

Hon Ginny Andersen

MP for Hutt South

Minister for the Digital Economy and Communications

Minister of Police

Minister for Seniors

Minister for Small Business

Associate Minister for Treaty of Waitangi Negotiations



29 March 2023

Scott

fyi-request-20876-b8094506@requests.fyi.org.nz

Dear Scott

I am writing in response to your recent Ombudsman complaint, stemming from your Official Information Act 1982 (OIA) request of 17 October 2022, in which you sought:

copies of all aides-mémoire, memoranda, briefings, and reports held by the minister in his role as Minister for Police on the topics of the joint IPCA/OPC investigation into Police photographing members of the public; Police's internal review of matters raised by the investigation; and Police's responses to the investigation and the review.

Last year, the document *IPR/22/103CH Next steps for the Police response to the OPC/IPCA report* was withheld in full under section 9(2)(f)(iv) of the OIA. Given the passage of time, I have reassessed this document for release. Please find attached a copy of this document.

I note it is still necessary to withhold information under the following sections of the OIA:

- 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
- 9(2)(h) – to maintain legal professional privilege.

I trust that this information will be of use to you. You have the right to ask the Ombudsman to review my decision if you are not satisfied with my response to your request.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Ginny Andersen', written over a printed name and title.

Hon Ginny Andersen
Minister of Police

INFORMATION REQUEST	
Next steps for the Police response to the OPC/IPCA report	
Deadline: 18 October 2022	Date of Response: 18 October 2022

Purpose

1. The purpose of this paper is to provide an update on the response to issues arising from the *Joint inquiry by the Independent Police Conduct Authority and the Privacy Commissioner into Police conduct when photographing members of the public* (the OPC and IPCA report).
2. s 9(2)(g)(i) [REDACTED]

Executive Summary

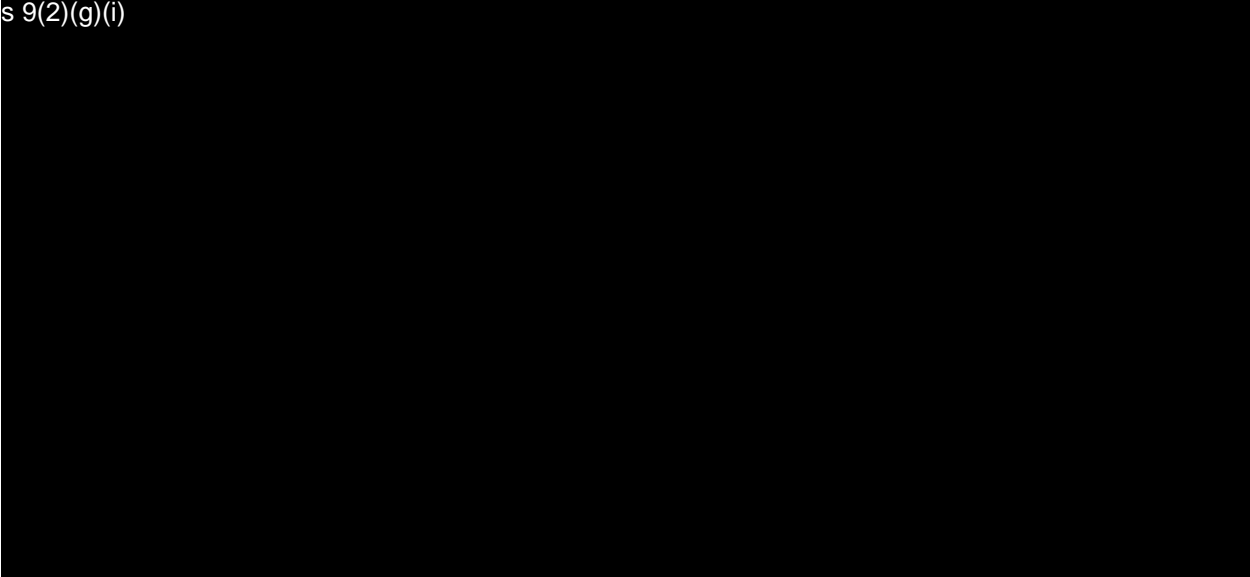
3. At this stage, based on preliminary analysis, Police broadly accepts most of the recommendations from the OPC and IPCA report. s 9(2)(h) [REDACTED]
4. s 9(2)(g)(i) [REDACTED]
5. s 9(2)(g)(i) [REDACTED]
Police has developed a comprehensive programme of work to address the broader issues around data collection, use and retention that were identified in the OPC and IPCA report.
6. Police is aiming to have preliminary advice to you by mid-December.

Recommendations

Police recommends that you:

- a) s 9(2)(h) [REDACTED]
- b) s 9(2)(h) [REDACTED]
- c) **note** Police has begun a programme of work to address the broader issues identified in the OPC and IPCA report
- d) **note** that Police will provide you with further advice by mid-December.


s 9(2)(g)(i)



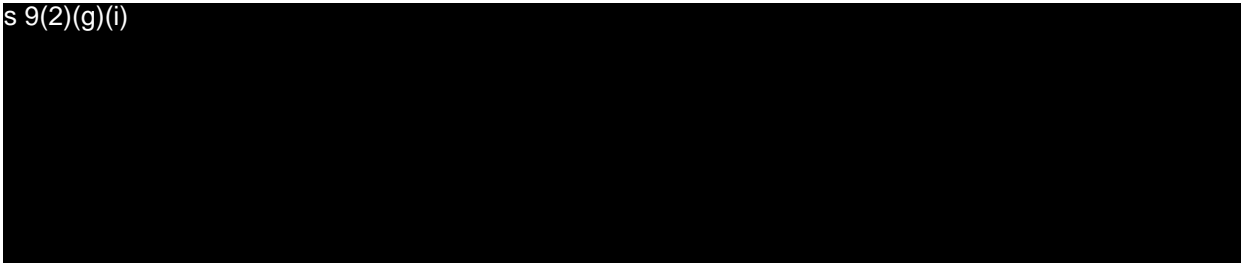
9. s 9(2)(h)



10. s 9(2)(g)(i)



s 9(2)(g)(i)

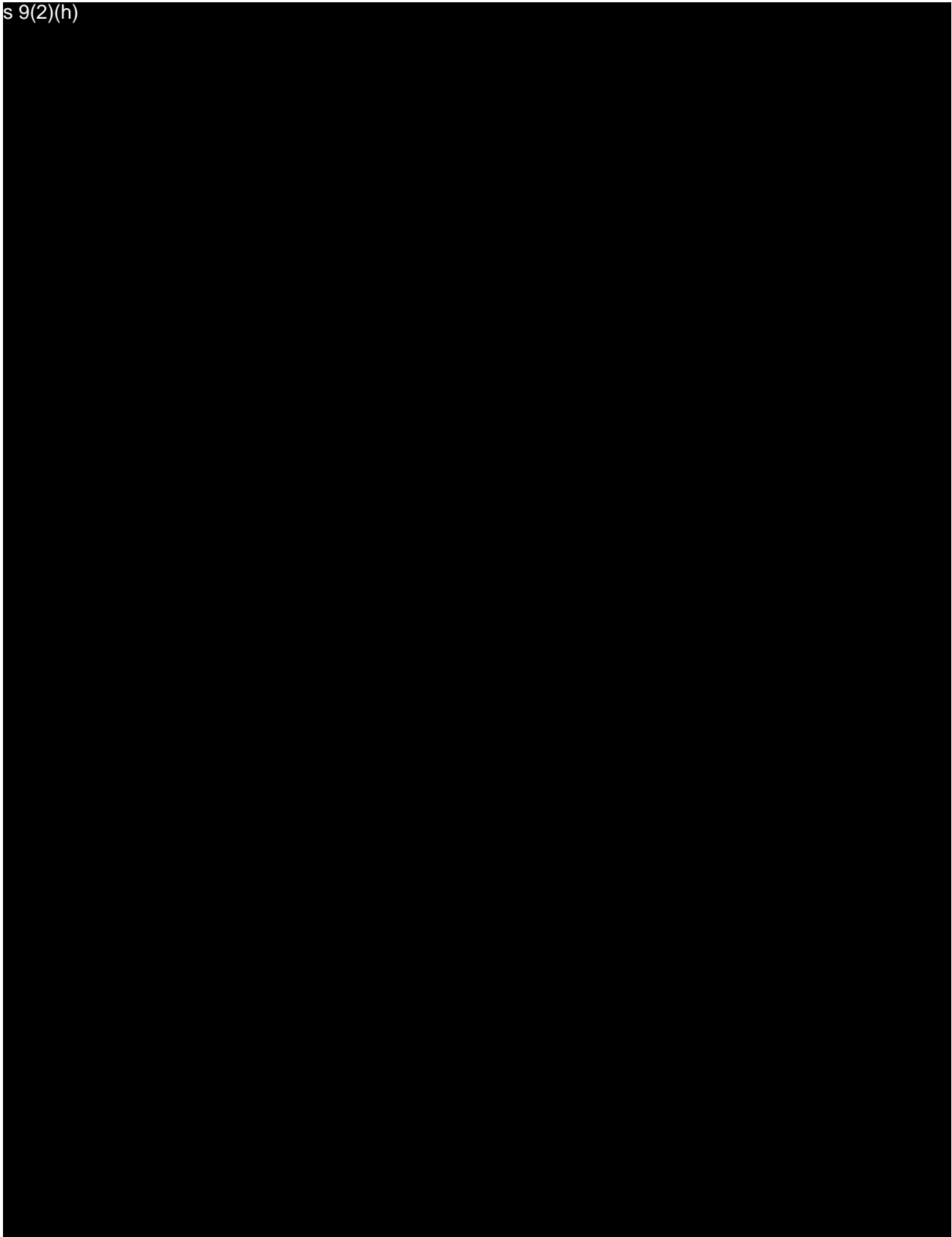


12. Intelligence gathering through photographs has proven to be evidentially important to investigations. Photographs are often the best method of capturing who is at a scene or location at a relevant time and may be the only opportunity for capturing detail that, while not immediately consequential, may later become crucial evidential information or intelligence.


13. s 9(2)(h)



s 9(2)(h)



s 9(2)(g)(i)



s 9(2)(g)(i)

There is a programme of work to address the other recommendations

- 22. s 9(2)(h) Police is currently working to respond to the wide-ranging concerns and required actions to improve Police's collection practice. Significant improvements will be required to training, process and procedure, policy and communications.
- 23. Police had already started addressing some of these concerns in response to the Compliance Notice issued in December 2021. Additional work is now underway to respond to the recommendations in the report. For example, Police is currently developing privacy training for frontline officers about the Privacy Act 2020, including exceptions to the principles and their requirements. This is expected to be available for staff in the form of interim guidance by 20 October 2022, with formal learning products being rolled out across Police until December 2023 s 9(2)(h)

Next steps

- 24. s 9(2)(g)(i)
- 25. Police will keep you updated on the programme of work to respond to and address the remaining recommendations in the OPC and IPCA report.

Reviewed by	Jeremy Wood, Executive Director, Policy and Partnerships	s 9(2)(a)
Approved by	Jevon McSkimming, Deputy Commissioner	s 9(2)(a)

s 9(2)(h)

