

Guidance on the use of CCTV in and around your home



This guide is for those wanting to install a CCTV system at home as an aid to security or to tackle anti-social behaviour.

It is written to give you guidance on the legal requirements and advice on how to use the CCTV images should an incident occur.

I want to make my home secure with CCTV

It may come as a surprise but a CCTV system alone may do little to prevent a theft from your home. If you are looking to make your home secure consider the use of CCTV against the cost of other security measures that may prove cheaper and more effective.

Anti-Social Behaviour

If you are installing CCTV because you are suffering anti-social behaviour, distress or harassment there is professional help available to you. It would be worthwhile talking to these professional people before going to the expense of a CCTV system. There is an anti-social behaviour officer in your district, someone who is either part of Sussex Police or your local council. These people will co-ordinate the investigation into your complaint. They will link in with local Neighbourhood Policing Teams, housing providers, councils, and any other relevant agencies. You can report anti-social behaviour in the following ways:

By phone to the Sussex Police non emergency number
101

Or via the anti-social behaviour link at
www.sussex.police.uk

Where should I fit the cameras?

If you have decided to install a CCTV system you need to think carefully about where you are going to fit the cameras.

If you own your home then you do not need anybody else's permission to fit the cameras

If you do not own your home you will need written permission from the landlord or owner of the property before installing CCTV.

You may also need planning permission your local planning authority will be able to advise you.

You cannot fit your cameras on a neighbour's property without their consent; you will need to obtain written permission before installing any cameras on someone else's property.

You cannot fit cameras onto any street lighting columns, trees, public buildings or public fencing without written consent from the responsible authority.

Data Protection

If you install a CCTV system on your residential property for domestic use you are not going to be affected by the Data Protection Act. This is because CCTV used for a purpose like protecting your home is exempt from the data protection principles. This applies even if the CCTV cameras you have installed to protect your home can also view parts of the street or any other areas around your home.

If you use your CCTV for a business purpose then you will need to comply with the Data protection Act.

You must respect your neighbour's right to privacy; CCTV should not be directed into someone else's home or property. As a domestic user of CCTV you are exempt from the Data Protection Act however if you misuse your CCTV system you could still face criminal or civil charges. Using CCTV to invade another person's privacy on more than one occasion could be harassment which is a serious criminal offence. Using CCTV images for voyeuristic or anti-social purposes are also offences that the police can deal with under criminal law.

Directing your CCTV cameras onto another person's property may have serious legal consequences.

If you intend to install CCTV it is always a good idea to discuss this with your neighbours. Should your neighbours have concerns letting them see the images the cameras are taking may help put their mind at rest.

What do I want my CCTV to do?

It is very important before installing any cameras that you are very clear about what you wish to see. Write this down and ensure when you fit your cameras they are in the best position to achieve this purpose. Many people install CCTV and end up with images that are of no use. This is because when they decided on the purpose it was too vague. Simply saying 'I want CCTV to protect my home' is not going to help you decide where to fit the cameras or the type of cameras you require.

Installing Cameras

Where you fit the cameras will depend on the purpose. When we decide on the positioning of cameras we are looking to either **RECOGNISE** or **IDENTIFY**

Picture 1 shows an image used for **Recognition**.

This size of CCTV image allows you to see the actions of a person, for example, see someone damaging your property. It may allow you some recognition of the person however; it is very unlikely this size of image would be acceptable as evidence of identity in court.



Picture 1

Picture 2 shows an image used for **Identification**.

This size of CCTV image allows you to see in more detail the actions of a person but more importantly it is of a size that can be used to identify a person in court.

The best way to ensure you are able to achieve identification sized images is to focus cameras on very specific areas. Narrow areas through which a person must pass, for example alleyways, doors or gateways are ideal for this purpose. Ensure the cameras are not mounted so high that they are looking down onto the subject. The top of someone's head is not normally going to enable the police to make a positive identification.



Picture 2

CCTV cameras cannot see colour nor images as well as the human eye. If you have ever taken a photograph of someone with the sun behind them you will know if you do not plan the picture you will waste the moment. A silhouetted figure against a bright background in a holiday snap is disappointing; missing a person damaging your property for the same reason could be heart breaking. Having a clear purpose from the beginning and planning what you need to see and when can help prevent this from happening.

The cameras will also need lighting if you wish to record images after dark, the better the lighting the brighter and clearer the picture is likely to be, however be aware of light pollution and do not cause a light nuisance to your neighbours as it may make you liable to prosecution.

Do I need CCTV signs?

No. A business or public body installing CCTV that is able to recognise a person must make it clear to all persons in the CCTV area that CCTV cameras are recording. Domestic users are not under the control of the data protection principles and therefore do not need to make the public aware. However, informing people they are entering an area covered by CCTV is strongly advised and may help should a claim be made that you are making inappropriate use of your CCTV cameras.

Signs informing people they are entering an area covered by CCTV may help deter individuals from committing offences against you or your property.



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Use of CCTV footage after an incident

Hopefully you will never need evidence from any of your CCTV cameras; however, if you should there are a few important points you should be aware of. Check the images from the cameras on a regular basis to ensure the camera images are not being affected by dirt or weather. A dirty camera can be thrown out of focus and make the evidence of no value. Spiders seem to love to build webs over camera lenses so clean them away regularly. You must ensure that the time and date on the CCTV is set correctly, failing to do so could affect the integrity of any evidence produced.

If the cameras capture an incident you may need to use the images as evidence. Handling the images correctly will ensure the police can use the evidence in a court. If the CCTV system captures evidential images you should remove the evidence from the system onto a write once media device (such as a CD-R disc) as soon as possible. Your CCTV system may be set to record over images after a pre-set time and you may lose valuable information if you delay to long. If you are unable to remove the evidence from the CCTV DVR it might be best to unplug the CCTV DVR recorded and hand it over to the police.

Once you have removed the images from the CCTV system onto a removable media device (CD / DVD / USB) you should mark the media with an identification number. The police will advise on how to do this for evidential purposes.

Keep this media safe and restrict how often you view the images upon it. Continuing to view the images that you have removed may risk damage to the images rendering them unusable. Hand this evidence to the Police they will view the footage and decide how they wish to use it.

Log the time, date, identification number of the media, and who handled the media. This record may be required should the evidence go to court.

Remember:

It is lawful to monitor your property for security or safety purposes; however, inappropriate use of cameras may have severe legal consequences. Cameras deliberately trained on someone else's property could give rise to prosecution against YOU.

Everyone has a right to privacy.

Acknowledgements to Mid Devon District Council Licensing Team for their help in the production of this document