

<b>SPRG reference</b>	SPRG 55.6
<b>Paper title</b>	Proposed new Police Instruction regarding Sovereign Citizens
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## Purpose

1. This paper proposes a new Police Instruction to support Police interactions with so-called sovereign citizens (SOVCITs).

## Summary

2. SOVCITs pose unique challenges to Police due to their refusal to recognise legal authority. This can lead to non-compliance, confrontations and potential threat to officer and public safety.
3. The proposed Police Instruction provides information, scenarios and frameworks to support frontline interactions with SOVCITs. It has been developed by the Assurance Group, following feedback from Wellington and Central Districts, and is informed by advice and insights from Police Legal, Intelligence (Security Intelligence and Threats Group), Ministerial Services, Road Policing and the Ministry of Foreign Affairs and Trade (MFAT).

## Background

4. SOVCITs are individuals who believe they are not subject to government laws, regulations or authority. They often assert that they are “sovereign” from the government and, therefore, immune to legal obligations such as holding/presenting a driver’s licence, paying taxes, or registering vehicles. SOVCITs may reject the legitimacy of the courts, law enforcement and other government institutions, often using pseudo-legal arguments to justify their claims.
5. The SOVCITs movement is characterised by a mix of anti-government sentiment and a belief in personal sovereignty. Police must treat every incident involving SOVCITs as they would any other and uphold the Policing Act 2008, the New Zealand Bill of Rights Act 1990 and any other relevant legislation while also adhering to Police values.
6. During discussions with Central and Wellington District staff, issues were raised regarding interactions with SOVCITs and the lack of documented Police guidance on how to navigate them. Challenges included Police being personally trespassed from houses and encountering aggression or non-compliance when acting on Police authority such as warrants to arrest, undertaking traffic stops, revoking firearms licences, or serving protection orders. SOVCITs have also been known to present fraudulent diplomatic identification cards.
7. Following discussions with Police Legal and Intelligence (Security Intelligence and Threats Group), Assurance Group offered to develop the attached guidance-based Police Instruction to support Police staff to navigate the challenges SOVCITs are currently presenting.
8. Feedback was also obtained from Ministerial Services (regarding challenges with information requests) and Road Policing to support the development of the draft Police Instruction. We also obtained information from MFAT including examples of genuine diplomatic ID cards.

## Risks / Opportunities

9. The draft Police Instruction is a scenario-based policy to support frontline interactions with SOVCITs. It is intended that we will build on it over time and may need to move towards a more prescriptive approach if these challenges grow.
10. In terms of specific risks, the draft acknowledges and provides guidance in relation to:
  - a. SOVCITs who may be non-compliant or confrontational.
  - b. SOVCITs who present fraudulent diplomatic identification cards.
  - c. SOVCITs who hold attitudes or beliefs that align with violent extremism or terrorism.
11. There is no clear organisational owner of SOVCITs, with several business groups and all Police District staff being affected by them. As part of its broader role, Assurance Group has prepared the Police Instruction to support core policing activities and is comfortable to own the Instruction for stewardship purposes, but subject matter expertise from across the business will be required to ensure it remains current.

## Consultation

12. The draft Police Instruction was developed with input from Wellington and Central Districts, the Security Intelligence and Threats Group in the National Intelligence Centre, Police Legal, Road Policing, Ministerial Services, and MFAT.

## Next steps

13. It is proposed that prior to the Chief Assurance Officer approving the Police Instruction for publication, any feedback from SPRG will be incorporated and final endorsement obtained from the Chief Legal Advisor, the Director: Road Policing, the Manager: Ministerial Services, and the Director: National Intelligence.

## Recommendations

It is recommended the Security and Privacy Reference Group (SPRG):

- (i) **Note** that a new Police Instruction regarding sovereign citizens has been developed to support increasingly challenging frontline interactions and information requests.
- (ii) **Discuss** and review the draft Police Instruction and provide any feedback.
- (iii) **Note** the intention for the Chief Assurance Officer to ultimately approve the Police Instruction for publication, following SPRG's feedback and final endorsement from the Chief Legal Advisor, the Director: Road Policing, the Manager: Ministerial Services and the Director: National Intelligence.



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