



## **LONDON BOROUGH OF BROMLEY CCTV SYSTEM**

### **CODE OF PRACTICE**

#### **INTRODUCTION**

The London Borough of Bromley has installed closed circuit television in Bromley, Orpington and Beckenham town centres with the central control room located at the Civic Offices in Bromley.

Whilst the system is owned and managed by Bromley Council the control room is staffed by representatives from private contractors employed by the Council.

CCTV monitors have been set up at Metcall Lambeth and Bromley Police Station which enable the Police to be alerted to any specific incidents considered by the operators to require Police intervention or investigation. Facilities exist for the transmission of radio messages and CCTV images between the Control Room and Metcall Lambeth and Bromley Police Station.

The purpose of the system is to assist in the prevention and detection of crime and public order offences and to assist in the control of traffic.

This Code of Practice has been agreed with the Police.

#### **Legislative Background**

The Human Rights Act requires the Council, and organisations working on its behalf, to have respect for the private and family life of citizens. However, in rare cases, it may be necessary for the Council to act covertly in ways that could interfere with an individual's rights.

The Regulation of Investigatory Powers Act 2000 ('the Act') provides a mechanism for authorising covert surveillance and the use of a "covert human intelligence source" ('CHIS' - e.g. undercover agents).

It aims to ensure that any interference with individual's privacy is necessary and proportionate, and that both the public interest and the human rights of individuals are protected.

It also provides a mechanism for Council staff to access limited information from telecommunications companies which are covered by separate, similar procedures.

It is important to note that the legislation does not just affect directly employed Council staff. All external agencies working for Bromley Council automatically become a public body under the Act for the time they are working for the Council. It is essential therefore that all external agencies comply with RIPA too, and that work carried out by agencies on the Council's behalf be properly authorised by one of the Council's designated authorising officers.

If the correct procedures are not followed the consequences can be serious. The evidence obtained may be ruled inadmissible. If Officers are found to have acted in bad faith, a trial may be stopped as an abuse of process (*R v Sutherland 2002* – Police Officers were found to have acted in bad faith in covertly recording conversations in the exercise yard between defendants and their solicitors). A complaint of maladministration might be made to the Ombudsman. The Council could be made the subject of an adverse report to the Surveillance Commissioner. A claim could be made leading to the payment of compensation by the Council. In any of these circumstances the Council is likely to receive adverse publicity.

## **DESCRIPTION**

The system consists of a large number of complex colour cameras designed to provide sufficient detail to assist the Police in reaching their objectives of detecting and preventing crime by providing evidence for use in court proceedings.

The system operates 24 hours a day 365 days of the year.

A written log will be kept of all visitors to the premises.

The Borough Intelligence Unit at Bromley Police Station deal with the requirements of the police in regard to the operation of the system and acts as the CCTV liaison co-ordinator. The Council officer responsible for the system is John Dell, CCTV Manager.

Regular meetings will take place between the liaison officer and the council officers and their respective staff to ensure that the objectives of the system are being met whilst at the same time recognising the need to avoid undue interference in the public's right to privacy.

Control Room Operators are all SIA Licensed and trained to be observant and to operate their cameras to follow and record any suspicious or criminal incident. Direct video/audio links between the council and police control rooms, enable the police to direct the operation of the cameras by the control room staff.

Where the operators and/or police consider that the images from any camera(s) should be recorded for the purposes of potential criminal proceedings the handling of the original recording and any copies made thereof will be carefully monitored and controlled and will comply with the Freedom of Information Act 2000, Data Protection Act 1984, Regulation of Investigatory Powers Act 2000 (RIPPA) and all other relevant statutory provisions.

Subject to the following provisions access to the digital recordings must adhere fully with the Police and Criminal Evidence Act 1984 (PACE) and associated codes of practice.

When required to do so, digital recordings will be released to the media or used for training or demonstration purposes where the Council considers it is in the public interest, either on the grounds of crime prevention or detection or for the provision of public information or education. Any material used for such purposes will be issued on the basis that the edited copy of the digital images to be used is approved by the Council prior to its release.

As soon as it becomes apparent to the Council that any digital recording may have material which is of evidential value, it will remain stored in the control room equipment room on hard drives and will only be accessed from the general system when it is to be viewed or seized by police. The viewing or downloading of digital recordings will be in accordance with Home Office guidelines, P.A.C.E. and any other statutory provisions which may be relevant from time to time.

Any digital recording which the police or other enforcement agency consider to have some evidential value will be made available for viewing within the CCTV Unit. If digital material is then required to be seized as evidence by the officer in the case, it will be downloaded from the system onto a DVD disc and handed to the officer in the case. The first copy being accepted as the master copy. That officer is then required to deal with that disc in accordance with the guidelines on dealing with evidence and ensure the integrity of that exhibit. Once removed from the Council premises, it becomes the police/enforcement agencies officer's responsibility.

If it is necessary to produce copies of digital recordings which may prove to be of evidential value in legal proceedings, a register will be kept stating exactly how many copies have been made and who has possession of them. Copies will only be made on request from the police/enforcement agency and/or solicitors where the digital recording is likely to be used for evidential purposes in a court of law in legal proceedings.

Where the digital recording relates to a potential criminal offence or incident and publication via the media, including television, is desirable to identify witnesses or suspects or assist in police enquiries, permission from a local officer of the rank of Superintendent or above will be required prior to the release of the digital recording for use in such circumstances and for such purpose.

Any DVD disc within the possession of the Council or the Police will be broken up or shredded once its purpose as evidence in court proceedings ends.

Photographs will only be taken from the digital system or from real time video of the incidents, using the printer attached to the system within the Control Room, to assist in identifying individuals involved in criminal activity or incidents.

Revised April 2012

John Dell

CCTV Manager



**LONDON BOROUGH OF BROMLEY**

**TOWN CENTRES**

**CLOSED CIRCUIT TELEVISION**

**SURVEILLANCE SYSTEM**

**CODE OF PRACTICE**

**PROCEDURE MANUAL**

## 1. BUILDING ADMINISTRATION

### 1.1 Civic Centre

The Control Room operation at the Civic Centre will provide a vital function in the overall efficiency and efforts to achieve the objectives of the CCTV system. It will require dedication and commitment by all concerned.

There will be 24-hour controlled operator surveillance 365 days of the year.

### 1.2 Security of Offices/Control Room/Viewing Room

The Control Room is under the overall control of the Chief Executive and under the day to day control of the contractor engaged by the Council to monitor its CCTV system.

The CCTV Control Room will be locked and secured at all times.

Only the following persons are entitled to be admitted into the Control Room:-

- a. The CCTV duty operators and their authorised managers.
- b. Authorised management staff from the Council.
- c. Police Officers visiting the control room viewing station for the purpose of reviewing digital recordings and seizing evidence. Police visit the control room by giving prior notice to the control room Operations Manager/CCTV Manager. Save where exceptional circumstances permit; it is accepted practice that police give prior notice of their arrival on site for all purposes including training. If the police have cause to arrive unexpectedly, the purpose of the visit will first be explained to the CCTV Manager/Operations Manager.
- d. Although police officers are able to enter the control room at any time of the day or night, it is established with the CCTV Manager, that unless the activity is extremely serious and in the interest of public safety in which case they will visit at any time day or night, in normal circumstances they will visit the control room between 9am and 5pm when there are a number of operators available to attend to their enquiry.
- e. Other - In the event of any other caller requesting access to the control room, the CCTV Operators shall **NOT** admit them without the express consent of the CCTV Manager.

The visitor's logbook shall be noted as to the identity of the visitor and the time of their admission and departure. This includes visiting police officers whether by appointment or not and Council Officers who do not work within the control room complex and any persons who may have cause to enter the control room.

Access to the stored digital recordings may only be gained by the CCTV Manager, Operations Manager, Duty Operators and Officers from the Police

Viido Unit. The control room is constantly manned and the equipment room where the digital images are stored is under twenty-four hour surveillance. There is no storage facility on the recording system for keeping a library of digital recordings that may be required by the police or other agency in the future.

### 1.5 Viewing Room

There will be a separate viewing room at Bromley Police Station where the Police and Defence Solicitors, with their clients can view copies of any digital recording considered as admissible evidence in any criminal proceedings. There will also be a viewing area at the CCTV Control Room, which may be used by the Police. Control Room staff shall note in the visitors log the identity of the person(s) wishing to view the digital recordings, the date and time when the viewing took place.

## 2. **CONTROL ROOM ADMINISTRATION AND PROCEDURES – GENERAL**

### 2.1 Control Room Administration

There must always be at least one controller present within the Control Room throughout the 24 hour surveillance operation. Brief details of incidents which involved the operators using the system to observe, monitor and record for evidential purposes are recorded in the Occurrence Log. This is a written account made by an individual operator of what they have observed during that shift and any action they took i.e., noted descriptions, radio calls, passing information to the police, retailers etc. together with action taken and results noted. The identity of telephone callers to the control room should always be established and noted in the occurrence log.

A Visitors log will be maintained within the Control Room at all times relating to all visitors to the control room. All visitors should be requested to complete the Visitors book in the interests of Health and Safety requirements.

There may be instances where the police or the council require the operators to review digital recordings. This is acceptable and within the remit of the operators role but should be suspended if operational incidents occur that require action. The viewing of digital recordings can be very time consuming. If there was a serious incident or a crime being committed, or simply it was too busy in the Control Room, the operator might have to leave the review station and return to their operator position to resume monitoring the CCTV system.

Other administrative functions will include filing, retaining photographic file, maintaining occurrence logs, monitoring incoming faxes, photocopying.

## 2.2 Communications

A dedicated telephone/radio/video link with Metcall Lambeth Police Control is provided. This will be used to relay information on incidents that arise and will permit the Police to see the camera images within the area of the incident. Control of the cameras will remain with the CCTV Control Room operators. The normal 999 emergency procedures will be used in appropriate cases to call fire brigade or ambulance services.

In addition, experience shows that liaison with other units will be necessary.

Details should be available within the Control Room of points of contact with the following: -

- Town Centre Radio Link
- Fire & Rescue Service
- Ambulance Service
- Glades Shopping Centre
- The Mall Shopping Centre
- The Walnuts Shopping Centre
- Debenhams CCTV Control Room
- Marks & Spencer CCTV Control Room
- Car Park Management
- Bus Lane & Parking CCTV Enforcement Team
- Town Centre Markets

## 2.3 Control Room Management and Staff Recruitment Procedures

Management of the CCTV Control Room will be the responsibility of the CCTV Manager, appointed by the Chief Executive of the London Borough of Bromley.

The London Borough of Bromley has elected to tender the day to day operation of the Control Room on a term of 3 years. It is a requirement of the contract that the contractor will:-

- a: Be accredited to ISO 9002.
- b: Be a member of BSIA.
- c: Carry full liability insurance.
- d: Have experience of CCTV work.



- e: Have experience of working with a local authority.
- f: Have the ability to recruit, train, motivate and retain suitable staff and ensure that all staff working within the Control Room are trained and licensed in accordance with the Private Security Industry Act 2001.
- g: Possess a 24 hour Central Control Room which is accredited to all relevant British Standards.
- h: Have access to dedicated facilities for the preliminary training of staff in the use of CCTV equipment.

It is the duty of the contractor to seek and obtain full career histories (including Subject Access Office Documents from the Police relating to criminal records) for all employees. Any career gaps must be covered by written explanations supported where required by personal letters from respective employees. (As per BS7858).

Originals of career details, qualifications, any relevant certificates supporting their application (including Subject Access Office Documents) of all staff, as defined in the previous paragraph, will be supplied to the Council on request at the start of the contract, or for new employees, prior to their commencing work. The contractor may request the return of these originals and supply copies for retention by the Council. These copies, together with a signed declaration that no further copies have been taken, will be handed to the contractor at the end of the contract, or at the termination of employment of individual staff, at the request of the contractor.

In addition to the requirements as defined above, the Council reserves the exclusive right to seek additional security related information on any employee by whatever means it deems to be appropriate.

The contractor should be prepared for a representative of the Council to participate in employment interviews as deemed necessary by the Council.

The full Operational Specification and Personnel Requirements relating to the contract may be viewed by arrangement with the CCTV Manager.

## 2.4 Training

The Contractor's Management will ensure that new and/or relief staff are fully briefed and trained on all functions, operation and administrative, arising within the CCTV central operation.

Arrangements will also be made for staff to receive training from the Police. Reciprocal arrangements will be made for Police staff to visit the CCTV control room to view the Council's system and gain an insight into the extent of the system and how it can be of use to them.

## 2.5 Liaison

The CCTV Manager is the Borough's liaison Officer for CCTV with the Police and will attend Police briefings and Safer Partnership meetings in that capacity. There will also be weekly meetings with the Police CCTV liaison officer on current operations and intelligence matters.

## 2.6 Recording

The control system is supported by digital and real time video recording facilities. The digital recording systems record video from every camera on the system. The real time recording is available for instant operations and recording of incidents as they occur.

## 2.7 Privacy

The Council CCTV system will be operated at all times with due regard for the privacy of individuals and will not be used to invade the privacy of any individual in residential, business or other private premises, buildings or land.

The scheme will adhere to the Regulations of the Investigatory Powers Act 2000 ('RIPA') and all other relevant provisions and will not be used to harass any person or group of persons going about their business in a lawful manner.

Any user found to contravene the privacy of individuals in breach of the code of practice will be subject to a disciplinary investigation.

## 2.8 Breaches of the Code

Prime responsibility for the Code of Practice and for security surrounding the system rests with the Council. This responsibility includes ensuring that breaches under the Code and surrounding security are investigated and remedied. The Police will be responsible for any breaches which occur by their officers or at their Police Stations.

Responsibility for security on a day-to-day basis rests with the CCTV Manager or in his absence the Head of Community Services.

Major breaches of the Code of Practice, with the exception of Police breaches will be subject to investigations by the Chief Executive and he/she shall have responsibility to remedy any major breach which is proven. The Chief Executive, according to circumstances, may appoint an investigating officer to manage and take control of any occurrence of a major breach. For minor breaches the CCTV Manager will conduct any investigation.

### **3. MONITORING PROCEDURES**

#### **3.1 Camera Controls**

At least one controller must be present within the Control Room at all times. Camera surveillance will be maintained around the clock.

The Council will have ultimate control of the operating system and will from time to time designate control to their appointed contractor.

When incidents arise information will be relayed to the Police and any formal request for cameras to be monitored will be accepted. Details and responses should be noted in the Occurrence Log.

The controls must only be operated by Control Room staff, those under training, and those authorised by the Council management to do so, save as in circumstances outlined below.

The Police may direct the operators in their use of the system in respect of the following: -

- a. To assist in the detection of crime.
- b. To facilitate the apprehension and prosecution of offenders in relation to crime and public order.
- c. To prevent or mitigate interruptions to traffic flow but not to enforce minor breaches of traffic law.

The authority to direct and control the operators and their use of the system from the Police Control Room is vested in the Council's CCTV Manager who will authorise the Contractors Management to transfer the control to the police.

The operators Occurrence Log must be noted when incidents arise and formal requests for control are received from the Police. The times when normal operations are resumed must also be noted.

The police must inform the Council and the contracting firm operating the system in cases of emergencies, major incidents, serious fires and any other serious events.

In cases of major incidents when Police wish to assume control of the Council's control room, a formal request will be made by a Police Officer of the rank of Inspector or above and subsequent approval will be taken from appropriate senior management of the Council. It is important however, that the controls are handled by the duty controllers or under their directions to maintain maximum efficiency.

## 4. **DIGITAL MATERIAL PROCEDURES**

### 4.1 **Downloading Digital Recordings**

If an evidential master copy of digital recordings is required then the footage needed will be downloaded and burnt onto a DVD disc. The first generation copy produced is accepted by the courts as a master copy. This DVD will be bagged as an exhibit, after having been marked by the control room operator dealing with the evidence with his initials and exhibit number and the next unique reference number.

If a digital recording DVD disc is handed to the Police, Crown Prosecution Service or other authority, a unique reference number will be allotted and marked on the disc. That unique reference number will be noted and details and signature of the recipient obtained. A verbal statement will be provided to the Police by the operator responsible for the production of the digital recording which will refer to details of any incident he or she witnesses on the screen while the recording is being made.

Digital recordings that may be required for evidence will not be downloaded onto DVD disc by CCTV control room staff and put aside pending an officer attending to pick the disc up. The onus is on the Police/CPS/Enforcement Agency to attend the control room to view the relevant digital recording and seize the images they require for evidential purposes within the 31 days those images are kept.

Police will be expected to attend the control room equipped with their own exhibit bags for the seized master copy and comply with all regulations relating to the seizure of evidence. Control room staff will assist Police in providing evidential DVD discs, still images and copies as requested. If the disc is not required the Police will return the disc in its unopened exhibit bag and the disc will be broken up/shredded and disposed of as confidential waste. Any copy discs provided to the Defence Solicitor will be paid for by the Defence and will remain the property of the recipient.

**Digital recordings shall be held for a maximum of 31 days.**

Any party wishing to obtain an image from the digital system must do so within the 31 day maximum hard drive storage time frame. As this system automatically re writes it's self there is no way of stopping the process. All applications to obtain images other than from the police or other bona fide law enforcement agency, must apply to court for a court order to obtain any images within the above time frame.

### 4.2 **The Video as Evidence**

Any video disc that is to be used as evidence in any Court action must have a proven audit trail from recording to downloading and its seizure by police.

There must be evidence of continuity of handling of the video disc from the time it was first brought into use to its production in Court as evidence.

The digital video master disc must be the first downloaded disc or real time digital recording, save where the leave of the Court has been requested and granted to use digital video evidence other than as mentioned above. There must not be any editing of the digital recording by use of computer software.

The digital video images must include a date and time display generated from a central date and time generator.

The CCTV Manager/Operations Manager or his/her manager may review digital recordings at the request of the Police prior to any formal request for the recording to be made available for evidential purposes.

The CCTV Manager/Operations Manager or his/her Manager shall be entitled to review digital recordings as requested by the police for technical, operational or managerial purposes at such times as will not interfere with the preparation and submission of evidence to the Police.

#### 4.3 Procedure for the Police

When the Police have reasonable cause to believe that an incident has been recorded they shall contact the CCTV Manager/Operations Manager or his/her Manager to arrange a viewing of the appropriate recording.

The Police may view the recording at the control room viewing station by prior arrangement with the CCTV Manager/Operations Manager or his/her Manager on a monitor provided for this purpose. If required, working copy (ies) of the digital recording shall be made at the Viewing Station.

Where one or more working copies have been made of the digital recording, the original shall be retained by the Police as the exhibit for production in Court.

The Council shall provide the Police with statements from the following: -

- a. The staff member (if any) who monitored the incident.
- b. The staff member who can provide technical data on the digital system, location and operation of the camera and CCTV system.
- c. The staff member who downloaded the digital images onto DVD and produced the first 'electronically water marked' generation copy plus any subsequent copies.

#### 4.4 Copying Digital Recordings

Where the Police have been granted access to the digital recording for the purposes of criminal investigation or prosecution under PACE, the following procedures will apply:-

- a. Where a request is received for a working copy, it should be provided. The Digital Recording Issue Sheet should be noted with time, date and operator.

- b. If it is necessary to produce copies of evidential digital recordings the Digital Recording Issue Sheet will be noted showing how many copies have been made and to whom the discs have been provided. Copies will only be made for evidential purposes and only Police officers, the Crown Prosecution Service, defence solicitors and other prosecuting authorities will be given access to these copies.
- c. Where more than 4 DVD discs worth of downloading is required then the agency requesting the download must provide a portable hard drive of at least 250GB capacity. The CCTV Unit will then ensure all the footage requested is put on that one drive and evidenced in the same manner as a DVD disc. The CCTV Manager/Operations Manager will advise when a hard drive is required.

Where material has been released to the media either directly or via the Police (save where it has been seized using police powers under PACE) the Council will seek to secure by the terms of a licence agreement, see appendix 'A', that no copies shall be made by the broadcaster or media save for the purpose of the transmission.

#### 4.5 Use of Digital Recordings in the Media

On occasions the media or a third party (e.g. traders associations) may approach the Council or Police for access to particular digital recordings (including still photographs there from). Subject to the rights of the Police under PACE the Council will only release such material where;

- a. The Police confirm that such release will assist in identifying suspects of crimes or an appeal for witnesses of crimes or possible crimes or
- b. The Police confirm it will assist in general crime prevention or provide road safety advice or
- c. The council consider it will provide information to the public regarding the prevention of crime and the role that CCTV has to play in that and
- d. The Police confirm that such release would not jeopardise existing or future legal proceedings.

Such releases of digital recordings to the media or for training/demonstration purposes by third parties will be effected by way of a Licence Agreement with the Council retaining copyright and preventing further copying or editing without the Council's consent. The Council retains its own rights subject to (b) above to release digital recordings to the media or third parties where it considers that any of the objectives referred to (a)-(c) above will be fulfilled.

Since the Council will lose overall control of the material once there has been widespread publicity through the media the Council will require those agencies to whom digital recordings are released to exercise expeditiously all legal action required to prevent unlawful misuse of the material.

Whilst the Council will consult with the Police on release of digital recordings, especially on questions such as the need to mask the identity of victims of crime and police employees, the ultimate decision as to whether to release digital recordings will rest with the Council save where recordings have been seized or forwarded to the Police under PACE as part of criminal investigations or prosecutions.

A log will be kept detailing the release date, nature of material and date of broadcast or publication. A written description of the material will be provided to explain its legal context.

It is essential that recordings on old DVD discs, or copies taken from evidential discs, do not pass into public circulation.

#### 4.6 Access to Digital Recordings

Requests for digital recordings to be viewed will be made in the following ways:-

- a. Regular/daily requests for a review of recordings to trace incidents that have been reported (this may be carried out through a Police Liaison Officer or the officer in the case).
- b. Immediate action relative to live incidents, e.g. immediate pursuit.
- c. Major incidents that occur, events may be recording continuously.
- d. Individual Police officers seeking to review digital recordings at the review station.
- e. Management from various council departments. Subject to the approval of the Head of Legal & Democratic Services.

The DVD's used for copying for police purposes will be supplied by the Police. DVD's to be used for copying and seized master discs for Council purposes will be supplied by the CCTV Unit.

In all cases the reviewing of digital recordings and the use of the review station must be carried out under the supervision of the duty controllers or Council Management.

All such permitted/unpermitted access for the purpose of viewing shall be recorded in the Visitors Log.

Where requests are received from third parties such as the Health and Safety Executive, Customs and Excise, Inland Revenue and any other government body, whether in connection with the investigation of a potential crime or the prosecution of an actual offence, the considerations set out at Paragraph 4.8

above will apply. Save where the production of the digital recording has been required under the auspices of a Court Order served upon the Council, the Head of Legal & Democratic Services will need to be satisfied that :-

- a. It will assist in general crime prevention or assist in road safety; and
- b. The Police confirm that such release will not jeopardise existing or future legal proceedings.
- c. Save where production is required by Court Order, the Council's costs of providing copies (or the original) of the digital recording shall be payable by the party requesting the production of the digital recording. In all cases, the Licence Agreement annexed hereto shall be signed by the party requesting the recording confirming the purpose of the request and detailing the persons and bodies to whom copies will or may be produced as part of the criminal proceedings or investigation.
- d. Solicitors acting on behalf of private clients may seek to use digital recordings for the purposes of civil proceedings (e.g. claims for damages arising out of a motoring offence). Such recordings should only be released in accordance with a Court Order served upon the Council. Solicitors acting on behalf of defendants or victims in criminal proceedings or acting on behalf of individuals proposing to institute private prosecutions may seek access to digital recordings and the Council shall comply when served with a court order requesting the Council to produce the recording.
- e. In these circumstances, save where the production of the digital recording is required under the auspices of a Court Order, the Head of Legal & Democratic Services shall retain the discretion as to whether to forward a copy of the recording to the Solicitor in light of the consideration set out at Paragraph 4.8. Save where production is required by Court Order, the Council's costs in providing copies (or the original) of the DVD disc shall be payable by the party requesting the production of the disc and the Licence Agreement annexed hereto shall be signed by the party requesting the disc confirming the purpose of the request and detailing the person and bodies to whom copies will or may be produced as part of the criminal proceedings.
- f. No other access will be allowed unless approved by the Chief Executive for reasons which fall within the purposes and objectives of the CCTV scheme and in accordance with this Code of Practice.

#### 4.7 Photographs

The Council may release photographs to the Police in one of two ways :-

- a. From digital recordings when requested by the Police
- b. From a live incident when requested by the Police or at the discretion of the operator where he/she considers it reasonably justified in order to



meet with objectives of the CCTV system (See Appendix 'B' - CCTV OBJECTIVES).

The photographs may be released by the Police to the Council where the Police consider this will assist the Council to meet the objectives of the CCTV system and will include photographs of missing persons and wanted persons. Save where such information or images are otherwise publicly displayed, such photographs will not contain any identifying names or addresses.

#### 4.8 Special Contingencies

When major incidents arise, serious public disorder, bomb explosions/threats, serious fires, the Police will be given the authority by the Council to supervise the CCTV Control Room. The duty operators will then respond accordingly and ensure that appropriate assistance and guidance is given but will retain, as far as is practicable, the monitoring of the equipment controls. The log should record the time at which Police assumed responsibility.

In circumstances when problems are anticipated during any part of a shift arrangements may be made for a Police officer to be present within the CCTV Control Room for liaison purposes. This will normally apply for the duration of the incident and will be subject to the arrangements made by Police Control Room Controller or duty officer.

In circumstances where the duty operators receive phone calls regarding bomb threats or similar incidents, a full record of exactly what is said must be made and the Police alerted immediately.

#### 5. Public Information

Signs to the effect that continuous CCTV monitoring is taking place shall be displayed in each area covered by the system. The signs will not identify the precise areas covered by the cameras but will be distributed throughout each area as notification and a reassurance to the general public that CCTV monitoring is taking place.

#### 6. Complaints Procedure

Should an individual wish to complain about any matter relating to the system, the procedure is set out in the Bromley complaints procedure leaflet, entitled "Getting It Right", available from the Council.

#### 7. Registers to be Maintained

Visitors Log, Operators Occurrence Log, Digital Recording Issue Sheet, Fault Log must be maintained.

## **BROMLEY BOROUGH COUNCIL – MANAGEMENT**

Mr Jim McGowan - Head of Community Services (0208 313 4651)

Overall responsibility for CCTV within the Borough.

Mr John Dell - CCTV Manager (0208 313 4744)

Operational responsibility for Town Centre CCTV .

Day-to-day liaison with security firm operating the system and the Police.

Day-to-day liaison with Duty Controllers.

CCTV Police liaison Officer for the Council.

Miss Anita Callow – Control Room Duty Officer (0208 466 7731)

Manages Contract staff on site.

Manages Reviewing and Downloading of CCTV Images.

### **Bromley Borough Police**

Criminal Justice Unit (Tel: 0208 284 8835)

In charge of case preparation (both crime and traffic) for the Bromley Borough Division.

Borough Intelligence Unit ( Tel: 0208 284 8748)

Divisional liaison for policy on evidential use of video recorded material with CCTV project, CPS and Courts, storage of CCTV CD/DVD discs.

## SCHEDULE

### NOTE OF GUIDANCE

#### RELEASE OF STILL PHOTOGRAPHS

The following principles will apply where the police request the production of still photographs from the Council's CCTV footage.

1. The release of any still photographs is additional to the release of video footage as part of the provision of evidential information to the police for the purposes of prosecution of crime.

Where the police request still photographs with the intention of passing them on to retailers, the following criteria must be satisfied:-

- (i) The stores in receipt of the photograph(s) will sign the form of declaration and agreement attached, Appendix 'A'; the police will carry out periodic checks to verify that any photographs provided to the stores by the police are not being displayed or disseminated other than in accordance with the declaration and agreement.
- (ii) A police officer authorised by an officer of at least the rank of Sergeant will make the initial request to the Council CCTV Manager for the production of such still photographs from CCTV footage to be given to the police; the CCTV Manager must be satisfied that the release of the photograph(s) is required for the prevention and/or detection of crime.
- (iii) To avoid claims of defamation, the police will only request the production of photographs where:-
  - (a) The individual is known to be a habitual thief with at least three recent convictions or police cautions for shop theft or deception (including attempts) during the preceding two years; or
  - (b) There is strong and reliable evidence that an individual has committed a recent criminal offence.

In the case of (b) there must be strong and reliable evidence that the individual has been involved on more than one occasion in shop theft or deception (including attempts). If necessary, the police will be required to produce such information to the Council CCTV Manager to enable him to be satisfied that the release of still photographs is intended for the prevention and detection of crime and can reasonably be seen as such. Where an individual has a conviction which is spent under the terms of the Rehabilitation of Offenders Act 1974, such offence cannot be taken into account in determining whether or not the offence should be taken into account for the purposes of Clause 3 (5) (a) or (b) .

- (iv) Photographs should not be openly displayed by the retailers but should be kept on file.
  - (v) The police will not provide details of the suspect or suspects name and address with the photograph or at all but will simply provide a reference number and the distinguishing features and modus operandi of the individual.
  - (vi) The stores will ensure that the photographs will only be seen by their management, security or permanent staff. The police will need to explain what they mean by "permanent staff".
3. The photographs remain the property of the Council who will ensure that records are kept of the time and date and reason for the production of the photographs to the police.
  4. The police will be responsible for disseminating photographs to the individual stores.
  5. The photographs shall only be used by the police and stores for the purposes for which they are specified and identified to the Council.
  6. All photographs will be destroyed within six weeks of being issued unless the police request their retention for purposes in accordance with the prevention and detection of crime. The stores will be required to verify any photographs which have been destroyed.



hereby indemnifies the Licensor against any such claims and consequential losses.

6. The Licensee shall provide one VHS Video Tape or DVD disc copy of the completed programme/publication material to the Licensor prior to transmission, distribution or printing.
7. The Licensee shall identify the provider of this material by either caption, voice over or end credit in whatever media format is used.
8. The making of any copies reasonably necessary for the production of such broadcast transmission shall be subject to the requirement under Section 70 of the Copyright and Patents Act 1988 to the effect that such copies are only used for such purposes and are destroyed within 28 days of such broadcast transmission.
9. The Licensee agrees that the use of the video or any part thereof including still photographs shall not be permitted nor is authorised for any other purpose or by any other medium without the express consent of the Licensor and subject to the provisions of Section 70 of the Copyright and Patents Act 1988, the Licensee agrees at its own cost to take all such legal or other action as may be reasonably necessary to prevent the unauthorised or unlawful use of the material by third parties.
10. This Licence is not assignable by the Licensee.

I agree and confirm the above for and on behalf of the Licensee

Signed .....

Print name .....

Date.....

I agree and confirm the above for and on behalf of the Licensor Mark Bowen  
Director Legal & Democratic services

Signed .....

Print name .....

Date.....

## **Appendix B**

# **LONDON BOROUGH of BROMLEY**

## **CCTV OBJECTIVES**

### **Objective 1.**

To assist the Bromley Community Safety Partnership in the detection and prevention of crime by working with individual departments of the London Borough of Bromley and partner agencies, in the execution of their duties, where a remote surveillance system might be of added value.

### **Objective 2.**

To deter potential offenders from committing criminal acts by ensuring that CCTV operations link closely with individual local and strategic initiatives.

### **Objective 3.**

To provide visual evidence of criminal activity that is capable of presentation as prosecution evidence in criminal court. This will necessitate the continued maintenance and development of the existing system and its expansion into new activities where appropriate.

### **Objective 4.**

To improve the safety of people and their property and to allay the fear of crime in selected areas of the London Borough of Bromley and in other areas should the coverage of CCTV surveillance be extended in the future.

### **Objective 5.**

To investigate and actively pursue opportunities for generating operational revenue for the existing CCTV systems in the Borough and development capital for improvements, where appropriate.

### **Objective 6.**

To operate an efficient Performance Management System in partnership with the Borough Community Safety partnership, in order to ensure the targeted and proactive use of resources within the CCTV system.