

Requests for Access to CCTV Footage

IPAV are aware that our members are often asked for access to the CCTV footage captured by their own members security cameras.

The General Data Protection Regulation (GDPR) gives certain rights to individuals to access **their own personal data, and to some other authorities to request data of others.**

It is important to be aware of the different rights people have to access this footage, and what your obligations are when such a request comes in.

The key thing is that the person or authority making the request has a legal basis for doing so:

1. An individual makes a request to see footage of themselves

If you get a request from an individual wanting sight of, or a copy of footage of themselves which was captured by your cameras, then you should provide for same, subject to **certain conditions. These include:**

- **Any other person captured and identifiable in the footage should be redacted so that you don't breach their right to privacy.**
- **Where the subject matter of the footage is part of a legal investigation or proceedings, you may be allowed to withhold the footage and refuse the request to protect your own interests.**

2. An individual makes a request to see footage of another person

This is only to be facilitated where the person making the request is either the legal parent/guardian of the person in the footage (e.g. where the person in the footage lacks the legal capacity to make the request for themselves, such as a child); or where the person making the request has a signed authority from the individual in the footage to make the request on their behalf.

3. An authority makes a request to see footage of another person

These requests are commonly made by An Garda Síochána acting under their legal obligations. They may be investigating criminal damage, or a break-in of your premises, or they may be requesting footage relating to an incident unrelated to you but captured outside of your premises.

In any case like this, the authority must include in their request the written authority of the Superintendent stating what legislation they are investigating under, before you provide them with the requested footage.

Hilary Treacy

Barbican Data Protection Services