



10 September 2012

Guy Hollister
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Mr Hollister

OFFICIAL INFORMATION ACT REQUEST

Your e-mailed Official Information Act 1982 (OIA) request regarding response times and priorities, dated 22 August 2012, has been forwarded to my group for response. I regret not being able to reply sooner.

First, in relation to response priorities and expected response times, New Zealand Police uses a graduated response model through its Communication Centres, with different calls for service being categorised according to the following priority codes:

Priority 1 (P1)

Immediate Response (0-10 minute service level). Police will endeavour to be at the scene within 10 minutes of receiving the event for dispatch. Event involves actual threat to life or property happening now, violence being used or threatened, serious offence/incident in progress and offenders present or leaving the scene, or serious vehicle crashes (persons trapped/seriously injured).

Priority 2 (P2)

Timely Response (0-30 minute service level). Police will endeavour to be at the scene within 30 minutes of receiving the event for dispatch. Event involves offenders present/held but not violent, suspicious activity not involving threat to any person, vehicle crashes but no serious injury, public order disturbance, distressed informant/victim, sudden deaths, and evidence that is present and may be lost.

Priority 3 (P3)

Managed Response (0-24 hour service level). Police will endeavour to be at the scene within 24 hours of receiving the event for dispatch. Police attendance is required when an appropriate resource is available, typically by means of an appointment being made with the caller.

Priority 4-8 (P4-P8)

No police attendance required. Circumstances include a determination made by Communications Centre staff that, unless field staff direct otherwise, no response unit should be dispatched to the event; the event is entered for dispatcher information only, or for intelligence purposes; or the event is suitable for follow-up action by the Crime Reporting Line.

To round out this picture a little more, the following performance standards have been set by Police for responding to P1 events in urban and rural policing areas:

- Median time within which P1 events are responded to in urban areas: 8-9 minutes;
- Median time within which P1 events are responded to in rural areas: 12-14 minutes.

Performance on these response timeliness measures are reported against in Police's *Annual Report* tabled in parliament. Our next *Annual Report*, covering the 2011/12 financial year period, is expected to be tabled in the House in mid October.

Turning to the second aspect of your request, Police policy is covered by the Urgent Duty Driving Policy (copy attached). The overriding principle in the Policy is that "no duty is so urgent that it requires the public or Police to be placed at unjustified risk", and "Police must drive at an appropriate speed and manner". Under the Policy, while

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it is acknowledged officers involving in urgent duty driving may exceed a posted speed limit, there are no "allowable" speeds prescribed; rather, the prime directive is that the officers must drive safely in the specific circumstances.

I trust this information is useful.

Respectfully

A handwritten signature in black ink, appearing to read "Mike Webb". The signature is stylized with a series of vertical lines on the left side.

Mike Webb

National Manager: Planning and Performance



Urgent duty driving (UDD)

This chapter contains these topics:

[Overview](#)

[Legal provisions - defences](#)

[Responsibilities](#)



Overview

Introduction

Urgent duty driving poses risks to public and Police safety and is always subject to considerable scrutiny. Therefore, Police must prioritise safety by driving with a high standard of care and in a manner appropriate to the situation.

Overriding principle

No duty is so urgent that it requires the public or Police to be placed at unjustified risk. Police must drive at an appropriate speed and manner and bear in mind that they:

- are legally responsible for their actions
- must prioritise public and Police safety.

What is urgent duty driving?

Urgent duty driving is when an officer on duty is:

either. . .	and. . .
<ul style="list-style-type: none"> • responding to a critical incident • apprehending an offender for a traffic or criminal offence • apprehending a fleeing driver • engaged in activities approved by the Commissioner in writing 	to comply with traffic rules and regulations would prevent the execution of that duty.

What is a critical incident?

A "critical incident" includes situations where:

- force or the threat of force is involved
- any person faces the risk of serious harm
- Police is responding to people in the act of committing a crime.

Factors to consider

Drivers must take the following factors into account when deciding to commence or continue urgent duty driving and to determine the appropriate speed and driving manner:

- time of the incident (is it in progress?)
- nature and seriousness of the incident
- proximity of other units to the incident
- environment e.g. weather, traffic volume, road type, speed limit and pedestrians etc
- driver classification and vehicle classification
- whether [warning devices](#) are activated or a "[silent approach](#)" is being used.

Note

Situations may change, meaning drivers and constables who are passengers must constantly re-assess the situation considering the above factors. The manner and speed of driving must be adjusted accordingly (e.g. incident seriousness or road speed limit).

Warning devices

Police **must** use flashing lights and sirens at all times (continuously) unless a "silent approach" is tactically appropriate and can be used safely.

Police must not rely on road users to take evasive action when warning lights and sirens are activated – they do not guarantee safety.

What is a "silent approach"?

A silent approach involves reducing speed and turning off sirens when in close proximity to a [critical incident](#). Sirens and engine noise may alert an offender or aggravate a



situation, e.g. when approaching the scene of a crime in progress or report of a suicidal person.

Note: If neither lights nor sirens are used, then the defences for proceeding against traffic signals or through intersections do not apply. See [Legal provisions- defences.](#)



Legal provisions - defences

Police involved in urgent duty driving must familiarise themselves and comply with the law. There is no blanket legal protection when involved in these duties, and Police may need to justify their actions in civil and criminal proceedings.

The [Land Transport \(Road User\) Rule 2004](#) (RUR) and the [Land Transport Act 1998](#) (LTA) provide for defences, subject to these conditions.

You may have a defence for ...	if ...
any act or omission in breach of the RUR (under RUR clause 1.8)	the act or omission was necessary in executing your duty. Note: where a specific exemption applies (eg proceeding against a stop sign), that exemption and associated conditions override this section.
exceeding speed limits (under RUR clauses 5.1 (3)(a), (b) and (c))	you are either: <ul style="list-style-type: none"> engaged in urgent duty and to comply with the speed limit would be likely to prevent the duty being executed driving an emergency vehicle in an emergency and operating a red beacon or a siren, or both (see warning devices) your vehicle is on a road with a speed limit of 60 km/h or more and you are transporting an Executive Council member (all Ministers of the Crown) on urgent public business. (This also applies when you are transporting another person authorised by the Minister on urgent public business).
Proceeding against a stop sign, give way sign or traffic signal (under RUR clause 11.18)	you are: <ul style="list-style-type: none"> driving an emergency vehicle displaying blue and red lights or sounding a siren not exceeding 20 km/h (see warning devices) taking due care to avoid collisions with pedestrians and other traffic. Note: all of these conditions apply.
Proceeding through an intersection (under clause 11.19 of the RUR)	you are: <ul style="list-style-type: none"> driving an emergency vehicle displaying blue and red lights or sounding a siren not exceeding 20 km/h (see warning devices) taking due care to avoid a collision with other traffic. Note: All of these conditions apply.
The mandatory 28-day licence suspension for exceeding the speed limit by more than 40km/h (under section 95(1A)(6)(b) LTA)	the vehicle is conveying Police performing an urgent duty, and to comply with the speed limit is likely to prevent or hinder that duty being executed.

Breaches of Statute

Note that defences for breaches of the Land Transport (Road User) Rule 2004 are unlikely to be a defence for contravention of a statute. This particularly applies in respect of excessive speed giving rise to a dangerous speed charge.



Responsibilities

This table sets out the responsibilities of different roles when Police engage in urgent duty driving.

Role	Responsibilities
Driver	<ul style="list-style-type: none">• Complies with the law and drives in a manner that prioritises public and Police safety.
Constable who is a passenger	<ul style="list-style-type: none">• Advises the driver about the route, situational factors and risks.• Operates the radio if communications are required.
Field supervisor	<ul style="list-style-type: none">• Manages Police performance relating to driving behaviour.• Identifies and manages health and safety risks to those staff.• Immediately reports policy breaches to their superior.• Investigates and reports crashes involving a Police vehicle.
Controlling officer Note: The controlling officer is a shift supervisor (office of constable) at the appropriate Communications Centre.	<ul style="list-style-type: none">• Ensures units are directed to the incident as appropriate.

Related instructions

This chapter must be read in association with:

- General Instruction [V001 – Police driving](#)
- [Fleeing driver policy](#)
- [Police vehicle management](#)
- [Professional Police Driver Programme](#).

More information

For more information contact the Road Policing Support [Operations Manager](#) at PNHQ.