



# Spark (Telecom) inquiries

## Summary

This chapter provides direction and guidance on requesting information and investigative assistance in relation to customer subscriber details and calling records from Spark New Zealand Trading Ltd (formerly known as Telecom New Zealand).

[Part 3 - Protocol 2](#) of the Police and Telecom (now Spark) agreement prescribes the procedure that must be followed in relation to the submission of request for disclosure of customer information to Police.

## Spark contact details

Requests for subscriber and call activity information must be made to the Spark Call Investigation Centre (CIC) via email at [REDACTED]

**Note:** These contact details are provided for the use of Police and **must not to be released to members of the public.**

## Standard (non-urgent) requests for information

Where Police seek either subscriber or call activity information while conducting an investigation into a crime, Spark will only release information:

- upon receipt of a request that is submitted in writing on a Police Information Request Form (PIRF) (through Microsoft Word> Police Forms> Reports>) and that form has been approved and signed by a Police employee listed in [Schedule 9](#) of the agreement (see the section '[Approval of requests](#)'); or
- pursuant to a Production Order issued under the [Search and Surveillance Act 2012](#) which must be accompanied by a Police Information Request Form.

## Exception

Requests which relate to confidential numbers, unlisted mobile numbers or business numbers must, in addition to the completed PIRF, be accompanied by either a signed Production Order or a written authority signed by the Spark customer.

The written authority should state:

I \_\_\_\_\_ am the subscriber and user of phone number \_\_\_\_\_. I authorise any Police employee to access details of my accounts with Spark and any phone calls made or received in respect of my complaint to Police.

## CIC business hours

Because the [REDACTED]

Urgent after hours requests can be obtained by calling the [REDACTED] number and listening to the recorded greeting message.

## Urgent verbal requests for information

There are instances where Police require information that relates to a serious or imminent threat to public health, public safety or the life or health of an individual. There may also be occasions when this information is required urgently for investigative purposes and any delay could critically impede the investigation of a serious offence.



In these circumstances a constable, or a Police employee who is nominated by the constable on whose behalf the request is being made, may make an urgent verbal request for information to the CIC.

Such urgent requests for information may be made without the prior authority of an authorised approver.

Urgent verbal requests must be:

- followed up with the documentation required for a standard request within 24 hours of the initial request
- approved in the usual manner and provided that the authorised approver believes that an urgent request was appropriate in the circumstances, they may sign the written request form.

If the urgent request relates to a confidential number, an unlisted mobile customer or business customer, Spark may release the relevant information, but where the request relates to the investigation of an offence, the documentation subsequently provided by Police must include either a Production Order or written authority from the subscriber.

**Note:** Urgent requests can be made **at any time**.

### **Large Police operations**

Where a Police operation is expected to generate a large number of requests for information, an authorised approver may nominate a constable from the investigation to manage and submit requests to the CIC.

Once nominated the constable can authorise requests for the particular operation and the CIC will assign a team member to the operation.

### **Complaints involving malicious or nuisance calls**

Police deal with complaints involving or relating to the commission of an offence, including life threatening, abusive, or obscene telephone calls, or those hoax telephone calls where an offence is disclosed. Police also action calls in respect of breaches of protection or restraining orders.

However, nuisance calls where no offence is disclosed such as no-speech calls, calls where the person hangs up when the call is answered, or computer generated calls can be dealt with by referring the person to ring Spark directly.

Spark will also deal with hoax calls such as false food orders, taxis requests, or similar situations which do not involve property loss or significant inconvenience to the complainant.

In terms of general background information, before Spark will action a nuisance complaint they require that a minimum of three calls have been received and answered within a seven day period. Victims should be advised to keep a log of the time and date that the calls were received.

Spark customers can obtain advice in relation to nuisance calls from the Spark website or by contacting Spark directly.

### **Approval of requests**

The CIC employ specialist staff to provide Police (and others) with information about calls and subscribers.



However, they have limited resources and requests to them must be correctly approved so that the resources available are directed to those investigations that will benefit most from Spark assistance.

Under the [agreement](#) between Police and Telecom (now Spark) each request must be signed by an authorised approver. Police employees should note that Spark actively monitor requests to ensure that they have been correctly approved.

The National Manager: Criminal Investigations maintains the [up-to-date list of persons who may approve requests](#). Requests for additions or alterations to the list should be made to the Manager: Covert Operations Group at the National Criminal Investigations Group at PNHQ. The list is updated each quarter.



## **Annex A - Schedule 9: List of approvers in districts**

Download the [list of approvers in districts](#) (word doc, 69 KB).



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## **Annex B - List of approvers in Communications centres**

Download the [list of approvers in Communication centres](#) (word doc, 43 KB).