

# TAXI CAMERAS THE PROCESS

Phil Bates

Licensing Manager

Southampton City Council

1. Do you *need* cameras
2. Consider your options on design of your model
3. From the evidence select your preferred model.
4. Source suppliers
5. Consider how to implement the scheme
6. SCC and the ICO

OBJECTIVES

□ WHY DO YOU ***NEED*** CAMERAS

**WHAT MAKES YOU THINK YOU  
MIGHT NEED CAMERAS?**

**GATHER THE EVIDENCE TO  
SUPPORT THIS?**

**CARRYOUT A DATA PROTECTION  
IMPACT ASSESSMENT**

- Legislation
- Mandating v Voluntary
- Internal only/external only/both
- Visual/audio
- Triggers to recording
- Security
- Data controller
- Policies

## DESIGN CONSIDERATIONS

- Your requirements
- Camera specification
- Data use policy
- Data storage
- Data disposal

POLICY

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- What are the risks?
- How much do you love your taxi trade?
- What is reasonable
- Remember costs can be tax recoverable for the trade
- Can you supplier cope with the demands
- Do they meet the legal requirements

## IMPLEMENTATION

- ICO guide on CCTV

<https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

- COP for PIAs

[http://ico.org.uk/for\\_organisations/data\\_protection/topic\\_guides/~media/documents/library/data\\_protection/practical\\_application/pia-code-of-practice-final-draft.pdf](http://ico.org.uk/for_organisations/data_protection/topic_guides/~media/documents/library/data_protection/practical_application/pia-code-of-practice-final-draft.pdf)

- Implementing Encryption

<https://ico.org.uk/for-organisations/guide-to-data-protection/encryption/implementing-encryption/>

# RESEARCH MATERIAL

- 26<sup>th</sup> August 2009 SCC make it policy all vehicles to be fitted with taxi cameras that record video and audio permanently
- 17<sup>th</sup> July 2012 Phil Bates started work with SCC as a licensing manager
- 23<sup>rd</sup> July 2012 The I.C.O. issued SCC with an enforcement notice to delete all audio data and to refrain from recording any further audio data.
- 30 and 31 January 2013 First Tier Tribunal hearing EA/2012/0171
- 19<sup>th</sup> February 2013 the decision

SOUTHAMPTON CITY COUNCIL V THE I.C.O.



- *Conclusion on proportionality*
- Having regard to the considerations set out at paras 24 to 32 above, and paying due respect to the Commissioner's views, in our judgment the Council's policy, in so far as it requires continuous blanket audio-recording of everything said in taxis, is disproportionate when the extent of the interference with the right of privacy is weighed against the marginal benefits to the legitimate social aims of increasing public safety and reducing crime in relation to taxis which are likely to result from it. It follows from that conclusion that the policy is not justified under Art 8(2) and accordingly that it contravenes the first data protection principle.

- Having reached that conclusion we wish to record that we were impressed by the police evidence in this case and that we appreciate the nature of the problem and the special vulnerability of some taxi passengers, in particular children, those with disabilities and those travelling at night, especially when they are “the worse for wear” as is so often the case. It may be that, bearing these points in mind, there is scope for a more targeted scheme involving audio-recording based on times of day, types of customer (for example, children or vulnerable adults carried under contract between a taxi firm and the Council), the use of panic buttons or a combination thereof, which strikes a better balance between the competing considerations and does not contravene the Data Protection and Human Rights Acts. Any such scheme would be a matter for the parties to work out and not for this Tribunal to put forward.

SCC V ICO DECISION

# Questions

Phil Bates

Licensing Manager, Southampton  
City Council

[licensing@Southampton.gov.uk](mailto:licensing@Southampton.gov.uk)

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