



11 December 2015

09/188/4

Arthur Jacobson
fyi-request-3365-08f0255d@requests.fyi.org.nz

Dear Arthur

I refer to your Official Information Act request of 13 November 2015 for information about speeding tickets issued to Police officers.

Police employees who travel in excess of the speed limit without a legal defence are treated no differently to members of the public, and depending on the circumstances may be subject to disciplinary action in addition to the applicable penalty. Whilst the vehicles are owned by Police, they are not always driven by Police officers. For example, they may be driven by mechanics during servicing.

You requested:

The total number of speeding tickets issued in 2014 (or other recent year long period if you collate to a different annual date)?

This information is available on the Police website at the following link therefore your request is refused pursuant to section 18(d) of the Official Information Act 1982 as the information requested is publicly available.

<http://www.police.govt.nz/about-us/publication/road-policing-driver-offence-data-january-2009-september-2015>

The number of speeding tickets included in the answer to question 1 above that were issued to on-duty police excluding those waived due to police on urgent-lights flashing etc police business?

Police does not record offences by occupation type, so is unable to answer your request for information relating to the number of speeding tickets issued to on-duty Police officers. Therefore this part of your request is refused pursuant to section 18(e) of the Official Information Act 1982 as the information requested does not exist or cannot be found.

Police can however provide the number of speed camera infringement notices issued to vehicles registered to Police. As stated above, whilst the vehicles are owned by

Police, they are not always driven by Police officers. This information can also be found on the Police website at the link provided.

A change to the recording process means there has been an increase in the number of infringements recorded for 2014/15 when compared to previous years. This is due to change of process for speed camera photos of Police vehicles with red and blue flashing lights visible in photographs. Notices are now issued for many of these photos, pending an explanation from the driver rather than the previous process of presuming an urgent duty driving defence and not issuing a notice.

The number of speeding tickets included in the answer to question 1 above that were issued as speed camera tickets rather than "personally" issued by police officers?

This part of your request is refused pursuant section 18(d) of the Official Information Act 1982 as the information requested is publicly available. The provided link contains information about speed camera infringement notices issued to Police vehicles. The data does not include officer issued speeding tickets.

The number of speed camera tickets included in the answer to question 3 above that were issued to on-duty police excluding those waived due to police on urgent-lights flashing etc-police business?

As mentioned above, Police does not record offences by occupation type, so is unable to answer your request for information relating to the number of speeding tickets issued to on-duty Police officers. Therefore this part of your request is refused pursuant to section 18(e) of the Official Information Act 1982 as the information requested does not exist or cannot be found.

Police is able to provide the number of speed camera offences and infringements issued to vehicles registered to Police and this information can be found in the tables on the Police website. Please note that this data only reflects the number of infringement notices issued to Police vehicles which includes the number of notices that are eventually waived due to a legal urgent duty driving exemption applying to the incident.

An exemption exists under the Land Transport (Road User Rule) 2004 for the driver of any Police vehicle to exceed the speed limit in circumstances where compliance with the speed limit would hinder his or her ability to perform their duty.

Road User Rule 5.1(3)(a) states:

A driver who drives at speed exceeding the applicable speed limit is not in breach of subclause (1) if the driver proves that, at the time the vehicle was being driven,-

(a) The vehicle was being used by an enforcement officer engaged on urgent duty and compliance with the speed limit would be likely to prevent the execution of the officer's duty

The tables on the Police website also provide information about the number of notices issued to Police vehicles that have been waived versus any other outcome, including those that have not yet reached a final conclusion. "Waived" totals include the number of notices that have been waived for any reason including the above legal defence. "Other" totals include the number of notices that have not been

waived, including those that have been fee paid, referred to the Ministry of Justice and those that are still pending an outcome.

You have the right to complain to the Ombudsman in writing to seek an investigation and review of my decision if you are not satisfied with the way I have responded to your request.

Yours sincerely



Inspector Peter McKennie
Acting National Manager Road Policing