

# Body Worn Cameras

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<b>What it is</b>	<p>TMR provides Body Worn Cameras (BWC) to CSB Officers Authorised by the following legislation:</p> <p><i>Transport Infrastructure Act</i> <i>Transport Operations (Passenger Transport) Act 1994</i> <i>Transport Operations (Road Use Management) Act 1995</i></p> <p>Authorised Officers are authorised to capture, access and update video and audio while performing a function or activity related to their role.</p>
<b>When to operate a BWC</b>	<p>▼ When to operate a BWC</p> <p>An Authorised Officer must activate their BWC when:</p> <ul style="list-style-type: none"><li>• they intend to exercise a power, such as:</li><li>• stopping a Vehicle</li><li>• requesting name and address</li><li>• conducting an audit</li><li>• recording an interview</li><li>• the recording may assist the investigation of an offence by providing a record of evidence.</li><li>• directed to do so by QPS.</li></ul> <p>The BWC may be used when an incident occurs and it is likely that QPS will become involved, such as a major traffic incident.</p> <p>When two Transport Inspectors are attending an event that requires the BWC to be operated then both Inspectors must operate their BWCs.</p> <p>BWC are <b>not</b> to be used for non-compliance activities including: routine contact with members of the public; or to record interactions with or between peers; or within the office environment for private use.</p> <p>▼ Using with an Official Notebook and QCIS</p> <p>Using a BWC does not change the requirement to record pertinent information or evidence in your Official Notebook. The BWC is another evidence gathering tool that supplements the Official Notebook and QCIS.</p> <p>QCIS must be used to record all intercepts.</p> <p>▼ Actions that must be reported</p> <p>The following actions should be reported to your STI or Manager as soon as possible:</p> <ul style="list-style-type: none"><li>• an interaction that should be recorded is not recorded</li><li>• an incident is recorded because QPS involvement is likely.</li></ul> <p>In both cases the Authorised Officer must record the circumstances in their Official Notebook and advise their STI\Manager.</p>

## Managing and using a BWC

### Obtaining and Managing a BWC

#### ▼ Obtaining a Camera

To be issued with a BWC an Authorised Officer must complete the following training:

- TMR BWC Authorised Officer and All staff training modules in Accelerate
- Read the BWC All staff, BWC Authorised Officer and BWC Operational policies
- Provided the STI an acknowledgement that the above policies have been read.

At completion of the accelerate training package, the Authorised Officer can submit a Service Centre Online (SCO) request. The SCO is approved by the STI or Manager.

#### ▼ Managing access to Evidence.com

Access to Evidence.com is managed by the Administration Support Officer for the Compliance Lead Regional Director.

Contact the Administration Support Officer to:

- Add a user
- Assign a camera to a different user
- Change a persons level of authority
- Log a damaged, lost or stolen camera
- Remove a user, including staff on secondment or long term leave.

### Using a BWC

Always operate the BWC in accordance with the manufacturers instructions.

Authorised Officers must only use BWC devices that have been approved and supplied by TMR, this is currently AXON.

#### ▼ Advise people they are being recorded

Individuals must be made aware they are being recorded, why they are being recorded, the law that applies and who the information may be shared with. This information is called the Privacy Collection Notice (PCN). The PCN may be provided verbally. **Refer:** [Transport Compliance > On Road > Interceptions](#) for the required introduction.

A BWC recording does not have to be stopped because the person being recorded objects to the recording.

A red halo will show when the BWC is recording, this is an overt notification to the customer that they are being recorded.

#### ▼ Classifying recordings

When recording of an intercept or other event is finished the recording needs to be classified as:

- Evidence (retained for 7 years)
- Non evidentiary (retained for 28 days)
- Fatal (retained indefinitely)

This should be done in the field by the Transport Inspector when the recording is completed by using the AXON app or on a TMR iPad or iPhone, however it can be done later. If unsure of the classification, classify as evidence.

All recordings that are not classified in the field will be labelled as unclassified when the camera is docked and downloaded, all recordings will then require classification by logging into Evidence.com.

There is no ability to delete footage.

## Recordings

### Storing recordings

BWC recordings are stored in Evidence.com. Each officer, issued a BWC, is given a user access code.

All BWC recordings must be uploaded to Evidence.com at the end of each shift when the camera is docked for charging. When the content is uploaded to Evidence.com the content on the camera is automatically deleted.

#### ▼ Naming files in Evidence.com

When uploading files to Evidence.com the files must be named using the following convention:

#### Evidence.com field name

Activity	ID	Title
Intercept	Rego No, QCIS intercept No and Notice No (if applicable)	Customer surname name, CRN
Audit	CID ref no	Customer surname name, CRN
Interview	CID ref no	Customer surname name, CRN
Investigation	CID ref no	Customer surname name, CRN

### Accessing and sharing recordings

BWC recordings are the property of TMR.

#### ▼ Viewing recordings

- Transport Inspectors may view their own recordings.
- Lead Inspectors may view the recordings of a corroborating officer.
- Senior Transport Inspectors may view the recordings of all Transport Inspectors who report to them.
- Principle Advisors (Investigations) and Senior Investigators may only view recordings related to matters they are investigating.
- Managers (Compliance) can view recording of Transport Inspectors in their region.

#### ▼ Sharing recordings

Recording can be shared by sending a link from Evidence.com.

Recording may be shared in the following circumstances. All other requests must be sent to your STI.

▼ Prosecutions

Transport Inspectors, with the approval of their STI, may share a recording with Prosecutions

▼ Queensland Police Service (QPS)

QPS may request TMR provide a copy of a recording.

A Transport Inspector may show a QPS Officer a recording on their BWC while in the field if requested. The Transport Inspector should make a record in their Official Notebook.

▼ Explosive Inspectors (Dept Mines and Energy)

Explosive Inspectors from the Department of Mines and Energy may request TMR provide a copy of a recording.

A Transport Inspector may show an Explosive Inspector a recording on their BWC while in the field if requested. The Transport Inspector should make a record in their Official Notebook.

▼ Right to Information (RTI)

RTI may be provided with a link to relevant evidence held in Evidence.com.

▼ Alleged defendant

TMR is required to give a copy of relevant evidence, including a record of interview, held in Evidence.com to alleged defendants. Transport Inspectors, on approval from their STI, can send alleged defendants a link to the evidence.

## Monitoring and Reporting

### Monitoring and Reporting

▼ Monitoring

STIs must review all unclassified recordings on a fortnightly basis and take action to ensure the recordings are classified. STIs may reclassify the recordings or refer it to the relevant Transport Inspector for action.

▼ Reporting

Managers and STIs are able to obtain reports from Evidence.com to show:

- unclassified data
- GPS location of footage
- recording start and finish times
- how many times footage has been viewed and by whom.

### Privacy principles

▼ Privacy Principles

Queensland government agency systems which involve the collection and storage, use or disclosure of personal information are subject to the privacy obligations in the *Information Privacy Act 2009 (Qld) (IP Act)*.

The obligations under the IP Act operates subject to the provisions of other Acts that relate to the specific collection, use and disclosure of personal information. Where any primary legislation is silent, TMR must comply with the Information Privacy Principles (IPPs) contained in the IP Act when managing personal information.

These IPPs contains requirements relating to collection, security, access, use and disclosure of the information. These obligations do not prevent an agency using camera surveillance however, affect the policies and practices associated with how the camera surveillance system operates.

If a person captured in the footage is identifiable or the person provides personal information about themselves, the footage will contain personal information and the obligations in the information privacy principles apply.

IPP2 of the IPA requires TMR to take all reasonable steps to ensure that individuals are aware of the purpose for which they are being recorded and the relevant legislation that authorises its collection and to whom the information would be generally be disclosed to (known as Privacy Collection Notice).

A full listing of the Information Privacy Principles (IPP) outlined in the IP Act can be found here:

<https://www.oic.qld.gov.au/guidelines/for-government/guidelines-privacy-principles/key-privacy-concepts/overview-of-the-information-privacy-principles>.

To meet the requirements of this IPP, Authorised Officers must be acting in the lawful execution of their duties, only in places where they can lawfully exercise their delegated powers, and the personal information obtained must only relate to the power or powers being exercised