

DO CCTV CAMERAS PROTECT US OR INVADE OUR PRIVACY?

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

To enjoy additional benefits

CONNECT WITH US

May 05, 2023 01:21 am | Updated 01:21 am IST

COMMENTS

SHARE

READ LATER

Nilgiris District Superintendent of Police K. Prabhakar inaugurating the CCTV camera surveillance in Udthagamandalam. | Photo Credit: Sathyamoorthy M.

India's [CCTV camera coverage](#) has grown rapidly over the years. Today, Delhi and Chennai have more [cameras per square mile](#) than cities in China. States argue that CCTV cameras reduce crime, and the public finds the presence of these cameras reassuring. In a survey conducted by Lokniti-Centre for the Study of Developing Societies in August 2022 in 12 States, more than three-fourths of the respondents supported installing CCTV cameras at the entrance of their homes. However, surveillance is a big concern. Recently, in Telangana, the wrong man was apprehended when authorities purportedly recognised him from security camera footage as a potential culprit in a chain-snatching event. He died days after being released. In a conversation moderated by **Sonikka Loganathan**, Srinivas Kodali and Anushka Jain discuss whether CCTVs are helping the police fight crime or are being used as a tool to invade privacy. Edited excerpts:

Do more CCTV cameras help reduce crime?

Srinivas Kodali: This is a claim. We don't have any evidence. But it's clear that the cameras don't always function.

Anushka Jain: The state says this because they want to be seen as doing something to reduce crime. There are multiple studies in the U.K. which show that there is no connection between CCTV cameras and reduction of crime. If the claim is that cameras will increase women's safety, then why are crimes against women not going down? The majority of crimes against women take place at home. CCTV cameras are not helpful in those situations. And, like Srinivas said, most CCTV cameras don't even work.

A CAG audit of 2018-19 stated that only 55-68% cameras were working in Delhi. Do you think that cameras still help the police identify suspects?

SK: They help the police close cases by figuring out who the criminal is, but they don't always work. If a crime scene has no CCTV footage, that case rarely gets solved. And there is an over-reliance on these systems, which leads to false negatives and false positives.

AJ: A false negative means that the police have not been able to identify the criminal and he goes free. A false positive means that an innocent person is identified as the suspect.

Do you think that the pros of CCTV/facial recognition outweigh privacy concerns?

SK: It's not just about facial recognition; the police use CCTV cameras to identify cars and bikes which are speeding or have been used in a robbery. In theory, this is great. The challenge is that we don't know what the police are using the footage for otherwise. Are they using it at protest sites? Even if there is no CCTV camera at the site, the police use their phones or handy cameras for recording because they are afraid that something untoward might happen. There could be somebody at the protest who was politically motivated to cause harm, which is true, and the police should be allowed to do this. But there has to be an oversight of the actions of the police thereafter, which does not happen. And that's the real challenge — when you don't know what they're going to do with this data. So, it's not just about policing the bad people; good people may also get harmed.

AJ: They have a database against which they match the CCTV footage. The database could be the criminal tracking network system, passport, or licence records. That is how facial recognition works. It depends on how long the database is supposed to have your data. According to the Criminal Procedure (Identification) Act, fingerprints, handprints or any evidence can be kept for 75 years. Why 75 years? There is no explanation. So, even after you die, evidence such as your fingerprints could be on record. What is the point of that? Like Srinivas said, the task of the police is to not just investigate crimes, but maintain public order. There are barriers to how freely people can protest and one of them is police intimidation. For example, if the police record me while I am protesting, this can affect not just me, but have a chilling effect on others. They may be scared to be identified by the police. The right to protest, to freedom of speech and to privacy all get violated. Just because I'm in a public space does not mean that my right to privacy has ended.

How is surveillance integrated into the legal framework?

AJ: There is no law which regulates how the data is collected, processed, stored, when it should be deleted, or with whom it can be shared. There is no specific law with regard to facial recognition, or a standard operating procedure on how the police should use CCTVs or facial recognition technology.

SK: The Criminal Procedure (Identification) Act allows police departments to use new technologies — not just facial recognition but also fingerprint recognition, voice detection, etc. And there is no oversight. For instance, the New York and London police departments have oversight committees. When there is a violation of civil rights, you can file a complaint against the police. India does not have that. Also, if I don't know what evidence is being collected and how these systems function, how do I challenge them in courts? Even judges are not always familiar with these systems. The State police departments have police manuals and standing orders. Ideally, the use of facial recognition and all evidentiary practices need to be part of these manuals. But you won't find it in, say, the Telangana police manual.

If I want my footage of walking down a street wiped from a police camera because I just don't want it there, there is nothing I can do?

SK: Technically, you can file an RTI and request footage. But they always say that they don't store the footage for more than 30 days. When you file an RTI, they have to reply within 30 days. So their reply will be that it has been deleted.

It is easy to tamper with video footage these days. Is camera footage reliable evidence?

AK: To use CCTV evidence, there are conditions laid out under the Indian Evidence Act (Section 65B). There is a certificate that has to be obtained. But often the hardware is damaged and the quality of the recording is poor. So, even if you know that the recording has been made legally, it could still not be sufficient evidence. And yes technology has transformed so much that it's difficult to identify tampering of footage.

SK: If there is any footage, no matter how it was obtained, courts may take the side of the police. But it should be the police who have to prove that this is authentic. If you have CCTV footage of a man at a place, but his phone was somewhere else, he can make the argument that he wasn't at that spot. But obtaining call records is hard for an individual. The police can obtain them easily. So, people who are being accused of something do not have the power to question the accusation.

Do you think that lack of laws is indirectly promoting misuse?

AJ: I don't want to attribute malice. I feel that, when somebody is working for a cause, they become convinced (that what they are doing is right). Sometimes they rely more on CCTV when they should not, or they don't show evidence that may not support their theory. They justify those actions saying they are doing all this to remove criminals from the street. Maybe they do this because they are convinced that the person has committed the crime and they are not able to prove it. However, there needs to be a human rights assessment of these technologies, how they are being used by the police. When they are used correctly, what are the benefits and are they comparable to the harm being caused?

Can the government access CCTV footage?

AJ: This brings us back to the need to adopt data protection principles like purpose limitation and storage limitation. This means that only the data to be used for a lawful purpose is collected. It is stored only for the time until which the purpose is carried out. After that it is deleted. There is a legal vacuum when it comes to these systems and processes. So, the data that you've shared with the government could hypothetically be accessed by the police and vice-versa.

Why is there a legal vacuum even years after CCTVs were introduced to the public?

SK: A lot of these systems came into place because of society's demands. CCTVs primarily were pushed from a woman safety angle. The idea was to invest in them because of the failures that took place during the Mumbai attacks too. We were modernising our entire policing infrastructure, so we began experimenting with technologies. If you look at how governance functions, you do a pilot project. If it succeeds, you expand it. There were multiple pilots conducted. If Hyderabad invested in facial recognition, Andhra Pradesh invested in iris recognition. There are different police departments and because the police are under the control of the State governments, States decide what they want to do. Laws are brought about to protect citizens, but in this case national security is being used as an excuse not to bring laws to control state surveillance.

COMMENTS

SHARE

BACK TO TOP

Comments have to be in English, and in full sentences. They cannot be abusive or personal. Please abide by our [community guidelines](#) for posting your comments.

We have migrated to a new commenting platform. If you are already a registered user of The Hindu and logged in, you may continue to engage with our articles. If you do not have an account please register and login to post comments. Users can access their older comments by logging into their accounts on Vuukle.

END

Downloaded from **crackIAS.com**

© **Zuccess App** by crackIAS.com

CrackIAS.com