

1 October 2020		ITEM: 7
Cleaner, Greener and Safer Overview and Scrutiny Committee		
CCTV Public Identification Policy Update		
Wards and communities affected: All	Key Decision: n/a	
Report of: Dulal Ahmed, Housing Enforcement Manager		
Accountable Assistant Director: Carol Hinvest, Assistant Director of Housing		
Accountable Director: Roger Harris, Corporate Director of Adults , Housing and Health		
This report is Public		

Executive Summary

On the 15 January 2020 Cabinet approved the implementation of a Public Identification CCTV policy for enforcement purposes and using images of criminal incidents in local publications and on the internet.

This report outlines the council's CCTV purpose, six month interim results implementing this policy during COVID19 and assisting with the successful prosecution of offenders.

Although Council appeals for public help to identify persons of interest was not needed over the last six months due to falling crime levels. CCTV is an invaluable tool for Essex Police and the Community Safety Partnership to combat crime, deter anti-social behaviour and environmental crime such as fly tipping, whilst enhancing community safety.

1. Recommendation(s)

- 1.1 Cleaner, Greener and Safer Overview and Scrutiny Committee to note and comment on the interim results of the Public Identification CCTV policy.**
- 1.2 Cleaner, Greener and Safer Overview and Scrutiny Committee to note the Community Safety Partnership oversees the monitoring of this policy.**

2. Introduction and Background

- 2.1 The Cleaner Greener and Safer Overview and Scrutiny Committee supported the implementation of this policy on the 3 October 2019 to tackle anti-social behaviour and environmental crime offences where identities are unknown and could not be identified by any other means. This Committee agreed that an update report should be brought back in six months' time subject to Cabinet approval on the 15 January 2020.
- 2.2 Legislation provides the council with the powers to take formal action under its Enforcement Policy and publish images to prevent, detect crime, apprehend and prosecute offenders.
- 2.3 The Thurrock Community Safety Partnership continues to monitor this policy and direct CCTV to areas of need.

3. CCTV Enforcement in Thurrock

- 3.1 Thurrock Council CCTV Control Room monitor and record 24 hours a day, 365 days a year.
- 3.2 The council has 600 cameras, spread over 40 locations on housing estates and open spaces including town centres.
- 3.3 The council's CCTV system has the following purposes:
 - Reduce the fear of crime
 - Deterring and preventing crime
 - Monitor public areas to detect incidents and co-ordinate a policing or enforcement response
 - Record events to provide high quality evidence which may assist in the detection of crime and the apprehension and prosecution of offenders
 - Provide assistance with issues relating to public safety and health, including fire safety
 - Providing assistance to colleagues in emergency situations
 - Protect property
 - Aid to person identification – operators help police to match police photographs of offenders and missing persons to CCTV images.
- 3.4 Cameras are sited to capture images which are relevant to the above purpose.
- 3.5 CCTV operators are aware of the purpose[s] and that CCTV equipment is only used to achieve the identified purposes. Operators are trained in the required Security Industry Authority criteria to carry out their duties.
- 3.6 The system is operated with a recognised Code of Practice and Procedural Manual and works within the requirements of General Data Processing

Regulation [GDRP], Data Protection Act 2018, Human Rights Act 1998 and relevant legislation.

3.7 The council’s Public Identification CCTV Policy is published on its website to be transparent and accountable to the public it aims to protect.

3.8 Requests for the release of data generated by the CCTV system, made by individuals or third parties, is processed by Information Governance, the Council Data Controller.

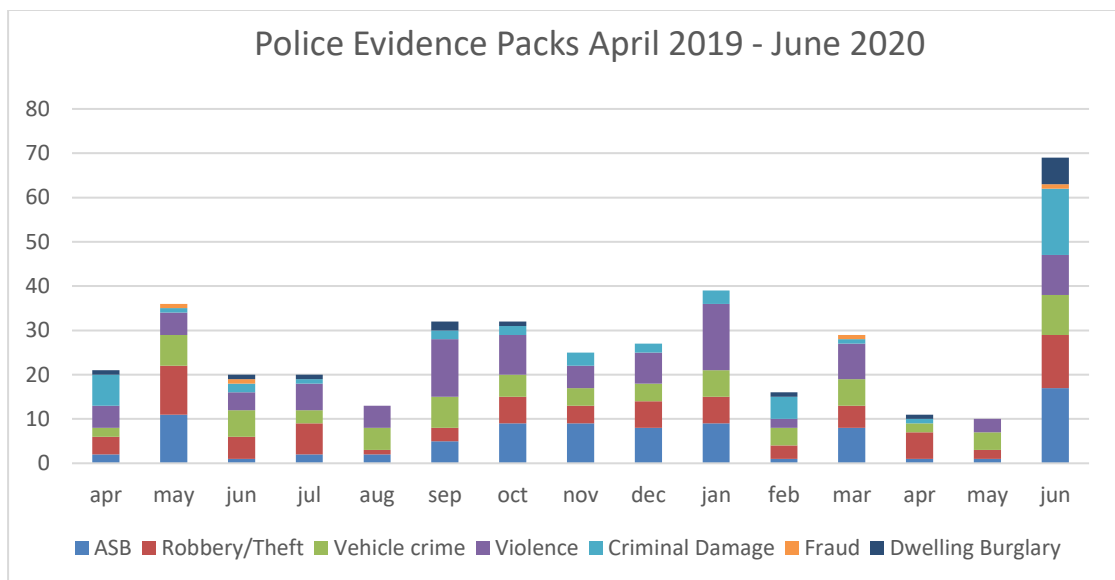
4. Data Sharing

4.1 CCTV is used in the monitoring of public areas, such as housing estates, parks, and town centres. It’s an effective tool and highly regarded and valued by the Community Safety Partnership for crime investigations, deterring anti-social behaviour and housing enforcement.

4.2 The Thurrock Control Room recorded 1956 incidents and produced 624 evidential packages from April 2019 to June 2020. Evidence packs are the recordings and statements which the CCTV operators produce for police and council enforcement officers.

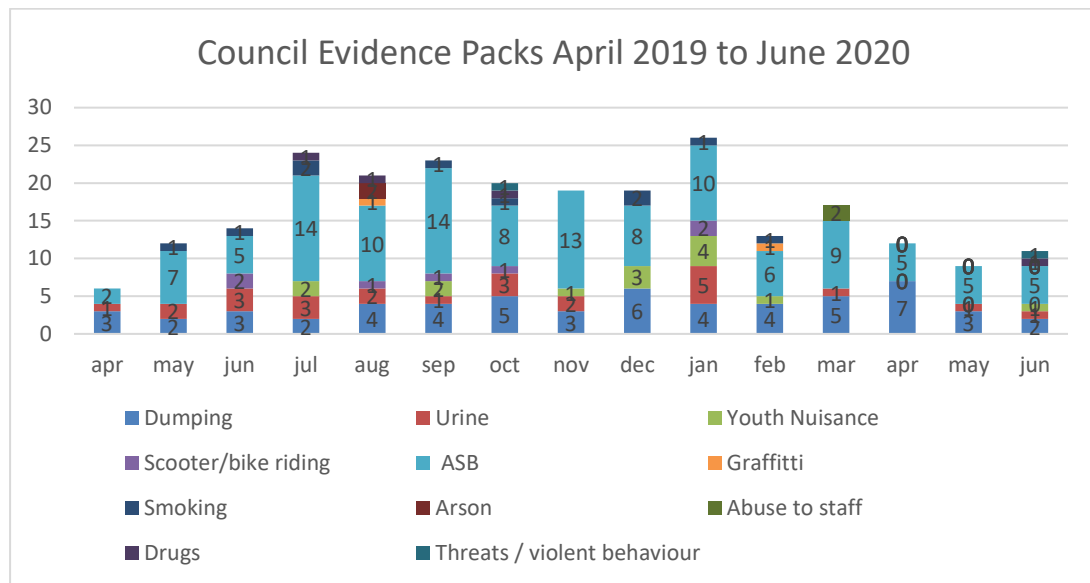
4.3 Table 1 and 2 shows the different types of evidence packs produced for criminal investigations and housing enforcement.

Table 1



4.4 Table 1 identifies violence, anti-social behaviour, vehicle crime, robbery and theft as resident and policing priorities. Essex Police and the Community Safety Partnership analyse patterns to predict and explain future behaviours. This directs problem solving strategies to protect communities.

Table 2



4.5 Table 2 identifies tackling anti-social behaviour, dumping [fly tipping], and misuse of communal areas council housing priorities. Thurrock Council investigates breaches of tenancy and in serious cases considers legal action.

5. Interim Results

5.1 The Public Identification policy and business workflow is robust and stands up to public scrutiny.

5.2 Council appeals for public help to identify persons of interest in local publications and on the internet was not needed over the last 6 months. This outcome may well reflect that all crime in the first quarter in Thurrock, April to June was down 27.4% reducing requirement to identify persons of interest.

5.3 Enforcement Officers are identifying offenders by other investigative actions such as gathering information, establishing facts, analysing photographs, and evaluating evidence to track and apprehend those caught on camera committing criminal offences.

5.4 The procedure for publicising anti-social behaviour and enviro crime offences shows care is taken to follow process and the council will not consider releasing images of offenders where the image is not clear and there is insufficient evidence to prosecute or issue a penalty notice in relation to the offence.

5.5 However, CCTV images will be used in cases where it's justified, necessary and proportionate to identify offenders who cannot be identified by any other means.

5.6 The following case studies are incidents dealt with by the Thurrock Control Room where CCTV evidence packs contributed to their identification and prosecution.

- CCTV evidence was provided to the Police regarding a prolific burglary offender caught on camera which enabled a successful prosecution in Court, the outcome on sentencing is awaiting reports.
- CCTV evidence was provided to the Police for an assault, threatening behaviour and Public Order offences in Grays Town Centre. The offender was sentenced to 4 weeks imprisonment and a banning order for three years from the Town Centre.
- CCTV evidence was provided for a case of Criminal Damage against Council property in the High Rise flats at Tilbury. The offender was found guilty and ordered to pay £500 costs to the Council.
- CCTV was used to identify, arrest and convict a tenant for criminal damage in the communal area George Tilbury House. The offender was seen kicking the glass door panels. Due to this conviction and other Anti – Social Behaviour (ASB) matters the ASB Team served the tenant with a mandatory possession under the Anti - Social Behaviour, Crime and Policing Act 2014.
- A visitor to Gooderham House was seen damaging the CCTV in the lift. The offender was subsequently identified and charged with criminal damage. This case will go before the courts soon. The ASB Team will consider a proportionate response following the outcome of the court hearing.
- A female was assaulting another female as a result of argument over parking at Poole House. CCTV evidence captured the incident. The police are currently looking at the CCTV images and videos and will update the ASB Team for their input into this case.

6. **Dealing with anti-social behaviour and COVID19**

6.1 The Police report a decrease in all crime types from 163005 to 160022 over 12 months from June 2019 to June 2020 in Thurrock. However, anti-social behaviour reports to the Police increased by 3.8% from 44325 to 45988 at the end of June 2020.

6.2 Covid19 may well contribute towards a rise in report levels due to people not complying with the Government's guidance to stay at home or neighbour disputes due to intolerance and more people being at home than usual so they may be unaware of how their behaviour impacts on neighbours.

6.3 Action to tackle ASB during this difficult time to protect our local communities continues. The CCTV service operates a number of mobile cameras which can be deployed to various 'hotspot' areas, subject to availability and being operationally viable. This is agreed between Council Officers and the Police.

This is monitored by the Community Safety Partnership with a clear transparent system in place for their deployment to areas of need.

- 6.4 Areas with good camera coverage provides assistance to solve investigations, deter crime and anti-social behaviour to keep our estates and streets clean and safe.

7. Reasons for Recommendation

- 7.1 The CCTV public identification policy plays a part of the council's overall package to fight crime, resolve tenancy breaches including anti-social behaviour and reduce re-offending.
- 7.2 The council's camera network increases the opportunities for surveillance and increases the perceived risk of detection associated with offending.
- 7.3 The council continues to monitor new technology solutions in relation to directing investigations and gathering evidence.

8. Consultation (including Overview and Scrutiny, if applicable)

- 8.1 The Public Identification CCTV policy requires the consultation of the Community Safety Partnership, Essex Police, Legal, Children and Adult services before the decision to release an image to the public. Where the individual is known, it is unlikely to be appropriate to release the image, although there are exemptions and the Council will seek specific legal advice of known individuals are released.

9. Impact on corporate policies, priorities, performance and community impact

- 9.1 This report contributes to the council fulfilling its community safety obligation under the Crime and Disorder Act 1998, Section 17.

10. Implications

10.1 Financial

Implications verified by: **Laura Last**
Senior Management Accountant

There are therefore no financial implications concerned with this report.

10.2 Legal

Implications verified by: **Tim Hallam**
Deputy Head of Law and Deputy Monitoring Officer

In its administration of its CCTV system, the Council must comply with the Data Protection Act 1998. Due regard is given to the data protection principles embodied in the Data Protection Act. These principles require that personal data shall be:

- a) processed fairly and lawfully;
- b) held only for specified purposes and not used or disclosed in any way incompatible with those purposes;
- c) adequate, relevant and not excessive;
- d) accurate and kept up to date;
- e) be kept longer than necessary for the particular purpose;
- f) processed in accordance with the rights of individuals;
- g) kept secure; and
- h) not be transferred outside the European Economic Area unless the recipient country ensures an adequate level of protection.

From 25 May 2018, the Council is required to comply with the General Data Protection Regulation (GDPR). Due regard will be given to the data protection principles contained within Article 5 of the GDPR which provide that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date;
- e) kept in a form which permits identification of the data subjects for no longer than is necessary for the purposes for which the personal data are processed; and
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

10.3 **Diversity and Equality**

Implications verified by: **Roxanne Scanlon**
**Community Engagement and Project
Monitoring Officer**

There are no diversity or equality implications associated with this report. A Communities and Equalities Impact Assessment was completed when the original policy was implemented to ensure fair enforcement. Images of young persons under age of 18 or perceived to be will not be shared.

10.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

11. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

CCTV Public Identification Policy, 15 January 2020, Cabinet

CCTV Public Identification Policy, 3 October 2019, Cleaner Greener and Safer Overview & Scrutiny Committee

12. **Appendices to the report**

None

Report Author:

Dulal Ahmed

Housing Enforcement Manager