



CLOSED-CIRCUIT TELEVISION CODE OF PRACTICE

PUBLIC VERSION

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Definitions

Term	Definition
Authorised Officer	Persons who are approved by the Presiding Officers to manage or access CCTV system (including viewing footage, excluding quarantining or downloading footage) where required as part of their duties.
CCTV	Refers to the Closed Circuit Television (CCTV) system at Australian Parliament House (APH) including associated equipment and infrastructure owned and/or used by the Security Branch, Department of the Parliamentary Services (DPS) or Australian Federal Police (AFP)-Parliament House.
Footage	Refers to both video and still pictures, and applies to live and recorded CCTV footage.
General observation	Refers to routine viewing of CCTV monitors by Authorised Officers during the course of their duties.
Independent person	Refers to a person who does not directly work in areas responsible for the management or maintenance of the CCTV system for the purposes of an audit or investigation of an alleged breach or complaint.
Monitoring	Refers to the undertaking of targeted surveillance to assess and respond to a potential incident.
Parliamentary departments	Refers to the Department of the House of Representatives, the Department of the Senate, the DPS and the Parliamentary Budget Office.
Parliamentary precincts	Refers to the area defined under the <i>Parliamentary Precincts Act 1988</i> to be land and premises that are part of the Parliamentary precincts.
Parliamentary privilege	Refers to the privileges or immunities of the Houses of Parliament and the powers of the Houses of Parliament to protect the integrity of their processes (Section 49 of the Australian Constitution).
Presiding Officers	The President of the Senate and the Speaker of the House of Representatives jointly.
Quarantine footage	Refers to the isolation of specified footage, including printed stills, to ensure they are preserved and are not overwritten by the CCTV system routine override.
Recorded footage	Refers to recorded information including pictures, sounds and any other associated or processed information.
Release footage	Refers to the authorised provision of specified footage. For example to law enforcement agencies and other investigation bodies for civil or criminal proceedings.
Security Management Board (SMB)	<p>The SMB provides advice to the Presiding Officers on security policy and the management or operation of security measures for APH. The membership includes:</p> <ul style="list-style-type: none"> • Secretary, DPS (Chair) • Serjeant-at-Arms • Usher of the Black Rod, and • AFP Commissioner or delegate.
Statement of Purpose	A description outlining the scope of the CCTV at APH.

1. Introduction

- 1.1 The Australian Parliament House (APH) Closed-Circuit Television (CCTV) system is part of the layered security response at APH and is intended to provide surveillance to areas in and around the Parliamentary precincts.
- 1.2 This CCTV Code of Practice (the Code) is to be applied to the management of the CCTV system used in and around the Parliamentary precincts.
- 1.3 The CCTV system consists of cameras, monitors, control panels, intelligent video software, video recording systems and supporting infrastructure.
- 1.4 Cameras are installed at various internal points throughout APH and at external locations throughout the Parliamentary precincts.
- 1.5 The Code is part of a suite of documents forming the APH Security Policy and Governance Framework and should be read in conjunction with the security policies and operating procedures including the APH Terms and Conditions of Entry.

2. Purpose and objectives

- 2.1 The objective of security arrangements at APH is to provide a safe and secure environment for building occupants and visitors, while ensuring public accessibility and the order and decorum of APH is maintained. These APH physical security measures include screening, general observation and monitoring to maintain situational awareness within the parliamentary precincts.
- 2.2 The purpose of the Code is to provide the framework for all parliamentary department employees and contractors, Australian Federal Police (AFP) employees and building occupants, who manage, operate or use the CCTV system including the viewing, storing, accessing, releasing and disposing of footage.
- 2.3 The use of the CCTV system is subject to the control of the Presiding Officers with appropriate regard to the primacy of the powers and immunities of the Houses, their committees and members.

3. Legislation

- 3.1 The Code reflects relevant laws and standards, including the *Parliamentary Precincts Act 1988*, the *Parliamentary Privileges Act 1987*, the *Privacy Act 1988* and *Australian Standard (AS) 4806.1—2006 Closed circuit television (CCTV) Part 1: Management and operation*.

4. Roles and responsibilities

Presiding Officers

- 4.1 The Presiding Officers are responsible for the control and management of the Parliamentary precincts under section 6 of the *Parliamentary Precincts Act 1988*.

Security Management Board

- 4.2 The SMB has a primary role in the oversight of the Code.

- 4.3** The SMB advises the Presiding Officers on any aspect of the CCTV system including any significant expansions or additions to the CCTV system, substantive policy changes and endorsement of any additional Authorised Officers.
- 4.4** The SMB monitors information with respect to:
- access or attempted access to quarantined footage
 - release or destruction of quarantined footage, and
 - alleged breaches or complaints about the operation of the CCTV system.

This information will then be reported to the Presiding Officers through the existing SMB quarterly reporting mechanism.

Secretary, DPS

- 4.5** The Secretary, Department of Parliamentary Services (DPS) has executive responsibility for the overall management of the CCTV system including managing compliance with the Code.

Assistant Secretary, Security Branch DPS

- 4.6** The Assistant Secretary, Security Branch is responsible for compliance with the Code and investigating suspected breaches of the CCTV system or the Code.
- 4.7** The Assistant Secretary is also responsible for considering requests for release, approving requests for the release of CCTV footage and managing the approval process of the CCTV footage to the Presiding Officers.

AFP Security Controller Parliament House

- 4.8** The AFP Security Controller Parliament House, or their authorised delegate, has authority to act on behalf of the Presiding Officers in relation to day-to-day operational security within the Parliamentary precincts.

Authorised Officers

- 4.9** Authorised Officers are those who are approved by the Presiding Officers to manage or access the CCTV system where required as part of their duties.

Licensees

- 4.10** Licensees who have CCTV within the Parliamentary precincts are responsible for ensuring their CCTV systems are managed in accordance with legislation, standards and the Code.

5. Statement of Purpose

- 5.1** The specific focus of all CCTV usage is for the purposes of security, safety and law enforcement and is an important safeguard for everyone working in and visiting APH. Use of CCTV for any other purpose must be approved in writing by the Presiding Officers.
- 5.2** The authorised purposes that CCTV can be used for are:
- a. to assist in the control and management of the Parliamentary precincts (including major or special events and traffic management)

- b.** to assist in the day-to-day management of security services including investigation of security threats and incidents, pre-planning of security exercises, emergency evacuation exercises and monthly validation exercises
- c.** to prevent, deter, disrupt or detect crime, criminal damage, vandalism or public disorder
- d.** to assist in identifying, apprehending and where appropriate, prosecuting offenders in relation to criminality
- e.** to provide evidence upon which to take criminal or civil proceedings
- f.** to improve general security observation and monitoring in the areas around the Parliamentary precincts, both in terms of personal and physical security
- g.** to improve operational response of security patrols in and around APH and precinct
- h.** to assist emergency services in responding to incidents
- i.** to identify and investigate incidents that could result in a compensation or insurance claim against the Commonwealth, and
- j.** any other purpose approved in writing by the Presiding Officers.

5.3 One of the purposes of the Code is to function as a safeguard for parliamentarians against the possibility that the CCTV system may be used in a manner which improperly interferes with the functions and authority of the Houses, or with the free performance by parliamentarians of their parliamentary duties. In this regard, the administration of the CCTV system, and the powers given to officers under the Code, have effect subject to the powers, privileges and immunities of the Houses and their members. Decisions about the application of privilege are matters for the Parliament, not for the parliamentary administration. Where administration of the CCTV system gives rise to possible questions of parliamentary privilege, the matter must be drawn to the attention of the Presiding Officer of the House affected and, if appropriate, the parliamentarian affected.

It is recognised that the Houses may treat any improper interference with a House, or a parliamentarian as a contempt.

5.4 Cameras will not be used to look into premises located outside the Parliamentary precincts and will not be used to look into vehicles located inside the Parliamentary precincts unless consistent with the Statement of Purpose.

6. Restricted access and use of CCTV system

6.1 Access to the CCTV system, including operating the equipment, viewing footage and access to the PSOR is strictly limited to Authorised Officers. All cameras record continuously to allow full monitoring and replay of footage.

7. Permitted use of the CCTV system by an otherwise unauthorised person

7.1 An otherwise unauthorised person may be granted approval from the Director, Security Operations or AFP Security Controller Parliament House to be present in

the APH security operations room to participate in a pre-planned operation, respond to a threat or incident, undertake training activities, security policy scoping works or auditing functions as outlined in section 5.2 (b) of the Code. Contractors who require access to the CCTV system will also require approval from the Director, Security Operations and must comply with any conditions of that approval. Access will only be provided for the duration of the task required.

- 7.2** An otherwise unauthorised person who has been granted approval from the Director, Security Operations or AFP Security Controller Parliament House in accordance with section 7.1 of the Code may direct the operation of cameras. However, these directions must comply with conditions outlined in the Code. Where an Authorised Officer believes that a request does not comply with the Code, a report should be made to the Authorised Officer's supervisor as soon as possible.

8. Management and storage of CCTV footage

- 8.1** Management of the CCTV system is undertaken by DPS on behalf of the Presiding Officers. Management of the CCTV system includes the continual operation and maintenance of the CCTV system.

9. General observation and monitoring

- 9.1** In the course of their duties, Authorised Officers use the CCTV system to undertake general observation and monitoring to maintain situational awareness within Parliamentary precincts having regard to the Statement of Purpose.

10. Quarantining of CCTV footage

- 10.1** A request to quarantine CCTV footage is only to occur as defined and authorised in the Code and in accordance with the purposes identified under the Statement of Purpose.
- 10.2** Any persons requesting the quarantine of CCTV footage will be required to complete a request to quarantine form before footage is quarantined. Requests to quarantine CCTV footage should be sent to the Security Branch, DPS via email dps.asa@aph.gov.au.
- 10.3** Unless required under law or approved by an Authorised Officer with appropriate delegation, quarantining of footage will only be for a 90 day period after which time they will be destroyed. It is the responsibility of the requesting officer to seek an extension of the 90 day quarantine period, with the approval of this request being at the discretion of the quarantine approval officers.

11. Release of CCTV footage in any format

- 11.1** Release of CCTV footage is only to occur as defined and authorised in the Code and in accordance with the purposes identified under the Statement of Purpose.

- 11.2** The viewing or release of footage to any person other than an Authorised Officer will require approval by the Presiding Officers or their nominated delegate.
- 11.3** A register must be maintained by the Director, Policy and Governance, and is to contain details of all released CCTV footage and the data that has been provided including:
- unique identifier
 - details of the requesting person
 - reason for the footage being released
 - description of footage
 - if the footage may engage parliamentary privilege
 - details of the approval and release, and
 - date of destruction.
- 11.4** Any persons requesting the release of CCTV footage will be required to complete an evidence transfer form before footage is released. Requests to release CCTV footage should be sent to the Security Branch, DPS via email dps.asa@aph.gov.au.
- 11.5** The recipient of released CCTV footage will be required to acknowledge the conditions of receiving the footage and agree that at no time shall the footage be used for any purpose other than the purpose specified and identified when DPS releases the footage.
- 11.6** Unless required under law or approved by an Authorised Officer with appropriate delegation, any CCTV footage released must be returned at the end of an agreed period, as outlined at the time of release. Any instance of footage not being returned by the end of the agreed period will be considered a breach of the Code.
- 11.7** Ownership and copyright of all recorded material rests with the Parliament of Australia. CCTV Footage may not be published, sold or used for commercial purposes.

12. Destruction of CCTV footage in any format

- 12.1** Unless required under law or approved by an Authorised Officer with appropriate delegation, any CCTV footage must be returned to DPS for destruction within the timeframe specified at the time of release.
- 12.2** Destruction of footage must be done in accordance with relevant laws and any other DPS records management policies and procedures and the register updated accordingly.

13. Licensees with CCTV within APH

- 13.1** Licensees must notify the Security Branch, DPS of any CCTV owned and operating within the Parliamentary precincts.
- 13.2** Licensees may not operate CCTV outside of their own licenced space.

- 13.3** Licensees who have CCTV within their licenced space must provide clear signage that CCTV is used in the areas before entering the recorded space.
- 13.4** Licensees must follow security policies and procedures as outlined in their contract, and be consistent with the Code.

14. Breaches of the Code

- 14.1** Any use of the CCTV system which is frivolous, vexatious or is otherwise inconsistent with the Statement of Purpose is not permitted.
- 14.2** Suspected or actual breaches of the Code must be reported to the Director Policy and Governance who will then report it to the Assistant Secretary, Security Branch as soon as practicable. A register of all suspected and actual breaches will be maintained and reported to the Presiding Officers through the SMB.
- 14.3** An alleged breach of the Code must be subject to proper investigation by an independent investigator appointed by the Assistant Secretary, Security Branch. The investigator will be responsible for providing a report including recommendations to the Assistant Secretary, Security Branch for further action.
- 14.4** A contractor found to have breached the Code will be dealt with to the extent permitted by law and pursuant to the terms of their contract.

15. Accountability and compliance

- 15.1** A version of the Code will be available to all building occupants and the public via the Parliament of Australia website.
- 15.2** Signs that CCTV cameras are operating are to be displayed at all entrances to APH. The signs will allow people entering the building to be aware that CCTV operates throughout the Parliamentary precincts.
- 15.3** Reviews of the Code and compliance will be conducted as required and will occur at least annually.

16. Complaints about the operation of a CCTV system at APH

- 16.1** A complaint regarding the operation or use of any CCTV system at APH must be made in writing to the Assistant Secretary, Security Branch through the Agency Security Adviser via dps.asa@aph.gov.au. A register of all complaints will be maintained and reported to the Presiding Officers through the SMB.
- 16.2** Where appropriate the Assistant Secretary, Security Branch will appoint an independent person to investigate the complaint and provide a written report within an agreed period of time.
- 16.3** The report is to be presented to the Assistant Secretary, Security Branch who will take action as appropriate. The Assistant Secretary, Security Branch must report on the complaint to the Presiding Officers through the SMB, including the process of complaint consideration and the outcome of an investigation, if any.

17. Further guidance

- 17.1 Further guidance on the application of this policy can be sought from the DPS Security Branch via security.policy@aph.gov.au.
- 17.2 For information on how to request CCTV footage to be quarantined or released, email dps.asa@aph.gov.au.