

Street Safety Cameras Policy

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1. PURPOSE

The Street Safety Cameras Policy provides a commitment to the management and operation of Street Safety Cameras across the Shoalhaven Local Government Area.

This policy relates to CCTV in public reserves, public roads, public bridges, public wharfs or public road-ferries and car parks. It does not relate to privately owned and operated CCTV on private property nor does it relate to CCTV installed by Council as part of its facility management obligations.

2. STATEMENT

Shoalhaven City Council is committed to building safe communities and addressing perceptions of crime and safety. Street Safety Cameras i.e. CCTV is one strategy, aimed at reducing and preventing crime.

To be effective in reducing or preventing crime CCTV should be part of a broader crime prevention and community safety strategy. CCTV should not be used on its own as a means of addressing crime and antisocial behaviour in public places as this lessens its effectiveness.

Street Safety Cameras will be managed in accordance with relevant external legislation, guidelines and other Council policies. This includes:

- NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places;
- Privacy and Personal Information Protection Act 1998 (NSW)
- Workplace and Surveillance Act 2005 (NSW)
- NSW Local Government Act 1993

A Code of Practice and Standard Operational Procedure will be developed for each Street Safety Camera project.

Where appropriate a Law Enforcement Agency may be asked to investigate any matter recorded by the Street Camera system which is deemed to be of a criminal nature.

Shoalhaven City Council will use Street Safety Cameras to enhance the safety and security of community members and property while protecting the individuals' right to privacy.

CCTV consists of dedicated high-resolution cameras providing continuous real time surveillance of public space. The primary use of CCTV is to discourage the occurrence of unlawful activity and enhance the chances of apprehending alleged offenders.

3. PROVISIONS

3.1 Definitions

Camera includes an electronic device capable of monitoring or recording visual images of activities public places.

Closed Circuit Television (CCTV) is defined as a television system that transmits images on a 'closed loop' basis, where images are only available to those directly connected to the transmission system. The transmission of closed circuit television images may involve the use of coaxial cable, fibre-optic cable, telephone lines, infra-red, wireless and radio transmission systems. A hand held or fixed video recorder is not included in this definition unless it is connected to the transmission system.

Employee a person working for Shoalhaven City Council, including contractors and Volunteers.

Law enforcement agency means any of the following:

- (a) NSW Police Force,
- (b) A police force or police service of another State or a Territory,
- (c) The Australian Federal Police,
- (d) The Police Integrity Commission,
- (e) The Independent Commission Against Corruption,
- (f) The New South Wales Crime Commission,
- (g) The Australian Crime Commission,
- (h) The Department of Corrective Services,
- (i) The Department of Juvenile Justice,
- (j) Any other authority or person responsible for the enforcement of the criminal laws of the Commonwealth or of the State,
- (k) A person or body prescribed for the purposes of this definition by the regulations.

Public Place is defined from the NSW *Local Government Act 1993* and refers to public reserves, public bathing reserves, public baths or swimming pools, public roads, public bridges, public wharfs or public road-ferries with the addition of public transport and car parks.

Street Safety Cameras refers to a Closed Circuit Television (CCTV) system operating in public reserves, public roads, public bridges, public wharfs or public road-ferries and public car parks. It does not refer to privately owned and operated CCTV in private places nor does it refer to CCTV installed by Council as part of its facility management obligations.

The term Street Safety Camera(s) will be used interchangeably with CCTV throughout this policy and its implementation.

Unlawful activity means an act or omission that constitutes an offence against a law of this State or the Commonwealth

Video Surveillance is defined as surveillance by a closed circuit television system for direct visual monitoring and/or recording of activities on premises or in a public space.

3.2 Procedural Information

The following procedure is to be used to assess the need for CCTV and to implement its installation:

1. Is there a need for CCTV?
 - Determined by documented evidence of high risk or unlawful incidents occurring or re occurring or the potential for them to occur the need for CCTV
 - Conduct a comprehensive safety and security audit of the location
 - Determine if and how the installation of CCTV fits in within a broader crime prevention strategy
 - Are Police supportive of installation in the location?
 - Is the collection of personal information lawful?
2. Consider both the Privacy and Personal Information Protection Act 1998 (PIPPA) and Workplace Surveillance Act 2005.
 - Street cameras must conform with PPIPA;
 - There will be times when Council staff are captured on CCTV going about their duties in a “place” where they work. In such cases the provisions of the Workplace Surveillance Act 2005 and Council’s Workplace Surveillance Policy must be followed.
3. Set Objectives for the CCTV Program
 - This will determine how it is to be implemented
 - Include how the scheme is to be evaluated.
4. Community Consultation
 - Initial consultation should occur when the community is informed of the intention to investigate the use of CCTV for a nominated area.
 - All groups likely to be affected by the proposal for CCTV should be consulted.
 - Additional consultation may need to be undertaken to provide opportunity for any concerns about the proposed installation.
5. Establish a Trial Period (where possible or feasible)
 - A trial period will ensure that the system is operating effectively and meeting its objectives.
 - The trial period will also provide the opportunity to review and refine system operation and suitability of components.
6. Location of and Selection of Cameras
 - Effective location of cameras and selection of type of camera is essential for the success of any CCTV program.
7. Control Centre

- If a control centre is established it must meet the requirements of the Security Industrial Act 997.

8. Erection of Signs

- Signs informing the public of the existence of CCTV must be erected.
- As a minimum signs must include the contact details for the ownership of the scheme, the purpose of the scheme and hours of operation.

9. Complaints

- Complaints should be attended to by observing Shoalhaven City Council's Complaints Policy & Procedures.

10. Code of Practice, Protocols and Standard Operating Procedures

- A detailed code of practice, protocols and standard operating procedures covering all aspects of the management of the operations of the CCTV system will need to be developed.

11. Monitoring, Evaluation and Auditing

- Compliance with the Privacy and Personal Information Protection Act should be regularly audited.”

4. IMPLEMENTATION

To be implemented by the group of Shoalhaven City Council operating the Street Safety Camera/CCTV system.

5. REVIEW

To be reviewed on a two yearly cycle.

6. APPLICATION OF ESD PRINCIPLES

This policy meets the ESD Principle of developing Social Integrity.