

1 June 2021

Email: fyi-request-15393-b5c511bb@requests.fyi.org.nz

Dear Hayden,

REQUEST FOR INFORMATION – OUR REFERENCE: IR-01-21-14871

I refer to your request dated 7 May 2021, which sought the following information:

I'm requesting information to clarify the difference between a warrant (sic) to arrest and wanted to arrest. Furthermore, I'd like to request the following additional information If a person has a "Wanted to arrest" (sic) and flew back into NZ does Customs advise the police that this person is intending to fly back? Does a wanted to arrest mean that a person will be arrested upon reentering (sic) the country?

Your request has been considered in accordance with the Official Information Act 1982.

1. *What is the difference between a warrant to arrest and wanted to arrest?*

A warrant to arrest (WTA) is issued by the court. It authorises a Constable or enforcement officer to arrest that person and hold them in custody until the next available court date. When a WTA is issued by the court, the Police National Intelligence Application (NIA) is automatically updated with a 'warrant to arrest' alert.

There is no official Police status of 'wanted to arrest', although this was historically used. A person wanted to arrest is just that, i.e. they are sought for / wanted to arrest and there is evidential sufficiency to arrest them. These people are 'flagged' in NIA with the 'Required to Arrest' alert. The alert is entered (or caused to be entered) by the investigating officer.

2. *If a person has a wanted to arrest and flew back to New Zealand does Customs advise the police that this person is intending to fly back?*

No. Customs does not notify Police based on an intention to fly back.

Police can notify New Zealand Customs (via a Border Alert Notification) that they're seeking a person of interest that either has a warrant to arrest or is required to arrest.

Should the person attempt to enter or leave New Zealand (departures and arrivals) this notification will cause New Zealand Customs to notify Police.

Border alerts are not automatically created; manual entry is required by the investigating officer. Entering a Border Alert Notification is an investigation decision. There are several considerations, e.g. seriousness of offending and flight risk to name a couple.

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

3. Does a wanted to arrest mean that a person will be arrested upon re-entering the country?

Refer to information provided in question 2. They may be arrested if a Border Alert has been entered.

I trust that the information provided satisfactorily addresses your areas of interest. If not, then you have the right to ask the Ombudsman to investigate and review the way your request has been handled.

Respectfully,



Inspector Mark Johnson
Manager: Case & System Management, Service Group
Police National Headquarters