

This is a summary of the decision of the DPC

The Data Protection Office received an official complaint from Complainant against Respondent regarding the use of CCTV cameras. The complainant stated that his neighbour installed a CCTV camera on their private property, positioned in a way that was capturing footage of the public road, which serves as the only access point to a residential co-ownership. The property management reported receiving numerous complaints from residents, visitors, and employees alleging that the respondent was observing and monitoring them. Some employees further claimed that the respondent had made comments about their movements recorded by the cameras, which they perceived as harassment.

It was also alleged that the cameras operate continuously, recording all movements day and night, and there were concerns that the footage, including images of passers-by might be shared abroad for unlawful purposes. The property management argued that this setup violated the principles governing the use of CCTV systems, as it captured images beyond the intended area and monitored individuals on a public road without their consent, constituting a serious breach of privacy and data protection laws.

Subsequently, the Data Protection Office wrote to the Police to seek assistance for investigating this complaint and to conduct a site visit at Respondent's premises to verify the camera as to whether the CCTV footage shows viewing outside Respondent's premises.

By way of a letter, the Police informed the office that the CCTV cameras were fixed on the wall and were not capturing images inside the premises of the complainant. The Police also enclosed the site visit report together with the letter.

Further to this, the complainant objected to the closure of the complaint. He stated that there was flash which emanated from the CCTV camera and requested that the respondent give the office access to the footages and to conduct in-depth inquiry. A letter was sent to the respondent requesting him to attend the office to give a written statement in view of what the complainant stated. The office received the written statement of the respondent with the evidences whereby it was found that the respondent CCTV camera was not capturing images inside complainant's premises.

The Data Protection Commissioner has decided as follows: -

In view of the above, the enquiry is closed to the satisfaction of all parties under section 6 of the Data Protection Act (DPA).