



Sarah Pearson-Coats

From: June Ramsay-Tesoriero <June.Ramsay-Tesoriero@wcc.govt.nz>
Sent: Friday, 14 August 2015 2:48 p.m.
To: Tim Henwood
Subject: FW: Wellington City Council Safe City Living Lab Privacy Impacy report

Hi Tim
Sorry I seem to have lost your call today. As discussed 9.15 is fine. Could you please come to Reception and I will be there to collect you.
Regards
June

June Ramsay-Tesoriero



Snr Service Devt Proj&plg Off | | Wellington City Council
Community Networks Strategic Marketing and Health and Safety Portfolios
P 04 8301213 | M 021 2708113 | F 04 8014047
E June.Ramsay-Tesoriero@wcc.govt.nz | W Wellington.govt.nz |  

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From: June Ramsay-Tesoriero
Sent: Thursday, 13 August 2015 3:53 p.m.
To: 'Tim Henwood'
Subject: RE: Wellington City Council Safe City Living Lab Privacy Impacy report

Hi Tim
Thanks for your response. We would be happy to discuss the project with you.
Would you be able to meet on Tuesday 18th August at 9am?
Regards
June

June Ramsay-Tesoriero

Snr Service Devt Proj&plg Off | | Wellington City Council
Community Networks Strategic Marketing and Health and Safety Portfolios
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From: Tim Henwood [<mailto:Tim.Henwood@privacy.org.nz>]
Sent: Monday, 3 August 2015 11:02 a.m.
To: June Ramsay-Tesoriero
Subject: RE: Wellington City Council Safe City Living Lab Privacy Impacy report

Hi June,

Thanks for sending this through – I'd be keen to come down and meet with you and anyone else involved in the project.

There are some areas I'd like to get clarification on before providing comment. I'd also like to get to grips with what you're aiming to get out of our involvement – and any relevant deadlines.

Kind regards

Tim

Tim Henwood

Policy Adviser (Technology)

Office of the Privacy Commissioner Te Mana Matapono Matatapu

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Level 8, 109 Featherston Street, Wellington, New Zealand

T +64 4 474 7594 DDI

E tim.henwood@privacy.org.nz

privacy.org.nz

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From: June Ramsay-Tesoriero [<mailto:June.Ramsay-Tesoriero@wcc.govt.nz>]

Sent: Friday, 31 July 2015 4:24 p.m.

To: Enquiries

Subject: Wellington City Council Safe City Living Lab Privacy Impacy report

Attached please find the draft privacy impact report for the Safe City Living Lab trial for your kind review and comment.

Regards

June

June Ramsay-Tesoriero

Snr Service Devt Proj&plg Off | | Wellington City Council

Community Networks Strategic Marketing and Health and Safety Portfolios

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Sarah Pearson-Coats

From: Jenny Rains <Jenny.Rains@wcc.govt.nz>
Sent: Thursday, 19 May 2016 9:29 p.m.
To: Tim Henwood
Cc: Julia Hamilton; Jonathon Moore
Subject: RE: pedestrian count POC

Hi Tim

Glad you are feeling better - Monday/Tuesday not good for me - how about some time next Wednesday afternoon?

Jenny

Jenny Rains

Community Services Manager | Emergency Welfare Manager | Community Services /Ratonga
Whanaungatanga Hapori | Wellington City Council
04 803 8365 | 021 227 8365 | jenny.rains@wcc.govt.nz

-----Original Message-----

From: Tim Henwood [<mailto:Tim.Henwood@privacy.org.nz>]
Sent: Thursday, 19 May 2016 5:36 p.m.
To: Jenny Rains
Cc: Julia Hamilton; Jonathan Moore
Subject: RE: pedestrian count POC

Hi Jenny,

My apologies, I've been away sick the last couple of days.

I'd be happy to meet to discuss. I'm still playing catch-up, so tomorrow is a bit full - but I have plenty of time next week. Would Monday or Tuesday suit you?

-Tim

Tim Henwood

Senior Policy Adviser (Technology)

Office of the Privacy Commissioner Te Mana Matapono Matatapu PO Box 10094, The Terrace,
Wellington 6143 Level 8, 109 Featherston Street, Wellington, New Zealand T +64 4 474 7594
DDI E tim.henwood@privacy.org.nz privacy.org.nz

-----Original Message-----

From: Jenny Rains [<mailto:Jenny.Rains@wcc.govt.nz>]
Sent: Tuesday, 17 May 2016 7:04 p.m.
To: Tim Henwood
Cc: Julia Hamilton; Jonathan Moore

Subject: pedestrian count POC

Hi Tim

We are about to embark on a new POC with NEC - pedestrian counting - and I was hoping you would be able to give us some guidance on what we need to cover off in a privacy impact assessment.

Would you be able to meet to discuss

Jenny

Jenny Rains, Community Services Manager, Emergency Welfare Manager Wellington City Council, PO Box 2199 Wellington
04 803 8365 , 021 227 8365, Jenny.rains@wcc.govt.nz

Sarah Pearson-Coats

From: Colin Trotter <Colin.Trotter@privacy.org.nz>
Sent: Wednesday, 18 January 2017 12:17 p.m.
To: Sarah Pearson-Coats
Subject: RE: WCC questions


Hi Sarah

It's good to see that you are alert to changes in technology and questioning whether Council's privacy policies and practices remain fit for purpose.

Question 1: Sufficiency of CCTV signage (response reviewed by Privacy Commissioner)

We believe the current public understanding of CCTV cameras is that they collect images only, not audio. The collection of audio by a CCTV system is likely to surprise many and alarm some members of the public. This perception might change over time if CCTV technology develops and collection of audio becomes the norm.

We consider that to meet the requirements of principle 3, CCTV signage for cameras also recording audio should include words or images to notify individuals of the collection of audio.





Regards

Colin

From: Sarah Pearson-Coats [mailto:Sarah.Pearson-Coats@wcc.govt.nz]
Sent: Wednesday, 18 January 2017 9:17 a.m.
To: Colin Trotter
Subject: RE: WCC questions

Hi Colin

Did you have a chance to consider the other part of my query below relating to 
?

Kind regards
Sarah

Sarah Pearson-Coats

City of Whangarei, P.O. Box 100, 100, P.O. Box 100, Whangarei, Northland 0100, New Zealand
P: 09 253 9694 | F: 09 253 9694 | E: Sarah.Pearson-Coats@wcc.govt.nz | W: www.wcc.govt.nz

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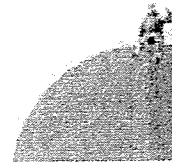
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From: Colin Trotter [<mailto:Colin.Trotter@privacy.org.nz>]

Sent: Thursday, 12 January 2017 3:46 p.m.

To: Sarah Pearson-Coats

Subject: RE: WCC questions

Hi Sarah

Becci has passed this to me to have a look at. You may recall that I provided you with comments a few months ago on the WCC privacy policy.

In relation to CCTV cameras and the use of audio, are you very far into updating your PIA and thinking about the issue of providing notice to meet the requirements of IPP3? We have a PIA from WCC dated July 2015 (attached). Is this the most current version of the PIA?

I'm very interested in seeing any further analysis on the IPP3 issue that you have completed.

We are also very interested in the extension of CCTV systems to include audio and welcome the chance to know more about the project.

As well as my request to you about further information, I'm seeking advice from some colleagues.

Regards

Colin

From: Sarah Pearson-Coats [<mailto:Sarah.Pearson-Coats@wcc.govt.nz>]

Sent: Wednesday, 11 January 2017 10:29 a.m.

To: Becci Whitton

Subject: RE: WCC questions

Hi Becci

I just realised I didn't attach the sign I referred to in my email below. I have attached this now.

Kind regards

Sarah

Sarah Pearson-Coats

From: Sarah Pearson-Coats
Sent: Tuesday, 10 January 2017 1:08 p.m.
To: Becci Whitton
Subject: WCC questions

Hi there Becci and happy new year.

I understand you are out of your normal offices so I hope you are safely rehomed for the time being.

I have a couple of questions that I would appreciate your guidance on. I'm not sure if this is best directed at you or someone else? Obviously feel free to forward it on if you are not the right person.

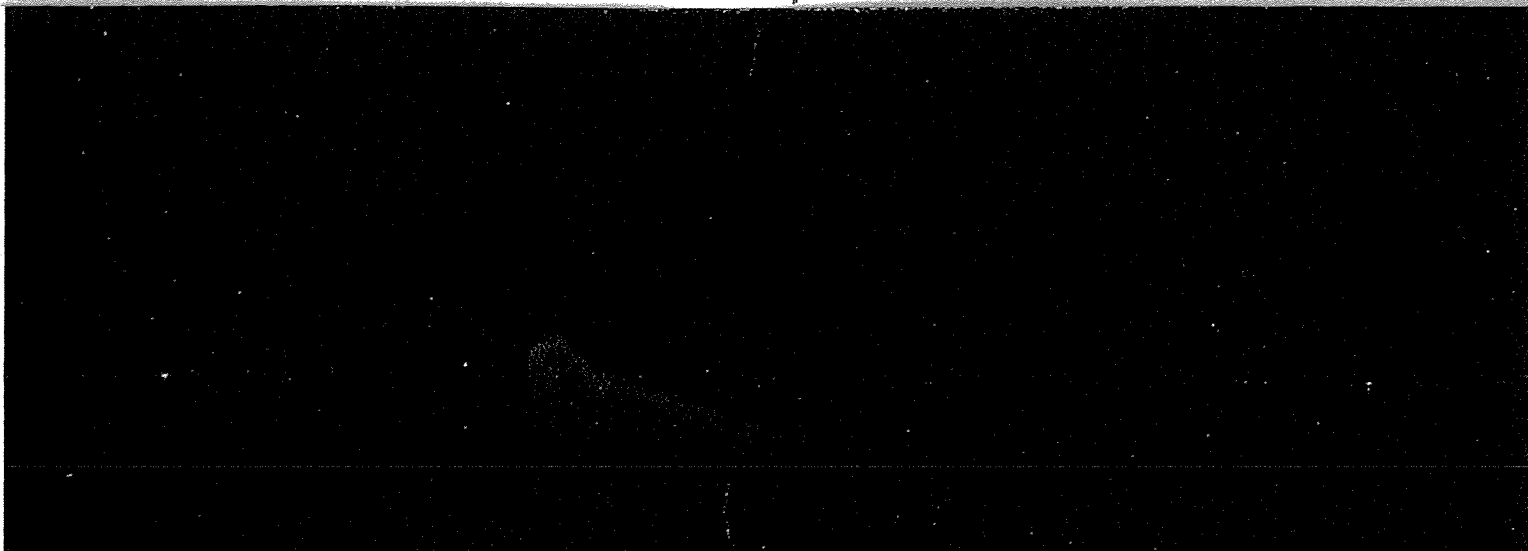
Question 1: Sufficiency of CCTV signage

As you know WCC has a number of CCTV cameras operating throughout the city. The vast majority of these cameras capture footage only and the council uses the attached sign to alert people that the cameras are operating. There is also information available on our website.

CCTV technology is constantly evolving and two cameras are part of a pilot called Living Lab which seeks to be a bit smarter with the information captured – along with the footage, sound is also captured and computer software interprets this data and identifies incidents for follow up with agencies such as fighting, begging, glass breaking etc. The City Communities team is planning to capture sound at other locations also for the same purpose as the project rolls out on a permanent basis.

We are in the process of revisiting our PIA for the Living Lab as the project expands. My view is that the current signage (in combination with information provided via the contact centre and our website) is probably sufficient for the purposes of principle 3, but I wanted to know if you would recommend any changes or additions or had any feedback on the signs as we roll out the audio functionality.

We are trying to strike the balance between clear, readable signs whilst also being accurate and informative about purpose. If you need additional information I am happy to discuss further.





We look forward to hearing from you.

Kind regards

Sarah

Sarah Pearson-Coats

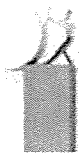
Principal Privacy Officer | Issues Resolution Office | Governance and Assurance Directorate | Wellington City Council

M 021 247 8684 | E Sarah.Pearson-Coats@wcc.govt.nz | W Wellington.govt.nz |  

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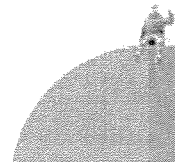
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Sarah Pearson-Coats

From: Jenny Rains <Jenny.Rains@wcc.govt.nz>
Sent: Wednesday, 30 September 2015 8:34 a.m.
To: Tim Henwood
Subject: Re: Wellington City Council and Sensing

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks Tim
Appreciate the heads up
NBR has done a story so I expect it is in response to that Jenny

Sent from my iPhone

On 29/09/2015, at 5:11 PM, "Tim Henwood"
<Tim.Henwood@privacy.org.nz<mailto:Tim.Henwood@privacy.org.nz>> wrote:

Hi Jenny,

Quick heads up – TV One has approached our office for comment on the Living Lab work.

I've given our Comms person information to the extent that we've talked to you and given some advice about the privacy risks involved, and that the discussion is still open.

Not sure what the details of the story are, or their angle, but thought you should know we've spoken to them.

Cheers

Tim

From: Jenny Rains [mailto:Jenny.Rains@wcc.govt.nz]
Sent: Monday, 14 September 2015 2:44 p.m.
To: Tim Henwood
Subject: RE: Wellington City Council and Sensing

Thanks Tim
Very helpful

Jenny Rains, Community Services Manager , Emergency Welfare Manager Wellington City Council; 04 803 8365; 021 227 8365; Wellington.govt.nz<<http://wellington.govt.nz/>> |

<image001.jpg><<http://shakeout.govt.nz/>>

From: Tim Henwood [mailto:Tim.Henwood@privacy.org.nz]
Sent: Monday, 14 September 2015 2:33 p.m.
To: Jenny Rains
Subject: RE: Wellington City Council and Sensing

Hi Jenny,

Good question.

The information privacy principles of the Privacy Act are unlikely to apply here. As the resident is going to be acting in her capacity as a private individual her actions fall under section 56(1) of the Privacy Act (below) – if she were running a business, the answer would be slightly different.

What is likely to apply is section 56(2), which was inserted by the Harmful Digital Communications Act. As a whole, s56 reads:

56 Personal information relating to domestic affairs

(1) Nothing in the information privacy principles applies in respect of—

(a) the collection of personal information by an agency that is an individual; or

(b) personal information that is held by an agency that is an individual,— where that personal information is collected or held by that individual solely or principally for the purposes of, or in connection with, that individual's personal, family, or household affairs.

(2) The exemption in subsection (1) ceases to apply once the personal information concerned is collected, disclosed, or used, if that collection, disclosure, or use would be highly offensive to an ordinary reasonable person.

Long story short, by the sounds of it she should be ok to put the camera up – but she should take into consideration where it is pointed (e.g. not at the neighbours bedroom window over the road) and that she's careful not to sharing/disclosing anything captured in a way that is highly offensive.

Because of how new s56 is, there's not really any case law I can point you in the direction of for real examples.

Hopefully that's helpful

-Tim

Tim Henwood
Senior Policy Adviser (Technology)

Office of the Privacy Commissioner Te Mana Matapono Matatapu PO Box 10094, The Terrace,
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From: Jenny Rains [<mailto:Jenny.Rains@wcc.govt.nz>]

Sent: Monday, 14 September 2015 2:11 p.m.

To: Tim Henwood

Subject: RE: Wellington City Council and Sensing

Hi Tim

Thank you for your help on the PIA for the NEC sensor project.
I have rather interesting question I would like run by you

We have had a resident ask for permission to put up a private CCTV camera on her street – observing the public space. This was in response to her son being beaten-up near her home. The poles are not ours but are Wellington Electric's, we do own the road asset – hence her question My immediate response would be no however any policy we have is silent on this – can you point me to any relevant privacy legislation?

Thanks
jenny

Jenny Rains, Community Services Manager , Emergency Welfare Manager Wellington City Council; 04 803 8365; 021 227 8365; Wellington.govt.nz<<http://wellington.govt.nz/>> |

<image002.jpg><<http://shakeout.govt.nz/>>

From: Tim Henwood [mailto:Tim.Henwood@privacy.org.nz]
Sent: Wednesday, 11 February 2015 2:51 p.m.
To: Sean Audain
Cc: Jenny Rains
Subject: RE: Wellington City Council and Sensing

Hi Sean,

Good to talk to you, and thanks for getting in touch. We're definitely keen to work with you to help sort through the privacy issues.

There are going to be a number of opportunities to build privacy into the fabric of what you're doing, so I'm glad you've made contact with us so early in the process.

The following links should, if nothing else, get you in the right frame of mind for considering the privacy risks and possible mitigations:

Our privacy impact assessment (PIA) handbook is available here: <https://privacy.org.nz/news-and-publications/guidance-resources/privacy-impact-assessment-handbook/> This resource helps you think about the privacy risks and mitigations you might need to factor in to the project.

If you just want to get a quick idea of how privacy might interact with the project, our getting started guide is a good intermediary step to look at – it boils down the PIA process to the essentials, so it's a handy tool for high-level privacy risk management (useful for making business cases etc.) <https://privacy.org.nz/how-to-comply/getting-started/>

And here's our CCTV-specific resource – it's kind of a PIA resource for deciding on using CCTV, but a lot of the basics (storage, retention, access) will have parallels to the system you're considering. <https://privacy.org.nz/news-and-publications/guidance-resources/privacy-and-cctv-a-guide-to-the-privacy-act-for-businesses-agencies-and-organisations/>

One further resource, since you're starting early, is to consider a Privacy by Design approach. The seven foundational principles to that approach are here: <https://www.privacybydesign.ca/index.php/about-pbd/7-foundational-principles/> - taking this approach helps ensure that you're not trading off against privacy, but instead looking for the 'win-win' options for both community safety and privacy.

Cheers

Tim

Tim Henwood | Policy Adviser (Technology)

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From: Sean Audain [<mailto:Sean.Audain@wcc.govt.nz>]
Sent: Wednesday, 11 February 2015 2:31 p.m.
To: Tim Henwood
Cc: Jenny Rains
Subject: FW: Wellington City Council and Sensing

Good Afternoon Tim

Firstly- was lovely to speak to you earlier.

Secondly- we are looking to begin a trail later this year of a “living lab” in Cuba Street. As part of this approach we will potentially be deploying further sensing capabilities which council has not historically used. My colleagues and I are cognisant that with these new data sources come impacts on the privacy landscape. We would like to work with the commission from the outset to understand the privacy implications as we explore new capabilities. We have worked with the commission in the past on traffic and camera technologies and I would see this as an extension of that type of project.

Earlier today you mentioned some resources on your website we could have a look at in the meantime- links to these would be much appreciated.

I will be in touch once we have firmed up a proposal

Sean Audain

Sean Audain
Innovation Officer(smart City) | City Innovation | Wellington City Council P 04 803 8773 | M 021 247 8773 | F 04 801 3231 E Sean.Audain@wcc.govt.nz<<mailto:Sean.Audain@wcc.govt.nz>> | Wellington.govt.nz<<http://wellington.govt.nz>> | [Facebook] <<https://www.facebook.com/wellingtoncitycouncil>> | [Twitter] <<http://twitter.com/wgtncc>>

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