



Home Office

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Thank you for undertaking a review of the Code of Practice earlier this year. I am writing, further to my predecessor's letter of 11 May, to provide you with a detailed response to the recommendations made in the review.

Recommendations 1 and 2 of the review recommend that the Code specifies that Relevant Authorities should appoint a Senior Responsible Officer and publish a number of documents to demonstrate their compliance against the Code's requirements. Recommendation 3 calls for the Government to consider limited powers of enforcement, should compliance not improve.

I was encouraged to learn that compliance amongst town centre schemes with the Code has increased from 2% to 73% during your tenure as Surveillance Camera Commissioner. This is a significant achievement and evidence that a sharp increase in compliance with the Code can be achieved within the existing regulatory framework. Whilst, I share your view that the Code should be applied consistently and that Relevant Authorities should be able to demonstrate their compliance with it, I am not currently persuaded that this would best be achieved by amending the Code itself rather than through the continuation of your work to promote compliance. However, I would be happy to discuss this issue when we meet in October.

In recommendation 4 you call for the police to publicise their governance arrangements for ANPR and infrastructure. I was encouraged to learn that, since concluding your review, the relevant national policing lead, Assistant Chief Constable Kennedy, has set up a privacy group and is publishing more information on the NPCC website about ANPR. I would suggest that you continue to work with policing to improve transparency on the use of surveillance camera systems.

In recommendation 5, you call for the Government to identify measures to encourage use of a passport to compliance across Relevant Authorities. I am pleased to hear about the Operational Requirement (Passport to Compliance) your Standards Group have been developing. When we meet, I

would be interested to discuss how you consider the Home Office could best support this initiative.

Recommendation 6 of your review states that you wish to extend the definition of Relevant Authorities to cover all public bodies that are publicly funded or in receipt of public money. Whilst I support your objective of encouraging greater compliance with the Code, I would favour encouraging organisations and institutions to adopt the Code on a voluntary basis rather than extending the list of Relevant Authorities covered by the Code.

Whilst supporting the intention of recommendations 7 and 8 to provide incentives to those who adopt and certify their schemes against the Code, I would encourage you to continue working with the Local Government Association and other stakeholders with a collective interest to discuss the practicalities of extending use of the Code.

Recommendation 9 recommends producing one Code for surveillance camera systems to cover both your remit and that of the Information Commissioner. Whilst I agree that there would be benefits for surveillance camera operators in having one set of guidance, introducing a single Code would require amendments to both the Protection of Freedoms Act 2012 and the Data Protection Act 1998. In the short term, therefore, I support your intention to use the regulatory strand of your forthcoming National Surveillance Camera Strategy to explore ways of ensuring greater clarity in the guidance available to operators.

I look forward to meeting you in October to discuss the review further, as well as your National Strategy.

A handwritten signature in black ink, appearing to read 'Brandon Lewis', written over a printed name and title.

Brandon Lewis MP
Minister for Policing and the Fire Service