



European Parliament proposes a Euro-CCTV code

The widespread use of closed circuit television (CCTV) for surveillance purposes has alerted the European Parliament's Scientific and Technological Options Assessment Panel (STOA) to recommend limitations on its use. STOA suggests that a European-level Code of Practice should be adopted.

STOA's recommendations on CCTV surveillance networks are part of an interim study on various technologies of political control. The document, published in January, aims to give Members of the European Parliament guidance on recent developments in the field, and, therefore, does not necessarily reflect a majority policy.

National CCTV policies vary

The attitude towards the use of CCTV varies greatly from one Member State to another. Denmark has banned private CCTV cameras; since 1982, private persons have not been allowed to survey public places using TV or video. In the UK, where it is estimated that there are 200,000 cameras, the Government heavily promotes their use, and has promised additional funding for CCTV schemes.

Decision-makers normally justify the use of cameras by saying that they are part of an attempt to reduce crime rates. This approach may be successful in combating crime, but, together with criminal behaviour, cameras also record all other behaviour, criminal or not. A housing association, in an effort to catch vandals, might discover that it has unwittingly collected evidence on its members' strictly private matters.

Data protection questions are not, however, limited to fair obtaining. The purposes for which the recordings are made should be clarified, as well as the length of time for which they may be kept. The recordings can fall under data protection legislation's definition of automatic processing of personal data if they can be categorised on computer according to specific criteria, for example, time of day or car number plates.

Generally, the more sophisticated the surveillance systems become, the more likely they

are to come under data protection regulation. Computerised face recognition systems, which can compare facial patterns captured on CCTV with a database of faces, clearly process personal data that can be linked to a particular individual. Such systems would be useful for police monitoring of suspected hooligans at football stadiums.

Towards a European Code of Practice

STOA's report suggests that the existing model Code of Practice, produced in the UK by the Local Government Unit, could be adopted throughout the EU. STOA argues that the European Parliament's Civil Liberties Committee should recommend adopting this Code to ensure that new surveillance technologies are brought within the appropriate data protection legislation.

It is argued that a European Code of Practice ought to cover the use of all CCTV surveillance schemes in public spaces and residential areas. The Code should include, among other things:

- a statement on the responsibilities of the owner of the scheme,
- the way it should be managed, and
- clarification of the relationship with data protection legislation.

The Code produced by the Local Government Information Unit in Britain includes all these aspects, but it is merely a voluntary code.

Primary legislation - another solution?

A more rigid framework for controlling the use of CCTV systems could, however, be provided by the implementation of the EU Data Protection Directive through primary legislation in different Member States. This route, already taken by Greece, allows the possibility of including police activities which do not fall within Community law, and are thus outside the scope of the EU Directive. When the UK's Data Protection Bill was going through its committee stage in the House of Lords in February, the government introduced an amendment which made it clear that it will cover CCTV.

A Watching Brief: A Code of Practice for CCTV is available from Ruth Chandler, Local Government Information Unit, 2nd floor, 1-5, Bath Street, London, EC1V 9QQ. First copy is £30, £10 for additional copies.

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