

19 August 2019

Mr Hugh Davenport
fyi-request-10554-69d78fa6@requests.fyi.org.nz

Dear Mr Davenport

REQUEST FOR INFORMATION IR-01-19-16905

I refer to your 18 June 2019 request relating to a cycle safety post on the Wellington District Police Facebook Page. Police responded to your request on 19 June 2019 and refused the request in reliance on section 18(h) of the OIA. Police would like to further advise that:

- There are no internal or external communications regarding the development of the image;
- Police hold no information on the cycling experience of persons involved in the development of the image;
- Police did not communicate with any external persons about the development of the image;
- Police obtained the information used to develop the image from <https://nzta.govt.nz/walking-cycling-and-public-transport/cycling/cycling-in-new-zealand/cycle-safety/>;
- Police do not hold information on how the image was intended to reduce risk to cyclists when it did not target the road users that are the majority in causing accidents to cyclists but note the image contained uncontroversial safety advice (see <https://nzta.govt.nz/walking-cycling-and-public-transport/cycling/cycling-in-new-zealand/cycle-safety/>); and
- Police do not hold information on whether there are future intentions to create an image that targets car drivers.

The OIA only applies to information that is already held by Police. There is no obligation on Police to create information in order to respond to a request. The information you sought in this case (such as cycling experience, the creation of explanations, and information on future intentions) is not held by Police and would need to be created in order to respond to your request. Your request can therefore be refused under s.18(g) of the OIA.



Police would like to advise that the image was created by an Intel Analyst assigned to the Wellington District Intelligence Section who operate the Wellington District Police Facebook Page. The post was developed in less than a week as part of a theme of 'keeping safe' for 'Traffic Tuesday'. The post was created by extracting key messages from the NZTA guidance (<https://nzta.govt.nz/walking-cycling-and-public-transport/cycling/cycling-in-new-zealand/cycle-safety/>) and pasting these messages over generic cycle images from Google searches.

Your complaint to the Ombudsman in relation to this request continues to be investigated and you may make a further complaint. Police will provide a copy of this letter to the investigator investigating your complaint.

Sincerely

P Dinnan

Perry Dinnan
Sergeant G578
Wellington District Police