CCTV Footage Information Request

The information you provide on this form will be used for the purpose of considering and actioning your request for CCTV footage. The information will be treated in accordance with the privacy obligations in the *Information Privacy Act 2009.*

**Requesting Officer (see later note):**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Name |  | | Rank |  | | Registered No. | |  |
| Region |  | | District |  | | Station | |  |
| Email |  | | Phone |  | | Fax | |  |
| Requesting Officer Signature | |  | | | Date | |  | |

**Commissioned Officer (see later note):**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Name |  | | Rank |  | | Registered No. | |  |
| Region |  | | District |  | | Station | |  |
| Commissioned Officer Signature | |  | | | Date | |  | |

**Requested footage and reason for request:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date of incident: | / / | | | |
| Time of incident: | At / between | **hrs** | and | **hrs** |
| Location of incident: |  | | | |
| Reason why footage is requested (see notes below and later) |  | | | |
| The IP Act provides that personal information must not be disclosed outside an agency unless one of the permitted exceptions applies. [Health Agency] will assess on a case-by-case basis whether an exception applies to this request. [Health Agency] may disclose personal information if it is satisfied on reasonable grounds that the disclosure of information is necessary for use by the requesting agency under NPP 2(1)(d) or NPP 2(1)(g). The requesting agency should provide sufficient information to enable [Health Agency] to undertake this assessment.  **Record of disclosure**: In accordance with NPP 2(2), if [Health Agency] discloses personal information under NPP 2(1)(g), a note of this disclosure will be included with the footage. | | | | |

**Internal use only**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Authorisation** | | | | | |
| Date request received: | / / | Received by: | |  | |
| Approved for release: | Yes / No | | | | |
| Name of authorising officer: |  | | | | |
| Signature |  | | Date: | |  |
| **Record of receipt** | | | | | |
| Received by: |  | | | | |
| Signature |  | | Date: | |  |

**Notes for requesting agencies**

1. This form has been primarily designed for the use by Queensland Police Service (QPS) for their ‘law enforcement activities’ or where QPS seeks the information in order to safeguard the health, safety and well-being of a member of the public – for example: to assist in the location of a missing person.
2. Some of the information sought for QPS requests may not be appropriate; for example – not all requests would come from QPS officers attached to a particular station. Agencies may wish to provide the information that while some fields may be mandatory, others may be optional.
3. This form should also be used by agencies other than QPS, who seek access to CCTV footage for these purposes. These agencies should fill out the information sought in the ‘Requesting Officer’ and ‘Commissioned Officer’ appropriate to the organisational structures in their agency.
4. The exceptions in NPP 2(1)(d) or NPP 2(1)(g) provide a defence for [Health Agency] for a claim of breach of privacy by individuals whose personal information is contained in the requested footage. It is in the best interests of all parties that the requirements in the exception be satisfied.
5. The information in the request form must be sufficient to satisfy the provisions of NPP 2(1)(d) or NPP 2(1)(g) and enable [Health Agency] to make an informed decision whether to disclose the requested footage. However, the provided information should not compromise the operational integrity of the law enforcement investigation and nor should it identify persons who are subject of the request.
6. For examples,
   1. it would be sufficient to state ‘to identify witnesses for investigations into a sexual assault which occurred on a bus on the afternoon of 5 December 2020 but inappropriate to mention intimate details of the victim or identifying information for the individuals.
   2. It would not be sufficient to state, ‘investigation into property offence’; however, ‘conducting enquiries to identify the driver of a vehicle involved in a ‘hit-and-run’ incident on 5 December 2020 in the parking station at [Hospital]’ would be sufficient.
   3. For requests related to court or tribunal proceedings it would not be sufficient to state ‘for a court proceeding’; however, ‘for the prosecution in the Magistrate’s Court on 30 June 2021 for a hit and run offence that occurred on 5 December 2020 in parking station at [Hospital]’ is appropriate.’
   4. For missing persons requests, ‘concerns over a missing person’ is insufficient however ‘concerns for the safely of a missing 10 years old child’ (refer to known vulnerabilities in Chapter 12 of the Operational Procedures Manual and the missing person risk assessment process) is appropriate.
7. For QPS, for matters rated as ‘Highly Protected’ - contact is to be made with the Detective Chief Superintendent, State Crime Operations Command (telephone 07 3364 6168) and an approach will be made to the [Position], [Health Agency] to engage in negotiations to ensure the security of the information is protected but that sufficient security protocols and processes exists for the agency to make a decision to release personal information.

1. The request must be signed by a Commissioned Officer or equivalent.

1. The completed form can be submitted to:

Workgroup/business unit

Health Agency name

Postal address

Email address

Fax number

**NPP 2—Limits on use or disclosure of personal information**

(1) A health agency must not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection unless—

…

(d) the health agency reasonably believes that the use or disclosure is necessary to lessen or prevent a serious threat to an individual’s life, health, safety or welfare or a serious threat to public health, safety or welfare; or

…

(g) the health agency reasonably believes that the use or disclosure is reasonably necessary for 1 or more of the following by or for an enforcement body—

(i) the prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of laws imposing penalties or sanctions;

(ii) the enforcement of laws relating to the confiscation of the proceeds of crime;

(iii) the protection of the public revenue;

(iv) the prevention, detection, investigation or remedying of seriously improper conduct;

(v) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.’

*Notes—*

1 It is not intended to deter a health agency from lawfully cooperating with agencies performing law enforcement functions in the performance of their functions.

2 Subsection (1) does not override any existing legal obligations not to disclose personal information (for example, *Hospital and Health Boards Act 2011*, section 142). Nothing in subsection (1) requires a health agency to disclose personal information. A health agency is always entitled not to disclose personal information in the absence of a legal obligation to disclose it.

3 A health agency is also subject to the requirements of chapter 2, part 3 if it transfers personal information to an entity outside Australia.