



**Legislative Assembly for the  
Australian Capital Territory**

Standing Committee on Public Accounts

# **Inquiry into the Auditor-General's Report No. 5 of 2021: Management of Closed-Circuit Television Systems**

## **Report 5**

Legislative Assembly for the Australian Capital Territory  
Standing Committee on Public Accounts

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Approved for publication

10th Assembly  
February 2022



# About the committee

## Establishing resolution

The Assembly established the Standing Committee on Public Accounts on 2 December 2020.

The Committee is responsible for the following areas:

- ACT Auditor-General
- ACT Ombudsman
- Office of the Legislative Assembly
- Accounts of the receipts and expenditure of the ACT and its authorities
- All reports of the Auditor-General which have been presented to the Assembly
- Treasury including taxation and revenue.

You can read the full establishing resolution [on our website](#).

## Committee members

Mrs Elizabeth Kikkert MLA, Chair

Mr Michael Pettersson MLA, Deputy Chair

Mr Andrew Braddock MLA

## Secretariat

Mr Samuel Thompson, Committee Secretary (from 29 August 2021)

Ms Annemieke Jongsma, Committee Secretary (to 29 August 2021)

Ms Sophie Milne, Senior Research Officer

Ms Lydia Chung, Administrative Assistant

Mr Nick Byrne, Administrative Assistant

## Contact us

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## About this inquiry

Under its resolution of establishment, the Standing Committee on Public Accounts examines all reports of the Auditor-General which have been presented to the Legislative Assembly. Specifically, the resolution requires the Committee to inquire into and report on reports of the Auditor-General which have been presented to the Assembly.

## Acronyms

Acronym	Long form
ACT	Australian Capital Territory
CCTV	Closed-Circuit Television
CMTEDD	Chief Minister, Treasury, and Economic Development Directorate
JACS	Justice and Community Safety Directorate
MLA	Member of the Legislative Assembly
TCCS	Transport Canberra and City Services Directorate

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# Recommendations

## Recommendation 1

The Committee recommends that, in relation to the CCTV Policy proposed for 2021-2023, the ACT Government—

- a) if the proposed policy has come into effect—provide the date the policy came into effect to the Committee; or
- b) if the policy has not come into effect—set a date to finalise and bring the policy into effect so that the task may be done as a matter of priority.

## Recommendation 2

The Committee recommends that, in relation to the CCTV Policy proposed for 2021-2023, the ACT Government—

- a) if it has consulted with the ACT Human Rights Commission on the policy—provide a copy of the Commission's response to the Committee; or
- b) if it has not consulted with the ACT Human Rights Commission on the policy—consult with the Commission to ensure the CCTV Policy is consistent with individuals' rights to privacy and freedom of movement.

## Recommendation 3

The Committee recommends the ACT Government ensure that the proposed new CCTV Policy require all existing and future CCTV installations be justified and supported by a cost-benefit analysis including maintenance and whole of life costs.

## Recommendation 4

The Committee recommends that the ACT Government collect data on criminal offences and other public safety incidents in Glebe Park after the installation of the cameras, and report on the effectiveness of the CCTV system in increasing public safety in the park.

# **1. Introduction**

## **Preliminary**

- 1.1. Reports of the Auditor-General form a significant part of the Committee's work. The Committee has an important role to follow-up on the reports and recommendations of the Auditor-General.
- 1.2. Where the Committee determines a report of the Auditor-General requires further examination by the Committee, it may conduct a formal inquiry into the matter. This may include calling for written submissions, hearing from witnesses, and preparing a written report for presentation to the Legislative Assembly.

## **Acknowledgements**

- 1.3. The Committee acknowledges those who contributed to its inquiry, including the Auditor-General, the responsible Minister, and directorate officials.

## 2. Conduct of inquiry

### Referral and decision to further inquire

- 2.1. Auditor-General's Report No. 5 of 2021: *Management of Closed-Circuit Television Systems* (the Audit Report) was presented to the Legislative Assembly on 22 June 2021.
- 2.2. The Audit Report considered the effectiveness of the management of CCTV systems by the Justice and Community Safety Directorate (JACS) and Transport Canberra and City Services Directorate (TCCS).
- 2.3. In accordance with the resolution of establishment of the Standing Committee on Public Accounts (the Committee), the Audit Report was referred to the Committee for examination.
- 2.4. On 6 October 2021 the Committee formally announced to the Assembly it would be undertaking further inquiry into the Audit report.
- 2.5. The Government Response to the Audit Report was presented to the Assembly on 9 November 2021.

### Conduct of inquiry

- 2.6. On 15 July 2021 the Committee received a briefing from the Auditor-General in relation to the Audit Report.
- 2.7. On 12 August 2021 the Committee received evidence from the Auditor-General and his staff, the Special Minister for State and Minister for Transport and City Services Chris Steel and senior officials from JACS and TCCS directorates.
- 2.8. On 2 February 2022 the Committee met to consider the Chair's draft report on its inquiry.
- 2.9. On 2 February 2022 the Committee adopted the Report on its inquiry for presentation to the Legislative Assembly.



### 3. Audit background and findings

- 3.1. This chapter presents an overview of the Auditor-General's Report No 5 of 2021: *Management of Closed-Circuit Television Systems* (the Audit Report), including its findings and recommendations.

#### Audit background

- 3.2. The Audit Report considered the effectiveness of the management of CCTV systems by the Justice and Community Safety Directorate (JACS) and the Transport Canberra and City Services Directorate (TCCS). The audit focused on the management of CCTV systems that are installed in the public safety network, on board TCCS buses, and at Libraries ACT sites.<sup>1</sup>
- 3.3. CCTV networks are used by the ACT Government to monitor and manage public spaces, and to support the deterrence and investigation of criminal activity.<sup>2</sup> At least 4 800 cameras are operated by ACT Government agencies across the Territory.<sup>3</sup> The CCTV Coordination Team within the Security and Emergency Management Branch of the JACS Directorate is responsible for policy leadership and development of CCTV systems, and each agency is responsible for managing their CCTV at an operational level.<sup>4</sup>
- 3.4. The legislative requirements which cover CCTV systems are mainly concerned with the data captured by the cameras in relation to privacy and human rights.<sup>5</sup> In 2009, the *ACT Government Code of Practice for Closed Circuit Television Systems* (the Code of Practice) was endorsed as the 'central policy document that will assist ACT Government agencies with the management and operation of their CCTV systems, and ensure that consistent and effective governance arrangements are maintained'.<sup>6</sup> The Code of Practice refers to the *Australian Standard 4806.1 – Closed Circuit Television (CCTV), Part 1: Management and operation*, which was published in 2006 and applies to 'CCTV systems used in areas where the public would have a 'right to visit''.<sup>7</sup>

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<sup>1</sup> The Audit Report focused on CCTV that is used primarily for public safety reasons. The public transport network and libraries were chosen as examples of large and small CCTV management systems, respectively. (See ACT Audit Office, *Management of closed-circuit television systems*, Auditor-General's Report No. 5 of 2021, p 16).

<sup>2</sup> Auditor-General's Report No. 5 of 2021, p 9.

<sup>3</sup> Auditor-General's Report No. 5 of 2021, p 1.

<sup>4</sup> Auditor-General's Report No. 5 of 2021, p 12.

<sup>5</sup> Auditor-General's Report No. 5 of 2021, p 13.

<sup>6</sup> Auditor-General's Report No. 5 of 2021, p 14.

<sup>7</sup> Auditor-General's Report No. 5 of 2021, p 14.

- 3.5. The Audit Report noted the CCTV Coordination Team within JACS had commenced a *Closed Circuit Television (CCTV) Policy 2021-2023* to replace the outdated Code of Practice in 2019, but this was still in draft form as at March 2021:

The Justice and Community Safety Directorate advised that work on progressing the policy was placed on hold in order to incorporate findings arising out of this performance audit report. The Directorate advised that following the completion of the audit the policy 'will be implemented without further delay'.<sup>8</sup>

## Audit conclusions

- 3.6. The Audit Report concluded the following in relation to system purpose and achievements:

The Justice and Community Safety Directorate and the Transport Canberra and City Services Directorate have identified the purpose and objectives of their CCTV systems in various documentation; however this has been primarily done informally and inconsistently to date. Clarity around the purpose and objectives of the systems is important in facilitating ongoing review and accountability for system performance and reporting on the value and benefit of the systems to the ACT community. There is an opportunity for both directorates to more effectively review and report on the performance of their systems on an annual basis against clearly identified system purposes and objectives.<sup>9</sup>

- 3.7. The Audit Report concluded the following in relation to system operations:

The Justice and Community Services Directorate and the Transport Canberra and City Services Directorate have developed effective processes for the management of data captured through the CCTV systems considered as part of the audit. This includes practices for the secure storage of CCTV camera data and the release of CCTV camera data to stakeholders. There are, however, opportunities for improvement, including specific opportunities to improve the storage of data captured through CCTV cameras on board buses.<sup>10</sup>

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<sup>8</sup> Auditor-General's Report No. 5 of 2021, p 15.

<sup>9</sup> Auditor-General's Report No. 5 of 2021, p 1.

<sup>10</sup> Auditor-General's Report No. 5 of 2021, p 1.

## Audit recommendations

- 3.8. The Audit Report recommendations are provided in the table below. The right column of the table indicates the position the ACT Government adopted for the relevant recommendation in its response to the Audit Report.

Audit Report Recommendation <sup>11</sup>	Government Position <sup>12</sup>
<b>R1</b> —The Transport Canberra and City Services Directorate should identify and document the purpose and objectives of its specific CCTV systems.	Agreed
<b>R2</b> —The Justice and Community Safety Directorate and Transport Canberra and City Services should undertake an annual review or audit of their CCTV systems. The annual review or audit should consider: <ul style="list-style-type: none"> <li>a) the effectiveness of the system in meeting its purpose and objective;</li> <li>b) the ongoing need for the system and the cameras included in the system; and</li> <li>c) the benefits of the continuing operation of the system against the costs associated with maintaining and managing the system.</li> </ul>	Agreed
<b>R3</b> —The Justice and Community Safety Directorate should document roles and responsibilities of Security and Emergency Management Branch staff involved in the management and operation of the public safety CCTV network in policy and procedural guidance.	Agreed and completed
<b>R4</b> —The Transport Canberra and City Services Directorate should review and update its <i>Closed Circuit Television Guidelines</i> . In doing so, the Directorate should ensure that roles and responsibilities for management and operation of the directorate's CCTV systems are accurately documented.	Agreed and completed
<b>R5</b> —The Transport Canberra and City Services Directorate should develop a practice for the destruction of CCTV data on board buses 30 days after its capture.	Agreed in principle <sup>13</sup>
<b>R6</b> —The Transport Canberra and City Services Directorate and Justice and Community Safety Directorate should formalise staff induction and training requirements for the management of CCTV systems. This should include the identification and documentation of formal training requirements through training plans and maintaining training records for all staff that are involved in the operation of CCTV systems.	Agreed

<sup>11</sup> Auditor-General's Report No. 5 of 2021, p 6.

<sup>12</sup> *Government response*, tabled 9 November 2021, pp 3–4.

<sup>13</sup> 'The existing on board CCTV platform is not capable of automated destruction of footage after 30 days. This requirement will be included in the scope of procurement of a replacement CCTV system in new buses'. *Government response*, tabled 9 November 2021, p 4.

## 4. Committee comment

### Updated CCTV policy—implementation

- 4.1. The Committee notes that the CCTV Coordination Team within the Security and Emergency Management Branch of JACS started preparing a *Closed Circuit Television (CCTV) Policy 2021-2023* in 2019, and paused progress on the policy during the Audit process with the intention of incorporating the Audit’s findings into the final document.<sup>14</sup> The Audit Report sets out that the Directorate informed the Audit Office that, following the conclusion of the Audit, the government’s updated CCTV policy would be completed ‘without delay’.<sup>15</sup> As of 31 January 2022 the Committee can find no evidence that the proposed new policy is in force. The Committee is of the view that, given the matters raised by the Auditor-General in relation to the current policy and the Directorate’s undertaking to the Auditor-General that it completes the policy, the Directorate should finalise the new policy as soon as practicable.

#### Recommendation 1

The Committee recommends that, in relation to the CCTV Policy proposed for 2021-2023, the ACT Government—

- a) if the proposed policy has come into effect—provide the date the policy came into effect to the Committee; or
- b) if the policy has not come into effect—set a date to finalise and bring the policy into effect so that the task may be done as a matter of priority.

### Updated CCTV policy—human rights compatibility

- 4.2. The number of cameras in the ACT has been increasing due to decreasing costs and higher quality technology.<sup>16</sup> In light of this, and the lack of clarity surrounding the objectives and benefits of CCTV to the community, the Committee is of the view that it would be prudent to ensure that no human rights are impeded by the proliferation of surveillance devices in publicly accessible spaces. The Committee notes that the Code of Practice also requires that a proposed installation be assessed on ‘the level of impact it is likely to have on people’s privacy’.<sup>17</sup>
- 4.3. The Committee is of the view that the development of the new CCTV policy is an opportunity to ensure that the policies implemented by the Directorates adhere to the applicable legislative requirements, such as the *Human Rights Act 2004*.<sup>18</sup>

<sup>14</sup> Auditor-General’s Report No. 5 of 2021, p 15.

<sup>15</sup> Auditor-General’s Report No. 5 of 2021, p 15.

<sup>16</sup> Auditor-General’s Report No. 5 of 2021, p 9.

<sup>17</sup> ACT Government, *Code of Practice for Closed Circuit Television Systems*, [4.2].

<sup>18</sup> Auditor-General’s Report No. 5 of 2021, p 13.

## Recommendation 2

The Committee recommends that, in relation to the CCTV Policy proposed for 2021-2023, the ACT Government—

- a) if it has consulted with the ACT Human Rights Commission on the policy—provide a copy of the Commission’s response to the Committee; or
- b) if it has not consulted with the ACT Human Rights Commission on the policy—consult with the Commission to ensure the CCTV Policy is consistent with individuals’ rights to privacy and freedom of movement.

## New CCTV systems—cost-benefit analysis

- 4.4. The Audit Report revealed a lack of documentation on the benefits of proposed or historic CCTV installations,<sup>19</sup> contrary to the requirements outlined in the Code of Practice:

ACT Government agencies should undertake a full assessment of the need to install a CCTV system and detail the benefits of installing a CCTV system. The extent of assessment necessary will depend on the size of the proposed scheme and the level of impact it is likely to have on people’s privacy.<sup>20</sup>

- 4.5. The ACT Government has indicated its commitment to undertake a cost-benefit analysis of its CCTV network in both the *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* and in its response to the recommendations of the Audit Report. The Committee supports this commitment and also supports the audit recommendation that it include analysis of ongoing, whole of life costs.<sup>21</sup>

## Recommendation 3

The Committee recommends the ACT Government ensure that the proposed new CCTV Policy require all existing and future CCTV installations be justified and supported by a cost-benefit analysis including maintenance and whole of life costs.

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<sup>19</sup> Auditor-General’s Report No. 5 of 2021, pp 28–29.

<sup>20</sup> ACT Government, *Code of Practice for Closed Circuit Television Systems*, [4.2].

<sup>21</sup> Auditor-General’s Report No. 5 of 2021, p 35.

## Crime prevention and law enforcement statistics

- 4.6. One of the issues raised in the Audit Report, and by Committee Members at the public hearing, was the lack of specific information regarding the effectiveness of CCTV systems in preventing anti-social and criminal activity. Mr Bren Burkevics, Executive Branch Manager of the Security and Emergency Management Branch of JACS, noted that there is 'high social value' placed on CCTV, and that the community has an expectation that cameras will be present in publicly accessible places.<sup>22</sup> However, he also explained that collecting specific data on, for example, how footage from CCTV aids in the work of the ACT Police, is difficult due to the many variables which are present:

We have looked at mechanisms to track from the identification of footage and how that may lead to a successful prosecution in court. That is quite a challenging process, noting the time involved in that process and how many stakeholders, through government, ACT Policing, the DPP, there are. That is quite challenging issue, particularly in the course of an investigation and the confidentiality requirements around that.<sup>23</sup>

- 4.7. Mr Burkevics told the Committee that a CCTV system has been installed in Glebe Park, and data on criminal and other serious offences which occur there over the next few years will be compared to the rate of offences which occurred prior to the installation of the cameras.

There has been very close collaboration with ACT Policing to identify the number of criminal offences that have happened over the last decade and whether the investment would potentially reduce those criminal offences. From memory, over 40 robberies and other serious incidents have occurred in Glebe Park over the last decade. Now that we are able to have a clean install of the public safety CCTV network there, that will be a great test case for gathering data in terms of the impact and benefits of CCTV installation in public areas.<sup>24</sup>

The Committee is of the view that the Glebe Park project is a valuable opportunity to collect data which can contribute to an assessment of the effectiveness of CCTV on increasing public safety.

### Recommendation 4

The Committee recommends that the ACT Government collect data on criminal offences and other public safety incidents in Glebe Park after the installation of the cameras, and report on the effectiveness of the CCTV system in increasing public safety in the park.

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<sup>22</sup> *Committee Hansard*, 12 August 2021, p 15.

<sup>23</sup> *Committee Hansard*, 12 August 2021, p 14.

<sup>24</sup> *Committee Hansard*, 12 August 2021, p 20.

## 5. Conclusion

- 5.1. The Committee is of the view that the Auditor-General's Report No. 5 of 2021: *Management of Closed-Circuit Television Systems* has found deficiencies in the management of CCTV systems by the ACT Government. The Committee considers the audit to have been an important and worthwhile exercise which can serve as a basis for the ACT Government's proposed policy reforms. The Committee endorses the Auditor-General's recommendations.
- 5.2. The Audit Report identified areas for improvement at an administrative level, to ensure that CCTV systems management complies with the relevant legislation and standards of best practice. Secondly, the Audit Report highlighted opportunities for trials and research which will allow for the implementation and operation of CCTV systems to be based on a more thorough understanding of their merits and effectiveness into the future.
- 5.3. The Committee has made four recommendations in relation to its inquiry into the Auditor-General's Report No. 5 of 2021.

Mrs Elizabeth Kikkert MLA  
Chair, Standing Committee on Public Accounts  
4 February 2022

# Appendix A: Witnesses

**12 August 2021**

## ACT Audit Office

**Mr Michael Harris**, Auditor-General

**Mr Brett Stanton**, Assistant Auditor-General, Performance Audit

**Martin Handley**, Director, Performance Audit

## Executive

**Mr Chris Steel MLA**, Special Minister of State and Minister for Transport and City Services

## Justice and Community Safety Directorate

**Mr Richard Glenn**, Director-General

**Mr Jon Peach**, Executive Group Manager, Security and Emergency Management Division

**Mr Bren Burkevics**, Executive Branch Manager, Security and Emergency Management Branch

## Transport Canberra and City Services Directorate

**Mr Ben McHugh**, Acting Deputy Director-General, Transport Canberra and Business Services

**Mr Ian McGlinn**, Executive Branch Manager, Transport Canberra Bus Operations



## Appendix B: Questions Taken on Notice

Number	Type of Question	Hearing Date	Asked by	Directorate	Subject	Answer Date
1	QTON	12/8/2021	Pettersson	JACS	Public requests for cameras	15/9/2021
2	QTON	12/8/2021	Pettersson	JACS	Numbers of cameras per directorate	13/9/2021