

On 3 Dec 2020, at 20:23, Surveillance Camera Commissioner <[scc@sccommissioner.gov.uk](mailto:scc@sccommissioner.gov.uk)> wrote:

Dear Alan,

Thanks for your email.

I understood what you are proposing to do, however the Surveillance Camera Commissioner's view is that dummy cameras undermine the guiding principles of the Surveillance Camera Code of Practice (SC Code).

The SC Code applies to the use of surveillance camera systems that are being operated in public places by relevant authorities (including parish councils) in England and Wales, regardless of whether or not there is any live viewing, or recording of images or information or associated data (section 1.9 of the Code).

One of the guiding principles of the SC Code is that CCTV cameras should be used transparently - using dummy cameras seeks to deceive the public and is therefore not a transparent use of the cameras. Other organisations, and private individuals, have no legal obligation to pay due regard to the SC Code and therefore fall outside of the remit of the Surveillance Camera Commissioner.

As previously stated, this does not amount to being a legal view and you may wish to discuss your particular circumstances with a suitably qualified legal advisor.

Kind regards,

Katie

Katie Scotton  
Acting Head of Policy and Support  
Surveillance Camera Commissioner's Office  
Home Office/2 Marsham Street/London/SW1P 4DF  
email: [scc@sccommissioner.gov.uk](mailto:scc@sccommissioner.gov.uk)

-----Original Message-----

From: Alan <[alanstonepreston@gmail.com](mailto:alanstonepreston@gmail.com)>  
Sent: 03 December 2020 12:42  
To: Surveillance Camera Commissioner <[scc@sccommissioner.gov.uk](mailto:scc@sccommissioner.gov.uk)>  
Cc: [tomblijnulie@gmail.com](mailto:tomblijnulie@gmail.com)  
Subject: Re: Dummy CCTV cameras

Dear Katie,

Many thanks for your response. Whilst I don't disagree with the principle of what you say I think you may have missed the point.

My intention is that we should install dummy cameras; they look real but have no means of recording anything. There will be signs nearby warning potential fly tippers that there are cameras nearby but not advising them they are dummies.

Therefore we will be totally transparent about the location of the cameras but we will not be recording anything. The whole point is to try and deter would be fly tippers from dropping their rubbish. Our local District Council provided us with signs regarding the fines involved with fly tipping and within days of these being positioned a fly tipper dumped some rubbish NEXT TO A SIGN!!

I hope, therefore, that you will be able to reconsider your advice so that the Parish Council can proceed with the installation.

As another option, if the local farmer decided to put the cameras up on his land, with the same warning signs, would you have the same objections?

Kind regards,  
Alan

On 30/11/2020 20:08, Surveillance Camera Commissioner wrote:  
Dear Alan,

Thank you for your email to the Surveillance Camera Commissioner's mailbox. I am sorry to hear about the problems you have been experiencing.

Parish councils are defined as a relevant authority, pursuant of Section 33(5) of the Protection of Freedoms Act 2012, and therefore must pay due regard to the Surveillance Camera Code of Practice (SC Code) when operating overt surveillance camera systems in public places in England and Wales.

Principle 1 of the SC Code states that use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need. Principle 3 states that there must be as much transparency in the use of a surveillance camera system as possible. The Surveillance Camera Commissioner encourages all organisations to demonstrate to communities that they use their CCTV systems transparently, effectively and proportionately. Setting up a dummy system where there is no intention to deploy a camera aims to deceive the public and therefore undermines these principles. Our office would therefore not recommend that you pursue this option.

This does not amount to being a legal view and you would best have your particular circumstances considered by a suitably qualified legal advisor.

Kind regards,

Katie

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