

For Information

Response to the Issues Concerning the Operation of Closed Circuit Television (CCTV) Systems at Public Swimming Pool Complexes

Background

The Hong Kong & Kowloon Life Guards' Union (the HKKLGU) wrote to the Office of the Privacy Commissioner for Personal Data (OPCPD) on 15 April 2010, raising their concern about the installation of CCTV cameras by the Leisure and Cultural Services Department (LCSD) at public swimming pool complexes under the Department's management. A copy of the letter has been sent to the Legislative Council Panel on Home Affairs.

Installation of CCTVs at Public Swimming Pool Complexes

2. CCTV systems are installed in leisure venues (including swimming pools and beaches) under the LCSD's management mainly for the purposes of strengthening public safety and security, facilitating crowd control, surveillance and control of areas with high risk as well as prevention of illegal activities. CCTV system is not a standard provision of the LCSD's leisure venues and can only be installed at venues that meet the above operational needs subject to the approval of the Department. Currently, the LCSD manages a total of 37 public swimming pool complexes and a total of 556 CCTV cameras have been installed at locations such as the pool deck areas, crush halls, admission gate areas and accesses within the complexes.

Guidelines on the Use and Operation of CCTV Systems

3. The LCSD has formulated internal guidelines on the installation and operation of CCTV systems in its venues in order to strictly supervise the relevant staff in using and operating the CCTV systems and to safeguard the privacy of venue users. The measures include putting up notices in Chinese and English at conspicuous locations to inform the public of the installation of CCTVs in the venues, and only the personnel authorised by the Department can have access to the screens and recordings. If the CCTV system is equipped with a recording function, all video tapes with recordings must be locked in safe custody and only the staff authorised by the Department can have access to the recordings when their duties so required. In addition, normally no recordings should be kept for more than one month and the video tapes not suitable for re-use must be destroyed.

4. All staff working in the venues equipped with CCTV systems must adhere to the relevant guidelines and all District Leisure Managers of the LCSD will pay attention to the management and operation of the venues when inspecting the swimming pool complexes to ensure that all venue staff act according to the guidelines formulated by the Department. The LCSD will also review the guidelines on CCTV systems from time to time.

5. Currently, the number of CCTV cameras installed at the LCSD's swimming pool complexes is based on the actual operational needs of the venues. If there are more

swimming pools or facilities with higher risk such as water slides installations and concealed accesses in a venue, more CCTV cameras will be installed to cover various areas of the swimming pool complex in order to protect public safety and to ensure security. The CCTV cameras installed at the swimming pool complexes are operated by officers-in-charge of the swimming pools. The CCTV system can assist them in monitoring the use of facilities effectively, particularly those with high-risk (such as water slides), preventing the occurrence of accidents. When an accident happens, the officer-in-charge of the swimming pool can get a better grasp of the location and circumstances of the accident through the CCTV system and promptly take contingency rescue measures, including deployment of manpower to carry out rescue operations as well as the calling of an ambulance to the scene in order to provide the victim(s) with timely and necessary assistance.

Communications with the HKKLGU

6. In response to the HKKLGU's claim that the installation of CCTV systems in swimming pool complexes under the LCSD's management may infringe the privacy of swimmers and staff, the Department met the HKKLGU on 9 April this year, explaining the operational needs for installing CCTV systems in its swimming pool complexes and the guidelines and arrangements for the use and operation of CCTV systems in leisure venues. The Department has clarified that the CCTV system is not a device for monitoring the work of the swimming pool staff. After investigation, the Department has found no evidence to substantiate the HKKLGU's allegations. Nevertheless, the Department has again reminded all staff working in all venues equipped with CCTV systems that they are required to strictly adhere to the relevant guidelines so as to safeguard personal privacy.

Way Forward

7. The LCSD will continue to review its existing internal guidelines on CCTV systems to ensure that the advice given by the Privacy Commissioner for Personal Data has been taken into account and incorporated in operating the systems. To enhance staff's understanding of the Personal Data (Privacy) Ordinance (the Ordinance), the LCSD has invited the OPCPD to conduct for its staff a seminar on the Ordinance, including the application of the Ordinance, the data protection principles and the exemptions etc. The LCSD has discussed with the OPCPD and a seminar has been scheduled for late June this year, during which a speaker from the OPCPD will give a talk particularly on the principles relating to the use of CCTVs in public places (including leisure venues) and the relevant points requiring special attention.

8. The LCSD has met with the HKKLGU several times in the past few months to explain the actual needs for the installation of CCTV systems and the specific operational arrangements. We will maintain dialogue with the HKKLGU and listen to the advice of the OPCPD to further refine the guidelines and improve the operational arrangements.

Leisure and Cultural Services Department
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