

LEGAL ISSUES AND CHALLENGES IN THE USE OF SECURITY (CCTV) CAMERAS IN PUBLIC PLACES: LESSONS FROM CANADA

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ABSTRACT

This paper considers whether the use of surveillance (CCTV) cameras in public places as an instrument of law enforcement weighs fairly in balance against claims of invasion of privacy, which is a constitutionally recognized right in many countries of the world. This balance is to be assessed alongside attempts by state authorities to regulate the use of surveillance cameras in public places purportedly in a manner which substantially address privacy concerns. Specifically, the paper examines what exactly is meant when the words, 'public' and 'privacy' are used in this argument and whether there is a 'reasonable expectation' of privacy in public places. Focusing basically on Canadian jurisprudence the paper considers whether arguments that people should accommodate reasonable intrusion into their privacy (in the age of global terrorism) are compelling enough to warrant such a compromise. In view of the fact that the use of CCTV cameras in public places as instrument of enhancing security and law enforcement is common place in many parts of the world and increasingly is becoming attractive in Africa the paper suggests that statutory regulation may be necessary if there will be any meaningful sense of balance between state interest and citizens' privacy interests. This paper posits that there is much to gain from Canada's experience and legal template in this regard.

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