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Law enforcement agencies urged to consider privacy and personal information protection before adopting body-worn cameras

Federal, provincial and territorial privacy and personal information protection Ombudspersons and Commissioners issue guidance on law enforcement and the use of body-worn cameras

Canada's privacy and personal information protection guardians are urging law enforcement agencies across the country to carefully consider the significant risks to privacy before equipping officers with body-worn cameras.

The federal Privacy Commissioner and privacy and personal information protection Ombudspersons and Commissioners in all provinces and territories have today launched a [guidance document](#) to help law enforcement agencies develop policies and procedures governing the use of body-worn cameras.

The guidance calls on law enforcement agencies to evaluate whether the expected benefits outweigh the impact on privacy and personal information before introducing a body-worn camera program.

The guidance notes that a Privacy Impact Assessment, which can help identify and mitigate the potential risks to privacy and personal information, is a highly recommended best practice before launching a body-worn camera program. As well, law enforcement agencies can consult with data protection experts and undertake a pilot project before deploying the cameras broadly.

Other issues highlighted in the document include:

Public awareness: Law enforcement agencies should inform the public of any new body-worn camera program through local media and other outreach initiatives. As well, during recorded encounters, officers should be required to notify people of recording of images and sound whenever possible.

Safeguards: Recordings should be adequately safeguarded with measures such as encryption, restricted access and strict retention periods.

Policies and procedures: There is a critical need to have in place policies and procedures to address issues such as accountability, employee training and the handling of individual’s requests for access to recordings.

Bystanders: Criteria for activating cameras should address the need to minimize, to the extent possible, the recording of innocent bystanders or innocuous interactions with the public.

Secondary uses: If use of recordings is considered for secondary purposes such as officer training, research or employee performance evaluation, these secondary purposes need to be reviewed to ensure the appropriate protection of the privacy and personal information of individuals.

Facial recognition: The use of video analytics technologies such as facial recognition, licence plate recognition, and pattern recognition raises additional concerns regarding privacy and the collection of personal information that require further scrutiny and care.

The Office of the Privacy Commissioner of Canada is responsible for enforcing the RCMP’s compliance with the federal *Privacy Act*.

In many provinces and territories, ombudspersons and commissioners enforce provincial and territorial privacy and personal information protection legislation applicable to public bodies involved in law enforcement activities, including, in some jurisdictions, municipal and provincial policing organizations.

Quotes

“As more and more policing organizations consider adopting body-worn cameras, we are cautioning that there are very serious implications for privacy rights. It’s critical to address these privacy issues up front to ensure an appropriate balance between law enforcement needs and the privacy rights of Canadians.” -- **Daniel Therrien, Privacy Commissioner of Canada**

“Law enforcement agencies have a responsibility to implement body-worn cameras in a manner that respects privacy and complies with the law. This guidance document will give those agencies a better understanding of the numerous privacy considerations that must be addressed. Our door is always open to police services in the province for consultation.” – **Brian Beamish, Information and Privacy Commissioner of Ontario (Acting)**

See also: [Guidance for the use of body-worn cameras by law enforcement authorities](#)

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