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Tēnā koe Phil

Request for information

Thank you for your Official Information Act 1982 (OIA) request of 28 July 2023, in which you requested information relating to Police's interactions with Axon. You were notified on 7 August 2023 that parts 3b and 6b of your request were transferred to the Minister of Police.

My response to each part of your request can be found below.

1. *Is NZP still using Axon products and/or services?*
 - a. *Pls list all the ways these are being used*

Police uses Axon products for its TASER capability, and when recording Victim Video Statements (VVS).

- b. *Pls list all plans or similar, for using these more, or expanding into different fields of use*

As of 1 September 2023, Police has no plans to extend the use of Axon evidence.com beyond its current use for TASER and VVS.

- c. *NZP previously trialled Axon Citizen. Have any other trials, tests or similar of anything else linked to Axon been done, or are upcoming?*

In 2022, a plan was undertaken to trial Axon Body Worn Cameras (BWC) but Police did not proceed with this plan. The 2022 trial of a potential future energy system (including the trial of a body worn camera capability in conjunction with a different TASER device to the current device used by Police) did not proceed, because of the timing of the trial.

The trial was due to commence December 2022, but the vendor announced they were commercially releasing the trial product in January 2023. The potential benefits of any pre-production trial (and the time needed to evaluate the trial) would be decreased/minimised. Police stopped the trial and elected to become early adopters of the technology.

- d. *Axon offered NZP free use of Citizen. If it has offered anything else for free or at less than half price, pls list all cases, and if offer was accepted/is in use*

Nothing has been offered for free or at a discounted price by Axon.

2. *In 2020 police said: "The expectation ... [is] that all of our electronic interviewing will transition to evidence.com over the next 18 months - two*

years." Has this occurred? If not, how not? If so, pls list everything that has so transitioned to evidence.com (or any related Axon product

Police is looking to secure funding to replace its current DVD Interviewing technology. This will be undertaken through the standard New Zealand Government open market RFP (request for proposal) process.

3. *A copy of the latest 2 briefings that cover this (possibly alongside other matters) to:*
 - a. *Police leadership*

This part of your request is refused under section 18(e) of the OIA, as the information requested does not exist.

4. *"Storage ... is a key logistical issue," said a 2021 review. Pls advise if storage has been looked into further*
 - a. *If so, pls release the most substantive and relevant up-to-date document of any kind that covers this*

Police has developed business requirements for the storage and management of digital evidence. These are designed to be used in market engagement for potential solutions and would be released at that time. Early release could jeopardise a fair market engagement. As such, the information sought in this part of your request is withheld under section 9(2)(b)(ii) oia the OIA, as the release of this information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

5. *Details of costs to NZP (taxpayer) of any Axon service/product/licence:*
 - a. *Including basic and pro evidence.com licences*
6. *Details of and a copy of any contract re new tasers and/or bodycams and/or taser-bodycam combinations*
 - a. *A copy of the latest internal NZP report into any of this*

Police is withholding the information sought in parts five and six of your request under section 9(2)(b)(ii) of the OIA, as the release of this information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

7. *Has NZP or any related party used Axon or any entity related to it for consultancy or professional services since start 2022? No, not for any consulting services*
 - a. *If so, pls provide full details*

Police has not used Axon for consultancy purposes.

8. *Some lawyers expressed concerns to RNZ about NZP and Axon. Access was No1 concern. Is NZP aware of any concerns raised defence lawyers since start Oct 2022 about NZP and Axon? If so, pls detail and summarise accurately*

A review of correspondence and contact with Police which included employees who previously held positions that were responsible for VVS and Axon access, and District employees who work with VVS daily, has returned a nil response in terms of concerns raised by lawyers. Any lawyers who have such concerns are invited and encouraged to

raise those with Police, or by way of submission to any Court that is hearing a specific matter for which access to Axon is required. It is the view of Police that the percentage of counsel that are using this current process without issue far exceeds the percentage that may hold such concerns.

8a. Re the access concerns, including having to agree to terms under US jurisdiction in order to see case info in evidence.com, has NZP done anything since Oct 2022 to address these? Pls detail

The terms and conditions under US jurisdiction relate to access to the platform only. Police has received no advice or adverse indication from any authority that this process presents any risk to proceedings that use evidence in this way. There has been no matters involving VVS evidence accessed via the Axon platform that have been dismissed or withdrawn as a result of this current process. Should that change or should Police receive advice that our current system is not compliant or is deficient, then steps will be taken to remediate it with urgency.

Please note that as part of its commitment to openness and transparency, Police proactively releases some information and documents that may be of interest to the public. An anonymised version of this response may be publicly released on the New Zealand Police website.

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.

Nāku noa, nā



Phillip Taikato
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New Zealand Police