



Ref 07 / C220108 / 18

10 July 2017

Thomas Beagle
NZ Council for Civil Liberties

By email to: fyi-request-6004-e281040a@requests.fyi.org.nz

Dear Mr Beagle

Official Information Act 1982 request

I refer to your Official Information Act 1982 request, dated 14 June 2017, regarding the use of the Police Information Request Forms (IRF). You have requested information as detailed below:

- 1. Please send me a copy of the form used until that point.*
- 2. Please send me a copy of the current form.*
- 3. Please send me a copy of any Police policy or handbook concerning the use of such forms.*
- 4. Please send me a copy of any statistics that NZ Police collect concerning the use of these forms.*

In respect to Question One, previously Police had numerous IRFs designed for various agencies, as well as a generic version. In the national Police Forms database, there were several individualised Police IRFs previously in circulation.

I enclose copies of the previous Police IRFs:

- New Zealand Police - General Information Request Form (Schedule 1a 10/14)
- New Zealand Police - New Zealand Bankers' Association (Schedule 6 07/13)
- New Zealand Police - Two Degrees Mobile Limited (IRF 02/15)
- New Zealand Police - Spark Trading Limited (IRF 08/14)
- New Zealand Police - Vodafone New Zealand Limited (IRF 05/14)
- New Zealand Police - Chorus Limited (IRF 05/14)
- New Zealand Police - CallPlus Limited (IRF 05/14)
- New Zealand Police - Meridian Energy (IRF 11/16)
- New Zealand Police - Orcon Agency Liaison (IRF 04/15)

Some details have been redacted pursuant to section 9(2)(a) of the Official Information Act to protect the privacy of natural persons.

The new IRF processes were introduced on 3 January 2017. All of the above agencies have been added to the new IRF database and information requested from agencies that are not yet included in the database can still be sought under the generic new IRF. Police continue to work on including new categories of agencies and other refinements as they become apparent.

In respect to Question Two, I attach a copy of each of the following current IRFs:

- Information Request Form used without the consent of the individual under the Privacy Act 1993
- Information Request Form used with the consent of the individual under the Privacy Act 1993
- Information Request Form used without the consent of the individual under the Telecommunications Privacy Code 2003
- Information Request Form used with the consent of the individual under the Telecommunications Privacy Code 2003
- Production Order Cover Sheet

The current IRFs are categorised by information requests made with, and without, the consent of the individual involved. The IRFs are also classified by legislation, such as information requests made to general agencies which are pursuant to the Privacy Act 1993, and information requests made to telecommunication providers which are pursuant to the Telecommunications Privacy Code 2003. The new Production Order Cover Sheet (PO CS) accompanies every court production order sent to an external agency.

The new electronic form contains pre-populated details of all the major banks, telecommunication networks and power companies. The instructions in completing the forms are found under Question Three of this response (Bulletin Board Release – January 2017).

In respect to Question Three, I attach a copy of each of the following documents:

- Bulletin Board Release - Police Forms IRF and PO CS, Jan 17 (1 page)
- Bulletin Board Release - Guidelines for Users IRF and PO CS, Feb 17 (3 pages)
- Bulletin Board Release - IRF and PO CS Updates, Mar 17 (2 pages)
- Bulletin Board Release - IRF and PO CS Remove Approval Process, Apr 17 (1 page)

Some details have been redacted pursuant to section 9(2)(a) of the Official Information Act to protect the privacy of natural persons.

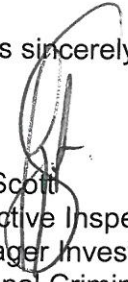
A Bulletin Board release is an internal national information platform that all Police staff can access. Each release provides staff with the background for modernising the forms and gives instructions on the new processes and continued enhancements.

In respect to Question Four, currently, Police do not hold statistics concerning the use of these forms.

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.

If you have any queries about the information provided, please contact Detective Senior Sergeant Patea by email at james.patea@police.govt.nz.

Yours sincerely

A handwritten signature in black ink, appearing to be 'C L Scott', written over the typed name.


C L Scott
Detective Inspector
Manager Investigations Support
National Criminal Investigations Group

Previous Information Request Forms (IRF)

Official Information Request

07/C220108/18

1. New Zealand Police - General Information Request Form (Schedule 1a 10/14)
2. New Zealand Police - New Zealand Bankers' Association (Schedule 6 07/13)
3. New Zealand Police - Two Degrees Mobile Limited (IRF 02/15)
4. New Zealand Police – Spark Trading Limited (IRF 08/14)
5. New Zealand Police – Vodafone New Zealand Limited (IRF 05/14)
6. New Zealand Police – Chorus Limited (IRF 05/14)
7. New Zealand Police – CallPlus Limited (IRF 05/14)
8. New Zealand Police – Meridian Energy (IRF 11/16)
9. New Zealand Police – Orcon Agency Liaison (IRF 04/15)

 <p>New Zealand POLICE <i>Nga Pirihimana O Aotearoa</i></p>	<p>New Zealand Police Information Request Form</p>
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<p>To: Postal Address: Physical Address: Bus hrs: Fax: Email:</p>	<p>Date of Request: <u>09/06/2017</u> Police FILE No: _____</p>
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Member of Police requesting the information			
Rank and Name	<u>Detective Sergeant James PATEA</u>	Phone	<u>()</u>
Station	<u>Lower Hutt</u>	Mobile	<u>()</u>
Email	<u>@police.govt.nz</u>	Fax	<u>()</u>
Operation Name (if applicable):			

The recipient (person or organisation) of this request must not disclose the existence of this request or Production Order (if applicable) to any person of interest named in or connected to this request or Production Order, without the express approval of the requesting Police member. Any disclosure to other persons may seriously interfere with the Police investigation and may constitute a criminal offence.

<p>Information Requested</p> <ul style="list-style-type: none"> • Details of information sought by Police (attach separate schedule if necessary) • Details of images sought by Police (Time/date & location place/camera) <p>Production Order enclosed (if applicable)</p> <p>YES / NO</p> <p>Urgency (outline reasons in request)</p> <p>YES / NO</p>	<p><i>Please answer the following questions in sufficient detail to justify this request:</i></p> <ol style="list-style-type: none"> 1. <i>What crime(s) are you investigating?</i> 2. <i>Why do you need this information?</i>
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I _____ **certify that the information sought is necessary (tick those that apply):**

To avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or

For the enforcement of a law imposing a pecuniary penalty; or

For the protection of the public revenue; or

For the conduct of proceedings before any court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation).

To prevent or lessen a serious threat to:

Public health or public safety; or

The life or health of the individual concerned or another individual.

Signature of requester _____ **Supervisor** _____

 <p>New Zealand POLICE <i>Nga Pirihimana O Aotearoa</i></p>	<p align="center">New Zealand Police New Zealand Bankers' Association Information Request Form</p>
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Customer consent form for information disclosure by a member of the New Zealand Bankers' Association to the New Zealand Police

Date: _____

To whom it may concern,

I confirm that I am authorised to give the below instruction on behalf of the named account.

My name is _____
Full name of person authorising request

My address is _____
Address for bank statements

The Bank account(s) referred to in this instruction are domiciled at the following Bank and Branch:

<i>Bank</i>	<i>Branch</i>
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The account is a personal / company / trust / charity / other entity account, under name and account number:

<i>Full name of account</i>	<i>Account Number: format 00-000-0000000-000</i>
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INSTRUCTION

I hereby give my consent for the Bank named above, to release to the New Zealand Police the following information [tick as appropriate] in relation to above named account or accounts, to which I am a bona fide signatory and solely authorised to give such an instruction.

- Details of all transactions or, where decipherable, attempted transactions for the period _____ on _____ to _____ on date _____
- Copies of relative Signing Authority(ies) and/or Authorities to Operate
- Financial information, including account/credit card statements and/or specified transaction data, for the period _____ to _____ inclusive.
- Other information as determined herewith:

AUTHORISATION

I understand and agree that the information contained in any of the documents or other advices generated by this enquiry, may be used to assist the Police in conducting an investigation and in Court proceedings.


This authorisation is valid until _____ (only complete if applicable).

Signed: _____ Name: _____

Witness: _____ Name: _____

Dated: _____ File Number: _____

Police file number – if applicable

	<p>NEW ZEALAND POLICE</p> <p>Two Degrees Mobile Limited</p> <p>Information Request Form</p>
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To: Two Degrees Mobile Limited
 47 George St
 New Market
 Auckland

9(2)(a)

@2degreesmobile.co.nz

From: Detective Sergeant James
 Member of
 Police requesting (Rank and Name)
 the information

Lower Hutt

 (Station)

.....
 (District)

..... (Phone) (Mobile) (Fax)

..... @police.govt.nz

 (Email address)

Operation Name (if applicable):	
<p>Information Requested: <i>(List subscriber and/or call data sought by Police. For misuse of telephone requests please detail call type and complainant's details. If there is not enough room in this box to set the requested information out clearly, attach a separate sheet.</i></p>	
<p>Has this request already been completed as an urgent request: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p><i>A Production Order is required for the following, except for emergency safety requests:</i></p> <p><input type="checkbox"/> Confidential Landline Subscriber</p> <p><input type="checkbox"/> Unlisted Mobile Subscriber</p> <p><input type="checkbox"/> Business Subscriber</p>	<p>Production Order enclosed <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Approver:
 Detective Senior Sergeant
 (Rank and Name - please print) (District) (Phone) (Mobile)

No. of pages faxed: Date:

I, _____, the approver, certify that I have reviewed this request, that it is made in terms of one of more of the exceptions to Principles 10 and/or 11 of the Privacy Act, and that disclosure of the information is necessary (tick those that apply):

to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or

for the enforcement of a law imposing a pecuniary penalty; or

for the protection of the public revenue; or


for the conduct of proceedings before any Court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation).

To prevent or lessen a serious threat to:

public health or public safety; or

the life or health of the individual concerned or another individual.

Signed by the said approver:

	<p>NEW ZEALAND POLICE</p> <p>Spark New Zealand Trading Limited</p> <p>Information Request Form</p>
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To: The Manager
Call Investigation Centre

Spark New Zealand Trading Limited
Wellington Central Exchange
Level 7, 60-70 Featherston Street
PO Box 550
Wellington 6011

9(2)(a) [Redacted]
[Redacted]@spark.co.nz

From: Detective Sergeant James
Member of
Police requesting the information (Rank and Name)

Lower Hutt
.....
(Station)

.....
(District)

..... (Phone) (Mobile) (Fax)

.....@police.govt.nz
.....
(Email address)

Operation Name (if applicable):	
Information Requested: (List subscriber and/or call data sought by Police. For misuse of telephone requests please detail call type and complainant's details. If there is not enough room in this box to set the requested information out clearly, attach a separate sheet.)	
Has this request already been completed as an urgent request: <input type="checkbox"/> Yes <input type="checkbox"/> No	
A Production Order is required for the following, except for emergency safety requests: <input type="checkbox"/> Confidential Landline Subscriber <input type="checkbox"/> Unlisted Mobile Subscriber <input type="checkbox"/> Business Subscriber	Production Order enclosed <input type="checkbox"/> Yes <input type="checkbox"/> No

Approver:

Detective Senior Sergeant
.....
(Rank and Name - please print) (District) (Phone) (Mobile)

No. of pages faxed: Date:

I, _____, the approver, certify that I have reviewed this request, that it is made in terms of one of more of the exceptions to Principles 10 and/or 11 of the Privacy Act, and that disclosure of the information is necessary (tick those that apply):

to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or

for the enforcement of a law imposing a pecuniary penalty; or

for the protection of the public revenue; or


for the conduct of proceedings before any Court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation).

To prevent or lessen a serious threat to:

public health or public safety; or

the life or health of the individual concerned or another individual.

Signed by the said approver:

	<p>NEW ZEALAND POLICE</p> <p>Vodafone New Zealand Limited</p> <p>Information Request Form</p>
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To: The Manager
Vodafone New Zealand Limited

Vodafone Agency Liaison Team
20 Viaduct Harbour Avenue
Private Bag 92161
Auckland 1030
New Zealand

9(2)(a) [Redacted]@vodafone.com

From: Detective Sergeant James PATEA
Member of
Police requesting the information (Rank and Name)

Lower Hutt
.....
(Station)

.....
(District)

..... (Phone) (Mobile) (Fax)

.....@police.govt.nz
.....
(Email address)

Operation Name (if applicable):	
<p>Information Requested: <i>(List subscriber and/or call data sought by Police. For misuse of telephone requests please detail call type and complainant's details. If there is not enough room in this box to set the requested information out clearly, attach a separate sheet.</i></p>	
<p>Has this request already been completed as an urgent request: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p><i>A Production Order is required for the following, except for emergency safety requests:</i></p> <p><input type="checkbox"/> Confidential Landline Subscriber</p> <p><input type="checkbox"/> Unlisted Mobile Subscriber</p> <p><input type="checkbox"/> Business Subscriber</p>	<p>Production Order enclosed <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Approver:

Detective Senior Sergeant
.....
(Rank and Name - please print) (District) (Phone) (Mobile)

No. of pages faxed: **Date:**

I, _____, the approver, certify that I have reviewed this request, that it is made in terms of one of more of the exceptions to Principles 10 and/or 11 of the Privacy Act, and that disclosure of the information is necessary (tick those that apply):

to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or

for the enforcement of a law imposing a pecuniary penalty; or

for the protection of the public revenue; or


for the conduct of proceedings before any Court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation).

To prevent or lessen a serious threat to:

public health or public safety; or

the life or health of the individual concerned or another individual.

Signed by the said approver:

	<p>NEW ZEALAND POLICE</p> <p>Chorus Limited</p> <p>Information Request Form</p>
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To: The Manager
Performance Resolution Group
302 Yaldhurst Road
Avonhead
Christchurch

PO Box 1473
CHRISTCHURCH

9(2)(a) [Redacted]

[Redacted]@telccom.co.nz

From: Detective Sergeant James
Member of Police requesting the information
.....
(Rank and Name)

Lower Hutt
.....
(Station)

.....
(District)

..... (Phone) (Mobile) (Fax)

@police.govt.nz
.....
(Email address)

Operation Name (if applicable):

Information Requested: *(List subscriber and/or call data sought by Police. For misuse of telephone requests please detail call type and complainant's details. If there is not enough room in this box to set the requested information out clearly, attach a separate sheet.*

Has this request already been completed as an urgent request: Yes No

A Production Order is required for the following, except for emergency safety requests:

- Confidential Landline Subscriber
- Unlisted Mobile Subscriber
- Business Subscriber

Production Order enclosed Yes No

Approver:

Detective Senior Sergeant
.....
(Rank and Name - please print) (District) (Phone) (Mobile)

No. of pages faxed: Date:


I, _____, the approver, certify that I have reviewed this request, that it is made in terms of one of more of the exceptions to Principles 10 and/or 11 of the Privacy Act, and that disclosure of the information is necessary (tick those that apply):

- to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
- for the enforcement of a law imposing a pecuniary penalty; or
- for the protection of the public revenue; or
- for the conduct of proceedings before any Court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation).

To prevent or lessen a serious threat to:

- public health or public safety; or
- the life or health of the individual concerned or another individual.

Signed by the said approver:

	<p>NEW ZEALAND POLICE</p> <p>CallPlus Services Limited</p> <p>Information Request Form</p>
---	---

To: CallPlus Business Centre
 Level 4, 110 Symonds Street
 Auckland, 1010
 New Zealand
 9(2)(a)

CallPlus Services Limited
 PO BOX 108-109
 Symonds Street, 1150
 Auckland
 New Zealand

9(2)(a) @callplus.co.nz

From: Detective Sergeant James
 Member of
 Police requesting the information (Rank and Name)

Lower Hutt

 (Station)

.....
 (District)

.....
 (Phone) (Mobile) (Fax)

.....
 @police.govt.nz
 (Email address)

Operation Name (if applicable):

Information Requested: *(List subscriber and/or call data sought by Police. For misuse of telephone requests please detail call type and complainant's details. If there is not enough room in this box to set the requested information out clearly, attach a separate sheet.*

Has this request already been completed as an urgent request: Yes No

<p><i>A Production Order is required for the following, except for emergency safety requests:</i></p> <p><input type="checkbox"/> Confidential Landline Subscriber</p> <p><input type="checkbox"/> Unlisted Mobile Subscriber</p> <p><input type="checkbox"/> Business Subscriber</p>	<p>Production Order enclosed <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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Approver:

Detective Senior Sergeant

 (Rank and Name - please print) (District) (Phone) (Mobile)

No. of pages faxed: **Date:**

I, _____, the approver, certify that I have reviewed this request, that it is made in terms of one of more of the exceptions to Principles 10 and/or 11 of the Privacy Act, and that disclosure of the information is necessary (tick those that apply):

to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or

for the enforcement of a law imposing a pecuniary penalty; or

for the protection of the public revenue; or


for the conduct of proceedings before any Court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation).

To prevent or lessen a serious threat to:

public health or public safety; or

the life or health of the individual concerned or another individual.

Signed by the said approver:

	NEW ZEALAND POLICE Meridian Energy Information Request Form
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To Privacy Officer
 : Meridian Energy
 287 - 293 Durham Street North
 Christchurch 8013

9(2)(a) @meridianenergy.co.nz
 9(2)(a)

From: Detective Sergeant James PATEA
 Member of Police requesting the information
 (Rank and Name)
 Lower Hutt
 (Station)
 (District)
 (Phone) (Mobile) (Fax)
 @police.govt.nz
 (Email address)

Operation Name (if applicable):	Police FILE No:
Information Requested: <i>If there is not enough room in this box to set the requested information out clearly, attach a separate sheet.</i>	
Has this request already been completed as an urgent request: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Production Order enclosed <input type="checkbox"/> Yes <input type="checkbox"/> No	

Approver:

Detective Senior Sergeant
 (Rank and Name - please print) (District) (Phone) (Mobile)

No. of pages faxed: Date:


I, _____, the approver, certify that I have reviewed this request, that it is made in terms of one of more of the exceptions to Principles 10 and/or 11 of the Privacy Act, and that disclosure of the information is necessary (tick those that apply):

- to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
- for the enforcement of a law imposing a pecuniary penalty; or
- for the protection of the public revenue; or
- for the conduct of proceedings before any Court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation).

To prevent or lessen a serious threat to:

- public health or public safety; or
- the life or health of the individual concerned or another individual.

Signed by the said approver: _____

	<p>NEW ZEALAND POLICE</p> <p>Orcon Agency Liaison</p> <p>Information Request Form</p>
---	--

To: Head of Operations
Orcon Limited

Orcon Head Office
Level 2
1 The Strand
Takapuna
Auckland 0622
New Zealand

9(2)(a)

@orcon.net.nz

From: Detective Sergeant James
Member of
Police requesting the information (Rank and Name)

Lower Hutt
.....
(Station)

.....
(District)

.....
(Phone) (Mobile) (Fax)

@police.govt.nz
.....
(Email address)

<p>Operation Name (if applicable):</p>	
<p>Information Requested: <i>(List subscriber and/or call data sought by Police. For misuse of telephone requests please detail call type and complainant's details. If there is not enough room in this box to set the requested information out clearly, attach a separate sheet.</i></p>	
<p>Has this request already been completed as an urgent request: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p><i>A Production Order is required for the following, except for emergency safety requests:</i></p> <p><input type="checkbox"/> Confidential Landline Subscriber</p> <p><input type="checkbox"/> Unlisted Mobile Subscriber</p> <p><input type="checkbox"/> Business Subscriber</p>	<p>Production Order enclosed <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Approver:

Detective Senior Sergeant
.....
(Rank and Name - please print) (District) (Phone) (Mobile)

No. of pages faxed: Date:

I, _____, the approver, certify that I have reviewed this request, that it is made in terms of one of more of the exceptions to Principles 10 and/or 11 of the Privacy Act, and that disclosure of the information is necessary (tick those that apply):

- to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
- for the enforcement of a law imposing a pecuniary penalty; or
- for the protection of the public revenue; or
- for the conduct of proceedings before any Court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation).

To prevent or lessen a serious threat to:

- public health or public safety; or
- the life or health of the individual concerned or another individual.

Signed by the said approver:

Current Information Request Forms and Production Order Cover Sheet (IRF PO CS)

Official Information Request

07/C220108/18

1. Information Request Form used without the consent of the individual under the Privacy Act 1993
2. Information Request Form used with the consent of the individual under the Privacy Act 1993
3. Information Request Form used without the consent of the individual under the Telecommunications Privacy Code 2003
4. Information Request Form used with the consent of the individual under the Telecommunications Privacy Code 2003
5. Production Order Cover Sheet



Information Request

Explanatory notes:

1. This form is used by Police to make a request for personal information held by an external agency. It may be made with or without the consent of the individual(s) concerned.
2. Police cannot obtain the information directly from the individual(s) concerned (or, where the request is made without consent, obtain their authorisation for its disclosure), because:
 - it is not reasonably practicable to do so; or
 - collection from the individual concerned would prejudice the purpose of the collection of such information; or
 - collection of the information from the individual concerned would prejudice the maintenance of the law.
3. Disclosure of the information requested is voluntary. The information supplied by Police in this form is intended to assist the agency receiving it to understand the purpose of the request and decide whether they are justified in disclosing personal information under the Privacy Act 1993.
4. It is either not possible to obtain a production order
 - i.e. Police cannot meet the conditions for obtaining a production order (reasonable grounds to suspect an offence has been committed and the documents sought constitute evidential material)
 or it is not necessary or appropriate to obtain a production order
 - i.e. the nature or scope of the information requested is such that obtaining a production order would be disproportionate or inefficient.
5. A production order may be sought if further information is required.

TO	
Agency Name:	
Agency Email:	
Agency Address	

FROM	
Rank and Name:	
Email:	
Phone Number:	
District:	

APPROVER	
Rank and Name:	
Email:	
Phone Number:	

ADDITIONAL DETAILS			
Police File Number:		Operation Name:	
Priority:			
Urgency Reason:			

AUTHORISATION	
The request is made with the authorisation of the individual(s) concerned	<input type="checkbox"/> YES (Authorisation/consent form attached) <input type="checkbox"/> NO

FURTHER DISCLOSURE	
Disclosure at this time of the existence of this request, or any information it contains, would prejudice the purpose of the request (except to any individual providing consent)	<input type="checkbox"/> YES (Do not disclose - except to person providing consent, if any) <input type="checkbox"/> NO

Information Request

INFORMATION (what information is needed)

Information Requested:

PURPOSE (why the information is needed)

Incident/Offence(s) Being Investigated:

Purpose:

LEGAL BASIS (why Police think disclosing the information is justified)

- While you are not obliged to disclose the information requested, Police considers that the above authorisation and/or purpose may provide reasonable grounds for your staff to believe that disclosure to assist Police in carrying out its functions is authorised and/or necessary under the Privacy Act 1993 - as follows:

Principle 11(d)

- That the disclosure is authorised by the individual concerned

Principle 11(e)

- To avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences
- For the enforcement of a law imposing a pecuniary penalty
- For the protection of the public revenue
- For the conduct of proceedings before any court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation)

Principle 11(f)

To prevent or lessen a serious threat to:

- Public health or public safety
- The life or health of the individual concerned or another individual

having regard to all the matters listed in the definition of 'serious threat' in section 2(1) of the Privacy Act 1993, being:

- (a) the likelihood of the threat being realised, and
- (b) the severity of the consequences if the threat is realised, and
- (c) the time at which the threat may be realised.



Information Request

Explanatory notes:

1. This form is used by Police to make a request for personal information held by an external agency. It may be made with or without the consent of the individual(s) concerned.
2. Police cannot obtain the information directly from the individual(s) concerned (or, where the request is made without consent, obtain their authorisation for its disclosure), because:
 - it is not reasonably practicable to do so; or
 - collection from the individual concerned would prejudice the purpose of the collection of such information; or
 - collection of the information from the individual concerned would prejudice the maintenance of the law.
3. Disclosure of the information requested is voluntary. The information supplied by Police in this form is intended to assist the agency receiving it to understand the purpose of the request and decide whether they are justified in disclosing personal information under the Privacy Act 1993.
4. It is either not possible to obtain a production order
 - i.e. Police cannot meet the conditions for obtaining a production order (reasonable grounds to suspect an offence has been committed and the documents sought constitute evidential material)
 or it is not necessary or appropriate to obtain a production order
 - i.e. the nature or scope of the information requested is such that obtaining a production order would be disproportionate or inefficient.
5. A production order may be sought if further information is required.

TO	
Agency Name:	
Agency Email:	
Agency Address	

FROM	
Rank and Name:	
Email:	
Phone Number:	
District:	

APPROVER	
Rank and Name:	
Email:	
Phone Number:	

ADDITIONAL DETAILS			
Police File Number:		Operation Name:	
Priority:			
Urgency Reason:			

AUTHORISATION	
The request is made with the authorisation of the individual(s) concerned	<input type="checkbox"/> YES (Authorisation/consent form attached) <input type="checkbox"/> NO

FURTHER DISCLOSURE	
Disclosure at this time of the existence of this request, or any information it contains, would prejudice the purpose of the request (except to any individual providing consent)	<input type="checkbox"/> YES (Do not disclose - except to person providing consent, if any) <input type="checkbox"/> NO

Police has not sought the authorisation of the individual(s) concerned (except any person providing consent) in making this request. Police advises the agency receiving this request that its existence or any of its contents should not be disclosed to the subject(s) of the request, or any person not involved in responding to it, without consulting with Police.

Information Request

Disclosure can create risks to active criminal investigations, potential court proceedings or court orders such as name suppression, or to another person's safety.

INFORMATION (what information is needed)

Information Requested:

PURPOSE (why the information is needed)

Incident/Offence(s) Being Investigated:

Purpose:

LEGAL BASIS (why Police think disclosing the information is justified)

- While you are not obliged to disclose the information requested, Police considers that the above authorisation and/or purpose may provide reasonable grounds for your staff to believe that disclosure to assist Police in carrying out its functions is authorised and/or necessary under the Privacy Act 1993 - as follows:

Principle 11(d)

- That the disclosure is authorised by the individual concerned

Principle 11(e)

- To avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences
- For the enforcement of a law imposing a pecuniary penalty
- For the protection of the public revenue
- For the conduct of proceedings before any court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation)

Principle 11(f)

To prevent or lessen a serious threat to:

- Public health or public safety
- The life or health of the individual concerned or another individual

having regard to all the matters listed in the definition of 'serious threat' in section 2(1) of the Privacy Act 1993, being:

- (a) the likelihood of the threat being realised, and
- (b) the severity of the consequences if the threat is realised, and
- (c) the time at which the threat may be realised.



Information Request

Explanatory notes:

1. This form is used by Police to make a request for personal information held by an external agency. It may be made with or without the consent of the individual(s) concerned.
2. Police cannot obtain the information directly from the individual(s) concerned (or, where the request is made without consent, obtain their authorisation for its disclosure), because:
 - it is not reasonably practicable to do so; or
 - collection from the individual concerned would prejudice the purpose of the collection of such information; or
 - collection of the information from the individual concerned would prejudice the maintenance of the law.
3. Disclosure of the information requested is voluntary. The information supplied by Police in this form is intended to assist the agency receiving it to understand the purpose of the request and decide whether they are justified in disclosing personal information under the Telecommunications Privacy Code 2003.
4. It is either not possible to obtain a production order
 - i.e. Police cannot meet the conditions for obtaining a production order (reasonable grounds to suspect an offence has been committed and the documents sought constitute evidential material)
 or it is not necessary or appropriate to obtain a production order
 - i.e. the nature or scope of the information requested is such that obtaining a production order would be disproportionate or inefficient.
5. A production order may be sought if further information is required.

TO	
Agency Name:	
Agency Email:	
Agency Address	

FROM	
Rank and Name:	
Email:	
Phone Number:	
District:	

APPROVER	
Rank and Name:	
Email:	
Phone Number:	

ADDITIONAL DETAILS			
Police File Number:		Operation Name:	
Priority:			
Urgency Reason:			

AUTHORISATION	
The request is made with the authorisation of the individual(s) concerned	<input type="checkbox"/> YES (Authorisation/consent form attached) <input type="checkbox"/> NO

FURTHER DISCLOSURE	
Disclosure at this time of the existence of this request, or any information it contains, would prejudice the purpose of the request (except to any individual providing consent)	<input type="checkbox"/> YES (Do not disclose - except to person providing consent, if any) <input type="checkbox"/> NO
<p>Police has not sought the authorisation of the individual(s) concerned (except any person providing consent) in making this request. Police advises the agency receiving this request that its existence or any of its contents should not be disclosed to the subject(s) of the request, or any person not involved in responding to it, without consulting with Police.</p>	

Information Request

Disclosure can create risks to active criminal investigations, potential court proceedings or court orders such as name suppression, or to another person's safety.

INFORMATION (what information is needed)

Information Requested:

PURPOSE (why the information is needed)

Incident/Offence(s) Being Investigated:

Purpose:

LEGAL BASIS (why Police think disclosing the information is justified)

- While you are not obliged to disclose the information requested, Police considers that the above authorisation and/or purpose may provide reasonable grounds for your staff to believe that disclosure to assist Police in carrying out its functions is authorised and/or necessary under the Telecommunications Privacy Code 2003 - as follows:

Rule 11(1)(d)

- That the disclosure is authorised by the individual concerned

Rule 11(1)(f)

- To avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences
- For the enforcement of a law imposing a pecuniary penalty
- For the protection of the public revenue
- For the conduct of proceedings before any court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation)

Rule 11(1)(g)

To prevent or lessen a serious threat to:

- Public health or public safety
- The life or health of the individual concerned or another individual

having regard to all the matters listed in the definition of 'serious threat' in section 2(1) of the Telecommunications Privacy Code 2003, being:

- (a) the likelihood of the threat being realised, and
- (b) the severity of the consequences if the threat is realised, and
- (c) the time at which the threat may be realised.

Rule 11(1)(h)

- To enable emergency services to respond to a potential threat to the life or health of the individual concerned or another individual



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Information Request

Explanatory notes:

- This form is used by Police to make a request for personal information held by an external agency. It may be made with or without the consent of the individual(s) concerned.
- Police cannot obtain the information directly from the individual(s) concerned (or, where the request is made without consent, obtain their authorisation for its disclosure), because:
 - it is not reasonably practicable to do so; or
 - collection from the individual concerned would prejudice the purpose of the collection of such information; or
 - collection of the information from the individual concerned would prejudice the maintenance of the law.
- Disclosure of the information requested is voluntary. The information supplied by Police in this form is intended to assist the agency receiving it to understand the purpose of the request and decide whether they are justified in disclosing personal information under the Telecommunications Privacy Code 2003.
- It is either not possible to obtain a production order
 - i.e. Police cannot meet the conditions for obtaining a production order (reasonable grounds to suspect an offence has been committed and the documents sought constitute evidential material)
 or it is not necessary or appropriate to obtain a production order
 - i.e. the nature or scope of the information requested is such that obtaining a production order would be disproportionate or inefficient.
- A production order may be sought if further information is required.

TO	
Agency Name:	
Agency Email:	
Agency Address	

FROM	
Rank and Name:	
Email:	
Phone Number:	
District:	

APPROVER	
Rank and Name:	
Email:	
Phone Number:	

ADDITIONAL DETAILS			
Police File Number:		Operation Name:	
Priority:			
Urgency Reason:			

AUTHORISATION	
The request is made with the authorisation of the individual(s) concerned	<input type="checkbox"/> YES (Authorisation/consent form attached) <input type="checkbox"/> NO

FURTHER DISCLOSURE	
Disclosure at this time of the existence of this request, or any information it contains, would prejudice the purpose of the request (except to any individual providing consent)	<input type="checkbox"/> YES (Do not disclose - except to person providing consent, if any) <input type="checkbox"/> NO
Police has not sought the authorisation of the individual(s) concerned (except any person providing consent) in making this request. Police advises the agency receiving this request that its existence or any of its contents should not be disclosed to the subject(s) of the request, or any person not involved in responding to it, without consulting with Police.	

Information Request

Disclosure can create risks to active criminal investigations, potential court proceedings or court orders such as name suppression, or to another person's safety.

INFORMATION (what information is needed)

Information Requested:

PURPOSE (why the information is needed)

Incident/Offence(s) Being Investigated:

Purpose:

LEGAL BASIS (why Police think disclosing the information is justified)

- While you are not obliged to disclose the information requested, Police considers that the above authorisation and/or purpose may provide reasonable grounds for your staff to believe that disclosure to assist Police in carrying out its functions is authorised and/or necessary under the Telecommunications Privacy Code 2003 - as follows:

Rule 11(1)(d)

- That the disclosure is authorised by the individual concerned

Rule 11(1)(f)

- To avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences
- For the enforcement of a law imposing a pecuniary penalty
- For the protection of the public revenue
- For the conduct of proceedings before any court of Tribunal (being proceedings that have been commenced or are reasonably in contemplation)

Rule 11(1)(g)

To prevent or lessen a serious threat to:

- Public health or public safety
- The life or health of the individual concerned or another individual

having regard to all the matters listed in the definition of 'serious threat' in section 2(1) of the Telecommunications Privacy Code 2003, being:

- (a) the likelihood of the threat being realised, and
- (b) the severity of the consequences if the threat is realised, and
- (c) the time at which the threat may be realised.

Rule 11(1)(h)

- To enable emergency services to respond to a potential threat to the life or health of the individual concerned or another individual



Production Order Cover Sheet

This is a cover sheet for a Production Order. The details provided below are to assist you in complying with the Production Order and provides the contact details of the police case officer should you have any questions.

TO	
Agency Name:	
Agency Email:	
Agency Address	

FROM	
Rank and Name:	
Email:	
Phone Number:	
District:	

ADDITIONAL DETAILS			
Police File Number:		Operation Name:	
Priority:			
Urgency Reason:			

FURTHER DISCLOSURE	
Would disclosure at this time of the existence of this order, or any information it contains, to the individual(s) concerned prejudice its purpose?	<input type="checkbox"/> YES (Do not disclose) <input type="checkbox"/> NO

Evidential Material/Documents to be provided (Police officer to copy and paste from the Production Order the list of evidential material required to assist the agency to comply). See attached Production Order.

LEGAL BASIS (why Police think disclosing the information is justified)
<ul style="list-style-type: none"> Court Order

Bulletin Board Releases

Official Information Request

07/C220108/18

1. Bulletin Board Release - Police Forms IRF and PO CS, Jan 17 (1 page)
2. Bulletin Board Release - Guidelines for Users IRF and PO CS, Feb 17 (3 pages)
3. Bulletin Board Release - IRF and PO CS Updates, Mar 17 (2 pages)
4. Bulletin Board Release - IRF and PO CS Remove Approval Process, Apr 17
(1 page)

Bulletin Board Release:

Police Forms – Information Request and Production Order Cover Sheet

31.01.2017

A new Information Request Form (IRF) is now available in Police Forms (via Microsoft Word) to use for requesting personal information without consent from any external agency. It is a single form that is completed electronically and is generated as either:

- an information request; or
- a cover sheet for a Production Order.

At present, Police have various IRFs designed for various agencies, as well as a generic version. This is not including forms that may be in circulation which have been designed by various areas and districts.

To achieve national consistency and the confidence of our partner agencies, as well as compliance with the Privacy Act, Police has created a standardised IRF. It is designed to ensure that external agencies are aware of Police's reasons for requesting information and the legal basis they may rely on to disclose the information. It clarifies that the decision to disclose information in response to Police's request is voluntary for the external agency. Where the form is generated as a Production Order cover sheet, it clarifies that the decision to disclose the information ordered is not voluntary.

Most of the fields for completion are mandatory. Some have pre-populated drop-down boxes in relation to some classes of agencies, while other fields require free text. Supervisor approval is a requirement. There are explanatory notes and, if appropriate, a caution to the agency against further disclosure (to protect active criminal investigations, potential court proceedings or court orders such as name suppression).

The new form contains pre-populated details of all the major banks, telecommunication networks and power companies. Other external agencies will be added in the coming weeks following consultation on existing Memorandums of Understanding (MOU) and Letters of Agreements (LOA). In the interim, the current IRF used for the Inland Revenue Department (IRD) and Trade Me Limited can be found under <J:\data\Templates\Corporate\Information Requests>. The 'Other' agency option in the drop-down box should be used for all other agencies.

If you know of external partners or agencies that Police frequently request information from but are not listed, please contact Detective Senior Sergeant James Patea at the National Crime Investigation Group (NCIG) in Police National Headquarters.

Please use only the new electronic form, effective immediately. Any old printed forms are to be destroyed.

Guidelines for Users - Information Request Form and Production Order Cover Sheet

The new form titled 'Information Request Form / Production Order Cover Sheet' was released in Police Forms on 31 January 2017. The general feedback from the main banks, power suppliers and telecommunications companies has been very positive.

The single form is to be used to create two alternative products:

- Information request for personal information without consent from any external agency; or
- Production Order Cover Sheet to accompany a Production Order.

[Please note: if you are making a request with the consent of the individual concerned, please use this new generic form and attach a consent form as well – e.g. the Bankers Association form in Police Forms, or any other proof of consent. The generic form will be reworked to allow for requests with consent (authorisation).]

Background

The new form's main objectives are:

- Emphasising that providing the information requested is voluntary.
- Separating out an Information Request from a Production Order, because the request seeks consideration of a voluntary response whilst the court order requires a mandatory response. This has been made clear to avoid previously reported confusion that an Information Request Form (IRF) could be taken as implying a legal power to obtain information.
- Ensuring there is sufficient, but not too much, information to satisfy the recipient that they can properly consider the release of the information, requested in terms of privacy legislation, (avoid disclosing criminal investigations and/or convictions in the text).
- Standardising the IRF for all organisations into one form to ensure the wording is correct and consistent, and to avoid the existence or use of multiple forms (some police officers had made their own versions which must be deleted).
- Modernising the form for electronic completion so that it is fit for purpose and easy to use.
- Ensuring the form meets the requirements of the Privacy Act 1993 and the Telecommunications Privacy Code 2003.

The form was designed with significant input from Police Legal Section in consultation with the New Zealand Bankers Association (NZBA) and the IPCA.

The Form

The new form can be found in Police Forms (via Microsoft Word) POLICE FORMS (I – Z) under the following folders:

- Information Requests titled Information Request Form / Production Cover Sheet; and
- Search and Surveillance [Production Orders] titled Production Order Cover Sheet / Information Request Form.

The form in each folder is identical to the other (prior to being electronically completed) and has been placed in two folders for ease of location.

Initially, the form appears as one form. Please ignore what appear as inconsistencies on the form when you first open it – once you have completed the fields, the form will be correctly generated either as an Information Request or Production Order Cover Sheet, depending on your selection.

When you open the form, wait for the information box to appear and complete the fields. Some fields have pre-populated drop-down boxes, while other fields require free text. The first information box contains the selection option for Information Request or Production Order Cover Sheet.

There are guidelines under Explanatory Notes, outlining the type or scope of information that should be provided to the external agency. If appropriate, you can select a caution to advise agencies against further disclosure (to protect active criminal investigations, potential court proceedings or court orders such as name suppression).

Once all the fields in the information boxes are completed, the form is produced automatically.

Approval Process

You must select an authorised approver (who should be made aware that a request is under way for their approval).

From there, take the following steps:

1. The user completes and saves the form.
2. The user emails the form to the approver – copy and paste the agency email address in the email (in the subject line or in the text) so the approver does not have to search for it and to ensure the form reaches the intended recipient.
3. If approved, the approver forwards the email to the external agency, copying in the user with the decision 'approved' included in the text or subject line.
4. The agency replies with the information by email (or other arranged process) to the user and, if requested, to the approver.

This process ensures the agency receives the email from an authorised approver rather than a user. All of the above actions are completed electronically and no signature is required.

Approvers will also have the ability to approve requests whilst they are out of the office through their iPhone or tablet. Please note that, once the form is completed and saved, it cannot be altered (however, if it is incorrect, it can be disposed of and a new one created).

Finally, in reference to the Production Order Cover Sheet, please ensure the Production Order is attached before forwarding.

General

There will be a period of time needed to embed this process to a level where both Police and our external partner agencies become familiar and comfortable with the new forms and processes. We appreciate the feedback submitted already and the form will be an evolving document (to an extent). For example, enabling multiple email addresses on one document is being looked into.

Agencies that have established MOUs with Police will be added as soon as the new agreements are reviewed.

As of 4 February 2017, the approver list in the intranet was updated to the new form. As this list constantly changes, if approvers are not on this list and require to be added, please contact DSS Patea, whose details appear below.

Please also advise DSS Patea if you know of other external partner agencies that Police frequently request information from, or other established external agency email addresses that are not listed in the drop down boxes.

Thank you for your patience in this matter. I would be happy to receive your feedback, bearing in mind that the new forms were designed for multiple work-groups.

Detective Senior Sergeant James Patea on JPH624@Police.govt.nz or if urgent 9(2)(a) at the National Crime Investigation Group (NCIG) in Police National Headquarters.

Information Request Form and Production Order Cover Sheet – Updates

The new form titled 'Information Request Form (IRF) / Production Order Cover Sheet', located in Police Forms was released on 31 January 2017.

This message outlines the basic instructions to two recent developments made to the forms.

Multiple Agency Entries and Physical Addresses

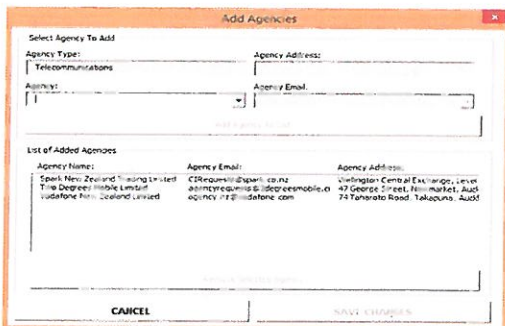
The new form now includes the capability to enter multiple agencies that automatically saves each request individually after entering the information once in the information dialogue (please note, this can only occur within each agency type due to legislation differences for some agencies). The second update is the inclusion of the agency's physical addresses in the form.

For single and multiple entries, once you have accessed the new form in Police Forms:

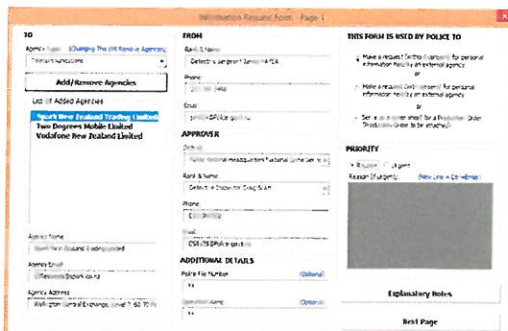
1. Select the Agency Type, then click on Add/Remove Agencies.



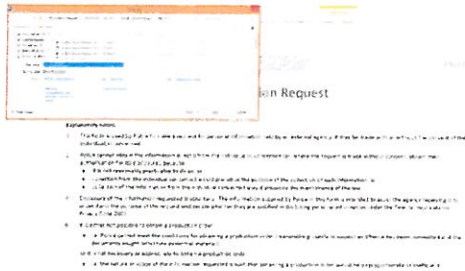
2. Select the agency or agencies from the drop-down list and click on 'Add Agency To List' (note the physical addresses have now been added and agencies can be added or removed).



3. Once you have selected the agency or agencies, enter the required details and purpose for the request.



4. Once you have entered all of the information and are satisfied with your request, select 'save' at the end of the process.



5. The new form will directly connect you to your folders and will allow you to save the form(s) individually into an assigned folder with their respective automated agency headings e.g. *Information Request - Spark New Zealand Trading Limited* (note, the headings can be changed).

The new process automatically populates the same information in each document with the details of each agency located at the top of the form. Once completed the forms will be ready for on-sending to an approver.

Use of old forms

As a reminder, the new forms is to be used for all external agencies including Banks, Telecommunications and Power Companies. The exceptions at this time are Inland Revenue Department, Trade Me, Facebook, Microsoft and District Health Boards (DHB) which hold a special relationship with Police. These agency IRFs (excluding the DHBs) are still located in Police Forms and work is underway to align these agencies to the new forms.

External agencies have raised the issue that some Police officers are using the old forms or a variation of the old forms. This practise is to cease as those forms will not be valid. Please note that all old forms will be rejected by the agencies, and any old printed forms are to be destroyed.

The new form was created in consultation with multiple agencies, including the major banks, telecommunications companies and the regulatory bodies (Privacy Commissioner and Independent Police Conduct Authority). It was designed to ensure that external agencies are aware of Police's reasons for requesting information and the legal basis they may rely on to consider voluntary disclosure of the information.

The current feedback from our external agency remains very positive and encouraging.

The form continues to be enhanced and refined. Since its release we have also added the option to make an information request 'with consent' by a customer of an external agency and as a result further legislative principles and rules have been included in the form.

As a result of further feedback from staff, work is in progress to develop other enhancements.

Thank you for all the feedback and we will continue to look at ways to improve the new form and processes.

If you have any enquires relating to the new forms please contact Detective Senior Sergeant James Patea on JPH624@Police.govt.nz at the National Crime Investigation Group (NCIG) in Police National Headquarters.

Information Request Form and Production Order Cover Sheet – Removal of the approval process for the Production Order Cover Sheet only

The new form titled 'Information Request Form (IRF) / Production Order Cover Sheet', located in Police Forms was released on 31 January 2017.

This message outlines the latest development made to the forms.

Since the release of the forms we have continued to enhance and refine the layout of the forms and the processes to accommodate our partner agencies and our staff. This email is to advise of a significant change to the production order process only that will commence on the 25th of April 2017. The change will be the removal of the approval box on the form and therefore this will also remove the need for an additional approval layer for the Production Order Cover Sheet only.

Currently, the following process is in place for production orders:

1. A requestor makes an application for a production order to their Supervisor/District Approver who reviews and approves the application.
2. The requestor approaches the courts to authorise and sign the production order.
3. The courts authorises and signs the production order.
4. The requestor completes a production order cover sheet, attaches the signed production order with the cover sheet and emails all the documents to a Supervisor/District Approver to approve (again).
5. The Supervisor/District Approver on-sends the production order cover sheet with the attached production order to the agency.

As from the 25th of April 2017 the above steps 4 and 5 will change as there will no longer be a requirement for an approver after a production order has been authorised by the courts. Therefore the agencies will receive a production order cover sheet (without the approval box) with the attached production order directly from the requestor and all the information can be returned to the requestor.

The agencies have been advised of this change.

Please note that this change only applies to the production order cover sheet and all Information Requests Forms (IRF) still requires an authorised approver.

If you have any enquires relating to the new forms please contact Detective Senior Sergeant James Patea on JPH624@Police.govt.nz at the National Criminal Investigations Group (NCIG) in Police National Headquarters.