

2 May 2023

Mason Helm

fyi-request-20978-ec15627d@requests.fyi.org.nz

Dear Mason

Thank you for your Official Information Act 1982 (OIA) request of 4 April 2023, where you requested the following information which I have separated into individual questions for the appropriate responses:

1. *Can you please identify what subsection under section 71A of the Health Act 1956 the Police purportedly exercised to authorize these two live alerts?*

Section 71A of the Health Act 1956 authorises Police to undertake a number of duties in order to assist a Medical Officer of Health. All subsections are relevant in the context of this question.

2. *If it was a power of assistance under s 70, can you please identify which one.*

Section 71A is the empowering section.

My understanding of these specific alerts was that they were recorded in the stolen VOI subset of the NIA to allow for automatic transmission to Auror and vGRID, due to vGRID's lack of 'active detection capability' at the time. Hence the ordinary portal within the ANPR applications for including sufficient information for the third party to make a decision on IPP11 was available.

3. *If IPP11 was cited in a request to Auror and vGRID, did they receive an opportunity to consider the information request prior to releasing data or was it an automated process?*

The entering of the vehicle number plates into the Police vehicle of interest subset database (for stolen vehicles) enabled the vehicles to be included in the active detection capability of the ANPR platforms.

When a third party agrees with the platform provider to use the automated sharing functionality provided by the platforms to disclose ANPR data to the Police, they elect to do so on the basis that the disclosure requirements set out in IPP 11 will be met.

As this process is automated by the platform provider to receive ANPR data, Police ensure that their collection methods are lawful and fair and have policies and procedures in place to ensure Police requests for ANPR data meet the third parties' expectations and obligations for disclosing that information.

4. *Can you please provide the documentation surrounding this transact including the request and its communication.*

No documentation in relation to this 'transact' exists therefore this portion of your request is refused pursuant to s18(e) – that the information requested does not exist.

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 request a review is available at: www.ombudsman.parliament.nz.

Yours sincerely

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Information Requests

Tamaki Makaurau – Information Request Team

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