

AMENDED MOTION BY COUNCILLOR THOMSON

ITEM NUMBER: CCS516

ITEM TITLE: THREE MONTH TRIAL PERIOD FOR BODY WORN CAMERAS BY CITY RANGERS

DATE & TIME RECEIVED: Thursday 20 April 2023 at 3.05PM

CCS516: AMENDMENT BY COUNCILLOR THOMSON

THAT the Authorising Officer Recommendation be AMENDED to read:

THAT Council:

- NOTE the following Committee Recommendation: *‘THAT the Committee NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons’*;
- DIRECT the CEO to report to a meeting of Council within three months of conclusion of the planned three-month body worn camera trial on the outcomes of the trial; and
- DIRECT the CEO, in the event he considers the three-month trial to have been successful, to include in the above-mentioned report a draft body-worn camera policy that reflects findings from the trial, and a recommendation for council determination of a final policy.

Councillor Reason:

This amended motion proposes that the officers’ recommendation be endorsed.

It is further recommended that results of the three-month body worn camera trial suggested by officers be presented in a report to the City council, and that outcomes of the trial inform a draft body worn camera policy for consideration and determination by the council.

The amendment, if endorsed, would in no way delay implementation of body worn cameras for authorised council officers should the council endorse recommendations of the proposed officer report.

Presentation of a final draft policy, informed by lessons from the three-month trial, would be consistent with the usual orderly and staged policy development process of Albany’s City council.

The administration has advised that it has the power to introduce body worn cameras without endorsement of the council.

The administration has further advised that decisions on the implementation of council policies are the remit of the council.

This is consistent with Clause 2.7(2)(b) of the Local Government Act that affirms it is the role of councils to “determine the local government’s policies”.

Under the current officer recommendation, the council would not have the opportunity to either endorse or provide feedback on the draft policy. No substantial council debate about the policy would occur, against which to test and potentially modify the administration’s advice.

In such a circumstance, the council would waive its responsibility to establish appropriate settings in advancing the safety of the Albany community and authorised officers, delegating this important task to the unelected administration.

Of the LGAs that have implemented the cameras, the Town of Claremont, and shires of Esperance, Toodyay and Wyndham-East Kimberley, at least, have introduced their body worn camera policies only after their councils – as elected representatives of the people – were afforded the opportunity to endorse those policies.

Engaging elected members as decision-makers on a draft body worn camera policy is:

- in full accordance with the Local Government Act;
- consistent with usual City of Albany policy development practice; and
- a more strategic, democratic and transparent approach to policy development on this important matter.

Officer Comment:

The administration highly values our trusted and cooperative relationship and cooperative approach with Council. It is for this reason that the administration put a report to the Corporate and Community Services Committee and Council regarding the introduction of Body Worn Cameras. By presenting the report, it gives the awareness to Council of the proposed introduction and gives the ability to influence the decisions of administration through the introduction of a Council Policy, statement of a position or other.

The administration will respect the governance process. Should Council want to receive a report through the Council Meeting process on the outcome of a trial and the recommendation of a Council Policy, then the administration will respect this position.