

Inquiry into An Garda Síochána

(01-SIU-2018)

Date of Decision: 23 August 2019

This inquiry concerned Garda operated CCTV schemes pursuant to Section 38(3)(a) of the Garda Síochána Act 2005. The findings made in the decision include:

- Findings that An Garda Síochána had infringed the following Sections of the 2018 Act in respect of its use of Automatic Number Plate Recognition (ANPR) cameras:
 - Section 75(3) of the 2018 Act by failing to implement an appropriate data protection policy;
 - Section 76 of the 2018 Act by failing to implement the appropriate data protection by design and default safeguards in respect of the ANPR cameras; and
 - Section 84 by reason of its failure to carry out a data protection impact assessment on the ANPR surveillance system for which it is the data controller, to test the necessity of ANPR cameras and to demonstrate that the use of ANPR cameras is justified and proportionate.
- The other findings in the decision include infringements relating to excessive access to monitoring rooms, appropriate signage and general transparency, governance issues relating to the CCTV systems, and the absence of written contracts between AGS and third party data processors.

The corrective powers exercised

- A temporary ban on the processing of personal data involving the operation of ANPR cameras.
- An order to An Garda Síochána to bring its processing of personal data into compliance taking certain action specified in the decision.
- A reprimand in respect of An Garda Síochána's infringements.