CCTV in the home
As we go about our daily business, we will never be too far away from being captured on CCTV. We have come to recognise CCTV as part of our daily lives. Many people welcome CCTV on the streets of our towns and cities as a reassuring presence, as it assists the fight against crime and antisocial behaviour. It also helps to secure convictions for crimes that might otherwise remain undetected.

You cannot stop your neighbour from installing a CCTV system or from operating any kind of recording device e.g. camcorder. CCTV systems at home can often help police to secure convictions for crimes or identify individuals who are engaging in antisocial behaviour. CCTV is a deterrent because criminals will avoid cameras if possible.

The Data Protection Act 1998 provides the legal framework governing the installation and use of CCTV, but this only applies to businesses and organisations and not to domestic property. It is crucial that people recognise this distinction. If you are concerned about a company’s use of CCTV, that is a matter for the Information Commissioner’s Office (ICO) who have the authority to deal with infringements under the Data Protection Act.
Concerns about your neighbours CCTV system

We often receive calls about home CCTV, particularly from people who are concerned that their neighbour may be directing a CCTV camera at their home.

There are many rules and regulations surrounding CCTV but fundamentally, a home CCTV system is permitted to look at its own curtilage (property and the private land surrounding it). It is also permitted to view the public highway beyond for the purpose of monitoring their own vehicle. However, a home CCTV system must not monitor the private property of anyone else, including driveways and front gardens.

Issues regarding home CCTV can normally be resolved by talking to your neighbour and are considered a civil matter. In certain cases this may form part of a police investigation, but as a rule this is a civil matter which requires advice from a solicitor or your local Citizens Advice Bureau (CAB).

Installation of a CCTV system on a private property is not covered by the Data Protection Act, but if the home installation has not been carried out correctly or is being used inappropriately, there may be a case to answer under the Human Rights Act and, again, advice should be sought from a solicitor or your local CAB.
Public CCTV footage related to crime and antisocial behaviour

If you have been a victim of crime or antisocial behaviour that may have been caught on public space CCTV, it is best to report this to the Police on 101 and let them see if there is any relevant CCTV footage as part of their investigation.

If you wish to view CCTV yourself, you can make a Freedom of Information request in writing to the relevant local authority. If the images you are requesting to see are of yourself, then the request would be covered by the Data Protection Act 1998 as a subject access request and is subject to a fee.

If the images include the person requesting them but other people are identifiable in the CCTV pictures, then the images of the other person would be pixelated to prevent identification. If the images do not include the person requesting them but do include other people they would be considered personal information and would be exempt from the Freedom of Information Act 2000.

Please be aware that CCTV systems may only hold footage for 28 days. The release of CCTV footage only applies to local authorities. Private systems are under no obligation to release CCTV footage to members of the public.
Useful contacts

Citizens Advice Bureau
03444 111 444 | www.citizensadvice.org.uk

Information Commissioner’s Office
0303 123 1113 | ico.org.uk

Basingstoke CCTV enquiries
01256 844844 | www.basingstoke.gov.uk

Hart & Rushmoor CCTV enquiries
01252 398399 | www.rushmoor.gov.uk

Emergency number - 999
Non-emergency number - 101

Web
www.saernh.co.uk

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Rushmoor Borough Council