the seriousness. Disclosures which have been attained following intelligence or other information provided by a third person should be verified and considered in determining extent or reduction of exclusion period as the conduct has not been volunteered by applicant.	0 years



## Definitions

<b>Conviction</b>	A conviction entered by a court in New Zealand for an offence, including a conviction for a traffic offence; and  Includes a conviction entered by court or court-martial under the Armed Forces Discipline Act 1971 or resulting from an appeal from a decision under that Act.
<b>Offence</b>	Any act or omission for which a person may be punished under the Crimes Act 1961 or any other enactment, whether on conviction on indictment or on summary conviction.
<b>Traffic Offence</b>	Any offence against the Land Transport 1998 or the Transport Act 1962, or against any regulation, rule or bylaw made under any of those Acts. Or any offence against any regulation, rule, or bylaw made under any other Act if the offence relates to the use of vehicles, parking places, or transport stations.
<b>Caution</b>	An informal caution given where the offender is not charged.
<b>Pre charge warning</b>	A formal warning given after an arrest for a minor offence.
<b>Discharge</b>	This is the equivalent of being found not guilty (an acquittal). The judge can only discharge without conviction if the direct and indirect consequences of a conviction would be out of all proportion to the seriousness of the offence. Also, a discharge without conviction can only be given if the particular offence doesn't have a minimum sentence.
<b>Diversion</b>	An alternative means of processing some offences and/or offenders through the courts. It provides an outlet for prosecutions to be diverted from the formal criminal justice system and ensures that the only cases that proceed before the judiciary are those which the public interest suggest require the full intervention of the criminal law.
<b>Withdrawn by leave</b>	A court may grant leave to withdraw a plea of guilty at any time before the defendant has been sentenced or otherwise dealt with. The court must grant leave, if the court had given a sentence indication which the defendant accepted. Withdrawn by leave is deemed to be an acquittal if the defendant has been given a sentence indication.

## General

<b>Traffic Offences Notices or Infringement Offence Notices</b>	An applicant is not eligible to apply until the number of demerit points is under 50.
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