

# Topic: CCTV and Remote Monitoring Systems

Ministry of Corrections, Policing and Public Safety  
Custody, Supervision and Rehabilitation Services

<b>LEGISLATIVE AUTHORITY:</b> <i>The Correctional Services Act, 2012</i> , section 81 <i>The Correctional Services Regulations, 2013</i> , section 76	Authorization: Assistant Deputy Minister, Custody, Supervision and Rehabilitation Services Policy Owner: Executive Director, Custody Services
Prepared by: Lindsay Tokarski and Paul Sagel	Effective Date: May 27, 2021
Revised by:	Latest Revisions Effective: June 8, 2021

## **SCOPE:**

This policy applies to all adult correctional facilities as defined by section (s.) 2(h) of *The Correctional Services Act, 2012*.

## **POLICY OBJECTIVE:**

The purpose of this policy is to provide standards for the use of closed circuit television (CCTV) and remote monitoring systems and for the recording and retention of video surveillance in the adult correctional centres. Adherence to this policy will promote the security of the correctional centre and the safety of staff, inmates and the public while respecting individuals' privacy rights.

## **PRINCIPLES:**

- CCTV and remote monitoring systems are to be used in a manner that balances respect for an individual's privacy with the safety of staff, inmates and the public and the security of the correctional centre.
- Personal information acquired through surveillance is protected by the provisions of *The Freedom of Information and Protection of Privacy Act* and the use of such information shall be used in a manner consistent with the purposes for which it is collected.
- Although inmates retain certain rights under the *Canadian Charter of Rights and Freedoms*, there is a diminished expectation of privacy in a correctional setting.

## **DEFINITIONS:**

**Closed Circuit Television (CCTV) systems:** televised scenes broadcast to selected receivers for evidentiary and surveillance purposes.

**Remote Monitoring System:** a system of monitoring the location, movements, activities or communications of an offender by means other than direct observation or listening by an individual, whether that monitoring is achieved by cameras, projectors, electronic equipment, mechanical equipment or other means.

# Topic: CCTV and Remote Monitoring Systems

**Serious Incident:** an event that has a significant effect on the operations of a correctional centre and that requires an immediate response to ensure public safety, preservation of life, prevention of injury and minimize damage to government property and/or the environment. See Provincial Policy **Information Management 901 – Reporting and Notification of Serious Incidents** for examples and incident levels.

## **STANDARDS:**

### **1.0 GENERAL**

- 1.1 The presence of CCTV and remote monitoring systems does not replace the obligation of correctional staff to provide dynamic security when supervising inmates.
- 1.2 Correctional facilities are permitted to place CCTV cameras in the following locations:
  - All entrances and exits to the correctional centre;
  - Controlled entrances/exits within the correctional centre;
  - Living unit common areas;
  - Medical unit common areas;
  - Observation cells;
  - Kitchen cooking/prep areas;
  - Visiting areas;
  - Admitting cells;
  - Leisure and recreation areas;
  - Facility perimeter;
  - All walkways and corridors; and
  - Any other area approved by the Director of Adult Custody Services.
- 1.3 CCTV cameras are to be placed in such a manner as to provide optimum coverage of the assigned area while minimizing blind spots.
- 1.4 CCTV cameras placed in areas where there is a reasonable expectation of privacy such as washrooms shall not be pointed directly at toilet or shower areas unless there is privacy barrier(s) preventing the viewing of the inmate's genital and buttock areas.
- 1.5 Inmates shall not be strip-searched in *direct* view of a camera (e.g., in a cell or area with a camera pointed directly at their person) unless there is a privacy screen preventing the viewing of the inmate's genital and buttock areas or unless an emergency strip search is immediately required to prevent danger to the safety of inmates, staff or the public.
- 1.6 Unless authorized by the Correctional Centre Director or designate, male staff members are prohibited from monitoring or viewing the video recordings of female inmates in any area where inmates may be unclothed or partially unclothed.

### **2.0 NOTIFICATION OF VIDEO SURVEILLANCE AND RECORDING**

- 2.1 Inmates shall be advised through signage posted in the admitting and discharge areas that the correctional centre is under video surveillance at all times.

# Topic: CCTV and Remote Monitoring Systems

2.2 Visitors shall be advised through signage posted at main entrances and public access areas that the correctional centre is under video surveillance at all times.

## **3.0 USE OF CAMERAS IN OBSERVATION CELLS**

3.1 The Correctional Facility Directors have been delegated the responsibility of the Head of Corrections to authorize the use of a remote monitoring system in cells used for holding inmates where it is believed on reasonable grounds that monitoring in a cell is required for the safety of any person or the security of the correctional facility.

3.2 Cameras in observation cells shall only be viewed when occupied by an inmate who is:

- Exhibiting self-injurious or suicidal behaviour;
- Exhibiting drug or alcohol withdrawal symptoms;
- Placed on observation for medical reasons; and/or
- Suspected of concealing contraband within a body cavity.

3.3 Access to live viewing of CCTV cameras for observation cells will normally be limited to the immediate control post and shall be conducted in accordance with Provincial Policy **Personnel 220 – Cross Gender Staffing**.

3.4 Cameras in observation cells should not be pointed directly at the toilet area. If it is not possible to exclude the toilet area from the view of the camera, then a privacy barrier or other method must be used to prevent the viewing of the inmate's genital and buttock areas when they are using the facilities.

3.5 Inmates shall be advised in writing of the reasons for their placement in an observation cell and be provided with the opportunity to make representations to the Correctional Facility Director.

## **4.0 VIEWING OF VIDEO RECORDINGS**

4.1 Viewing/release of video recordings for the purposes of inmate disciplinary hearings shall be conducted in accordance with Provincial Policy **Inmate Rights and Privileges 403 – Inmate Discipline**.

4.2 The viewing of video recordings for any other purposes shall be on the authorization of the Correctional Centre Director or designate and on a "need to know" basis.

## **5.0 RELEASE OF VIDEO RECORDINGS**

5.1 The Correctional Centre Director may authorize the release of a video recording within the Ministry of Corrections, Policing and Public Safety for the purposes of an internal investigation.

5.2 In the case of an investigation by Investigative Services (IS), the video recordings shall be released in accordance with the Terms of Reference (TOR).

# Topic: CCTV and Remote Monitoring Systems

- 5.3 The Correctional Centre Director may authorize the release of a video recording for purposes other than an internal investigation or to an agency outside of the ministry only when there is:
- A valid warrant or court authorization;
  - Legislated authority; and
  - An identified need based on reasonable grounds to assist in a police agency investigation.
- 5.4 In the case of an investigation by a police agency, the Correctional Centre Director shall request written confirmation of an active investigation and/or file number prior to releasing the video recordings.
- 5.5 All other requests must be made in writing. If approved, the Correctional Facility Director shall release a copy of the video recording only after both parties have signed the *Agreement for the Release of Video Recordings* form.
- 5.6 Only the portion of the video recording pertinent to the investigation/matter shall be released.

## **6.0 EVIDENCE**

- 6.1 Each correctional centre must designate a secure environment with limited access to store evidence recordings to ensure the authenticity and integrity of the recordings.

## **7.0 RETENTION OF VIDEO RECORDINGS**

- 7.1 Video recordings shall be stored on the internal hard drive of the correctional centre's video surveillance system.
- 7.2 All video recordings are to be kept on the hard drive for a minimum of 14 days and to a maximum of 30 days as per s. 76(3) of *The Correctional Services Regulations, 2013*.
- 7.3 Video recordings used for criminal investigation or disciplinary purposes will be copied to a secondary storage device and kept in a locally designated secure area in accordance with *The Archives and Public Records Management Act*.
- 7.4 The Correctional Facility Director shall designate which staff shall be permitted to copy video recordings to secondary storage device.
- 7.5 A copy to a secondary storage device will also be made in the following situations:
- Serious incident or injury;
  - Investigation of employee, contractor or volunteer transgressions; and
  - Situations when legal action has or is likely to occur.
- 7.6 If the one of the above situations is to be investigated by Investigative Services or an outside law enforcement agency, all required areas of video surveillance for the 24 hours prior to, and following, the incident, shall be copied to a secondary storage device.

# Topic: CCTV and Remote Monitoring Systems

## **CROSS-REFERENCE:**

**Information Management 901** – *Reporting and Notification of Serious Incidents*

**Information Management 909** – *Disclosure of Information*

## **Forms**

*Agreement for the Release of Video Recordings*

## **ACCOUNTABILITY:**

A quality assurance audit will be conducted as required by a person designated by the Assistant Deputy Minister of Custody, Supervision and Rehabilitation Services. The audit will, at a minimum, assess compliance with all sections that require a recorded task. A report of this audit will be submitted to the Executive Director of Custody Services.

## **REVIEW:**

The ministry will conduct routine reviews to ensure the content reflects any recent provincial, federal legislation changes and/or higher court decisions. In addition, all policies are subject to review or revision at any time on an as-needed basis.

## **AUTHORIZATION:**



---

Heather Scriver, Assistant Deputy Minister  
Custody, Supervision and Rehabilitation Services