

16 December 2021

IR-01-21-33386

Stuart Yeates
fyi-request-17508-234607e6@requests.fyi.org.nz

Dear Stuart,

Request for Information

Thank you for request of 9 November 2021 for the following:

- 1. I would like to request copies of photography (including digital and conventional; still and video) held by the police now or at any time in the next month in relation to this protest.*
- 2. I would like the content in the highest quality available to the police. For photography, this means the highest resolution images with EXIF and other metadata; for video similar quality and metadata is requested. Metadata in this content is part of what I am requesting.*
- 3. I further request a statement of the copyright license under which this content is released, with reference to Paragraph 21 of NZ GOAL, <https://www.data.govt.nz/assets/Uploads/nzgoal-version-2-december-2014.pdf>*
- 4. I further request information on whether any of the restrictions in Paragraph 24 apply, and if so, to which content.*

Your request has been considered in accordance with the Official Information Act 1982 (the OIA). The following information is available for you to collect:

- CD set 1 (5 discs) - RAW format copies of all photographs captured. These will require specialist photographic software, E.g. Photoshop or Lightroom.
- CD set 2 (2 discs) – A subset of the images on CD set 1. These images have been processed by the Photography section and are in an easy to view format that does not require specialist software. Not all RAW images are processed, as many will be duplicates or have poor lighting etc.

Please advise which Police station you wish to pick these up from.

Please note that photographs taken by plain-clothed staff have been withheld under the following sections of the OIA:

- *Section 6(c) – the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; and*
- *Section 6(d) - the making available of the information would be likely to endanger the safety of any person.*

Should images captured by plain-clothes staff be released, the images and metadata could be used to track staff locations and timings. This information could then be

combined with other images to identify those staff. Identification of plain-clothes staff will severely limit our capability to deploy to similar events in the future thereby limiting our ability to protect the health and safety of members of the public.

Photographs captured by plain-clothes staff are reviewed post-event and the majority are assessed as of no further interest and are deleted. Any remaining images are retained for purposes of identifying individuals or groups of concern and are withheld under Section 6(c) of the OIA.

To the best of Police's knowledge, under New Zealand law there is no copyright or other intellectual property rights in these images in New Zealand; and they may be copied and otherwise re-used in New Zealand without copyright or other intellectual property right related restriction. Police will not be liable to you, on any legal basis (including negligence), for any loss or damage you suffer through your use of this material, except in those cases where the law does not allow us to exclude or limit our liability to you.

If you have any questions, you may contact IR.Central@Police.govt.nz
Should you wish to receive further information from Police we encourage the use of our portal: <https://www.police.govt.nz/advice-services/request-information>.

You have the right to ask the Ombudsman to review my decision if you are not satisfied with the response to your request. Information about how to make a complaint is available at: www.ombudsman.parliament.nz.

Yours sincerely



Superintendent Corrie Parnell
District Commander Wellington