

8 May 2023

M Gilmour

fyi-request-22398-5098e7db@requests.fyi.org.nz

Dear M Gilmour

Request for information

Thank you for your Official Information Act 1982 request of 5 April 2023, in which you asked for:

By way of background, I recently attempted to take a photograph of the aftermath of a vehicle accident, while in an area accessible to the public and outside of the police cordon. If it is relevant, there were no visible victims or blood or similar. I was told that it was illegal to photograph a crime scene under investigation and ordered to delete any photos taken.

I believe I was within my rights, but complied to avoid causing a scene when the police and fire personnel on the scene had better things to do.

Can you please share any police policy, legal advice, internal documents, or any other material that would shed light on whether ordering me to stop taking photos and delete what I had was in fact a legal & valid request?

Police can close a road where a crime has taken place (and exclude people from an area), but do not have the lawful authority to prevent someone photographing a scene from a public place outside any cordon that has been set up.

Within the Police Instructions chapter titled - *Police filming and audio recording of operations and events - Public photographs of police activities*, staff are advised the following:

Occasionally, members of the public film or take photographs of Police employees carrying out their duties. This is **not an offence** and **you have no power** to prevent the photographs being taken or to seize the camera or digital storage media.

I also refer you to the FAQ section of the NZ Police Website which also provides information relating to taking photos or filming in a public place.

[What are the rules around taking photos or filming in a public place? | New Zealand Police](#)

Yours sincerely



Warren Olsson
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National Criminal Investigations Group
New Zealand Police