

[Translation]

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The Government of the Hong Kong Special Administrative Region

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26 March 2009

Mr Raymond Lam  
Clerk to Panel on Security  
Legislative Council  
3<sup>rd</sup> Floor, Citibank Tower  
3 Garden Road  
Central

Dear Mr Lam,

Panel on Security  
Installation of Closed-Circuit Television Cameras in  
Public Rental Housing Estates

Thank you for your letter of 5 March 2009 asking for information on the effectiveness and impact on privacy of installation of closed-circuit television in Public Rental Housing estates. The information is attached at Annex for your kind attention please.

Yours sincerely,

( Kitty YU )

for Secretary for Transport and Housing

Annex**Falling Objects Monitoring Systems  
in Public Rental Housing Estates****Background**

Since 1998, the Housing Department ("HD") has been using the Falling Objects Monitoring Systems ("FOMS") to trace suspects and identify offenders of acts of throwing objects from height. Today, 96 sets of FOMS operating on Video Cassette Recorder ("VCR") for analog video recording are installed in various estates on a need and rotation basis. The system is installed on a targeted estate block with frequent incidence of falling objects from height. It is installed at specific location with adjustable camera enclosure fixed rigidly on rooftop parapet. The system aims for a general surveillance to trace suspects (Please see photos at Appendix I).

2. In order to enhance the quality of system monitoring, widen the application of surveillance and to step up enforcement, the HD has acquired 10 sets of Mobile Digital Closed-Circuit Television System ("MDCCTV") for monitoring in 2004. The new system operates on a Digital Video Recorder ("DVR") with Hard Disk Drive ("HDD") for digital video recording and playback deployed on a need and rotation basis among estates. They may be installed on rooftops or vacant flats, which are close to the surveillance target. The video clippings recorded would be used as evidence for HD's enforcement purpose under the Marking Scheme for Estate Management Enforcement in Public Housing Estates ("Marking Scheme") or used by the Hong Kong Police Force for investigation of cases of falling objects from height. The system, which uses the latest electronic and digital technology for surveillance and easy relocation/installation, is dynamic and versatile. Besides, the MDCCTV also aims to focus on collecting evidence against offenders (Please see photos at Appendix II).

**Compliance with Personal Data (Privacy) Ordinance**

3. Under the Personal Data (Privacy) Ordinance (PDPD), all images captured by the CCTVs of the HD's security system are considered as personal data.

4. When we set up a monitoring system at a location, we closely adhere to the following guiding principles issued by the Office of the Privacy Commissioner for Personal Data ("the Commissioner") -

- i. to adopt the least intrusive and most open measures; and
- ii. to adopt the most stringent control to safeguard the privacy of the individuals.

We would also follow the following operational guidelines/measures in accordance with the requirements of the Commissioner -

- iii. the need to establish the purpose of surveillance;

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- iv. the need to determine the scope of monitoring;
- v. the need to design privacy protective measures;
- vi. the need to control the retention and use of images captured records;  
and
- vii. the need to put in a check-and-balance mechanism.

5. The monitoring is limited and confined to those external vertical façades of public rental housing ("PRH") blocks which are subject to more frequent records/complaints, suspected or established cases, of falling objects. The angles of the cameras are tuned in an inclined manner to avoid direct viewing the flat inside so as not to infringe the privacy of tenants. We would avoid direct surveillance of viewing an individual flat and only officers of appropriate rank are allowed to administer the system including surveillance, video retrieval, handling and custody.

6. To guard against challenges on the legitimacy of CCTV shooting, the occupants of the flats under the camera will be informed in advance of the operation of the systems under which their personal data may be collected. Unless a longer period is needed for special use, say for prosecution purpose, the personal data recorded will generally be kept for 14 days only. Every measure is taken to avoid unauthorized tampering of the tapes or recorded video.

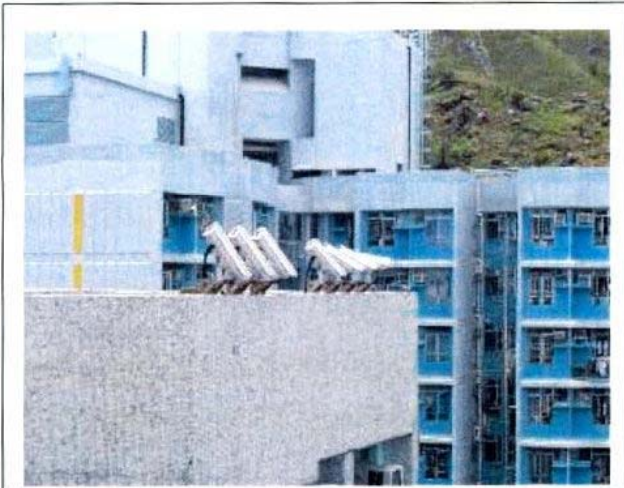
### **Effectiveness**

7. The problem of throwing of objects from height in PRH estates has been greatly alleviated with the installation of the MDCCTV. While we are unable to compare the situation before and after the installation of the VHS system in 1998 due to the lack of statistics, the number of cases put up for prosecution has increased since the introduction of the MDCCTV in 2004. (Please see statistics in Appendix III).

**Housing Department**  
**March 2009**

**Positioning of Camera and Equipment on Rooftop**

FOMS – Conventional - (Video Cassette Recorder complete with Vertical Helical Scan cassette)



Cameras of conventional system on rooftop

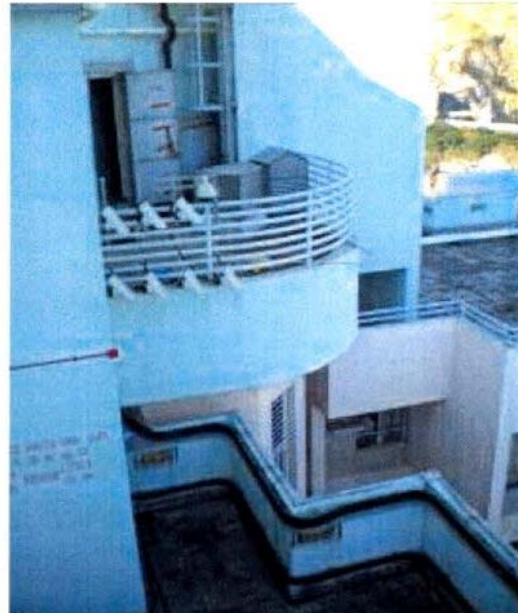


Equipment of conventional system in meter room



### Positioning of Camera and Equipment

FOMS – MDCCTV - (Digital Video Recorder complete with Hard Disk Drive)



Cameras and equipment of MDCCTV system on rooftop



Actual image shown in the MDCCTV

**Statistics of Throwing Objects from Height in PRH Estates**

<b>Year</b>	<b>No. of Points-allotted Cases under Marking Scheme</b>	<b>No. of Cases Put up for Prosecution by the HD<sup>1</sup></b>
2003 <sup>2</sup>	16	-
2004 <sup>3</sup>	33	3
2005	11	6
2006	39	26
2007	73	43
2008	65	30
<b>Total</b>	<b>237</b>	<b>108</b>

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<sup>1</sup> For cases in connection with injury to pedestrians which are far more serious than the offences having been committed under s.4(1) or s.4(2) of Public Cleansing and Prevention of Nuisances Regulation (Chapter 132 BK), the Police will be asked to take over the investigation.

<sup>2</sup> The Marking Scheme was introduced since November 2003.

<sup>3</sup> The MDCCTV was introduced since August 2004.