

27 October 2022

Vivienne Lewis

[fyi-request-20768-2ad22032@requests.fyi.org.nz](mailto:fyi-request-20768-2ad22032@requests.fyi.org.nz)

Dear Vivienne

Thank you for your Official Information Act 1982 (OIA) request of 5 October 2022, where you requested information regarding the recent reporting of an undercover Police window washer.

You asked the following:

*Could you please supply, in full, the following (if they exist):*

- 1. Any advice the New Zealand Police receive about the legality of undertaking such activities, especially in relation to section 11.6A of Land Transport (Road User) Rule 2004.*
- 2. Confirmation if the officer was found to be in breach of the Land Transport Rule.*

Police did not receive any advice therefore your question is unable to be answered under section 18(e) of the OIA, that the information requested does not exist.

Police advise that the Officer was not in breach of Section 11.6A as he was not washing windows. He was standing on the footpath holding a squeegee but was not entering the roadway or approaching motorists.

Police have however, acknowledged publicly that giving the appearance of a window washer was not appropriate and staff have been instructed not to use this method for future operations. Please see the media statement below:

**Attribute to Counties Manukau Road Policing Manager Inspector Tony Wakelin:**

*Police can confirm a road policing operation was conducted recently at an intersection in Manurewa. These types of operations are an important part of our prevention and enforcement activities on our roads. On this occasion, Police were looking for motorists who run red lights or who were driving whilst using their mobile phones. Both of these offences are causes of death and serious injury on our roads.*

*We would remind road users that using a mobile phone whilst driving, which includes when stopped at traffic lights, is both illegal and dangerous. The use of a plain clothes officer to watch for these offences is a standard operating tactic to prevent death and serious injuries on our roads. Of which, there have been 20 deaths on our roads in Counties Manukau in 2022 to date. People who take the risk to run a red light are putting not only themselves but the lives of innocent members of our community at risk. It's a risk that is not worth taking and Police regularly carry out operations targeting red light runners because we know the danger this type of behaviour poses.*

*However, we acknowledge the officer dressing to appear as a window washer is not appropriate and we will be communicating with our staff this should not be happening in future. There are lessons here for our staff on the appropriate way to conduct these operations in future and I will be ensuring those conversations will be had.*

**Tamaki Makaurau – Information Request Team**

**Piki Ki Te Ao**, 482 Great South Road, Otahuhu, Auckland

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You have the right to ask the Ombudsman to review my decision if you are not satisfied with the response to your request. Information about how to request a review is available at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Yours sincerely

*LCleaver*

L Cleaver  
Senior Project Officer

Disclosed by NZ Police under the Official Information Act 1982