

## POL 0086: CCTV

### Purpose

To set out the Shire of Esperance's requirements in relation to the operation of Closed Circuit Television systems that it owns and operates.

### Scope

This policy does not apply to the capture of videos or photos not linked to the Shire's internal CCTV system or public CCTV system, i.e. live streaming of Council Meetings.

### Definitions

**MOU:** Memorandum of Understanding regarding the supply and use of public CCTV between the Shire of Esperance and the WA Police.

**Internal CCTV:** Closed Circuit Television recording staff and public internally and externally of the Shire of Esperance buildings.

**Public CCTV:** Closed Circuit Television covering public open spaces and streets including linked mobile systems.

### Practice

#### Introduction

The Shire owns and operates both an internal CCTV system and a public CCTV system. Digital images are recorded from both systems twenty four (24) hours, seven (7) days a week and are retained for a period of not less than thirty one (31) days.

The internal CCTV system monitors the Shire of Esperance building assets, the purpose of the Internal CCTV system is to -

1. Assist in deterring antisocial and criminal behaviour
2. Assist in deterring offences against persons and/or property.
3. Assist staff with providing improved customer service.
4. Assist staff with providing operational services.

The Public CCTV System monitors public open spaces and streets. The purpose of the Public CCTV system is to -

1. Assist in deterring antisocial and criminal behaviour
2. Assist in deterring offences against persons and/or property.
3. Facilitate rapid response by WA Police and other emergency services as determined by WA Police when detecting instances of crime and anti-social behaviour.
4. Capture footage of suitable quality (ideally facial identification) to ensure that recorded footage of crimes can be used by WA Police or their legal representative for effective prosecution.
5. Reduce the public's perception of crime and the fear of crime.

## Ownership and Control

### 1. Internal CCTV system -

The Shire of Esperance Internal CCTV system is owned by and is the sole property of the Shire of Esperance, who ensure that the CCTV system is maintained in efficient working order. The Shire of Esperance have exclusive access to and control of all recorded footage.

The Shire of Esperance may allow access, only to the external building cameras, to WA Police as part of the Public CCTV system. The footage and data from these cameras would be available to WA Police without restriction.

### 2. Public CCTV system -

The Public CCTV system is owned by and is the sole property of the Shire of Esperance, who ensure that the CCTV system is maintained in efficient working order. The Shire of Esperance provides the CCTV system to WA Police who have exclusive access to, and control of, all recorded footage. These ownerships and controls reference the MOU between the Shire of Esperance and WA Police.

## Viewing and requesting CCTV images/recordings

### 1. Internal CCTV system -

#### a. Live viewing of Internal CCTV Footage -

- i. Shire staff, contractors and volunteers are able to view live internal CCTV footage that is operational required as part of their role.

#### b. Downloading Historic Internal CCTV Footage -

##### i. Shire of Esperance staff -

An Internal CCTV Data Request form, must be filled in and signed by the requesting officers Manager before lodging it with the Manager Information Services who will verify and approve the request.

The Manager Information Services or their delegate will assess and provide the data as requested based on priority (urgency and importance), ensuring that the request does not contravene governing standards before providing the data.

##### ii. WA Police -

WA Police may request footage from the Shire of Esperance Internal CCTV in order to supplement or assist with criminal investigations.

Any and all requests for such data will need to be made in writing to the Shire of Esperance, the Manager Information Services will assess and provide the requested footage as required.

##### iii. General Public -

Members of the Public may request footage from the Shire of Esperance Internal CCTV through a Freedom of Information Request. Request will be governed by the requirements under the *Freedom of Information Act 1992*.

2. Public CCTV system -

- a. The police have the sole viewing rights to the Public CCTV system. Request for viewing and requesting images/recordings from public system can only be done through WA Police. The Shire of Esperance does not have access to the images and recordings from the Public CCTV System.

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**Document Information**

Responsible Position	Manager Projects & Buildings
Risk Rating	Low

**Referencing Documents**

- *Local Government Act 1995*
- *AS/NZS 62676:2020 Video Surveillance Systems for use in Security Application*
- *WA Criminal Code Act Compilation Act 1913*
- *Criminal Procedures Act 2004*
- *State Records Act 2000*
- *Freedom of Information Act 1992*
- *Memorandum of Understanding – Western Australia Police Force and Shire of Esperance*

**Revision History**

Date	Version	CM Reference	Reason for Change	Resolution #	Next Review
Jun 2021	1	D21/20129	New policy.	O0621-142	Jun 2023
Mar 2022	2	D21/20129[v2]	No change.	O0322-062	Mar 2024
Mar 2024	3	D21/20129[v3]	Biennial review, no change	O0324-023	Mar 2026
Mar 2026	4	D21/20129[v4]	Update responsible position title	O0326-053	Mar 2028