



30 May 2022

IR-01-22-12220

Carol Rene  
[fyi-request-19246-2ec2c741@requests.fyi.org.nz](mailto:fyi-request-19246-2ec2c741@requests.fyi.org.nz)

### Official Information Act Request

Dear Carol

Thank you for Official Information Act 1982 (OIA) request dated 1 May 2022 in which you requested:

*I request a complete copy of the 'NZ Police Telecommunication Investigations Manual'. For any parts of the document that you choose to censor out, I request an annotation detailing under which section of the Official Information Act you are withholding that information.*

I have attached a redacted copy of the Police Telecommunications Investigation Manual.

You are advised that all redactions within the copy of this attached manual have been made pursuant to section 6(c) of the OIA, as the making available of the information would be likely to prejudice the maintenance of the law.

You have the right to ask the Ombudsman to review my decision if you are not satisfied with the response to your request. Information about how to make a complaint is available at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Yours sincerely

David Lankshear  
Detective Senior Sergeant  
New Zealand Police National Headquarters

# **Telecommunication investigations**

# Table of Contents

Table of Contents	3
Policy statement and principles	5
What	5
[REDACTED]	5
[REDACTED]	5
Overview	6
[REDACTED]	6
[REDACTED]	6
[REDACTED]	6
Related information	9
Responsibilities	10
[REDACTED]	10
[REDACTED]	10
[REDACTED]	10
[REDACTED]	11
Forensic analysis of devices	12
[REDACTED]	12
[REDACTED]	12
[REDACTED]	12
[REDACTED]	13
Evidential integrity of data	14
[REDACTED]	14
[REDACTED]	14
[REDACTED]	15
[REDACTED]	16
[REDACTED]	16
[REDACTED]	16
[REDACTED]	16
[REDACTED]	17
[REDACTED]	17
[REDACTED]	17
[REDACTED]	18
[REDACTED]	18
[REDACTED]	18
Disclosure and briefing telco evidence	19
[REDACTED]	19
[REDACTED]	19
[REDACTED]	20
Obtaining telecommunications data	21
[REDACTED]	21
[REDACTED]	22
[REDACTED]	22

Obtaining telco records for a missing person	22
[REDACTED]	22
[REDACTED]	23
[REDACTED]	23
Retention period of records held by telcos	25
[REDACTED]	25
Emergency requests for telecommunications data	26
Emergency requests under the 'Telecommunications Information Privacy Code 2003'	26
Annex 1: Suggested wording for production orders	27
[REDACTED]	31
[REDACTED]	31
[REDACTED]	31

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## What

Properly obtained evidential material is crucial to a criminal prosecution. s.6(c) OIA [Redacted]

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## Related information

See the following related documents:

5.6(c) OIA

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[Criminal Disclosure](#) chapter

5.6(c) OIA

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[Telecommunications Information Privacy Code 2020](#) and [Emergency Caller Location Information \(ECLI\)](#) in the [Information security](#) chapter for emergency requests to identify the location of an emergency caller when making a 111 call/text to the Communications Centre (COMMS) on their mobile phone

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# Responsibilities

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## Responsibilities of the OC Phones

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# Forensic analysis of devices

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# Evidential integrity of data

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## Obtaining telecommunications data

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In most cases a Production Order is required to be executed on the telco provider to obtain telecommunications records

Guidance on applying for Production Orders is found in [Part 9 - Production orders](#) of the 'Search' chapter.

### Call associated data (CAD) process

The Search and Surveillance Act 2012 allows for the obtaining of call associated data (CAD) either as a historic process using a section [74](#) production order or on a continuing basis through a surveillance device warrant issued under section [53](#) of the Act. **s.6(c) OIA**

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s.6(c) OIA

## Obtaining telco records pursuant to other enactments

Police may obtain telco records under other enactments, for example:

- a written notice under section 120 of the Coroners Act
- a production order under Section 105 of the Criminal Proceeds (Recovery) Act 2009.

## Obtaining telco records by consent

An individual can consent to Police obtaining their telco records. s.6(c) OIA

## Obtaining telco records for a missing person

In the case of a missing person investigation where no offence has been identified Police may request telcos to consider disclosing the missing person's telco records. s.6(c) OIA Police need to outline the legal basis why they think disclosing the information is justified under the Privacy Act 2020. In any event no requests made under the Privacy Act compel the telcos to make the disclosure.

The seriousness of the investigation will dictate how and when you receive information. **LIFE and DEATH** incidents will take priority at telcos. s.6(c) OIA

## Comms Centre Polling request

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# Retention period of records held by telcos

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## Emergency requests for telecommunications data

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## Emergency requests under the 'Telecommunications Information Privacy Code 2003'

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# Annex 1: Suggested wording for production orders

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