



Office of the Information Commissioner
Queensland

Information Privacy and Camera Surveillance Survey 2015

Local Government Sector Survey Report

Queensland local government sector responses and comparative analysis
with 2011 results

All data and information in this document are believed to be accurate and have come from sources believed to be reliable. Upon completion of the survey, consistency checks, data cleaning and editing were carried out. Where the resolution of an issue was not immediately apparent, agencies were contacted to clarify their responses. While this process resolved nearly all of the data issues, some minor issues were still not able to be resolved. Accordingly, the Office of the Information Commissioner cannot guarantee or represent that the data and information are accurate, up to date or complete, and disclaims liability for all claims, losses, damages or costs of whatever nature and however occurring or arising as a result of relying on the data and information, regardless of the form of action, whether in contract, tort (including negligence), breach of statutory duty or otherwise.

The OIC wishes to thank all responding agencies for their co-operation.



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1 Overview

Over one third of the cameras operated by Queensland government agencies were operated by local governments.

Proportion of agency fixed surveillance cameras operated by local governments

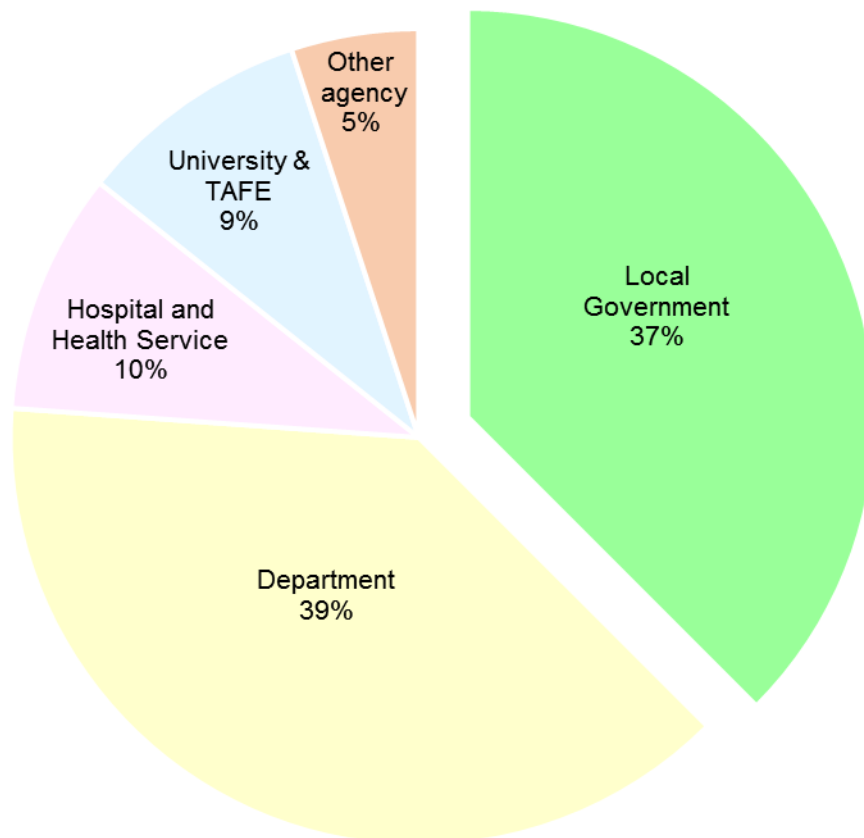


Chart LG 1 Proportion of fixed surveillance cameras operated by local governments

Local governments included fewer privacy elements in their policies and procedures governing the operation of surveillance camera systems than other agencies overall. Local governments tended to report either implementing a high number of privacy elements, 13 or more, or a low number of privacy elements, seven or fewer. Like agencies overall, local governments with larger fixed surveillance camera deployments were more likely to have implemented a higher number of privacy elements in their policies and procedures.

Local governments implemented fewer methods to manage access to fixed surveillance footage than other agency types.

The majority of local governments informed the community about the camera surveillance, and in common with all agencies, local governments could have made better use of their websites to provide information about camera surveillance.

Improvement in local governments' adoption of the privacy principles in camera surveillance has a greater potential impact on the community than for other sectors:

- more local governments operated fixed surveillance cameras than any other government sector (40.5% of all agencies reporting operating fixed surveillance cameras)
- the local government sector had the lowest level of implementation of privacy elements in their policies and procedures; and
- the local government sector had the greatest reported disclosure of camera surveillance footage.

Given these factors, improvements in local governmental practices regarding adoption of the privacy principles would have a big impact for the community in ensuring that the operation of camera surveillance, including providing access to footage, respected and protected individual privacy.

2 Surveillance camera deployment

54 Queensland local governments responded to the survey in 2015 out of 77 local governments in total (70.1%).¹ The majority of these local governments (83.3%) reported operating fixed surveillance cameras in 2015 (45 local governments).²

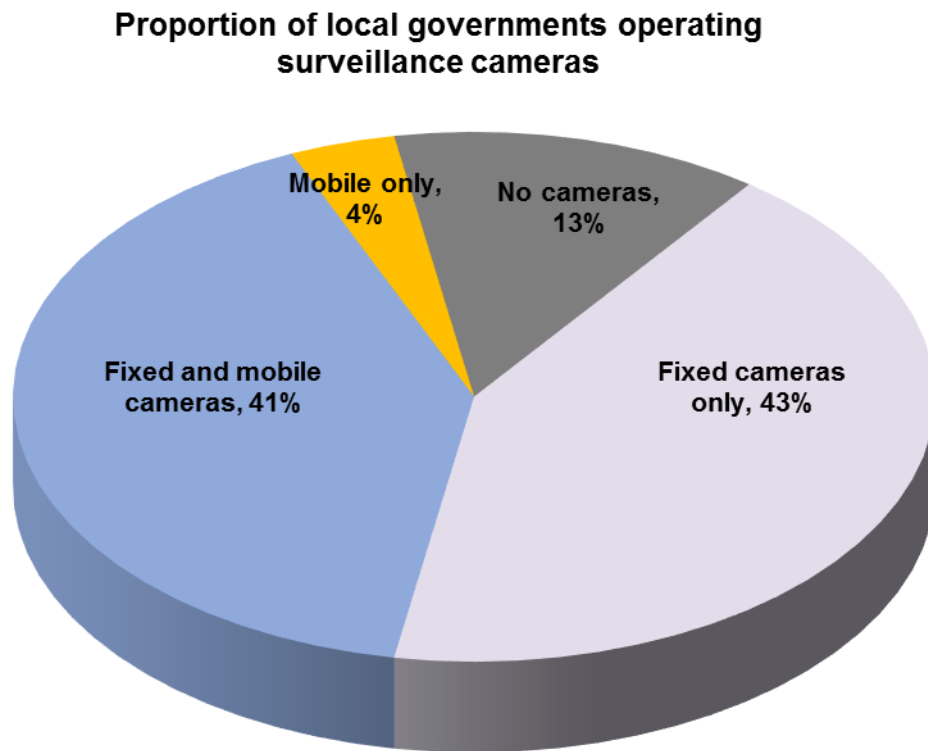


Chart LG 2 Proportion of responding local governments which operated fixed and mobile surveillance cameras

¹ The local government sector had the lowest response rate of all the sectors in the 2015 survey.

² Note that the local governments that responded to the survey represented a (not necessarily random) subset of all local governments. For example, local governments that were less compliant with the IP Act or did not operate camera surveillance may not have responded to the survey.

3 Number of cameras

Queensland local governments reported operating over 12,000 fixed surveillance cameras in 2015, which was over a third of all fixed surveillance cameras operated by Queensland government agencies in 2015.

Proportion of all fixed surveillance cameras operated by local governments

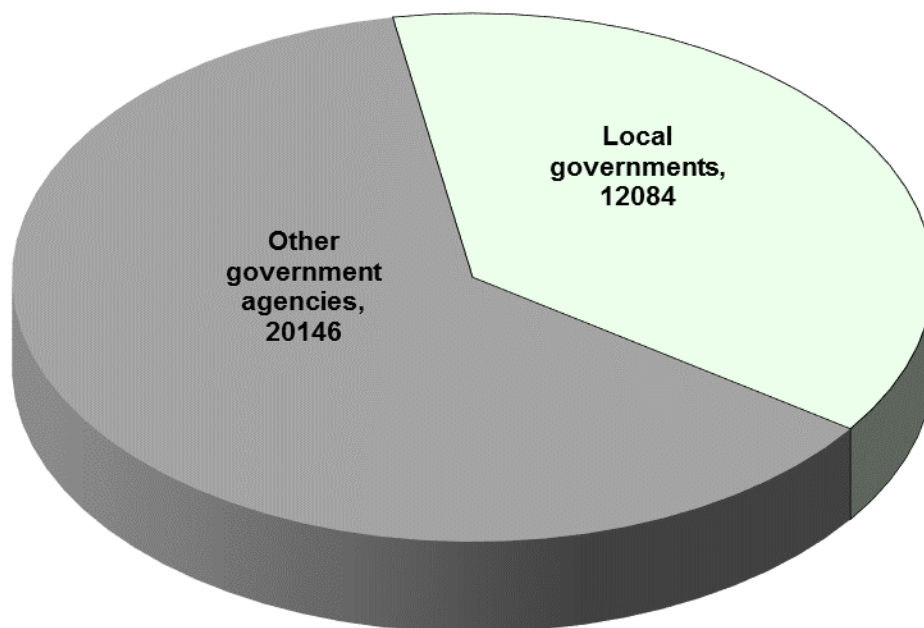


Chart LG 3 Proportion of all fixed surveillance cameras operated by local governments

Four local governments, which accounted for a tenth of the number of local governments with cameras, accounted for the majority of all fixed surveillance cameras (81.4%) operated by the sector. These four local governments operated over 500 fixed surveillance cameras each. The eight local governments with the next largest deployments operated between 100 and 300 fixed surveillance cameras each, and operated one in eight fixed surveillance cameras in the sector. The majority of local governments with fixed surveillance cameras (70.7%) operated between 2 and 90 cameras each and accounted for only 6.1% of all fixed surveillance cameras operated by local governments. Four local governments reported operating fixed surveillance cameras and did not report the total number of fixed surveillance cameras operated.

The local government sector accounted for the majority of the increase in the number of fixed surveillance cameras across Queensland government agencies (71.1%). The number of

cameras operated by the local governmental sector in 2015 had increased by 234.8% from 2011-12 (8,475 cameras).³

Local governments were less likely than other government agencies to operate larger fixed surveillance camera deployments, with half of local governments with fixed camera surveillance operating under 30 cameras. The local government sector showed an increase though in the number of councils operating higher numbers of cameras from 2011-12.

4 Placement of surveillance cameras

More local governments reported monitoring at each of the identified location types than in 2011-12. Local governments reported that over a thousand fixed surveillance cameras were used to monitor each location type of pedestrian traffic, public transport conveyances, within administrative buildings and the exterior of a building or other property asset. Local governments also reported almost 900 fixed surveillance cameras monitoring other areas which included parks, recreation facilities, public spaces, for illegal dumping, landfill/transfer stations, depots, airports, flood cameras etc. Local governments on average used slightly fewer cameras to monitor each location type than government agencies overall, except for public transport conveyances.

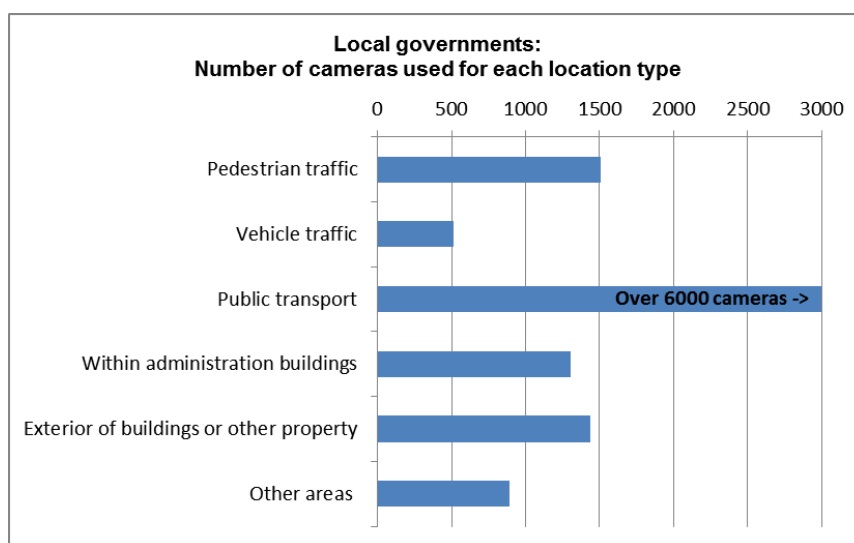


Chart LG 4 Number of cameras used by local governments for each identified location type. Note some cameras monitored multiple location types.⁴

Surveillance camera capture of footage of residential property

³ One local government accounted for a significant proportion of the increased fixed surveillance camera deployment in the local government sector. When this local government was excluded from the calculations the local government sector increased slightly more than the combined university and TAFE and other agency sectors.

⁴ Note that a single local government reported over 6,500 cameras used to monitor public transport conveyances alone.

Eight local governments reported capture of footage of residential property with their camera surveillance system which was more than the other government sectors combined. Of these, seven local governments which could capture footage of residential property had a policy, process or mechanism for dealing with the privacy consequences of the capture of footage of residential property.

Implementation of policies and procedures

Local governments reported less inclusion of each of the privacy elements in their policies and procedures governing the operation of surveillance camera systems than agencies overall. Like agencies overall, local governments with larger fixed surveillance camera deployments were more likely to have implemented a higher number of privacy elements in their policies and procedures.

Very few of the local governments reported implementing a moderate number of privacy elements in policies. Almost all local governments reported either implementing a high number of privacy elements, (13 or more), or a low number of privacy elements, (seven or fewer). Almost half of the local governments had implemented seven or fewer of the identified privacy elements in policies and procedures out of the 16 specified. 44.4% of local governments had implemented 13 or more of the identified privacy elements in their policies and procedures (this increased to two thirds of local governments with over 100 fixed surveillance cameras). Only three local governments reported implementing between eight and 12 of the identified privacy elements in their policies and procedures.

In terms of the extent of implementation, local governments reported there was still significant room for improvement in adopting each of the privacy elements across the sector. Most of the privacy elements (11 of the 16 identified privacy elements) were implemented in full by only a third or fewer of local governments with camera surveillance. None of the privacy elements were reported as being implemented in full by more than 45.5% of the local governments operating camera surveillance.

Local governments reported a similarly low level of staff training in 2015 compared to 2011, with just over a quarter of local governments reporting full implementation of training for staff in surveillance camera system policies and procedures across the agency in 2015. 24 local governments (54.5%) reported that they don't currently provide any training to staff in fixed surveillance camera system policies and procedures (beyond provision of operating manuals).

The survey identified that there was still significant room for improvement in this area.

5 Reasons for implementing surveillance cameras

In common with agencies overall, local governments identified public and staff safety; property protection; crime prevention, investigation and enforcement; and increasing the public perception of safety as the most common purposes for installing fixed camera surveillance systems. Local governments were more likely to identify crime investigation and enforcement and public demand or expectation than government agencies overall. Local governments were less likely to identify improving capacity to respond to issues and other reasons than government agencies overall.

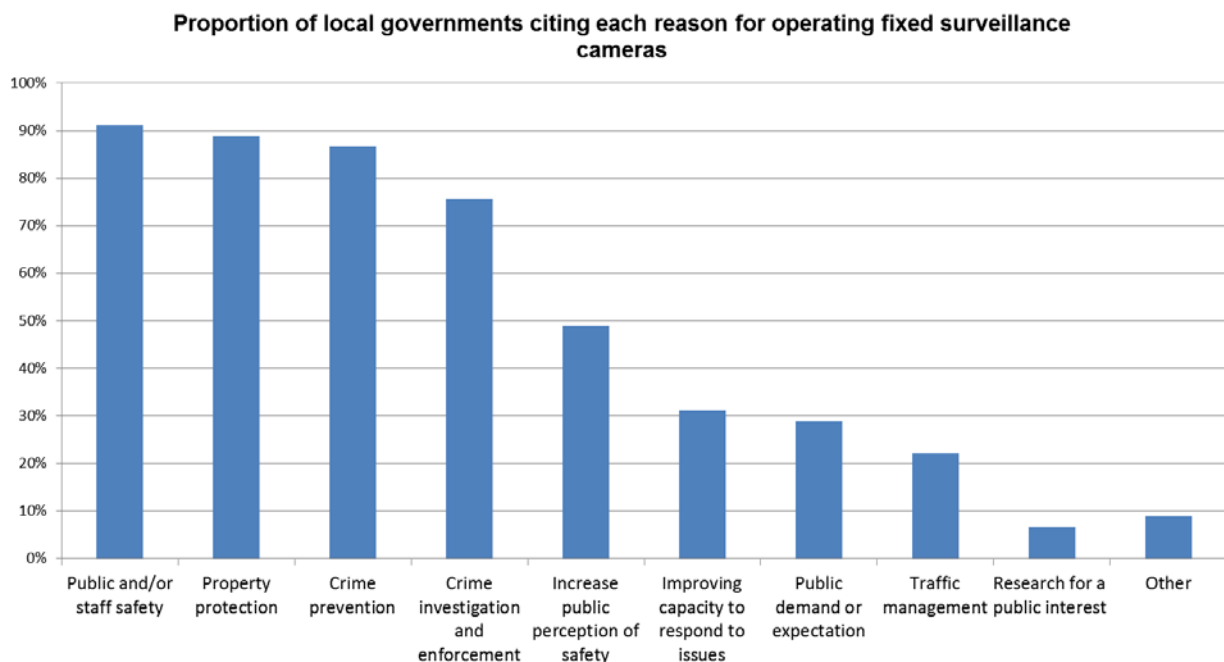


Chart LG 5 Proportion of local governments citing each reason for operating fixed surveillance cameras

The majority of responding local governments (37) reported relying on at least one item of information or evidence to support the introduction of their surveillance camera systems. Local governments were most likely to have relied on research into the effectiveness of surveillance systems, evaluations of existing surveillance cameras and 'other information or evidence'. The comments suggested that the other evidence used by local governments to support the introduction of camera surveillance included special circumstances of crime considerations, police and community consultation, State grants, security review and historical information. Only one local government had completed a privacy impact assessment to support the introduction of their surveillance camera system.

6 Making information on surveillance cameras publicly available

Over four fifths of local governments operating camera surveillance systems stated they actively informed the community about the surveillance, which was similar to agencies overall. The local government sector showed a significant improvement in the level to which they actively informed the public about their camera surveillance from the 2011 survey.

The communication methods that local governments were most likely to use were a notice in the general area where cameras were used (76.3% of local governments providing information to the community) and providing a notice in the immediate vicinity of each camera (60.5%). Other methods of informing the community that were used by local governments were providing information in a publicly accessible document (34.2%), on individual request (23.7%) and by other means (18.4%). 14 local governments reported they provided information to the public about the process whereby people could seek to access footage, and the website scan confirmed this information was provided on 18 local governmental websites.

15 local governments had information about the local government's management of camera surveillance which was easy to find on their website. 12 additional local governments had information on the local government's management of camera surveillance on the website, but it was difficult to find or a search was required to locate the information. Only 13 local governments included camera surveillance footage in their lists of personal information holdings on their websites.

13 local governments stated that they provided information on their camera surveillance system in a publicly available document. 12 local governments had an identified policy or procedure published on their website for managing camera surveillance. The level of information provided in the policies varied between eight providing detailed information on protecting camera surveillance footage against unauthorised access and seven against disclose to only five providing detailed information on protecting against loss, modification or other misuse. Local government policies and procedures were most likely to address use and disclosure of camera surveillance footage with regards to health and safety; when the individual was aware the agency usually disclosed the information; law enforcement; uses which are directly related to the original purpose; and when authorised or required under a law. Local government policies and procedures were least likely to address use and disclosure for marketing, research or statistical analysis; or with consent.

7 Data storage and security of footage

The majority of responding local governments stored at least some camera surveillance footage themselves. Four local governments with fixed camera surveillance systems did not manage access to their camera surveillance footage or did not know how access was managed. In addition local governments reported implementing fewer methods to manage access to fixed surveillance footage than other agency sectors.

The majority of local governments reported storing at least some of their camera surveillance footage in their own facilities. Eight local governments stored camera surveillance footage in another government agency's facilities, primarily Queensland Police Service facilities.⁵ Two local governments stored the footage directly on the surveillance cameras. In four cases, some of the footage was not retained anywhere or the council did not know where it was stored.

Local governments reported being most likely to manage access to surveillance camera footage through limiting authorised access to specific individuals and storing footage under password protection. Other methods used were using having physical security measures such as locked storage, documented security procedures for access by external entities, and ensuring access to footage is documented (between a third and half of responding councils). Local governments as a sector were less likely to report implementing these measures than other agency sectors overall.

Eight local governments subjected footage to data encryption and four adopted a different method to manage access. Seven local governments did not manage footage formally or reported not knowing how the access to the footage was managed.

⁵ Seven local governments reported storing the footage in another government agency's facilities and one in an 'other' facility where the comment identified that it was a Queensland Police Service facility.

8 Disclosure of camera surveillance footage

Over three quarters of local governments which operated surveillance cameras had received a request for access to the footage.

While local governments operated less than 40% of all fixed surveillance cameras, local governments accounted for over 60% of all access requests reported in the last 12 months, a total of over 2,500 requests across 25 local governments. Around half of these requests were directed to two local governments.

Half of local governments reported having documented policies and procedures as to how an individual could seek access to footage containing images of them, and over half had documented policies and procedures for staff as to how to review footage and extract relevant material in response to a request for footage.

14 local governments reported having publicly available information as to the process whereby people could seek access to footage. The website scan found this information on the website of 18 local governments.

Over half of local governments had an administrative arrangement with another entity concerning access to camera surveillance footage. All of these local governments reported having an administrative arrangement with another government agency, primarily the Queensland Police Service, and two had an administrative arrangement with another organisation. The majority of local governments with an administrative arrangement had access occur according to a formal written agreement or procedure (92.6%) and used a standardised request form (88.9%).

9 Private sector contractors

A quarter of local governments reported that their camera surveillance system was operated in full or part by a private sector contractor in 2015. This is a significant decrease from 2011 when local government was the sector which was mostly likely to have its system operated in full or part by a private sector contractor (42.9%). Nine of these eleven local governments reported that the contract for operating the surveillance camera system was entered into from 1 July 2010. All but one of these had bound the contractor to compliance with the privacy principles in the IP Act and many (half to three quarters) had continued to explicitly include each of the identified privacy items in the contract.

10 Mobile surveillance cameras

Half of responding Queensland local governments reported operating mobile surveillance cameras. Local governments were more likely to operate mobile surveillance cameras than any other sector.

Local governments operated at least 586 mobile surveillance cameras, which was 40.2% of all mobile cameras reported by Queensland government agencies.⁶ 24 local governments operated a mix of temporary cameras, body-worn cameras, vehicle mounted, unmanned aerial vehicles and mobile cameras in other areas. Over half of these mobile cameras were vehicle mounted cameras (315) with around a quarter being temporary cameras which are short-term fixed cameras or cameras operated from parked vehicles (155 cameras).

Local governments with mobile camera systems reported being much less likely to have separate or specific policies and procedures for mobile camera operations than government agencies overall.

Local governments reported crime investigation and enforcement, crime prevention and property protection were the most common reason for having mobile camera surveillance systems with local governments reporting multiple other additional reasons.

Only five local governments reported making information on the agency's use of mobile cameras publicly available.

⁶ Four local governments stated that they operated mobile surveillance cameras and did not report the number of mobile cameras operated.