

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 3 cameras which directly trespass my personal property.*

First camera falls directly into my bedroom, balcony. The same camera has been positioned voluntarily which images directly show my personal garden. It's on the first floor and it's more like spying than for security purposes. I cannot open my window and also I have an access which leads to the balcony. I cannot open this door because the images capture my bedroom. It is really embarrassing when changing clothes. This is completely illegal.

The second camera has been fitted opposite my living room on the first floor. I cannot open the window for security reason.

Also, two cameras fall into a common access road. We are both entitled to use this common road. I have my private wall which has been placed within my 3 metre as per the law. The camera visualizes the access door which was constructed to have access to the common road.

I would kindly request to please inquire and do needful as this is becoming an issue regarding my privacy."

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 respondent was met and found that Respondent has already re-oriented his CCTV cameras and same is no more capturing images towards Complainant's premises."* 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).