



01 March 2016

Information Request: 16/1066

Andrew Crow

fyi-request-3601-087bd724@requests.fyi.org.nz

Dear Mr Crow,

Official Information Act 1982 request

I refer to your correspondence on 4 February 2016 where you made a request under the Official Information Act 1982 regarding purported photographing of protesters by Police. Specifically you have written that it has been reported to you that police staff were photographing protesters at the TPPA in Auckland on 4 February 2016. You have asked for:

- (i) any documents that give orders to police staff that they should photograph protesters
- (ii) any documents that explain what the photos are used for
- (iii) any documents that relate to sharing the photos with other government agencies such as GCSB or SIS.

New Zealand Police are responsible for making sure New Zealand is a safe place to live and that everyone obeys the laws of this country. The main roles of police include preventing, investigating, solving and reducing crime and road crashes. Police routinely, and lawfully, use cameras and video recorders in public places; for the purposes of achieving our lawful duties.

In accordance with the Police policy '*Police filming and audio recording of operations and events*', visual or audio recording for particular operations or events must be approved in advance of the event and are only carried out using Police issued and approved equipment. I can assure you that these requirements were met.

Furthermore, the above policy explains what photographic and video images/recordings are used for and the controls over that collection and use. The policy is already available on fyi.org.nz, and therefore, the information requested in (ii) above is refused under section 18(d) of the Official Information Act 1982 as it is already publicly available.

No photos have been shared with other government agencies, and no documents exist that relate to sharing of photos with other government agencies, therefore your request in (iii) above is refused pursuant to section 18(e) as the information you have requested does not exist. Some photos may be used in police publications in future dates.

In terms of specific information regarding policing operations and the Auckland TPPA protest, the information you have requested in (i) and (ii) above is refused pursuant to section 6(c) of the Official Information Act 1982, 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.

You have the right, under section 28(3) of the Official Information Act 1982, to ask the Ombudsman to review my decision if you are not satisfied with the way I have responded to your request.

Yours sincerely

Superintendent Chris Scahill
National Manager: Response and Operations

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