



4 May 2021

Mr Phil Pennington
Reporter
Radio New Zealand
WELLINGTON

Dear Phil

REQUEST FOR INFORMATION IR-01-21-10138

I refer to your correspondence dated 25.03.2021 in which you requested "**the police investigation report into the above fatal of a roadworker in Ngarauunga Gorge - <https://www.tvnz.co.nz/one-news/new-zealand/man-killed-in-workplace-accident-wellington-fourth-fatality-month>. Details of any subsequent action, intervention, followup that police took, or are aware of others, including other agencies, taking**"

Further to my email of 27.4 2021 I advised you that as the matter was still before the Coroner the police are unable release details of the investigation.

In regards to the your request for "**details of any subsequent action, intervention, followup that police took, or are aware of others, including other agencies taking**" I have considered your request in accordance with the Official Information Act 1982 and we can now provide the following information provided by:

Senior Constable Glen Marshall (Serious Crash Analyst)

This crash happened on the 11th of March 2019 and during the investigation police found the brake lever of the truck faulty.

On the 8th of May 2019, concerns were raised formally following discussion with the serious crash unit and RP management

That same day (8th May 2019) Road Policing Manager Inspector Orchard took the matter to PNHQ where Inspector McKennie was informed.

This was then taken to NZTA at their level and a meeting was had between them.

One of the solutions police sought was to have the vehicles "ban-flagged" meaning they could not get a new COF without being inspected fully and the levers replaced. This would have meant all of these types of trucks would be off the road within a 6-month cycle, therefore removing the problem.

Following this NZTA set up a 'team' to deal with the matter. This entailed a further safety alert being issued along with discussion with UD Nissan trucks around recalling and replacing the brake levers. Police were not privy to this meeting or their discussions.

In late 2019 at an informal meeting with NZTA they outlined a prolonged outcome of replacing the brake levers at up-to 10 per month. NZTA and UD Nissan trucks were replacing the levers with a 'new' lever of the same type and design.

Police questioned their reason for this, as this lever had (in our opinion) design faults that leads to their failure. Police were told that was due to a manufacturer supply issue, and associated certification costs if an alternative park lever was retrofitted.

NZTA were not prepared to 'ban-flag' the vehicles as it could impact truck operators.

In July 2020, following another similar crash in Auckland, involving the same model of truck and brake lever, this matter was raised as one of urgency with RP management. This went to PNHQ again and was passed to CVST to liaise with NZTA, Wellington Police have not been kept up to date with any progress.

If you are not satisfied with my response to your request you have the right to complain to the Office of the Ombudsman and seek an investigation and review of my decision.

Kind regards

Alison Schwarz

Official Information Requests

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