

POLICY : CCTV SURVEILLANCE AND CODE OF PRACTICE

ITEM PS 77/2001 CCTV STREET SURVEILLANCE POLICY AND CODE OF PRACTICE
MC : 24.01.2002
ITEM PS 6/2002
CM : 25.02.2002

RESOLVED:

1. That the contents of the report regarding the CCTV Street Surveillance Policy and Code of Practice, **BE NOTED**.
2. That the CCTV Street Surveillance Policy attached as **Annexure "A"**, **BE APPROVED**.
3. That the Codes of Practice for CCTV surveillance, attached as **Annexure "B"**, **BE APPROVED**.

ANNEXURE 'A'

CCTV STREET SURVEILLANCE POLICY

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SECTION ONE	General Principles
SECTION TWO	Objectives
SECTION THREE	Operations
SECTION FOUR	Evaluation & Measurement

Section One

GENERAL PRINCIPLES

1. The Metropolitan Council reserves the exclusive right to provide public area and street surveillance schemes in its jurisdiction by means of close circuit television and has Monitoring Centres a similar meaning herein afterwards referred to.
2. The Metropolitan Council CCTV operation is governed the Principles set down more fully in the CCTV Code of Practice.
3. The Metropolitan Council Public Safety Department supports the individual's right of privacy.
4. Department Public Safety would expect that this is a paramount consideration of all other agencies involved in public area surveillance schemes.
5. There is both responsible and accountable supervision of the operation of all Metropolitan Council Town Centre CCTV schemes.
6. The Metropolitan Council support the development of public area CCTV schemes subject to appropriate local consultation involving the business community, the general public and S.A.P.S./CPF.
7. The Metropolitan Council have a set performance criteria for the quality of recorded images produced by the CCTV scheme and would insist that these standards are maintained while the Metropolitan Council continue to monitor the pictures.
8. No audio monitoring and recording facilities should be provided with any public area CCTV scheme.
9. The Metropolitan Council undertakes to utilize only suitable skilled and screened personnel in accordance with International norms and standards for public area surveillance.
10. The Metropolitan Council undertakes to ensure that CCTV staff adhere to a confidentiality agreement in terms of the Protection of Information Act No. 57 (Act 57 of 1983).
11. The Metropolitan Council undertakes to operate a public area surveillance system in conjunction with, and approved by the Department of Justice.

Section Two

OBJECTIVES

The CCTV schemes operated by the Metropolitan Council have been designed to the following objectives

- To detect crime by observation of CCTV camera images.
- To assist in solving crime by the production of high quality video evidence that is admissible on presentation as evidence in a court.
- To reduce the fear of and deter the incidence of crime by virtue of placing the cameras overtly, with the knowledge that the cameras are operated by Department Public Safety in the Metropolitan Council and by advertising their presence with permanent street signs.
- To enhance incident command and control through provision of live CCTV images of incidents to Emergency Communication Centre controllers or other Disaster Management Centres.
- To operate the system. to a strictly enforced Code of Practice and thereby maintain a high level of public support.

Section Three

OPERATION

Use of the Cameras

The operations of individual town centre CCTV monitoring must be integrated in accordance with set standards for the Metro schemes.

Operation and monitoring of camera images is a reactive process requiring information of criminal or suspicious activity supplied to the Monitoring Centres. In emergency situations, the Monitoring Centre should be contacted by dialing the emergency number. For all other purposes, the Monitoring Centre can be contacted on the relevant telephone number.

During times when no incident(s) is being dealt with, CCTV Operational Staff will use the cameras to 'patrol' those areas covered by the cameras. The proactive use of cameras is greatly enhanced by local knowledge of specific 'hot spots' and CCTV Operational Staff are regularly briefed by Law Enforcement and S.A. Police officers.

Serious crimes will always take precedence over less serious offences, and incident grading will follow Metropolitan Council Monitoring Centre standing SOP's.

Cameras not operated by a CCTV Operator will be set to automatic tour a sequence of preset camera views or pre-positional points, until the camera is required for further investigation.

Video Tape Evidence

The quality and integrity of the video evidence produced by the system is relative to CCTV operations.

All camera images will be recorded in accordance to multiplex techniques by utilizing time lapse video recorders of Super-VHS standard. By recording a maximum of nine cameras onto one VCR which is set to operate in 12-hour mode, individual camera images will be recorded at a minimum of one frame every two seconds.

In addition, specific incidents when brought to the attention of, or observed by the CCTV Operator will be recorded in real time to Super-VHS standard or digital.

Video tapes will be used no more than ten times to preserve the best video quality of all recording thus produced. Again, to ensure the best quality, all video tapes will be magnetically degaussed to erase all previously recorded material before being reused.

Video tapes will be securely stored for a minimum of 28 days before being reused unless required by an investigating officer. No video tape or still print taken from a tape will be released without written authority. Video material can only be released to S.A.P.S. staff for use as evidence in civil proceedings. Criminal cases will however, take precedence over civil cases.

No video tape material will be released to the media for entertainment purposes or for reasons of commercial gain.

Access to Metropolitan Council CCTV Monitoring Centres will be strictly limited to authorized persons only. Access by the public is not permitted unless authorized by the Centre Manager/Head or his delegate.

Only Supervisors to handle tapes for reviewing purpose.

Strict tape management principles will be applied in accordance with the code of practice and according to the Department or' Justice guidelines and procedures.

Safeguarding the Individual's Right to Privacy

The Metropolitan Council operate the town centre CCTV scheme in accordance with a Code of Practice which fully respects the individuals right to privacy. Hence, the Codes comply with the Protection of Information Act No. 84 (Act 84 of 1982), Computer Evidence Act No. 57 (Act 57 of 1983) and the Constitution.

CCTV operational staff shall adhere to the operational guidance manual as enforced in the public area. Surveillance code of practice non compliance to the code of practice renders operational staff liable to disciplinary procedures.

Forthwith individuals shall raise any concern/complaint regarding contravention of the privacy clause to the Head of the Department in writing.

The Metropolitan Council CCTV personnel reserve the right to be protected in accordance with the relevant Witness Protection Act.

Section Four

EVALUATION AND MEASUREMENT

Evaluation

In accordance with the commitment laid down in the Metropolitan Council CCTV Codes Practice, statistical analysis of the crime trends in specific areas will be carried out on a regular basis.

Measurement

The remaining provisions of the CCTV Codes of Practice, commit the Metropolitan Council to monitor the performance of the CCTV schemes in each area.

Five Performance Indicators are collected each month for each of the schemes operated by the Metropolitan Council Public Safety Department. The Indicators are:

1. The number of Incidents Monitored (in town area covered)
2. The number of Incidents Detected by the CCTV Operational Staff
3. The number of Arrests Monitored
4. The number of Arrests Initiated by the CCTV Operational Staff
5. The number of Incidents Resolved by use of the CCTV Cameras

Performance Indicators numbers 1 and 3 measure activity which is predominantly reactive, whilst indicators 2 and 4 measure proactive work.

A report describing the operation of the whole scheme will be presented to the Metropolitan Council annually and thereafter made available to all Local Authority Departments and the general public.

ANNEXURE 'B'

CODES OF PRACTICE FOR CCTV SURVEILLANCE CENTRES OF THE EKURHULENI METROPOLITAN MUNICIPALITY

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Codes of practice relating to the use of Public Space Closed Circuit Television Systems which are monitored by and/or directly linked to the Ekurhuleni Metropolitan Municipality Emergency Communications Centre

1. INTRODUCTION

This document should be read in conjunction with the following document:

The current Metro/City Policing Plan

2. DEFINITIONS

- 2.1 **CCTV Operator.** The person who is responsible for watching, controlling and recording the pictures produced by CCTV cameras.
- 2.2 **CCTV Partner.** The SAPS. with whom Ekurhuleni Metropolitan Council have a Legal agreement defining the operation of a Public CCTV system which is located within the local authority boundary.
- 2.3 **Council Monitoring Centre (CMC).** A monitoring centre or facility which is located on Council premises or under the direct control of the Ekurhuleni Metropolitan Council.
- 2.4 **Police Monitoring Centre (PMC).** A monitoring centre or facility which is located on S.A.P.S. premises or under the direct control of the S.A.P.S.
- 2.5 **Monitoring Centre (MC).** A monitoring centre or facility which is located on: a private premises i.e. security company or private individual.
- 2.6 **Public CCTV System.** An overt CCTV System. whose cameras are located, in prominent locations to which the public have unrestricted access, using Closed Circuit Television technology.

3. GENERAL PRINCIPLES

- 3.1 The purpose of the Ekurhuleni Metropolitan Council Public Space CCTV System is to enhance the safety of those who live, work, trade and visit Ekurhuleni Metropolitan Council particularly in the areas covered by the cameras. The scheme will also assist in the prevention, investigation and detection of crime, the apprehension and prosecution of offenders, the maintenance of public order and the reduction of vandalism. The CCTV System may also be used to support the statutory; obligations and duties of the local S.A.P.S., Metro/City Police, CCTV partner and to resolve complaints against Police Officers or others.
- 3.2 Ekurhuleni Metropolitan Council (Department Public Safety) support the individual's right of privacy and would expect that this is a paramount consideration of all agencies involved in a Public Space CCTV System. The community at large should be satisfied that there is responsible and accountable supervision of CCTV schemes in public places. These Codes of Practice will ensure that the scheme is operated fairly and within the law and operation

of the Ekurhuleni Metropolitan Council scheme is fully compliant with the requirements of the Protection of Information Act No. 84 of 1982 and other relevant legislation.

- 3.3 Ekurhuleni Metropolitan Council fully support the use of Public CCTV Systems, but the support is conditional upon there being appropriate local consultation involving local authorities, S.A.P.S., the business community and the public during the planning phase of any new scheme.
- 3.4 Ekurhuleni Metropolitan Council would insist on being involved at every stage of the development of any system which is not monitored directly by Ekurhuleni Metropolitan Council or linked to our communications system to effect synergy.
- 3.5 Ekurhuleni Metropolitan Council will set performance criteria for the quality of the recorded images produced by CCTV systems and would insist that these standards are maintained while Ekurhuleni Metropolitan Council continues in any way to monitor the pictures.
- 3.6 Failure to involve Ekurhuleni Metropolitan Council in the development of any system or failure to maintain the minimum standards may result in refusal to connect or severance from a CMC.
- 3.7 No sound facility should be provided with any Public CCTV System.
- 3.8 Ekurhuleni Metropolitan Council are responsible for the operation and management of the scheme. The Emergency Communication Centre Manager has responsibility for all aspects of the scheme that relate to the collection, processing and recording of personal video image data.

4. **CAMERA POSITIONING**

- 4.1 Maximum deterrent value will be achieved by having cameras clearly visible and the areas of coverage clearly indicated by the use of street mounted signs. Signs will be deployed on the main access routes into each area covered by a CCTV scheme and also at strategic locations within the designated area.
- 4.2 The siting of cameras will be a consequence of agreement between S.A.P.S., the local authority, chambers of trade and other public interest groups. A crime pattern analysis should be utilized to assist in the determination of the location of a camera or group of cameras. Cameras will be prominently situated in fixed positions, in areas to which the public have unrestricted access and within public view. No camera to be hidden or obscured and, as far as possible, all cameras should be out of risk of criminal damage.
- 4.3 Individuals or groups may appeal against the siting of a specific CCTV camera by writing to the Ekurhuleni Metropolitan Council Department Public Safety. Appeal is best made before the camera location decision is made and this is why the consultation process referred to in section 4.2 is vitally important.

5. **MONITORING**

- 5.1 Ekurhuleni Metropolitan Council Metro/City Police will respond where possible to information provided which requires police action.

- 5.2 Ekurhuleni Metropolitan Council clearly cannot guarantee that all offences will be detected even when a CCTV picture of suspect(s) is available. Equally Metropolitan Council cannot guarantee that where an offence has occurred that CCTV pictures of that offence will, be available. Consequently Ekurhuleni Metropolitan Council is unable to accept liability for any loss, damage, or injury that occurs within the areas that are monitored.
- 5.3 Any Public CCTV system will not be used to obtain taped evidence to prosecute minor street offences unless accompanied by a more serious offence or unless it is of a nature which causes public danger or nuisance.
- 5.4 The use of a Public CCTV system to obtain taped evidence in relation to other non-serious offences will be guided by the Metro/City policing plan. police priorities. guidance and other public interest considerations.
- 5.5 Where monitoring is not directly controlled by Ekurhuleni Metropolitan Council (e.g. at a PMC) it should be accepted that CCTV could form part of police priorities in response to incidents that are pre-planned.
- 5.6 Except where used for training or demonstration there shall be no public view of the monitors. Furthermore. images of areas in which individuals would have an expectation of privacy will not be made available for these purposes nor will they be viewed by non-authorized persons.
- 5.7 Except for wide angle or long distance shots, views into residential premises. office. accommodation and other 'private' areas will be excluded from the field of vision. CCTV Operators are trained to recognize the privacy implications of viewing such areas and would only do so when a serious crime is being committed or they have reason to believe a serious crime is being committed.
- 5.8 Individuals who have concerns over any potential intrusion of their privacy may request a review of camera operations by writing to the Ekurhuleni Metropolitan Council CCTV Manager.

6. **GENERAL TAPE RECORDED MATERIAL**

- 6.1 Tape recorded material will be divided into general and evidential.
- 6.2 General tape recorded material will be retained for 23 days then the material will be erased or the tape destroyed. Each tape will be identified by a unique sequential number. Sufficient stocks will be held to replace all tapes taken for evidential purposes and only tapes approved by the Police Scientific Development Branch will be used.
- 6.3 Each general tape will be marked each time it is used in the system. General tape will be recycled a maximum of 10 times and then erased before being destroyed (See 7.6)
- 6.4 All captions inserted on to camera images, such as camera location, time and date will be kept accurate by the appointed CCTV Maintenance Contractor, who is responsible to the CCTV Manager. The source of the time information will be the Caesium clock transmissions from Telecommunication Regulator.

- 6.5 There should be no public access to taped material except where the applicant is 2 victim, complainant or suspect, involved in a criminal offence recorded by the tapes Access must be strictly controlled and supervised. (See 6.7 below)
- 6.5.1 Members of the general public may apply to view a recording made of themselves by writing to the Ekurhuleni Metropolitan Council: Public Safety : Emergency Communication Centre Manager. Information will be provided outlining the information the applicant will need to provide to enable the images to be located and identified.
- 6.6 A reasonable fee will be charged to cover costs for searching and copying tapes hi the circumstance listed at section 6.5, except for access as defined in section 6.8; Individuals requesting access to taped material, as set out in section 6.5.1, will be charged an administration fee.
- 6.7 Viewing of images, when granted to members of the public under the provisions of the Data Protection Act 1998, will take place in a separate and restricted room to ensure confidentiality. Only the person requesting access to the material and the CCTV Manager, or a designated member of staff, will be present. Facilities are available at Alberton and Kempton Park and Edenvale.
- 6.8 The SAPS may apply for access to taped material to carry out heir statutory functions and any other legal interests.
- 6.9 In criminal cases, access to taped material must adhere fully to the Police and Criminal Evidence Act and Associated Codes of Practice, i.e. docket or case number.
- 6.10 Taped material will on occasions be used for training or demonstration purposes, subject to the limitations set out in section 5.6

7. **EVIDENTIAL TAPE RECORDED MATERIAL**

- 7.1 As soon as a becomes apparent that any tape may have material or evidential value then it must he removed from the general system and stored in a separate secure store under the control of Ekurhuleni Metropolitan Council. It should he clearly and uniquely labeled, sealed in a bag and treated as evidence.
- 7.2 Evidential tapes shall be subject to the Ekurhuleni Metropolitan Council existing regulations on evidential material.. Existing procedures will be used to document the viewing or movement of tapes:- If it is necessary to break the seal this should be fully documented and the seal renewed.
- 7.3 Where any tape which may contain evidence is the property of a MC. it should be removed from their general system and sealed. The S.A.P.S. should be contacted without delay and arrangements made for S.A.P.S. to take possession of and retain the tape.
- 7.4 If it is necessary to produce copies of an evidential tape a register should be kept stating exactly how many copies have been made and who has possession of them. Copies will only be made for evidential purposes and only police officers. defense solicitors and other prosecuting authorities will be given access to these copies.

- 7.5 Where the taped material relates to a criminal offence and publication via the Media including television is desirable to identify witnesses or suspects, this will require the authority of the Area Commander.
- 7.6 It is essential that recordings of old tapes, or copies taken from evidential tapes, do not pass into public circulation. All copy tapes will be returned to the CMC that produced them once they are no longer required. No tape within the possession of S.A.P.S. or Ekurhuleni Metropolitan Council will be disposed of without being magnetically erased (degaussed).
- 7.7 Media access to CCTV recorded material and prints will only be given in strictly controlled circumstances. There will be no release of CCTV material or prints where, in the opinion of the Ekurhuleni Metropolitan Council or the S.A.P.S., considerations of commercial gain or entertainment appear to outweigh those of public service.
- 7.8 The copyright of all general and evidential taped material remains the property of Ekurhuleni Metropolitan Council.

8. EVALUATION

- 8.1 The CCTV Observers will keep a record of all arrests and notable incidents that have been assisted by the use of the Public CCTV System. These details should also be included by the Emergency Communication Centre Controller on the relevant incident serial.
- 8.2 A statistical report will be produced annually and will include the numbers of arrests and notable incidents by date and type that have been assisted by the Public CCTV System.
- 8.3 The report should also include a cost benefit analysis of the Public CCTV System and the number and type of complaints that have been attributed to the Public CCTV System, together with an analysis of the technical performance of the system.
- 8.4 Statistical analysis will be carried out by Ekurhuleni Metropolitan Council on crime and incident trends and particularly on how it appears that the introduction of any Public CCTV System has affected neighbouring areas.
- 8.5 Reports will be made available to S.A.P.S., the relevant local authorities and to the local police/community consultative group.
- 8.6 Any complaints regarding the operation of the CCTV System should be forwarded in writing to Ekurhuleni Metropolitan Council.