

7 September 2020

Our Reference: IR-01-20-23555

M.R.M

[fyi-request-13530-451ebe2a@requests.fyi.org.nz](mailto:fyi-request-13530-451ebe2a@requests.fyi.org.nz)

Dear M.R.M

I am writing to you in response to your email sent to New Zealand Police on 17 August 2020, which was made pursuant to the Official Information Act 1982 and specifically requested:

- 1. Copies of legislation, regulation, policy, procedure, guidelines, rules, etc. which relate to and/or cover the subject of New Zealand Police Officers using New Zealand Police issued iPhones to record formal interviews, including doing this in private homes*
- 2. Copies of legislation, regulation, policy, procedure, guidelines, rules, etc. which relate to and/or cover the subject of New Zealand Police Officers using New Zealand Police issued iPhones to record formal interviews, including doing this in private homes but in specific regard to compliance with all of the requirements of the Privacy and/or Official Information Acts. In particular, how information recorded and captured by New Zealand Police Officers using New Zealand Police issued I-Phones to record formal interviews is collected, used, disclosed, stored, and, how requesters are given access to such personal information*

My response to your request is as below:

The legislation and regulations that New Zealand Police must comply with in relation to conducting formal interviews are the Evidence Act 2006 and Evidence Regulations 2007. This information is publicly available and therefore this part of your request is refused under section 18(d) of the Official Information Act 1982.

In relation to the policy, procedure, guidelines and rules part of the request, I have attached the following:

1. The VVS User Guide (redacted).
2. The Aide Memoire used by our frontline users.

Information redacted from the VVS User Guide is redacted pursuant to section 6(c) of the Official Information Act 1982 as the making available of the information would be likely to

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## **Police National Headquarters**

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prejudice the maintenance of the law, including the prevention, investigation, and detection of offences.

You have the right, under section 28(3) of the Official Information Act 1982 to ask the Ombudsman to review my decision if you are not satisfied with the way I have responded to your request.

Yours sincerely

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

Eric Tibbott  
National Manager  
National Prevention Centre

