Risk Management Considerations for Video Surveillance

A methadone clinic was using a wireless camera system to monitor patients when they gave urine samples. The use of this system was legal and complied with all associated guidelines, and patients themselves had to supply written consent for this. An individual who parked beside the clinic had a wireless reverse camera on the back of his vehicle (standard feature on many new SUVs) and the device picked up the feed of a patient at the methadone clinic providing a urine sample. Since the cameras in the clinic were on a wireless network, any other wireless device on the same frequency could pick up the images. When the system was installed, the security firm failed to mention to the clinic that the device was wireless. A wired CCTV (Closed Circuit Television) camera had to be installed to ensure it didn't happen again. Other methadone clinics were informed of the issue.

Background Information

A video surveillance system can help ensure that the property and staff of your organization stay safe. On the other hand, there are many issues that arise out of having video surveillance, two specifically being privacy concerns (as in the case above), and effectiveness. Privacy issues are becoming increasingly important as new technology threatens personal privacy. Wireless technology and video surveillance, along with the presence of cameras in such devices as cell phones and PDA's, can lead to serious breaches of personal privacy. If it is deemed necessary to have video surveillance, ensuring that the system is set up in an effective manner that restricts the invasion of privacy is most important.

Managing the Risk

1. **Privacy**

- A video surveillance system should only be set up after other options for the safety and security of the staff, visitors, and the building itself have been considered and rejected as unworkable.
- The benefit of the cameras should substantially outweigh the reduction of privacy that may occur as a result of the cameras.
- Video surveillance should only be used when other security measures (such as foot patrol by security guards) are not practical or are less effective.
- Organizations should ensure the design and operation of the system minimizes privacy violations to what is absolutely necessary to achieve its required goals.

2. **Design and Operation**

- The use of video surveillance cameras should be justified based on previous reports of incidents and crime or on significant safety concerns.

- Ensure that cameras are on a closed circuit as opposed to a wireless system to ensure that images cannot be broadcast on wireless signals.
- Tapes should be stored in a secure location with limited access, such as a fire proof locked filing cabinet or a safe. Access to the location should be limited to as few personnel as possible to ensure privacy.
- A guideline issued by the Office of the Privacy Commissioner of Canada states that third parties must be blurred out in surveillance footage.

3. Location

- Ensure that the location of the cameras is the best possible to ensure safety and security. All major points of entry (front and back doors, windows) should be monitored.
- Signs should be put up informing visitors and employees that there are cameras on the premises to ensure safety and security.
- Lighting should be evaluated when the cameras are positioned. There needs to be enough light in the area that any incidents or trespassers that are recorded are clearly visible on the tapes.
- The cameras should be protected from tampering or damage from the elements (snow, ice, etc.).

4. Review

- A review of the effects that the proposed system may have on personal privacy and the ways any adverse effects can be lessened should be made before the installation of the system.
- Reviews of the system should be made on an on-going basis to ensure that the system is still needed and that privacy is not being violated.

5. Follow the guidelines set out in your provincial legislation

- If in doubt, contact the office of the privacy commissioner.

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