



10 February 2015

Mr Shane Le Brun

fyi-request-2408-6d5b2946@requests.fyi.org.nz

fyi-request-2409-5b43ae3d@requests.fyi.org.nz

Dear Mr Le Brun

Official Information Act Request

I refer to your email request of 15 January 2015 to the Minister of Police, Hon Michael Woodhouse requesting the following information under the Official Information Act 1982 (the Act):

I would like to know if para 89 of the Law Commission report 122 'Controlling and regulating drugs – Misuse of Drugs Act 1975' has been implemented by NZ Police, bringing us in line with similar progressive policy implemented in several Australian states. I would also like copies of any internal discussion documents, including emails relating to this matter explaining why this recommendation of the report was or was not implemented.

The request was transferred to New Zealand Police for response as the information requested was not held by the Minister of Police's office.

I refer also to your email request of 15 January 2015 to New Zealand Police requesting the following information under the Act:

I would like to know if there is a framework or set of guidelines at either the National Level, or an independent set of rules managed regionally, about when to prosecute or not prosecute individuals claiming their cannabis use and or possession is for medicinal purposes. If there is such a framework or guidelines, either at the National level, or for any region(s) I would like a copy of the documents pertaining to this policy.

Paragraph 89 of the Law Commission report states: "In the meantime, while trials [medicinal cannabis trials] are being conducted, we think it would be appropriate for the police to adopt a policy of not prosecuting in cases where they are satisfied that cannabis use is directed towards pain relief or managing the symptoms of chronic or debilitating illness". The Law Commission's suggestion has not been specifically considered by Police. There are also no guidelines either nationally or regionally about when to, or not to, prosecute individuals claiming their cannabis use and or possession is for medicinal purposes.

I therefore refuse your requests under section 18(e) of the Act as the information requested does not exist.

Safer Communities Together

POLICE NATIONAL HEADQUARTERS

180 Molesworth Street, PO Box 3017, DX SX11149, Wellington 6140, New Zealand

Telephone: (04) 474 9499 Facsimile: (04) 498 7400 www.police.govt.nz

You have the right under section 28(3) of the Act to ask the Office of the Ombudsmen to review my decision if you are not satisfied with my response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dunn', written in a cursive style.

Geoffrey Dunn
Acting National Manager, Policy