

Australian Capital Territory

Corrections Management (CCTV) Policy 2019

Notifiable instrument NI2019-757

made under the

Corrections Management Act 2007, s14 (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (CCTV) Policy 2019*.

2 Commencement

This instrument commences on the day after its notification day.

3 Policy

I make this policy to facilitate the effective and efficient management of correctional services.

4 Revocation

This policy revokes the *Corrections Management (CCTV) Policy 2017* [NI2017-593].



Jon Peach
Executive Director
ACT Corrective Services
29 November 2019

CCTV

POLICY NO. S5

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to ensuring that the use of closed-circuit television is in accordance with policy, legislative and whole-of-government requirements.

This policy provides instructions on the use of closed-circuit television in accordance with the ACT Government Code of Practice for CCTV.

2 SCOPE

This policy applies to all ACTCS facilities and secure escort vehicles.

Where required, Divisional Executives will establish operational procedures under this policy.

3 DEFINITIONS

Closed-Circuit Television (CCTV)

A video surveillance system connecting a number of cameras and associated monitoring and support infrastructure through a closed system.

4 PRINCIPLES

4.1 ACTCS maintains and operates CCTV in compliance with the requirements of the:

- ACT Government Code of Practice for CCTV
- Australian Standard (AS) 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and Operation
- Human Rights Principles for ACT Correctional Centres
- Corrections Management Act 2007 (ACT)
- Human Rights Act 2004 (ACT)
- Public Sector Management Act 1994 (ACT)
- Information Privacy Act 2014 (ACT)
- Territory Records Act 2002 (ACT)
- Workplace Privacy Act 2011 (ACT).

4.2 Divisional Executives are responsible for:

- a. maintaining and ensuring the security of CCTV systems and video footage in accordance with the Territory Records Act 2002 (ACT);

- b. ensuring that appropriate signage is on display where CCTV is in operation according to Appendix A of the ACT Government Code of Practice for CCTV; and
 - c. ensuring that appropriate training in the operation and monitoring of CCTV systems is provided to staff where required.
- 4.3 All CCTV surveillance will continuously record video footage, except for secure escort vehicles when not in operation.
- 4.4 ACTCS may contract the maintenance of CCTV systems to an external service provider.
- 4.5 Complaints relating to CCTV surveillance will be managed in accordance with the Detainee Requests and Complaints Policy or Justice and Community Safety Directorate Complaints Management Policy as appropriate.
- 4.6 Inappropriate use of CCTV surveillance must be immediately reported to the Intelligence and Integrity Unit using the Integrity Reporting Tool on Sharepoint.

5 CUSTODIAL OPERATIONS

- 5.1 CCTV surveillance of activity in correctional centres and secure escort vehicles will occur under section 100 of the Corrections Management Act 2007 (ACT).
- 5.2 The Executive Director authorises public and secure parts of a correctional centre to be monitored under section 5.1 where necessary and following consideration of the elements in section 99 of the Corrections Management Act 2007 (ACT).
- 5.3 CCTV surveillance in a correctional centre may be continuously monitored.

Court Transport Unit (CTU)

- 5.4 CCTV surveillance occurs in CTU locations at ACT Courts and Tribunal premises but is not monitored or managed by ACTCS.
- 5.5 Where required, ACTCS will request access to CCTV footage from ACT Courts and Tribunal.
- 5.6 ACTCS manages the CCTV surveillance in secure escort vehicles to occur only while the vehicle ignition is on.
- 5.7 The date and time stamp of CCTV in all secure escort vehicles is checked daily and any errors or inconsistencies must be reported to the Head of Security.
- 5.8 System maintenance of CCTV in secure escort vehicles is limited to disk download management.

6 COMMUNITY CORRECTIONS AND RELEASE PLANNING

- 6.1 CCTV surveillance of Community Corrections and Release Planning facilities will occur to support the safety of staff, offenders and community members.
- 6.2 The Executive Director will authorise locations under section 6.1 to be monitored where necessary and with due regard to the privacy and human rights of staff, offenders and community members.

7 USE AND RECORDS MANAGEMENT

- 7.1 In addition to the purpose for CCTV surveillance under sections 4.1 and 5.1, CCTV footage:
 - a. is admissible as evidence;
 - b. may be provided to ACT Policing or other authorised parties under this policy, the ACT Government Code of Practice for CCTV or Freedom of Information Act 2016 (ACT); and/or
 - c. may be used for investigative purposes.
- 7.2 Where CCTV footage is extracted for use, a minimum of 10 minutes prior to, and after, the relevant incident must be retained.
- 7.3 The relevant Divisional Executive can authorise the use of CCTV surveillance footage for training purposes where appropriate and in consideration of the:
 - a. privacy, human rights and dignity of staff, offenders and community members; and
 - b. consistency with the purpose for which the footage is collected.
- 7.4 The Head of Information Communication Technology is responsible for ensuring that protective security measures are implemented to protect against unauthorised access, tampering, or disruption of CCTV systems.
- 7.5 A log will be maintained for all downloaded and retained imagery that includes:
 - a. the logged start and end time of the footage; and
 - b. date and location of the footage.

8 RETENTION TIMEFRAMES

- 8.1 CCTV and video camera footage related to offender management must be retained for a period of seven (7) years for the following matters:
 - a. incidents where further action is taken within 12 months (Incident Reporting, Notifications and Debriefs Policy);

- b. use of force (*Use of Force and Restraints Policy*); or
 - c. as directed by a Head of Function or above.
- 8.2 CCTV of Community Corrections and Release Planning facilities will be retained for up to three (3) months, or in accordance with section 8.1 where necessary.
- 8.3 CCTV of correctional centres will be overwritten once the available storage space has reached capacity.

9 MANAGEMENT OF EXTERNAL REQUESTS

- 9.1 External requests for copies of CCTV footage will be directed to the Access Canberra Contact Centre on 13 22 81, unless the request:
 - a. is a subpoena;
 - b. has been made under the *Freedom of Information Act 2016 (ACT)*; or
 - c. relates to a correctional centre.
- 9.2 All other external requests under sections 9.1(a)-(c) for CCTV footage must be directed to the Manager, Ministerial Support Unit via email to ACTCSPolicy@act.gov.au and will be managed in accordance with sections 9.3-9.4.
- 9.3 Where a request is received under section 9.2, the Manager, Ministerial Support Unit, will coordinate the retrieval and supply of a copy of the footage where authorised by the Executive Director.
- 9.4 The Manager, Ministerial Support Unit will liaise with the Justice and Community Safety Directorate Freedom Of Information (FOI) Coordinator for all FOI requests.

10 GOVERNANCE

- 10.1 The Executive Director will arrange for an independent annual audit of CCTV systems in accordance with the requirements of the *ACT Government Code of Practice for CCTV*.
- 10.2 The Head of Information Communication Technology is responsible for ensuring that the disposal of CCTV cameras and related technologies is undertaken according to the *Justice and Community Safety Directorate CCTV Storage Device and Hardware Disposal Schedule – Standard Operating Procedure*.

11 RELATED DOCUMENTS

- A – Use of Force and Restraints Policy
- B – Incident Reporting, Notifications and Debriefs Policy
- C – Justice and Community Safety Directorate Privacy Policy
- D – ACT Government Code of Practice for CCTV
- E – Justice and Community Safety Directorate CCTV Storage Device and Hardware Disposal Schedule – Standard Operating Procedure
- F – Workplace Privacy Policy



Jon Peach
Executive Director
ACT Corrective Services
29 November 2019

Document details

Criteria	Details
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Document owner/approver:	Executive Director, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	Three years after the notification date
Compliance with law:	This policy reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2019</i>
Responsible officer:	Executive Director

Version Control

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V2	January-19	Reissue	L Kazak
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