

# Information Sheet

## Compliance and investigation

### ESR covert and overt recording in compliance and investigation

*This information sheet summarises the operational policy for the use of audio and video recording devices by the Department of Environment, Science and Innovation employees within the Environmental Services and Regulation (ESR) Division when conducting compliance and investigative activities. Audio and visual recording devices may be overt or covert and different approval requirements apply as set out in this information sheet.*

**Covert recording** is recording when one or more people being recorded are unaware that recording is taking place.

**Overt recording** is recording when all people being recorded are fully aware a recording is taking place.

## 1 Background

The department recognises the importance of developing and maintaining a positive relationship with regulated parties, whilst ensuring that appropriate evidentiary tools are available for compliance staff to use when it is needed.

Compliance and investigation activities are a critical component of departmental business which is carried out by authorised officers. Their work is performed in a wide range of circumstances whereby authorised officers regularly investigate breaches of legislation that may lead to enforcement action.

Digital audio and visual recordings provide an accurate and true account of conversations and interactions between officers and another party.

## 2 Recording devices and information storage

There are multiple platforms that can be used to record information. These include devices such as digital voice recorders, remote cameras, drones (RPAS), and body-worn cameras. The information is recorded in an electronic format and the file is stored in the department's secure record keeping platform. The retention and disposal of the file is managed in accordance with the Department's Retention and Disposal Schedule where significant matters are held as a permanent record and other matters are deleted after seven years.

## 3 Approval authority

The use of a recording device is not a routine activity unless it is a tool being used for ambient environmental monitoring or in an investigation into illegal dumping, unlicensed waste activities or by an officer in the State Investigations Team.

In other circumstances, **covert** recording can only be done with the approval of the Deputy Director-General and **overt** recording requires the approval of an Executive Director.

For more information contact:

- Phone: 13 QGOV (13 74 68) Business hours: 8:30am to 5:00pm Monday to Friday
- Online enquiries - Use the [Enquiry form](#) and we'll respond to you by email

