

12 September 2022

Media Statement

Time to implement changes in collecting photos by Police

The Privacy Foundation welcomes the release of the [report of the Independent Police Conduct Authority \(IPCA\) and the Office of the Privacy Commissioner \(OPC\)](#) from their investigation into Police conduct when photographing members of the public. The Police activity had been discovered [by the media](#) and widely criticised.

The Foundation is pleased that the media revelations were followed by a thorough investigation that included the involvement of the independent privacy watchdog – the Office of the Privacy Commissioner.

The fact that the report lists a number of specific recommendations to be implemented is a great opportunity to systemically rectify the Police practice, which has been obviously contrary to the Privacy Act 2020, the law which essentially has been in place since 1993. It also serves as a timely reminder to all agencies handling personal information to ensure that they have robust training, guidance, and policies in place to protect privacy.

Police must be a role-model to be trusted. Implementing the report recommendations gives an opportunity for Police to reinforce that trust and give the public confidence that their rights will be protected. In this light, we are very concerned by the Police Associations' [response](#) to the report and the [apparent hesitation](#) in implementing it by Police.

We look forward to the full implementation of the report recommendations. That is:

- a clear, comprehensive policy guiding collection of personal information from the members of the public (including photographs and biometric data),
- necessary training to the relevant police personnel,
- regular consultations with the OPC on progress being made, with updates to be made public,
- periodic, transparent audits ensuring those changes have been properly implemented and enforced.

The Privacy Foundation believes that the outcome of the investigation is another example that New Zealand needs more rules and guidance related to the collection and use of biometric information.

Media Contact

Dr Marcin Betkier, Chair, Privacy Foundation,
(04) 463 6361 / 027 320 5772, Marcin.Betkier@vuw.ac.nz