

26 August 2020

Amy S Van Wey Lovatt

REF: IR-01-20-23204

Dear Amy,

I refer to your Official Information Act (OIA) request dated 12 August 2020 in which you requested the following:

*Clarification 1:*

*Is this to say that the NZ Police do not have any reports of such instances?*

*Clarification 2:*

*Is it the position of the NZ Police that information which is connected to offences under the Summary Offences Act 1981 and the Crimes Act 1961, (i) is not held by the NZ Police or (ii) is more connected to the Ministry of Health?*

First of all, I would like to apologise for the delay in responding to your previous request.

Police do not publish statistics that delineate offences where a “member of the public impersonates a physician”. Such offences do contravene section 7 of the Health Practitioners Competence Assurance Act 2003; however, Police are not the investigative or prosecuting agency that handles these breaches. Actions taken on such breaches are more aligned with the functions of the Ministry of Health. Accordingly, the request was transferred to the Ministry of Health on 2 July 2020. However, on 9 July 2020, the Ministry of Health refused the transfer on the ground that they do not hold the information.

Police do hold data that is connected to the Summary Offences Act 1981 and the Crimes Act 1961. However, Police do not have statistics relating to the following legislative references:

- Section 20 of the Summary Offences Act: False Claim of Qualifications; and
- Section 107 of the Crimes Act: Contravention of Statute

Police do have statistics on the following legislative references:

- Section 145 of the Crimes Act: Criminal nuisance;

**Police National Headquarters**

180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand  
Telephone: 04 474 9499. Fax: 04 498 7400. [www.police.govt.nz](http://www.police.govt.nz)

- Section 219 of the Crimes Act: Theft or stealing;
- Section 228 of the Crimes Act: Dishonestly taking or using document.

These statistics also do not delineate whether “a member of the public had impersonated a physician” or not. Moreover, they do not classify what the source of the complaints are.

I trust this clarifies the issues for you. If you have any questions regarding this data, please feel free to contact [data@police.govt.nz](mailto:data@police.govt.nz).

You have the right to ask the Ombudsman to review my decision if you are not satisfied with Police’s response to your request.

Yours sincerely

**Dr Sheree de Malmanche**  
Chief Data Scientist  
Evidence Based Policing Centre  
New Zealand Police

A handwritten signature in blue ink, appearing to be 'P. de Malmanche', written over a large, stylized blue scribble or mark.