

**ACT AUDITOR-GENERAL'S REPORT
MANAGEMENT OF CLOSED-CIRCUIT
TELEVISION SYSTEMS**

REPORT NO. 5 / 2021

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Produced for the ACT Audit Office by Publishing Services, Chief Minister, Treasury and Economic Development Directorate, ACT Government.

Publication No. 210391

ACT Government Homepage address is: <http://www.act.gov.au>

PA 19/19

The Speaker
ACT Legislative Assembly
Civic Square, London Circuit
CANBERRA ACT 2601

Dear Madam Speaker

I am pleased to forward to you a Performance Audit Report titled 'Management of Closed-Circuit Television Systems' for tabling in the Legislative Assembly pursuant to Subsection 17(5) of the *Auditor-General Act 1996*.

The audit has been conducted in accordance with the requirements of the *Auditor-General Act 1996* and relevant professional standards including *ASAE 3500 – Performance Engagements*.

Yours sincerely



Michael Harris
Auditor-General
18 June 2021

The ACT Audit Office acknowledges the Ngunnawal people as traditional custodians of the ACT and pays respect to the elders; past, present and future. The Office acknowledges and respects their continuing culture and the contribution they make to the life of this city and this region.

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SUMMARY

At least 4,800 cameras are operated by ACT Government agencies in a variety of locations. CCTV cameras are operated as part of a CCTV system and multiple CCTV systems are operated by ACT Government agencies.

The audit considered the effectiveness of the management of CCTV systems by the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate. The audit focused on the management of CCTV systems that are installed in the public safety network, on board Transport Canberra buses and at Libraries ACT sites

Conclusions

SYSTEM PURPOSE AND ACHIEVEMENTS

The Justice and Community Safety Directorate and the Transport Canberra and City Services Directorate have identified the purpose and objectives of their CCTV systems in various documentation; however this has been primarily done informally and inconsistently to date. Clarity around the purpose and objectives of the systems is important in facilitating ongoing review and accountability for system performance and reporting on the value and benefit of the systems to the ACT community. There is an opportunity for both directorates to more effectively review and report on the performance of their systems on an annual basis against clearly identified system purposes and objectives.

SYSTEM OPERATIONS

The Justice and Community Services Directorate and the Transport Canberra and City Services Directorate have developed effective processes for the management of data captured through the CCTV systems considered as part of the audit. This includes practices for the secure storage of CCTV camera data and the release of CCTV camera data to stakeholders. There are, however, opportunities for improvement, including specific opportunities to improve the storage of data captured through CCTV cameras on board buses.

Key findings

SYSTEM PURPOSE AND ACHIEVEMENTS

Paragraph

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) and *Australian Standard AS 4806.1, Closed circuit television (CCTV) Part 1: Management and operation* require the purpose and objectives of a CCTV system to be documented. The *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* provided information on the use of the system noting ‘live and recorded footage from the CCTV Network is made available to specific Government and ACT Policing for the purpose of supporting public safety through asset security, business monitoring, event management, incident management and the investigation of crime’. The purpose and objectives of the public safety CCTV network were refreshed in April 2021 and are currently described on the public safety CCTV network webpage. The purpose is described as ‘to enhance the safety and security of Canberra’s public places, venues and events’. Supporting objectives are also described.

2.18

The purpose of the CCTV systems managed by the Transport Canberra and City Services Directorate are documented in the Directorate’s December 2016 *Closed Circuit Television Guidelines*. The Guidelines have not been reviewed or updated since 2016. The Guidelines discuss the collective purpose of the Directorate’s systems as: assisting in the protection of the public; providing a level of security for staff with direct contact with the public; improving security for the protection of agency and community assets and infrastructure; assisting in effective responses to security, safety and emergency incidents (to the public and staff); assisting in the investigation of possible offences; monitoring traffic flows and traffic operations; monitoring and managing services; and assisting with process control and business monitoring. The purpose of the CCTV systems, as documented in the *Closed Circuit Television Guidelines*, are broad and non-specific; they are a catch-all that cover all potential uses of the variety of CCTV systems managed by the Directorate. They do not provide specific and identifiable information on the purpose and objectives of the diverse systems maintained across the Directorate.

2.19

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires ACT Government agencies to undertake a full assessment of the need before developing and implementing a CCTV system, including a requirement to identify the need for a CCTV system in the area where it is to be installed. In February 2020 the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate developed a proposal for the expansion of the public safety CCTV network (through an additional 30 cameras in parts of the ACT without coverage) and the replacement of the CCTV cameras on board buses. For neither CCTV system did the proposal provide further information on: the nature, extent and cost of the problem that is seeking to be addressed; other initiatives that have been considered to address the problem; and the impact and benefit that the installation of the CCTV cameras would likely achieve. Nor did the proposal identify the specific needs to be addressed through the specific placement of the 30 additional public safety network cameras.

2.35

The <i>ACT Government Code of Practice for Closed Circuit Television Systems</i> (2009) requires ACT Government agencies to ‘undertake a full assessment of the need to install a CCTV system and detail the benefits of installing a CCTV system’ and prompts agencies to undertake a cost-benefit analysis. There is no evidence of any cost-benefit analyses being undertaken for any of the CCTV systems considered as part of this audit. The <i>Strategic Closed Circuit Television (CCTV) Plan 2020-2022</i> signals an intention to do this noting ‘the government will undertake a cost versus benefit assessment of the CCTV Network’ and that ‘this will help inform the government when considering future investment in the CCTV Network’. There is no further information available as to the scope or timing of this study.	2.45
The <i>Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation</i> requires an annual report to be prepared on the achievements of the CCTV system in the previous 12 months. The annual report is to provide information on the operation and performance of the CCTV system including details of the system’s achievements during the previous 12 months and ‘an assessment of the CCTV system’s impact on crime levels and types of crime in the area covered by the system’. The Transport Canberra and City Services Directorate has not produced any reports for its systems considered as part of this audit.	2.64
The Justice and Community Safety Directorate published its inaugural annual report on the public safety CCTV network: <i>Annual Report for the ACT’s Public Safety CCTV Network for 2019-20</i> . The report provides information on: system utilisation data (including how many times CCTV data has been used for ACT Policing operations and the number of requests for data from ACT Policing and the public); system governance arrangements; changes to the system; and the outlook and future intentions for the system. While this is useful information, the report does not provide details of the system’s achievements, an assessment of the system’s impact on crime levels or an assessment of the usefulness of the footage, e.g. for the identification or arrest of suspects.	2.65
The Justice and Community Safety Directorate also provides six-monthly reports to the Security and Emergency Management Senior Officials Group (SEMSOG) on the use of the public safety CCTV network. The reports include, in part, information from ACT Policing on the number of ‘downloads’ from the public safety network and the number of occasions where ACT Policing resources have been despatched in response to incidents identified during monitoring. The report does not provide details of the system’s achievements, an assessment of the system’s impact on crime levels or an assessment of the usefulness of the footage, e.g. for the identification or arrest of suspects.	2.66
The <i>Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation</i> requires that an annual review of the CCTV system be undertaken and the <i>ACT Government Code of Practice for Closed Circuit Television Systems</i> (2009) discusses the need for ‘an independent audit of the CCTV system, against this Code and agency procedures, to be conducted on an annual basis’. The Justice and Community Safety Directorate and Transport Canberra and City Services	2.79

Directorate do not conduct annual reviews or audits of the systems considered as part of the audit.

SYSTEM OPERATIONS

Paragraph

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) clearly identifies that ACT Government agencies have primary responsibility and accountability for the management of CCTV systems within their agencies. The Code of Practice also identifies that the Security and Emergency Management Branch in the Justice and Community Safety Directorate has responsibility and accountability for ‘leadership in the development of policy for the use of CCTV technology across ACT Government, including the maintenance and review of this Code’. Cross-government governance and administrative arrangements are supported by the CCTV Working Group, which is designed to ‘[provide] a collaborative forum for developing, improving, and innovating CCTV installations and use in the ACT Government’. The CCTV Working Group provides an effective opportunity for cross-government communication and coordination.

3.10

The Transport Canberra and City Services Directorate’s December 2016 *Closed Circuit Television Guidelines* provide a useful guide to the management of CCTV across the whole directorate. The Guidelines specifically identify roles and responsibilities by position and title, which is intended to foster responsibility and accountability. However, the Guidelines, which were implemented in December 2016, have not been reviewed or updated since then and risk losing their value and currency. The Guidelines specifically identify roles and responsibilities for requirements and obligations established through the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009). The extent to which these are met are discussed throughout this report.

3.19

A *Preliminary Memorandum of Understanding* has been agreed between Libraries ACT and the Security and Emergency Management Branch (Justice and Community Safety Directorate) for the provision of support for the repair, maintenance, operation and upgrade of the Libraries ACT CCTV system. The document is not dated, but the Audit Office was advised it was agreed in April 2019. The document discusses its purpose as a precursor to the development of a full Memorandum of Understanding, but there is no indication of the timing of this development. The *Preliminary Memorandum of Understanding* does not align with aspects of the Transport Canberra and City Services Directorate’s December 2016 *Closed Circuit Television Guidelines*, which identify specific and explicit responsibilities for Business Unit CCTV officers.

3.25

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) establishes requirements for the secure management of data captured through CCTV cameras including that ‘agencies will establish procedures for the monitoring, retention, storage and destruction of recorded images’. No policies or procedures have been developed for the collection, recording and storage of data for any of the CCTV systems considered as part of this audit. Nevertheless, specific local practices have been developed to safeguard data capture through the CCTV systems. These practices differ according to the CCTV systems and their software and hardware characteristics. Notwithstanding the development of localised practices, the lack of

3.40

policies and procedures increases the risk that individual, specific practices that have been developed are not consistently and rigorously followed.

The *Territory Records (Records Disposal Schedule – Security Coordination Approval 2009 (No 1)* requires CCTV footage to be destroyed 30 days after being created. Specific local practices have been developed that seek to give effect to this requirement. For Transport Canberra buses, however, data captured through CCTV cameras on board buses is replaced by newer data when the hard disc on board the bus is full. In practice more or less than 30 days of data is maintained on the buses depending on the frequency with which the bus is used. The period for which data is stored on individual buses is unknown, as it is not planned for, or checked. To achieve the requirement of the *Territory Records (Records Disposal Schedule – Security Coordination Approval 2009 (No 1)* to destroy data after 30 days, the system is reliant on the combination of multiple unknown variables in the system, including how often the bus is used, for how long the bus is used and the integrity of the data. In being reliant on these variables, there is no certainty in achieving the requirement.

3.49

The *ACT Government Code of Practice for Closed Circuit Television Systems (2009)* requires ACT Government agencies to develop procedures for the release of data to third parties that complies with relevant legislation, including privacy requirements. In practice, the Justice and Community Safety Directorate maintains records of data requests, the incident to which it relates and the action taken in response; these records distinguish between public requests and those from within ACT Government and also include the personal contact details of the requestor. In the calendar years 2018 and 2019, there were only four requests to the Justice and Community Safety Directorate for data captured on CCTV. Many more requests are received by Transport Canberra for CCTV footage captured by cameras on board buses. In the three years to 2019-20, 279 requests were received from ACT Policing and 190 requests were received from the public or other parties. Transport Canberra has developed procedures for the management of requests from ACT Policing and other parties. Libraries ACT had six requests for CCTV data in the three years to 2019-20, from which data was released twice.

3.66

The *ACT Government Code of Practice for Closed Circuit Television Systems (2009)* requires that ‘all staff involved in the operation of the CCTV system, are trained and competent in its operation and understand the operating procedures for the CCTV system’. The December 2016 *Closed Circuit Television Guidelines* for the Transport Canberra and City Services Directorate also requires ‘all authorised officers using CCTV systems within the Directorate must receive training. This training is coordinated by the Business Unit CCTV Officer for the business area’. Training requirements are in place for Transport Officers in relation to the CCTV cameras on board buses. There are no formal training requirements or plans for other staff involved in any of the CCTV systems considered as part of the audit. In practice, training that may occur is achieved on an as needs basis by the incumbent operators via workplace handover.

3.86

Recommendations

RECOMMENDATION 1 CCTV SYSTEM PURPOSE AND OBJECTIVES

The Transport Canberra and City Services Directorate should identify and document the purpose and objectives of its specific CCTV systems.

RECOMMENDATION 2 ANNUAL REVIEWS OF CCTV SYSTEMS

The Justice and Community Safety Directorate and Transport Canberra and City Services Directorate should undertake an annual review or audit of their CCTV systems. The annual review or audit should consider:

- a) the effectiveness of the system in meeting its purpose and objective;
- b) the ongoing need for the system and the cameras included in the system; and
- c) the benefits of the continuing operation of the system against the costs associated with managing and maintaining the system.

RECOMMENDATION 3 SECURITY AND EMERGENCY MANAGEMENT BRANCH ROLES AND RESPONSIBILITIES

The Justice and Community Safety Directorate should document roles and responsibilities of Security and Emergency Management Branch staff involved in the management and operation of the public safety CCTV network in policy and procedural guidance.

RECOMMENDATION 4 TRANSPORT CANBERRA AND CITY SERVICES DIRECTORATE *CLOSED CIRCUIT TELEVISION GUIDELINES*

The Transport Canberra and City Services Directorate should review and update its *Closed Circuit Television Guidelines*. In doing so, the Directorate should ensure that roles and responsibilities for the management and operation of the directorate's CCTV systems are accurately documented.

RECOMMENDATION 5 DESTRUCTION OF CCTV CAMERA DATA ON BOARD BUSES

The Transport Canberra and City Services Directorate should develop a practice for the destruction of CCTV camera data on board buses 30 days after its capture.

RECOMMENDATION 6 STAFF TRAINING AND DEVELOPMENT

The Transport Canberra and City Services Directorate and Justice and Community Safety Directorate should formalise staff induction and training requirements for the management of CCTV systems. This should include the identification and documentation of formal training requirements through training plans and maintaining training records for all staff that are involved in the operation of CCTV systems.

Response from agencies

In accordance with subsection 18(2) of the *Auditor-General Act 1996*, the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate were provided with:

- a draft proposed report for comment. All comments were considered and required changes were reflected in the final proposed report; and
- a final proposed report for further comment.

No comments were provided for inclusion in this Summary Chapter.

1 INTRODUCTION

CCTV cameras

CCTV cameras in Australia

- 1.1 Like most developed countries, Australia has seen considerable growth in the use of CCTV cameras. According to the Australian Security Industry Association, it is estimated that the number of CCTV cameras in use in Australia has doubled in the past decade to around one million cameras.^{1 2}
- 1.2 The increase in CCTV camera use is generally considered to be due to two factors:
 - increased funding for government crime prevention programs; and
 - decreasing cost and increasing ease of installing CCTV cameras as technology has advanced.

ACT Government CCTV systems

- 1.3 CCTV cameras are operated as part of a CCTV system. Multiple CCTV systems are operated by ACT Government agencies. CCTV systems may be operated for different purposes including:
 - crime deterrence, investigation and prosecution;
 - asset monitoring and security;
 - public safety and event monitoring;
 - process control and business monitoring;
 - supporting emergency response and management;
 - training, engagement and community engagement;
 - traffic, vehicle and parking enforcement.

ACT Government CCTV cameras

- 1.4 At least 4,800 cameras are operated by ACT Government agencies in a variety of locations. Table 1-1 shows the number of CCTV cameras in operation across ACT Government agencies as at May 2020.

¹ In the absence of any legislated or other requirement for operational CCTV cameras to be registered, accurate data is for the total number of CCTV cameras in use in Australia is not available.

² <https://www.smh.com.au/national/nsw/thousands-of-cctv-requests-used-for-non-criminal-matters-20181102-p50dmo.html>

Table 1-1 ACT Government CCTV cameras

Directorate	Number of CCTV cameras
Transport Canberra and City Services Directorate	3691
Health Directorate	731
Chief Minister, Treasury and Economic Development Directorate	295
Justice and Community Safety Directorate (Security and Emergency Management Branch)	100
Environment, Planning and Sustainable Development Directorate	59
Total	4876

Source: ACT Audit Office, based on Transport Canberra and City Services Directorate information.

- 1.5 There are also CCTV cameras in other specific systems, including systems associated with ACT Corrective Services, ACT Courts and Tribunal and the Capital Metro light rail.

ACT Government CCTV camera locations

- 1.6 ACT Government CCTV cameras are located in a wide range of locations including city and town centres, sports stadia and libraries. While CCTV camera locations are widespread across the ACT, significant numbers of CCTV cameras are located on board buses operated by Transport Canberra. Large numbers of cameras are also located in the Canberra Hospital, Dhulwa Mental Health Unit, Belconnen Community Health Centre and University of Canberra Hospital. Table 1-2 shows the key locations of CCTV cameras operated by ACT Government agencies.

Table 1-2 Major ACT Government CCTV camera installations

CCTV camera locations	Percentage of total ACT Government CCTV cameras
Transport Canberra buses	68%
Canberra Hospital	7%
Dhulwa Mental Health Unit	4%
Belconnen Community Health Centre	2%
University of Canberra Hospital	2%

Source: ACT Audit Office, based on Transport Canberra and City Services Directorate information.

Note: The balance of CCTV cameras are located in a range of different locations.

Note: Does not include cameras operated in systems associated with ACT Corrective Services, ACT Courts and Tribunal and Capital Metro light rail.

- 1.7 Across the ACT Government CCTV network, a variety of camera types are used for different purposes. The majority of camera types are individual cameras on board buses followed by fixed cameras, with small numbers of solar powered cameras. Table 1-3 shows the type of ACT Government CCTV cameras.

Table 1-3 ACT Government CCTV cameras by type

CCTV camera type	Percentage of total ACT Government CCTV cameras
Individual bus cameras	68%
Fixed	31%
Others	1%

Source: ACT Audit Office, based on Transport Canberra and City Services Directorate information.

Note: Does not include cameras operated in systems associated with ACT Corrective Services, ACT Courts and Tribunal and Capital Metro light rail.

Audit focus

- 1.8 The audit considered the operation of a selection of ACT Government CCTV systems:
- the public safety network;
 - cameras on board Transport Canberra buses; and
 - cameras at Libraries ACT sites.

Public safety network

- 1.9 The public safety network refers to an inter-connection of CCTV systems located in public spaces, venues and events in the ACT, data from which is available to the ACT Government and ACT Policing to support public safety. The first cameras were installed in 2001 in Civic as part of the 'Civic Safety Camera System' to allay public concern about anti-social and criminal behaviour in the precinct. As at January 2021, the public safety network consisted of:
- 75 CCTV cameras, two of which operate on the CBRfree Wi-Fi fibred network, the balance of cameras operate on the ACT Government ICT network; and
 - 22 CCTV remote cameras, that are solar powered and transmit data using mobile phone networks.
- 1.10 The 75 cameras in the public safety network are located in Civic, the Kingston shopping precinct, the Manuka shopping precinct, Manuka Oval, Exhibition Park in Canberra, the GIO Stadium, Jolimont Centre, Haig Park, Tuggeranong town centre and Henry Rolland Park.
- 1.11 In January 2021, the 22 solar powered cameras were located at the Jerrabomberra Wetlands, the National Arboretum, the Belconnen Owl artwork, Lanyon Homestead, the Legislative Assembly car park, Mount Taylor car parking areas, the National Rock Garden and the Throsby suburban development. There are also solar powered cameras located at road junctions on the fringes of Canberra suburbs.
- 1.12 The Justice and Community Safety Directorate is responsible for managing and maintaining the public safety network. ACT Policing has access to the network through the ACT Government owned and funded facility at the Winchester Centre.

Transport Canberra and City Services Directorate CCTV cameras

- 1.13 The Transport Canberra and City Services Directorate operates over 3,600 CCTV cameras in the ACT. These CCTV cameras are located in public buses, libraries, waste facilities and cemeteries. The Transport Canberra and City Services Directorate also has CCTV cameras at bus interchanges; these form part of the public safety network.

Transport Canberra Buses CCTV cameras

- 1.14 3,281 CCTV cameras (91 percent of the cameras managed by the Transport Canberra and City Services Directorate) are located on board buses.
- 1.15 The initial procurement of CCTV cameras for ACTION buses was commenced in 2006. Progressively, CCTV cameras were fitted to all buses in the fleet managed by the Transport Canberra and City Services Directorate. All new buses that have been recently added to the fleet have been delivered with factory fitted CCTV cameras. The bus fleet has an average of six CCTV cameras per bus.

Libraries ACT CCTV cameras

- 1.16 There are 30 CCTV cameras located in nine of the ten Libraries ACT sites. In 2013 CCTV cameras were installed in libraries. Cameras were initially installed to manage issues related to library users over-running bookings at computers provided for internet access.
- 1.17 A *Preliminary Memorandum of Understanding* has been in place since April 2019 between Libraries ACT and the Security Emergency and Management Branch of the Justice and Community Safety Directorate, for the Security Emergency and Management Branch to provide maintenance and repair support for CCTV cameras at Libraries ACT sites. The Security Emergency and Management Branch also provides retrieval and copying services and support.

ACT Government roles and responsibilities

Security and Emergency Management Branch (Justice and Community Safety Directorate)

- 1.18 The CCTV Coordination Team within the Security and Emergency Management Branch of the Justice and Community Services Directorate is responsible for policy leadership and development for the use of CCTV across ACT Government. The CCTV Coordination Team also manages the public safety network.

ACT Government agencies

- 1.19 ACT Government agencies are responsible for managing, operating and maintaining their CCTV systems in accordance with:
- relevant legislative requirements;

- the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009);
- *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* (2006); and
- (where relevant) *National Code of Practice for CCTV Systems for the Mass Passenger Transport Sector* (2006).

Legislative requirements

- 1.20 The management and operation of CCTV cameras is subject to a range of legislative requirements. Key legislation that is relevant to the management of CCTV cameras is the *Information Privacy Act 2014*. The *Information Privacy Act 2014* identifies Territory Privacy Principles in relation to individuals' personal information. These identify principles for the types of personal information collected by an entity, how personal information is collected and stored and how an individual may access personal information. The Territory Privacy Principles also include a requirement to implement practices, procedures and systems to ensure compliance with the *Information Privacy Act 2014*; these requirements serve to safeguard the right to privacy of individuals.
- 1.21 The *Territory Records Act 2002* is also relevant, with respect to the storage of data from CCTV cameras. The *Workplace Privacy Act 2011* is also relevant to CCTV cameras that collect data in a workplace. The act regulates the collection of such data and requires employees to be notified and consulted with.
- 1.22 The *Human Rights Act 2004* is relevant to the collection of data from CCTV cameras; the act protects individuals' rights to privacy and freedom of movement.
- 1.23 The operation of public CCTV cameras seeks to balance the right to privacy of individuals who may be captured on CCTV cameras with the potential benefits that may be derived from the operation of a CCTV system.

CCTV Code of Practice

- 1.24 In September 2009 the ACT Attorney-General endorsed the *ACT Government Code of Practice for Closed Circuit Television Systems*. The Code of Practice states:

The *ACT Government Code of Practice for Closed Circuit Television Systems* (the Code) is intended for any ACT Government agency with a CCTV system, or considering installing CCTV. This Code provides a framework for ACT Government agencies and agencies under a third party contractual arrangement to develop procedures for the operation and management of their CCTV systems. These procedures need to be consistent with the *Public Sector Management Act 1994*. Use of this Code will help operators ensure they have in place the procedures and protocols necessary to assure the appropriate use of CCTV systems, protect against possible misuse, and emphasise respect for privacy and the individual.

- 1.25 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) discusses the importance of different legislative requirements for the operation of CCTV systems, including the *Information Privacy Act 2014*:

A Code of Practice provides tactical advice on how to meet the legislative and policy standards relating to the subject of the code. A Code of Practice is not, in itself, enforceable legislation.

This Code of Practice combines the legislative requirements of the *Privacy Act 1988*, the *Human Rights Act 2004*, and the *Public Sector Management Act 1994*. CCTV operators must also comply with specific legislation which may affect their CCTV operations ...

- 1.26 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) further reinforces the importance of balancing broader community needs with the individual rights of community members:

Increasingly, CCTV systems are being used in a number of ways by ACT Government agencies. This includes assisting in the protection of members of the public in public areas, providing security for staff with face to face public contact, providing enhanced security of government and community assets as well as process control and business monitoring.

The expansion of ACT Government CCTV systems to improve community safety needs to be well managed and operated with respect to the individual rights of ACT citizens.

The *ACT Government Code of Practice for Closed Circuit Television Systems* (the Code) is the central policy document that will assist ACT Government agencies with the management and operation of their CCTV systems, and ensure that consistent and effective governance arrangements are maintained.

Australian Standard

- 1.27 In June 2006 the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* was published. The Standard:

... provides recommendations for the operation and management of closed circuit television (CCTV) within a controlled environment, where data that may be offered as evidence is received, stored, reviewed or analysed.

- 1.28 The *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* is intended to cover 'CCTV systems used in areas where the public would have a 'right to visit''. The Standard further states that this applies to:

- CCTV systems used in public places (i.e. areas where the public is encouraged to enter or have a right to visit, such as town centres, shopping malls, public transport, health, etc);
- systems that overlook a public place (such as traffic monitoring systems); and
- systems where a camera view adjoins a public place.

- 1.29 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) states that ACT Government agencies are responsible and accountable for *inter alia* ensuring that CCTV systems comply with the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation*. Accordingly, reference has been made to the Australian Standard and its requirements where relevant throughout this report.

Draft Closed Circuit Television (CCTV) Policy 2021-2023

- 1.30 In 2019 the CCTV Coordination Team within the Security and Emergency Management Branch of the Justice and Community Services Directorate began preparing a *Closed Circuit Television (CCTV) Policy 2021-2023*. The CCTV Policy is intended to replace the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009). As at March 2021 the CCTV Policy was in draft form. The Justice and Community Safety Directorate advised that work on progressing the policy was placed on hold in order to incorporate findings arising out of this performance audit report. The Directorate advised that following the completion of the audit the policy 'will be implemented without further delay'.
- 1.31 The draft CCTV Policy includes sections on:
- whole-of-government CCTV governance arrangements;
 - installation and operation of CCTV systems; and
 - CCTV information management.
- 1.32 Similar to the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) draft CCTV Policy acknowledges the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation*. The draft CCTV Policy states:
- Prior to installing CCTV, directorates must:
- ...
- b. Ensure that the installation complies with Acts and Standards such as; the requirements of the *Workplace Privacy Act 2011 & Australian Standard AS 4806.1 – 2006, Closed circuit television (CCTV), Part 1: Management and operation*
- 1.33 While the development of the CCTV Policy is acknowledged it is noted that it remains in draft as at March 2021. The audit focused on the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) as this provided the governance, administrative and operational guidance for the management of CCTV systems across ACT Government agencies at the time of, and in the lead up to, the conduct of the audit

Audit objective and scope

Audit objective

- 1.34 The objective of the audit is to assess the effectiveness of the management of CCTV systems managed by the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate.

Audit scope

- 1.35 The audit considered the activities of the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate to manage their CCTV systems.

1.36 The audit considered the following CCTV networks:

- the public safety network managed by the Justice and Community Safety Directorate; and
- CCTV systems on buses and at public libraries, managed by the Transport Canberra and City Services Directorate.

1.37 The public safety network and the network of CCTV cameras on buses were chosen as the most significant systems that affect public safety, with the library system chosen as an example of a smaller system.

1.38 The audit primarily focused on the management of CCTV systems by the directorates, but also considered the development of whole of government governance managed by the Security and Emergency Management Branch within the Justice and Community Safety Directorate.

Out of scope

1.39 The audit did not consider CCTV systems or CCTV cameras that are not owned by the ACT Government. ACT Policing's use of, and monitoring practices associated with, the public safety network was not considered as part of the audit.

1.40 The audit did not consider the management of CCTV systems that are primarily used for a purpose other than public safety, for example, traffic management.

1.41 The audit did not consider CCTV cameras that are mobile, for example, body worn cameras and cameras mounted to drones, except for cameras that are installed on buses.

Audit criteria, approach and method

Audit criteria

1.42 To form a conclusion against the objective, the following criteria were used.

- Criterion One: Have ACT Government agencies effectively identified the purpose and objectives of their CCTV systems?
 - Has the CCTV system owner undertaken a comprehensive assessment of the need to install the CCTV system?
 - Once the CCTV system is installed and operational, does the CCTV system owner review the attainment of the system's objectives?
- Criterion Two: Do ACT Government agencies effectively manage and secure data gathered by their CCTV systems?
 - Does the CCTV system owner have effective procedures in place to protect the security of the data?

- Does the CCTV system owner have effective controls in place to protect the security of the data?
- Does the CCTV system owner have effective procedures in place to ensure appropriate release of data to third parties?

Audit approach and method

1.43 The audit approach and method consisted of:

- interviews and discussion with key staff at the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate;
- reviewing relevant literature, and work undertaken on this subject by other jurisdictions and public sector entities to identify better practices;
- identifying and reviewing relevant information and documentation including the governance and accountability framework and related policy and procedures, research documents, and relevant reports;
- identifying and documenting internal controls and procedures used to give effect to the policies and guidelines and to ensure compliance and evaluating the effectiveness of these controls;
- examination of records relating to the security of data gathered by CCTV systems and the release of data gathered by CCTV systems to third parties; and
- observing key process and controls relating to the security and release of data gathered by CCTV systems.

1.44 The audit was performed in accordance with *ASAE 3500 – Performance Engagements*. The audit adopted the policy and practice statements outlined in the Audit Office's Performance Audit Methods and Practices (PAMPr) which is designed to comply with the requirements of the *Auditor-General Act 1996* and *ASAE 3500 – Performance Engagements*.

1.45 In the conduct of this performance audit the ACT Audit Office complied with the independence and other relevant ethical requirements related to assurance engagements.

2 SYSTEM PURPOSE AND ACHIEVEMENTS

- 2.1 This chapter discusses the activities of the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate to identify the purpose and objectives of their CCTV systems and review and evaluate and report on the systems.

Summary

Conclusions

The Justice and Community Safety Directorate and the Transport Canberra and City Services Directorate have identified the purpose and objectives of their CCTV systems in various documentation; however this has been primarily done informally and inconsistently to date. Clarity around the purpose and objectives of the systems is important in facilitating ongoing review and accountability for system performance and reporting on the value and benefit of the systems to the ACT community. There is an opportunity for both directorates to more effectively review and report on the performance of their systems on an annual basis against clearly identified system purposes and objectives.

Key findings

	Paragraph
<p>The <i>ACT Government Code of Practice for Closed Circuit Television Systems</i> (2009) and <i>Australian Standard AS 4806.1, Closed circuit television (CCTV) Part 1: Management and operation</i> require the purpose and objectives of a CCTV system to be documented. The <i>Strategic Closed Circuit Television (CCTV) Plan 2020-2022</i> provided information on the use of the system noting 'live and recorded footage from the CCTV Network is made available to specific Government and ACT Policing for the purpose of supporting public safety through asset security, business monitoring, event management, incident management and the investigation of crime'. The purpose and objectives of the public safety CCTV network were refreshed in April 2021 and are currently described on the public safety CCTV network webpage. The purpose is described as 'to enhance the safety and security of Canberra's public places, venues and events'. Supporting objectives are also described.</p>	2.18
<p>The purpose of the CCTV systems managed by the Transport Canberra and City Services Directorate are documented in the Directorate's December 2016 <i>Closed Circuit Television Guidelines</i>. The Guidelines have not been reviewed or updated since 2016. The Guidelines discuss the collective purpose of the Directorate's systems as: assisting in the protection of the public; providing a level of security for staff with direct contact with the public; improving security for the protection of agency and community assets and infrastructure; assisting in effective responses to security, safety and emergency incidents (to the public and staff); assisting in the investigation of possible offences; monitoring traffic flows and traffic operations;</p>	2.19

monitoring and managing services; and assisting with process control and business monitoring. The purpose of the CCTV systems, as documented in the *Closed Circuit Television Guidelines*, are broad and non-specific; they are a catch-all that cover all potential uses of the variety of CCTV systems managed by the Directorate. They do not provide specific and identifiable information on the purpose and objectives of the diverse systems maintained across the Directorate.

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires ACT Government agencies to undertake a full assessment of the need before developing and implementing a CCTV system, including a requirement to identify the need for a CCTV system in the area where it is to be installed. In February 2020 the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate developed a proposal for the expansion of the public safety CCTV network (through an additional 30 cameras in parts of the ACT without coverage) and the replacement of the CCTV cameras on board buses. For neither CCTV system did the proposal provide further information on: the nature, extent and cost of the problem that is seeking to be addressed; other initiatives that have been considered to address the problem; and the impact and benefit that the installation of the CCTV cameras would likely achieve. Nor did the proposal identify the specific needs to be addressed through the specific placement of the 30 additional public safety network cameras.

2.35

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires ACT Government agencies to ‘undertake a full assessment of the need to install a CCTV system and detail the benefits of installing a CCTV system’ and prompts agencies to undertake a cost-benefit analysis. There is no evidence of any cost-benefit analyses being undertaken for any of the CCTV systems considered as part of this audit. The *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* signals an intention to do this noting ‘the government will undertake a cost versus benefit assessment of the CCTV Network’ and that ‘this will help inform the government when considering future investment in the CCTV Network’. There is no further information available as to the scope or timing of this study.

2.45

The *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* requires an annual report to be prepared on the achievements of the CCTV system in the previous 12 months. The annual report is to provide information on the operation and performance of the CCTV system including details of the system’s achievements during the previous 12 months and ‘an assessment of the CCTV system’s impact on crime levels and types of crime in the area covered by the system’. The Transport Canberra and City Services Directorate has not produced any reports for its systems considered as part of this audit.

2.64

The Justice and Community Safety Directorate published its inaugural annual report on the public safety CCTV network: *Annual Report for the ACT’s Public Safety CCTV Network for 2019-20*. The report provides information on: system utilisation data (including how many times CCTV data has been used for ACT Policing operations and the number of requests for data from ACT Policing and the public); system governance arrangements; changes to the system; and the outlook and future intentions for the system. While this is useful information, the report does not provide details of the system’s achievements, an assessment of the system’s impact

2.65

on crime levels or an assessment of the usefulness of the footage, e.g. for the identification or arrest of suspects.

The Justice and Community Safety Directorate also provides six-monthly reports to the Security and Emergency Management Senior Officials Group (SEMSOG) on the use of the public safety CCTV network. The reports include, in part, information from ACT Policing on the number of ‘downloads’ from the public safety network and the number of occasions where ACT Policing resources have been despatched in response to incidents identified during monitoring. The report does not provide details of the system’s achievements, an assessment of the system’s impact on crime levels or an assessment of the usefulness of the footage, e.g. for the identification or arrest of suspects.

2.66

The Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation requires that an annual review of the CCTV system be undertaken and the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) discusses the need for ‘an independent audit of the CCTV system, against this Code and agency procedures, to be conducted on an annual basis’. The Justice and Community Safety Directorate and Transport Canberra and City Services Directorate do not conduct annual reviews or audits of the systems considered as part of the audit.

2.79

System purpose and objectives

2.2 In this section, the three interconnected concepts of purpose, objective and need are considered. They are closely related. *Purpose* refers to what the system is or should be doing; it is an expression of activity. *Objective* refers to the end point or result that is hoped to be achieved through this activity; it is a more static concept. *Need* is the demand from the community that is intended to be at least partially met if the objective is attained. For example, the need may be ‘a safe environment’ which CCTV can contribute to but cannot be a reasonable objective for a CCTV system acting alone.

Purpose and objectives

2.3 Principle 1 of the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) states:

The purpose for any CCTV system will be clearly documented in the relevant agency’s CCTV policy. The CCTV system will be operated only for the purposes included in the policy.

2.4 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) provides further guidance on this requirement noting:

ACT Government agencies should be able to identify the purpose and demonstrate the need for a CCTV system to be installed in a particular area.

- 2.5 The requirements of the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) are supported by Part 2.1 of the *Australian Standard AS 4806.1, Closed circuit television (CCTV) Part 1: Management and operation*, which states:

The objectives of the operation of a CCTV system should be documented in writing, clearly indicating intended uses.

Public Safety Network

- 2.6 The public safety CCTV network operated by the Justice and Community Safety Directorate was initiated in the early to mid-2000s. Records associated with its establishment, including any documentation associated with its original purpose and objectives, have not been retained as per Territory record-keeping requirements.
- 2.7 In the absence of contemporaneous documentation associated with the system's purpose and objectives, the Justice and Community Safety Directorate advised that the ACT Government's *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* represented the most appropriate articulation of what may be understood to be the system's purpose and objectives. The *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* includes a Foreword from the Minister for Police and Emergency Services which states:

The [public safety network] provides live and recorded footage for the purposes of making Canberra a safer place and bringing those responsible for crime to justice.

- 2.8 The Justice and Community Safety Directorate webpage also states:

Live and recorded footage from the CCTV Network is made available to specific users within the ACT Government and ACT Policing for the purpose of supporting public safety through asset security, business monitoring, event management, incident management and the investigation of crime.

- 2.9 In April 2021 the Justice and Community Safety Directorate refreshed its public safety CCTV network webpage to state the purpose and objectives as follows:

The primary purpose of the Public Safety CCTV Network is to enhance the safety and security of Canberra's public places, venues and events.

This purpose is achieved through the following objectives:

- Supporting ACT Policing to monitor and respond to threats to the public;
- Supporting ACT Policing to investigate crime and prosecute offenders;
- Supporting authorised users to deliver and manage business operations, events or responses to emergencies;
- Support authorised users to investigate incidents or complaints.

Transport Canberra Buses

- 2.10 The initial procurement of CCTV cameras for ACTION buses was commenced in 2006. Records associated with the purpose of the CCTV cameras, including any documentation associated with its original purpose and objectives, have not been retained as per Territory record-keeping requirements.

- 2.11 In March 2020, in response to audit fieldwork, Transport Canberra representatives variously advised that the objective of CCTV systems on board buses was:
- ‘to provide improved safety for bus drivers and public bus passengers’; and
 - ‘to provide factual recordings of events and provide a level of security for public and staff’.
- 2.12 In September 2020, in further discussion with Transport Canberra and City Services Directorate representatives, the CCTV cameras installed on board buses were described as creating ‘a community expectation of safety’.
- 2.13 In December 2016 the purpose of all of the CCTV systems managed by the Transport Canberra and City Services Directorate were collectively documented in *Closed Circuit Television Guidelines* as follows:
- The purpose of the Directorate’s CCTV systems are to:
- assist in the protection of the public;
 - provide a level of security for staff with direct contact with the public;
 - improve security for the protection of agency and community assets and infrastructure;
 - assist in effective responses to security, safety and emergency incidents (to the public and staff);
 - assist in the investigation of possible offences;
 - monitor traffic flows and traffic operations;
 - monitor and manage services; and
 - assist with process control and business monitoring.
- 2.14 The *Closed Circuit Television Guidelines* were produced in December 2016, but have not been updated or reviewed since. The purpose of the CCTV systems managed by the Transport Canberra and City Services Directorate, as documented in the *Closed Circuit Television Guidelines*, are broad and non-specific. This is a function of the Guidelines, which are intended to address the full range of CCTV systems operated by the Directorate, ranging from the CCTV cameras aboard public transport through to cameras installed at resource management centres. The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) notes that ACT Government agencies should be able to ‘identify the purpose and demonstrate the need for a CCTV system to be installed in a particular area’. Broad and non-specific objectives that cover the full range of CCTV systems operated by the Directorate may be convenient, but impair the ability of the Directorate be accountable for the management and operation of specific CCTV systems.
- Libraries ACT**
- 2.15 The CCTV system in ACT public libraries was initially installed in 2013, and changes to the extent of the CCTV system were made in 2015. The purpose and objectives of the system

were not identified and documented at the time of initial installation, nor when changes were made.

- 2.16 In March 2020, in response to audit fieldwork, Libraries ACT representatives advised that the CCTV cameras were 'initially installed as a deterrent to people fighting at internet computers'. It was also noted that this is no longer a problem as there is now an online booking system for computers.
- 2.17 In 2017 a technical review of the Libraries ACT CCTV system was conducted. The report of the review noted an apparent purpose of the system as follows:

It is understood that the system was installed primarily to provide surveillance of the Children's area in the libraries in response to a perceived risk to the welfare of children.

- 2.18 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) and *Australian Standard AS 4806.1, Closed circuit television (CCTV) Part 1: Management and operation* require the purpose and objectives of a CCTV system to be documented. The *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* provided information on the use of the system noting 'live and recorded footage from the CCTV Network is made available to specific users within the ACT Government and ACT Policing for the purpose of supporting public safety through asset security, business monitoring, event management, incident management and the investigation of crime'. The purpose and objectives of the public safety CCTV network were refreshed in April 2021 and are currently described on the public safety CCTV network webpage. The purpose is described as 'to enhance the safety and security of Canberra's public places, venues and events'. Supporting objectives are also described.
- 2.19 The purpose of the CCTV systems managed by the Transport Canberra and City Services Directorate are documented in the Directorate's December 2016 *Closed Circuit Television Guidelines*. The Guidelines have not been reviewed or updated since 2016. The Guidelines discuss the collective purpose of the Directorate's systems as: assisting in the protection of the public; providing a level of security for staff with direct contact with the public; improving security for the protection of agency and community assets and infrastructure; assisting in effective responses to security, safety and emergency incidents (to the public and staff); assisting in the investigation of possible offences; monitoring traffic flows and traffic operations; monitoring and managing services; and assisting with process control and business monitoring. The purpose of the CCTV systems, as documented in the *Closed Circuit Television Guidelines*, are broad and non-specific; they are a catch-all that cover all potential uses of the variety of CCTV systems managed by the Directorate. They do not provide specific and identifiable information on the purpose and objectives of the diverse systems maintained across the Directorate.

RECOMMENDATION 1 CCTV SYSTEM PURPOSE AND OBJECTIVES

The Transport Canberra and City Services Directorate should identify and document the purpose and objectives of its specific CCTV systems.

Needs analysis

2.20 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires ACT Government agencies to undertake a needs analysis before developing and implementing a CCTV system. The Code of Practice requires ACT Government agencies to identify the need for a CCTV system in the area where it is to be installed, and provides general guidance on the purposes for which ACT Government CCTV systems should be used:

ACT Government agencies should be able to identify the purpose and demonstrate the need for a CCTV system to be installed in a particular area. In general, ACT Government CCTV systems should be used for the following purposes:

- to extend the sense of safety for general public and staff by facilitating effective responses to incidents that may occur, help reduce the fear of incidents, and provide a safer environment;
- to provide the agency, police and regulatory agencies with evidence for use in criminal and civil actions in the courts;
- to improve security for the protection of agency and community assets and infrastructure;
- assist in other emergency situations;
- monitor and assist traffic movement; and
- assist with process control and business monitoring.

2.21 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) notes that undertaking a needs analysis recognises that there is a trade-off between potential benefits of the implementation of the system and any drawbacks, including potential infringements on people's right to privacy:

ACT Government agencies should undertake a full assessment of the need to install a CCTV system and detail the benefits of installing a system. The extent of assessment necessary will depend on the size of the proposed scheme and the level of impact it is likely to have on people's privacy. The assessment should address the following questions ...:

- What is the purpose of installing the CCTV?
- Will a CCTV system address this purpose?
- Will CCTV be one of a number of measures required? Is there an alternative solution?
- Has a cost-benefit analysis been conducted? Have ongoing costs (e.g. monitoring and maintenance) been taken into consideration?

Public Safety Network

2.22 As noted previously the public safety CCTV network operated by the Justice and Community Safety Directorate was initiated by the directorate in the early to mid-2000s and records associated with its establishment, including any documentation associated with a needs analysis has not been retained as per Territory record-keeping requirements.

2.23 The system has since been added to and augmented. Information was sought as to whether and how needs analyses for these augmentations were documented.

2.24 In August 2019 the Justice and Community Safety Directorate developed *Guidelines for the deployment of Public Safety CCTV* to provide guidance on decision-making for the deployment of CCTV cameras. The purpose of the guidelines is to ‘outline the objectives and principles that apply to decision making process associated with the installation of Public Safety CCTV’. The guidelines identify three tiers against which potential CCTV installations are to be categorised. The guidelines note:

To assist in determining where public safety CCTV should be installed, all request for public safety CCTV installation should seek to outline:

- a) the nature, extent and cost of the problem that is seeking to be addressed;
- b) other initiatives that have been considered to address the problem;
- c) any consultations that have occurred with ACT Policing about the installation;
- d) the impact and benefit that the installation of public safety CCTV would likely achieve.

2.25 The *Guidelines for the deployment of Public Safety CCTV* (August 2019) also note ‘other security options may take precedence over CCTV’, ‘CCTV installations may be for a time limited period’ and ‘CCTV installations will be proportionate’. This is consistent with the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requirement that ACT Government agencies should be able to identify the purpose and demonstrate the need for a CCTV system to be installed in a particular area.

February 2020 proposal

- 2.26 The Audit Office was advised that a February 2020 proposal was the most recent example of where public safety CCTV network needs (as well as benefits) have been documented. The proposal recommended expanding the public safety CCTV network into suburban areas of Canberra to capitalise on ‘new provisions of the contract between the Territory and TPG Communications for CBRfree Wi-Fi that provides hosting of up to 30 CCTV Network cameras’. The proposal was not presented to Cabinet for its consideration.
- 2.27 The proposal asserted that ‘CCTV is a proven technology that supports the improved investigation and prosecution of crime’ and cited research conducted by the Australian Institute of Criminology (AIC) to support this assertion. The proposal further identified the number of occasions ACT Policing had copied footage from the CCTV system ‘to support criminal investigations and prosecutions in court’ and the number of times ‘ACT Policing’s monitoring of the network ... resulted in ACT Policing triggering a police response’.
- 2.28 Notwithstanding the assertions with respect to the benefits of CCTV cameras more generally, based on Australian Institute of Criminology (AIC), and data on the number of times ACT Policing has accessed existing CCTV footage, there is no further information on; the nature, extent and cost of the problem that is seeking to be addressed; other initiatives that have been considered to address the problem; and the impact and benefit that the installation of the CCTV cameras would likely achieve.

Transport Canberra Buses

- 2.29 As noted previously the initial procurement of CCTV cameras for ACTION buses was commenced in 2006 and records associated with its establishment, including any documentation associated with a needs analysis has not been retained as per Territory record-keeping requirements.
- 2.30 The system has since been added to and augmented. Information was sought as to whether and how needs analyses for these augmentations were documented.

February 2020 proposal

- 2.31 The Audit Office was advised that the February 2020 proposal (discussed in paragraphs 2.26 to 2.28) was the most recent example of where Transport Canberra buses' CCTV needs (as well as benefits) have been documented. In addition to an expansion of the public safety CCTV network, the proposal recommended upgrading the 'CCTV systems on all buses operated by Transport Canberra to ensuring [sic] the continued safety of the public, drivers and the availability of CCTV footage for Police investigation purposes and the defence of third-party claims against the Territory'.
- 2.32 While the proposal describes the need for cameras to be upgraded there is no further information on: the nature, extent and cost of the problem that is seeking to be addressed; other initiatives that have been considered to address the problem; and the impact and benefit that the installation of the CCTV cameras would likely achieve.

Libraries ACT

- 2.33 The CCTV system in ACT public libraries was installed in 2013. The purpose and objectives of the system, as well as the initial needs that the system was addressing, were not identified and documented at the time.
- 2.34 As noted in paragraph 2.16, in March 2020 Libraries ACT representatives advised that the CCTV cameras were 'initially installed as a deterrent to people fighting at internet computers' but that since then the purpose of the system was understood to be 'to provide surveillance of the Children's area in the libraries in response to a perceived risk to the welfare of children'. This indicates that the need that the system was intending to address may have changed over time. It is incumbent on Libraries ACT to understand and document the need that the CCTV system is attempting to address.
- 2.35 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires ACT Government agencies to undertake a full assessment of the need before developing and implementing a CCTV system, including a requirement to identify the need for a CCTV system in the area where it is to be installed. In February 2020 the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate developed a proposal for the expansion of the public safety CCTV network (through an additional 30 cameras in parts of the ACT without coverage) and the replacement of the CCTV cameras

on board buses. For neither CCTV system did the proposal provide further information on: the nature, extent and cost of the problem that is seeking to be addressed; other initiatives that have been considered to address the problem; and the impact and benefit that the installation of the CCTV cameras would likely achieve. Nor did the proposal identify the specific needs to be addressed through the specific placement of the 30 additional public safety network cameras.

Cost-benefit analysis

2.36 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) states:

ACT Government agencies should undertake a full assessment of the need to install a CCTV system and detail the benefits of installing a CCTV system. The extent of assessment necessary will depend on the size of the proposed scheme and the level of impact it is likely to have on people's privacy.

2.37 In making an assessment of the need to install a CCTV system, ACT Government agencies are to address the following question:

Has a cost-benefit analysis been conducted? Have ongoing costs (e.g. monitoring and maintenance) been taken into consideration?

Public Safety Network

2.38 The Justice and Community Safety Directorate has not undertaken a cost-benefit analysis of the operation of the public safety CCTV network. The *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* signals an intention to do this noting:

The government will undertake a cost versus benefit assessment of the CCTV Network. This will help inform the government when considering future investment in the CCTV Network.

2.39 The Justice and Community Safety Directorate advised that this was not undertaken due to the COVID-19 pandemic. There is no further information as to the scope or timing of this study.

2.40 The February 2020 proposal (refer to paragraphs 2.26 to 2.28) sought additional funding to expand the public safety network into suburban areas of Canberra in order to capitalise on 'new provisions of the contract between the Territory and TPG Communications for CBRfree Wi-Fi that provides hosting of up to 30 CCTV Network cameras'. While the proposal asserted there were benefits in expanding the network it was not a rigorous cost-benefit analysis exercise and did not:

- provide details of how the benefits of an expanded network would be measured, including any financial benefits;
- provide alternative costed scenarios for the expansion of the network; and
- address the additional cost of maintenance and monitoring for the life of the cameras in the expanded network.

Transport Canberra Buses

- 2.41 The Transport Canberra and City Services Directorate has not undertaken a cost-benefit analysis of the operation of the CCTV cameras on board the Transport Canberra buses.
- 2.42 The February 2020 proposal (refer to paragraphs 2.31 to 2.32) sought funding to replace all of the cameras on board Transport Canberra buses. The proposal asserted there were benefits in replacing the cameras on board the buses, which primarily relate to increasing the reliability and usefulness of cameras on board the buses:

The CCTV system fitted to TC buses was originally installed in 2007 and has now aged beyond its service life. The technology is of an older, analogue standard and the technology regularly failing. These failures are reducing the reliability of CCTV being available to support accident and incident investigation, as well as driving up the maintenance costs of a superseded product.

- 2.43 However, for the reasons outlined in paragraph 2.40, the February 2020 proposal was not a rigorous cost-benefit analysis exercise.

Libraries ACT

- 2.44 The CCTV system in ACT public libraries was installed in 2013. There is no evidence of any cost-benefit analysis being undertaken at the time of the initial implementation of the system or its augmentation in 2015.
- 2.45 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires ACT Government agencies to ‘undertake a full assessment of the need to install a CCTV system and detail the benefits of installing a CCTV system’ and prompts agencies to undertake a cost-benefit analysis. There is no evidence of any cost-benefit analyses being undertaken for any of the CCTV systems considered as part of this audit. The *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* signals an intention to do this noting ‘the government will undertake a cost versus benefit assessment of the CCTV Network’ and that ‘this will help inform the government when considering future investment in the CCTV Network’. There is no further information available as to the scope or timing of this study.

Reporting, review and evaluation

Annual reporting

- 2.46 Paragraph 3.5 of the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* requires a report to be prepared on the achievements of the CCTV system in the previous 12 months as part of an annual reporting cycle:

A report should be prepared on an annual basis to provide information on the operation and performance of a CCTV system. Except where operators can clearly demonstrate legitimate reasons for non-disclosure or where restricted or classified by a government agency, this report should be a public document and should be made available by the owner.

- 2.47 Part 3.5 of the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* states that the annual report:

... should also provide details of the system's achievements during the previous 12 months, which may be based on information already held by the system. The assessment of the system's performance should include an assessment of the CCTV system's impact on crime levels and types of crime in the area covered by the system.

Public Safety Network

- 2.48 The *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* discusses an intention to 'review options to enhance CCTV reporting to provide greater transparency of how CCTV systems are used to support public safety, security, event management and crime investigation purposes'.

- 2.49 In late 2020 the Justice and Community Safety Directorate published an *ACT Public Safety Closed Circuit Television (CCTV) Network Annual Report 2019-20*. The report states that it:

... provides even further transparency about the government's use of the Public Safety CCTV Network. The government recognises the importance of providing the Canberra community with information about the Public Safety CCTV Network and how it builds trust and confidence in this technology.

- 2.50 The report provides information on:

- CCTV utilisation data, including how many times CCTV data has been used for ACT Policing operations and the number of requests for data from ACT Policing and the public;
- public safety CCTV network governance arrangements, including the role of the CCTV Working Group;
- changes to the public safety CCTV network, including new installations and removals and decommissions; and
- the outlook for 2020-21 and future intentions for the public safety CCTV network.

- 2.51 In describing changes to the management of the system, proposals to change the system and aims of the system, the report partially addresses the requirements of *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation*.

- 2.52 The report provides data to support the achievements of the CCTV system in the form of CCTV network utilisation data. The report does not provide details of the system's achievements for the previous 12 months or an assessment of the operation of the public safety network against its intended purpose and objectives.

Annual ministerial reports

- 2.53 In addition to publishing an annual report, the Justice and Community Safety Directorate provides annual reports to the Minister for Police and Emergency Services. The briefings cover aspects of the operation of the public safety network including:

- the addition of cameras to the public safety network; and
 - statistics on the access of public safety network footage by ACT Policing.
- 2.54 The annual reports do not provide an assessment of the operation of the public safety network against its intended purpose and objectives.

Reports to the Security and Emergency Management Senior Officials Group

- 2.55 The Justice and Community Safety Directorate also provides reports to the Security and Emergency Management Senior Officials Group (SEMSOG) on the use of the public safety CCTV network. The reports include, in part, information from ACT Policing on the number of ‘downloads’ from the public safety network and the number of occasions where ACT Policing resources have been despatched in response to incidents identified during weekend evening monitoring. The provision of this data is a requirement of the February 2018 Memorandum of Understanding between the Australian Capital Territory and ACT Policing for the ‘Management, Maintenance and Use of the ACT Public Safety Closed Circuit Television (CCTV) System’. The reports also include information on the number of public requests for access to CCTV footage across ACT Government agencies.
- 2.56 In October 2019 a report was provided which showed a summary of requests for CCTV footage to the ACT Government for 2018-19, including requests by ACT Policing and the public for footage. Table 2-1 shows the number of requests for footage by ACT Policing and the public as well as ACT Policing downloads from the public safety CCTV network.

Table 2-1 ACT Policing and public requests for footage from ACT Government CCTV cameras (2018-19)

Network	ACT Policing requests for footage	ACT Policing downloads	Public requests for CCTV footage
Public safety CCTV network (JACS)	0	277	0
Transport Canberra and City Services	143	0	16
Justice and Community Safety Directorate	6	0	19
ACT Health	20	0	1
Chief Minister, Treasury and Economic Development Directorate	3	0	0
Other	3	0	5

Source: Security and Emergency Management Branch (Justice and Community Safety Directorate)

- 2.57 The October 2019 report also identified that ACT Policing resources had been despatched 79 times in response to incidents identified during monitoring.
- 2.58 The report to the Security and Emergency Management Senior Officials Group (SEMSOG) did not provide an assessment by the Security and Emergency Management Branch or ACT Policing of the usefulness of the footage, e.g. for the identification or arrest of suspects.

- 2.59 In April 2020 a report was provided to the Security and Emergency Management Senior Officials Group (SEMSOG), which showed that, in the first half of 2020-21, ACT Policing had:
- 138 ‘downloads’ of footage from the public safety network; and
 - 117 occasions where ACT Policing had despatched resources in response to incidents identified during monitoring.

Transport Canberra Buses

- 2.60 The Transport Canberra and City Services Directorate has not prepared annual reports on the operation of CCTV cameras on board the buses, as required by the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation*.
- 2.61 In the absence of any regular formal reporting on the CCTV systems, achievements of the CCTV systems have not been detailed for the CCTV systems installed on board buses.

Libraries ACT

- 2.62 Libraries ACT has not prepared annual reports on the operation of CCTV cameras in ACT public libraries, as required by the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation*.
- 2.63 In the absence of regular annual reporting on the CCTV systems, achievements have not been reported for the CCTV system installed at ACT public libraries.
- 2.64 The *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* requires an annual report to be prepared on the achievements of the CCTV system in the previous 12 months. The annual report is to provide information on the operation and performance of the CCTV system including details of the system’s achievements during the previous 12 months and ‘an assessment of the CCTV system’s impact on crime levels and types of crime in the area covered by the system’. The Transport Canberra and City Services Directorate has not produced any reports for its systems considered as part of this audit.
- 2.65 The Justice and Community Safety Directorate published its inaugural annual report on the public safety CCTV network: *Annual Report for the ACT’s Public Safety CCTV Network for 2019-20*. The report provides information on: system utilisation data (including how many times CCTV data has been used for ACT Policing operations and the number of requests for data from ACT Policing and the public); system governance arrangements; changes to the system; and the outlook and future intentions for the system. While this is useful information, the report does not provide details of the system’s achievements, an assessment of the system’s impact on crime levels or an assessment of the usefulness of the footage, e.g. for the identification or arrest of suspects.
- 2.66 The Justice and Community Safety Directorate also provides six-monthly reports to the Security and Emergency Management Senior Officials Group (SEMSOG) on the use of the

public safety CCTV network. The reports include, in part, information from ACT Policing on the number of ‘downloads’ from the public safety network and the number of occasions where ACT Policing resources have been despatched in response to incidents identified during monitoring. The report does not provide details of the system’s achievements, an assessment of the system’s impact on crime levels or an assessment of the usefulness of the footage, e.g. for the identification or arrest of suspects.

Annual review

- 2.67 Paragraph 2.2.5 of the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* requires that an annual review of the CCTV system be undertaken:

There should be an annual review covering at least the following aspects:

- a) Whether the purposes and objective statements remain valid.
- b) Changes to the extent of the system
- c) Contracts with suppliers.
- d) A review of the data protection and legal requirements.
- e) A maintenance schedule and performance test of the systems.

...

- 2.68 Further guidance on the requirements for an annual audit are outlined in the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) when describing the role of the Chief Executive Officer or their delegate as ‘arranging for an independent audit of the CCTV system, against this Code and agency procedures, to be conducted on an annual basis’.

Public Safety Network

- 2.69 The Justice and Community Safety Directorate does not regularly undertake an annual review or audit of the public safety CCTV network, as required by the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* and *ACT Government Code of Practice for Closed Circuit Television Systems* (2009).

External review (2014)

- 2.70 In October 2014 an external audit of the public safety network CCTV system was concluded. The objective of the audit was explicitly acknowledged as meeting the requirement of the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009):

The purpose of the audit is to conduct a review of the ACT Government Public Safety CCTV System (The CCTV System). An annual audit is required to ensure that the CCTV System meets its objectives under the ACT Government Code of Practice for CCTV Systems and Memorandum of Understanding between ACT Policing and Justice and Community Safety Directorate (JACSD).

- 2.71 The review report states that the Justice and Community Safety Directorate ‘has conducted performance reviews on an annual basis with the support of the ACT Government CCTV Audit Review Committee (the Committee)’. The Committee is acknowledged as having a role ‘to review the [annual] audit to ensure it is an impartial examination of whether the ACT Government CCTV Code of Practice and Memorandum of Understanding between ACT Policing and JACSD are being complied with’.
- 2.72 The results of the 2014 review were generally positive noting that ‘Overall the protocols and operating procedures ensure that the objectives of the Code and the MoU are generally being met’. The review report described itself as a ‘comprehensive audit’ and recommended that:

A comprehensive audit such as this need not be performed annually, though it should be conducted approximately every three years. The audit should be conducted externally or by JACSD with oversight by the CCTV Audit Committee.

- 2.73 In doing so, however, the review report recommended that:

Regular future audits should be conducted so as to ensure that the underlying assumptions of the data collection and analysis are substantially similar from one period to the next so as to ensure comparisons are not skewed due to operational variations.

Transport Canberra Buses

- 2.74 The Transport Canberra and City Services Directorate has not undertaken an annual review or audit of the CCTV cameras on board buses, as required by the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* and *ACT Government Code of Practice for Closed Circuit Television Systems* (2009).

Libraries ACT

- 2.75 Libraries ACT does not regularly undertake an annual review or audit of the CCTV cameras installed at ACT public libraries, as required by the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* and *ACT Government Code of Practice for Closed Circuit Television Systems* (2009).

External review (2017)

- 2.76 In 2017 a technical review of the Libraries ACT CCTV system was conducted. The report of the review stated:

The scope of the review included:

- A condition audit of the existing systems;
- Advice on maintenance/upgrade of system hardware and software over a five year period;
- A review of camera selection and camera location and provide advice on the suitability of camera mounting and field of view;
- Comment on the purpose and relevance of the existing CCTV monitoring system, taking into account existing camera fields of view.

- 2.77 The review was a technical review that primarily focused on the technical features and components of the system; it did not address all aspects of an annual review or audit as required by the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* and *ACT Government Code of Practice for Closed Circuit Television Systems* (2009). A similar review has not been conducted since.

System performance reports

- 2.78 By virtue of the April 2019 *Preliminary Memorandum of Understanding* between Libraries ACT and the Security Emergency and Management Branch of the Justice and Community Safety Directorate the Security Emergency and Management Branch is to ‘provide Libraries ACT with a system performance report within five working days of the start of each month’. A monthly report for September 2020 was provided, otherwise, reports have not been received by Libraries ACT since the introduction of the *Preliminary Memorandum of Understanding*.
- 2.79 The *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* requires that an annual review of the CCTV system be undertaken and the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) discusses the need for ‘an independent audit of the CCTV system, against this Code and agency procedures, to be conducted on an annual basis’. The Justice and Community Safety Directorate and Transport Canberra and City Services Directorate do not conduct annual reviews or audits of the systems considered as part of the audit.

RECOMMENDATION 2 ANNUAL REVIEWS OF CCTV SYSTEMS

The Justice and Community Safety Directorate and Transport Canberra and City Services Directorate should undertake an annual review or audit of their CCTV systems. The annual review or audit should consider:

- a) the effectiveness of the system in meeting its purpose and objective;
- b) the ongoing need for the system and the cameras included in the system; and
- c) the benefits of the continuing operation of the system against the costs associated with managing and maintaining the system.

3 SYSTEM OPERATIONS

- 3.1 This chapter discusses the activities of the Justice and Community Safety Directorate and Transport Canberra and City Services Directorate to manage their CCTV systems. This includes consideration of activities to manage the security of data and the maintenance and operation of the system. In considering the management of data security, the audit considers processes and controls over the collection, recording and storage of data, as well as the release of data. The chapter also includes a discussion of governance arrangements as these affect the overall management of CCTV activities.

Summary

Conclusion

The Justice and Community Services Directorate and the Transport Canberra and City Services Directorate have developed effective processes for the management of data captured through the CCTV systems considered as part of the audit. This includes practices for the secure storage of CCTV camera data and the release of CCTV camera data to stakeholders. There are, however, opportunities for improvement, including specific opportunities to improve the storage of data captured through CCTV cameras on board buses.

Key findings

Paragraph

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) clearly identifies that ACT Government agencies have primary responsibility and accountability for the management of CCTV systems within their agencies. The Code of Practice also identifies that the Security and Emergency Management Branch in the Justice and Community Safety Directorate has responsibility and accountability for ‘leadership in the development of policy for the use of CCTV technology across ACT Government, including the maintenance and review of this Code’. Cross-government governance and administrative arrangements are supported by the CCTV Working Group, which is designed to ‘[provide] a collaborative forum for developing, improving, and innovating CCTV installations and use in the ACT Government’. The CCTV Working Group provides an effective opportunity for cross-government communication and coordination.

The Transport Canberra and City Services Directorate’s December 2016 *Closed Circuit Television Guidelines* provide a useful guide to the management of CCTV across the whole directorate. The Guidelines specifically identify roles and responsibilities by position and title, which is intended to foster responsibility and accountability. However, the Guidelines, which were implemented in December 2016, have not been reviewed or updated since then and risk losing their value and

currency. The Guidelines specifically identify roles and responsibilities for requirements and obligations established through the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009). The extent to which these are met are discussed throughout this report.

A *Preliminary Memorandum of Understanding* has been agreed between Libraries ACT and the Security and Emergency Management Branch (Justice and Community Safety Directorate) for the provision of support for the repair, maintenance, operation and upgrade of the Libraries ACT CCTV system. The document is not dated, but the Audit Office was advised it was agreed in April 2019. The document discusses its purpose as a precursor to the development of a full Memorandum of Understanding, but there is no indication of the timing of this development. The *Preliminary Memorandum of Understanding* does not align with aspects of the Transport Canberra and City Services Directorate's December 2016 *Closed Circuit Television Guidelines*, which identify specific and explicit responsibilities for Business Unit CCTV officers.

3.25

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) establishes requirements for the secure management of data captured through CCTV cameras including that 'agencies will establish procedures for the monitoring, retention, storage and destruction of recorded images'. No policies or procedures have been developed for the collection, recording and storage of data for any of the CCTV systems considered as part of this audit. Nevertheless, specific local practices have been developed to safeguard data capture through the CCTV systems. These practices differ according to the CCTV systems and their software and hardware characteristics. Notwithstanding the development of localised practices, the lack of policies and procedures increases the risk that individual, specific practices that have been developed are not consistently and rigorously followed.

3.40

The *Territory Records (Records Disposal Schedule – Security Coordination Approval 2009 (No 1))* requires CCTV footage to be destroyed 30 days after being created. Specific local practices have been developed that seek to give effect to this requirement. For Transport Canberra buses, however, data captured through CCTV cameras on board buses is replaced by newer data when the hard disc on board the bus is full. In practice more or less than 30 days of data is maintained on the buses depending on the frequency with which the bus is used. The period for which data is stored on individual buses is unknown, as it is not planned for, or checked. To achieve the requirement of the *Territory Records (Records Disposal Schedule – Security Coordination Approval 2009 (No 1))* to destroy data after 30 days, the system is reliant on the combination of multiple unknown variables in the system, including how often the bus is used, for how long the bus is used and the integrity of the data. In being reliant on these variables, there is no certainty in achieving the requirement.

3.49

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires ACT Government agencies to develop procedures for the release of data to third parties that complies with relevant legislation, including privacy requirements. In practice, the Justice and Community Safety Directorate maintains records of data requests, the incident to which it relates and the action taken in response; these records distinguish between public requests and those from within ACT Government and also include the personal contact details of the requestor. In the calendar years

3.66

2018 and 2019, there were only four requests to the Justice and Community Safety Directorate for data captured on CCTV. Many more requests are received by Transport Canberra for CCTV footage captured by cameras on board buses. In the three years to 2019-20, 279 requests were received from ACT Policing and 190 requests were received from the public or other parties. Transport Canberra has developed procedures for the management of requests from ACT Policing and other parties. Libraries ACT had six requests for CCTV data in the three years to 2019-20, from which data was released twice.

The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires that ‘all staff involved in the operation of the CCTV system, are trained and competent in its operation and understand the operating procedures for the CCTV system’. The December 2016 *Closed Circuit Television Guidelines* for the Transport Canberra and City Services Directorate also requires ‘all authorised officers using CCTV systems within the Directorate must receive training. This training is coordinated by the Business Unit CCTV Officer for the business area’. Training requirements are in place for Transport Officers in relation to the CCTV cameras on board buses. There are no formal training requirements or plans for other staff involved in any of the CCTV systems considered as part of the audit. In practice, training that may occur is achieved on an as needs basis by the incumbent operators via workplace handover.

3.86

Roles and responsibilities

Security and Emergency Management Branch (Justice and Community Safety Directorate)

3.2 The Security and Emergency Management Branch in the Justice and Community Safety Directorate has a role in cross-government policy development and leadership for CCTV. The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) discusses the role of the Security and Emergency Management Branch CCTV Coordination Team, noting that it has responsibility and accountability for ‘leadership in the development of policy for the use of CCTV technology across ACT Government, including the maintenance and review of this Code’.

ACT Government agencies

3.3 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) outlines responsibilities and accountabilities of ACT Government agencies as *inter alia*:

- ‘managing, operating and maintaining their CCTV systems in accordance with all relevant Territory and Commonwealth legislation’;
- ensuring CCTV systems comply with:
 - *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation*; and

- *National Code of Practice for CCTV Systems for the Mass Passenger Transport Sector*; and
- ‘establishing and implementing procedures and protocols for the operation of the system, consistent with the principles outlined in this Code’;
- ‘developing procedures to ensure breaches of this Code are investigated and appropriate action is taken to remedy the breach’; and
- ‘maintaining and ensuring the security of records, including downloaded and retained imagery, in accordance with the *Territory Records Act 2002*’.

Cross-agency governance and oversight

- 3.4 The coordination of CCTV operations across government is overseen through a hierarchy of governance groups.

Security and Emergency Management Committee of Cabinet

- 3.5 The Security and Emergency Management Committee of Cabinet provides strategic direction to the ACT Government’s preparations for emergencies under an all-hazards planning framework. The Committee meets on an ‘as required’ basis, with security briefings provided to Cabinet at least twice a year.

Security and Emergency Services Senior Officials Group (SEMSOG)

- 3.6 The senior group of officials that supports the Security and Emergency Management Committee of Cabinet is the Security and Emergency Services Senior Officials Group (SEMSOG). SEMSOG is chaired by the Director-General of the Justice and Community Safety Directorate. Other members of SEMSOG include other directors-general, heads of the emergency services agencies, the chief police officer and chief health officer, chief executives of major utility companies, the head of Access Canberra and the head of the Security and Emergency Management Branch.

- 3.7 Two groups were intended to provide input to SEMSOG on CCTV matters:
- the Security and Emergency Management Policy Group (SEMPG); and
 - the CCTV Working Group.

Security and Emergency Management Policy Group

- 3.8 The Security and Emergency Management Policy Group provides advice to SEMSOG and conducts research and policy development. It is chaired by the Executive Director, Security and Emergency Management Branch and draws its members from advisers to the SEMSOG members, such as agency security advisers from each Directorate, Emergency Services, ACT Policing and utility companies.

CCTV Working Group

- 3.9 The CCTV Working Group is designed to '[provide] a collaborative forum for developing, improving, and innovating CCTV installations and use in the ACT Government'. Terms of reference for the group have been developed, which identify the group's purpose and objectives, its functions and responsibilities, membership and protocols for meetings. The CCTV Working Group involves representatives from across ACT Government agencies, as well as ACT Policing. According to its terms of reference, the group is expected to meet three times a year, but met twice in 2020 in April and November. The terms of reference were last reviewed and updated in February 2021.
- 3.10 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) clearly identifies that ACT Government agencies have primary responsibility and accountability for the management of CCTV systems within their agencies. The Code of Practice also identifies that the Security and Emergency Management Branch in the Justice and Community Safety Directorate has responsibility and accountability for 'leadership in the development of policy for the use of CCTV technology across ACT Government, including the maintenance and review of this Code'. Cross-government governance and administrative arrangements are supported by the CCTV Working Group, which is designed to '[provide] a collaborative forum for developing, improving, and innovating CCTV installations and use in the ACT Government'. The CCTV Working Group provides an effective opportunity for cross-government communication and coordination.

System ownership

- 3.11 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) states that responsibility and accountability for the management of CCTV systems lies with the Director-General (referred to as the Chief Executive Officer in the Code of Practice):

The Chief Executive Officer of an agency will be responsible and accountable for their agency's CCTV system. The Chief Executive Officer of an operating agency may delegate responsibility for the operation of CCTV systems to an officer of their agency.

- 3.12 The *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* discusses the role and importance of the System Owner. The Standard defines the System Owner as:

Legal person or entity, agency or individual designated as having overall responsibility for the formulation and implementation of the policies, purposes and control of a CCTV system.

- 3.13 The *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* notes that 'the owner may appoint a manager as his/her representative provided he/she has been given clear objectives and authority' and that:

There should be a clearly documented hierarchy of responsibility for all parties involved in ownership, management, control or supervision of a CCTV system.

Justice and Community Safety Directorate

3.14 The Justice and Community Safety Directorate has not formally and explicitly documented roles and responsibilities for the management and operation of the public safety CCTV network in policy and procedural guidance. A number of personnel from the Security and Emergency Management Branch are involved in the management of the public safety network, including with responsibility for policy development, CCTV footage release decision-making and external liaison, e.g. with the Australian Federal Police. However, these roles and specific responsibilities are not documented in any policy or procedural guidance. In its response to the draft proposed report, the Justice and Community Safety Directorate noted that roles and responsibilities are documented in position descriptions.

RECOMMENDATION 3 SECURITY AND EMERGENCY MANAGEMENT BRANCH ROLES AND RESPONSIBILITIES

The Justice and Community Safety Directorate should document roles and responsibilities of Security and Emergency Management Branch staff involved in the management and operation of the public safety CCTV network in policy and procedural guidance.

Transport Canberra and City Services Directorate

- 3.15 In December 2016 the Transport Canberra and City Services Directorate documented roles and responsibilities in Directorate-wide *Closed Circuit Television Guidelines*, including roles and responsibilities for:
- Director-General, Division Heads and Branch Heads;
 - Agency Security Advisor; and
 - Business Unit CCTV Officers.
- 3.16 The *Closed Circuit Television Guidelines* identify that the Director-General has overall responsibility for ensuring that CCTV systems are operated in accordance with applicable standards and guidelines. Division Heads have overall responsibility for the CCTV systems within their Divisions, including overseeing the development of procedures for the operation of the CCTV system and ensuring an annual compliance review of CCTV systems against the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) and the Directorate guidelines once a year.
- 3.17 Branch Heads have direct responsibility for compliance with the Code of Practice, guidelines and relevant legislation, approving a list of CCTV users and their level of access and appointing a Business Unit CCTV Officer. Business Unit CCTV Officers are responsible to their Branch Heads for all aspects of the administration and operation of the CCTV system; the *Closed Circuit Television Guidelines* provide detailed guidance on what this entails.

- 3.18 The Transport Canberra and City Services Directorate sets out which positions are Business Unit CCTV officers for each of the branches in the divisions of the Transport Canberra and City Services Directorate.
- 3.19 The Transport Canberra and City Services Directorate's December 2016 *Closed Circuit Television Guidelines* provide a useful guide to the management of CCTV across the whole directorate. The Guidelines specifically identify roles and responsibilities by position and title, which is intended to foster responsibility and accountability. However, the Guidelines, which were implemented in December 2016, have not been reviewed or updated since then and risk losing their value and currency. The Guidelines specifically identify roles and responsibilities for requirements and obligations established through the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009). The extent to which these are met are discussed throughout this report.

RECOMMENDATION 4	TRANSPORT CANBERRA AND CITY SERVICES DIRECTORATE <i>CLOSED CIRCUIT TELEVISION GUIDELINES</i>
<p>The Transport Canberra and City Services Directorate should review and update its <i>Closed Circuit Television Guidelines</i>. In doing so, the Directorate should ensure that roles and responsibilities for the management and operation of the directorate's CCTV systems are accurately documented.</p>	

Libraries ACT

- 3.20 A *Preliminary Memorandum of Understanding* has been agreed between Libraries ACT and the Security and Emergency Management Branch (Justice and Community Safety Directorate) for the 'Provision of Support by JACS SEMB to Libraries ACT for Closed Circuit Television System (CCTV) System Repair, Maintenance, Operation and Upgrade'. The Audit Office understands it was agreed in April 2019, but the document itself is not dated.
- 3.21 The *Preliminary Memorandum of Understanding* discusses its purpose 'as a precursor to the development of a full Memorandum of Understanding'. There is no indication of the timing of this development. In its response to the draft proposed report the Transport Canberra and City Services Directorate identified that the document 'is signed and finalised' and 'is an active MOU'.
- 3.22 The *Preliminary Memorandum of Understanding* broadly outlines the responsibility of the Security and Emergency Management Branch (Justice and Community Safety Directorate) for:
- the coordination of repairs and maintenance, system checks and upgrades; and
 - the performance of system checks on a weekly basis and provision of monthly performance reports.

- 3.23 The *Preliminary Memorandum of Understanding* also notes that Libraries ACT continues to be responsible for '[maintaining] ownership of the CCTV systems, including recordings located in Library ACT facilities' and '[retaining] responsibility for making decisions on the release of CCTV footage to law enforcement or third parties'.
- 3.24 The scope of the *Preliminary Memorandum of Understanding* is limited to the repair, maintenance, operation and upgrade of Libraries ACT CCTV systems and does not detail the responsibilities for annual reporting, reviewing the purpose and objectives of the CCTV system or responsibilities for compliance with the *ACT Government Code of Practice for Closed Circuit Television Systems* (2009). The *Preliminary Memorandum of Understanding* does not align with aspects of the Transport Canberra and City Services Directorate's December 2016 *Closed Circuit Television Guidelines*, which identify specific and explicit responsibilities for Business Unit CCTV officers.
- 3.25 A *Preliminary Memorandum of Understanding* has been agreed between Libraries ACT and the Security and Emergency Management Branch (Justice and Community Safety Directorate) for the provision of support for the repair, maintenance, operation and upgrade of the Libraries ACT CCTV system. The document is not dated, but the Audit Office was advised it was agreed in April 2019. The document discusses its purpose as a precursor to the development of a full Memorandum of Understanding, but there is no indication of the timing of this development. The *Preliminary Memorandum of Understanding* does not align with aspects of the Transport Canberra and City Services Directorate's December 2016 *Closed Circuit Television Guidelines*, which identify specific and explicit responsibilities for Business Unit CCTV officers.
- 3.26 The implementation of Recommendation 4, relating to the review and update of the Transport Canberra and City Services Directorate's *Closed Circuit Television Guidelines*, should also seek to resolve differences between the two documents.

Managing the security of data

- 3.27 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) establishes requirements for the management of data captured through CCTV cameras. The Code of Practice states:
- Agencies will establish procedures for the monitoring, retention, storage and destruction of recorded images.
- 3.28 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) further states:
- Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material. This security may incorporate physical, administrative or electronic measures.
- 3.29 The *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* provides for the documentation of methods for receiving and viewing data:

Information about the methods used for receiving and viewing recorded data should include-

- a) whether the data is stored, retrieved and/or processed;
- b) details of the security and access arrangements;
- c) the expected lifespan of the data; and
- d) details of communication and radio links.

Collection, recording and storage of data

Public Safety Network

- 3.30 The Justice and Community Safety Directorate does not have any policies or procedures for the collection, recording and storage of data from the public safety CCTV network.
- 3.31 In practice, CCTV camera data from the public safety CCTV network is captured and transmitted through the network to servers that are remote and secure, e.g. at Manuka within the Manuka oval and at the Civic Police Station. CCTV camera imagery from mobile cameras is transmitted on 4G using a secure feed using the 'Spectre' system. The system used to connect the public safety CCTV network cameras and the operation of them at the Justice and Community Safety Directorate Operations Centre is separate to the mainstream ACT IT network.
- 3.32 The Operations Centre, at which Justice and Community Safety Directorate staff can view and access public safety CCTV network footage, is secure, with controlled access. A log is maintained where visitors sign in and out.
- 3.33 There are automatic records kept of who logs in and out of the system and when, and the system also records any 'bookmarking' or copying that is done of the CCTV data. There are various levels of access that are defined, for example the ability to view footage (live or recorded), the ability to also copy footage, with the highest level of administrator being able to monitor all activity. Secure out-of-office access to the network is available, but only through security mechanisms tested by Shared Services.
- 3.34 Staff in the Security and Emergency Management Branch advised that there is a risk to footage being lost if there was a catastrophic failure within the CCTV server. Steps are being taken to preserve the integrity of footage by establishing redundancy in case of disk failure.

Transport Canberra Buses

- 3.35 The Transport Canberra and City Services Directorate does not have any specific policies or procedures for the collection, recording and storage of data from CCTV cameras on board buses.
- 3.36 In practice, CCTV camera data is stored on hard drives that are located on board individual buses. When a bus returns to the depot, downloading of CCTV data is achieved through the Fleet Management System. The Fleet Management System is a software tool that manages multiple aspects of the bus fleet, such as the scheduling of maintenance. Downloading of

CCTV data is automatic via Wi-Fi through the Fleet Management System when the bus returns to the depot, Wi-Fi is not enabled on buses whilst in service.

- 3.37 Once downloaded, data access is limited to the depot managers. Access to the data is controlled via log-in to a PC; in the Belconnen bus depot, the PC is in the depot manager's office within a building accessed with a security pass.

Libraries ACT

- 3.38 By virtue of the April 2019 *Preliminary Memorandum of Understanding* with Libraries ACT, the Security Emergency and Management Branch manages the collection, recording and storage of CCTV data from cameras in Libraries ACT sites.
- 3.39 In practice CCTV data at the different libraries is maintained on individual CCTV data servers located at each of the Libraries ACT sites, or on a central server managed by the Security and Emergency Management Branch. Data servers at each Library ACT site are subject to a program of removal as data storage is migrated to the central server.
- 3.40 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) establishes requirements for the secure management of data captured through CCTV cameras including that 'agencies will establish procedures for the monitoring, retention, storage and destruction of recorded images'. No policies or procedures have been developed for the collection, recording and storage of data for any of the CCTV systems considered as part of this audit. Nevertheless, specific local practices have been developed to safeguard data capture through the CCTV systems. These practices differ according to the CCTV systems and their software and hardware characteristics. Notwithstanding the development of localised practices, the lack of policies and procedures increases the risk that individual, specific practices that have been developed are not consistently and rigorously followed.

Destruction of data

- 3.41 The *Territory Records (Records Disposal Schedule – Security Coordination Approval 2009 (No 1)* states that 'all Closed Circuit Television (CCTV) security surveillance recordings and/or audio recordings that have not been requested for law enforcement or do not involve an incident' should be destroyed 30 days after the date created.

Public Safety Network

- 3.42 The Justice and Community Safety Directorate does not have any specific policies or procedures for the destruction of data obtained through the public safety network.
- 3.43 In practice, CCTV camera data is automatically erased after 30 days unless there is an intervention. The Justice and Community Safety Directorate team can enforce retention beyond the standard 30 days expiry time by putting a 'bookmark' on the footage. This might occur in situations where the Justice and Community Safety Directorate team has been

informed of a potential crime, but ACT Policing has not yet requested or downloaded the footage.

Transport Canberra Buses

- 3.44 The Transport Canberra and City Services Directorate's December 2016 *Closed Circuit Television Guidelines* acknowledge:

The Territory Records (Records Disposal Schedule – Property Management Records) stipulates that CCTV recordings will be kept for a period of no longer than thirty (30) days after the date of creation.

- 3.45 The *Closed Circuit Television Guidelines* further advise:

If CCTV recordings have been requested by an investigative and/or law enforcement body, the following retention and disposal timeframes apply;

- If a CCTV recording has been requested by an investigative or law enforcement body in relation to incidents that caused significant political or public reaction or recordings relating to high profile incidents, e.g. murder, serious accidents, extremely violent assaults, these recordings must be retained indefinitely.
- If a CCTV recording has been requested by an investigative or law enforcement body in relation to incidents not investigated or causing no significant political or public reaction, these recordings must be retained for seven (7) years.

- 3.46 In practice, data captured through CCTV cameras on board buses is replaced by newer data when the hard disc on board the bus is full. There is no practice to ensure that at least 30 days of data is retained, or that data is deleted after 30 days. In practice more or less than 30 days of data is maintained on the buses depending on the frequency with which the bus is used. If a bus is not used frequently more than 30 days of data is retained as the on board cameras are not operating as frequently. If a bus is used frequently, less than 30 days of data is maintained as the cameras are operating more frequently. The Fleet Management System in use at the depot can display the date and time of the oldest and newest data contained on the hard disc on each bus.

- 3.47 The period for which data is stored on individual buses is unknown, as it is not planned for, or checked. To achieve the requirement of the *Territory Records (Records Disposal Schedule – Security Coordination Approval 2009 (No 1)* to destroy data after 30 days, the system is reliant on the combination of multiple unknown variables in the system, including how often the bus is used, for how long the bus is used and the integrity of the data. In its response to the draft proposed report the Transport and City Services Directorate advised that it would not be technically possible to achieve a practice of ensuring the destruction of data after 30 days on older buses due to the limitations of the systems on board these buses.

Libraries ACT

- 3.48 As described in paragraph 3.38 the Security and Emergency Management Branch manages the data collected from CCTV cameras in Libraries ACT sites. At the time of this audit, four of the eight libraries with CCTV systems were recording data onto servers onsite at each library. Data is deleted off these servers automatically after 30 days. The other four libraries

have migrated to a central server hosted by the Security Emergency and Management Branch. CCTV data hosted on the central server is deleted automatically after 30 days using the same processes as described in paragraph 3.43.

- 3.49 The *Territory Records (Records Disposal Schedule – Security Coordination Approval 2009 (No 1))* requires CCTV footage to be destroyed 30 days after being created. Specific local practices have been developed that seek to give effect to this requirement. For Transport Canberra buses, however, data captured through CCTV cameras on board buses is replaced by newer data when the hard disc on board the bus is full. In practice more or less than 30 days of data is maintained on the buses depending on the frequency with which the bus is used. The period for which data is stored on individual buses is unknown, as it is not planned for, or checked. To achieve the requirement of the *Territory Records (Records Disposal Schedule – Security Coordination Approval 2009 (No 1))* to destroy data after 30 days, the system is reliant on the combination of multiple unknown variables in the system, including how often the bus is used, for how long the bus is used and the integrity of the data. In being reliant on these variables, there is no certainty in achieving the requirement.

RECOMMENDATION 5 DESTRUCTION OF CCTV CAMERA DATA ON BOARD BUSES

The Transport Canberra and City Services Directorate should develop a practice for the destruction of CCTV camera data on board buses 30 days after its capture.

Managing the release of data

- 3.50 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires ACT Government agencies to develop procedures for the release of data to third parties:

Procedures will be developed to deal with the release of imagery to third parties. Access by third parties to information collected by a CCTV system must comply with relevant Territory and Commonwealth legislation. This includes, but is not limited to, the *Freedom of Information Act 1989*.

- 3.51 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) recognises that the release of CCTV camera data should be managed with a view to privacy requirements:

Every effort must be made to protect the privacy of people who have their images taken by the CCTV systems. Release of information and images will only be made in accordance with relevant Territory and Commonwealth legislation.

- 3.52 The *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* provides further guidance for the release of data obtained through CCTV cameras:

The following principles should be covered by the disclosure policy of the CCTV system:

- Recorded information should be used only for the purposes defined in the objectives and policy.

- b) Access to recorded information should only take place in accordance with policy and procedures.
- c) There should be specific prohibitions on disclosure for commercial purposes and entertainment purposes.

Public Safety Network

- 3.53 ACT Policing accesses CCTV footage from the public safety CCTV network under a February 2018 Memorandum of Understanding between the Australian Capital Territory and ACT Policing for the ‘Management, Maintenance and Use of the ACT Public Safety Closed Circuit Television (CCTV) System’. As well as live monitoring, ACT Policing can also download footage from the system as it sees fit, and the Justice and Community Safety Directorate has no control over footage that is downloaded for further examination.
- 3.54 Members of the public and other stakeholders also request CCTV camera data from the Justice and Community Safety Directorate. In 2016 the Justice and Community Safety Directorate developed a *Requests for CCTV footage and information* standard operating procedure the purpose of which is to ‘outline the legislative and regulatory requirements for handling formal and informal requests for footage’. It outlines the process to be followed when a request is received for CCTV footage.
- 3.55 Directorate officers maintain records of data requests, the incident to which it relates and the action taken in response; these records distinguish between public requests and those from within ACT Government. Where a request for data is received and is to be actioned, the Justice and Community Safety Directorate has a process whereby an operator identifies footage that is relevant and provides it to a senior officer for approval for release. Released footage is made available on a secure USB and the recipient signs for its receipt. The process generally conforms with the Justice and Community Safety Directorate’s 2016 *Requests for CCTV footage and information* standard operating procedure, although the procedure refers to some outdated processes. For example, the procedure refers to the relevant officers reviewing footage at the Winchester Centre; this can be done online at the directorate’s premises.
- 3.56 In the calendar years 2018 and 2019, four requests for public safety network footage were received from stakeholders other than ACT Policing. Two of these requests were from other ACT Government entities (WorkSafe ACT and the Environment Protection Authority) and two requests were from members of the public in relation to an alleged crime. In the first two instances the footage was released to the agencies and in the latter two instances the matters were referred to ACT Policing. Additionally, in the calendar years 2018 and 2019, there were four Freedom of Information requests to the Justice and Community Safety Directorate for data captured on CCTV:
- in three instances the Directorate found no footage of relevance; and
 - in one instance access was denied—the applicant was not there and other people could be identified and hence suffer intrusions on their privacy.

Transport Canberra Buses

- 3.57 The Transport Canberra and City Services Directorate has developed some guidance notes and procedures for the release of data from CCTV cameras on board buses. These notes correlate with processes observed during a site visit by the Audit Office to the Belconnen bus depot.

Incident management

- 3.58 The vast majority of downloads of CCTV footage from buses relates to where buses have been involved in traffic incidents or collisions or where an incident has occurred on a bus that may represent a financial risk to the Territory, e.g. a passenger has fallen and may have injured themselves. Where a bus is involved in a traffic incident or collision the CCTV camera footage will be downloaded to assist in the police investigation or insurance claim. Bus drivers are encouraged to report incidents that occur on buses as part of incident management and reporting process. Under these circumstances the CCTV footage is expected to be downloaded and retained to assist in any future insurance claims.

External requests

- 3.59 External requests to the Transport Canberra and City Services Directorate for CCTV camera data may be received from a variety of sources, including members of the public and investigatory agencies, including ACT Policing. Requests must be properly formatted and include reference to the relevant legislation. Requests that are received from ACT Policing are managed through a set of detailed procedures. A procedure also exists that describes the process for responding to requestors other than ACT Policing.
- 3.60 Requests for footage may also be received from members of the public through Freedom of Information requests. In response to valid requests approved by a delegate, requestors are invited to view the footage at Transport Canberra and City Services Directorate premises, rather than supply copies of footage to the requestor .
- 3.61 Table 3-1 shows the number of times footage has been released from CCTV cameras on board Transport Canberra buses between 2017-18 and 2019-20. The table also includes information on the number of times CCTV footage has been released to entities such as the ACT Government Solicitor's Office or ACT Insurance Authority to assist in the management of claims for compensation.

Table 3-1 Release of CCTV data from Transport Canberra buses

	ACT Policing	Other requestors
2017-18	99	75
2018-19	107	76
2019-20	73	39

Source: ACT Audit Office, based on Transport Canberra and City Services Directorate information.

Processing of requests

- 3.62 When a CCTV data request is received the bus which captured the data is identified and an automated process is initiated by an operator via the Fleet Management System, which ensures that data is downloaded via wi-fi when the bus is next at a bus depot. Examples of CCTV data downloaded from buses were observed by the Audit Office at the Belconnen bus depot. The extent of the data that is downloaded includes vision from all the CCTV cameras on board the bus, and GPS coordinates for the position of the bus for the duration of the downloaded data. When observing a sample of downloaded data, the Audit Office noted that the function which displays the location of the bus on a map was not operational.
- 3.63 Records of data delivered to third parties from the CCTV system on board buses are recorded in a spreadsheet. The spreadsheet does not record the time and date that data is delivered to third parties, though the time, date and receiving officer is recorded on an individual CCTV request sheet and on the Transport Canberra and City Services Directorate CCTV request database.

Libraries ACT

- 3.64 Requests to release data that has been captured by CCTV cameras at Libraries ACT sites are received via Access Canberra. Once received, Libraries ACT is responsible for making a decision to release the data. The procedure for releasing data to third parties is documented in guidance as per paragraph 3.59.
- 3.65 Table 3-2 shows the number of requests that were received for CCTV data from cameras at Libraries ACT sites between 2017-18 and 2019-20. The table also includes the number of times that data was released.

Table 3-2 Request and Release of CCTV data from Libraries ACT

	Requests	Data releases
2017-18	0	0
2018-19	5	1
2019-20	1	1

Source: ACT Audit Office, based on Transport Canberra and City Services Directorate information.

- 3.66 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires ACT Government agencies to develop procedures for the release of data to third parties that complies with relevant legislation, including privacy requirements. In practice, the Justice and Community Safety Directorate maintains records of data requests, the incident to which it relates and the action taken in response; these records distinguish between public requests and those from within ACT Government and also include the personal contact details of the requestor. In the calendar years 2018 and 2019, there were only four requests to the Justice and Community Safety Directorate for data captured on CCTV. Many more requests are received by Transport Canberra for CCTV footage captured by cameras on board buses. In the three years to 2019-20, 279 requests were received from ACT Policing

and 190 requests were received from the public or other parties. Transport Canberra has developed procedures for the management of requests from ACT Policing and other parties. Libraries ACT had six requests for CCTV data in the three years to 2019-20, from which data was released twice.

Maintaining the CCTV system

- 3.67 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) establishes requirements for the maintenance and operation of CCTV systems. Specifically with respect to the role of the Chief Executive Officer or their delegate, the Code of Practice states that their responsibility includes:

Ensuring CCTV systems are maintained and operational, including the establishment of a schedule for the regular checking and maintenance of CCTV system equipment.

- 3.68 The *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* requires an annual maintenance schedule and performance test of the CCTV system.

Public Safety Network

- 3.69 The Justice and Community Safety Directorate does not have an asset maintenance plan for the CCTV cameras in the public safety network, nor does the directorate have any specific documented policies or procedures for the maintenance of cameras in the public safety network. In September 2020 the Directorate advised that it intends to establish a strategic register for the replacement of cameras, which is to facilitate the ongoing replacement of cameras over time.
- 3.70 In practice, the maintenance of cameras is achieved through a regular check of each camera at least once per working day through the Operations Centre, i.e. the feed from the camera is checked to see if it is still transmitting or if there are any impediments to the footage. In addition, ACT Policing may advise if they see a defect in the transmitted footage. The daily checks of cameras are logged and the log contains details of the date and the operator that checks the camera, and the operational status of the camera. When issues are identified, the issues are described as well as details of the countermeasure to address the issue.
- 3.71 Minor defects such as a lack of focus can sometimes be fixed by rebooting the camera, which can be done from the Operations Centre. The responsible officer also tests that stored footage from the past 30 days (on a sample basis) is still available. Dirty cameras can be cleaned by officers, who keep equipment for that purpose. More serious faults, such as power or data outages, are referred to one of two contractors depending on location. If the problem is one of power supply to the unit, it must be passed on to the electricity provider.

Transport Canberra Buses

- 3.72 The Transport Canberra and City Services Directorate does not have a specific asset maintenance plan for the CCTV cameras on board the buses, nor does the directorate have any specific policies or procedures for the maintenance of its cameras.
- 3.73 In practice, the maintenance of the cameras installed on board buses is achieved by a diagnostic tool within the Fleet Management System which is installed at the two bus depots. The diagnostic system downloads data via Wi-Fi for each bus when it is in the bus depot and, through this process, the system identifies the operational status of each camera. Buses with non-operational cameras are identified through this process and ideally removed from use until the camera(s) may be fixed. Operational issues with CCTV cameras may also be identified whilst downloading data for supply to a third party. Additionally, issues with CCTV cameras may be flagged during the scheduled three-monthly service on each bus.
- 3.74 When issues with CCTV cameras are identified they are managed reactively. Once the issue is rectified, it is logged in the Transport Integrated Management system; a service scheduling and maintenance database tool for the vehicle.
- 3.75 Notwithstanding the use of the Fleet Management System, reports do not exist for the downtime of the CCTV system on board buses. The February 2020 proposal (refer to paragraphs 2.26 to 2.28), describes that the CCTV system ‘has now aged beyond its service life’ and ‘the technology is of an older, analogue standard and the technology regularly failing’. The proposal also states that failures of the CCTV system are ‘driving up the maintenance costs of a superseded product’. The proposal discussed reliability issues noting that ‘the current system has become increasingly unreliable with repeated occurrences of system faults, camera issues or no footage’.

Libraries ACT

- 3.76 The *Preliminary Memorandum of Understanding* between Libraries ACT and the Security and Emergency Management Branch requires the Branch to ‘coordinate the upkeep of Libraries ACT CCTV systems, including system checks, repairs and maintenance, and upgrades’.
- 3.77 The *Preliminary Memorandum of Understanding* between Libraries ACT and the Security and Emergency Management Branch (JACS) requires the Branch to ‘perform system checks of the Libraries ACT systems on a minimum weekly basis to ensure the proper performance and operation of the system’. Daily reports are compiled by the Security and Emergency Management Branch which include results of the checks undertaken on the CCTV cameras installed at Libraries ACT sites.
- 3.78 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) and *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* establishes requirements for the maintenance and operation of CCTV systems

including ‘the establishment of a schedule for the regular checking and maintenance of CCTV system equipment’. No policies or procedures or maintenance plans have been developed for any of the CCTV systems considered as part of this audit. Maintenance that occurs is in response to issues that have been identified or developed with specific cameras.

Staffing and training

- 3.79 The ACT *Government Code of Practice for Closed Circuit Television Systems* (2009) requires that ‘all staff involved in the operation of the CCTV system, are trained and competent in its operation and understand the operating procedures for the CCTV system’.
- 3.80 *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation* states ‘good training is essential for achieving effective and proper use of CCTV’ and requires the development of a formal training plan for operators of the CCTV system.

Public Safety Network

- 3.81 There are no formal training requirements or plans for Justice and Community Safety Directorate staff involved in the operation of the public safety CCTV network. Directorate representatives advised that its staff are not considered to be system operators, and in doing so are drawing a distinction between activities associated with *managing and administering* the system and *monitoring* the system. Directorate representatives also noted that a small number of staff operate the system and these staff are long and experienced users of the system. Notwithstanding that ACT Policing monitors the system during the weekend, Directorate staff are actively involved in managing the system, including key decision-making for the release of footage. Combined with a lack of policy and procedural guidance, the absence of training means there is a lack of formalised processes to ensure the effective management of the CCTV system.

Transport Canberra Buses

- 3.82 According to the December 2016 *Closed Circuit Television Guidelines* for the Transport Canberra and City Services Directorate ‘all authorised officers using CCTV systems within the Directorate must receive training. This training is coordinated by the Business Unit CCTV Officer for the business area’. According to the Guidelines, the training ‘must give the authorised officer a basic understanding’ of:
- the purpose and appropriate use of CCTV systems;
 - copying and releasing CCTV recordings;
 - complaints handling processes;
 - the period for which CCTV recordings must be retained;
 - privacy obligations associated with CCTV use; and
 - the application of these guidelines associated with their role.

- 3.83 Transport Officers are Authorised Persons appointed under the *Road Transport (General) Act (1999)*. Under this appointment, formal training for Transport Officers in relation to CCTV systems includes:
- roles and responsibilities;
 - use, access and installation;
 - CCTV system operating requirements;
 - video incident reporting procedure; and
 - on site hands on basic operation training of the CCTV console.
- 3.84 There are no formal training requirements for maintenance staff that operate the Fleet Management System and Transport Integrated Management System, staff have not been formally trained, though they have received on the job training in the use of the software.

Libraries ACT

- 3.85 There are no formal training requirements or plans for on the use of the CCTV system for Libraries ACT staff. In practice, staff are provided with informal on the job training, and informally through third parties when they are engaged for tasks related to the CCTV system.
- 3.86 The *ACT Government Code of Practice for Closed Circuit Television Systems* (2009) requires that ‘all staff involved in the operation of the CCTV system, are trained and competent in its operation and understand the operating procedures for the CCTV system’. The December 2016 *Closed Circuit Television Guidelines* for the Transport Canberra and City Services Directorate also requires ‘all authorised officers using CCTV systems within the Directorate must receive training. This training is coordinated by the Business Unit CCTV Officer for the business area’. Training requirements are in place for Transport Officers in relation to the CCTV cameras on board buses. There are no formal training requirements or plans for other staff involved in any of the CCTV systems considered as part of the audit. In practice, training that may occur is achieved on an as needs basis by the incumbent operators via workplace handover.

RECOMMENDATION 6 STAFF TRAINING AND DEVELOPMENT

The Transport Canberra and City Services Directorate and Justice and Community Safety Directorate should formalise staff induction and training requirements for the management of CCTV systems. This should include the identification and documentation of formal training requirements through training plans and maintaining training records for all staff that are involved in the operation of CCTV systems.

Audit reports

Reports Published in 2020-21	
Report No. 04 – 2021	ACT Government's Vehicle Emissions Reduction Activities
Report No. 03 – 2021	Court Transport Unit Vehicle – Romeo 5
Report No. 02 – 2021	Total Facilities Management Contract Implementation
Report No. 01 – 2021	Land Management Agreements
Report No. 10 – 2020	2019-20 Financial Audit – Financial Results and Audit Findings
Report No. 09 – 2020	2019-20 Financial Audits Overview
Report No. 08 – 2020	Annual Report 2019-20
Report No. 07 – 2020	Management of care of people living with serious and continuing illness
Reports Published in 2019-20	
Report No. 06 – 2020	Transfer of workers' compensation arrangements from Comcare
Report No. 05 – 2020	Management of household waste services
Report No. 04 – 2020	Residential Land Supply and Release
Report No. 03 – 2020	Data Security
Report No. 02 – 2020	2018-19- Financial Audits – Computer Information Systems
Report No. 01 – 2020	Shared Services Delivery of HR and Finance Services
Report No. 11 – 2019	Maintenance of ACT Government School Infrastructure
Report No. 10 – 2019	2018-19 Financial Audits – Financial Results and Audit Findings
Report No. 09 – 2019	2018-19 Financial Audits – Overview
Report No. 08 – 2019	Annual Report 2018-19
Reports Published in 2018-19	
Report No. 07 – 2019	Referral Processes for the Support of Vulnerable Children
Report No. 06 – 2019	ICT Strategic Planning
Report No. 05 – 2019	Management of the System-Wide Data Review implementation program
Report No. 04 – 2019	2017-18 Financial Audits Computer Information Systems
Report No. 03 – 2019	Access Canberra Business Planning and Monitoring
Report No. 02 – 2019	Recognition and implementation of obligations under the <i>Human Rights Act 2004</i>
Report No. 01 – 2019	Total Facilities Management Procurement
Report No. 12 – 2018	2017-18 Financial Audits – Financial Results and Audit Findings
Report No. 11 – 2018	2017-18 Financial Audits – Overview
Report No. 10 – 2018	Annual Report 2017-18
Report No. 09 – 2018	ACT Health's management of allegations of misconduct and complaints about inappropriate workplace behaviour

These and earlier reports can be obtained from the ACT Audit Office's website at
<http://www.audit.act.gov.au>.