

6 November 2023

IR-01-23-32205

M B

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Tēnā koe Mason

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 9 October 2023 requesting information relating to products and services used by New Zealand Police.

You requested:

- 1. Police manual chapters and policies for the use of Cellebrite in the extraction and analysis of cell phones. I understand this includes Cellebrite Universal Forensic Extraction Devices (UFED), Cellebrite Physical Analyser, and Cellebrite Pathfinder, which includes automatic classification functions (<https://www.police.govt.nz/sites/default/files/publications/technology-capabilities-list.pdf> at 14).*
- 2. Are these three separate tools/systems, or are they commonly used as one suite? i.e., a device being subject to both Cellebrite Pathfinder (manual) and Cellebrite Physical Analyser (automatic) as standard practice.*
- 3. Any material on the procedures, features, or protocols that are in place to audit Cellebrite use. For instance, are a searching officer's viewed file paths stored and compared with the scope of authority under a search warrant? How often? What logs are recorded? Is that data then held centrally?*
- 4. The number of devices searched using Cellebrite. Please also indicate how this data is categorised so I can file a follow-up request for a specific category.*

I have responded to each part of your request in turn.


As referenced in your first query, Police has proactively disclosed a Technology Capabilities List, with the most recent version being updated in April 2023. This lists Cellebrite Pathfinder, Cellebrite Physical Analyser, and Cellebrite Universal Forensic Extraction Device (UFED)

To provide context around Cellebrite use, the Digital Forensics Unit (DFU) within the High Tech Crime Group carries out or has oversight of all mobile phone forensics work undertaken for Police.

Police utilises several forensic tools including Universal Forensic Extraction Device (UFED) deployed on laptops or Touch devices. The data extracted with these devices is

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processed in and reported from Physical Analyser (PA). Police has utilised various models of UFEDs over the last decade. Police uses Cellebrite Pathfinder as a data review platform in investigations.

Further public information of these products is available at the following links:

- UFED - <https://cellebrite.com/en/ufed/>
- Physical Analyser - <https://cellebrite.com/en/physical-analyzer/>
- Pathfinder - <https://cellebrite.com/en/pathfinder/>

Police manual chapters and policies do not cover specific information relating to Cellebrite in the extraction and analysis of cell phones. Cellebrite provides online training that police can access and has help functionality built into the applications. Accordingly, this part of your request is refused under section 18(g) OIA as the information requested is not held by the department or venture or Minister of the Crown or organisation and the person dealing with the request has no grounds for believing that the information is either—

(i) held by another department (for itself and for a departmental agency hosted by it or an interdepartmental executive board serviced by it) or interdepartmental venture or Minister of the Crown or organisation, or by a local authority; or

(ii) connected more closely with the functions of another department (for itself and for a departmental agency hosted by it or an interdepartmental executive board serviced by it) or interdepartmental venture or Minister of the Crown or organisation or of a local authority.

In response to your second query, they are three separate products, which can all be used in a single case depending on the type of case and data sought.

In response to your third query, extraction information is held on each UFED unit and at a central location. These are statistics, not specific information on the extraction, and inform the answer to your fourth query below.

The warrant(s) or informed consent provide the scope for the search of the data, and the outputs of these searches are recorded across various mediums and platforms specific to the investigation. This information is not stored centrally and cannot be easily collated.

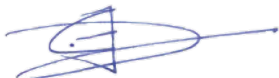
There are no specific procedures, features, or protocols that are in place to audit Cellebrite use, noting that access is limited to trained staff and any relevant evidence obtained via an extraction that is used in any criminal proceedings will be disclosed to defence and subject to scrutiny.

Accordingly, this part of your request is refused under section 18(e) of the OIA as the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

In response to your fourth query, device searches and categories are not recorded centrally or available. Extraction counts are calculated annually on the usage of the Cellebrite UFED products and in 2022 totalled 7,440 successful extractions. This includes multiple extraction on the same device, or peripherals such as SIM cards.

Under section 28(3) of the OIA, you have the right to ask the Ombudsman to review this decision if you are not satisfied with Police's response to your request.

Nāku iti noa, nā



Gregory Dalziel
Detective Senior Sergeant
High Tech Crime Group