

**Euan Kyle**

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**From:** Euan Kyle  
**Sent:** Monday, 6 April 2020 3:18 PM  
**To:** [REDACTED]  
**Subject:** RE: Body Worn Camera [#4D4F5P]  
**Attachments:** Response Letter to Official Information Request - [REDACTED].pdf; SD-POL-014 - Wearable Video Cameras Policy 2017-2019.pdf

06/04/2020

[REDACTED]  
[REDACTED]

Dear [REDACTED]

**Request for Information – Local Government Official Information and Meetings Act 1987**

We refer to your official information request dated 13 March 2020 for information regarding the benefits of body worn cameras from a Hutt City Council perspective.

The information you requested is attached.

If you wish to discuss this decision with us, please feel free to contact me at [euankyle@huttcity.govt.nz](mailto:euankyle@huttcity.govt.nz).

Yours sincerely,

**Euan Kyle**

Senior Advisor, Official Information and Privacy

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand  
T 04 570 6702 W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

Encl:  
Response Letter to Official Information Request - Donald Frew.PDF  
SD-POL-014 - Wearable Video Cameras Policy 2017-2019.PDF

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**From:** Euan Kyle  
**Sent:** Tuesday, 17 March 2020 8:56 AM  
**To:** [REDACTED]  
**Subject:** RE: Body Worn Camera [#4D4F5P]

17/03/2020

[REDACTED]

Dear [REDACTED]

**REQUEST FOR INFORMATION - LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987: ACKNOWLEDGEMENT OF REQUEST**

I am writing to acknowledge receipt of your official information request dated 13 March 2020 for information regarding our Body Worn Camera's.

We received your request on 13 March 2020. We will endeavour to respond to your request as soon as possible and in any event no later than 20 working days after the day your request was received. If we are unable to respond to your request by then, we will notify you of an extension of that timeframe.

If you have any queries, please feel free to contact me on [ewan.kyle@huttcity.govt.nz](mailto:ewan.kyle@huttcity.govt.nz). If any additional factors come to light which are relevant to your request, please do not hesitate to contact us so that these can be taken into account.

Yours sincerely

**Euan Kyle**

Senior Advisor, Official Information and Privacy

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand  
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**Euan Kyle**

Senior Advisor, Official Information and Privacy

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand  
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**From:** Contact <Contact@huttcity.govt.nz>

**Sent:** Monday, 16 March 2020 9:51 AM

To: [REDACTED]  
Subject: FW: Body Worn Camera [#4D4F5P]

-----Original Message-----

From: [REDACTED]  
Sent: Friday, March 13, 2020 9:15 PM  
To: "[contact@huttcity.govt.nz](mailto:contact@huttcity.govt.nz)" <[contact@huttcity.govt.nz](mailto:contact@huttcity.govt.nz)>  
Subject: Body Worn Camera

Hi,

I am in the process of completing a discussion paper for the Compliance and Regulatory Services Branch Leadership Group to seek approval to trial body worn cameras (BWCs) and as such I am looking for information regarding their benefits from your perspective.

Could you please provide information on the following:

- the number and/or percentage of verbal abuse, threat and physical assaults before and after the introduction of BWCs
- type of BWCs that your council use, cost involved and the reason(s) for selecting it
- the types of unsuccessful BWCs and the reasons for not selecting them if you had carried out a trial
- any right to information request for BWC footage
- BWC policy and procedure, and
- any other relevant information you might like to share.

If the above information could be provided by the end of March 2020, that would be greatly appreciated.

Kind Regards

[REDACTED]

Workplace Health And Safety Officer

Compliance and Regulatory Services

Lifestyle and Community Services | BRISBANE CITY COUNCIL

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Brisbane Square / Lvl 11, 266 George Street | Brisbane QLD 4001

Phone: 07 3027 5838 | Fax: 07 3403 9948

Email: [REDACTED]

.....

Web: <http://www.brisbane.qld.gov.au/>

Twitter: <http://twitter.com/brisbanecityqld>

Facebook: <http://www.facebook.com/BrisbaneCityCouncil>

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6 April 2020

[REDACTED]  
Workplace Health And Safety Officer  
Compliance and Regulatory Services  
Lifestyle and Community Services  
Brisbane City Council

Barry Rippon  
Regulatory Services  
Tel: 570 6666  
[barry.rippon@huttcity.govt.nz](mailto:barry.rippon@huttcity.govt.nz)  
Our reference: DIV/20/3625

By email: [REDACTED]

Dear [REDACTED]

### **Request for Information – Local Government Official Information and Meetings Act 1987**

We refer to your official information request dated 13 March 2020 for information regarding the benefits of body worn cameras from a Hutt City Council perspective.

The information you requested is below:

- **the number and/or percentage of verbal abuse, threat and physical assaults before and after the introduction of BWCs**

There are no before and after statistics specifically gathered relating to the implementation of body worn cameras. No statistics were gathered before and after. We acted on deploying cameras as a deterrent to abusive behaviour. The cameras were deployed as an addition to the progressive implementation over the last 19 years of radio telephones, panic button capability, GPS, and streetwise safety and de-escalation training. The camera was the next obvious passive step to keep our people safe. The public introduction to the cameras was via media and local news paper, and by the wearing of an ID Tag by users notifying of the presence of the camera and auditory capability. We have had only one minor assault since the implementation of the cameras. (Warden pushed, and the person was prosecuted).

There have been numerous abusive attacks. It is likely there are more cases of abuse as abusive behaviour has been trending up everywhere. Certainly serious assaults have not. We had two serious assaults before bringing in the cameras.

The cameras were deployed as a deterrent tool only. They were never intended as a primary collector of evidence. (Although in the event of assault, footage would most certainly be provided to police).

- **type of BWCs that your council use, cost involved and the reason(s) for selecting it**

We currently use Hytera cameras with no forward facing display. We chose this device because of cost and also the camera has the ability to withstand a full shift on “standby” and back capture 30 seconds of filming when activated.

Our Animal Services team have recently (February 2020) purchased new Hytera Remote Video Microphones at a cost of \$NZ980.00 exclusive of gst (each).

- **the types of unsuccessful BWCs and the reasons for not selecting them if you had carried out a trial**

We previously used “Prima Facie” cameras however these had limited battery time and no back capture capability on standby.

Prior to these models we used "Wolfcom". However although the unit was compact and efficient, the after sales service was poor in New Zealand.

In our research in to the deployment of body worn camera's we chose not to use the forward facing image recorder as information from some British Police forces indicated the public objected to seeing themselves being recorded and this actually initiated abusive behaviour in some cases.

Other studies indicated forward facing images helped to deter behaviour where the public viewed themselves and modified their behaviour. Our choice fitted with our primary objective of the presence of the camera only as a deterrent.

- **any right to information request for BWC footage**

No footage has ever been requested or provided to anyone. No footage has ever been recorded of an assault.

No complaints have ever been lodged to my knowledge since the implementation of the policy.

- **BWC policy and procedure**

Please find attached our Wearable Video Cameras policy

- **any other relevant information you might like to share**

The policy has been scrutinised by the NZ Privacy Commissioner.

Our Policy met the provisions of the Privacy Act 1993 (NZ) at the time it was introduced.

Some of our officers have difficulty wearing the cameras whilst driving (getting caught out in the seatbelt, and remembering to turn the cameras on when an incident occurs.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact me, details above.

Yours sincerely



Barry Rippon  
Acting Head of Department, Regulatory Services

Encl SD-POL-014 - Wearable Video Cameras Policy 2017-2019.pdf

# WEARABLE VIDEO CAMERAS POLICY

Date created	22 March 2017
Publication date	3 April 2017
Review period	30 March 2019
Owner	Governance and Regulatory Services
Approved by	SLT
Reviewed by	Brad Cato
Training & Implementation	Relevant managers
Legislative and related references	Privacy Act 1993

Version	Author	Date	Description
V 1.0	Wendy Moore	30/03/2015	Approved by SLT
V 2.0	Wendy Moore	22/03/2017	Review.

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## 1. PURPOSE

This policy establishes instructions for the implementation, carriage and use of wearable video cameras by staff while they are on duty. The wearing of video cameras is intended to:

- Reduce the risk of personal harm to staff; and
- Reduce the chance of harm to a member of the public; and
- Assist staff in the lawful discharge of their functions and duties.

## 2. BACKGROUND TO THE HEALTH AND SAFETY ASPECTS

Hutt City Council must ensure it meets its obligations under the Health and Safety at Work Act 2015 in respect of ensuring the safety of our staff.

Examples of where staff are exposed to hazards include:

1. verbal abuse, threatening behaviour and physical assaults.
2. entering onto land and premises to execute their duties. Often this means interacting with people present on the land or in premises and can involve staff coming into contact with dangerous people or situations.

In both of the above examples it is not possible to eliminate or isolate the risk of personal harm during the course of normal work activities. Hutt City Council is legally obliged to eliminate risk, so far as reasonably practicable and, if not reasonably practicable, to minimise the risk to its employees.

The experience of other regulatory agencies indicates that wearing video cameras has a direct effect on the attitude and demeanour of those members of the public engaging with an on duty Council officer. Hutt City Council believes the introduction of wearable video cameras will be an effective way of minimising personal harm to staff and will avoid the need to move to other means of self-defence for staff such as physical contact or the carriage and use of other personal protection equipment.

Hutt City Council prefers the implementation of wearable video cameras over implementation of other more aggressive means of protection. The implementation of wearable video cameras is:

- a step to improve officer safety in the public environment;
- complements the existing radio telephone and Global Positioning Systems already deployed by some staff.

The implementation of wearable video cameras provides three key opportunities to improve safety for staff. They will:

- Provide vital information about the incidence, nature and severity of verbal abuse, threatening behaviour and physical assaults towards staff. This will provide statistical information to inform what training techniques can be focused on to de-escalate situations;
- Encourage members of the public to modify their behaviour toward staff because they will be aware that their behaviour is being recorded; and
- Provide a record of events where such behaviour needs to be referred to the Police.

### 3. ADVISING THE COMMUNITY

Hutt City Council will advise the community of the introduction of wearable video cameras in a number of ways:

- Staff using the wearable video cameras will wear a label above or below the camera advising that a camera is being worn and may record events and dialogue. The detachable label will be in the form of an ID tag and identify the device and the Agency details.
- Verbal advice by the officer wearing the device. At any time when the device is operated, the officer should advise the individual being videotaped, as soon as reasonably practicable.

### 4. PRIVACY

The use and storage of electronic recordings will be managed to ensure the information is secure and may not be used in a way that may infringe any privacy principles, as outlined in the Privacy Act 1993 Part 2 (Information Privacy Principles), and in particular the following principles:

- Principle 5 - storage and security of personal information;
- Principle 6 - access to personal information;
- Principle 9 - agency not to keep personal information for longer than necessary;
- Principle 10 - limits on use of personal information; and
- Principle 11 - limits on disclosure of personal information.

Where there is no conflict with this Policy, the use and storage of electronic recordings should also comply with Council's Privacy Act Policy 2014.

### 5. CONDITIONS FOR USE

The conditions of use are:

- The wearable video cameras (device) will only be carried and operated by Staff who have been trained in their use;
- The device should be worn in conjunction with a Council uniform (if applicable);
- The device must not be used for any purpose other than a purpose authorised by this Policy unless prior approval is given by the General Manager Governance and Regulatory.

### 6. STORAGE OF IMAGES

The information will be stored in accordance with the following criteria:

- Recorded footage will only be stored if it has been collected in accordance with a purpose authorised by this Policy;
- Footage will be stored on systems which have access limited to a relevant Manager and staff authorised by that Manager. Approval of that Manager or an authorised person is required for any other person to access that system;
- Footage and images will only be viewed by authorised staff in accordance with this Policy;

- Each time the system is accessed it will be recorded in a log;
- Footage will be held for no longer than necessary depending on the purpose for which the information is stored. Decisions regarding the retention of material will be made within 48 hours of the information being collected. Council will meet its obligations for retention and disposal of images under the ALGIM Retention and Disposal Schedule. Formal approval for disposal of records will be based on the direction of the Chief Archivist, Archives NZ;
- Some recordings and images may be retained for the purposes of resolving incidents, to assist in any legal proceedings or for training. Images of people not connected to the event will be blurred to avoid possible identification of that individual. This will be the responsibility of those personnel authorised to view the recorded footage.

## 7. RELEASE OF IMAGES

- If, in the course of any enquiry conducted by the Police, a formal request is made for any images relevant to that enquiry, the image/s will be released unaltered in response to that request with the consent of the Privacy Officer.
- The Privacy Officer must be informed of any request for release of footage and must check the footage before allowing the release.
- Individuals wishing to view footage may request to do so. This will be treated as a privacy or official information request.
- Footage of individuals not relevant to a request will be blurred or otherwise kept private if the software permits this. If this is not possible, a request may be declined if the Privacy Act 1993 allows this.

## 8. DISCIPLINARY CONSIDERATIONS

Failure to adhere to the above rules related to:

- the conditions of use;
- the storage of images; or
- the release of images

Will be a breach of this Policy, may be a breach of the Privacy Act 1993 and/or a breach of Hutt City Council's Code of Conduct and Employer Obligations in respect of "performance of duties" and may result in disciplinary action.

## 9. REVIEW OF THE USE OF WEARABLE VIDEO CAMERAS

The use of wearable video cameras will be reviewed every two years.