



IR-01-23-17541

3 July 2023

Cody C
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Dear Cody

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 5 June 2023, in which you asked for:

"I am looking to understand under what circumstances, broadly speaking, would Police ordinarily accept / decline admissibility of evidence from member of the public, particularly where they are using their own camera.

Any guidelines or similar would be appreciated, alongside any common examples that are both acceptable or unacceptable. e.g., using CCTV footage from a dairy in a ram raid might ordinarily be okay but footage recorded from another screen and then uploaded onto Facebook where someone recorded it on their smart phone might not.

I have some more specific questions I am looking to answer to help refine this request:

1) Could Police - in theory - accept evidence of a stationery traffic offence from a member of the publics smartphone camera, e.g. a photograph of a vehicle parking on a footpath? What challenges might this present? Noting that Local Government tends not to accept this method, for their own reasons, instead requiring the public to call in every offence for a parking compliance officer to attend.

2) How does this differ for "dashcam" footage, e.g. a video provided to Police of a vehicle crossing the centre line?

*3) How does this differ in practise from a *555 call for a non-stationery (moving) traffic offence observed by a member of the public, e.g. danagerous driving? Noting that there is typically no tangible evidence in this case, other than the persons own word."*

My responses to your questions are provided below:

1) Could Police - in theory - accept evidence of a stationery traffic offence from a member of the publics smartphone camera, e.g., a photograph of a vehicle parking on a footpath? What challenges might this present? Noting that Local Government tends not to accept this method, for their own reasons, instead requiring the public to call in every offence for a parking compliance officer to attend.

The Police may accept the information as stated, however every case is treated on its own merits by the Police member attending. The matter may not reach a threshold that requires further investigation or action. This will depend on the seriousness of what is alleged and the need for any action at that time.

For example, if the vehicle is no longer on the footpath, it may not require any action at that stage.

2) How does this differ for "dashcam" footage, e.g. a video provided to Police of a vehicle crossing the centre line?

All video or photographic footage can to be considered but it is up to the attending Police member to assess what weight they put on any evidence, and the appropriate Police response.

*3) How does this differ in practise from a *555 call for a non-stationery (moving) traffic offence observed by a member of the public, e.g. danagerous driving? Noting that there is typically no tangible evidence in this case, other than the persons own word."*

In these cases, information is collected, whether it is from what people saw as a potential witness, or what video footage has been collected. It will then be assessed whether it reaches a threshold that is serious enough to require any Police investigation or action.

Yours sincerely



David Kirby
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