



**OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR
AND COORDINATION
OF
NATIONAL GOVERNMENT**

NATIONAL CCTV POLICY

DRAFT TWO

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PREAMBLE

1. A Closed Circuit Television (CCTV) system is a television system that transmits images on a closed loop basis, where images are only available to those directly connected to the transmission system. It relies on strategic placement of cameras, and observation of the cameras' input on monitors.
2. Over the past three decades, the country has been experiencing an increase in violent crimes such as terrorism, armed robbery, murder, mugging, carjacking, housebreaking, civil disorder, physical and sexual assault.
3. In response to the issues aforesaid, there has been a rise in installation of CCTV systems in both public and private sectors aimed at prevention, detection and prosecution of the crimes.
4. The current installations and management of CCTV systems is ad hoc and disjointed with no national policy framework in place.
5. In this regard, this policy seeks to guide the installation, operation and management of CCTV systems in the country

THE NATIONAL CCTV POLICY

1. INTRODUCTION

- 1.1 The Government of Kenya appreciates that CCTV systems play a significant role in the prevention, detection and prosecution of crimes in the public space. The increased level of crime in the public places, has necessitated various institutions and individuals, both public and private, to use CCTV as a tool to address the security challenges. However, the installations have been taking place without any guideline.
- 1.2 The aim of this policy is to provide general principles and standards for installation, operation and management of CCTV systems.
- 1.3 The purpose of this policy is to address the following:
 - a. Prevent, deter and detect crime to safeguard life and property
 - b. Assist in investigation and prosecution of incidents and offences
 - c. Facilitate emergency operations
 - d. Facilitate security deployments and operations

2. POLICY OBJECTIVE

- 2.1 The objective of this policy is to guide installation, operation and management of all CCTV systems in public and private premises while promoting their use as a mechanism to deter, detect and prevent crime for a safe and secure nation.

3. POLICY STATEMENT

- 3.1 The Government of Kenya is committed to embrace CCTV systems in conjunction with current security mechanisms in ensuring the safety and security of all persons and property.
- 3.2 The policy establishes uniform guidelines in the installation, operation and management of CCTV systems in Kenya.
- 3.3 CCTV systems will be operated with the respect for people's privacy and their rights in the conduct or engagement in lawful activities.

4. POLICY SCOPE

- 4.1 This policy applies to public and private CCTV systems at the national and county level with the intention to guide and not restrict the installation, operation and management of CCTV system.

5. GUIDING PRINCIPLES

- 5.1 The ownership and operation of CCTV systems must be clear and publicly known to ensure appropriate accountability.
- 5.2 When considering setting up or expanding a CCTV system, the relevant concerns of all parties potentially affected by the systems should be taken into account.
- 5.3 Clear CCTV system objectives should be set to guide the design, installation, operation and management of CCTV systems.
- 5.4 The installation, operation and management of CCTV systems should be part of an integrated, multi-agency approach to crime control and public safety.
- 5.5 The Standard Operating Procedures for the CCTV system should incorporate protocols covering communication and liaison between the system owners/operators and the law enforcement agencies.
- 5.6 All CCTV systems should be open, accountable and operate with due regard for the privacy and civil rights of individuals and the community.
- 5.7 Access to CCTV system images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted.
- 5.8 All CCTV systems owners and operators should develop evaluation frameworks to identify whether their formal objectives are being achieved.
- 5.9 All CCTV systems owners and operators should have procedures for dealing with complaints
- 5.10 There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with.

6. ROLES AND RESPONSIBILITIES

6.1 The policy CCTV organs will comprise of;

6.1.1 Ministry of Interior and Coordination of National Government

6.1.2 County Security and Intelligence Committee

6.1.3 National Police Service

6.1.4 Owners and Operators

6.2 Ministry of Interior and Coordination of National Government

The role of the Ministry of Interior and Coordination of National Government will be to;

6.2.1 Give overall direction on the installation, operation and management of CCTV systems in the Country.

6.2.2 Handle registration of all National CCTV systems installations.

6.2.3 Establish a National CCTV Coordination Centre - to coordinate and connect to CCTV data centres.

6.2.4 Develop regulations to effect the policy

6.2.5 Monitor, evaluate and review the policy

6.3 County Security and Intelligence Committee

The County Security and Intelligence Committee shall

6.3.1 Ensure the installation, operation and management of CCTV systems are implemented in accordance to national CCTV policy

6.3.2 Oversee and coordinate the use of CCTV systems for safety and security purposes within the county

6.3.3 Maintain a database of CCTV systems and provide the same to the Ministry of Interior and Coordination of National Government on quarterly basis

6.3.4 Develop, in consultation with the Ministry of Interior and Coordination of National Government, Protocols and Standard Operating Procedures between security agencies and the owners/operators in relation to their respective roles in the program

6.4 National Police Service

The roles of the National Police Service will be as follows;

- 6.4.1 Receiving, evaluating and disseminating data on security incidences from CCTV system owners and operators
- 6.4.2 Participate in the evaluation and monitoring processes for the CCTV systems security program
- 6.4.3 Determine the appropriate level and priority of responses required to incidents identified by the CCTV systems.

6.5 Owners and Operators

The roles of CCTV Owners/Operators will be as follows;

- 6.5.1 Install, operate and manage CCTV systems in compliance with the national CCTV policy and regulations.
- 6.5.2 Report and share security incidences and data captured by CCTV systems to the relevant authorities.
- 6.5.3 Facilitate access to CCTV systems data and information required by relevant authorities.

7. REGULATORY CONTEXT

7.1 All CCTV Systems shall be in compliance with following national legislations:

- 7.1.1 The Constitution of Kenya 2010
- 7.1.2 Kenya Communication Act, 1998
- 7.1.3 The Public Archives and Documentation Service Act Chapter 19 Laws of Kenya
- 7.1.4 Records Disposal Act Chapter 14 Laws of Kenya
- 7.1.5 Computer Misuse and Cybercrime Act, 2018
- 7.1.6 Evidence Act, 2012
- 7.1.7 Access to Information Act, 2016
- 7.1.8 Private Security and Regulatory Act, 2016
- 7.1.9 Any other relevant legislation that may be enacted

8. POLICY DIRECTIVES

- 8.1 All institutions, businesses, and facilities with public areas should ensure that those areas are covered by CCTV Systems
- 8.2 All the CCTV systems installed in the country be registered and operated in compliance with this policy.
- 8.3 Owners/operators of CCTV systems should maintain documentation regarding;
 - 8.3.1 Make and model of all CCTV system components, including but not limited to recorders, cameras, lenses, and multiplexers.
 - 8.3.2 Site plan showing all CCTV equipment placements.
- 8.4 Owners/Operators should be guided by the nature and the purpose for which the CCTV system is intended to address
- 8.5 Owners/Operators should provide reasonable access, connection, linkage and integration mechanisms on CCTV systems to Security agencies.
- 8.6 All CCTV footage/images should be disclosed for carrying out a formal investigation where it can reasonably be expected that the disclosure of the footage/images may help the investigation or prosecution of a criminal offence as detailed in Annex 2
- 8.7 Owners/Operators should ensure that their CCTV systems operate twenty-four hours a day, seven days a week, and report all security related incidences captured by CCTV systems to the relevant security authorities. The CCTV systems should have the capability of working in all light situations to illuminate the cameras field of view.
- 8.8 Owners/Operators of private CCTV Systems should ensure that they do not cover Restricted Areas
- 8.9 CCTV systems should be sited in such a way that they monitor areas intended to be covered by the system.
- 8.10 If it is not possible to achieve 8.7, the owner of a property or space being overlooked should be informed.
- 8.11 The CCTV control equipment should be housed within a secure area. The control equipment should be protected using a secure validation process, e.g. a password, or electronic key, to avoid unauthorized access to the CCTV system.

- 8.12 Access to the system and recorded images should be controlled to prevent tampering or unauthorized viewing. A record should be kept of who has accessed the system and when.
- 8.13 Any installation of CCTV systems that transverse more than one county should be vetted and registered by the Ministry of Interior and Coordination of National Government, while at county level, be vetted through the County Security and Intelligence Committee
- 8.14 There should be clear signage informing the public of CCTV surveillance systems coverage. The owner/operator of the system should be able to provide footage/images and will be accountable, impartial and fair with procedures for dealing with complaints.
- 8.15 CCTV system audits and submission of reports shall be done quarterly at County level and annually at National level
- 8.16 The Ministry of Interior and Coordination of National Government will ensure that regular audits on installation and management of CCTV systems in relation to addressing security concerns in the country.
- 8.17 All CCTV Systems should store the recordings for a minimum of 30 days, while incidences of interest be sufficiently archived for a minimum of 90 days
- 8.18 All CCTV systems and equipment specifications shall be as per the CCTV standards set by the Kenya Bureau of Standards (KEBS)
- 8.19 Disposal of all CCTV equipment should be in line with the Environmental Management and Co-Ordination (E-Waste Management) Regulations, 2013

9. POLICY IMPLEMENTATION

- 9.1 This policy will be domiciled in the Ministry of Interior and Coordination of National Government.

10. POLICY REVIEW

- 10.1 This policy will be reviewed every three years or when there is a change in any legislation affecting this policy.

11. REFERENCES

Draft zero of the CCTV Policy developed by Multi-Agency Submissions and desk researches

Draft CCTV Policy for KEBS

Draft CCTV Policy of the State Department of Universities, Ministry of Education

Communication Authority

Kenya National Bureau of Statistics

Parliamentary Hansard

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