

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
------------	---	-------------

POLICY CODE:	SC46
DIRECTORATE:	Administration & Community Services
BUSINESS UNIT:	Community Services
SERVICE UNIT:	Rangers & Community Safety
RESPONSIBLE OFFICER:	Manager, Community Services
FILE NO.:	086/001
DATE FIRST ADOPTED:	13 October 2011
DATE LAST REVIEWED:	12 December 2013
ATTACHMENTS:	Yes
DELEGATED AUTHORITY REF.:	N/A
VERSION NO.	2

Dates of Amendments / Reviews:	
DAPPS Meeting:	22 September 2011 28 November 2013
OCM:	13 October 2011 12 April 2012

BACKGROUND:

The City of Cockburn has endorsed a CCTV Strategy which details Council's level of support for the implementation of a CCTV installation program as a mechanism to address criminal and anti-social activity.

The available research on CCTV identifies that CCTV does not absolutely prevent crime or anti-social behaviour, but that it can reduce the incidence of opportunistic anti social behaviour and may provide real forensic evidence when such behaviour occurs. That evidence can be used to identify perpetrators for potential prosecution under the relevant Acts. Research also identifies that CCTV provides real comfort in the context of reducing the fear of crime in public places.

PURPOSE:

The objective of this policy is to provide a framework for the integration of CCTV installations in public locations and/or private property where the City seeks the consent of the landowner within the City of Cockburn. CCTV is a long established technology which has been widely deployed, from corner shops to major city centres. The utilisation falls into 2 main types, monitored and un-monitored installations reflecting the 2 main purposes; either to provide real time observation of events so that real time responses can be initiated, or to capture evidence of events which can then be subsequently acted upon.

This Policy describes the criteria to be used when a new installation is being considered for deployment.

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
-----	--	------

POLICY:

- (1) CCTV installations will be installed where recurrent antisocial or criminal behaviour has generated a sufficient fear of crime or community response that the costs are considered appropriate in the circumstances. CCTV installations will also be deployed where the value of the asset, or the requirement of public perception make it a valid tool within the framework of “Crime Prevention through Environmental Design”.
- (2) All CCTV installations will meet the requirements of the City of Cockburn CCTV Camera Program and the attached *Code of Practice*. All installations will be designed to meet the particular needs of the deployment location and the circumstances at the time. All deployment and installations will meet the City of Cockburn Purchasing Policy requirements.
- (3) CCTV installations will always be of a sufficient standard, including ambient and artificial lighting and image quality to allow for the gathering of valid forensic evidence. Image data may be retained locally to the installation or transferred to another location and stored away from the installation.
- (4) CCTV installations will be clearly signed across the deployment. Case law recognises that persons in public places have extremely limited rights to privacy; however the approach will be to ensure good levels of public awareness that an installation is present.
- (5) Unmonitored CCTV installations will be used as a preferred deployment type over monitored installations. CCTV installations will always be real. The use of “dummy” installations is not permitted as they can give a false sense of security and this could be grounds for future litigation.
- (6) New installations of unmonitored deployments require the approval of the Director of Administration and Community Services. Modifications to existing deployments require the approval of the Manager, Community Services.
- (7) CCTV installations may be passive or “event activated” by means of motion, heat, sonic or other detectors.
- (8) Fully monitored CCTV will only be deployed where the real time observation of events is deemed essential. Deployment of a monitored CCTV installation requires the approval of the Council. Monitored CCTV requires the presence of at least one officer at all times, with no other conflicting duties.
- (9) CCTV installations may be deployed on Council or private land, with the permission of the land owner. Installations may be permanent or temporary or a combination of both.

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
-----	--	------

CODE OF PRACTICE

1. Overview

1.1 Key Principles

1. This Code of Practice contains the basic standards in accordance with which City of Cockburn's CCTV Camera Program will be operated.
2. The Code of Practice is based on 12 key principles. In each section the key principle is stated, followed by further explanatory information.
3. The key principles are as follows:

Principle 1

The CCTV Camera Program will be operated fairly, within applicable law and this Code of Practice and should only be used for the purposes for which it is established and intended or which is subsequently agreed in accordance with this Code.

Principle 2

The CCTV Camera Program 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 Camera Program will be recognised by ensuring the integrity of operational procedures.

Principle 4

The City of Cockburn has primary responsibility for compliance with the purposes and objectives of the CCTV Camera Program, for the maintenance, management and security of the Program or, if the service is outsourced, proper audit functions be carried out so that the protection of the interests of the public in relation to the Program are safeguarded.

Principle 5

The City of Cockburn will be accountable for the effective operation and management of the CCTV Camera Program.

Principle 6

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
-----	--	------

Staff employed to work in the CCTV Camera program, whether they be operators or managers, will meet the highest standards of probity.

Principle 7

The public will be provided with clear and easily accessible information in relation to the operation of City of Cockburn's CCTV Camera Program.

Principle 8

Information recorded will be accurate, relevant and necessary to fulfil the purposes of the CCTV Camera Program.

Principle 9

Information will be obtained fairly and in accordance with the privacy provisions of the Code of Practice.

Principle 10

Access to the CCTV Camera data and monitoring screens will be restricted to qualified operating staff and their managers and the control room will be protected from unauthorised access.

Principle 11

The retention of, and access to tapes, photographs and recorded material will be only for the purposes provided by this Code of Practice. Tapes, photographs and recorded material will be retained in accordance with the general disposal authority for Local Government records concerning CCTV footage. They will then be erased, taped over, or destroyed.

Principle 12

Contact related to the CCTV Camera Program between City of Cockburn staff and the WA Police, Federal Police or any other authorised agency, will be conducted strictly in accordance with the Code of Practice.

2. Preliminary Information

2.1 Introduction

It is recognised that the threat of violence or antisocial behaviour are important factors in any public perception on how safe residents, visitors and other stakeholders feel in the City of Cockburn. As part of its effort to combat the fear of crime and reduce the likelihood of criminal behaviour in public places, the City of Cockburn has adopted a Crime Prevention Plan (CPP).

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
-----	--	------

2.2 CCTV Camera Program

2.2.1 The CCTV Camera Program comprises City of Cockburn's closed circuit television operations and is one of the initiatives that forms part of the CPP.

2.2.2 The CCTV Camera Program is only one of several initiatives designed to assist in preventing criminal behaviour.

2.3 Standard Operating Procedures (SOP's)

2.3.1 This Code of Practice will be supplemented by a set of Standard Operational Procedures (SOPs) giving instructions on all aspects of the operation of the Program. These documents will be based on the Code of Practice and any relevant legislation, to ensure that the principles and purposes on which the CCTV Camera program is based are realised.

2.3.2 Involvement in any aspect of the Program by relevant organisations or individuals will depend upon their willingness to comply with this Code of Practice and the SOPs.

2.3.3 This Code of Practice is subject to state and federal law.

2.4 System Description

The Program involves a range of reticulated cameras connected to a central control room via Internet Protocol (IP) networks and a series of stand alone camera systems not necessarily connected to the control room. Pictures are transmitted live to observation screens which may be monitored 24 hours a day by security staff employed by the City of Cockburn or by its service provider. All images are recorded and retained in accordance with Council's record-keeping requirements unless they are required in relation to the investigation of crime or for court proceedings.

2.5 Camera Design

2.5.1 All cameras are of sufficient design quality to enable effective monitoring. Each camera is, or may, be housed in an environment, which both protects the camera and ensures that the camera itself is not intrusive in impact.

2.5.2 State of the art technology will be used to ensure optimum resolution and picture quality for its deployment. The technology used will be regularly reviewed to ensure the most up to date equipment appropriate to the purposes of the CCTV Camera Program is used.

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
-----	--	------

2.6 Camera Locations

2.6.1 Cameras are installed in those areas where there is a demonstrated need to either view activities in real time or capture activities for later reporting to relevant authorities, including the WA or Federal Police. Environmental considerations are also taken into account.

2.6.2 Cameras are to be installed in the locations listed in the CCTV Camera Program contained in the City of Cockburn CCTV Strategy.

2.7 Ownership of the CCTV Camera Program

The City of Cockburn is the owner of the CCTV Camera Program. The City of Cockburn retains ownership of and has copyright to all equipment, videos, photographs and documentation pertaining to the Program. The responsibilities of the City of Cockburn in relation to the system are outlined in section 5.

2.8 Partners in the CCTV Camera Program

There are no financial partners in the program at time of publication. The WA Police are considered as partners in the context of their law enforcement role in the state of Western Australia.

The City may partner with the private sector to install CCTV on private property, where such installation(s) are deemed to be of benefit (or potential benefit) to the City's strategic outcome.

3. Changes to the CCTV Camera Program and/or the Code of Practice

3.1 A minor change to the CCTV Camera Program or Code of Practice may be made with the agreement of both the Director of Administration and Community Services and the Manager Ranger & Community Safety Services.

3.2 A minor change is such as may be required for the purposes of adjustment of the Program or clarification of the Code of Practice, for example, the replacement of one brand of video recorder with another or a change to the wording of a particular section of the Code of Practice where its meaning might otherwise be ambiguous, or a proposal to install further cameras under the prevailing conditions of use, in locations not included in the adopted program.

3.3 A major change to the CCTV Camera Program or to the Code of Practice will take place only after consultation with relevant interest

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
-----	--	------

groups and upon the agreement of the Council of the City of Cockburn. A major change is one which will have a significant impact upon the operation of the system or the Code of Practice, for example, a change to the purpose of the system.

4. Purpose and Objectives

- 4.1 The primary purpose of City of Cockburn's CCTV Camera Program is to assist in the prevention of serious criminal offences, particularly stealing of motor vehicles; stealing from motor vehicles and malicious damage to Council property, including graffiti.
- 4.2 The secondary purpose of the CCTV Camera Program is to assist in the prevention of crimes against the person.
- 4.3 The objectives of the CCTV Camera Program are:
 - (i) to reduce crime levels by deterring potential offenders;
 - (ii) to reduce fear of crime;
 - (iii) to help ensure a fast, effective police response in emergency situations;
 - (iv) to assist in the detection and prosecution of offenders; and
 - (v) to help secure a safer environment for those people who live in, work in and visit the City of Cockburn.
- 4.4 The CCTV Camera Program will not be used for general intelligence gathering.

5. Responsibilities of the owner or the Program

- 5.1 The City of Cockburn will be responsible for the introduction and implementation of the Code of Practice and for ensuring compliance with the principles contained within the Code.
- 5.2 The City of Cockburn will comply with the requirements for accountability set out in this Code of Practice. The City of Cockburn will be responsible for the audit of all CCTV processes.
- 5.3 The City of Cockburn will consult as necessary in connection with the implementation or modification of any part of the CCTV installation. The City of Cockburn reserves the right to have the final decision on any measures advanced by its service provider.

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
-----	--	------

6. Responsibilities of Partners to the Program

- 6.1 Incidents that may involve or lead to a crime against the person or other serious threat to public safety, or other serious criminal offence will be reported to the WA Police. The police will assess the situation and determine an appropriate response to the incident.
- 6.2 It is the responsibility of the WA Police to respond to incidents identified to the extent that its resources and priorities allow.

7. Public Information

- 7.1 Clearly visible signs that CCTV cameras are operating will be displayed at key points covered by cameras. These signs will:

- (i) inform the public that cameras are in operation;
- (ii) allow people entering the area to make a reasonable approximation of the area covered by the system; and
- (iii) identify City of Cockburn as the owner of the system and give a telephone number and address should further information be required.

- 7.2 Copies of the Code of Practice will be made available to the public.

- 7.3 Inquiries in relation to the City of Cockburn's CCTV Camera Program and its operation can be made in writing to:

Ranger & Community Safety Services Manager
City of Cockburn
PO BOX 1215
Bibra Lake DC WA 6965

or, alternatively, can be made by telephone on (08) 9411 3444.

8. Assessment of the System and Code of Practice

- 8.1 The City of Cockburn will regularly monitor the operation of the CCTV Camera Program and implementation of the Code of Practice.
- 8.2 The results of the periodic review will be taken into account in the future functioning, management and operation of the Program.

9. Management of the Control Room

- 9.1 SOP's exist for the control room staff and are to be followed.

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
-----	--	------

- 9.2 The City of Cockburn will apply the procedures and principles of the Community Safety and Security Service Code of Practice and requirements of the underpinning Industrial Award in the recruitment, training, deployment and management of staff who work in the Control Room

10. Control and Operation of Cameras

- 10.1 The locations of cameras will be clearly apparent to the public.
- 10.2 All use of cameras will accord with the purposes of the CCTV Camera Program as outlined in the Code of Practice and SOPs.
- 10.3 Cameras will not be used to look into adjacent or nearby premises or buildings, unless it is explicitly for the purpose of following (in real time) participants in a crime, which originated in the public domain.
- 10.4 No sound will be recorded.
- 10.5 'Dummy' cameras will not be used.
- 10.6 Operators of camera equipment will act in accordance with the highest standards of probity.
- 10.7 Only staff with responsibility for using the equipment will have access to operating controls.
- 10.8 All control room staff will be made aware that recordings are subject to routine audit and that they may be required to justify their interest in a particular member of the public or premises.

11. Tapes, Photographs and Recorded Material

- 11.1 Access to and use of videotaped material and photographs will only take place in compliance with the needs of police in connection with the investigation of crime; or if necessary for the purposes of legal proceedings.
- 11.2 Videotaped material and photographs will not be sold or used for commercial purposes or the provision of entertainment.
- 11.3 The showing of videotapes or photographs to the public will be allowed only in connection with the investigation of crime or in any other circumstances provided by law.

POL	INSTALLATION AND USE OF CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF COCKBURN	SC46
-----	--	------

- 11.4 Use of videotapes 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 concurrence of the Police, the CEO may approve such releases. In such cases the recognisable characteristics of other people in the footage shall be obscured as far as is practicable.
- 11.5 Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.
- 11.6 Recorded material will be treated according to defined procedures to ensure continuity of evidence.

12. Breaches of the Code

- 12.1 Prime responsibility for ensuring the Code of Practice is adhered to rests with the City of Cockburn. This responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent that breaches of the Code are within the ambit of City of Cockburn's power to remedy.
- 12.2 Complaints in relation to any aspect of the management or operation of the system may be made in writing to:
 - The Chief Executive Officer
 - City of Cockburn
 - PO Box 1215
 - Bibra Lake DC WA 6965

The privacy and personal information of individuals will be respected and observed under any written law applicable in Western Australia.
- 12.3 City of Cockburn will cooperate with the investigation of any complaint under any written law made to any other empowered Agency.