

7 August 2023

Mason Helm
fyi-request-22708-c5e28649@requests.fyi.org.nz

Tēnā koe Mason

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 7 May 2023, in which you asked for information regarding ANPR searches.

You wrote:

On 01/05/2023 Auckland transport responded to an OIA and stated that the New Zealand Police had been provided information from their ANPR database on 10 occasions since June 2021 (<https://fyi.org.nz/request/22265-anpr-surveillance-4-disclosure-of-at-s-indefinite-database-of-license-plate-locations-to-the-police/> / <https://fyi.org.nz/request/22265/response/84483/attach/3/Auckland%20Transport%20CAS%20706856%20W4T3V8%20Mason%20ANPR%20Police.pdf>).

The search particulars of the 10th query suggest that ANPR may be being used by the NZ Police in a similar fashion to how cell tower dumps are operated - indiscriminate collection of innocent people's data who have no involvement in the criminal investigation. The indiscriminate nature of collection with such techniques has led to international and controversial discussion. Domestically, "Is near enough good enough?" [2020] NZLJ 232 by Jack Garden touched briefly on the matter.

My response to each of your questions can be found below.

1. *Provide all the material that was sent to Auckland Transport when the 10th request was made.*

Attached is one email relevant to request ten. Please note some information is withheld under the following sections of the OIA:

- 6(c), as the making available of the information is likely to prejudice the maintenance of the law including the prevention, investigation and detection of offences and the right to a fair trial
- 9(2)(a), to protect the privacy of natural persons.

Police considers the interests requiring protection by withholding the information are not outweighed by any public interest in release of the information.

Police National Headquarters

180 Molesworth Street. PO Box 3017, Wellington 6140, New Zealand.
Telephone: 04 474 9499. Fax: 04 498 7400. www.police.govt.nz

2. *In an LGOIMA response, CAS-658036-D0R2K8, from Auckland Transport they stated that "ANPR data is made available only to Police either pursuant to warrant or under the LGOIMA." (<https://www.documentcloud.org/documents/23793492-auckland-transport-anpr-data-only-made-available-under-warrant-or-lgoima-cas-658036-d0r2k8>). Please provide all material relevant to the authority exercised in each of the 10 requests since July 2021. (Warrants, Production Orders, privacy act IPP requests, etc)*

Police requested the information from Auckland Transport (AT) to support a current investigation and AT replied under the Local Government Official Information and Meetings Act 1987. Police provided AT sufficient information for them to assess whether the information could be released under the LGOIMA and Privacy Act Principles.

As previously advised (IR-01-23-18049 refers), the Privacy Act 2020 governs ANPR queries: collection principles 1-4 in s 22 apply to requests made by Police, and principle 11 applies to the platform provider, in the collection and disclosure of third-party data provided by ANPR platforms to meet law enforcement functions.

3. *of the 10 searches conducted since July 2021, how many resulted in criminal prosecutions?*

As of 25 July 2023, two of the reviews led to charges which are currently before the courts, and one led to a prosecution which has been completed. It is important to note that if ANPR reviews are requested by Police to assist in an investigation it does not always lead to charges being filed. For example, there will be instances when a review is completed, and no data exists and/or any data that does exist is not relevant to the offence under investigation.

4. *From those criminal prosecutions, what details of the ANPR system or data were disclosed to the defendants? Please provide the documents with appropriate redactions.*

From the three reviews that had charges filed:

- Two ANPR reviews completed by AT revealed no relevant information for any of the vehicles of interest, however Police were able to identify and charge an offender(s).
- One ANPR result was deemed not relevant to the prosecution case and therefore none of the obtained data was disclosed to any of the defendants.

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

D/I Callum McNeill

Callum McNeill
Inspector
New Zealand Police

From: [Tom Zotov \(AT\)](#)
To: [DANIELS, Acton](#)
Subject: RE: [EXTERNAL] RE: Analytical cameras (AMPR) Onewa Road
Date: Monday, January 23, 2023 2:46:00 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.gif](#)

Thank you Acton, much appreciated!

Cheers

Tom Zotov | CCTV Product Owner
Level 3, 20 Viaduct Harbour Avenue, Auckland 1010
s9(2)(a)
www.at.govt.nz

From: DANIELS, Acton <Acton.Daniels@police.govt.nz>
Sent: Monday, 23 January 2023 2:41 p.m.
To: Tom Zotov (AT) <Tom.Zotov@at.govt.nz>
Subject: RE: [EXTERNAL] RE: Analytical cameras (AMPR) Onewa Road

This Message Is From an External Sender

[Report Suspicious](#)

Looks suspicious? Press Report Suspicious button for further analysis.

Hi Tom

Case number is
230107/3152

Regards

Acton DANIELS

ADFN20

Detective Constable

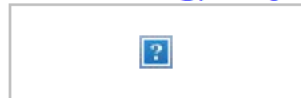
Waitemata East Generals CIB

North Shore Policing Centre, 52 Parkway Drive, Mairangi Bay, Auckland.

New Zealand Police

s9(2)(a)

[E acton.daniels@police.govt.nz](mailto:acton.daniels@police.govt.nz)



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From: Tom Zotov (AT) <Tom.Zotov@at.govt.nz>

Sent: Monday, 23 January 2023 2:37 PM

To: Derek Zhang (AT) <Derek.Zhang@at.govt.nz>; DANIELS, Acton <Acton.Daniels@police.govt.nz>

Subject: RE: [EXTERNAL] RE: Analytical cameras (AMPR) Onewa Road

Thank you Derek for picking this up in my absence.

Hi Acton,

Please can I ask you the case number for the record?

Thanks again.

Cheers

Tom Zotov | CCTV Product Owner

Level 3, 20 Viaduct Harbour Avenue, Auckland 1010

s9(2)(a)

www.at.govt.nz

From: Derek Zhang (AT) <xxxxx.xxxxx@xx.xxxx.xx>

Sent: Wednesday, 18 January 2023 10:31 a.m.

To: DANIELS, Acton <xxxxx.xxxxx@xxxxx.xxxx.xx>

Cc: Tom Zotov (AT) <xxx.xxxxx@xx.xxxx.xx>

Subject: RE: [EXTERNAL] RE: Analytical cameras (AMPR) Onewa Road

Hi Acton,

Please see attached results. I reckon it is for the same case as stated below? Thanks

Cheers,

Derek

Dr. Derek Zhang | Computer Vision Manager

ITS Programme | Digital & Technology Delivery | Business Technology

Auckland Transport

20 Viaduct Harbour Avenue, Auckland 1010

DDI s9(2)(a) | P 09 355 3553 | M s9(2)(a)

xxxxx.xxxxx@xx.xxxx.xx | www.at.govt.nz



From: DANIELS, Acton <xxxxx.xxxxx@xxxxx.xxxx.xx>

Sent: Tuesday, 17 January 2023 5:32 pm

To: Derek Zhang (AT) <xxxxx.xxxxx@xx.xxxx.xx>

Subject: RE: [EXTERNAL] RE: Analytical cameras (AMPR) Onewa Road

Hi Derek

Can you please check the following plate as well

s9(2)

Please and thank you

Regards

Acton DANIELS

ADFN20

Detective Constable

Waitemata East Generals CIB

North Shore Policing Centre, 52 Parkway Drive, Mairangi Bay, Auckland.

New Zealand Police

s9(2)(a)

E xxxxx.xxxxx@xxxxx.xxxx.xx



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From: Derek Zhang (AT) <Derek.Zhang@at.govt.nz>

Sent: Thursday, 12 January 2023 11:20 AM

To: DANIELS, Acton <Acton.Daniels@police.govt.nz>; MARSHALL, Hannah <Hannah.Marshall@police.govt.nz>

Subject: RE: [EXTERNAL] RE: Analytical cameras (AMPR) Onewa Road

Hi Hannah,

This is the result of **s9(2)(a)**

| sensor | category |
|---|-----------------------------------|
| Nelson St / Nicholas St PtP C2 - ANA | NelsonSt@North(AllLanes) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| PAH RD HERD RD - ANA 2 | Pah@North(Lane.2) |
| GREAT NORTH RD 33 - INGRESS | Great South Rd@West(Lane.2) |
| GREAT NORTH RD 32 - EGRESS | Great North Rd@Westbound(Lane.2) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| PAH RD HERD RD - ANA 4 | Pah@South(Lane.1) |
| PAH RD HERD RD - ANA 3 | PahRdHerdRd3@AnyDirection(LaneX) |
| LBD8 - EGRESS | Lambie Dr@North(Lane.2) |
| LBD8 - INGRESS | Lambie Dr@North(Lane.2) |
| LBD7 - INGRESS | Lambie Dr@North(Lane.2) |
| LBD6 - INGRESS | Lambie Dr@North(Lane.2) |
| LBD5 - EGRESS | Lambie Dr@North(Lane.2) |
| LBD5 - INGRESS | Lambie Dr@North(Lane.2) |
| LBD3 - INGRESS | Lambie Dr@South(Lane.2) |
| LBD1 - INGRESS | Lambie Dr@South(Lane.2) |
| Great North Road Bullock Track 2412 - ANA | GNR_BullockTrack@Northeast(Lane2) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| Sunset Rd - Constellation Dr Rd - RLR LPR ANA | SunsetRd@Eastbound(Lane2) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| ONEWA WERNHAM - ANA | Onewa@East(Lane.2) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| ONEWA WERNHAM - ANA | Onewa@East(Lane.2) |
| Mokoia Rd Colonial Rd RLR ANPR ANA | Mokoia@Northeast(Lane2) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |

Cheers,

Derek

From: DANIELS, Acton <xxxxx.xxxxxxx@xxxxxx.xxxx.xx>
Sent: Thursday, 12 January 2023 10:20 am
To: Derek Zhang (AT) <xxxxx.xxxxx@xx.xxxx.xx>; MARSHALL, Hannah <xxxxxx.xxxxxxx@xxxxxx.xxxx.xx>
Subject: RE: [EXTERNAL] RE: Analytical cameras (AMPR) Onewa Road

Hi Derek

Apologies on this but the rego for **s9(2)(a)** should be **s9(2)(a)**. Are you able to do this one. Apologies. Thank you for the efficient work

Regards

Acton DANIELS

ADFN20

Detective Constable

Waitemata East Generals CIB

North Shore Policing Centre, 52 Parkway Drive, Mairangi Bay, Auckland.

New Zealand Police

M **s9(2)(a)**
E xxxxx.xxxxxxx@xxxxxx.xxxx.xx



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From: Derek Zhang (AT) <xxxxx.xxxxx@xx.xxxx.xx>
Sent: Thursday, 12 January 2023 10:13 AM
To: MARSHALL, Hannah <xxxxxx.xxxxxxx@xxxxxx.xxxx.xx>
Cc: DANIELS, Acton <xxxxx.xxxxxxx@xxxxxx.xxxx.xx>
Subject: RE: [EXTERNAL] RE: Analytical cameras (AMPR) Onewa Road

Hi Hannah,

I have done the search for the requested vehicles of interest (**s9(2)(a)**). Please note that these lists contain all the available history of the requested plates. Also note that this info is hashed in our database to protect people's privacy but for your benefit I have manually converted to this readable format. As you can see there are some hits on Onewa Rd, so hopefully this could help.

Let me know if you need any further assistance. Thanks

s9(2)(a)

| sensor | category |
|---|-----------------------------------|
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| Mokoia Rd Colonial Rd RLR ANPR ANA | Mokoia@Northeast(Lane1) |
| GS19A - INGRESS | GreatSouthRd@North(Lane.2) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| PAH RD HERD RD - ANA 2 | Pah@North(Lane.2) |
| PAH RD HERD RD - ANA 3 | PahRdHerdRd3@AnyDirection(LaneX) |
| Mokoia Rd Colonial Rd RLR ANPR ANA | Mokoia@Northeast(Lane1) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| WS2- Egress | Wellesley St@Southeast(Lane.2) |
| WS2 - Ingress | Wellesley St@Southeast(Lane.2) |
| Great North Road Bullock Track 2412 - ANA | GNR_BullockTrack@Southwest(Lane2) |
| SANDR3 - INGRESS | Sandringham Rd@North(Lane.2) |
| SANDR15 - EGRESS | SR15_Egress@North(Lane.2) |
| PAH RD MT ALBERT RD - ANA 2 | Pah@North(T3Lane) |
| EP HWY / WILKINSON RD (2178) C1 - ANA | EPH_Wilkinson@Southwest(Lane2) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| GREAT NORTH RD 33 - EGRESS | Great South Rd@West(Lane.2) |
| GREAT NORTH RD 33 - INGRESS | Great South Rd@West(Lane.2) |
| GREAT NORTH RD 32 - EGRESS | Great North Rd@Westbound(Lane.2) |
| GREAT NORTH RD 32 - INGRESS | Great North Rd@Westbound(Lane.2) |
| Mokoia Rd Colonial Rd RLR ANPR ANA | Mokoia@Northeast(Lane1) |
| MANUKAU RD OWENS RD - ANA 3 | Manukau@North(Lane.2) |

s9(2)(a)

| sensor | category |
|------------------------|-------------------------------------|
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| PAH RD HERD RD - ANA 3 | PahRdHerdRd3@AnyDirection(LaneX) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR3 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR3 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR3 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| SANDR2 - EGRESS | Sandringham Rd@South(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR3 - EGRESS | Manukau Bus Station Rd@East(Lane.2) |
| MSR1 - INGRESS | Manukau Bus Station Rd@East(Lane.2) |
| PAH RD HERD RD - ANA 3 | PahRdHerdRd3@AnyDirection(LaneX) |
| PAH RD HERD RD - ANA 4 | Pah@South(Lane.1) |
| MSR3 - EGRESS | Manukau Bus Station Rd@East(Lane.2) |

s9(2)(a)

| sensor | category |
|-----------------------------|---------------------------|
| OR11 LPR - EDGE | Onewa Rd@East(T3 Lane) |
| MANUKAU RD OWENS RD - ANA 1 | Manukau@South(Lane.2) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| OR10 LPR - EDGE | Onewa Rd@East(T3 Lane) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| MANUKAU RD OWENS RD - ANA 1 | Manukau@South(Lane.2) |
| ONEWA ONRAMP - ANA | Onewa@East(Lane.2) |
| MANUKAU RD OWENS RD - ANA 1 | Manukau@South(Lane.2) |
| KHYBER PASS 2 - INGRESS | Khyber Pass@West(Lane.2) |
| KHYBER PASS 5 - EGRESS | Khyber Pass@East(BusLane) |

Kind Regards,



Hannah Marshall HMJG10
Detective | Waitemata Criminal Investigation Branch | New Zealand Police
P: s9(2)(a) | E hannah.marshall@police.govt.nz
North Shore Policing Centre – 52 Parkway Drive, Mairangi Bay, Auckland

From: Derek Zhang (AT) <Derek.Zhang@at.govt.nz>

Sent: Thursday, 12 January 2023 8:44 AM

To: MARSHALL, Hannah <Hannah.Marshall@police.govt.nz>; Tom Zotov (AT) <Tom.Zotov@at.govt.nz>

Subject: [EXTERNAL] RE: Analytical cameras (AMPR) Onewa Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Hannah,

Yes, I could help you on this. Sorry for the late reply, this is the first working day of AT after the break.

The list of plates can be provided, however there are plates might be encrypted (not readable by humans) due to AT's privacy policy.

Are you able to provide the number plates of vehicle of interest that I can search for? This is normally how we helped on police cases.

Cheers,

Derek

From: MARSHALL, Hannah <Hannah.Marshall@police.govt.nz>

Sent: Wednesday, 11 January 2023 11:57 am

To: Tom Zotov (AT) <Tom.Zotov@at.govt.nz>

Cc: Derek Zhang (AT) <Derek.Zhang@at.govt.nz>

Subject: Analytical cameras (AMPR) Onewa Road

Importance: High

Good Morning Tom,

I have been provided your email by my supervisor in relation to the analytical cameras you have on Onewa Road.

We are currently investigating an offence s6(c) [REDACTED]

I do not have a map of your cameras however my supervisor has told me you have good ones at the on/off ramp at Onewa and several more up the street.

Are you able to help with cameras and obtaining number plates please? We don't know if the vehicle has gone left or right out of the property so unfortunately will need to cover both directions.

If I have emailed the wrong team or person, please point me in the right direction.

Many thanks in advance.

Kind Regards,

Hannah Marshall HMJG10
Detective | Waitemata Criminal Investigation Branch | New Zealand Police
P: s9(2)(a) | E hannah.marshall@police.govt.nz
North Shore Policing Centre – 52 Parkway Drive, Mairangi Bay, Auckland



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