



## **POLICY – 7.4 – Closed Circuit Television System**

### **Relevant Delegation**

N/A

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### **Objective**

The Shire of Menzies provides CCTV units to the district in order to assist in the deterrence of offences against person or property.

### **Policy Statement**

This policy will apply to all persons who are authorised to manage or use the CCTV units within the Shire of Menzies.

### **Definitions**

*“Authorised Person”* means a person appointed by the Chief Executive Officer (CEO) to manage, maintain, view and have access to the Shire’s CCTV system.

*“CEO”* means the Chief Executive Officer of the Shire of Menzies.

*“CCTV”* means Closed Circuit Television System.

*“WAPOL”* means the Western Australian Police and where the context requires any person duly sworn as a member of the WA Police.

*“Ownership and Control of CCTV Units”*

The CCTV unit is owned by and is the sole property of the Shire of Menzies.

### **Surveillance**

- a) Authorised Persons may scan and monitor all cameras routinely for the purpose stated on the record.
- b) Members of the public going about their normal and lawful business shall not be the subject of undue or illegal surveillance.

### **CCTV System Control**

#### *Recording of Images and Still Photographs*

- a) Images and still photographs may only be recorded by an Authorised Person.
- b) Copying images or still photographs shall only occur if the Shire of Menzies Authorised Person is of the opinion that a situation of concern is being or is likely to be committed.
- c) At no time shall copying of images or still photographs be undertaken of the public going about their lawful business.

- d) At no time shall the CCTV units be used to provided surveillance of individuals or groups engaging in rallies, protests or other political behaviour unless there is a well-founded belief that an offence against statute law is likely to or is taking place.
- e) All information recorded, collected and collated by means of the CCTV units shall remain the sole property of the Shire of Menzies.
- f) Any incident recorded or still photograph taken shall be recorded in a register kept for that purpose including date, time and category of incident.
- g) All original recordings shall be erased and still photographs shredded after twenty eight (28) days after the date of the recording unless a request is made in writing for it to be held.
- h) Authorised Persons may view any recording on a random basis.

#### ***View of Recorded Footage***

- a) WAPOL, Lawyers acting on behalf of individuals engaged in legal proceedings related to a recorded incident, or individuals acting as their own legal counsel in relation to a recorded incident may request to view the footage of that incident.
- b) Such a request must specify the subject, date, time and location of the incident, which the person wants to view.
- c) Requests by lawyers and individuals shall be made in writing and lodged with the CEO.

#### ***Record Keeping***

The CEO shall be responsible for the keeping of records relating to the CCTV units including recorded footage and still photographs.

#### **Legislation and Other References:**

*Local Government Act 1195*

*WA Criminal Code Act Compilation Act 1913*

*Criminal Procedures Act 2004*

*State Records Act 2000*

State CCTV Memorandum of Understanding (MOU) as attached (Attachment A) provides list the Services who are approved to access Local Government CCTV systems

– *End of Policy*

#### **COMMENT**

Refer to Attachment A – State CCTV Memorandum of Understanding (The Minister for Police)

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