

CP 2 – Closed Circuit Television (CCTV)

1 Objectives

To provide guidance for the operation of CCTV operated and controlled by the Shire of Bridgetown-Greenbushes –

- Within, on or around Shire buildings;
- Installed in public spaces; and
- Future acquisition and implementation of CCTV within the Shire.

2 Scope

- 1 This policy applies to the Shire of Bridgetown-Greenbushes owned, leased and operated CCTV systems only.
- 2 This policy deals with the installation and monitoring of CCTV as a strategic element of the Shire's commitment to safety and crime reduction.

3 Policy

3.1 Introduction

Due to high rates of graffiti, vandalism, anti social behaviour and other offences related to Statue Law, the Shire of Bridgetown-Greenbushes has undertaken to use CCTV camera recording systems within the Shire of Bridgetown-Greenbushes public areas to act as a deterrent and provide evidence, if required, in an attempt to reduce such acts against people and property within the Shire.

The CCTV systems may be installed anywhere throughout the Shire of Bridgetown-Greenbushes within the local government boundaries.

The CCTV Surveillance System is only one of several initiatives designed to assist in preventing crimes against the person and property in Shire of Bridgetown-Greenbushes. It is recognised, however, that such crime will never be totally prevented.

3.2 Operating Procedures and Guidelines For Use of CCTV

3.2.1 Role and purpose of CCTV System

The Shire utilises fixed CCTV surveillance systems throughout the locality in public areas in order to:

- (a) Deter and prevent offences against person or property.
- (b) Provide a record/evidence to events or incidents which may have occurred in the area of use.
- (c) Improve the safety and amenity of residents and visitors within the Shire of Bridgetown-Greenbushes.

3.2.2 CCTV staff

- (a) All staff assigned to the CCTV operations must be duly authorised by the CEO to undertake this task. Via this policy the CEO is also an authorised officer.
- (b) All staff shall follow the terms and procedures of this policy when dealing with CCTV.
- (c) All authorised staff shall sign the approved Code of Conduct contained in this policy.

3.2.3 Recording of Images and Still Photographs

- (a) Video images and still photographs are recorded by cameras fixed at sites to view identified crime “hot spot” locations within the Shire of Bridgetown-Greenbushes under the control of the CEO;
- (b) Downloading and storage of images or still photographs shall only occur if the Shire of Bridgetown-Greenbushes CEO is of the opinion that an offence against a Statute Law has been or is being committed;
- (c) At no time shall the CCTV vision or still photographs recorded be stored showing members of the public going about their lawful business;
- (d) All information recorded, collected and collated by means of the CCTV system shall remain the sole property of the Shire of Bridgetown-Greenbushes.
- (e) Any incident recorded and stored or downloaded or still photograph taken shall be noted in the CCTV log book including date, time and category of incident;
- (f) The date, time and category of incident shall be noted on the rear of any still photograph taken;
- (g) All recordings and still photographs shall be kept in secure storage under the control of the Shire of Bridgetown-Greenbushes;
- (h) All original recordings shall be erased and still photographs shall be shredded after forty-five days (45) after the date of the recording unless a request is made in writing for it to be held;
- (i) All written requests for access to original recordings shall be filed within the Shires data record system;
- (j) The CEO and/or authorised officer(s) may view any tape on a random basis;

3.2.4 Viewing of Images and Still Photographs

- (a) WA Police officers, lawyers acting on behalf of individuals engaged in legal proceedings related to a recorded incident or individuals acting as their own legal counsel in relation to a recorded incident may request to view a recording of that incident;
- (b) Such a request must specify the date, time and location of the incident which the person wishes to view;
- (c) Requests by lawyers and individuals shall be made in writing and lodged with the Shire;
- (d) Requests to view a recording shall be responded to within ten (10) working days.

3.2.5 Copying of Images and Still Photographs

- (a) The CEO may authorise the copy of original recordings where a recorded incident is the subject of legal proceedings;
- (b) Any recording copied is to be marked “copy” and certified as such;
- (c) Certified copy of recordings may only be released to the WA Police, lawyers acting on behalf of individuals engaged in legal proceedings related to a recorded incident, or individuals acting as their own legal counsel in relation to a recorded incident;
- (d) Certified copies will only be released to the parties named above when permission to do so has been received from the CEO of the Shire and on the completion of the appropriate documentation.

3.2.6 Release of Original Recordings or Still Photographs

Original recordings and still photographs shall not be released to any person or organisation unless requested under a search warrant, court summons or by legal instrument;

3.2.7 Joint Operations With WA Police

- (a) Members of the WA Police may request the cooperation of the Shire of Bridgetown-Greenbushes CCTV Surveillance systems for the purpose of covert surveillance of WA Police operations;
- (b) Such requests shall be made by the WA Police officer responsible for coordinating the operation;
- (c) The request shall detail the times and general purpose for which surveillance support is requested;
- (d) The CEO may decline to provide cooperation;
- (e) The CEO may withdraw cooperation at any time during the operation.

3.3 Code of Practice for CCTV Surveillance System

3.3.1 Key Principles

This policy contains a Code of Practice containing the basic standards with which the Shire of Bridgetown-Greenbushes CCTV Surveillance System will be operated.

This Code of Practice is based on 14 key principles:

Principle 1

The CCTV Surveillance System will be operated fairly, within applicable law, and only for the purpose for which it is established or which are subsequently agreed in accordance with this Code of Practice.

Principle 2

The CCTV Surveillance System will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to freedom of religious and political expression and assembly.

Principle 3

The public interest in the operation of the CCTV Surveillance System will be recognised by ensuring the security and integrity of operational procedures.

Principle 4

The Shire has primary responsibilities for compliance with the purposes and objectives of the CCTV Surveillance System, for the maintenance, management and security of the program, and the protection of the interests of the public in relation to the program.

Principle 5

The Shire will be accountable to the public for the effective operation and management of the CCTV Surveillance System.

Principle 6

The public will be provided with clear and easily accessible information in relation to the operation of the Shire of Bridgetown-Greenbushes CCTV Surveillance System.

Principle 7

Regular monitoring and evaluation of the CCTV Surveillance System will be undertaken to identify whether the purposes of the program are being complied with and objectives are being achieved.

Principle 8

Staff employed to operate and access CCTV Camera systems, whether they are operators, managers, or contractors will meet the highest standards probity.

Principle 9

Access to the CCTV Camera systems will be restricted to authorised officers and other authorised personnel.

Principle 10

Information recorded will be accurate, relevant and not exceed that necessary to fulfil the purposes of the CCTV Surveillance System.

Principle 11

Information will be obtained fairly and in accordance with the privacy provisions of Principal 2.

Principle 12

The retention of, and access to vision, photographs and recorded material will be only for the purposes provided by this Code of Practice. Photographs and recorded material will be retained for forty-five (45) days unless they are required in relation to the investigation of crime for court proceedings.

Principle 13

Contact related to the CCTV Surveillance System between the Shire of Bridgetown-Greenbushes and the W.A. Police will be conducted strictly in accordance with the Code of Practice.

Principle 14

The CCTV Surveillance System must address the interests of all who may be affected by it, and not be confined to the interests of the Shire or the needs of the Criminal Justice System.

3.3.2 System Description

The surveillance system is comprised of fixed cameras positioned to view crime hotspot areas identified in consultation with local Police. CCTV cameras record data to an associated external hard driver. All images are recorded and retained for forty-five days (45) unless they are required in relation to an investigation of crime or for court proceedings.

3.3.3 Purpose

Principle 1

The CCTV Surveillance System will be operated fairly, within applicable law, and only for the purpose for which it is established or which are subsequently in accordance with this Code of Practice.

Principle 2

The CCTV Surveillance System will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to freedom of religious and political expression and assembly.

Principle 3

The public interest in the operation of the CCTV Surveillance System will be recognised by ensuring the security and integrity of operational procedures

The primary purpose of the Shire of Bridgetown-Greenbushes CCTV Surveillance System is to assist in the identification of crimes against persons and property for example:

- Sexual assault;
- Graffiti
- Vandalism
- Break and enter
- Damage to property
- Anti social behaviour

The objectives of the CCTV Surveillance System are:

- (i) to reduce crime levels by deterring potential offenders;
- (ii) to reduce the fear of crime;
- (iii) to assist in the detection and prosecution of offenders; and
- (iv) to help secure a safer environment for those people who live within the Shire of Bridgetown-Greenbushes.

Temporary cameras may be installed for major or special events or other operational requirements.

3.3.4 Responsibilities of the Shire as Owner of the System

Principle 4

The Shire has primary responsibilities for compliance with the purposes and objectives of the CCTV Surveillance System, for the maintenance, management and security of the program, and the protection of the interests of the public in relation to the program.

The Shire will be responsible for the introduction and implementation of this Code of Practice and for ensuring compliance with the principles contained within the Code.

The Shire will comply with the requirements for accountability set out in this Code of Practice.

3.3.5 Accountability

Principle 5

The Shire will be accountable to the public for effective operation and management of the CCTV Surveillance System.

An audit will be conducted once a year by a CEO appointed authorised Officer, on any recorded information, log books and other documentation relating to the CCTV Surveillance System.

3.3.6 Public Information

Principle 6

The public will be provided with clear and easily accessible information in relation to the operation Shire of Bridgetown-Greenbushes CCTV Surveillance System.

Advertising or notification within the local area will occur when CCTV systems commence operation and periodically throughout the year of operation to advise of the use of CCTV within the Shire, the advertising and advice will:

- (i) inform the public that cameras are in operation;
- (ii) inform people entering the area as to the possible operation and recording of activities in public areas; and
- (iii) identify the Shire of Bridgetown-Greenbushes as the owner of the system.

3.3.7 Assessment of the System and Code of Practice

Principle 7

Regular monitoring and evaluation of the CCTV Surveillance System will be undertaken to identify whether the purposes of the System are being complied with and objectives are being achieved.

The Shire will regularly monitor the operation of the CCTV Surveillance System and implementation of the Code of Practice. It is responsible for ensuring that the CCTV Surveillance System is regularly subject to evaluation to identify whether its purposes are being complied with and whether objectives are being achieved.

3.3.8 Management of Recorded Information

Principle 8

Staff employed to work and access the CCTV Surveillance Camera system, whether they are operators, managers or contractors, will meet the highest standards of probity.

Principle 9

Access to the CCTV Camera systems will be restricted to authorised officers and other authorised personnel.

A set of Standard Operating Procedures have been developed for the operation of the CCTV system.

A Code of Conduct is incorporated into this policy and this makes plain to relevant staff that they risk disciplinary proceedings (including dismissal) if they breach any of the provisions of the Code of Practice, Protocols or Standard Operating Procedures;

3.3.9 Control and Operation of Cameras

Principle 10

Information recorded should be accurate, relevant and not exceed that necessary to fulfil the purposes of the system.

Principle 11

Information should be obtained fairly and in accordance with the privacy provisions of Principle 2.

All use of cameras will be in accord with the purposes of the CCTV Surveillance System as outlined in this Code of Practice and Standard Operating Procedures. Cameras will not be used to look into adjacent or nearby premises or buildings. Any misuse is to be treated as a breach of the Code of Practice and subject to disciplinary action.

Operators of camera equipment will act in accordance with the highest standards of probity. Only staff with responsibility for using the equipment will have access to operating controls.

3.3.10 Stills and Recorded Material

Principle 12

The retention of, and access to, photographs and recorded material will be only for the purposes provided by the Code of Practice. Photographs and recorded material will be retained for forty-five days (45) unless they are required in relation to the investigation of crime or for court proceedings.

Access to and use of recorded materials and photographs will only take place:

- (a) in compliance with the needs of police in connection with the investigation of crime;
or
- (b) if necessary for the purpose of legal proceedings.

Recorded material and photographs will not be sold or used for commercial purposes or the provision of entertainment.

The showing of recorded material or photographs to the public will be allowed only in accordance with the needs of the police in connection with the investigation of crime or in any other circumstances provided by law. The CEO must formally approve any such action.

Use of recorded material or photographs by the media should only occur to gain public information with respect to the identity of a person/s wanted in connection with a criminal investigation. Subject to the agreement of the Police, the CEO may approve such releases. In such cases the recognisable characteristics of other people in the footage shall be obscured.

Images from recordings shall not, under any circumstances, be used to publicise the existence of Shire of Bridgetown-Greenbushes CCTV Surveillance System.

Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.

3.3.11 Contact with Police

Principle 13

Contact related to the CCTV Surveillance System between the Shire and the W.A. Police will be conducted strictly in accordance with the Code of Practice.

Police officers will not be permitted to remove any recorded material or photograph, operate video equipment or have contact with recorded material or photographs at any time unless under the terms of this Code of Practice, the Protocols or Standard Operating Procedures or subject to the execution of a search warrant or other relevant legal process.

Any involvement in the CCTV Surveillance System by W.A. Police will be recorded by the Shire of Bridgetown-Greenbushes and will be subject to audit.

3.3.12 Breaches of the Code

Principle 14

The CCTV Surveillance System must address the interests of all who may be affected by it, and not be confined to the interests of the Shire of Bridgetown-Greenbushes or the needs of the Criminal Justice System.

Prime responsibility for ensuring the Code of Practice is adhered to rests with the Shire. This responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent that breaches of the Code are within the Shire power to remedy.

Complaints in relation to any aspect of the management or operation of the system may be made in writing or via email to the CEO.

3.4 Code of Conduct – Authorised Officers for CCTV Operation

This Code of Conduct has been developed to ensure that the highest ethical standards are practised by Authorised Officers who operate the Shire of Bridgetown-Greenbushes closed circuit television monitoring equipment (CCTV).

BEHAVIOUR OF AUTHORISED OFFICERS:

The Shire of Bridgetown-Greenbushes expects its Authorised Officers to:

- Treat all people captured on camera with the same dignity as if they were having face to face contact with the person.
- At all times act in an honest and legal manner and carry out duties in a manner that reflects community values.
- Interact with fellow workers and Police in a timely, courteous and cooperative manner.

If doubt arises as to the appropriateness of a working behaviour, first consider whether the action is legal and then consider how the behaviour would appear if it was reported in the newspapers.

CONFIDENTIALITY

The Shire of Bridgetown-Greenbushes expects Authorised Officers to ensure confidentiality of information gathered by surveillance or learnt from CCTV operations, by not discussing any events with fellow workers who have no direct responsibility for the matter. In addition, officers will not discuss events with family, friends, or acquaintances. All the above applies during and after termination of employment.

ETHICAL USE OF RECORDING EQUIPMENT AND RECORDED MATERIAL

- In the course of carrying out duties, cameras must not be used for personal benefit to invade individual or group privacy. Cameras must only be used where there is a belief that an offence has or is likely to occur.
- Material shall not be copied or removed from the Shire of Bridgetown-Greenbushes recording facility without formal authorisation of the Chief Executive Manager.
- Business records (hard copy or photographic) can only be destroyed with authorisation and in accordance with approved Council policies and government regulations.
- Tapes and photographs shall only be released to the police when requested in writing in the correct format and the appropriate authorisation having been granted.

REPORTING AN INAPPROPRIATE WORK BEHAVIOUR

If the occasion occurs that an officer witnesses or becomes aware of an officer of the Shire of Bridgetown-Greenbushes work behaviour is or was inappropriate, and the incident has not been dealt with through normal supervisory procedures, then the officer is obliged to report the incident to his/her Executive Manager. In return, the Executive Manager will guarantee that any reported matters will be handled with sensitivity and without repercussion.

NON COMPLIANCE WITH CODE OF CONDUCT

- The Shire of Bridgetown-Greenbushes takes pride in the high standards of integrity and honesty it expects and receives from its staff. As a consequence, if the occasion arises where it has been found that an officer has not complied with this Code of Conduct, the Shire of Bridgetown-Greenbushes may take disciplinary action which may result in dismissal.

I have read and understood the above Code of Conduct and agree to abide by these conditions.

SIGNATURE:.....

DATE:.....



**REQUEST FORM TO BE COMPLETED BY POLICE FOR USE OF
SURVEILLANCE RECORDS**

To: Chief Executive Officer

It is requested that a hard drive/thumb drive (device provided by Police) copy or photograph showing an Incident which is the subject of Police inquires on (date and approximate time) _____ be released to me for the purpose of Evidence/Investigations.

I accept full responsibility for this hard drive/thumb drive copy / photograph whilst it is in my possession and understand that I am NOT at liberty to make or release copies of the footage or permit other persons to make copies or lend it to persons outside the Police Service.

The hard drive/thumb drive copy / photograph will NOT be released to the Media under any circumstances unless authorised by the CEO of the Shire of Bridgetown-Greenbushes.

POLICE

SIGNED: _____

NAME: _____

RANK & NO: _____

STATION/SECTION: _____

DATE: _____

SHIRE of BRIDGETOWN-GREENBUSHES

CEO or Authorised Officer Only

SIGNED: _____

NAME: _____

DATE: _____

4 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies <i>Surveillance Devices Act 1998</i>
Regulation	N/A
Local Law	N/A
Shire Policies	CP 5 - Vandalism
Related Documents	N/A
Related Procedure	N/A

5 Administration

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