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 Jean Swanson, Councillor
 Michael Wiebe, Councillor

City of Vancouver
 453 West 12th Ave
 Vancouver, BC V5Y 1V4

Via Email

April 26, 2022

Dear Mayor & Council,

RE: CCTV Cameras for the Purpose of Public Safety and Deterring and Solving Violent Crime

We write ahead of Council’s upcoming decision regarding closed-circuit television (CCTV) and/or other video systems. Specifically, we **oppose** Council Members’ Motion B4 “CCTV Cameras for the Purpose of Public Safety and Deterring and Solving Violent Crime.”¹

¹Council Members’ Motion CCTV Cameras for the Purpose of Public Safety and Deterring and Solving Violent Crime, Council agenda (26 April 2022), online: <https://council.vancouver.ca/20220426/documents/b4.pdf>

This Motion lacks any grounding in evidence-based practices regarding the use of surveillance as a deterrent to crime or investigatory tool for policing. Furthermore, it involves no coherent anti-racist, anti-poverty, or human rights analysis of CCTV and its implications for marginalized community members. Instead, it relies on four news media articles to make the following resolutions:

- A. THAT Council direct staff to engage the Vancouver Police Department and determine critical areas where CCTV cameras could be installed in public, yet not monitored live, to deter violent crime and collect evidence to help solve violent crime;

FURTHER THAT Council direct staff to report back to Council in Q3 2022 with recommendations, including recommendations to fund CCTV cameras, to prioritize public safety.

- B. THAT Council direct staff to engage the Vancouver Police Department and the Office of the Information and Privacy Commissioner to conduct a Privacy Impact Assessment;

FURTHER that staff work with the Vancouver Police Department to develop a strategy to educate property owners, businesses and residents about the value of using CCTV cameras to deter crime and help solve incidents of violent crime occurring in the City of Vancouver and report back to Council with an update by Q3 2022

We are all deeply concerned about the health, safety and well-being of our neighbours and community members who live in Vancouver. We know that our concerns - and the overall safety of community members - will not be mitigated by CCTV. On the contrary, expansions of CCTV are linked to the criminalization of poverty, targeting of Black and Indigenous people in public space, and mass collection of data without authorization or administrative fairness.

Avoiding Technosolutionism

CCTVs are positioned as a necessary element of public safety, however, this is a classic example of technosolutionism—the idea that if we just have better technology and more data we can easily solve complex social problems. It is a misguided and simplified view that putting up cameras will reduce crime. Treating technology as a quick fix to Vancouver's deeply entrenched problems of social inequity is irresponsible and has the potential to introduce harmful consequences.

In 2019, Piza et al. published a meta-analytic systematic review regarding the use of CCTV surveillance for crime prevention, based on 36 CCTV evaluations published between 2007-2017 and prior research. These researchers' findings indicate that "CCTV is associated with a modest and significant reduction in crime," however, they also clearly found that "CCTV was associated with significant reductions in both vehicle crime and property crime in general, with no significant effects observed for violent crime [emphasis added]."² Regarding low-level property crime and theft, CCTV often serves to displace this type of crime, not stop it.

² Piza EL, Welsh BC, Farrington DP, Thomas AL. CCTV surveillance for crime prevention. *Criminology & public policy*. 2019;18(1):135–59.

CCTV has no ability to influence the underlying conditions of precarious housing, poverty, colonialism, and white supremacy that lead people to rely on such crime to generate income.

Opposing Racist Technologies

This motion is characterized by its complete failure to acknowledge the racist, classist, and potential rights violations that mass surveillance technologies rely upon.

The Vancouver Police Department has clearly demonstrated ongoing structural anti-Black and anti-Indigenous racism - within the use of street stops and recently-released data on possession arrests. Even the VPD's own 2021 Street Check Audit Report notes that "there is ethnic/racial statistical disproportionality in data across the entire spectrum of the criminal justice system."³ Expanding surveillance is inseparable from racist technologies.

More CCTV cameras means increased surveillance, mass data collection, and introduces the potential for future harms associated with the use of facial recognition technology.

Amnesty International has called for a ban on dangerous facial recognition technology, in recognition that this form of mass surveillance "amplifies racist policing and threatens the right to protest."⁴ Amnesty specifically notes that Black people are most at risk of being misidentified by facial recognition systems. In Vancouver, there have been multiple high-profile instances of racist police misidentification, including the VPD handcuffing retired BC Supreme Court Justice Selwyn Romilly on the Seawall in May 2021.⁵

Highlighting Privacy Concerns

Surveillance technologies threaten fundamental rights and freedoms, including freedom of expression and of association, and the right to privacy. Surveillance threatens public life and has a chilling effect on democratic participation. The prospect of surveilling all people in public is not only unnecessary and antithetical to community wellbeing, but clearly violates privacy rights.

There is simply no authority in statutory or common law for the city of Vancouver - or the city's police department - to collect, analyze and keep the video surveillance recordings under proposal.

We direct your attention to the determination from BC's Office of the Information and Privacy Commissioner that "a public body is ***not authorized to collect personal information about citizens, in the absence of an investigation, on the chance it may be useful in a future investigation.*** [emphasis added]"⁶ We also highlight the high threshold that the city has to meet in order to legally operate CCTV for the proposed purposes:

³Drazen Manojlovic, *Street Check Audit Report*, Vancouver Police Board (30 January 2021), online:

<https://vancouverpoliceboard.ca/police/policeboard/agenda/2021/0218/4-2-2102G01-Board-Report.pdf>

⁴Amnesty International, "Ban dangerous facial recognition technology that amplifies racist policing," *Amnesty International* (26 January 2021), online: <https://www.amnesty.org/en/latest/news/2021/01/ban-dangerous-facial-recognition-technology-that-amplifies-racist-policing/>

⁵The Canadian Press, "Vancouver police, mayor apologize for wrongly handcuffing and detaining retired Black judge," *CBC News* (15 May 2021), online: <https://www.cbc.ca/news/canada/british-columbia/vancouver-police-black-judge-arrest-1.6028148>

⁶Office of the Information and Privacy Commissioner for British Columbia, "Public Sector Surveillance Guidelines" (updated January, 2014), online: <https://www.oipc.bc.ca/guidance-documents/1601> at page 4.

“‘[n]ecessary’ in the context of surveillance systems is a high threshold for a public body to meet. It is not enough to say that personal information would be nice to have or could be useful in the future.”⁷

Failure to properly consider and restrict the privacy impacts of surveillance cameras in public can and has resulted in legal challenges.⁸ Concerns about video surveillance have been raised throughout Canada, including in Ontario where the provincial government planned to expand video surveillance. Organizations such as the Canadian Civil Liberties Association, the Coalition Against More Surveillance-Ottawa, and the Criminalization and Punishment Experience Project have all raised concerns about the necessity, proportionality, and funding of CCTV in Ontario.^{9,10}

Cities such as Portland, San Francisco, Boston, Vermont, Oakland, Minneapolis have banned facial recognition technology due to concerns with bias, privacy and the impact on civic life.¹¹

Applying an Intersectional, Gendered Analysis

While there are some survivors of gender based violence who may support the use of CCTV cameras, more surveillance will also explicitly target and harm Black, Indigenous and racialized women and people of marginalized genders living at the dangerous intersection of cisheteropatriarchy and racism.

Increasing CCTV is another expensive and dangerous tool to further criminalize women who are living in the DTES, especially racialized women and girls, drug users, and sex workers. Research from Australia shows that the presence of CCTV makes women feel less safe in public spaces as it is viewed as an indicator that the space is unsafe. This results in women spending less time in public spaces.¹² For sex workers of all genders, research has shown that they are less safe as surveillance increases.¹³ Surveillance of sex workers, whose labour is criminalized, leads to displacement and more isolated and remote working conditions. Sex workers are often a target for law enforcement, and surveillance, especially those who rely on public space, but their right to privacy is no less important than anyone else’s.

Further, CCTV cameras and increased surveillance do little to actually prevent gender-based violence, including fatal femicides, which have shockingly sky-rocketed during the pandemic.¹⁴ A surveillance and crime-based funding and policy response to gender-based violence has consistently proven to be ineffective. Rather than expand CCTV, Council should prioritize systemic, community-based prevention and intervention

⁷ Office of the Information and Privacy Commissioner for British Columbia, “Public Sector Surveillance Guidelines” (updated January, 2014), online: <https://www.oipc.bc.ca/guidance-documents/1601> at page 4.

⁸ Jason Procter, “Vancouver police face privacy lawsuit over mass surveillance units in neighbourhoods,” CBC News (12 June 2020), online: <https://www.cbc.ca/news/canada/british-columbia/vancouver-police-surveillance-cameras-suing-1.5608608>

⁹ Michael Talbot, “Canadian Civil Liberties Association has ‘serious concerns’ about CCTV expansion in Ontario,” *CityNews* (13 July 2021), online: <https://toronto.citynews.ca/2021/07/13/cctv-cameras-privacy-ontario/>

¹⁰ CAMS & CPEP, “Statement on the Ontario CCTV Grant,” *CAMS-Ottawa* (2 December 2020), online: <https://cams-ottawa.ca/statement.html>

¹¹ Alex Najibi, “Racial Discrimination in Face Recognition Technology,” *Harvard University* (24 October 2020), online: <https://sitn.hms.harvard.edu/flash/2020/racial-discrimination-in-face-recognition-technology/>

¹² Nicole Kalms, “Safe in the City? Shifting the Focus on CCTV and Women’s Safety,” *Monash Lens* (10 May 2021), online: <https://lens.monash.edu/@design-architecture/2021/04/30/1383160/shifting-the-focus-on-cctv-and-womens-safety>.

¹³ Centre for Gender & Sexual Health Equity, “5 reasons to end police harassment & surveillance to advance sex workers’ health & labour rights” (2021), online: <http://cgshe.ca/downloads/2021/06/end-police-harassment-surveillance-to-advance-sex-workers-health-and-labour-rights-during-and-beyond-the-covid-19-pandemic/>

¹⁴ Battered Women’s Support Services, “Femicide is the Shadow Pandemic” (25 April 2022), online: <https://www.bwss.org/femicide-is-the-shadow-pandemic/>

strategies to end gender-based violence against women, girls, trans and gender-diverse people, especially those who are Black, Indigenous, newcomer immigrant/refugee, racialized, and low-income. Effective gender-based intervention would tackle the core drivers of public safety.¹⁵ Specifically, this includes more accessible public spaces, affordable housing, front line mental health support, accessible and affordable transit, well lit streets, walkable neighborhoods, and community-based prevention strategies to end gender-based violence.

Understand Drivers of “Crime”

As has been repeatedly conveyed to Vancouver City Council, inequality and criminalization are fundamental drivers of crime. The outsized focus on surveillance fundamentally fails to acknowledge the increasing inequality that defines Vancouver - a city where Street Sweeps displace people every day, where a contaminated drug supply is killing people, and where nearly 80,000 people are experiencing “housing need” due to unaffordable, unsuitable or inadequate housing.¹⁶

To address the harms that drive reliance on the informal economy and petty crime, the City must support infrastructure such as housing, culturally safe mental health services, peer-led access to safe supply must be built and invested in, rather than expanding police budgets through expensive and ineffective technologies.

Rather than spending millions of dollars to surveil residents, through technologies that have no demonstrable effect on deterring or solving violent crime, the City of Vancouver could continue to affirm the importance of decriminalizing poverty, investing in community-led crisis intervention, and working with anti-violence organizations to better understand relevant factors in instances of harm, through an intersectional lens.

Conclusion: Oppose the Expansion of CCTV

We urge Council members to oppose Members’ Motion B4 at the upcoming City Council meeting. Members’ Motion B4 makes no reference to any protections or safeguards that could adequately address the grave concerns identified here. City Council’s work would be more fruitful if Council committed to an equity-driven public and community safety strategy.

Sincerely,

Daniella Barreto, Digital Activism Coordinator, Amnesty International Canada

Angela Marie MacDougall, Executive Director, Battered Women’s Support Services

Meghan McDermott, Policy Director, BC Civil Liberties Association

Coalition Against More Surveillance (CAMS)

¹⁵ *National Action Plan on Violence Against Women and Gender-Based Violence* (2021), online: https://nationalactionplan.ca/#_keytakeaways

¹⁶ *2021 Housing Progress Report, Housing Needs Report, and Update on Housing Targets Refresh*, City of Vancouver (6 April 2022), online: <https://council.vancouver.ca/20220427/documents/cfsc3.PDF> at page 6

Kali Sedgemore, President, Coalition of Peers Dismantling the Drug War

Defund 604 Network

Stephen D'Souza, Executive Director, Homelessness Services Association of BC

Bryan Short, Digital Rights Campaigner, OpenMedia

Kit Rothschild, Community co-Executive Director, PACE Society

Meenakshi Manoe, Criminalization & Policing Campaigner, Pivot Legal Society

Vince Tao, Community Organizer, Vancouver Area Network of Drug Users (VANDU)

Rhian Oldale, GBV Project Coordinator, Vancouver Women's Health Collective

Raji Mangat, Executive Director, West Coast LEAF

Ash Peplow Ball, Managing Director, Women Transforming Cities

Mahtab Laghaei, Campaign Lead, Women Transforming Cities