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To: "Direct to Mayor and Council - DL"

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Date: 4/27/2018 5:25:34 PM

Subject: CCTV Use in the Granville Entertainment District

Attachments: Memo - Use of CCTV in the Granville Entertainment District - April 25 20....pdf

Dear Mayor and Council,

In follow up to the briefing we provided on April 9, 2018, the attached memorandum provides a comprehensive response to Council's motion and associated questions regarding the use of video surveillance in the Granville Entertainment District and the use of CCTV technology generally. The memo addresses the following points:

- Research regarding the effectiveness of CCTV as a measure to deter crime;
- The provincial statutory framework for the use of video surveillance by public bodies;
- The extent to which the City presently uses CCTV technology; and
- The implications of installation of CCTV in the GED.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Best,
Paul

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MEMORANDUM

April 25, 2018

TO: Mayor and Council

CC: Sadhu Johnston, City Manager
Katrina Leckovic, City Clerk
Lynda Graves, Administration Services Manager, City Manager's Office
Rena Kendall-Craden, Communications Director
Kevin Quinlan, Chief of Staff, Mayor's Office
Naveen Girm, Community Relations Director, Mayor's Office
Francie Connell, Director of Legal Services
Kaye Krishna, General Manager, Development, Buildings & Licensing
Tobin Postma, Director, Strategic Initiatives

FROM: Paul Mochrie, Deputy City Manager

SUBJECT: Use of CCTV in the Granville Entertainment District

Dear Mayor and Council,

On February 21, 2018, Council passed a motion related to Upgrading, Reviewing and Revising the Granville Entertainment District.

As part of that Motion, Council directed staff to:

"Work with the Vancouver Police Department, Bar Watch, other relevant stakeholders, including the Granville Entertainment District (GED) Working Group on Safety and Security, the Provincial Government, and other B.C. municipalities exploring the use of CCTV, to accelerate and prioritize efforts to reactivate and expand the Street Surveillance Camera Network to deter property damage and theft, and to deter patrons of the GED who are intent upon engaging in violent behaviour, and that a budget, and timeframe, for potential implementation be presented to Council before June 2018."

Since February 21, staff have been working to review the regulatory framework and associated legal implications for the use CCTV cameras as well as the literature regarding the effectiveness of CCTV cameras in deterring crime. Staff have also canvassed stakeholder groups mentioned in the motion to understand their position regarding the use of CCTV surveillance in the GED.

This memo provides a summary of the above-referenced work.

Global context – CCTV surveillance in public spaces

Globally, the use of closed circuit television (CCTV) surveillance is increasingly common in public spaces¹. In Britain alone, there are an estimated 4.2 million cameras and by 2007 at least 14 towns or cities in Canada were using or had tried open street CCTV and at least 16 more municipalities were considering it².

Generally the reasons given for installing CCTV cameras can be separated into three main categories (SCAN Part 1, 2009):

- 1) Deterring crime
- 2) Detecting crime, gathering evidence and deploying law enforcement
- 3) Increasing public perceptions of safety

“Camera surveillance systems are commonly installed to deter crime. The introduction of open-street CCTV, in particular, is usually understood as a response to crime and fear of crime. Many open-street systems are introduced in downtown retail strips and near concentration of bars to target criminal and ‘anti-social’ activity, especially around bar closing times” (Lippert 2007)³

Public opinion research consistently shows strong support for the use of camera surveillance in public and in private spaces (SCAN Part 1, 2009). Norris and Armstrong (1999)⁴ suggest that public opinion on this topic is affected by seeing the over-represented role of cameras in crime detection in media and popular culture. A British Home Office study (Spriggs, Argomaniz, Gill and Bryan 2005)⁵ further demonstrates that most people tend to overestimate the capabilities of cameras in capturing details, seeing through obstacles, detecting motion, tracking targets as well as night and infrared capacity.

¹ Campbell Systematic Review (2008) *Closed Circuit Television (CCTV) as a crime prevention tool*
https://www.campbellcollaboration.org/media/k2/attachments/CC_PLS_Campbell_PLS_Closed_Circuit_Television.pdf

² Surveillance Camera Awareness Network (2009) *A Report on Camera Surveillance in Canada Part 1*
http://www.sscqueens.org/sites/default/files/SCAN_Report_Phase1_Final_Jan_30_2009.pdf

³ Criminal Justice Matters (2007) *Open-Street CCTV Canadian Style*
<https://www.tandfonline.com/doi/abs/10.1080/09627250708553283>

⁴ Office of the Information and Privacy Commissioner of Alberta (2003) *Literature Review on Issues of Privacy and Surveillance Affecting Social Behaviour*
https://www.oipc.ab.ca/media/604266/research_literature_review_privacy_surveillance_aug2003.pdf

⁵ UK Home Office (2005) *The impact of CCTV: fourteen case studies*
<http://webarchive.nationalarchives.gov.uk/20110218140110/http://rds.homeoffice.gov.uk/rds/pdfs05/rdsolr1505.pdf>

“Regardless of the setting, cameras are seen as useful against crime, though their usefulness has not been proven in quantitative evaluations. The public largely presumes, or even hopes for usefulness: cameras are seen as worth installing even if they will generally not be useful, on the hope that they might prove useful eventually” (SCAN Part 1, 2009)

However, despite this perception, the empirical evidence on whether CCTV surveillance systems aid in deterring, responding to and investigating crime is generally inconclusive and any success CCTV cameras may have largely depends on where they are installed.

An in-depth review of 14 case studies by the UK Home Office on the impact of CCTV in 2005 also found that while CCTV cameras produced a statistically significant reduction of crime in car parks, they had a non-significant impact on crime in city centres.

A systematic review of 44 evaluations of the impact of CCTV on property and violent crime in the UK, USA, Canada, Norway and Sweden by the Campbell Collaboration in 2008 found that “surveillance is more effective at preventing crime in car parks, and less effective in city and town centers, public housing, and public transport”.

These findings echo a review of CCTV surveillance and crime prevention compiled by the Swedish National Council for Crime Prevention (2007)⁶ which, after looking at 44 previous studies, concluded that:

“CCTV caused a small (16%) but significant decrease in crime in experimental areas compared with comparable control areas. However, this overall result was largely driven by the effectiveness of CCTV schemes in car parks, which caused a 51% decrease in crime. Schemes in most other settings had small and nonsignificant effects on crime: a 7% decrease in city and town centers and in public housing. Public transport schemes had greater effects (a 23% decrease overall), but these were still non-significant.”

The review suggests that the effectiveness in CCTV schemes in car parks was due to it being combined with other interventions such as improved lighting, fencing and security personnel. Those locations also saw high levels of camera coverage and benefitted from having limited entry and exit points to monitor.

Past studies in the USA also support the notion that CCTV cameras are more impactful when deployed with a suite of other interventions to tackle crime.

In Newark, New Jersey, it was found that the integration of CCTV with proactive police activity generated a crime control benefit greater than what was achievable via stand-alone camera deployment, especially for street-level crime⁷.

⁶ Swedish National Council for Crime Prevention (2007) *Closed-Circuit Television Surveillance and Crime Prevention*
http://www.crim.cam.ac.uk/people/academic_research/david_farrington/cctvsw.pdf

In 2011 the Urban Institute evaluated the use of public surveillance in three US cities – Baltimore, Chicago and Washington DC. Results varied in each city and success or failure largely depended on how the systems were set up and monitored as well as how each city balanced privacy and security. The authors concluded that:

“Surveillance cameras alone are not enough to prevent crime...cameras are only as good as the way in which they’re integrated into the larger strategy of policing and public safety.”⁸

The effectiveness of CCTV cameras alongside other measures is important to keep in mind as “the focus on technological solutions has corresponded with reduced investment in ‘eyes on the ground’”. As Ditton (2000)¹⁰ summarizes, “people...felt that the police not the cameras made them feel safer.”

It is also worth noting that in some cases it was found that the installation of CCTV cameras resulted in an increase in crime. This could be a result of the cameras providing a false sense of security to people which may cause them to relax their vigilance or stop taking safety precautions. It may also encourage increased reporting of crimes to police. There is also some risk that CCTV may cause crime to be displaced to other locations, times or victims; however, the evidence of this occurring is mixed and in some cases CCTV has had a diffusion of benefits on surrounding areas¹¹.

Fear of crime, particularly violent crime, are often seen to be key drivers for installing CCTV cameras in public spaces; however, evidence indicates that surveillance cameras do not reduce the types of violent crimes that people are afraid of - murder, terrorism, muggings, rapes etc. (Gill & Spriggs 2005; Welsh & Farrington 2002)¹².

⁷ Journal of Experimental Criminology (2015) *The Effects of Merging Proactive CCTV Monitoring with Directed Police Patrol: A Randomized Control Trial* https://academicworks.cuny.edu/jj_pubs/175/

⁸ Urban Institute (2011) *Evaluating the Use of Public Surveillance Cameras for Crime Control and Prevention - A Summary* <https://www.urban.org/sites/default/files/publication/27546/412401-Evaluating-the-Use-of-Public-Surveillance-Cameras-for-Crime-Control-and-Prevention-A-Summary.PDF>

⁹ New Economics Foundation (2013) *‘Fortress Britain’: high security, insecurity and the challenge of preventing harm* https://docs.wixstatic.com/ugd/e87dab_0ad9054939284a37b254640452e0d50d.pdf

¹⁰ British Journal of Criminology (2000) *Crime and the city: Public attitudes towards open-street CCTV in Glasgow* <https://academic.oup.com/bjc/article-abstract/40/4/692/511619?redirectedFrom=fulltext>

¹¹ Surveillance Camera Awareness Network (2009) *A Report on Camera Surveillance in Canada Part 2* http://www.sscqueens.org/sites/default/files/SCAN_Report_Phase2_Dec_18_2009.pdf

¹² UK Home Office (2003) *Assessing the impact of CCTV* <https://pdfs.semanticscholar.org/eee5/44526b374c2a32e288f3dd4fa2cc5045c432.pdf>

A study in the British Journal of Criminology (Ditton, 2000) looking at public attitudes to open street CCTV in Glasgow found that while people often believed that CCTV would make them feel safer, the opposite was true – both crime and fear of crime rose. The authors suggest that the introduction of CCTV undermined people's personal and collective responsibility for each other's safety.

The Campbell Review (2008) found that while CCTV can be a helpful tool for reducing property crime or thefts from vehicles or thefts from vehicles in car parks, "CCTV is not an effective tool for preventing violent crime."

Brown (1995)¹³ studied CCTV in three UK town centres and found that cameras had the greatest effect on property crime whereas the effect on violent crime was less clear as there was little change in the level of assaults and wounding.

In conclusion, it is important to note that there is a lack of recent studies on the effectiveness of CCTV cameras - most of the research currently available is at least five years old - and many of those studies would have benefited from longer evaluation periods.

However, despite these challenges, the majority of the empirical research that is available indicate that CCTV cameras are more effective at deterring property crime rather than violent crime and are more effective when located in car parks rather than in town centres as well as when they are installed alongside other crime prevention tactics, such as increased lighting and the presence of security or police personnel.

Provincial context – FIPPA parameters for CCTV use

In British Columbia, the use of video and audio surveillance by public bodies is subject to the *Freedom of Information and Protection of Privacy Act* (FIPPA). The Office of the Information and Privacy Commissioner (OIPC) provides independent oversight and enforcement of BC's access and privacy laws which includes FIPPA and the *Personal Information Protection Act* (PIPA), which applies to private sector organizations.

FIPPA governs the manner in which public bodies, including the City of Vancouver, collect, use and disclose personal information and imposes restrictions and obligations upon public bodies with respect to the same.

Under FIPPA there are limited circumstances in which a public body can collect personal information through audio and video surveillance:

- The information is collected for the purpose of law enforcement, so long as the public body has a law enforcement mandate;
- The information relates directly to and is necessary for a program or activity;

¹³ UK Police Research Group (1995) *CCTV in Town Centres: Three Case Studies*
http://www.popcenter.org/Responses/video_surveillance/PDFs/Brown_1995_Full.pdf

- The information is collected by observation at a presentation, ceremony, performance, sports meet or similar event.

Personal information is defined by the OIPC as being:

“[A]ny recorded information that uniquely identifies you, such as your name, address, telephone number, age, sex, race, religion, sexual orientation, disability, fingerprints, or blood type. It includes information about your health care, educational, financial, criminal or employment history. It also includes anyone else's opinions about you and your own views or opinions.”

In 2014 the OIPC updated its guidance document for public sector video surveillance. The purpose of the guidance document is to “provide information on how [FIPPA] applies to the use of video and audio surveillance systems by public bodies” (2014)¹⁴.

The document outlines the OIPC's position that video and audio surveillance systems are particularly privacy intrusive measures because they often subject individuals to continuous monitoring of their everyday activities, thereby capturing people's personal information or data through this monitoring.

“...a surveillance system should only be used where conventional means for achieving the same law enforcement objectives are *substantially* less effective than surveillance *and* the benefits of surveillance *substantially* outweigh any diminution of privacy inherent in the system's existence and use.” (OIPC, 2014)

The OIPC is also very clear that information collected through surveillance should not be used beyond its original purpose.

CCTV cameras, often installed for the purposes of deterrence and the increase in public perception of safety, are susceptible to ‘function creep’ which is when the cameras installed for one purpose become used for other purposes (SCAN Part 1, 2009).

For instance, while violent crimes are often the justification for installing CCTV cameras, Coleman (2006) and Norris & Armstrong (1999) note that they tend to be used to monitor panhandling, youth activities, vagrancy, loitering, drug dealing and public nuisances in general¹⁵. Williams and Johnstone (2000)¹⁶ argue that this type of monitoring serves to exclude certain

¹⁴ Office of the Information and Privacy Commissioner (2014) *Public Sector Surveillance Guidelines* <https://www.oipc.bc.ca/guidance-documents/1601>

¹⁵ Canadian Journal of Communication (2009) *CCTV Surveillance and the Poverty of Media Discourse: A Content Analysis of Canadian Newspaper Coverage* <https://www.cjc-online.ca/index.php/journal/article/view/2200/2110>

¹⁶ Crime, Law & Social Change (2000) *The Politics of Selective Gaze: Closed Circuit Television and the Policing of Public Space* <https://link.springer.com/article/10.1023/A:1008342610872>

groups for the benefit of others in public spaces via a shift from crime control to the maintenance of public order.

In the guidance document, the OIPC list areas in which they have found surveillance to be effective:

- CCTV cameras are found to be more effective in defined spaces (such as parking lots) as opposed to open street or undefined spaces;
- CCTV cameras are more effective as investigative tools than as deterrents;
- CCTV cameras that are monitored and are used in conjunction with intervention in suspicious incidents have been found to be more effective at reducing criminal or public safety concerns than are unmonitored systems.

When public bodies begin to explore the possibility of installing CCTV cameras, there are some important points to consider in order to satisfy OIPC requirements:

- Privacy impact assessment (PIA): A PIA should be undertaken beforehand;
- Purpose: The purpose of the CCTV scheme must be clear;
- Access: Public bodies need to define who has access to the personal information that is being collected ;
- Monitoring: Public bodies need to decide if the footage collected by CCTV cameras will be monitored or recorded or both;
- Storage and retention: Plans and systems must be set up to ensure the secure storage of data collected as well as how long the data will be retained for before being destroyed;
- Notification: Strategies for notifying people that their private information is being collected through CCTV cameras must be in place;
- Freedom of Information: Appropriate systems must be set up in order to respond to FOI requests for the personal information that is collected;
- Audit procedures: A regular audit of the CCTV system must be carried out;
- On-going evaluation: Public bodies must have their CCTV systems independently evaluated on a regular basis to ensure they do not violate FIPPA in any way;

The OIPC outlines that “[p]ublic bodies should only proceed with surveillance if they can first establish whether FIPPA authorizes the surveillance and if they have determined that other less-privacy invasive options will not be effective” (OIPC, 2014).

Finally, it is important to note that under FIPPA, the OIPC has the authority to launch an investigation into the legality of a public body’s CCTV systems with or without them receiving any privacy complaints. Should the OIPC find the system to be violating FIPPA, the OIPC has jurisdiction to order the public body to cease collecting personal information, decommission the system and destroy all personal information that has been collected.

Privacy provisions for private businesses are legislated under the Personal Information and Protection of Privacy Act (PIPA) of BC and this legislation covers the use of CCTV systems by private businesses. The OIPC released a guidance document for private organizations that

might be using overt video surveillance in 2017 which contains a lot of overlap with their guidance document for public bodies¹⁷.

In this document, the OIPC stresses that video surveillance should only be used as a last resort after exhausting less privacy-invasive alternatives. Their advice to private organizations includes:

- Developing a surveillance policy
- Limit the time your surveillance is active
- Avoid unintended subjects
- Consider right of access
- Destroy recorded images when they are no longer needed
- Use adequate signage to notify the public

Provincial context - CCTV use by other BC municipalities

Within British Columbia, a summary of other cities currently exploring or installing CCTV cameras can be found below:

Kelowna:

In 2017, the City of Kelowna launched two month pilot to monitor surveillance cameras in local parkades. Through this pilot, the City was able to dispatch security personnel to deal with problems before they escalated in approximately 400 cases by monitoring the cameras

In December 2017 Kelowna City Council approved \$30,000 to begin 24/7 monitoring of approximately 300 CCTV cameras. The total estimated cost for this is \$100,000 per year.

Richmond:

The City of Richmond is installing CCTV cameras at all 175 signalized intersections in 2018 to enhance public safety. The planned upgrades will cost \$2.2 million, allowing for live video feed recording.

The cameras will provide evidence for RCMP investigations as well as to help monitor large public events.

Surrey:

The City of Surrey has CCTV cameras at every City facility and approximately 400 cameras at traffic intersections which are used for traffic and crime intervention.

While the City is not currently planning on expanding their CCTV camera network they have recently launched Project Iris. Project Iris is a public registry for private security cameras to contribute to public safety. Businesses and residents are encouraged to register their cameras

¹⁷ Office of the Information and Privacy Commissioner (2017) *Using Overt Video Surveillance*
<https://www.oipc.bc.ca/guidance-documents/2006>

on the public data base. The City cannot access the footage recorded by the cameras but the RCMP can use the database to locate where cameras might be which could save them time during a crime investigation.

Terrace:

The City of Terrace is considering the installation of surveillance cameras along with lighting upgrades in two popular outdoor gathering places to address concerns over vandalism and mischief. The proposed project would cost \$46,000.

However, the OIPC has stated that the City of Terrace does not have the legal authority to install the surveillance cameras as the deterrence of crime did not justify the need to collect the public's information. The OIPC has publicly warned of a possible investigation should the City decide to go ahead without the legal authority to do so.

Vernon:

The City of Vernon is installing 11 surveillance cameras in a park for public safety. The cameras will not be regularly monitored but the footage will be available if an incident occurs.

The project was originally planned for 2016 but was delayed due to privacy issues. It is now expected to be in place by May. The installation will cost approximately \$35,000.

In reaction to many of the examples detailed above, the OIPC published a letter on February 7, 2018 raising its concerns over the increasing number of local governments who are exploring or expanding the use of video surveillance (Appendix 1).

Local context – CCTV use in Vancouver (Private Realm)

The City of Vancouver does not issue licences or permits for people or businesses to install CCTV camera systems. Consequently, there is currently no way of tracking the private use of CCTV cameras in the city.

However, the best proxy for this is from a collaborative mapping exercise that was carried out in 2009 by the Vancouver Public Space Network and Simon Fraser University.

50 volunteers were able to identify approximately 2,000 CCTV cameras in the downtown core, creating a Vancouver Public Space Network Surveillance Map which can be found in Appendix 2.

However, there is one area in which the City is able to track private CCTV camera use: businesses that operate as Extended Hours Liquor Establishments are required to install security cameras as a condition of their business licence.

The cameras must be installed on the property of the business and be focused on their own property and not the public realm. There must be cameras covering the entrance, exit and parking lots of the businesses and the data recorded must be retained for 21 days.

There are currently 19 businesses in the Granville Entertainment District that are subject to this requirement pursuant to their business licence.

Local context – CCTV use by the City of Vancouver

In 2015 the City of Vancouver developed a CCTV Systems Corporate Policy¹⁸ to ensure that any use by the City of closed-circuit television or other video systems appropriately respects privacy and complies with the law – particularly FIPPA.

The Policy covers the following:

- Privacy and transparency
- Collection of personal information
- Approval
- Documentation
- Installation and placement
- Use and disclosure
- Logs and audits
- Service providers
- System security
- Reporting
- Data sharing
- Records management
- Breach of Policy

The Policy applies to all CCTV systems owned or operated by the City or by its related boards and commissions – all of which must have undergone a privacy impact assessment before being switched on.

There are three Procedures which apply to the general areas in which CCTV systems can be found at the City:

- 1) Procedure for CCTV Monitoring of City Premises
- 2) Procedure for Public Realm CCTV Systems
- 3) Procedure for Traffic CCTV Systems

All of the cameras in use by the City have the ability to record; however, not all cameras are recorded or monitored on an ongoing basis. It is important to note that, according to the OIPC, “[s]urveillance systems are collecting personal information whenever they are recording, regardless of how the public body uses, retains or discloses the recordings in the future” (OIPC, 2014).

Under the City’s CCTV Systems Policy, all CCTV recordings must be retained for a period of no longer than 65 days and destroyed at the end of the retention period unless they are required as part of an incident investigation or litigation.

¹⁸ City of Vancouver (2015) *CCTV Systems Corporate Policy* <http://policy.vancouver.ca/AE00302.pdf>

In total, the City of Vancouver has 881 cameras across three areas: Traffic Management, Public Realm and City Facilities.

Traffic Management

There are currently 65 standard definition cameras at 58 major intersections across the city. These cameras are monitored by staff to track vehicle and intersection activity.

The cameras are pre-set at wide angles in order that they do not collect personal information. If the cameras are manually controlled for a specific operational purpose, that the action is logged and justified as per the CCTV Systems Policy.

The data collected by the City's Traffic cameras are recorded on an as-needed basis for certain transportation-related projects.

Public Realm

As part of the 2010 Winter Olympic Games, 52 CCTV cameras were installed. After the Games closed, 41 of the cameras were decommissioned. The remaining 11 high definition cameras are installed on seven roof-top locations. These cameras are only turned on for recording and monitoring during large special events, such as the Celebration of Light.

The Office of Emergency Management monitors the live video streams from E-Comm during Emergency Operations Centre activations in order to observe crowd conditions and direct resources in real-time.

City Facilities

There are currently 805 CCTV cameras in use throughout City facilities, such as Libraries and Community Centres and offices, for the purpose of ensuring the safety of City staff and property.

Most cameras are not actively monitored.

Neighbourhood Context – CCTV cameras in the Granville Entertainment District (Update on Council Motion)

Since the Motion was passed by Council on February 21, 2018 staff have engaged with a number of stakeholders to understand their position on CCTV cameras in the GED.

In February 2018, the City Manager sent a preliminary enquiry to the OIPC with a request for guidance on the whether or not CCTV cameras in the GED would be feasible under FIPPA and under what conditions. The City Manager's letter is attached as Appendix 3.

In March 2018, the Acting Information and Privacy Commissioner responded with a letter outlining why they would not support installing CCTV cameras in the GED. The Acting Commissioner's letter is attached as Appendix 4. The Acting Commissioner's response references the following four questions which are used by the OPIC when evaluating any CCTV system:

1. Is the program or activity effective?
2. Is the benefit proportional to the loss of privacy?
3. Have other less privacy-invasive measures been attempted and failed?

4. Is the use of video surveillance necessary?

The British Columbia Civil Liberties Association (BCCCLA) has affirmed its alignment with the position taken by the OIPC.

There is mixed support for the installation of CCTV cameras within the GED Safety and Security Working Group (GEDSSWG). Some members, such as Bar Watch and the Downtown Vancouver Business Improvement Association are supportive of the initiative as a way of addressing some of the challenges being experienced in the public space in the GED. Others, such as Good Night Out, feel that the cameras would not address the types of “sub-criminal” behaviours that they are most concerned about, especially when it comes to protecting women’s safety.

While the Vancouver Police Department (VPD) would certainly see some value in having CCTV cameras in the GED, they have expressed concerns that they do not have the resources required to monitor the footage as well as creating a system for securely storing the data collected and responding to FOI requests for people’s personal information which has been collected through the CCTV system.

This is a particularly salient point when referring back to the need for a public body to clearly define what the purpose of a CCTV camera system in the GED would be. If the system is being installed for a law enforcement purpose, such as deterring and/or detecting crime, then that public body must have a law enforcement mandate. Currently, it is the VPD, not the City of Vancouver, which has a law enforcement mandate. While the City certainly has a law enforcement role, such as the enforcement of its by-laws, it is both unlikely that the use of CCTV cameras would be necessary to perform that law enforcement function and that this role would justify the direct collection of personal information for policing and/or criminal investigations.

Most Canadian cities, outside of British Columbia, in which CCTV cameras have been installed for the purpose of addressing criminal behaviour such as Toronto, Edmonton, Sudbury, Hamilton, Sherbrooke and Calgary, have typically been monitored by local police departments or by local governments which do not have separated policing functions like the City of Vancouver.

Preliminary costings for CCTV installation

A general cost estimate for installing CCTV cameras to monitor the Granville Entertainment District from Drake Street to Georgia Street is provided below. This estimate is for the hardware only. The network cabling from the 2010 Olympics is still in place; however, a technological audit would be required to in order to ensure that it would still be compatible with the new developments in camera software and hardware. Should the cabling not be sufficient additional IT connectivity would be necessary which would carry an additional cost.

Granville Street (from Drake to Georgia Street)

One-time cost for 25 high-quality low-light outdoor cameras (installation and licensing included)

\$14,275 per camera = \$356,875

2x 24TB Network Video Recorder = \$41,600

Total one-time cost = \$398,475 plus any potential IT costs

It is recommended that any CCTV installation connect to the City servers located in the E-Comm building at 3301 E Pender St via the City's network and stored on the provided 24TB Network Video Recorder(s). The cameras would be accessible to approved users and otherwise managed in accordance with the City's CCTV Systems Policy.

In addition to the one-time installation cost, the City would incur ongoing administrative costs related to the operation of the CCTV system and the storage of the data collected. These costs would also include overseeing audits and evaluations of the system as well as staff resources required for responding to internal and external requests for video footage.

Conclusion

From all of the information and input obtained to date, it appears that the City of Vancouver would be unable to meet the statutory requirements imposed by FIPPA to conduct regular video surveillance of the public realm in the GED, where the stated purpose of such surveillance is the deterrence and investigation of property and violent crime. Given the foregoing, as well as the unclear evidence of efficacy in the particular circumstances of the GED and cost implications, City staff do not recommend proceeding with the installation of CCTV in the GED at this time.

Should you have any questions or require any clarification of the information provided in this memorandum, please do not hesitate to contact me.



Paul Mochrie
Deputy City Manager

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Appendix 1



OFFICE OF THE
INFORMATION &
PRIVACY COMMISSIONER
for British Columbia
Protecting privacy. Promoting transparency.

February 7, 2018

Use of video surveillance by local governments

In recent weeks many local governments have reported plans to implement video surveillance in public spaces, on a scale that would be unprecedented in BC. Richmond plans to spend over \$2 million to deploy video surveillance throughout the city and Terrace plans to install surveillance in its public parks. The City of Kelowna – which already has CCTV in place – plans to hire employees to monitor their surveillance cameras continuously, in real time.

These proposals all assume that video surveillance prevents crime and justifies the persistent invasion of the privacy of law-abiding people who are just going about their day-to-day business. My office is working with those municipalities to determine whether any of these proposals are lawful, which remains to be seen. A key question we will ask is whether a less privacy-invasive option was attempted.

Video surveillance is tempting to local governments. At first blush it's an easy way to appear to address public safety issues, rather than take on the more difficult challenge of the social ills from which crime arises. But what Richmond, Terrace, and Kelowna are ignoring is that for all its monetary and privacy costs, there is little evidence that surveillance works. In 2001, then privacy commissioner David Loukidelis reported that pervasive use of video surveillance had little or no effect on reducing crime. Nothing has changed since then. We must learn from the experience in other jurisdictions, such as the UK, where over 6 million cameras (one for every ten people!) have not significantly reduced crime in urban centres. Cameras are particularly poor at deterring violent crime, as those acts occur spontaneously and the perpetrators are not concerned with getting caught, on video or otherwise. Every blurry image we see on the news of a crime being committed was a crime that was not prevented by video surveillance.

While the benefits of video surveillance are hypothetical, the harm it presents to the privacy of British Columbians is real, and will only be amplified by increasingly sophisticated facial recognition technology and big data analyses identifying and following us from camera to camera. These days, most of our activities are surveilled, whether we know it or not. With so many of our relationships, thoughts, and emotions being lived and tracked online, physical spaces are among the scarce untraceable places left for us to be and to express ourselves. It is



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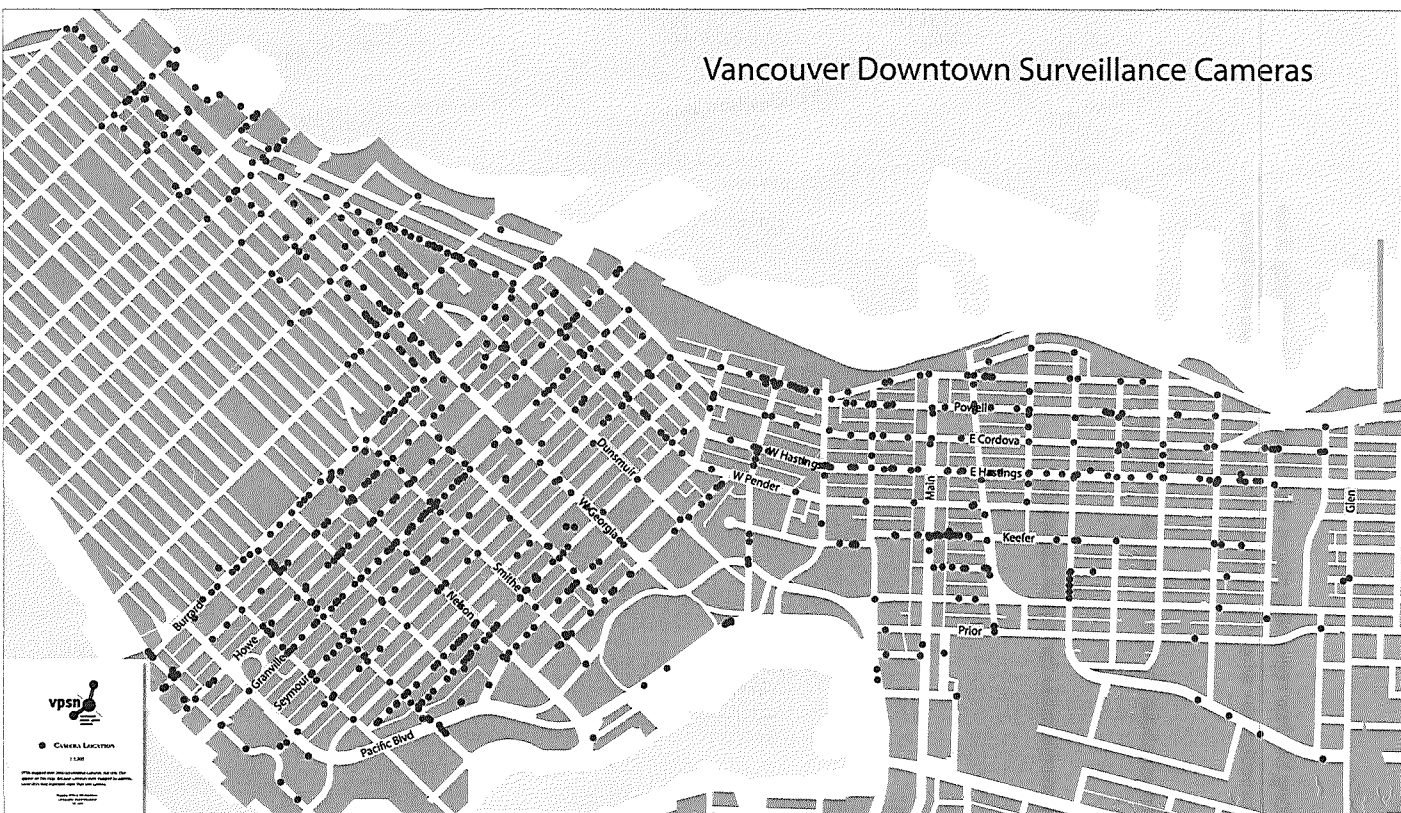
Protecting privacy. Promoting transparency.

ironic that public spaces are among the few remaining places where we still have privacy. If we surrender our public spaces to surveillance— where we all have the right to be – we may never get them back.

Contact the OIPC if you're concerned about the use of video surveillance in your community.

Drew McArthur

Acting Information and Privacy Commissioner for British Columbia



Appendix 3



OFFICE OF THE CITY MANAGER
Sadhu Johnston, City Manager

February 28, 2018

Mr. Drew McArthur
Acting Commissioner
Office of the Information and Privacy Commissioner
4th floor, 947 Fort Street
Victoria, BC
V8V 3K3

Dear Mr. McArthur:

RE: CCTV in the Granville Entertainment District (GED)

On February 21, 2018 Vancouver City Council passed a Motion related to Upgrading, Reviewing and Revising the Granville Entertainment District which I have attached to this letter for your reference.

As part of that Motion, Council directed staff to:

"Work with the Vancouver Police Department, Bar Watch, other relevant stakeholders, including the Granville Entertainment District (GED) Working Group on Safety and Security, the Provincial Government, and other B.C. municipalities exploring the use of CCTV, to accelerate and prioritize efforts to reactive and expand the Street Surveillance Camera Network to deter property damage and theft and to deter patrons of the GED who are intent upon engaging in violent behaviour, and that a budget, and timeframe, for potential implementation be presented to Council before June 2018."

To confirm, the Street Surveillance Camera Network referenced above was utilized on Granville Street for public safety purposes during the 2010 Olympics, but was decommissioned following that event. The above Motion was passed by Council in response to ongoing crime and disorder issues in the Granville Entertainment District on weekend nights, including two fatalities since 2016, as well as the associated public safety risks, policing costs and impacts on other emergency and health services.

City of Vancouver, Office of the City Manager
453 West 12th Avenue
Vancouver, British Columbia V5Y 1V4 Canada
tel: 604.873.7625 fax: 604.873.7641
website: vancouver.ca



I understand that you are currently working on similar requests with other cities in the Province using the Public Sector Surveillance Guidelines updated by the OIPC in 2014 as guiding principles in determining whether such surveillance systems would be lawful and operated in a privacy protective manner.

As part of our exploratory work on this topic, I am contacting you in your capacity as Acting Information and Privacy Commissioner for British Columbia in order to determine whether or on what basis the installation of CCTV cameras in the GED for the purposes stated in the Motion above would be supportable under the *Freedom of Information and Protection of Privacy Act*.

I look forward to receiving your initial advice on the feasibility of CCTV in the GED. Should you have any questions, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Sadhu A. Johnston', with a stylized flourish at the end.

Sadhu A. Johnston
City Manager

tel: 604.873.7627
sadhu.johnston@vancouver.ca

Appendix 4



OFFICE OF THE
INFORMATION &
PRIVACY COMMISSIONER
for British Columbia
Protecting privacy. Promoting transparency.

March 13, 2018

Sadhu Johnston
City Manager
City of Vancouver
453 W 12th Ave
Vancouver, BC V5Y 1V4

Dear Sadhu Johnson:

I write in response to your February 28, 2018 letter asking whether I would support the activities related to upgrading, reviewing and revisiting the Granville Entertainment District ("GED") as outlined in a motion passed by Vancouver City Council on February 21, 2018. The details, which you included in your letter, include using CCTV to "accelerate and prioritize efforts to reactivate and expand the Street Surveillance Camera Network to deter property damage and theft and deter patrons of the GED who are intent upon engaging in violent behaviour..."

Thank you for requesting my input. My office, like other privacy commissioners across Canada, evaluates CCTV by asking four questions. I have explored each of these in detail and do not support the initiative for the reasons described below.

1) Is the program or activity effective?

CCTV has not proven effective to deter violent crime. This is evidenced by the number of violent crimes we already see caught on video – each one of those undeterred by the existence of CCTV. CCTV does not deter violent offences because they are most often spontaneous, without regard for surveillance or getting caught. Although the police often state that having video surveillance will assist them with their investigation, this argument is based on the recognition that CCTV will not achieve your primary goal of deterring violent behaviour.

When crime is not spontaneous, such as a burglary, video surveillance is easily thwarted when the perpetrator wears an inexpensive hoodie and sunglasses.

Aside from these problems, it seems you are most concerned about drunken behaviour in the Granville Mall, but the individuals involved are not making rational decisions about the consequences of their actions, let alone considering the presence of video surveillance.

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Tel. 250-387-5629 | Fax 250-387-1696 | Toll free through Enquiry BC 800-663-7867 or 604-660-2421
Twitter @BCInfoPrivacy | www.oipc.bc.ca

2) Is the benefit proportional to the loss of privacy?

In my view, the loss of privacy incurred by the entire population in the Granville Entertainment District outweighs this limited deterrent benefit.

3) Have other less privacy-invasive means been attempted and failed?

The City of Vancouver should attempt less privacy-invasive options to manage the problems in that area. Foot patrols have been successful in the Downtown Eastside and should be considered for the GED. Varied closing times for the businesses in the GED should be implemented. Better transit options enabling patrons to quickly leave the area should be provided.

While these alternative measures are more difficult and may be more costly than video surveillance they have the singular advantage of actually being effective, whereas CCTV is not. In the long term, when video surveillance fails to solve the problem, taxpayer dollars would have been wasted.

4) Is the use of video surveillance necessary?

I do not believe CCTV is necessary to achieve the goal of deterring property damage and violent crime. I have heard the Stanley Cup riots described as a success story for the use of video to address crime. This is nonsensical because it is actually one of the biggest examples of the failure of surveillance as a deterrence. Every instance of violence and property damage that was captured on surveillance in the Stanley Cup riot is an instance of violence and property damage that *was not deterred by surveillance*.

I note that police departments do not have the authority under FIPPA to undertake ongoing CCTV surveillance of the population, but are limited to investigating a crime. It would be inconsistent with FIPPA to allow the City to do for the police department what the police would not be authorized to do for themselves.

Finally, I trust that the City will consider the experience in other jurisdictions, such as Seattle, where that City is spending over \$150,000 to dismantle a multi-million dollar mesh network of wireless and CCTV that was never activated due to privacy concerns of its citizens.

There are instances where my office has approved the use of CCTV cameras, such monitoring areas after-hours where individuals are not allowed to be present, and anyone captured on surveillance would not be authorized to be there. This is not the case in the GED where patrons have every right to be present without being subject to ongoing surveillance.

I trust this provides you with my perspective on the use of CCTV cameras in public spaces and would be pleased to answer any further questions you may have. Thank you again for contacting me prior to moving forward with your proposal.

Sincerely,

A handwritten signature in cursive script that reads "Drew McArthur".

Drew McArthur
A/Information and Privacy Commissioner
for British Columbia

