

IR-01-22-28651, IR-01-22-29983,
IR-01-22-29985, IR-01-22-29986,
IR-01-22-30533, IR-01-22-31461,
IR-01-22-31478, IR-01-22-32781,
IR-01-22-32905, IR-01-22-32924,
& IR-01-22-32974

27 October 2022

Mason Helm
via various email addresses

Dear Mason

Request for information

I refer to your recent requests via email and the FYI website for information regarding Police use of Automatic Number Plate Recognition (ANPR) technology. The full requests are set out in the appendix, with the dates on which they were made.

As these requests are about the same or similar subject matters and were received in short succession, Police has treated them as a single request under section 18A(2) of the OIA.

Police refuses this request under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research. These requests follow numerous requests from you (and your brother) about ANPR – at least 32 OIA requests from you, usually comprising a number of separate requests within each, via several email addresses – to which Police has responded or is in the course of responding. The time and work involved in responding to your requests has had a significant and unreasonable impact on the resources available to carry out Police's other operations, and the current combined request presents a similar potential burden. Police has considered fixing a charge, extending the time limit for responding, or consulting with you, but has concluded that, in all the circumstances, these steps would not assist to enable Police to grant your request.

Police would be grateful if you would nominate a single email address for all further correspondence with you regarding your requests.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



Carla Gilmore
Manager Emergent Technology

Appendix – Requests being refused under section 18(f)

IR-01-22-28651 – 18 September 2022

A Surveillance Device Warrant for a tracking device was applied for and issued to use the live alert function of Auror (Police's third party ANPR system) in the case of R v Meo (2022).

- 1. When was the first Surveillance Device Warrant applied for to use either Auror or VIBE (vGRID) as a tracking device?*
- 2. What date was the first time Police used the Auror or VIBE (vGRID) application to set up a live alert / track a suspect?*
- 3. How many warrants have the Police applied for to use either Auror or VIBE (vGRID) as a tracking device?*
- 4. How many Auror or VIBE (vGRID) live alerts have the Police set up?*
- 5. The privacy commission has advised the Police on several occasions, including on 28/07/2022, that real time ANPR alerts require a surveillance device warrant. I note that historic opinions held by the Police were inconsistent with this view. Please provide all emails between the Police and the officer of the privacy commissioner related to the view that surveillance device warrants are required for ANPR related activities, along with any documentation surrounding those emails.*

To clarify request 3, warrant is referring to a surveillance device warrant.

I am also requesting an additional information as follows.

- 6. Please provide any communications, publications, consultations, or reports since 2012 related to ANPR and its conformity with the search and surveillance act, along with any documentation surrounding those emails.*
- 7. Please identify how many cameras and or contributors to Auror and VIBE / vGRID were indicated to the Police by those companies when engaged by those companies. This information may be held in the form of initial proposals or marketing materials. Please provide the date and document which you are using to identify this figure.*
- 8. Does Auror allow for a warrant number to be entered with an ANPR search or live alert? And what verification procedures are conducted to ensure the validity of a live alert request before it is engaged?*
- 9. How many audits have been completed for ANPR searches conducted by the police on third party databases including Auror and VIBE (vGRID)?*
- 10. Have there been any investigations into the misuse of ANPR searches? How many, when, what was their role, and on what database?*

IR-01-22-29983 – 29 September 2022

In recent media statements to RNZ and the Herald the Police stated they conducted 327 000 ANPR checks last year alone.

Links: <https://www.rnz.co.nz/news/national/475662/police-made-false-report-to-use-anpr-cameras-to-track-women-who-triggered-northland-lockdown>

<https://www.nzherald.co.nz/nz/police-talk-of-auditing-its-use-of-the-powerful-surveillance-network-it-accessed-by-creating-a-fake-stolen-car-alert/COMP7B36KPEVOEQJSJULOQBAEI/>

1. Please provide all information and correspondence related to this figure including any other data that was obtained with it. If an audit was conducted please provide the relevant figures for each type a ANPR search.
2. Provide any further particulars of this figure. Was it only Police's ANPR checks or third party too?

IR-01-22-29985 – 29 September 2022

In the recent OIA response related to Operation HIKING, page 344 it is stated that the women the "stolen" NIA alert for women's vehicle was entered on 14/10/2021 at 8.12 am. On page 201 it is then stated that the stolen alert was removed by detective Murray Spiers on 29/10/2021 (14 days later).

In response to several media requests in the previous weeks, the Police have stated that this alert was lawful under the emergency powers of the search and surveillance act to prevent public health risks. Presumably the police are referring to s 48(2)(b) emergency powers relying on s 14(2)(b): a risk to life or safety that requires an emergency response.

OIA response available at: https://www.documentcloud.org/documents/22275158-david-fisher-ir-01-22-6730-response_redacted_compressed

1. How many hours was the 'stolen' alert on the vehicle which the Police were live tracking?
2. What "lawful" statutory power were the police exercising to track the women?
3. Was a report, required by the Search and Surveillance act, s 60, provided to a judge within a month of exercising the s 48 emergency powers to use the tracking device?
4. If so, please provide a redacted copy.
5. if there were multiple vehicles listed as 'stolen' please provide the above information for each.

IR-01-22-29986 – 29 September 2022

Detective Lynch, in relation to real time tracking via ANPR, stated:

"as of 3 months ago [June 2022] we are able to access the entirety of the ANPR network without needing to flag vehicles as stolen"

Link: <https://www.newshub.co.nz/home/new-zealand/2022/09/covid-19-police-refuse-to-apologise-to-northland-trio-after-car-falsely-reported-stolen-to-access-database.html>

It has previously been stated that:

- only the stolen vehicle subset of the Vehicle of Interest (VOI) list on the NIA is shared with third party ANPR providers.

- vGRID was not been described as having a real time alert function in the Police user guide for non-stolen vehicles (as Auror does)

(<https://www.documentcloud.org/documents/22759497-vgrid-vibe-police-user-guide-streams-vault-anpr>).

- Vehicle mounted ANPR cameras (police cars) do not link into ANPR databases (Auror & vGRID) and are only accessible through the boss system at the end / start of each shift for 48 hours. Police also stated that the VOI list for vehicle mounted ANPR is uploaded through the boss system at the end / start of a shift, not on a 15-minute cycle linked to the NIA like Auror and vGRID.

Questions and Information requested:

1. Are the Police now sharing more VOI lists than just the stolen vehicle subset?
2. Please expand on meant by "in its entirety". Include a list of what the "ANPR network" is comprised of.
3. There was no mention of real time / live alerts for sought vehicles (rather than stolen) in the vGRID police user guide, please provide any updated version of this and any information or material related to the new function.
4. Any information related to a difference of fact from that listed above. If there is substantive documents, emails, or material, please provide a list of all available.

IR-01-22-30533 – 5 October 2022 [transfer from Privacy Commission]

Please provide any information the privacy commission holds on the police's linking of ANPR data with other information that leads to the generation of identifiable information.

IR-01-22-31461 – 12 October 2022

Please provide the number of ANPR cameras providing data to the Police when they conduct retrospective or live ANPR searches through Auror, a company which has contracted to the Police (and developed) a direct access portal exclusive for that purpose and exclusive to the Police.

This request is made pursuant to the Official Information Act 1982, s 2(5), where "any information held by an independent contractor engaged by any public organisation in his capacity as such contractor shall, for the purposes of this Act, be deemed to be held by the public organisation."

IR-01-22-31478 – 12 October 2022

New Auror features were proposed for trial in 2021 as suggested by OIA responses IR-01-22-27626 (<https://www.documentcloud.org/documents/23129551-police-oia-additional-auror-features-trialled-august-2021-october-2022>) and IR-01-22-22232 (<https://www.documentcloud.org/documents/23114824-police-oia-vgrid-integration-of->

[their-own-anpr-september-2022](#)). The OPC also provided their feedback on this in August 2021.

Please provide:

1. Details on the "additional features". What were they?
2. Who provided expert opinions on the new features?
3. It is stated that several specific words of some acts required further consideration and advice during your considerations with the OPC and other experts. Please provide the specific words at issue and their respective section of statute.

IR-01-22-32781 – 24 October 2022

I note a OIA response directly to my personal email - IR-01-22-27696. In that response, A Governance Paper dated March 2022 discusses resource requests and planning for a trial of a larger ANPR roll out on Police cars (which currently do not facilitate historical location searches beyond 48 hours) with extended capabilities and longer retention periods. It is stated that Auror and SaferCities "could likely provide solutions for our proposed extended use".

May I request that, in conjunction with any other documents within the purview of request 1, you include this governance paper in your response to this OIA request on FYI.

IR-01-22-32905 – 25 October 2022

1. Please provide any papers and or details surrounding the consulting services provided by Momentum Consulting regarding "Investigation into options for the use of Automatic Number Plate Recognition in road safety" which started in December 2021. (Police annual questions to select committee) \$13,866.80 was paid.
2. Please provide any papers and or details surrounding the PROJECT MGMT SCOPING & REQUIREMENTS MEETING" of "Op Waitangi - PS Akld" services provided by securogroup in in Jun 2018. (2016/17 Police annual questions to select committee) \$14,004 was paid.
3. Please provide any documents retained or related to the three payments to LOCKHEED MARTIN GLOBAL INC for services related to the Static Camera Expansion Programme between April 2017 and June 2018. (2017/18 Police annual questions to select committee). If these "static cameras" or the provider are unrelated to ANPR tech, please provide a brief synopsis as such and ignore the first request.

IR-01-22-32924 – 25 October 2022

In the 2018/19 Annual Review Questionnaire it is stated that that the Police pay SecuroGroup, the people who run vGRID ANPR database:

- \$27,838 for "ANPR Convergence Server + Subscription".
- \$12,298 for "DCC "IT" Support"
- \$12,298 for "Annual Subscription of Eagle CCTV Licence Fee for Waitemata Region".

https://www.parliament.nz/resource/en-NZ/52SCJU_EVI_92902_JU68503/6d6c2f5111bf00c3a24a78d1aca14211fcd60fbf

Please provide:

- 1. the current "subscription" amount paid to securogroup for vGRID.*
- 2. a record of what services are provided for by the payment of the subscription and the license fee.*
- 3. what consulting services or external providers were engaged / contracted during the 2015-2018 stages of SecuroGroup / SaferCities' vGRID discussions? Please provide a brief the documents provided and or generated in relation to those engagements, or a brief synopsis of each. Particularly in relation to the June 2016 business case for the purchase of vGRID / VIBE (<https://www.documentcloud.org/documents/22853703-vibe-purchase-software-june-2016>) and the August 2017 vGRID / VIBE PIA (<https://www.documentcloud.org/documents/23128604-vgrid-vibe-privacy-impact-assessment-pia-executive-summary-august-2017>).*

IR-01-22-32974 – 26 October 2022

With regards to question 2, please provide the dates that the 10 police owned static cameras were migrated onto vGRID. Independent dates if so required.