



NEW ZEALAND  
**CUSTOMS SERVICE**  
TE MANA ĀRAI O AOTEAROA

**WELLINGTON**

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PROTECTING NEW ZEALAND'S BORDER

12 April 2017

Ref: CR OIA 17-014A

Mr David Johnston

By email: [fyi-request-5571-b76b1e6d@requests.fyi.org.nz](mailto:fyi-request-5571-b76b1e6d@requests.fyi.org.nz)

Dear Mr Johnston

**Request for information under the Official Information Act 1982**

Thank you for your email of 17 March 2017 to the New Zealand Customs Service (Customs) which was received through the FYI website.

You have requested information under the Official Information Act 1982 (the OIA) about the number of prosecutions and other law enforcement actions, for example warnings, that resulted from the interceptions detailed in your previous OIA request, reference OIA 17-014. In this request you asked for, and were provided with, the number of interceptions made through the mail system of six specified drugs, for the years 2012 to 2016.

On 24 March 2017, Customs wrote to you via the FYI website to advise that the initial analysis of your request indicated that Customs have progressed approximately 200-300 of these interceptions to prosecution. Customs also advised that it was considering refusing your request under section 18(f) of the OIA as the information requested cannot be made available without substantial collation and research. Customs invited you to refine the scope of your request.

To date, Customs has not received a response to our invitation to refine the scope of your request. As such, this part of your request is refused under section 18(f) of the OIA.

In refusing your request, Customs has considered pursuant to sections 18A(1)(a) and 18A(1)(b) of the OIA whether fixing a charge for the information requested (under section 15), or extending the time limit (under section 15A) would enable the request to be granted. Customs considers that neither of these options would enable your request to be granted, as collating the information requested would be likely to unreasonably interfere with the operations of the department. If Customs were to fix a charge, it would be in the vicinity of \$29,000.

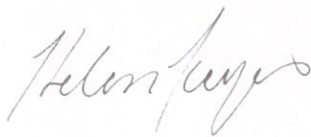
In order to assist with your understanding of Customs' operations, section 36 of the Misuse of Drugs Act 1975 allows Customs to seize and dispose of controlled drugs. While not every interception results in an arrest, all interceptions of controlled drugs are seized by Customs and destroyed. Information taken from the interception is recorded for intelligence purposes, helps contribute to the bigger picture, and investigation activity is taken as necessary.

Of the mail interceptions made in the period 2012 to 2016, 49 interceptions have progressed to a prosecution by Customs. This does not include cases where there is a joint investigation between Customs and the New Zealand Police. Customs has conducted 16 joint operations

with Police/Organised and Financial Crimes Agency New Zealand since July 2015. In these instances the Police conduct the prosecution. Customs does not hold data on the number of these prosecutions. The Police also have a liaison officer based in the Auckland Customhouse who may refer interceptions of interest to Police officers in regional New Zealand for action. Customs does not hold records detailing how many referrals are made by the liaison officer to regional Police. Further requests for information regarding Police prosecutions and regional referrals are best directed to the Police.

If you would like to refine your request, Customs can work with you to achieve this. Please contact the Correspondence, Reviews and Ministerial Servicing team via email: [OIA@customs.govt.nz](mailto:OIA@customs.govt.nz) if you would like to discuss this matter further.

Yours sincerely

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

Helen Keyes  
Director Communications (Acting)