

Body Worn Cameras in use by Public Health Authorised Officers

Body Worn Cameras (BWCs) are used by Darling Downs Public Health Unit (DDPHU) Environmental Health Officers (EHOs) while conducting regulatory activities in the community as authorised officers under Queensland public health legislation. The BWCs capture both video and audio of these authorised officer interactions with members of the community and their surroundings.

Use of BWCs during inspections

BWCs are worn openly on the uniform of EHOs however they will not always be recording. When not recording they will be on standby during which time they are able to record up to two minutes of footage before the recording function is activated. BWCs will only be activated by EHOs when regulatory activities are being undertaken. Specifically, BWCs will be activated by EHOs in the following circumstances:

- Gathering evidence under the *Medicines and Poisons Act 2019* or *Tobacco and Other Smoking Products Act 1998* at tobacco and vape stores or other premises supplying or possessing smoking products or personal vaporisers;
- To protect the integrity of both the EHO and other persons where there are allegations of inappropriate behaviour (from either party);
- Where there is a perceived or real risk to personal safety of the EHO or other persons during the course of undertaking their authorised officer duties.

Where the EHO is within their power to record an event through their BWC, they will make reasonable attempts to advise people directly involved in the event. Whenever EHOs are on a person's property for the purposes of conducting regulatory activities, they will be recording their attendance using BWCs. This is to safeguard the integrity of both the EHO and other person/s directly involved in the event.

An EHO is under no obligation to stop BWC recording because a person does not wish to have the event filmed.

Storage and retention of footage

EHOs will upload footage captured on their BWCs to a secure approved video management system. All data is encrypted and only available to authorised officers from DDPHU. All access to BWC footage is tracked and auditable. Video and audio recordings made in the execution of an EHOs duty are a 'record' under the *Public Records Act 2002* and managed accordingly.

Use and disclosure of footage

DDPHU may use and disclose BWC footage for compliance monitoring and enforcement activities. Footage may be used and disclosed for investigations and prosecutions under public health legislation. It may also be used in proceedings relating to the review of administrative decisions. In these cases, disclosure will normally be made to the lawyers involved in the case and to the court or tribunal.

DDPHU may also disclose footage to State or Federal law enforcement agencies where such disclosure is authorised under the [Information Privacy Act 2009](#). DDPHU may also disclose footage where it is authorised by law, including in response to a *notice to produce* or under the [Right to Information Act 2009](#). Where DDPHU discloses footage, an authorised officer can, as required, produce redacted or edited copies of recordings without compromising the original recording. This will be to protect privacy or for other considerations. The original file of the recording can never be overwritten or altered.

Obtaining a copy of footage

To apply for access to BWC footage captured by EHOs at DDPHU, please complete and submit a right to information (RTI) request by visiting Darling Downs Health's [Right to Information webpage](#). You may be charged a fee for processing your request.

More information about the RTI process is also available at <https://www.health.qld.gov.au/system-governance/contact-us/access-info>.

Darling Downs Health's privacy policy

For more information on how to access or correct your personal information, how to make a privacy complaint, or how your information may be used or disclosed for purposes beyond those described in this statement, please visit <https://www.health.qld.gov.au/global/privacy>.