

This is a summary of the decision of the DPC

The Data Protection Office received a complaint by email from Complainant against Respondent regarding the use of CCTV cameras. The Complainant stated as quoted that: *"I (...) would like to lodge a complaint against my neighbour (...) who has placed a camera facing my house and my courtyard.*

According to the Data Protection Act, video surveillance system must be positioned to capture images only within his premise. Moreover, signs must be displayed the public of the presence of cameras when they are entering the premises concerned. However, this is not the case for my neighbour.

I have informed the police officers, they informed him that he should position his camera to capture images within his premises only but he was resistant with them and denied access to view the monitor.

I also state that I have a toilet just where my neighbour has positioned his camera and I have an old age mother living with me, who is being traumatized everytime we are coming across this camera.

This is a very serious issue which is clearly bullying us and affecting our privacy daily. I would request the concerned authority to carry out a site visit and inform my neighbour to position the said camera within his premises only or to remove it from facing my house.

I would be grateful if this complaint can be treated as urgent as this is affecting my mother's health drastically."

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: “an *enquiry was carried out into the matter and a site visit was conducted by personnel of (...) Police, whereby it has been stated and found that the respondent is settled abroad and that his premise are not equipped with a CCTV camera*” The Police also enclosed the site visit report together with the letter.

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 2017 (DPA).