



26 November 2014

Mr Alex Harris

XX@XXXXXXXX.XXX.XXX.XX

Dear Mr Harris

**REQUEST FOR POLICE INSTRUCTIONS ON SPARK (TELECOM) INQUIRIES
AND VODAFONE PROTOCOL
(OMBUDSMAN OFFICE FILE: 365982 POLICE FILE: 12/1658/16)**

Police has been notified of your complaint and the commencement of initial enquiries by the Ombudsman under the Official Information Act 1982 (OIA). The complaint related to the Police refusal to release police instructions entitled "Spark (Telecom) inquiries" and the "Vodafone protocol" in September 2013 pursuant to section 6(c) of the OIA.

Police has reconsidered your request, and after consultation with Spark (Telecom) and Vodafone, determined that it is not necessary to continue to withhold these chapters, although, parts of the chapters will be redacted on the grounds set out below.

The Vodafone Protocol is attached with redactions as follows:

1. Information contained in paragraph 1.7 (definition of Customer telecommunications information), Part 3: Protocol two and Schedule 1: Services offered under agreement, is withheld pursuant to section 6(c) of the OIA because release of that information would prejudice the maintenance of the law, including the prevention, investigation and detection of offences;
2. Information contained in paragraphs 4.3 and 4.8 of Part 4: Protocol three, Schedule 5: Contact details and Schedule 6: Service level agreement, is withheld pursuant to section 9(2)(a) to protect the privacy of natural persons and section 6 C of the OIA as it contains confidential contact details not publicly known; and
3. Information contained in paragraphs 1.16, 1.17 and 1.18, is withheld pursuant to section 9(2)(b) of the OIA as it is likely to unreasonably prejudice the commercial position of the parties.

The police instruction entitled "Spark (Telecom) inquiries" is attached with redactions as follows:

4. Information contained on page 1, is withheld pursuant to sections 6(c) and 9(2)(a) of the OIA as it contains confidential contact details not publicly known.

I trust that the information provided satisfies your request. A copy of this letter and attachments will be forwarded to the Office of the Ombudsman.

Yours faithfully

A handwritten signature in black ink, appearing to be 'PB' followed by a large loop and a horizontal stroke.

Detective Inspector Paul Berry
PNHQ