

Ashburton District Council Closed Circuit Television Guidelines – Public Places

COMMUNITY SAFETY CCTV GUIDELINES

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| TEAM: | Environmental Monitoring |
| RESPONSIBILITY: | Group Manager Compliance & Development |
| DATE: | 11 March 2024 |
| RELATED DOCUMENTS: | Ashburton District Council CCTV Policy 2024, Local Government Act 2002, Privacy Act 2020, Privacy and CCTV; A guide to the Privacy Act for business, agencies and organisations (Office of the Privacy Commissioner - 2009), Search and Surveillance Act 2012. |

Purpose

The purpose of this document is to provide guidance on the installation, monitoring and maintenance of Closed Circuit Television (CCTV) community safety cameras within Ashburton District.

Background

Ashburton District Council operates CCTV cameras in the Ashburton district. The CCTV camera locations and monitoring are strongly supported through our partnership with the Ashburton Police.

The CCTV cameras are part of an initiative that aims to make Ashburton a safe place through preventative measures that target crime and public disorder, increase public safety and ensure efficient responses.

Some CCTV cameras will be monitored at the Ashburton Police Station. The monitoring of those cameras will be managed by the Police.

Scope

The scope of these guidelines includes cameras installed for the purposes of monitoring safety within Ashburton, any future cameras installed for this purpose, and the process Council will follow for requests for images from the CCTV cameras. The scope excludes those cameras owned by private residents (including businesses) and other government agencies.

Location of Cameras

There are a number of cameras monitored through the Ashburton Police Station, including both fixed and pan, tilt, zoom cameras. The cameras are located in various spots in Ashburton that have been determined by Council staff and specialist consultants, supported by information provided by a range of stakeholders including Ashburton Police. Council also has cameras at a number of other locations. While these are not monitored in real time, images can be accessed by Council as

required. The monitored cameras are located in the following areas:

- The intersection of East and Burnett Streets
- The intersection of East and Tancred Streets
- At the two pedestrian accesses to the car park on the East Street side (directed to the walkway and into the West Street carpark)
- Ashburton skate park

Other locations include:

- Te Whare Whakare (Ashburton library and Council building)
- EA Networks Centre
- Art Gallery and Museum
- Ashburton Domain
- Tinwald Domain
- Clock tower and Baring Square East
- Resource recovery sites (Ashburton, Methven, Rakaia and Pendarves)
- Public toilets (Ashburton, Methven, Rakaia and Hinds)
- Skate park, Ashburton District Council
- Ashburton Cemetery
- Wastewater plant, Wilkins Road

Use of Images

The use of recorded images must be carried out in accordance with the Privacy Act. Council (through an authorised officer with delegated authority) has overall responsibility regarding the release of information.

If Police require a download of the images for prosecution purposes/court based evidence they must follow a formal request process to obtain the images through the authorised officer with delegated authority at Council. The request form is attached as Appendix 1.

If the public want to request images regarding a crime, the first step is to log a complaint with the Police. The Police can request the images directly from the Council (if there is any information held on the incident). Council will not release images directly to the public or private organisations where the requested images relate to an alleged crime and/or police investigation.

Any persons wishing to view recordings of themselves must complete a request form and forward it to the Council's Privacy Officer for consideration.

Review and Release of Recorded Images

- Council will determine the release of images in accordance with the Privacy Act and the Request for CCTV Images Process (Appendix 1).
- Applications for CCTV images are first assessed by Council staff members with delegated authority.
- The following Council staff members have delegated authority to view recorded images and release the images to the Police:
 - Executive Team members
 - Environmental Monitoring Manager
 - Library Manager
 - Senior Librarian
 - Technical Librarian

- Sport and Recreation Manager
- Recreation Services Manager
- Art Gallery and Museum Director
- Art Gallery and Museum Deputy Director
- Waste Recovery Specialist
- Information Systems Manager
- Team Leader Systems
- Privacy Officer

Privacy

Ashburton District Council must comply with the provisions of both the Privacy Act 2020 and the Local Government Official Information and Meetings Act 1987 (LGOIMA). All due care must be taken to ensure CCTV systems operated by Council do not capture images from private dwellings.

The Privacy Act 2020 requires that people are made aware that information is gathered about them and the purpose for doing so is made clear. Areas where cameras are installed must be clearly signposted to notify the public that a camera is or may be in operation. The signs also serve as a general crime deterrent.

Storage of Information

All images from the cameras will be stored at a central location under the control of Ashburton District Council and by a third party contractor. There will be a feed to the Ashburton Police Station to allow the monitoring of the cameras (including manoeuvrability during monitoring) to maximise any issues that need to be observed. The monitoring station will provide Police with viewing access to identify specific images but no download capability.

All images not required for evidential purposes will be erased after 30 days. Images required for evidential purposes may be retained and stored according to Police standard procedures for the safe custody of evidence or exhibits.

Signage

Signage notifying the operation of a CCTV system addresses legitimate privacy considerations and potentially acts as a deterrent to anti-social behaviour. Signage has proven to be an effective component of CCTV systems although it does not necessarily increase the public perception of safety.

- Signage shall include the words “video cameras operating”.
- Signage should be positioned in areas monitored by CCTV where it is likely to be seen by the maximum number of people entering and in that area of coverage.
- Signage should be erected near the CCTV cameras to notify people that cameras are operating.
- Signage shall be maintained and be kept in good order.

- Signage shall not be placed in areas where CCTV is not installed in an attempt to provide deterrent to crime and when a CCTV system is removed the signage shall also be removed.

CCTV Needs Criteria

Approval for the addition of a CCTV camera is at the discretion of the relevant Group Manager. Council staff must complete the appropriate form available on the Council Intranet [here](#).

Considering Options

The CCTV needs criteria discussed in this section offers guidance for decisions in relation to expanding camera coverage at existing or new locations, and to ensure that a CCTV system is the most appropriate tool for addressing the identified issues. Council recognises the importance in reassessing the requirements of both the location and the monitoring programme regularly to ensure the programme continues to meet the needs of Council and Police.

When determining the location of new CCTV camera locations, the following objectives will be considered:

1. A clear decision making process is followed that justifies the expansion of the CCTV system
2. There is a rational connection between the problems sought to be addressed and the solutions identified to address them
3. Council's funding is applied to areas with the greatest need.

There is a tendency to rely on CCTV systems as an immediate solution for all safety issues. However, CCTV systems do have a number of limitations that have to be considered. It must be recognised that there may be a number of solutions for addressing a range of community safety issues; many of these are outside the scope of Council operations or delegations. Council will ensure that CCTV systems are considered alongside other options for dealing with the identified problems and not just as a stand-alone measure. Alternate solutions are particularly relevant where the problems being encountered are seasonal, short term, or as a result of crime displacement.

Options to respond to identified problems include:

- Crime Prevention through Environmental Design (CPTED)
 - Natural deterrent - people are present and can observe what is going on
 - Access management – methods used to attract people and vehicles to some places and restrict them from others
 - Territorial reinforcement – clear boundaries encourage community “ownership” of the space
 - Quality environments – good quality, well maintained places attract people and support observation
- Community-led initiatives involving government agencies, social service agencies, businesses and community groups or volunteers
- Ashburton District Council Public Places Bylaw (liquor ban areas)
- Security presence during seasonal/short term issues
- Education and social marketing programmes.

Criteria for Determining Future Locations

Cameras installed for crime prevention:

- are used to prevent and detect criminal offences and / or social behaviour problems in identified high crime areas;
- are not used to maintain surveillance on individuals or groups; and
- must be operated in a manner that complies with Privacy Act 2020.

Council will require clear evidence of the problems to be addressed through the installation of a CCTV camera. Cameras should not:

- track or zoom in on any member of the public;
- be located within public toilets;
- be directed to look through windows into buildings; or
- look into private residences except as part of a wide angle or long shot or while panning past them.

The following checklist will be taken into account during decision-making regarding establishment of new CCTV cameras:

- Establish whether there is a crime or social behaviour problem at the location in question. Obtain a very clear understanding of the issue (what, where, when, how, who and why).
- Where a crime or social behaviour problem can be identified, undertake a CPTED assessment of the space to consider the different possible intervention points to remove the potential victim or motivated offender or to weaken the desirability of the location for anti-social activity. This phase will likely include stakeholder consultation across a number of topics relating to the space.
- Any decision to implement CCTV must be balanced with the researched evidence around the benefits and limitations.
- CCTV must be implemented as a package of interventions to resolve a crime or social behaviour problem at a particular location.
- Clear community safety objectives must be set for an area prior to the implementation of CCTV. There must be clear links between the installation of CCTV and the achievement of these objectives.
- If CCTV is considered as a result of the CPTED assessment to be an appropriate option, assess what existing infrastructure is in the space concerned (e.g. fibre optics, ducting etc.). This will have a significant level of cost if not already established.
- Where possible, any new CCTV installed must be wired into the existing network for monitoring in real time at the Hub and the Ashburton Police Station. Stand-alone systems are not recommended.
- Placement of cameras must be carefully considered, to avoid being obstructed unnecessarily by trees, signs/hoardings, or buildings for example, and to maximise the scope of view each camera will have.

- Ongoing publicity must be planned to maximise the life cycle of the CCTV. Good signage alerting people to the fact that CCTV is operating in a space is also important.
- The implementation of any new cameras in public places must comply with applicable principles of the Privacy Act 2020.

Appendix

REQUEST AND APPROVAL FOR CCTV IMAGES

ASHBURTON DISTRICT COUNCIL

Please use this form to request CCTV images. The information will be used to assess and respond to your request. Send the completed form to Ashburton District Council.

| | | |
|--|---------------------------------|-------------------------------|
| APPLICANT | Information requested by | |
| | Name | |
| | Agency (if applicable) | Position/Rank (if applicable) |
| | QID (if applicable) | Phone |
| | Address | Email |
| | Request Details | |
| | Location | |
| | Date | Time |
| | Describe the event | |
| | Declaration | |
| Under the Local Government Official Information and Meeting Act 1987 Section 10, and the Privacy Act 2020 Principle 6, I request information listed above which I believe to be recorded in the form of images held by the Ashburton District Council. | | |
| Name | | |
| Signature | Date | |

| | | |
|---------------|---|--------------------|
| POLICE | Reason for requesting this information | |
| | Request checked and signed by approved Police Manager | |
| | Date | File/job reference |
| | Reason for request | |

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| COUNCIL | Council Use | |
| | Request approved/declined | Group Manager – Environmental Services or Environmental Monitoring Manager |
| | Action taken/comments | |
| | Images downloaded by | |

REQUEST FOR CCTV IMAGES PROCESS

NOTE: No images will be released to members of the public unless it is an approved request from an individual for images of themselves. Any such requests should be referred to Council's Privacy Officer.

