

INFORMATION BULLETIN

Guidelines for the Installation and Use of Security Cameras in Queensland Taxis



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Introduction

On 6 October 2004, the Queensland Government announced it would fund the supply and installation of security cameras in taxis in the 12 major urban areas of Queensland with a population larger than 40,000. These mandatory areas were subsequently expanded to all 20 taxi service contract areas on 27 April 2007. These areas are Brisbane, Redcliffe, Bribie Island, the Gold Coast, the Sunshine Coast, Ipswich, Toowoomba, Warwick, Gympie, Hervey Bay, Maryborough, Bundaberg, Gladstone, Rockhampton, Yeppoon, Mackay, Mt Isa, Townsville, Innisfail and Cairns.

On 28 December 2006, the Government further committed expansion of the program to include regional and remote locations in Queensland.

It will be requirement for all new taxi licences issued after 31 December 2006 in the mandatory areas, that the taxi be fitted with a taxi security camera system (TSCS) at the Taxi Licence Holder or Operator's cost.

These guidelines have been developed to define the roles and responsibilities of Stakeholders in the management of security cameras in taxis. This is to ensure that images are downloaded and handled in a manner that protects their admissibility into evidence, and to protect an individual's right to privacy.

Definitions

Authorised Purpose – for an image recording made by an approved taxi security camera system fitted in a taxi, means

- a) the examination of a complaint relating to the taxi, or an event that happened in or about the taxi, carried out by—
 - I. the operator of the taxi service that uses the taxi or, if the operator is a corporation, an executive officer of the corporation; or
 - II. an employee of the operator, acting under the direct and immediate supervision of the operator or the executive officer; or
- b) for, or in connection with, the prosecution of, or the issue of an infringement notice for, an offence committed in or about the taxi; or
- c) another purpose relating to a police officer's performance of duties as a police officer; or
- d) another purpose relating to the performance by a public service officer employed in the department of duties, as an officer of the department, relating to the administration of taxi security camera systems fitted in taxis; or
- e) the carrying out of work by a manufacturer or supplier of the approved taxi security camera system to maintain, or address a failure in, the approved taxi security camera system.

Examples for paragraph (a) of matters that may be the subject of a complaint—

- *fare evasion*
- *lost property*
- *disorderly conduct*
- *offensive behaviour*
- *theft of property*
- *physical assaults not causing injury*

Download Technician – means the person authorised by Queensland Transport that conducts image downloads. The Download Technician may be required to attend Court with the Supplier's software to give evidence in relation to the download and to allow the Court to satisfy itself with the integrity of the images. A Download Technician in most cases will be an employee of a Taxi Company. Members of the QPS who perform image downloads do not fall under this definition.

Download Station – means a Queensland Transport authorised facility, static or mobile, for the retrieval of images from a TSCS.

Director-General – means the Director-General of Queensland Transport.

Driver – means the person who holds a Driver Authorisation to drive a taxi.

Image Recording – means

- a) any electronically stored information from which a recorded image is capable of being generated; and
- b) any print-out or other reproduction of the recorded image.

Less Serious Incident – means an incident including but not restricted to fare evasion, disorderly conduct, offensive behaviour, complaints, theft of property, damage to property and physical assaults that do not cause injury.

Mandatory Area – means the taxi service areas of Brisbane, Redcliffe, Bribie Island, the Gold Coast, the Sunshine Coast, Ipswich, Toowoomba, Warwick, Gympie, Hervey Bay, Maryborough, Bundaberg, Gladstone, Rockhampton, Yeppoon, Mackay, Mt Isa, Townsville, Innisfail and Cairns.

Memory Unlock – means the process whereby the protected memory of the TSCS is unlocked to allow Image Recordings to be overwritten (if required). Memory Unlocks are required when an excessive number of emergency events have been triggered within the memory capacity and release timer of the TSCS.

Memory Unlock Technician – means the person approved by the Taxi Company or the Taxi Operator that conducts **Memory Unlocks**.

Non-Mandatory Area - means all of the taxi service areas **other than** the Mandatory Areas.

Operator – means a person carrying on the business of providing a public passenger service, and includes a person carrying on the business of administering a taxi service and the lessor of a taxi service licence.

Privacy Protocols – include general principles intended to maintain confidentiality of Image Recordings.

QPS – Queensland Police Service.

Security Liaison Officer – means a person appointed by a Taxi Company for the purposes of acting as a point of communication between Stakeholders in relation to matters concerning TSCSs installed in vehicles operated throughout the Taxi Company.

Serious Incident – means any incident other than a Less Serious Incident involving a physical assault causing injury, sexual assault, murder and robbery.

Specifications – means the Queensland Taxi Security Camera Technical and Functional Specifications approved and issued by Queensland Transport by Gazette Notice.

Stakeholders – includes Queensland Transport, representatives of the taxi industry, Queensland Police Service, TSCS Suppliers, Download Stations, Taxi Companies, Taxi Licence Holders, Operators, and Drivers.

Supplier – includes the manufacturer and/or supplier and/or installer of a TSCS.

Taxi – means a motor vehicle for which a taxi service licence is in force and includes a substitute taxi being used as a substitute taxi.

Taxi Company (TC) – means the organisation that has a taxi service contract with Queensland Transport for a taxi service contract area. In locations where there is no taxi service contract with Queensland Transport, the Taxi Company means the organisation that operates the taxi service.

Taxi Licence Holder – means the holder of the taxi service licence issued by the Director-General and the authorised provider of a substitute taxi.

Taxi Security Camera System (TSCS) – means a system (including all components) designed to record images of persons in or about a taxi.

Technical Compliance – includes issues relating to the equipment and system components of TSCSs, such as location of cameras, maintenance issues, and operational matters. TSCSs must comply with the Specifications.

VIN – the 17 digit vehicle identification number as marked by the vehicle manufacturer.

Outline of Taxi Security Camera Program

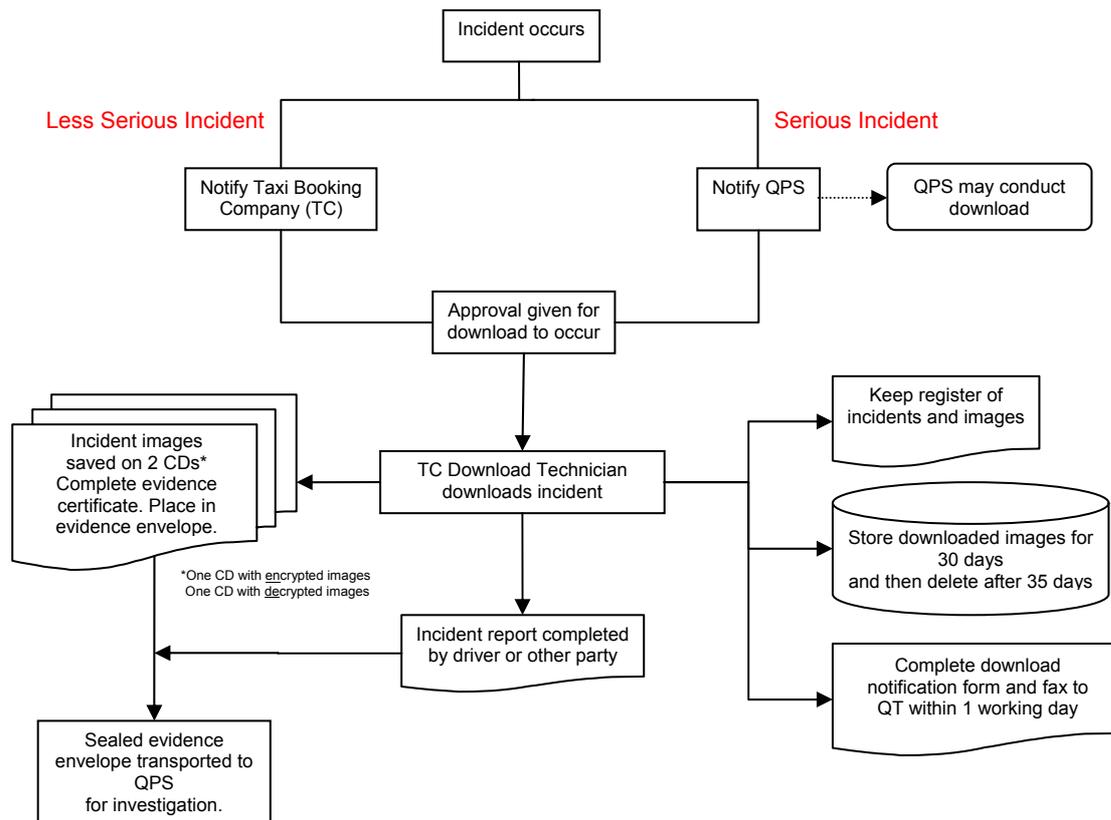
The aim of the Queensland Taxi Security Camera Program is to provide a safer environment for taxi drivers and their passengers. This is achieved by the installation of TSCSs that are capable of recording incidents and leading to the identification of offenders. The security cameras act as a deterrent to likely offenders.

However, it is recognised that security cameras do not provide guaranteed safety to drivers and passengers. Individuals should always be attentive of their own personal safety.

The program also aims to protect the privacy of all individuals in a taxi through the controlled access and use of images taken by the camera system.

Images are only to be accessed and viewed for an Authorised Purpose and the terms Less Serious and Serious Incidents are used to distinguish who approves and performs the image download. Requests for an image download can be made by any person, providing the images are to be used for an Authorised Purpose. For example, a crime report is made to the QPS.

The overall conceptual framework for image access, downloads and providing evidence to QPS is outlined in the following chart.



Policy Framework

Queensland Transport has developed a number of policies to support the implementation of security cameras in taxis. Taxi Companies, Operators and TSCS Suppliers are responsible for developing internal procedures consistent with, and in support of, the legislation and this guideline.

Privacy

In accordance with the provisions of the Commonwealth Privacy Act 1988, it is Queensland Transport policy that TSCSs be used in a manner that protects the privacy of Drivers and the public. All Taxi Company staff, Operators and Suppliers associated with TSCSs shall at all times follow privacy protocols and exercise discretion in the use of images from TSCSs in accordance with the legislation and policy requirements. Any image produced from a TSCS shall not be reproduced in any form other than as authorised by the legislation and these guidelines.

Penalties

Considerable penalties are in the *Transport Operations (Passenger Transport) Regulation 2005* to support the correct installation, use and appropriate download of images from TSCSs. Some of these penalties are

- Up to \$3,000 for not fitting an approved TSCS.
- Up to \$3,000 for not having a fully functioning TSCS.
- Up to \$3,000 for tampering with an approved TSCS.

- Up to \$6,000 for using Image Recordings from a TSCS other than for an Authorised Purpose.
- Up to \$6,000 for not disposing of Image Recordings after 35 days.

Complaints

All complaints relating to TSCSs are to be responded to promptly and dealt with in a responsible and appropriate manner. Technical Compliance issues are to be directed to and actioned by the Taxi Company Security Liaison Officer or TSCS Supplier as appropriate. Issues relating to the equipment and system components of TSCSs, such as location of cameras, maintenance issues, and operational matters are to be reported to the Security Liaison Officer of the Taxi Company or the TSCS Supplier as appropriate.

All other program complaints are to be directed to the local Queensland Transport Passenger Transport office.

Media

All requests for information on the program from any media representative should be directed to Queensland Transport's Community and Corporate Relations Unit. The release of Image Recordings for the purpose of aiding an investigation is the sole responsibility of the QPS. Under no circumstances is any Taxi Company, Operator, TSCS Supplier or Queensland Transport Officer to release any Image Recordings to the media or other parties.

Roles and Responsibilities of Stakeholders

Drivers

In driving a taxi fitted with a TSCS, it is the Driver's responsibility to:

- Be competent in the operation of the TSCS, and request additional training if required.
- Know how to arrange for the download of images following an incident.
- Ensure that the system is operating correctly before commencing a shift (as shown by the system indicators), and regularly check that it continues to operate correctly during the shift.
- Not drive the taxi if the TSCS is malfunctioning in any way (i.e. Not take any fares until it is repaired), unless the Taxi Licence Holder or Operator has given written notice to the Director-General or delegates that the TSCS is not operational and the driver carries a copy of this notice. (refer to S85 of the Regulations. Appendix A).
- Not drive the taxi unless there are approved TSCS signs fitted to each door of the taxi and in a conspicuous place inside the taxi that allows the passengers of the taxi to readily see the sign and be aware that they will be photographed.
- Operate the system in accordance with the Supplier's instructions.
- Report any malfunctions to the Operator or Taxi Company immediately.
- Report all security related incidents immediately if it is safe to do so.
- Only request a download of images following a Less Serious or Serious Incident.
- Following an incident, comply with the instructions of the Operator, Taxi Company or QPS in respect of the download of images from the system.

Operator

Where the Operator operates a taxi fitted with a TSCS, it is the Operator's responsibility to:

- Ensure that the taxi is fitted with only a TSCS that meets the Specifications.
- Maintain the TSCS in a fully operational condition at all times.
- Not allow the taxi to be driven if the TSCS is malfunctioning in any way (i.e. Not take any fares until it is repaired), unless the Taxi Licence Holder or Operator has given written notice to the Director-General or delegates that the TSCS is not operational and the driver carries a copy of this notice. (refer to S85 of the Regulations. Appendix A)
- Make arrangements for the download of images, as well as the servicing and repair of TSCSs in accordance with these guidelines, and make such arrangements known to all Drivers of taxis operated by them.
- Ensure that an approved TSCS sign is fitted to each door of the taxi and in a conspicuous place inside the taxi that allows the passengers of the taxi to readily see the sign and be aware that they will be photographed.
- Arrange training for Drivers in the use of the TSCS.
- Ensure all Drivers are competent in the operation of the TSCS, and provide additional training to Drivers if required or requested.
- Maintain a register of Drivers trained on TSCSs in the Operator's taxi(s) and confirm each as competent.
- Develop and implement any additional procedures to facilitate compliance with these guidelines and the legislation.

Taxi Licence Holder

It is the Taxi Licence Holder's responsibility to:

- Ensure that the taxi is fitted with a TSCS that meets the Specifications.
- Ensure that the TSCS is in a fully operational condition at all times.
- Not allow the taxi to be driven if the TSCS is malfunctioning in any way (i.e. not take any fares until it is repaired), unless the Taxi Licence Holder or Operator has given written notice to the Director-General or delegates that the TSCS is not operational and the driver carries a copy of this notice. (refer to S85 of the Regulations. Appendix A)
- Ensure that an approved TSCS sign is fitted to each door of the taxi and in a conspicuous place inside the taxi that allows the passengers of the taxi to readily see the sign and be aware that they will be photographed.

Taxi Company

In providing services to taxis fitted with TSCSs, it is the Taxi Company's responsibility to:

- Nominate a Security Liaison Officer and provide this to Queensland Transport.
- Nominate a person(s) in a management position that will adjudicate and approve in writing the download of images from a Less Serious Incident
- Advise QPS immediately of any Serious Incidents.
- Nominate a person(s) in the company who will conduct Memory Unlocks.
- Advise Operators of any breaches of these guidelines by a Driver working for the Operator.
- Ensure that there is a free 24 hour 7 days a week download facility available to recover images from taxis fitted with the Supplier's camera system and provide Memory Unlocks.
- Ensure that there is a mobile facility with the ability to respond to serious incidents where the QPS require the onsite recovery of images from a taxi.
- Ensure that its Operators make arrangements for the download of images, as well as the servicing and Memory Unlocks of systems in accordance with these guidelines.
- Provide advice to Drivers as to the location of download stations.
- Develop and implement any additional procedures to facilitate compliance with these guidelines.

Supplier

In providing TSCSs to taxis, it is the Supplier's responsibility to:

- Obtain approval from Queensland Transport that the TSCS meets the requirements of the Specifications prior to offering the system for installation in taxis in Queensland.
- If required by Queensland Transport, submit a TSCS for compliance testing prior to offering for sale for installation in taxis in Queensland.
- Certify a TSCS where a TSCS or component is transferred from one taxi to another.
- Ensure that persons who are involved in the sale, installation, servicing or maintenance of a TSCS are competent and trained in these activities, including the purpose and main elements of the privacy protocols.
- Advise all Stakeholders of any material change to a prescribed or minimum function or feature of the TSCS and/or software.
- Supply and install only Queensland Transport authorised systems that meet the Specifications.
- Maintain a register of the details of all TSCSs installed in taxis and/or transferred between taxis. The register will include but not be limited to the taxi number, VIN, TSCS Model, TSCS serial number and date installed.
- Retain records of the details of all TSCSs installed in taxis and/or transferred between taxis.
- Provide clear written instructions on the operation of their TSCS with each installation.

- Provide directly, or make other arrangements, to ensure that there is an emergency 24 hour 7 days a week download facility available to recover images from taxis fitted with the Supplier's TSCS.
- Provide directly, or make other arrangements, to ensure that there is an emergency mobile facility with the ability to respond to serious incidents where QPS require the onsite recovery of images from a taxi.
- Restrict access to proprietary software and hardware used to download images to prevent the unauthorised recovery of images.
- Maintain a register of holders of the proprietary software and hardware used to download images.
- Make available to Queensland Transport, QPS and other nominated parties a copy of the current version of software and hardware to facilitate download of images for auditing and investigation purposes.
- Develop and implement any additional procedures to facilitate compliance with these guidelines.

Download Stations (Taxi Companies)

In providing services for the download of images from TSCSs, it is the Download Station's responsibility to:

- Provide reliable facilities for downloading of images from TSCSs.
- Restrict access to propriety software and hardware used to download images to prevent the unauthorised use of images.
- Ensure that Queensland Transport supplied image download computers are used only for the purposes of TSCS image downloads.
- Ensure the activities of Download Technicians or other employees involved in image downloads are under the direction of the executive officer or their delegate.
- Download images (at no cost) as authorised in writing by a Taxi Company, Taxi Operator, authorised officer of Queensland Transport, or QPS officer, where such request complies with these guidelines.
- Conduct TSCS Memory Unlocks when presented with a taxi that requires a Memory Unlock.
- Record details of the images recovered and Memory Unlocks in a download register (see Appendix B for a sample) at the Download Station.
- Save to one recordable compact disk (CD-R) all encrypted incident images and save to another recordable compact disk decrypted incident images. The use of read write compact disks (CD-RW) is not permitted. Recordable DVD (DVD-R) disks are permitted.
- Label the compact disks with the date of the incident, date of download and taxi number.
- Ensure that the compact disk is stored securely to prevent loss, unauthorised access or destruction.
- Ensure that a Taxi Security Camera Incident and Image Download Notification Form (F4343) (See Appendix B) is completed, and fax to Queensland Transport within 1 working day of the image download. Insert one copy of the completed form into the evidence envelope. Drivers making a complaint must complete an incident report. However, if the complaint is against the Driver the Taxi Company should complete the incident report.
- Complete all relevant sections of the evidence envelope and arrange for the evidence envelope to be securely delivered to a QPS station.
- Restrict access to downloaded images to only those people who need to have access to the images for authorised purposes.
- Destroy all copies of Image Recordings associated with incident reports not less than 30 days, but not longer than 35, days after the date the images were downloaded.

- Destroy all unnecessary copies of Image Recordings downloaded for service or maintenance not less than 30 days, but not longer than 35 days, after the date the images were downloaded. Note – Copies of images may be retained for warranty or test certification purposes only if the downloaded images were obtained from a taxi that was not in service and not occupied by a member of the public at the time the images were captured.
- Develop and implement any additional procedures to facilitate compliance with these guidelines.

Queensland Police Service (QPS)

It is the responsibility of the QPS to:

- Utilise images from TSCSs to support the investigation and prosecution of offences committed in or around taxis where necessary.
- Request within 30 days of the date of the image an electronic copy of any additional images required to support an investigation or prosecution, otherwise all electronic copies will be destroyed.
- Follow QPS policy for requesting and conducting the download of images for Serious Incidents.
- Train QPS personnel in the receipt and handling of images from TSCSs in taxis.

Queensland Transport

It is the responsibility of Queensland Transport to:

- Facilitate the implementation of TSCSs in taxis.
- Monitor Stakeholder compliance with these guidelines through audits.
- Refine these guidelines in consultation with Stakeholders, as required from time-to-time.
- Facilitate communication between Stakeholders on matters related to TSCSs in taxis.
- Provide resources it deems necessary to facilitate reporting and compliance with these guidelines (eg. evidence envelopes).

Image Downloads

Images should only be retrieved from a TSCS for Authorised Purposes, and shall not be retained indefinitely by the Driver, Operator, Taxi Company, Supplier or Installer.

People subject to any allegations or investigations (eg, the Driver) **must** not be involved in the image downloading or handling of the images.

If the construction of the system allows, the memory module may be removed from the TSCS to aid in the download of images in remote or isolated areas by the Download Technician or QPS using the appropriate specialised tools. The completion of incident notifications, download registers and so on must also be completed in accordance with these guidelines if the memory module is removed and images downloaded at another location.

Removed memory modules are to be under constant safe security that prevents the memory module from being damaged, lost or stolen.

Less Serious Incident

Following a Less Serious incident it is acknowledged, depending on the nature of the incident, a person may make contact with the Taxi Company, the Operator, a Download Station, or the QPS.

In instances, where a person (eg. Driver or member of the public) notifies the Taxi Company or Operator of a Less Serious Incident, the executive officer or delegate will adjudicate on the matter and whether an image download is to occur. This may lead to the Driver being instructed to take the taxi to a nominated download station as soon as practicable, to have the images relating to the incident downloaded. If contact is made with the QPS about a Less Serious Incident, the QPS may elect to direct the person to the Taxi Company for download purposes.

Upon presentation of the taxi to a Download Station, it is recommended that the person involved in the incident (eg, the Driver) be present to assist in deciding the beginning and end of the series of images relating to the incident.

The Download Technician shall download the entire series of images relating to the incident.

The encrypted and decrypted downloaded images must be saved to separate CD-R or DVD-R storage disks (not read write), and the disks labelled with the date of the incident, date of download and taxi number. Copies of the images may be retained on the hard drive of the computer used for the download. However, all downloaded images must be managed in accordance with these guidelines.

Serious Incident

A Serious Incident may require that images be downloaded at the scene, or that images be downloaded without the assistance of the Driver. QPS is to be notified of Serious Incidents immediately it is safe to do so.

Where a Driver is a victim in a Serious Incident and after having sought approval from the QPS, the Driver (providing they are able to do so) shall take the taxi to a nominated download station (ie Taxi Company or QPS) as soon as practicable to have the images relating to the incident downloaded. QPS has image download hardware and software in regional centres and may perform image downloads in Serious Incidents.

In other cases involving Serious Incidents, the investigating police officer will make arrangements for the relevant images to be downloaded. These arrangements may include requesting that images be downloaded by a Download Technician in accordance with the instructions of a police officer.

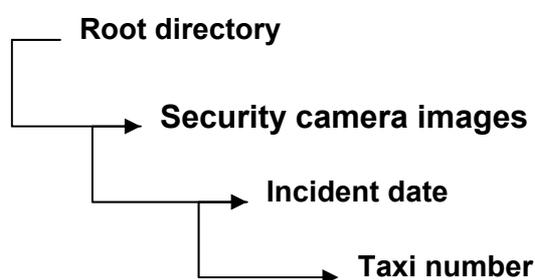
Where a Download Technician is required to download images at the scene or otherwise under the instructions of QPS, the following guidelines also apply.

The Download Technician shall download the entire series of images relating to the incident. The encrypted and decrypted downloaded images must be saved to separate CD-R or DVD-R storage disks (not read write), and the disks labelled with the date of the incident, date of download and taxi number.

Copies of the images may be retained on the hard drive of the computer used for the download. However, all downloaded images must be managed in accordance with these guidelines. (Note - These requirements do not apply to QPS as they have their own evidence handling protocols).

Storage of Images

It is recommended that where the images are stored temporarily on a computer hard drive they be saved under a directory structure similar to the following:



"Date" uses the format year-month-day of the incident. For example, the directory for downloads made on 6 June 2005, would be 20050606. The images would then be saved in subdirectories using the taxi number.

An example of a directory path may be:

C:\security camera images\20050606\T1234

This will facilitate easy identification of directories containing images approaching the required destruction date, and convenient reproduction of additional images where required by QPS. It is recommended that the incident date be used in preference to the download date, where these vary, as future reference to the incident will most likely be made using the incident date and taxi number. (Note - These requirements do not apply to QPS as they have their own evidence handling protocols).

Evidence Envelope

The Queensland Transport supplied evidence envelopes are to be used where an incident has been referred to QPS or where QPS has requested a download. Evidence envelopes must include the following items:

- One CD with encrypted images of the incident.
- One CD with decrypted images of the incident.
- One copy of the Taxi Security Camera Incident and Image Download Notification (Form 4343) relating to the download. See Appendix B Forms.
- A signed certificate by the Download Technician indicating the downloading of images occurred in accordance with section 95(4) of the Evidence Act 1977. See Appendix B Forms.

Download Technicians must complete all relevant sections of the evidence envelope and seal the envelope. Evidence envelopes have a serial number and tear off strip with the same serial number. Download Technicians are to remove the tear off serial number strip and keep this for their records and make note of this serial number in a download register.

The evidence envelope must be securely transported to a QPS station immediately. In instances where the contents of the evidence envelope relate to allegations about a Driver, then this Driver **must not** be involved in the transporting of the envelope. QPS will issue a receipt upon receiving the envelope, which should be retained by the Taxi Company.

Where practicable the evidence envelope should be given directly to the investigating QPS officer.

Record Keeping

The Download Technician shall record details of the images downloaded and Memory Unlocks in a register maintained for this purpose at the Download Station. See Appendix B Forms.

The details are to include:

- Date, time and location of incident.
- Taxi Registration Number and VIN.
- TSCS serial number.
- Name of person who approved the download/Memory Unlock.
- Reason for download.
- Time, date and location of the image download/Memory Unlock.
- Name of person who performed the download/Memory Unlock.
- Action taken with downloaded images.
- Serial number of the evidence envelope.

- Name and contact details of the person, if any, to whom the Image Recordings were given to
- Time, date and filename(s) of the images downloaded. If there are many images, this can be achieved through a screen print of the file names.
- Name and contact details of the person reporting the incident.
- Name of Police Officer requesting download (if applicable).

The Download Technician is required under the legislation to complete the Taxi Security Camera Incident and Image Download Notification (Form F4343) (see Appendix B) and fax to Queensland Transport within 1 working day of the image download.

This information will be used for program evaluation and for auditing purposes.

Images for Testing, Service and Maintenance of a TSCS

Images may be retrieved from a TSCS for testing, service or maintenance. Generally, the images downloaded shall be destroyed 30 days from the date the image was downloaded and managed in accordance with the requirements of these guidelines.

However, copies of images may be retained for warranty or test certification purposes only if the downloaded images were obtained from a taxi that was not in service and not occupied by a member of the public at the time the images were captured.

Suppliers shall develop procedures for testing, service and maintenance to ensure compliance with these guidelines and the legislation. Access to images downloaded during testing, service and maintenance shall be strictly controlled, and limited to only those people who need to view the images as an integral part of their function in completing the works.

A register shall be maintained of all images retrieved for testing, service and maintenance. See Appendix B.

Installation of TSCSs

Installations shall be carried out in accordance with manufacturer's instructions, specific instructions from Queensland Transport and in compliance with the Specifications. Where there is any discrepancy between the manufacturer's instructions and the Specifications, the requirement of the Specifications shall take precedence.

It is the responsibility of Suppliers to develop their own procedures for the installation of TSCSs in taxis, in order to facilitate compliance with these guidelines. The following should be used as a checklist for the development of those procedures:

- Install the system in accordance with manufacturer's instructions, Queensland Transport instructions and in compliance with the Specifications.
- Fully test the operation of the system, alignment of cameras, and verify functionality under low light conditions.
- Ensure a connection point is readily accessible for routine testing of camera functionality, focus and alignment.
- Provide training in the operation of the system to the Drivers and Operators of taxis.
- Provide written operating instructions to the Driver.
- Destroy all images downloaded and/or printed during installation, in accordance with these guidelines.

Training

It is the responsibility of Operators to ensure that the Drivers of their taxis are competent in the operation of the TSCS, as well as other security devices installed in the taxi. Operators shall liaise with Taxi Companies or Suppliers to ensure that training in the operation of TSCSs is provided as part of training for new Drivers.

The Driver must be certified by the Operator as competent in being able to:-

- Check that the TSCS is working.
- Recognise when the TSCS is not working.
- Activate the emergency function and other similar functions that activate image capture.
- Have images downloaded.
- Complete an incident report.

The Operator is required to maintain a register of all Drivers that operate their taxi(s) fitted with TSCSs, and this register must be made available to the Queensland Transport upon request.

Testing, Servicing and Maintenance

It is the responsibility of Drivers and Operators to maintain TSCSs in full working order. Taxi Companies are to ensure that arrangements for the downloading, handling, storage and destruction of images are compliant.

Where a TSCS requires servicing or maintenance, Operators shall make arrangements to have the system restored to a fully functioning state as soon as practicable. The taxi shall not be operated without the TSCS in a fully functioning state.

Transfer of Systems

It is acknowledged that TSCSs may be transferred to another vehicle to be used as a taxi. The installation and recertification of the TSCS must be performed in accordance with these guidelines.

Audit

Queensland Transport will conduct random audits of Suppliers, Taxi Companies and Download Stations. Queensland Transport officers are authorised to search and seize records.

Notifications

Any Stakeholder who becomes aware of any act, omission, circumstance, or occurrence which directly or indirectly adversely affects, or is likely to adversely affect, the operation of security cameras in taxis should notify Queensland Transport as soon as practicable.

Documentation

A number of forms are to be used in the operation and management of security cameras in taxis. Relevant documents are included as Appendix B to these guidelines.

Liability Issues

Taxi Companies and Operators should be aware that a failure to adhere to these guidelines could potentially expose them to liability claims. This is especially so where the TSCS may not be functioning correctly or the Driver is not competent in its operation.

It is recommended that Taxi Companies and Operators seek independent legal advice and develop procedures to ensure that they limit the opportunity for claims that may otherwise arise out of claims of negligence or breach of contract.

Contacts

Queensland Transport Regions

Manager (Passenger Transport), South East Region - Northern Zone

Address:

Old Pilot Station
Parkyn Parade
Mooloolaba Qld 4557
PO Box 111
Mooloolaba

Telephone: 5477 8403

Manager (Passenger Transport), South East Region - Southern Zone

Address:

Ipswich Customer Service Centre
Colvin St
North Ipswich Qld 4305
PO Box 631
Ipswich Qld 4305

Telephone: 3813 8606

Manager (Passenger Transport), Central Region

Address:

Mackay Customer Service Centre
Cnr Endeavour and Industrial Streets
Mackay Qld 4740
PO Box 62
Mackay Qld 4740

Telephone: 4951 8329

Manager (Passenger Transport), Northern Region

Address:

Floor 9 Cairns Corporate Tower
15 Lake Street
Cairns Qld 4870
Tel: 4040 6397

Manager (Passenger Transport), Southern Region

Address:

Toowoomba Main Roads Building

1-5 Phillips St

Toowoomba Qld 4350

PO Box 645

Toowoomba Qld 4350

Telephone: 4639 0730

Appendix A – Legislation

The information contained in this Guideline has been produced as a guide to assist in the understanding of the legislation and policy.

This Guideline is an interpretation of the relevant Acts and Regulations and should not be used as a reference to a point of law.

Legislation to support the installation and use of taxi security camera systems is contained within the *Transport Operations (Passenger Transport) Regulation 2005*.

However copies of all relevant 'Passenger Transport' legislation are outlined below, and can be purchased from Go Print or are available at:

<http://www.legislation.qld.gov.au/OQPChome.htm>.

Transport Operations (Passenger Transport) Act 1994;

Transport Operations (Passenger Transport) Regulation 2005;

Transport Operations (Passenger Transport) Standard 2000.

Other relevant legislation

Evidence Act 1977.

Appendix B – Forms

Sample Image Download and Memory Unlock Register

Date of incident	Taxi Registration Number	Taxi VIN	Download/unlock Approved by	Time & Date of download/unlock	Downloaded /unlock by	Reason for download	Time, date and filename(s) of images	Action taken with downloaded images and serial number of evidence envelope	Date images erased

Evidence Act Certificate - Section 95(4) Evidence Act 1977

A person who fills in this form should first ensure that he/she is responsible for the retrieval of images from taxi security camera systems.

I, (Name).....of (Address)..... do hereby certify that to the best of my knowledge and belief:

1. I am employed by.....at address and have held the position ofsince (Date)..... .
2. My duties as (Position) include responsibility for obtaining, processing, storing and managing information produced by taxi security camera systems under the *Transport Operations (Passenger Transport) Regulation 2005*.
3. For the period from (Date & time)to (Date & time) the taxi security camera system being a (Brand & serial no.)..... was used regularly in taxi VIN to obtain, process and store information for surveillance purposes. The information produced by the taxi security camera system was produced by me using computer (Brand & serial no)..... . The taxi security camera system and the computer were operating properly.
4. The taxi security camera system was approved under section 33G(1)(a) of the *Transport Operations (Passenger Transport) Regulation 2005* and the approval has not been revoked.
5. The following documents, copies of which are attached, were produced by me using the taxi security camera system and the computer:
 - Printed images to identify the alleged offender/s[#]
 - Printed images of the alleged incident/s[#]
 - A CD/DVD[#] containing encrypted images[#]
 - A CD/DVD[#] containing de-encrypted images[#]

Signed:

Name:

Position/designation:

Dated:

[#]delete if not applicable

Taxi Security Camera Incident and Image Download Notification



Queensland Government
Queensland Transport

To be completed by image download technician
Fax one copy to Passenger Transport Division 3236 1642
Place one copy inside Evidence Envelope (if applicable)

Incident details

Name of person requesting download

Phone number

Incident type

Assault

Complaint

Fare evasion

Other (specify)

Theft

Vandalism

Graffiti

Description of incident

Incident location

Offender/suspect description

Incident date

Incident time

 / / :

Police report details (QPS will require a separate report)

Officer name

Station advised

Police crime report number (CRISP)

Victim details

Family name

Given name

Incident date

 / /

Residential address

Postcode

Witness details

Family name

Given name

Residential address

Postcode

Taxi details

Taxi driver name

Taxi company name

Taxi registration number

VIN/Chassis number (Vehicle Identification Number)

Image download details

Name of person approving download

Name of download approver's organisation

Download location

Download date

Download time

Name of person receiving evidence envelope

Evidence envelope serial number

Image download technician details

Family name

Given name/s

Organisation name

Technician's signature

Date

Privacy Disclaimer

Queensland Transport collects the information on this form to keep a record of taxi camera downloads as authorised by the *Transport Operations (Passenger Transport) Act 1995*. This information will be used for the auditing and collating of statistical data on the downloaded incidents and unless required to do so by law or for purposes mentioned in Information Standard 42, your personal information will not be disclosed to a third party without your consent.