



## **A Report on Camera Surveillance in Canada**

### **Part One**

## **Surveillance Camera Awareness Network (SCAN)**

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Wade Deisman  
Patrick Derby  
Aaron Doyle  
Stéphane Leman-Langlois  
Randy Lippert  
David Lyon  
Jason Pridmore  
Emily Smith  
Kevin Walby  
Jennifer Whitson

SCAN Website: <http://www.surveillanceproject.org/projects/scan>

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## Executive Summary

This is a report about camera surveillance in Canada. Although cameras have been appearing for some years in the streets, shopping malls, airports, train stations, arenas and even convenience stores and taxi-cabs, no one has undertaken a systematic survey of what's happening in the Canadian context. This report offers some of the history of camera surveillance in Canada, the driving forces behind the trends, the deployment of cameras in specific sites and some of the issues, such as the effectiveness of systems, and privacy and civil liberties questions, raised by this relatively new development.

The report is written by researchers based at Canadian universities, in a group called SCAN – Surveillance Cameras Awareness Network – operating under the banner of the Surveillance Project at Queen's University. Our aim is to make a report that is not only evidence-based and accurate, but also attuned to the range of views held about camera surveillance, and to finding appropriate ways of using such cameras, in whatever locations they are found. With this in mind, we have tried to write accessibly, attempting to express the key findings as plainly as possible, conscious that these will indicate how some groups are more likely than others to be negatively affected by cameras.

Our work is supported by the Contributions Program of the Office of the Privacy Commissioner, Ottawa, and by the Social Sciences and Humanities Research Council of Canada.

This first part of the report has just four sections, but the full report, to follow later in 2009, will fill out the picture with several additional sections. The following summarizes the main sections of the report.

### **Camera Surveillance in Canada: The story so far**

- Publicly owned open-street cameras – monitoring public spaces such as city streets – make up a relatively small portion of operating camera surveillance, but have been the focus of most media coverage and research. Privately owned cameras, in spaces such as convenience stores, shopping malls and banks and CCTV monitoring public transportation such as buses, subways, and airports, are increasingly numerous and require further research and analysis on their social, ethical, political and financial implications.
- The fear of crime has been used to justify the growth of these systems. More recently fear of terrorism has provided an impetus for introducing cameras, particularly in public transportation systems and airports, in the wake of terrorist attacks such as 9/11 in the United States and 7/7 in the United Kingdom.

- The growth of CCTV in Canada has been largely influenced by the growth of CCTV in the UK and its publicly perceived success. Britain has the most extensive public CCTV networks in the world (estimated at 4.2 million cameras).
- A growing number of Canadian cities are implementing open-street CCTV, with at least 14 towns or cities currently using or having tried open-street CCTV by 2007 and at least 16 more municipalities considering or having considered it.
- Despite the growth in CCTV, there is not convincing research evidence that it aids in deterring, responding to and investigating crime.
- CCTV operators may target specific individuals- such as vagrants, runaways, and idle youth- and activities- such as drug use and trafficking, prostitution, public intoxication and pan handling- in an effort to make sure only the 'right' sort of people use city spaces, and to repel those seen as 'undesirable'.
- CCTV systems are susceptible to 'function creep'- camera systems installed for one purpose become used for other purposes. For instance, the installation of private CCTV systems to monitor potential consumer theft at retail stores can also be used to capture sustained employee behaviour in close detail.

### **Factors Behind the Implementation of Surveillance**

- Various 'push' (Canada's security orientation) and 'pull' (Canada's security climate) factors serve to frame the available policy options and impact policy choices. Prominent global events have elevated national security concerns to the top of the public safety agenda.
- The proliferation of camera surveillance in Canada may be better understood through a claims-making model than a rational process of decision-making, whereby the police and security experts are likely to have more influence on perceptions of camera surveillance.
- Claims about the benefits of camera surveillance for 'national security' are privileged. Adding the threat of terrorism to the mix of ills that camera surveillance can counter constrains public debate as participants do not enjoy an equal ability challenge the validity of claims made by the State.
- The addition of national security benefits to the list of public goods claimed for camera surveillance has served as a tipping point in its proliferation.

### **Camera Surveillance, Privacy Regulation and 'Informed Consent'**

- Camera surveillance signage is the major and often only significant means of notification of overt camera surveillance that is suggested or required within Canadian privacy guidelines and policies to achieve 'informed consent' of the public.
- Visible signage posted at the perimeter of 'open-street' camera surveillance areas is required to indicate that personal information will be collected upon entry. These signs are also intended to indicate not merely the presence of camera surveillance, but why it is in place, how more information about the

camera surveillance program can be gained, and how a complaint can be initiated if necessary.

- However, camera surveillance signage in a case study of four Ontario cities demonstrates that these signs rarely fulfil these requirements.
- The means by which more information can be obtained (through freedom of information requests, telephone numbers, web sites) are indicated poorly at best; the purposes of the camera surveillance often did not match the publicly stated purposes by the authority or organization that implements the surveillance; and references to the legal authority by which the surveillance is operated was often unclear or obscure.
- Camera surveillance signage rarely allows for the full 'informed consent' of those who are within the gaze of camera surveillance. This is particularly true for persons with visual disabilities and literacy difficulties, and often the location of camera surveillance signage is already within the gaze of the cameras surveillance.

### **Public Perceptions of Camera Surveillance**

- Current public opinion research, whether from marketing firms, political organizations and media outlets or from the social sciences, consistently shows strong support for the use of camera surveillance in public and in private spaces. Scholarly studies do report significantly lower acceptance and focus group findings show an ambivalence towards surveillance cameras.
- Regardless of the setting, cameras are seen as useful against crime, though their usefulness has not been proven in quantitative evaluations. The public largely presumes, or even *hopes for* usefulness: cameras are seen as worth installing even if they will generally not be useful, on the hope that they might prove useful eventually.
- Despite misgivings, clearly identified problems or other technological or social deficiencies, cameras are a desirable feature of modern security for the overwhelming majority of survey respondents. Yet, the public are often asked to choose between privacy and security, when they often would prefer both.

## Introduction

### David Lyon

In the summer of 2008 surveillance cameras appeared on Jasper Avenue near 109<sup>th</sup> Street in Edmonton, Alberta. Several nightclubs have opened in that area in recent years and in May 2008 two police officers were attacked when they intervened in a fight outside one of them. The cameras run 24/7 but are unmonitored. Video footage is kept for three days before being destroyed unless it is required for evidence in court. Speaking for the Downtown Business Association, Jim Taylor said 'You get the tools to investigate after the fact with the video and you get a deterrent effect in that the bad guys are always the first to know when beefed-up security is underway and they'll go somewhere else' (CBC 2008).

This story tallies with others in Canada about how video surveillance has become commonplace, especially in urban areas, but also how its deployment fits no one logic or overall plan. The implementation of camera surveillance, often referred to as CCTV (Closed Circuit Television)<sup>1</sup>, provides the means to 'watch over' citizens, consumers and travellers. Unlike the UK, that has earned the moniker 'CCTV capital of the world,' Canada is not marked by a high density of camera surveillance near public buildings, on street poles, in housing projects, in all public and semi-public spaces, in public transit and in taxis and even concealed in the helmets of police officers on bicycles. Yet the growth of camera surveillance in Canada is undeniable, and is steady. It is also, generally speaking, unremarkable. Unless they are placed at a particularly sensitive spot, the public tends either to welcome them, tentatively, or to be indifferent.

The common assumption that these cameras act as both a useful forensic instrument and as a deterrent to wrongdoers appears in the statement about Edmonton cameras from Jim Taylor. As we shall see in this report, however, both assumptions are difficult to back up empirically. The equally common assumption that technology upgrades increase effectiveness is also present in this story. In 2003 and 2004 cameras were installed on Whyte Avenue in Edmonton in an attempt to reduce crime, but were taken down in 2005. Edmonton's mayor, Stephen Mandel explained that these were technically inferior to the new cameras, but it is also the case that civil libertarians and residents objected to the earlier cameras. Indeed, the earlier cameras prompted a complaint to Alberta's Privacy Commissioner, who concluded that 'placing surveillance cameras in public places is an extraordinary measure to be used only when the need for and the effectiveness of the cameras are clear' (CBC 2008). This appears to be a stringent standard, but everything hangs on the words 'need' and 'effectiveness.' It is not clear that,

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<sup>1</sup>CCTV usually refers to stationary, closed circuit television cameras that send images to a central location. Camera surveillance is now more mobile, produces higher resolution images, and transmits images to many destinations at once.

however these words are defined, this statement was taken as warrant for the 2008 camera installations.

There is also some uncertainty among members of the public. In a 2006 survey (Surveillance Project 2008), only about one third of Canadians polled claimed to be 'somewhat familiar' with CCTV as a surveillance technology although when asked specific questions such as whether their workplaces should be monitored by camera the majority believed it to be acceptable but only if informed consent has been obtained. This suggests that members of the public do care about such matters, but that they do not necessarily understand them – say, that some cameras may have TPZ (tilt, pan, zoom) capabilities – and they may simply surmise about their effectiveness. Roughly half Canadians surveyed think camera surveillance is somewhat effective in reducing crime.

It is, however, unlikely that members of the public obtain their information from statistical sources or from those charged with responsibility for running CCTV systems. Had such people done so in the UK, they would be aware that a senior police detective in the UK observed in 2008 that only 3% of street robberies in London are solved using CCTV, despite the fact that Britain has more cameras than any other country on Europe (Bowcott 2008). Much more likely, according to some researchers, is that public knowledge of CCTV effectiveness comes from TV police shows and programs such as 'Crimestoppers.' As Clive Norris and Gary Armstrong note, both CCTV and television are visual media. They are 'made for each other' (Norris and Armstrong 1999: 67). They suggest that public opinion is affected by seeing the – over-represented – role of cameras in crime detection.

There is a need for concerted research to encourage and guide more evidence-based approaches toward cameras as a technological means for surveillance. While some police departments and privacy commissions in Canada have made steps towards bringing more systematic study to issues of video camera deployment, much work is yet required to get a handle on what is happening today. Statistical studies help, but so do the kinds of ethnographic and interview work done by social scientists. In order to grasp the magnitude of changes taking place, some historical understanding and some sense of the technological changes – especially in areas such as digitizing images and facial recognition technologies – are also valuable.

In the attempt to obtain a 'big picture' of camera surveillance in Canada it also helps to use theoretical resources and to insert these along with known facts about these cameras into media coverage and public debates. Although some theorists jumped on the rather obvious metaphor of the 'panopticon' – the eighteenth century prison design in which inmates were watched by an unseen inspector to ensure that they would discipline themselves – camera surveillance does not seem to have achieved such 'God's eye' scope. It is not merely the technical capabilities of camera surveillance systems, but the political and economic contexts in which and *for which* they are developed that give them what power they possess. Thus in the case of the Jasper Avenue cameras, cleaning up city streets for consumption, and ensuring that

people on this street at least act as ‘responsible citizens,’ seems to be the limit of camera surveillance aspirations.

This report examines these issues and other related ones in Canadian settings. It draws upon serious research done by various agencies and academic bodies in order to obtain an overview of why the use of video cameras for surveillance is growing, what the main trends of usage are, what sorts of people are affected and in what ways. The report examines not only how people are affected by camera surveillance but also at how people affect the development of these systems, whether through legal regulation via privacy commissions, or through organized groups of consumers or citizens, or simply as members of the public who write occasional letters to the newspaper.

It should be noted that this remains a work-in-progress. Our task began with collating already existing research but our aim is to generate fresh, clear, independent research findings on camera surveillance in Canada. This will be seen in part II of our report but it is also prominent in our plans for ongoing study of this growing field.

In part one of the report, the development of camera surveillance in Canada is shown to be in part an echo of developments elsewhere, especially in the UK. The various ways in which video surveillance is used are documented, and the different results discussed. Different contexts for CCTV and other forms of camera surveillance are described, whether open street, private space or others, such as in public transit systems. The role of ‘National Security’ initiatives in fostering the growth of camera surveillance has been considerable, especially since 9/11 and this is analyzed in the Canadian case. In terms of response to camera surveillance, the ways in which legal measures are made, and how doctrines such as ‘informed consent’ are mobilized, is also discussed. This in turn is also dependent on public perceptions of camera surveillance which, as this report also shows, varies tremendously across the country, but also has some common elements.

For those interested in reading on camera surveillance more broadly we encourage you to access the ‘camera surveillance bibliography’, which we have made available under the ‘resources’ section of our webpage. This reference tool will be updated periodically.

[www.surveillanceproject.org/projects/scan](http://www.surveillanceproject.org/projects/scan)



## Camera Surveillance in Canada

Jennifer Whitson, Aaron Doyle and Kevin Walby

This section of the report summarizes what we know so far about camera surveillance in Canada: specifically what we can say about how many cameras exist, where they are, reasons why they were installed, and what research can and cannot tell us so far about the costs and benefits of implementing camera surveillance systems. The section concludes by outlining some of the policy considerations in decisions to introduce public camera surveillance.

Although the use of camera surveillance occurs in many kinds of spaces, there are three broad categories of camera surveillance use in Canada:

1. Public or open-street CCTV. In these systems, cameras are most often mounted on walls, street lamps, fences and roofs, for the purposes of monitoring spaces such as city streets. Public agencies such as the RCMP generally operate these systems, though open-street CCTV may also be operated by private agencies or a combination of the two.
2. Private camera surveillance systems, commonly installed to monitor entrances to buildings and their interiors, allow individuals, businesses and public institutions (e.g. universities) to monitor their own spaces. These are frequently seen in locations such as convenience stores, shopping malls, and banks.
3. Public transport camera surveillance, which monitor, for example, buses, subways, and airports.

### ***The Growth of Open-Street Camera Surveillance in Canada***

The growth of public or open-street camera surveillance<sup>2</sup> in Canada began in the 1990s. In 1991, Sherbrooke, Quebec became one of the first Canadian cities to install a camera surveillance in a public space for the purposes of curbing delinquent behaviour. The single camera was introduced by local police to watch a particular area in the downtown bar district, but was subsequently removed after it was ruled to violate Quebec's privacy legislation (Superle 2003).

The growth of public camera surveillance in Canada has been significantly influenced by the previous widespread introduction of open-street CCTV in the UK. The UK has the most extensive public CCTV networks in the world, and the perceived success of these systems has been used to justify the establishment and

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<sup>2</sup>'Open-street' refers to the use of CCTV in open, public places such as streets and parks, most often run by municipal government agencies.

expansion of CCTV networks in Canada and other countries. The most publicized perceived successes include using CCTV images from mall cameras in the investigation of the case of two ten-year-old boys who abducted and killed two year old Jamie Bulger in Merseyside in 1993, and the use of CCTV footage to investigate the July 2005 (7/7) suicide bombings that targeted London's public transit system. In Britain, the Home Office has provided high levels of funding for surveillance camera initiatives, spending over £250 million of public money on open-street CCTV between 1992 and 2002 (McCahill and Norris 2002: 22). By the mid 1990s, three quarters of the British government's crime prevention funding was spent on camera surveillance. Researchers estimated in 2004 that there might be as many as 4.2 million cameras in the UK, although it is impossible to get an accurate count of cameras given their vast numbers, rapid proliferation, and the diversity of public and private uses of these cameras (Norris, McCahill, and Wood 2004).

While Canadian authorities lack equivalent national funding for surveillance, they commonly consult UK authorities when considering surveillance camera schemes. For example, the 'Lion's Eye in the Sky' open-street CCTV scheme in Sudbury, Ontario, one of Canada's earliest, was conceived in 1994 when Police Chief Alex McCauley learned of Glasgow's downtown CCTV. McCauley visited Scotland in 1995 and then planned a similar system for Sudbury (KPMG 2000). In 1996, Sudbury introduced five cameras monitoring the downtown area and rail yard. Sudbury has one of the longest running surveillance camera systems in Canada which has, in turn, become a model for other Canadian surveillance initiatives, such as those in London, Ontario, Hamilton, Barrie and Vancouver. The influence of the 'Lion's Eye in the Sky' system increased after KPMG, a consulting firm hired by the Greater Sudbury Police Service (GSPS), released an audit of the system stating that 'at least 300, and as many as 500 robberies, assaults, thefts and other criminal offenses' have been deterred by the Lion's Eye in the Sky project, saving as much as \$800,000 in direct monetary losses (KPMG 2000: 1).

In Canada, different funding plans have developed from city to city for surveillance camera schemes, and implementation of camera surveillance has never been extensively debated as a national policy issue. Funding is largely piecemeal and depends on local police agencies, business improvement associations (BIAs) and other private and public contributions. The 'Lion's Eye in the Sky' project, for example, was originally funded by the Lion's Club, as well as a local business, Northern Voice and Video (which donated the first camera), Sudbury Hydro, CP Rail, the Sudbury Metro Centre and Ontario Works.

Much of the limited Canadian research on public camera surveillance thus far has been concerned with the process of establishing these systems, and with how the development of surveillance camera initiatives are influenced by various stakeholders in the programme, from government and police agencies to private businesses and media representations to citizen initiatives. This work highlights the importance of both the media and the public in terms of establishing, and in some

cases, resisting camera surveillance initiatives (Hier 2004; Hier, Greenberg, Walby, and Lett 2007; Walby 2006a)<sup>3</sup>.

Most public camera surveillance in Canada have been introduced since 2000. Widely publicized, violent incidents are commonly used to justify open-street surveillance systems. The 1999 murder of Michael Goldie-Ryder in London, Ontario's downtown core precipitated a flurry of media coverage and culminated in the formation of 'Friends Against Senseless Endings (FASE).' This citizen's group was instrumental in raising over \$200,000 for London's surveillance camera initiative (Hier, Greenberg, Walby, and Lett 2007). A similar high-profile crime in Hamilton (the mugging of Canadian figure skater, Alexandre Hamel) sparked a news series detailing a 'crisis' in Hamilton's downtown core, which in turn led to the eventual establishment of Hamilton's surveillance camera project in 2004 (Hier, Greenberg, Walby, and Lett 2007). While the Hamilton system was initially purchased in 2001, it was not activated until years later due to controversy about a perceived lack of public consultation about the initiative. In Toronto, the push for public camera surveillance was fuelled by the Boxing Day 2005 shooting of 15-year-old Jane Creba. A pilot project installed cameras in the same downtown area where the Creba shooting had occurred.

It is difficult to know exactly the current number of open-street surveillance cameras in Canada because the systems are in frequent flux, depending on the local situation. By 2007, at least fourteen Canadian cities had implemented open-street cameras (Lett 2007) and at least sixteen municipalities were considering initiating camera schemes or had considered camera surveillance in the past (Walby 2006a). Cities as big as Toronto and Montreal, but also towns as small as Antigonish, had open-street surveillance camera systems in operation. In October 2008, the province of British Columbia announced \$1 million in funding targeted for cameras in downtown Vancouver, the Vancouver suburb of Surrey, and the city of Kelowna.

In January 2009, the city of Winnipeg began a one-year-pilot project, introducing 10 cameras in 6 downtown locations. In the nation's capital, Ottawa police chief Vern White has called repeatedly, supported by neighbourhood groups, for the introduction of surveillance cameras in downtown public space. It is important to note however that such publicly operated cameras on downtown streets only represent a small fraction of the range of surveillance cameras out there in Canadian cities. In Ottawa, for instance, there are hundreds of cameras around the city run by a range of public and private organizations. For example, temporary cameras in public parks during summer, cameras on lampposts in outdoor malls, traffic

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<sup>3</sup> The Surveillance Practices and Social Problems in Canada (SPSPC) Project that is being conducted by Sean Hier of the University of Victoria and Joshua Greenberg of Carleton University is a comprehensive review of the implementation of CCTV in Canadian cities. The three-year study aims to investigate each city that has open-street CCTV in Canada, including interviews, media and document analyses. A book is planned with University of British Columbia Press.

cameras at intersections, cameras outside nightclubs and cameras in taxicabs. The University of Ottawa alone has over 600 cameras on campus.

<b>Some municipalities with open-street camera surveillance as of 2007 (Lett 2007)</b>		<b>Some municipalities considering camera surveillance or that have previously considered cameras as of 2006 (Walby 2006a)</b>	
Kelowna, BC	Sturgeon Falls, ON	Vancouver, BC	Saskatoon, SK
Sudbury, ON	Sherbrooke, QC	Nanaimo, BC	Winnipeg, MB
Hamilton, ON	Drummondville, QC	Victoria, BC	Dauphin, MB
London, ON	Baie-Comeau, QC	Calgary, AB	Selkirk, MB
Windsor, ON	Montreal, QC	Lethbridge, AB	Midland, ON
Toronto, ON	Hull, QC	St. Albert, AB	Brockville, ON
Thunder Bay, ON	Antigonish, NS	Medicine Hat, AB	Guelph, ON
		Fort Qu-Appelle, SK	Charlottetown, PEI

### ***Other Camera Surveillance Use in Canada***

Privately operated camera surveillance systems have proliferated more and have a longer history in Canada than publicly owned systems. We use the term private here in a broad sense to refer to any space that is owned by a particular business or institution. This also incorporates public institutions and includes cameras in universities, for example. Cameras have been used en masse in spaces such as convenience stores, banks, and shopping malls since the early 1980s. Despite this ubiquity, there has been little systematic research and data on private camera surveillance systems to date. One exception is the small research project by Kevin Walby (2005, 2006b) on private camera surveillance systems in Victoria, BC. Private camera surveillance systems officially operate independently from law enforcement agencies, although these systems are commonly used in co-ordination with policing, for example, using cameras to monitor and report on suspicious activities to police, or providing them with footage.

Private camera surveillance initiatives are even less documented and researched because they are so widespread and also because researchers may have difficulty gaining access to these sites. Those who operate private camera systems, such as banks and private security companies, sometimes turn researchers and media away citing concerns about protecting client privacy, legal complications, and confidentiality issues (Mopas 2005: 94). Not surprisingly, there are no current estimates of the number of private cameras in Canada. There are, however, reports of the prevalence of camera surveillance in certain urban spaces that can help us roughly estimate the relative density of cameras in similar locales. In Vancouver, an organization of bar owners called Vancouver Bar Watch requires each of its twenty-two members to install camera surveillance at bar entrances and exits to help deter rowdy behaviour at bar closing times. In addition, a survey conducted in 2006 by the Vancouver Public Space Network suggests that there are at least one hundred privately owned cameras located at ATM machines, bars, retail stores and restaurants in the Granville Mall district alone (Haggerty, Huey, and Ericson forthcoming). People in areas such as Granville Mall are thus under frequent surveillance, even without the introduction of open street camera surveillance.

Another ubiquitous, but rarely researched, form of camera surveillance is that which monitors public transportation, such as buses, subways and airports. Historically, the fear of crime has been used to justify the growth of open-street surveillance camera systems; the threat of terrorism is increasingly used to justify the introduction of these systems into public transportation systems and at airports. Given the increasing demand to secure public transportation in the wake of terrorist attacks such as 9/11 in the United States and 7/7 in the United Kingdom, researchers are now beginning to examine transport-related camera surveillance, although this body of research is still in an early form, and exact numbers are still emerging (Cameron 2006; Lyon 2006). The use of cameras to monitor flows of passengers in airports has grown substantially since 9/11 (Lyon 2003a; Lyon 2003c).

Vancouver, again, gives us an example of the monitoring of transportation routes and the flow of traffic on city streets. Transportation flows are increasingly reliant upon camera surveillance networks and 'red-light' cameras. The Cassiar Connector, for example, uses twenty-four surveillance cameras to record traffic entering the city from the east, while the Lions Gate Bridge uses twelve cameras to monitor west- and north-bound traffic. Nearly eight hundred cameras monitor all commuter activity on the 28-kilometre Vancouver Sky Train route. Travel by taxi is often monitored by a 'taxi-cam' – miniature cameras mounted on the taxi's dashboard that take pictures of the customer upon entry and every few seconds thereafter. Dispatchers on a geographic positioning system can also monitor the taxi's physical location (Haggerty, Huey, and Ericson forthcoming: 25).

The expansion of similar transport camera systems in other Canadian cities has sometimes met with considerable resistance. For example, the Toronto Transit Commission (TTC) intends to implement 12,000 cameras across Toronto's transportation network of buses, streetcars, and subways at a cost of \$18 million (Cavoukian 2008). A 2007 complaint from the UK-based Privacy International organization alleged violations of the Municipal Freedom of Information and Protection of Privacy Act, and prompted the Office of the Information and Privacy Commissioner of Ontario to review the project. Key arguments in the complaint were that there was a lack of evidence showing that surveillance on public transit systems significantly reduces the level of crime or the threat of terrorist attack, there was a marginal impact of camera footage on police investigations, that cameras are plagued with technological and management issues, and that there was a lack of public consultation on the project. In response to the complaint, the TTC referred to a survey of 26 transit agencies in North America. The majority of agencies reported positive outcomes with camera surveillance including decreases in crime, reductions in operator and customer assaults, reductions in fraudulent insurance claims, reductions in complaints, improved perceptions of security, increased control of student behaviour problems, and improved identification, apprehension, and prosecution of suspects in criminal investigations (Cavoukian 2008: 25). The Commissioner ultimately found that while there was a lack of public consultation about the project, the TTC was not in violation of the Privacy Act, and

thus allowed the project to continue. A similar transit surveillance camera scheme is also planned for Montreal.

### ***Factors influencing installing Camera Surveillance in Canada and Measures of Their Effectiveness***

The reasons given for installing cameras in Canada can be separated into three main categories:

1. Deterring crime
2. Detecting crime, gathering evidence and deploying law enforcement
3. Increasing public perceptions of safety.

How the effectiveness of these objectives might be measured depends largely on which of these categories are prioritized.

Camera surveillance systems are commonly installed to **deter crime**. The introduction of open-street CCTV, in particular, is usually understood as a response to crime and fear of crime. Many open-street systems are introduced in downtown retail strips and near concentrations of bars to target criminal and 'anti-social' activity, especially around bar closing times (Lippert 2007). Deterrence or crime prevention strategies aim to create practices or conditions that will lead potential offenders to refrain from engaging in criminal activities, delay criminal actions, or avoid particular targets. For the most part, deterrence strategies aim to make the potential offender aware they are being monitored, and aware that this monitoring may result in an increased risk of their apprehension by police.

Although the KPMG report commissioned by Sudbury police and the survey of transit agencies mentioned above both argue that camera surveillance has led to decreases in crime, research on the ability of camera surveillance to deter crime is largely inconclusive. Systematic evaluations of the ability of camera surveillance to deter crime in Canada in particular have been few in number. A 2003 study by Welsh and Farrington performed a meta-analysis on twenty-two CCTV evaluations in the UK and North America. They found that the overall reduction in crime averaged approximately 4%, and that in the five North American studies in particular, none demonstrated evidence of a reduction in crime. Welsh and Farrington concluded that while camera surveillance was effective in dealing with vehicle crimes and reducing crime in parking lots, on the whole it had no effect on prevention of violent crimes (Welsh and Farrington 2003; see also Armitage 2002).

A 2003 review of literature on CCTV prepared by Wade Deisman for the RCMP found that 'the effects of CCTV on crime are both quite variable and fairly unpredictable. Deterrence effects of CCTV are not constant over time and they vary across crime categories' (Deisman 2003: 2). The ability of camera surveillance to deter crime may vary according to location and the type of crime committed. For example, the review found that, while camera surveillance seems to have a positive effect in reducing some forms of property crime, there is little support for its utility

in preventing crimes against persons. The Deisman review suggests that deterrent effects of camera surveillance might be highest when used along with other crime reduction measures, such as improved lighting and an increased police presence, and when the system is tailored to the local setting.

The ability of camera surveillance to deter crime is obviously reliant on potential perpetrators' awareness of their presence. If publicity about the system is not ongoing, the review suggested initial reductions in crime and disorder following the installation of a camera surveillance might decline (Deisman 2003: 15). While initiatives to introduce camera surveillance has sometimes sparked significant public controversy, two Canadian studies that monitored the public's view of local camera surveillance initiatives have both found that most residents were unaware of cameras entirely, or only had limited knowledge about where these cameras were placed and how they operate, suggesting that deterrent effects thus might be quite limited. (Lett 2007; Leman-Langlois 2008).

Stéphane Leman-Langlois' study of camera surveillance in Montreal additionally raises concerns about the displacement of crime. The possibility that the introduction of cameras may simply encourage the relocation of criminal activity to other areas is an issue that surfaces repeatedly in studies of camera effectiveness. Leman-Langlois found that the cameras reduced some open drug dealing, but instead of deterring dealers entirely, illegal activity seems simply to have shifted into areas that were not monitored as heavily, particularly residential areas (Leman-Langlois 2008). Similarly, preliminary results of a study based at the University of California Berkeley of the introduction of 68 public surveillance cameras in San Francisco indicated that homicides within 250 feet of the cameras were down but they spiked in the area 250 to 500 feet away from the cameras. Other violent crimes showed no change, although there was a 22 per cent drop in property crime within 100 feet of the cameras (Knight 2008).

A 176-page University of Leicester report for the Home Office (Gill and Spriggs 2005) evaluating the effectiveness of 14 British CCTV systems found that "the majority of the schemes evaluated did not reduce crime and even where there was a reduction this was mostly not due to CCTV." The authors of the report found that there was a "lack of realism about what could be expected from CCTV" and that it was oversold by governments as the answer or "magic bullet" to the crime problem. They detailed how camera surveillance was not properly implemented in many cases, but added that even if it was implemented correctly, it was unclear whether it would actually work to reduce crime.

While the effectiveness of camera surveillance in deterring and preventing crime depends in part on the visibility of cameras to the public and potential offenders, the usefulness of these cameras in **detecting crime, gathering evidence and deploying law enforcement** depends on how well they operate and how well any relevant images are collected and transmitted to police. This holds its own particular challenges. Cameras are sometimes installed improperly or may become

obscured by dense foliage, birds' nests, cobwebs, and buildings. The footage may also not be monitored, the cameras may have deficiencies in their recording apparatus, or may be entirely inoperative. In Montreal, for example, many privately installed cameras are 'inadequate either to prevent or to repress crime because of faulty installation, low quality and other technical problems' (Leman-Langlois 2008: 34).

The 2003 RCMP report by Deisman said:

...there is no simple correspondence between the discovery of a criminal activity and the resulting deployment and arrest. Furthermore, there is little evidence to support/contradict claims of increased conviction rates. Finally, [there is] a paucity of research on impact of CCTV in criminal justice proceedings (Deisman 2003: 3).

In the study of Montreal police, some residents' perception of the monitoring of camera surveillance was that it was ineffective because police would arrive too late to respond to criminal activities, even if the cameras were consistently monitored. In fact, these cameras were viewed by some members of the public as tools that police and security guards used to reduce crimes against themselves, allowing them to purposely wait for fights to be over before arriving on the scene in order to avoid conflict and danger to themselves (Leman-Langlois 2008).

Peter Fussey (2008) reviewed the conflicting results of studies of surveillance camera effectiveness and notes "the paucity of methodologically robust studies citing any benefits of CCTV sharply contrasts with the repeated claims of many practitioners and policymakers that camera installations are an effective, rationally derived and objective response to identified crime problems."

While there is limited evidence, at least so far, that these camera systems aid in deterring, responding to, and investigating crime, according to some sources the installation of surveillance cameras can **increase perceptions of public safety** (Deisman 2003). This may be an important explicit or implicit goal of both open-street surveillance and mass transit surveillance camera systems. If members of the public do not feel secure, they may avoid using public spaces and transit. Increasing feelings of public safety will encourage increased flow into downtown areas and as well as stimulate public transit use. The increased flow of citizens correlates with increased spending in the downtown core, and accordingly is hoped to stimulate economic activity and revitalize areas deemed to be failing.

Whether cameras indeed have these effects on public perceptions is in question. Canadian research has solicited the opinions of individuals who live and work under the gaze of surveillance cameras in both Montreal and Kelowna (Leman-Langlois 2008; Lett 2007). These projects in Montreal and Kelowna examined how ordinary people react to surveillance cameras and what effect the implementation of these cameras has on their perceptions of safety and security. This research indicates that



people seem to have little knowledge about the use of camera surveillance and the scope of its operation. They generally support the use of cameras for crime detection and prevention, especially when these initiatives are the result of particularly abhorrent incidents (e.g. rape, child murder, and assaults on seniors). However, these studies suggest that these surveillance measures have little impact on public perceptions of safety due to a lack of knowledge about local surveillance camera systems. These issues are addressed in further detail in a later section of this report.

### ***Policy Considerations in Decisions to Implement Public Camera Surveillance***

There are many considerations that should be taken into account before deciding to implement a public camera surveillance system. These considerations include not only assessing empirical evidence of the effectiveness of camera surveillance, but also other issues such as the cost of implementing and maintaining these systems, negative public reaction to what may be seen as invasive 'Big Brother' surveillance initiatives, and concerns about function creep and racial profiling.

As noted above, a large consideration is the lack of consistent evidence proving the efficacy of these systems. The Information and Privacy Commissioner of Ontario performed a review of the empirical research on the effectiveness of video surveillance in 2008. The findings were that:

Since the bulk of the empirical research is deficient in a number of respects, it is difficult to draw any definitive conclusions about the effectiveness of video surveillance cameras. Without an ability to control the many factors that influence outcomes and the context and mechanisms that produce these outcomes, it is not surprising that the results of earlier evaluations have been mixed, conflicting and, at times, contradictory. Video surveillance systems do not appear to have uniform effects across a wide range of crime categories. At present, it is difficult to find unequivocal evidence that video surveillance deters or prevents crime (Cavoukian 2008: 10).

Measuring the overall effectiveness of camera surveillance is a very difficult undertaking. Furthermore it is difficult to generalize from one scheme to the next, as they differ in terms of numbers of cameras, geographical areas under surveillance, purpose, monitoring practices, technologies, operational guidelines, political context, legal and regulatory frameworks, level of funding, and more. While camera surveillance may be effective in some contexts, measures of their success may be quite dependent on these various factors.

While research may not support the notion that camera surveillance systems deter or aid in detecting crime, there are other considerations at stake. Some researchers have argued that the political appeal of camera surveillance has little to do with its proven effectiveness in reducing crime, and far more to do with its symbolic value in

fostering the belief that something is being done about the problem of crime (Norris, McCahill, and Wood 2004). This conclusion fits with research evaluating camera surveillance in Edmonton. The Edmonton Police Service (EPS) used CCTV cameras to monitor the shopping and bar district of Whyte Avenue in the summers of 2003 and 2004, in order to 'deter, detect, and assist in the investigation of crime thereby decreasing the fear in, and providing a safer and less intimidating atmosphere for the public' (Edmonton Police Service 2005: 3). A 2005 in-house evaluation conducted by EPS found that there was not sufficient evidence to conclude that there was any deterrent effect on crime. The cameras only detected eleven incidents, four of which required police response and there was no indication that camera surveillance footage assisted in any investigations. The project was abandoned in 2005 due to inconclusive findings and cost considerations (the project required \$85,000 over two summers). Despite the failure to demonstrate that the project had actually deterred crime or helped detect and respond to crime effectively, the system apparently had considerable success in the realm of public perception. Surveys conducted by EPS did indicate rising public support for camera surveillance – increasing from 39% approval before the system was installed to 61% approval during its operation (Lai 2007).

Other research on public perception of camera surveillance indicates that the public is largely supportive of camera surveillance, despite the lack of concrete evidence proving that it actually deters crime. Likewise the public is not overly concerned about the impact of camera surveillance on their own individual privacy (Deisman 2003). A survey on privacy and surveillance conducted in 2006 by the Surveillance Project found that the majority of Canadian respondents believe both community (as in public CCTV systems) and in-store (as in private systems) camera surveillance is somewhat or very effective in reducing crime (GPD 2008). However it is worth noting, as we document here, particular initiatives in Canada to introduce camera surveillance have also met substantial public resistance, as in the example of Brockville discussed shortly.

As in the case of Edmonton, cost considerations may derail surveillance camera initiatives. Both Winnipeg's and Medicine Hat's plans for camera surveillance were scrapped after their respective city councils raised concerns regarding the affordability and necessity of camera surveillance, and the Sudbury 'Lion's Eye in the Sky' project, despite the reported positive effects on crime reduction, was nearly abandoned in late 2001 due to cost (Walby 2006a). Though advances in technology limit the need for expensive cable or fibre-optic infrastructures, with wireless networks allowing these systems to become more affordable and less disruptive to install, labour costs for operators that monitor and maintain these systems remain a deterrent for the proliferation of open-street CCTV in Canada.

Some law enforcement agencies have distanced themselves from camera surveillance in part because of costs, but also because of the negative public response associated with 'Big Brother' television cameras. For example, the Chief of

Police of Guelph rejected calls for open-street CCTV in both 1999 and 2003, reasoning that:

1. CCTV schemes driven by the police face considerable public scrutiny and opposition.
2. CCTV opens the door to a number of legal issues around the potential abuse of tapes and monitoring equipment.
3. System start up and maintenance often proves too costly.
4. Safety issues in the downtown core could be addressed through other means (Walby 2006a).

The public may also be very concerned about the loss of privacy as exemplified in the case of Brockville in the late 1990s. Originally endorsed by the local chief of police, the project faced considerable media opposition. The local news media argued that camera surveillance would invade citizen's privacy and that the money for the cameras would best be spent elsewhere. Brockville citizens, evidently worried about the implications of increasing levels of surveillance, inundated City Councillors and the Mayor with phone calls. Their efforts resulted in a unanimous 'no' voted against the CCTV initiative (Hier, Greenberg, Walby, and Lett 2007; Walby 2006a).

Among the privacy concerns are worries that the data gathered by camera surveillance will be used for purposes other than crime prevention. While most systems are installed for the purposes of deterrence and the increase in public perceptions of safety, these systems are susceptible to what sociologists call 'function creep' – camera systems installed for one purpose become used for other purposes. For instance, the installation of private surveillance camera systems to monitor potential consumer theft at retail stores can also be used monitor employee behaviour. This surveillance could be used for a variety of reasons, for example, reducing worker-related theft, investigating conduct that violates human rights legislation, and managing workforce productivity. Camera systems installed to deter crime have been used to locate missing children and wandering patients from hospitals and nursing homes in downtown Hamilton, but also to catch able-bodied drivers who park in spaces for the handicapped in London, Ontario (Hier 2004).

Critics charge that surveillance initiatives, both public and private, may sometimes be linked with the desire to attract the 'right' sort of people to city spaces, and to repel those seen as 'undesirable.' Visibly identifiable categories of individuals, such as vagrants, runaways, and 'idle youth' are often associated with disorder and incivility on city streets. Camera surveillance initiatives, as a result, may target specific activities and persons. For example, the Hamilton Police's CCTV Report advocated a focus on drug use and trafficking, prostitution, public intoxication and panhandling (Hier 2004: 551). Surveillance such as this serves what sociologists call a social sorting purpose, separating those who belong (e.g. pedestrians and other shoppers) from those who do not (e.g. transients, panhandlers) (Lyon 2003b). In doing so, camera surveillance systems rely on the judgment of their operators. With the absence of formalized guidelines for operators, there is a higher likelihood of

profiling, stereotyping and discrimination (Norris 2003). Surveillance camera monitoring in some cases facilitates racial profiling, as exemplified in recent research on Victoria, B.C. camera operators (Walby 2005). One security officer at a suburban Victoria mall whose job including monitoring cameras put it this way: “As for what we look for (pause)...Natives. Hate to stereotype, but I know in Central Saanich they have houses on their reserves that are basically a shopping store of merchandise stolen from real stores...”(Walby 2005: 206).

### **Summary**

A growing number of Canadian cities are implementing open-street CCTV. Camera surveillance systems are now very often found in private spaces such as banks, convenience stores, and malls, and their use is expanding to other venues as well, especially public transportation systems. As detailed above, camera surveillance is embraced by the public in some situations and actively resisted in others. Despite the claims of supporters, there is no definitive evidence about the effectiveness of these systems. The situation is best addressed by a statement from the Information and Privacy Commissioner of Ontario:

At present, it is difficult to find unequivocal evidence that video surveillance deters or prevents crime. However, it is equally difficult to conclude the opposite. A more valuable role for video surveillance may be as a source of evidence in the detection and investigation of crime. A much larger body of research, with a consistent degree of methodological rigor, is needed before definitive statements may be made (Cavoukian 2008: 10).

More research is required to evaluate the consequences of the introduction of camera surveillance before we achieve a satisfactory understanding of the social and ethical implications of these systems.

## Factors Behind the Implementation of Camera Surveillance

Wade Deisman

The previous sections of the report note that various rationales are used to support the implementation of camera surveillance (this includes: deterring and detecting crime, enhancing public safety, assisting criminal investigations, and serving as evidence in prosecutions). The discussion thus far also notes that there is no clear evidence demonstrating that camera surveillance can produce any of these desired effects, and that numerous policy considerations come into play when the implementation of camera surveillance is being considered. This lack of clear evidence to support the efficacy of camera surveillance should not be mistaken to mean that such systems cannot, or do not, produce the effects intended of them. However, it does mean that the adoption and expansion of camera surveillance initiatives cannot be attributed to their proven success.

So what explains the attraction and growth of such systems in Canada? To gain insight into this matter requires a closer look at the policy formation processes and deliberations that occur prior to camera deployment.<sup>4</sup> We must explore the role that larger sets of contextual and structural forces play in creating an environment conducive to the selection of camera surveillance as a policy option. Camera surveillance is driven by several factors including public demand, influences of the media, the police, local authorities, commercial interests, insurance companies and not least the 'surveillance industrial complex'.

Research on the implementation of camera surveillance schemes suggests that decisions regarding their up-take need to be understood in relation to both the local crime prevention strategies already in place, and the broader social and political forces which inform and impact upon this decision-making (Fussey 2008). More pointedly, the research suggests that the conventional policy formation model (where policy decisions are made based on rational deliberation and/or robust cost benefit analysis) does not apply in cases where the policy instrument at issue is camera surveillance. Rather, the policy formation process can be better understood in terms of the power and influence of various 'push' and 'pull' factors that serve to frame the available policy options, as well as impact upon policy choices. Among these, prominent global events have elevated national security concerns to the top of the public safety agenda, which has had a significant impact on the deployment of camera surveillance systems.

This section begins by providing a broad sketch of Canada's security climate and security orientation. It then goes on to investigate how these 'push' and 'pull' factors

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<sup>4</sup> This model assumes an isolated policy formation process according to which the only question at issue is whether or not to adopt camera surveillance and in which processes of deliberation and debate preceding the decision are devoted solely and only to assessing the merits of such surveillance systems.

have combined to create a structural context much more receptive to CCTV, facilitating the implementation of camera surveillance in a number of Canadian contexts.

### ***From Ordinary to Extraordinary Rationales***

Combating terrorism has come to occupy an ‘extraordinary’ position alongside, and in addition to, the ‘ordinary’ rationales of preventing crime and enhancing public safety. Understanding how this came to be requires an appreciation of the ways that Canada has changed, and continues to change, as a consequence of what occurred on September 11, 2001. In response to concerns about terrorism, the Canadian government initiated a series of policy and legislative changes that reorganized federal approaches to national security. New laws, with unprecedented powers for policing and security agencies, were drafted and passed with considerable haste<sup>5</sup>. For the first time in Canadian history, a comprehensive national security policy was implemented to coordinate critical infrastructure protection, threat assessment, risk management and emergency response.

It is against this backdrop that camera surveillance in Canada must now be understood. Concerns about terrorism have not only played a role in re-shaping how we think about camera surveillance in Canada, they have also reshaped thinking about the balance between privacy and surveillance itself. Issues surrounding national security have been so pronounced that they cannot simply be factored into an already existing understanding of the benefits, problems, and costs associated with the use of cameras. Rather, ‘national security’ concerns increasingly underlie all discussions regarding crime detection and prevention.

National security has been an important motivation for the proliferation of camera surveillance in Canada. The cities of Toronto, Montreal, and Vancouver have all cited counter-terrorism to justify the implementation of new and/or expanded camera surveillance measures. The following sections describe the factors associated with the emergence of camera surveillance as a security strategy in a security climate that is characterized by volatility, uncertainty, and fear.

A complex set of push and pull factors lead to the implementation of camera surveillance. Pull factors include the ‘security climate’, which is produced by the interplay between political and media messaging with respect to the level of perceived security threat, public perceptions of vulnerability, public demand for (and the assurance of) safety, as well as public beliefs about how such safety can be achieved and about whom ought to be responsible for supplying it. Similarly, push

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<sup>5</sup> Changes associated with the pursuit of this new security orientation include Bill C-36 ‘The Anti-terrorism Act’ but also Bill C-7 ‘The Public Safety Act’. It should be noted that when the Anti-Terrorism Act was conceived, it was generally understood that more specific changes with respect to public safety arrangements would be required. The companion piece of legislation in this regard is the Public Safety Act. In many respects, it is difficult to think about the impact of the Anti-Terrorism Act without attending to the concomitant changes associated with the Public Safety Act.

factors exists in terms of the ‘security orientation’, which strives towards specific security responses and outcomes. The relationship between the push and pull factors should be understood as interdependent and overlapping.

The following discussion indicates how questions about camera surveillance have been recast against a backdrop of one, push factors of the volatile security climate infused with heightened public fearfulness and two, pull factors of the security orientation which increasingly emphasizes precautionary logics, prevention programs, and technological fixes.

<b>Understanding the Pre-Deployment Phase</b>			
<b>FACTORS THAT MAY INFLUENCE THE ASSESSMENT OF CAMERA SURVIELLENCE AS A POLICY CHOICE</b>			
<b>PUSH FACTORS</b>		<b>PULL FACTORS</b>	
<b>SITUATIONAL LEVEL</b>	<b>STRUCTURAL LEVEL</b>	<b>SITUATIONAL LEVEL</b>	<b>STRUCTURAL LEVEL</b>
Crime prevention directives characterized by emphasis on making the built environment resistant to criminal behaviours. These are ‘broken windows’ principles which aim to cleanse public spaces of signs of disorder, and a zero tolerance approach dictating that even the most minor violations be subject to full sanction.	Security orientation characterized by perception of exceptional circumstances which necessitate a suspension of the usual checks and balances critical to democratic accountability, an emphasis on role of government in setting out a new security strategy, declining concern for privacy, and emphasis on technological solutions.	Heightened levels of public preoccupation with crime and disorder, and heightened commitment within communities to take measures at the local level to address these issues, frequently involving resort to self-help solutions.	Security climate characterized by persistent messaging about the immanence and immediacy of the threat, the need for constant vigilance from the public and an insistence on the importance of the role played by everyday citizens in detecting and countering terrorism.

***A Volatile Security Climate: Uncertainty and Fear Fuelled by Frequency of Terrorist Activity Abroad and At Home***

While Canada’s emphasis on national security may have been prompted by the 9/11 attacks on the United States, it is important that these are not treated as isolated events. Indeed, there have been a series of subsequent terrorist acts, and these must also be viewed as influencing Canada’s broader security climate, as well as its specific security orientation. Furthermore, an adequate understanding of the events that have altered the security climate in Canada must take into account the effect of both domestic and international activity. While the threat posed by terrorism has been underscored by a variety of events that have occurred beyond Canada’s borders, some of these had Canadian connections, amplifying their effect on

Canada's security climate. To be sure, the majority of these events might be understood as cautionary tales and testimony to the reality of the threat.

### ***Interpretations of the Degree of the Threat: The Emergence of a New Security Orientation***

Terrorism is commonly interpreted as tangible threat to western nations<sup>6</sup>. This interpretation has had a significant impact on the basic orientation to, and understanding of, security in many western nation states, such that they have deemed it necessary to undertake broad programs of political and governmental reorganization in the name of security.

The response of the Canadian government and police authorities to 9/11 and subsequent events are based on the premise that Canada too is at risk. The idea that the very country is under threat is seen as sufficient warrant for the general claims that the country faces extraordinary (rather than conventional) circumstances, which necessitate exceptional security measures. This leads to a shift in the balance of public security and human rights, and a general redrawing of what were once sacred limits on the surveillance powers of the state, in the name of public safety, and changes in security regulations.

One of the immediate consequences of interpreting the threat of terrorism this way is that it authorizes exceptional security responses. In their processes of coming to terms with the nature of the threat revealed by the 9/11 attacks, many nations embarked upon broad programs of bureaucratic and legal reorganization in the name of enhancing safety. Significant consequences may result if this premise of exceptionality is allowed. Since the situation itself is an 'extraordinary' one, exceptional measures must also be taken in response. Policy alternatives, intervention strategies, and avenues of socio-political response that might otherwise appear absurd, or inconceivable, are now in use, on the table, or under serious consideration. The implication is that the standard checks and balances ought to be over-ridden or at least set aside.

Furthermore, when ranged according to a cost benefit analysis, national security concerns tend to supersede all others. In the Canadian context, the process began in the aftermath of the attacks of September 11, 2001. 'National security' clearly trumped civil liberties and human rights concerns in Bill C-36. Thus, a shift occurred in the balancing of security and human rights, and a general redrawing of what were once sacred lines limiting the exercise of state surveillance powers. Renewed and more rigorous attention to questions of security was needed following the attacks of September 11, 2001. The central theme that emerged in Canada focused on the need for a balance between the desire for increased security and respect for civil liberties<sup>7</sup>.

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<sup>6</sup> This assumption informs responses to the threat of terrorism in Australia, the USA and the UK.

<sup>7</sup> Sunstein (2003) offers an interesting discussion of why this 'trade off' is so often seen as a necessity and embraced by the public.



One of the principal areas of concern was privacy. The *Anti-Terrorism Act* amends the *Personal Information Protection and Electronic Documents Act*, the *Privacy Act* and the federal *Access to Information Act* in two ways. It allows the Attorney General of Canada to issue secrecy orders, which exclude information from the authority of these statutes where it is deemed that disclosure may harm national defense, security or international relations. The amendments to the *Privacy Act* were primarily intended to reflect the new powers provided for under the *Evidence Act*, which allows the Minister of Public Safety and Emergency Preparedness to prohibit the disclosure of information during the course of legal proceedings where disclosure may have a harmful impact on international relations, national defense and/or security. The *Privacy Act* was amended such that where a certificate prohibiting disclosure of information is issued, under the authority of the *Evidence Act*, before a complaint is filed with the Office of the Privacy Commissioner, the provisions of the *Privacy Act* do not apply to the information that is subject to the certificate. However, if a certificate prohibiting disclosure is issued after a request for access has been initiated all proceedings under *Privacy Act* with respect to that information (including an investigation, audit, appeal or judicial review) are discontinued.

The *Anti-Terrorism Act* also expanded the government's ability to intercept wire, oral, and electronic communications relating to terrorism, to share information related to criminal investigations, and to conduct electronic surveillance. Furthermore, the act gave increased powers to the Canadian Security Establishment, allowing, in some instances, for the interception of domestic communications. The Act provided for Canada to sign on to the European convention on Cyber-crime – a commitment requiring Canada to develop Internet surveillance approaches and protocols it had not previously accepted.

At first glance it may appear to some that, at least where privacy issues are concerned, the changes introduced after 9/11 were minor modifications to existing statutory protections (Regan 2004). However, a more methodical analysis of the context of the legislation suggests “a fundamental reshaping of the larger environment in which personal information flows, and a concomitant loss of privacy and due process protections for individuals within that environment” (Regan 2004: 483). What seems to have happened as a result of Bill C-36 is a lowering of standards for individualized suspicion, a general weakening of a variety of judicial safeguards, and a variety of potentially dangerous consequences for privacy and due process.

### ***Deciding to Implement Camera Surveillance: Claims-Making and the Impact of National Security***

What is the impact of the changing security climate in Canada and its current security orientation on the deployment of camera surveillance? As already noted, we do not yet know enough about the factors that influence a community's decision

to embrace or avoid camera surveillance<sup>8</sup> as a policy option, or about the process of opinion formation leading up to the point of taking a decision. Previous studies of decision-making about camera surveillance suggest that these processes do not typically follow a 'rational-objective model'. Decisions to avoid or embrace CCTV do not appear to hinge upon evidence that video surveillance is the 'most effective strategy' to respond to crime and/or disorder<sup>9</sup>.

This is significant in the Canadian context because one such rational-objective model is widely assumed as an instructive guide to decision-making by Canadian police, as well as within the wider security and prevention communities. While we ought not presume that rational processes of decision-making or a clear record of evidence are necessary for the adoption of CCTV, it does not prevent us from examining the processes of deliberation under a claims-making model and considering the kinds of claims made on behalf of CCTV in relation to national security. This is especially so since national security concerns have transformed the backdrop against which such claims occur. In this context it is important to examine both the claims-makers, the content of claims-making, and the unique constraints that national security issues place on an actor or agent's ability to participate in the decision-making process, and their feeling that they would be qualified to do so.

With respect to claims-makers, we must ask how credible and authoritative certain claims are. For example, industry representatives trying to provide effective security solutions to clients stress the efficacy of camera surveillance and emphasize their belief that the installation of such systems represents an effective choice in responding to issues of crime, disorder and terrorism. But claims by these parties may be tempered by the perception that they are self-interested and profit motivated. On the other hand, other players may enjoy more authority. Claims made by police services<sup>10</sup> and security experts are likely to have a stronger impact on the perception of camera surveillance.

Turning to the issue of content, claims about the benefits of camera surveillance seldom come alone. An assortment of 'public goods' is typically attributed to the operation of CCTV systems, including crime prevention and a greater sense of community safety. In this context, CCTV is also regularly cited as an important tool aiding greatly in the fight against terrorism (Fussey 2008). Proponents of CCTV claim the capacity of camera surveillance to deter, intercept or prosecute terrorist acts as a public good. This was particularly pronounced after camera surveillance footage seemingly allowed the authorities to identify the culprits involved in the July 7, 2005 transit attacks and also to capture some of those involved in the failed attempts of July 21, 2005 in London. In the United States, Department of Homeland

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<sup>8</sup> As Fussey (2007) notes: 'investigations into the implementation of public surveillance cameras constitute an under-populated region in the burgeoning field surveillance studies'.

<sup>9</sup> An approach also articulated as a scanning/analysis/response/assessment' model (Fussey 2007).

<sup>10</sup> See, for example, 'CCTV: Tool of Tattler', by Steven Chabot, Director General, Canadian Association of Chiefs of Police. 9<sup>th</sup> Annual Privacy and Security Conference, Victoria, 2008.

Security funds have been used to purchase CCTV systems. Similar claims about the benefits of such systems have been used to endorse state adoption of such systems in Australia, as well as encourage their use in private contexts<sup>11</sup>.

In Canada too we have seen claims that camera surveillance is an important and effective counter-terrorism tool in order to justify its deployment. Indeed, in the recent decision to deploy cameras throughout the Toronto Subway system, the Toronto Transit Commission cited 'counter-terrorism' effects as fundamental. A similar rationale was used to justify the installation of cameras on Montreal buses in Montreal. In the most recent case, the Federal government announced that North Shore SeaBus and ferry providers will receive approximately \$5.6-million to make security improvements as part of a larger plan to bring marine security up to national security standards. Part of the allocation is to be used for the installation of camera surveillance systems at Seabus terminals and on the boats themselves<sup>12</sup>

The 'threat of terrorism' is now a feature of calls for the use of camera surveillance systems. Whereas proposals for CCTV surveillance schemes were once accompanied by robust public debate in which promised security gains were weighed against expected impacts upon civil liberties, now, provision for such public debate may be completely excluded. For example, when the Greater Vancouver transit Authority announced a comprehensive, anti-terrorist security plan that includes camera surveillance at the local West Coast Express stations and the Albion Ferry no provision was made for public consultation regarding the change. In such cases, it seems that with the addition of counter-terrorism in the mix, the need for a cost-benefit calculus has, at least in some cases, been discarded. This is all the more remarkable considering that there is an absence of empirical evidence to support the claim that CCTV is an effective deterrent to terrorism and that the claim that it is an effective tool for the apprehension of terrorist suspects is supported by only one - highly contested - instance (Fussey 2007).

Suggesting that the addition of national security benefits to the list of public goods offered by CCTV has had a tipping effect does not mean that resistance to camera surveillance has vanished. What is being claimed is simply that there is something rather distinctive and unique about the context in which struggles for, or against, the use of CCTV now occur. That is, claims about the merits of CCTV systems in reducing the threat of terrorism present a unique set of challenges associated with judging such claims. In order to understand how this is so, it is necessary to situate debates about the deployment of cameras against a broader historical backdrop.

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<sup>11</sup> Australia hosted its first National Forum on CCTV system in 2005 - on aim of which was to promote the use of CCTV in the private sector - soft targets like restaurants and bars.

[http://www.standards.org.au/downloads/051026\\_CCTV\\_forum.pdf](http://www.standards.org.au/downloads/051026_CCTV_forum.pdf)

<sup>12</sup> '\$5.6M funding for ferries' security', *Jessica Barrett. North Shore News*. North Vancouver, B.C.: Jan 16, 2009. pg. 1

Claims about the benefits of CCTV for 'national security' are privileged. When terrorism is in the mix, the judgment capacities of those involved in public deliberation and debate, so vital to ensuring the consensual character of policy instruments, are handicapped. To be more precise, because of the provision of secrecy and the way this is typically used to withhold key information about the nature, character and extent of terrorist threats, participants do not enjoy an equal ability to challenge the validity of claims made by the State. It is also extremely difficult for citizens acting at the local level to arrive at any clear idea about the existence and extent of the threat terrorism may pose to their particular neighbourhood. Much of this difficulty derives from the fact that the security and intelligence agencies that possess clear knowledge about the threat cannot share it for a variety of reasons. The mantle of secrecy means that the threat of terrorism remains both exceptional and essentially unquantifiable. Successful policy making at the local level relies on a clear understanding of the nature of offences which might be prevented, or at least addressed, by the installation of such systems. However, the particular characteristics of the security climate and orientation strongly influence deliberations about camera surveillance as a policy choice.

## Camera Surveillance, Privacy Regulation, and ‘Informed Consent’

**Randy Lippert**

The presence of camera surveillance is often advertised by accompanying signs, stating a warning such as “This area is under video surveillance”. Such signs are often known in legal terminology as ‘notification’. According to both federal and most provincial law in Canada, if there is a stationary surveillance camera, there should be a sign. This section describes notification of camera surveillance in the broader contexts of privacy regulation and ‘informed consent’. First, current guidelines and requirements of Canadian federal and provincial privacy commissions for notification of the presence of camera surveillance in public spaces are discussed. Camera surveillance signage is the major and often only significant means of notification of overt camera surveillance that is suggested or required within Canadian privacy guidelines and policies. Given this, the content and location of camera surveillance signage is then considered with a focus on whether it is tantamount to obtaining ‘full and free’ consent of those entering areas monitored by camera surveillance. Second, several issues regarding the adequacy of this signage as the chief means of notification and the provision of ‘informed consent’<sup>13</sup> are discussed. Overall, the heavy reliance on camera surveillance signage raises questions about ‘informed consent’ and the transparency and fairness of policies guiding notification of surveillance camera use in public and private areas. These include:

- Whether signage alerts the public to the possibility and means of filing a freedom of information request or privacy complaint when encountering camera surveillance?
- Whether signs adequately convey a given camera surveillance program’s purposes, basic arrangements, and related legal authority?
- Whether existing signage discriminates against persons unable to read unilingual text and fails to alert them to the presence of camera surveillance and the purpose of the system?
- Whether signage is placed in relation to the camera’s field of view so as to allow the public to choose whether to enter a surveilled zone and give up their personal information?

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<sup>13</sup> It may well be that privacy legislation and subsequent rulings by Canadian privacy commissioners are based upon reasonableness rather than informed consent, as argued by Austin (2006) in relation to federal privacy legislation (PIPEDA). However, in reference to CCTV signage within a ‘open-street’ program in Edmonton, the Alberta privacy commissioner in a 2003 decision ruled that entering a monitored area where signs were posted was not tantamount to ‘implicitly consenting to having their images collected’ and that Alberta’s privacy legislation does not allow for implicit consent (FOIP, 2003).

## ***Privacy Regulation and CCTV Signage***

In Canada, the legal regulation of camera surveillance occurs primarily via privacy law. Specifically this involves the oversight provided by offices of the federal and provincial privacy commissioners rather than, for example, constitutional law (the Charter of Rights and Freedoms) or criminal law provisions (see Bennett and Bayley 2005). Privacy legislation and the office of the privacy commissioner in the province of Ontario are typical in this regard. Open-street<sup>14</sup> camera surveillance in public spaces fall under the privacy commissioner's mandate in so far as they collect personal information from persons approaching and entering cameras' field of view.<sup>15</sup> According to Ontario's municipal privacy legislation, "personal information" refers to recorded information about an *identifiable* individual, including,

'(a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual, (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved, (c) any identifying number, symbol or other particular assigned to the individual, (d) the address, telephone number, fingerprints or blood type of the individual, (e) the personal opinions or views of the individual except where they relate to another individual, (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence, (g) the views or opinions of another individual about the individual, and (h) the individual's name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual' (Ontario Municipal Freedom of Information and Protection of Privacy Act).

This essentially means some open-street camera surveillance arrangements are excluded from privacy regulation, for example, those deploying cameras placed high atop freeway standards to monitor traffic flows, but which under normal operations are incapable of collecting the detailed personally identifiable information above.

Ontario's privacy commissioner published *Guidelines for Using Video Surveillance Cameras in Public Places* in 2001 (IPC 2001). As with provisions in France, Germany, the Netherlands, Sweden, and more recently, the United Kingdom (Gras 2004: 225), a key guideline is to post visible signs at the perimeter of open-street camera surveillance areas to indicate to anyone approaching why their personal

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<sup>14</sup> 'Open-street' refers to the use of camera surveillance in open, public places such as streets and parks. For example, municipal police services in Toronto, as well as municipal governments in London and Windsor, fall under the Ontario privacy commissioner's scope of open-street camera surveillance.

<sup>15</sup> Therefore those bodies responsible for open-street camera surveillance, including municipal police services in Toronto and Hamilton and municipal governments in London and Windsor, fall under the Ontario privacy commissioner's jurisdiction.

information will be collected upon entry. This requirement is significant since it demands signage be a means of notifying the citizenry not merely of the presence of camera surveillance nearby, but also *why* it is in place, *how* more information about the camera surveillance program can be gained, and *how* a complaint can be initiated if necessary. Thus, in the language of privacy regulation, signs are a central component of a notification strategy and a key element of 'fair information practices' (Lyon 2007: 7).<sup>16</sup>

These signs are presumed to be the primary means of notification of the presence of camera surveillance in most but not all (e.g., Saskatchewan) Canadian jurisdictions. Furthermore, in Ontario in particular, signs also have been a key focus of intervention following a complaint and during discussions with organizations implementing open-street camera surveillance. Whether they equate to 'full and free' or 'informed' consent will be considered in what follows. Signage is the dominant and often only form of notification of the presence of surveillance cameras both in practice and in the context of responses to complaints in specific sites. To be sure, 'pamphlets' are mentioned as a means of notification in the Ontario guidelines, but even where these are produced, they are not made available upon entry to areas being monitored via camera surveillance.

Consultation with the public before implementation is also an important means of notification. Recently a major open-street CCTV pilot project was announced by the police service in Toronto. After receiving a two million dollar provincial government grant, nine consultative meetings encouraged Toronto neighbourhood residents to inspect details of new temporary CCTV arrangements before implementation. However, few people actually attended these meetings about the CCTV pilot program. The twenty to fifty persons in attendance (Interview 2) could hardly be seen as representative of the public. Nor was there much of a consultation. It simply entailed a PowerPoint presentation by police. Moreover, once the pilot program began, cameras were moved to other neighbourhoods without any formal public consultation beforehand (Interview 3).

While most privacy guidelines and discussions are oriented toward open-street arrangements, it is worth noting that the Office of the Privacy Commissioner of Canada along with B.C. and Alberta counterparts published *Guidelines for Overt Video Surveillance in the Private Sector* in March 2008. This publication aimed at providing 'principles for evaluating the use of video surveillance and for ensuring that its impact on privacy is minimized.' Where the Personal Information Protection and Electronic Documents Act (PIPEDA) and its Alberta and B.C. equivalents are focused on the protection of personal information – its collection, use or disclosure – in the private sector, the guidelines suggest that images do not necessarily need to

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<sup>16</sup> 'Fair information practices' are understood to entail several core entitlements that try to limit data processing and/or make this process accountable and transparent. Here privacy is typically viewed as the primary interest to be protected and individual consent is the means via which protection is to be achieved.

be recorded to fall under their legal mandate. Significantly, as with CCTV in public spaces, the guidelines suggest an organization's notification effort can be (limited to):

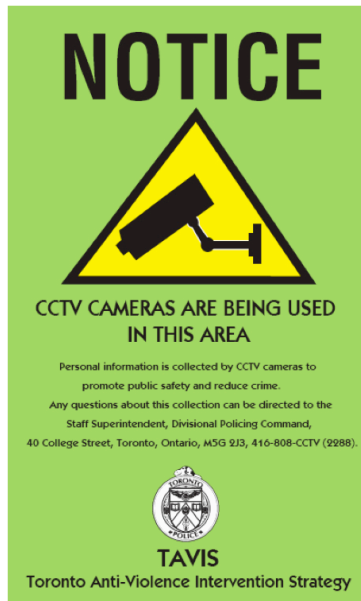
'a clear and understandable notice about the use of cameras on its premises to individuals whose images might be captured by them, *before* these individuals enter the premises . . . and include a contact in case individuals have questions or want access to images related to them' (p. 3).

This is more vague than Ontario's guidelines but nonetheless mirrors their general intent about notification and 'informed consent'. Thus, in private spaces, where camera surveillance is arguably more prevalent and entrenched, heavy reliance upon signage to communicate the site-specific presence and purposes of cameras is expected.

### **Camera Surveillance Signage Content**

The Federal and Ontario Privacy Commissioner's guidelines set no parameters or limits on the volume of text or iconic content that can be conveyed upon camera surveillance signage. A recent study of open-street CCTV signage in four Ontario cities where CCTV is deployed yielded instructive findings regarding the textual and iconic content and location of open-street CCTV signage in the downtown cores of Toronto, London, Windsor, and Hamilton (Lippert 2008). The textual content of these signs was gathered at approximately the same time and is as follows:

*Toronto:*



**Notice: CCTV Cameras are being used in this area.**

#### **Surveillance Camera Icon**

Personal information is collected by CCTV cameras to promote public safety and reduce crime. Any questions about this collection can be directed to the Staff Superintendent, Divisional Policing Command, 40 College Street, Toronto, Ontario, M5G 2J3, 416-808-2288. TAVIS (Toronto Anti-Violence Intervention Strategy).



*London:*



**You have entered an area that may be monitored by Closed Circuit Video Cameras.**

This program is a community initiative to reduce crime within the Downtown Area of the City of London. Legal Authority for collection of information is Section 29(1) (g) of the Ontario Municipal Freedom of Information and Protection of Privacy Act. If you have any questions or concerns about this program, please contact the Manager of Corporate Security, 663 Bathurst Street, London or call 661-2459.

*Windsor:*



**You have entered an area monitored by closed circuit television cameras.**

This program is a community initiative to reduce crime. Legal authority for collection of information is Section 130 of the Municipal Act. To report criminal activity call 911. For freedom of information requests call 311.

*Hamilton:*



## **Video Surveillance Area/Endroit Sous Surveillance Vidéo**

### **Surveillance Camera Icon**

This area of the City of Hamilton is being monitored by video surveillance for the purpose of Law Enforcement in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Legal Authority: Section 42: Police Services Act of Ontario, 1997. For Further Information call: Hamilton Police Services at 905-540-5606.

## ***Freedom of Information Access and Complaints***

State-funded privacy agencies that regulate privacy in relation to camera surveillance in Canada typically also have the task of overseeing freedom of information access (Bennett and Bayley 2005). It is therefore surprising that CCTV signs in only one of the four Ontario cities studied (Windsor) explicitly refers to the possibility of making a freedom of information request. Even then this signage is unclear about whether the request would be to examine the surveillance camera image (the personal record) or some other record. Similarly striking by its absence from the content of open-street CCTV signs in the four cities is indication of the possibility and means of filing a privacy complaint. This is significant because privacy regulation is most often reactive, and like other forms of state regulation, intervention occurs only as a 'last resort' (see Hawkins 2003). In this process, intervention can potentially occur in the form of issuance of an order, however no orders concerning open-street CCTV have ever been issued in Ontario. Indeed, the lack of communication about complaint procedures on camera surveillance signs or elsewhere helps explain why from 2001-2007 the office of the Ontario privacy commissioner (IPC) received only one complaint about open-street camera surveillance arrangements.

Organizations and not individuals have instigated the most well known complaints about camera surveillance in Canada. A recent complaint launched by Privacy International, a privacy advocacy group from the UK, focused on a proposed plan to install cameras in public transportation in Toronto. A complaint to the federal privacy commission in relation to the most publicized Canadian open-street camera surveillance system to date, operated by the Commissionaires under the auspices of

the Royal Canadian Mounted Police (RCMP) in the resort city of Kelowna, British Columbia (BC), is similarly informative. One surveillance camera linked to the local detachment was set up in a local city park in 1999 and then another to watch an outdoor downtown public transit area to allegedly monitor the drug trade. Significantly, both cameras were set up without public consultation or camera surveillance signage. The complaint was launched, not by an individual citizen, but by those already possessing knowledge about the possibility of lodging a complaint, specifically the office of the provincial privacy commissioner of British Columbia (OIPC).

### ***Purposes***

By specifying purposes for the public, camera surveillance signs are a key form of notification. Stated open-street CCTV program purposes in Windsor and London include reducing 'anti-social' behaviour and 'downtown revitalization' (City of Windsor 2006; City of London 2007). Yet, both are absent from the signs that are present in the surveilled areas. Hamilton's signs refer to the purpose of 'law enforcement', a vague term potentially covering all manner of laws and by-laws, including criminal, administrative, and municipal. It reveals little about the purposes of cameras' installation to those considering giving up their private information as they enter the downtown camera surveillance zone. If the cameras were installed primarily to address an identified crime 'hot spot' immune to regular crime reduction efforts (as in Toronto's program) – rather than for other purposes – it is surprising this fact is deemed necessary to convey to individuals contemplating entry.

Signs also can be inappropriate for their purposes. One reason for the increasing popularity of camera surveillance lies in its widely perceived benefits, the most touted of which is deterrence of undesirable conduct. The Ontario privacy commissioner's guidelines cite deterrence as a viable camera surveillance purpose, which presumes these cameras are present, visible, and capable of deterrence. Nonetheless, it is striking that the signage above fails to indicate potential punishment or mention deterrence as a general program purpose.

In Windsor as well as other Canadian cities, surveillance cameras have been most often introduced in downtown bar or 'entertainment' districts to monitor criminal and 'anti-social' conduct, particularly following early morning closings. The introduction of alcohol retail industries presumes increased alcohol consumption and behaviours associated with increased rates of intoxication on the street. However, it is unclear whether these specific camera surveillance signs are well designed for viewing in low light (evening) conditions and whether notification actually occurs given that many persons under the influence of alcohol or approaching intoxication may be unable or unwilling to fully comprehend the import of these notifications.

### ***'Monitoring or Recording' Arrangements***

Some of the signs indicate cameras are 'monitoring'; others indicate 'recording' and 'in-use'. Absent on the signage is mention of the differing implications of these terms. 'Monitored' implies a likelihood that authorities at the other end of the visual information flow will act (e.g., activity deemed by monitors to be criminal or 'anti-social' in open-street CCTV protocols) given certain criteria by more or less immediately dispatching police or private security patrols or by forwarding images to police or another relevant law enforcement agency. 'Recorded' implies authorities may not be (currently) active at the end of the image flow and that there is a significant lag time between the identification of problematic conduct of those who are watched and consequences. This is significant since deterrence is cited in policies as a purpose of camera surveillance, and swiftness of punishment is one of several factors commonly considered in seeking to achieve a general deterrent effect. The use of 'recording' or 'in-use' instead of 'monitoring' may entail less legal liability for legal authorities because the sign avoids suggesting real-time monitoring of images for criminal victimization or a capacity to respond to victimization in real time.

Similarly, use of the phrase 'reduce' crime rather than 'eliminate' or 'eradicate' crime on signage reinforces the message for any naïve observers that the camera surveillance is only able to 'reduce' crime in a designated area. Thus, there is no suggestion of the creation of an area free of crime and risk. Here too operators would likely not be held legally liable for crimes that occur, assuming technology was properly maintained and kept operational. In this way, camera operators could not be blamed for failure to warn potential victims. Liability likely would be a central concern to police services, ever since the particularly poignant case of Jane Doe, a sexual assault victim whom successfully sued the Toronto Police Service for failure to notify her of a serial rapist active in her neighbourhood (Ontario Women's Action Network 2008).

### ***Legal Authority, Auspices, and Providers***

The legal authority used in camera surveillance signage varies dramatically even in the same jurisdictions. In four Ontario cities, *all subject to the same provincial privacy legislation and guidelines*, the following legislation is invoked: The Ontario Municipal Act (Windsor), the Ontario Municipal Freedom of Information and Protection of Privacy Act (London), and the Ontario Police Act (Hamilton). Toronto Police Service invokes no legal authority on its CCTV signage. This variability suggests that some existing signage is not adequately informing the public about the legal justification for why their personal information is being collected.

While more information might be obtained by individuals through a telephone call to the number provided on a sign, it is not routed to the actual monitors or observers, nor does it reveal information about those persons who monitor the system. To the extent that legal authority is stated, camera surveillance signage displays the auspices of the collection of personal information. However, it does not

identify those persons or organizations providing initial or operating funding (such as business improvement associations – Lippert 2007), which is crucial if ‘informed consent’ is to be realized. Revealing whom funds camera surveillance programs would help reveal their purposes, especially if this information is otherwise absent from signage.

Open street camera surveillance schemes in two cities (London and Windsor) are managed and at times monitored by contract private security that fall under provincial licensing regimes, but there are no signs in Windsor or London to indicate this. Nor is there disclosure of the likely insecurity that comes with relying on a low-paid, high turnover private security workforce (see Lippert and O’Connor 2003) to operate the cameras. In particular, it is less likely that private security personnel, compared to police, will be properly trained consistent with human rights and privacy law or will properly safeguard and manage generated images.

### ***Discrimination***

The camera surveillance signs in the sample of four cities also systematically exclude informing persons who are illiterate, visually impaired, or unable to read English or French in one case. For example, this signage does little to inform recent immigrants, foreign tourists, young children or those who are undereducated and that have limited legal knowledge of what a ‘Municipal Act’ may entail. These signs necessarily assume subjects with both literary and visual capabilities. The icons present on three of the four signs potentially communicate the presence of cameras and may be seen to overcome the limitations of the text, however, they reveal nothing about vital aspects about camera surveillance discussed above. An icon of a camera does little to inform the public about why these surveillance cameras are in place, how to receive additional information about them, the means for lodging a complaint or requesting a freedom of information request, and so on.

### ***CCTV Signage Location***

The Ontario privacy commissioner’s guidelines note only that signs should be placed at the perimeter of a camera surveillance zone and be ‘prominently displayed’. There is no indication regarding the size of signs, the positioning of the sign in relation to other signs, or their height. In the cities indicated, some of the signs were found to be unaccompanied by operating cameras. The cameras had either malfunctioned or were not (yet) installed. This may suggest operative surveillance cameras are at times not assumed necessary to generate a deterrent effect. This is a fact not lost on purveyors of comparatively inexpensive ‘dummy cameras’ and surveillance camera notices (‘stickers’) designed to affix to entrances of residential or commercial buildings whether or not consumers have purchased a surveillance camera and its related technology. This presumes that a deterrent effect is achieved without functioning surveillance cameras.

Instead of seeing this form of open-street camera surveillance simply in terms of its operational ability or lack thereof, the signage provides a more complex set of possibilities. Some signs accompany working surveillance cameras; other signs

remain in place adjacent temporarily 'down', inoperative, or absent cameras; others accompany working cameras but not real-time human monitoring of their generated images; some signs are accompanied by only occasional human monitoring of generated camera images; and some signs have been removed or eliminated in monitored areas.<sup>17</sup> Anyone encountering camera surveillance signs or a camera monitored area would not be aware of this possible variability and therefore would not be informed about the highly variable level of safety and security provided by a given set of camera surveillance arrangements.

Open-street CCTV signs in the four cities refer to an 'area', implying a known limit of camera's gaze and a precise beginning and end point of personal information collection. But surveillance camera images are far less categorical than this implies. The actual perimeter of any camera surveillance zone in open-street contexts is unknowable with certainty and is in flux. What constitutes private information, for example, depends on a wide range of factors, including lighting conditions, capacity of the surveillance cameras to zoom and focus, but also the knowledge and experiences of a given camera operator when images are actively monitored or of a given police analyst sifting through camera images in the case of recorded images. As well it would be dependent on the conduct, apparel, and demeanour of an individual entering the camera surveillance zone. For camera surveillance signage to suggest otherwise is highly misleading. Moreover, two of the four signs indicate 'you have entered an area', which unfairly implies to the observer upon reading the sign that it is already too late to avoid personal information collection.

### ***Informed Consent***

As with other invasive new technologies, privacy regulations typically require those being surveilled be permitted to give informed consent to the collection of personal information. Based on what has been described above, there is some doubt about whether this is present in open-street CCTV programs in Ontario cities. Informed consent is not equivalent to a brief, and often vague or misleading statement about the existence of camera surveillance and a minority of its purposes on posted signs.

Some general information about the existence and practices of open-street CCTV programs in a particular city is available on websites, but none of the signs directs persons to these web pages. Relevant web pages are also often buried within elaborate municipal or police service websites. Due in part to the varied names and auspices under which camera surveillance is operated and not necessarily known to the public, the sites are not easily located. This arrangement also assumes access to and proficiency in using the Internet.

The public remains largely unaware of who is conducting open-street camera surveillance. Though the camera operators and image analysts can acquire identity knowledge of those they watch in terms of subjects' gender, age, class, and ethnicity

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<sup>17</sup> A recent visit to the monitored area in Windsor revealed that the signs indicated CCTV were missing, though the cameras (presumably monitored) remained.

(gleaned from observing their dress, gait, height, and so on), as well as patterns of being at particular locations at specific times of day (images at night on downtown streets in the bar district are more likely to be of young men and women) (Interview 1), this form of 'social categorization' and 'pattern' knowledge is not available to those being observed. In reading a sign that indicates an area surveilled by cameras, those observed are either kept from knowing who is watching or only informed of a general category of camera observer ('staff superintendent') and learn nothing about the actual observer's identity or characteristics.

As noted above, some signage refers interested persons to a telephone number to receive additional information in Toronto's case, or make a 'freedom of information' request in Windsor. Calling the specified Toronto number gives a brief recorded message about the program, unless someone is available to take the call. A caller to '311' in Windsor, during operating hours, if a request is made to receive additional information about the program (which is not a stated option) is merely provided with the telephone number of the chair of the 'Surveillance Audit Committee', a committee that has yet to be officially formed.

As the use of such surveillance cameras and the subsequent transfer and storage of their generated images is both varied and complex and there is doubt about the degree to which the public knows how camera surveillance actually works (Squires and Measor 1996:8). These forms of notification reveals nothing about where images are being received, the security of this transfer (whether they can be 'tapped' into by outside parties), how this data is being stored, or for how long and for what purposes the data is used. In the absence of this knowledge, there is clearly no informed consent, nor is there any clear sense of how effective camera surveillance is in reducing the incidence of undesirable behaviour and criminal activity. In the absence of reliable and context specific information of this kind, camera surveillance signage may help to produce an effect opposite to that which is intended. Individuals may assume that an area that is 'monitored' suggests a more immediate response from authorities if there is dangerous or undesirable conduct in the area. They may then conclude there is no need to report criminal conduct or take precautions against it.

Even if camera surveillance signs could be understood to clearly provide 'informed consent', they also can become 'inoperative' due to vandalism, natural occurrences, or construction projects. In Windsor, which has had a downtown open-street CCTV program since 2004, these signs are placed at entry points to the downtown between the sidewalk and major streets. One sign was taken down on the main street during a downtown infrastructure upgrade and street construction and after completion has yet to be replaced more than a year later. Thus, anyone entering the downtown camera surveillance zone on Windsor's main street from the North receives no notification that their personal information is being systematically collected and stored by private security personnel and is fully accessible and almost immediately retrievable by local police upon request.

## ***Conclusion***

Even where it is in place, many pedestrians walk past open-street camera surveillance signage without taking notice. Others may be unable to read the signage, but even those that do will learn little about how, why or if their personal information is being collected in that space. Signage appears to have not been well thought out, with even less discussion about context-specific notification for camera surveillance. In practice, this provides – at best – rudimentary and incomplete information that falls far short of an ‘informed consent’ ideal.

Given the lack of ‘informed consent’ regarding camera surveillance, it follows that the sharing of surveillance camera images that constitute personal information with external institutions (e.g., private security sharing images with police, or the respective municipal government sharing images with law enforcement personnel of one kind or other) remains problematic, as does the transparency of objectives of surveillance camera usage in open-street arrangements in the first place.



## Public Perceptions of Camera Surveillance

Stéphane Leman-Langlois

### ***Introduction***

Current public opinion research consistently shows strong support for the use of camera surveillance in public and in private spaces. Wariness or concerns about camera surveillance tends to occur when cameras are used for specific purposes, such as in toilets, fitting rooms or other intimate places (where they are rarely seen). Although a majority of people remain somewhat concerned about issues of privacy and the potential for state and corporate intrusions into their daily lives, there is evidence that the public does not see camera surveillance as a significant factor in relation to these concerns.

This being said, a few considerations lead us to believe that the picture is not quite this straightforward. First, public opinion on matters of security, risk, institutions and individuals responsible for protecting society changes with time and is heavily influenced by current events. Second, camera surveillance comes in a variety of shapes and forms and it can be difficult to know what type of video surveillance individual respondents are referring to. Finally, it may be overly simplistic to single out one type of camera surveillance in a society in which webcams, camera phones, hidden cameras, road-side speed cameras, personal video recorders, and more have made us accustomed to having our image taken and distributed.

This section summarizes public opinion data about camera surveillance. In what follows, public opinion poll findings on camera surveillance is outlined, conducted either by media outlets or by social science research groups. Then the relevant psychosocial and psychometric studies are discussed that have tried to establish the emotional states associated with the presence of cameras and other visible security measures. Last, some of the findings of a limited, microsocial study of camera perceptions are examined.

### ***Public Opinion Polls: Media and Social Science***

This section presents two general types of poll findings, those from marketing firms, political organizations and media outlets and those from the social sciences. Polls coming from the social sciences tend to be more rigorous and more representative, yet by and large both types of polling produce similar results. Both are able to give a broad picture of public attitudes toward camera surveillance, however the social scientific polls tend to offer a more complete picture of the situation.

### ***Media and Market Opinions***

When evaluating opinion polls on camera surveillance from countries such as Canada, the United Kingdom, France, Australia and the United States of America, similar results emerge: respondents overwhelmingly support the installation and use of camera surveillance. However the quality of the polls varies widely, making it

difficult to compare their results.<sup>18</sup>

Table 6.1 presents a very small sample of surveys conducted on camera surveillance worldwide. This collection of survey results leads to a few very clear conclusions: first, there is overwhelmingly strong support for video surveillance, whatever the stated goal. Variations exist between the goals of having the camera systems, with terrorism raising the most scepticism by respondents, but in all cases there is indisputable support in favour of the cameras which changes little with time or place.<sup>19</sup> In fact, the great majority of people feel *both* that cameras are useful *and* that they invade privacy and many choose to answer that they have no opinion on the matter since none of the competing characteristics appears as clearly dominant.

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<sup>18</sup> Due to the extreme variation in sampling methodology, question order and formulation, as well as in actual context (policing strategy, political trends, crime trends, etc.), none of the polls can be compared to one another easily, and few appear to be reliable. As Jason Ditton (2000) observed, more rigorously conducted polls generally indicate less support for cameras.

<sup>19</sup> With the exception of the Fox News 2007 poll, which shows uncharacteristically low support, more than 2/3 of respondents support the installation of cameras, and fewer than one in four believe there to be a problem, though this does not suggest opposition to the installation necessarily. Note that though the Fox News poll shows low support, it also shows extremely low opposition (11%). This type of discrepancy results from the particular wording of questions and the initial presentation of the poll's intended goals.

**Table 6.1: Sampling of public opinion polls about video surveillance**

<b>Source</b>	<b>support (reason)</b>	<b>oppose (reason)</b>
ABC News/Washington Post, July 18-21, 2007	71% (capacity to “solve crimes”)	25% (possible “government intrusion on personal privacy”)
FOX News/Opinion Dynamics Poll, July 17-18, 2007	58% (“would help stop or catch terrorists and other criminals”)	11% (“would violate the privacy of law-abiding citizens”)
Leger Marketing Canada (traffic cameras), November 2007	80%, 64% in Quebec (reduction of moving violations)	—
CBS News Poll, July 13-14, 2005	71% (“may help to reduce the threat of terrorism”)	23% (“may infringe on people’s privacy rights”)
Harris (US) Poll February 2006	67% (“dealing with people suspected of terrorist activity”)	32% (“would also affect our civil liberties”)
South Ayrshire’s (UK) Community Safety Partnership, April 2004	Maybole: 56% (reduces crime) Prestwick: 72% (reduces crime)	Maybole: 21% (infringement on privacy) Prestwick: 14% (infringement on privacy)
Harris (US) Poll 2004	61% (“dealing with people suspected of terrorist activity”)	37% (“would also affect our civil liberties”)
IFOP sondage Paris, 2002	88% (to reinforce security in metro); 79% (to reinforce security in buses); 66% (to reinforce security in public spaces)	—
CBS News US poll, April 2002	77% (“in order to prevent possible terrorist attacks”)	24% (invasion of privacy rights)
Harris (US) Poll 2001	63% (“dealing with people suspected of terrorist activity”)	35% (“would also affect our civil liberties”)
Gallup Norway (1998)*	66%	25%
Statistics Norway (1997)*	68% (show “very little discomfort” about video surveillance)	—

\* Reported in Wiecek and Sætnan, 2002.

A second point regards the timing of such polls. Almost all media polls follow unfolding current events, after an incident related to camera surveillance (or its absence) has taken place. The Canadian poll described above illustrates this; respondents were polled in the middle of intense media attention to the London terrorist attacks, complete with actual recordings of the attackers entering the Tube

being publicized in the media. Though these videos show that the camera system was incapable of preventing the attacks, it was presented by the media as a great help in identifying the suspects, despite the fact that most cameras recorded wholly unusable images.

*Highlights and recommendations, from a privacy protection point of view:*

- The classic tension between privacy and security concerns is not understood by the public at large as an exclusive opposition. A large portion of poll respondents estimate that surveillance cameras have both privacy *and* security impacts. Further, for the majority of those who perceive a privacy issue in camera surveillance, the trade-off between privacy and security is settled in favour of security.
- The public does not perceive that camera systems are always effective in reducing crime rates. Instead, they see it as having the potential to be effective *some* of the time, or even, in the case of major crimes, *once*.
- Therefore, the desire for privacy can no longer outweigh that of security in popular discourse. Privacy might find its place in current culture as a *form* of security, and loss of privacy or intrusion as an inadequate or faulty distribution of security resources.

### ***Social Science Opinion Polls***

Social scientists approach public opinion with strategies embedded in their questions which are meant to isolate factors, test prior knowledge of the subject, and make comparisons possible. Consequently, they tend to offer a much more detailed view of the various aspects of respondents' attitudes. In general, these polls on camera surveillance also show significantly less support among respondents than media and professional polls (rarely above 65%).

The findings of these polls can be summarized as follows. First, both question order and wording have powerful impacts on results. As Jason Ditton (2000) has observed, when questions about camera surveillance are preceded by statements or other questions referring to criminality and security, support for surveillance goes up by 20%. Second, most people are convinced that cameras have a positive effect against crime, as well as being useful to solve committed crimes (Dixon, Levine and McAuley 2003; Honess and Charman 1992; Phillips 1999). Third, at the same time, on average, about one third of respondents to these polls agree that cameras represent a threat to privacy. However, this does not mean that they disapprove of camera surveillance, since for many it represents an acceptable trade-off (Wells, Allard and Wilson 2006). Others do not perceive threats to privacy but still reject the idea of video surveillance.

Fourth, respondents also weigh other facets of camera surveillance, besides privacy and security, for instance, the possibility that it will simply drive crime elsewhere,

will serve as a justification for reducing the number of police officers on the beat, that systems costs are too high or that many types of crime escape video surveillance (Wells, Allard and Wilson 2006; Phillips 1999). However, to date no statistical, poll-based study has managed to sort out the actual reasoning behind the acceptance or rejection of camera surveillance.

A fifth point raised by social scientific polls is that fundamental differences exist between social groups in all matters related to crime, fear and security. Older citizens tend to feel less secure and are markedly more favourable to camera surveillance. Younger citizens are the most likely to raise privacy concerns with camera surveillance. Women are significantly more likely to approve of camera surveillance and to dismiss concerns of privacy loss and unnecessary surveillance and control. However, women are also more likely to raise concerns when cameras are installed in more private areas (changing rooms, toilets, etc.), are typically more afraid of crime than men, and are more likely to be wary of walking alone at night. Victimization has an unexpected effect on camera acceptance: respondents who have been victimized are (slightly) *less* likely to accept cameras than those who have not (Ditton 2000). A key to this paradox may in fact lie with the fact that as far as victims are concerned, cameras failed to fulfill their promise (Leman-Langlois 2008). The area where respondents live has an important impact on their evaluation of camera surveillance. Proximity to streets under surveillance generally results in respondents that are more critical of camera surveillance whereas those who live farther away are more likely to indicate approval (Ditton 2000). This reiterates criminological findings about security, that most people feel safe in their own neighbourhood because they know the area well. This feeling of safety comes from the (perceived) predictability of our environment and statistical research which indicates relative rates of safety. Respondents living away from surveilled areas tended to indicate a desire to secure spaces with which they are less familiar.

Sixth, one striking fact drawn from these findings is that the majority of respondents have little knowledge of camera surveillance in their own neighbourhood. A majority of those who live near camera installations do not know the location of those cameras, and most who are aware of the camera locations become aware through the media and not through their own personal experiences (Wells, Allard and Wilson 2006; Leman-Langlois 2008). Even opinion poll respondents do not realise the presence of surveillance cameras until being asked about it (Honest and Charman 1992).

Seventh, as a British Home Office study demonstrates (Spriggs, Argomaniz, Gill and Bryan 2005), most people grossly overestimate the capabilities of cameras in capturing details, seeing through obstacles, detecting motion, tracking targets automatically, night and infrared capacity, and more.

Finally, many polls, whether social scientific or not, regard the cameras or 'CCTV' as a single, homogenous object. However, the social environment where a camera is installed has a profound impact on its perception by most people, and especially

women. Table 6.2 shows the results of a study where respondents were asked to evaluate the use of cameras in different locations.

**Table 6.2: Attitudes towards cameras in various locations for 5 European cities<sup>20</sup>**

Camera Location	Good	Neutral	Bad
Bank counters	91.9%	3.8%	4.3%
Subway / railway platforms	86.7%	9.3%	4.0%
High street shops	82.9%	10.2%	6.8%
Shopping mall walkways	62.5%	23.4%	14.1%
Along motorways	62.6%	21.9%	15.5%
Open high streets	56.1%	21.5%	22.3%
Taxi passenger seats	46.6%	24.9%	28.5%
Hospital wards	42.7%	28.6%	28.6%
Outside entrance to homes	36.1%	27.1%	36.8%
Public toilet washrooms	22.2%	17.5%	60.3%
Sports centre changing room	13.8%	17.8%	68.4%
Clothing store fitting room	13.0%	13.6%	73.4%

Though Table 6.2 seems to establish a relatively predictable hierarchy of intimacy, where cameras are progressively less and less welcome, these classifications are purely abstract and do not include contextual elements. For instance, cameras in hospital wards are seen as less acceptable, however a recent concern in Quebec for the welfare of older patients in crowded hospitals has raised the possibility that cameras could be installed to monitor patient treatment.

*Highlights and recommendations, from a privacy protection point of view:*

- By and large social scientific opinion polls show support for camera surveillance, but also underline the dynamic and fluid social conditions that impact camera acceptability. In short, opinions about surveillance are the product of multiple factors, some linked to developing trends, others to specific events and are difficult to predict.

<sup>20</sup> From Hempel and Töfler, 2004: 44. The cities are Berlin, Budapest, London, Oslo and Vienna. Results are offered as illustration only, as samples in each city were too small to be representative. Only extreme differences are somewhat reliable.

- Though respondents reject the use of cameras in more intimate settings, their notion of privacy does not extend further. Intimacy is closely linked to the exposure of the body and body functions. It has a tangible core that privacy lacks. Outside of this core only the home seems to provoke resistance to surveillance. However, it is to be noted that private, individual systems of camera surveillance are becoming popular in private home security systems. Some apartment blocks also give residents access to all feeds from their video surveillance systems.
- Therefore from a privacy protection point of view it must be noted that the security aspect of privacy is closely linked to control over the information produced by the cameras rather than to the production itself (of being “on camera”).

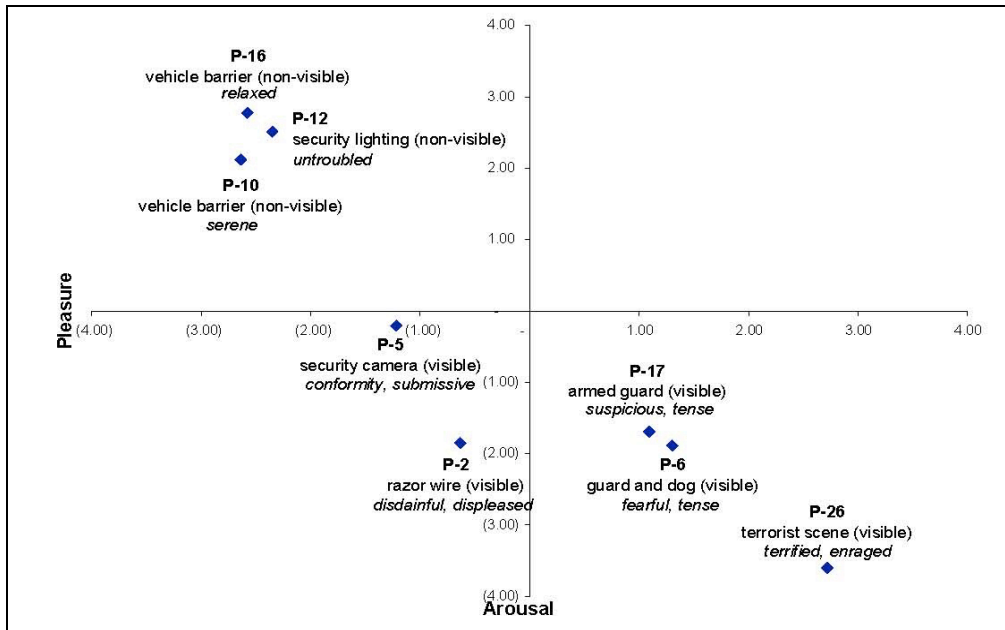
### ***Psychometrics and Social Psychology Polls***

Social psychological research use opinion polls or interviews to supplement their research, but rather than concentrate on personal opinions they tend to focus on the effect of camera surveillance on the respondents attitudes. There are several different approaches to this. First, studies have measured the psychological effect of security measures on individual perception of danger. Common sense dictates that more visible security measures (from security agents to cameras to metal detectors to dogs, etc.) should make those who are aware of their presence feel safer.

However, studies often indicate the opposite, dependent upon certain conditions. Criminologists have demonstrated that increasing the visible aspect of security production can have unintended consequences, as in the case of the “Kansas City Police Patrol Experiment” (Kelling 1974). These researchers found that increased police patrols had little effect on crime rates but made some citizens wonder how dangerous their neighbourhood had become to result in such intense police activity. Seeing more police made them feel less safe.

In a similar manner Kevin Grosskopf (2006) describes findings from two studies conducted on the perception of visible security measures, including professional security guards and surveillance cameras. On the whole, visible security greatly increased the impression of safety and test subjects were six times less likely to feel vulnerable in these ‘protected’ areas. However, when presented with a terrorism scenario, subjects reported *increased* vulnerability in high-security environments.

Figure 1 maps attitudes to various security measures following terrorist scenarios. Surveillance cameras have a near-neutral ‘arousal’ score and a negative ‘pleasure’ score, indicating that they increase the feeling of helplessness, or vulnerability of test subjects.



**Figure 1: Perceptual Map of respondent emotions following exposure to visible and non-visible security measures (Grosskopf 2006: 6).**

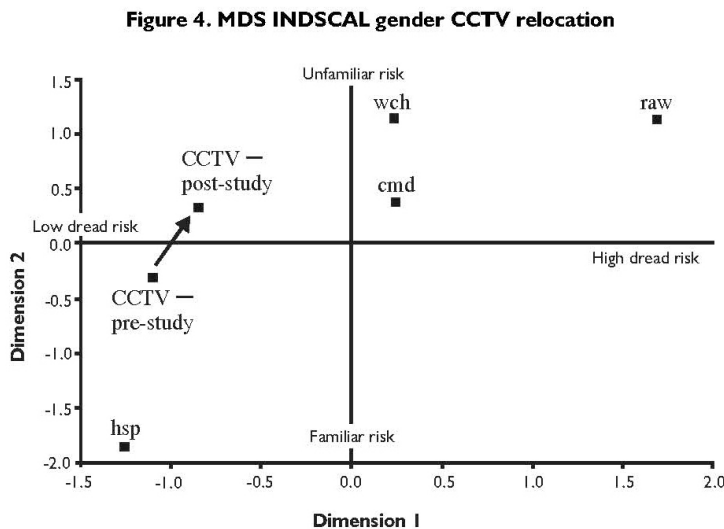
Other studies have sought to evaluate the effect of police camera surveillance on behaviours adopted by citizens. Criminological research demonstrates that the primary source of control in any neighbourhood comes from its citizens, who exert informal, non-official forms of control through their reaction to various forms of deviance that they may witness. In this sense, surveillance cameras can be seen more in terms of a final ‘horizon’ for ordinary citizen authority. Some research suggests that when formal controls become more apparent, or are considered more effective, citizens tend to be proportionately less active control agents (Loubet del Bayle 2007). Ray Surette (2006) has measured the impact of video surveillance on this informal means of social control, what he termed “citizen guardianship”. Surette suggests that CCTV can be seen to lower citizen involvement in informal social means of control over time. This study compared respondents who were aware of the existence of cameras in their neighbourhood and those who were not and observed no difference in their indicated willingness to “help someone in trouble” or the likelihood that they would take some kind of action, either by intervening or calling the police, in a hypothetical assault. Surette also ran comparisons in “guardianship” calls to police (those regarding suspicious persons but excluding traffic calls, for instance) between areas with and without cameras and also found no effect.

Psychological and social effects of camera surveillance can also be assessed statistically with psychometric tools. David Brooks (2005) measured video surveillance perception on 2 scales of ‘dread’ (uncontrollability, gravity) and ‘unfamiliarity’ (rarity, novelty) in order to locate the related socially perceived risks spatially. Of course, the personal evaluation of the actual devices is almost entirely conditioned by the way they are presented in the media (both news and fiction) by



politicians, local elites and their manufacturers and installers (Leman-Langlois 2003). In fact, the actual, objective effect of cameras on individual security is rigorously impossible to evaluate, either from a social scientific or an ordinary citizen's point of view. The best scholarly evaluations only provide generalized, average estimates of risk, which of course apply to no one in particular. With that in mind, Brooks' results show that 'CCTV' is a familiar and very low dread risk comparable to that of home swimming pools. In other words, respondents do not consider cameras to be a danger to themselves or to their communities. However, another interesting finding was that between phases of the study the spatial location of camera surveillance actually changed, as shown in Figure 2. This suggests a very dynamic, and volatile social construction of risk, in keeping with the many floating variables identified above (especially current events and incomplete knowledge).

**Figure 2**



1: Mobility of spatial location of risks\*

\*CCTV, radioactive waste (raw), chlorination (wch), home swimming pools (hsp) and coal-mining disease (cmd); Surette, 2005: 26.

*Highlights and recommendations, from a privacy protection point of view:*

- Camera surveillance, being on camera, seeing cameras and other security systems in one's immediate surroundings is now a common occurrence and is seen as routine by most people. For various reasons, camera surveillance is not perceived as problematic and generally innocuous.
- According to these studies the presence of surveillance systems does not affect the behaviour of respondents in any way, either in convincing them they no longer need to mind their neighbourhoods or to change their day

to day activities to better conform to hypothetical standards of good behaviour while on camera.

- Technologies of surveillance are becoming entirely integrated in everyday life.

### ***Attitudes and Perceptions***

Though the studies above do offer glimpses of citizens' attitudes and perceptions of camera surveillance through representative sampling, they do not allow for individual articulation of individually relevant aspects in the social and physical environment – a person's 'life space.' They merely measure the extent to which respondents agree or recognize themselves in the physical, social, criminal, political and technological environment as conceived of and as described by the researcher. Other types of research are more qualitative in their structure and allow respondents more leeway in determining the significance and the relationships between objects.

Leman-Langlois (2008) has run a series of focus groups with ordinary citizens living under and near police-operated cameras in a large Canadian city. Since 2004, Montreal has had a handful of specially identified cameras around two areas of the downtown core deemed especially problematic in terms of crime. One has a central subway station and a bus terminal in it, as well as a park notorious for its inhabitants — squeegee kids, addicts, drunks, vagrants and drifters. The other has a strip known for prostitution, open drug dealing and a large concentration of bars — all closing, under city bylaws, at 03:00. Both also have shops, dwellings and large installations, among which are a college, a major university and Quebec's national library.

The focus groups were undirected, meaning that the moderator intervened only when discussions fell to a standstill, otherwise waiting for issues to be framed in the way participants saw fit. As a starting question, groups were asked whether they felt their neighbourhood was safe. The strategy was to find out at what point police cameras would crop up in the discussion, as a measure of their importance in people's minds. As a rule, most times the topic only appeared after lengthy discussions of other elements related to security. For instance, most groups listed quite a few sources of insecurity, such as generalized lack of care for others, the feeling that no one would help in times of distress. They also mentioned the absence of visible police officers and the extremely slow response to calls. Massive numbers of petty crimes, aggressive panhandling and the occasional, unpredictable burst of violence were also mentioned.

When cameras were referred to, most of respondents were paradoxically ambivalent. On one hand, they believed that further reductions of staff had been obvious when police installed the cameras, and that police action did not seem to respond to crimes obviously detectable by the cameras. Respondents living in intense surveillance areas agreed crack dealing had vanished, but felt a lot of other

incivilities and crimes remained, while respondents living in lower intensity surveillance areas felt that dealing had appeared around their homes. Some believed that cameras were a sign of unequal, unfair policing resources distribution: other, ritzier areas benefited from physical presence on the ground while theirs had to make do with cameras; others thought that cameras had been demanded by occasional visitors who lived outside of the area and/or by shop/bar/theatre owners who needed to attract these outsiders as clients

On the other hand, most residents could not place the cameras on a map, even among those who live and/or work in a camera's field of view; a few did not know cameras had been installed. Perhaps consequently, privacy concerns were never raised, except by the moderator, following which respondents reported no particular worries. Interestingly, most camera-related frustrations were thought to result from insufficient implementation (both insufficient numbers of cameras and inadequate monitoring of existing ones).

This paradox may in fact be resolved by suggesting that cameras, as the embodiment of the promise of high-tech protection and comfort, have become a universal positive. Any perceived flaws are explained in terms of improper or inadequate implementation or inefficient follow-up by police officers.

*Highlights and recommendations, from a privacy protection point of view:*

- Cameras are at the same time objects of scorn, for inefficiency against crime, displacement of crimes and reduction in police officers on duty, *and* objects of desire, believed to have the potential to improve security. Most believe that more cameras are needed.
- Open-street cameras raise no privacy concerns whatsoever.
- Camera surveillance is conceived as a desirable crime-fighting technology even when explicitly understood to be, and presented as, a dangerous failure.
- Therefore, neither efficacy (security improvements) nor efficiency (cost analyses) arguments are likely to be effective in privacy protection representations.

### **General Conclusions**

A few concluding remarks can be extracted from the information above.

- Whatever the methodology used, surveillance cameras are not seen by the public as ominous, threatening or dangerous. Scholarly studies do report significantly lower acceptance and focus group findings show an ambivalence

towards surveillance cameras. However, in general the public seems to accept camera surveillance in public spaces.

- Regardless of the setting, cameras are seen as useful against crime, though their usefulness has not been proven in quantitative evaluations. The public largely presumes, or even *hopes for* usefulness: cameras are seen as worth installing even if they will generally not be useful, on the hope that they might prove useful eventually.
- Despite misgivings, clearly identified problems or other technological or social deficiencies, cameras are a desirable feature of modern security for the overwhelming majority of survey respondents. Yet, the public are often asked to choose between privacy and security, when they often would prefer both.
- When privacy concerns are raised, they are conceived of in their most basic form: the ability to hide the body from view, which would be better identified as *intimacy* (something explicit in discussions about changing rooms and washrooms/toilets).
- From a privacy protection point of view, this reduces the cogency of a few traditional arguments. Clearly, the statistical crime rate reduction aspect of cameras is not considered important by respondents. Most fire hydrants are in fact never used to fight fires, but no one would consider doing away with them. Most cameras may never catch criminals, but their security / safety function is perceived as equivalent. The novelty and resulting suspicion towards camera technology has long worn off. *Privacy* has no equivalent to the tangible core of *intimacy* – the body. Privacy in open-street settings has no resonance whatsoever for most respondents.
- Privacy might regain cogency if it were recast as a form of security. Within the various forms of security production, room should be left for the *security of privacy*. This can be done easily if privacy is conceived as a sum of information about persons, which should be protected. Arguments around camera systems would then revolve around the appropriateness, or equilibrium, of any distribution of protection resources among various objects: spaces, persons and information.

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