

IFI Body Worn Camera Privacy Notice

This notice relates to Inland Fisheries Ireland's ('IFI') data protection, privacy practices in connection with the deployment of Body Worn Cameras (BWC). Inland Fisheries Ireland, 3044 Lake Drive, Citywest Business Campus, Dublin D24 CK66 acts as the '**Data Controller**' with regard to your personal data.

Inland Fisheries Ireland **Data Protection & Information Officer** contact details:

Address: Inland Fisheries Ireland, 3044 Lake Drive, Citywest Business Campus, Dublin 24, D24 CK66

Email dpo@fisheriesireland.ie

Tel: 01 +353 1 884 2694

As a data controller Inland Fisheries Ireland (IFI) determines how any images and audio captured through the use of Body Worn Cameras (BWC's) in which you may be identified, are processed.

IFI has data managers in each RBD, this role is performed by River Basin District (RBD) Directors. RBD directors are regional managers who oversee the operational functions of IFI within one of seven RBD districts throughout the Republic of Ireland.

If you would like further information about data processed by use of body worn cameras by IFI, please go to: <https://www.fisheriesireland.ie/body-worn-cameras>

General Statement

Any personal information captured by IFI via BWCs will be treated with the highest standards of security and confidentiality, strictly in accordance with the Law Enforcement Directive (LED) as transposed into Irish law by Part 5 of the Data Protection Act 2018.

IFI has created this privacy notice to demonstrate our firm commitment to data protection and privacy and to assure you that we will ensure the security of the data we process. IFI's commitment is that the personal data that we handle is processed in accordance with the principles set out at section 71(1) of the Data Protection Act 2018, in that it is;

- Processed lawfully and fairly;
- Collected for one or more specified, explicit and legitimate purposes and shall not be processed in a manner incompatible with those purposes;
- The personal data shall be adequate, relevant and not excessive for purpose for which it is processed;
- Recorded, stored accurately and securely and where necessary kept up to date;
- Every reasonable step shall be taken to ensure that data that are inaccurate, having regard to the purposes for which they are processed are erased or rectified without delay;
- Kept only for as long as is necessary for the purposes for which it was obtained;

- Kept in a form which permits identification of the data subject for no longer than is necessary for the purposes for which the data are processed;
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing or accidental loss, destruction or damage.

Purposes and legal basis for the intended processing of personal data by means of Body Worn Cameras (BWCs)

Purpose:

Body Worn Cameras (BWCs) will be used by IFI Fisheries Officers who are warranted authorised officers under the following legislation: [Fisheries Consolidation Act 1959](#), [Local Government and Water Pollution Acts 1977 & 1990](#) and the [Sea Fisheries and Maritime Jurisdiction Act 2006](#). BWCs are primarily to de-escalate, prevent offences under fisheries legislation taking place in the field where IFI authorised officers are carrying out their duties. These offences cover two areas: fisheries offences under fisheries legislation and offences of assaulting, obstructing or impeding an authorised officer. These offences are set out in the Fisheries Consolidation Act 1959, Local Government and Water Pollution Acts 1977 & 1990 and the Sea Fisheries and Maritime Jurisdiction Act 2006.

Data captured by way of body worn cameras use may be used as evidence in court by IFI.

Legal basis

IFI is the state agency responsible for the protection, management and conservation of Ireland's inland fisheries and sea angling resources as set out in Section 7 of the [Inland Fisheries Act 2010](#).

IFI is a 'competent authority' as defined by the Law Enforcement Directive (LED) as it is a public authority competent for the prevention, investigation, detection and/or prosecution of criminal offences as set out in [section 69\(1\) of the Data Protection Act 2018](#).

Under [section 71\(2\) of the Data Protection Act 2018](#), the processing of personal data shall be lawful where, and to the extent that the processing is necessary for the performance of a function of a controller for a purpose specified in [section 70\(1\)\(a\)](#)- that is for the purposes of the prevention, investigation, detection or prosecution of criminal offences.

IFI have a number of statutory functions which require us to process personal data for the purposes of prevention, investigation, detection of criminal offences.

It is necessary for IFI, in performing its statutory function of the prevention, investigation and detection of fisheries offences, to process personal data of individuals who may be suspected of committing fisheries offences. This processing takes place, for the following purposes:

Evidential Purposes

Personal data collected via BWCs may be processed for the investigation, detection or prosecution of criminal offences under Fisheries legislation.

Recipients (or categories of recipients) of your BWC images (if any):

- Prosecution and defence solicitors as part of a criminal prosecution
- Defendants representing themselves in a criminal prosecution (subject to a Disclosure Order).
- Gardaí as part of the disclosure process with regard to the investigation, detection and/or prosecution of criminal offences;
- Insurance company where an insurance claim is made

Will your BWC images/audio be shared or transferred outside of the EEA

No, all data is securely stored within the EEA. If any data is transferred outside of the European Economic Area (EEA) we will take steps in order to ensure that your personal data is treated as safely and securely as it would be within the EEA and under the GDPR.

Period for which identifiable BWC images will be retained.

Data captured by a BWC and uploaded to Evidence.com will be automatically deleted after 7 days unless it has potential evidential value. Data pending review will be retained for 31 days, after which it will either be marked for deletion¹ or retained for 78 weeks (18 months) for use in a criminal prosecution. On conclusion of a criminal prosecution i.e., after final hearing and appeal period, data will be marked for deletion. Data marked for deletion is added to the deletion queue for 7 days. This helps prevent deleting evidence unintentionally. After 7 days it is automatically deleted.

Where you make a legal claim against IFI we will keep the data for the duration of the case and any appeals.

Your Rights in relation to Personal Data

Under the Law Enforcement Directive (LED) you have certain rights in relation to the personal information that we hold about you. These include rights to know what information we hold about you and how it is used. You may exercise these rights at any time by contacting us using the details set out below:

Address: Data Protection & Information Officer Inland Fisheries Ireland, 3044 Lake Drive, Citywest Business Campus, Dublin 24, D24 CK66

Email dpo@fisheriesireland.ie

Tel: 01 +353 1 884 2694

¹ Data marked for deletion is queued for a period of 7 days after which it is automatically deleted e.g., data marked for deletion on 1st June will be deleted from the system on 8th June. This 'cooling off' period is to avoid accidental deletion of data.

Your rights include:

1. The right to access personal information about you

You have the right to request a copy of the personal information we hold about you and details about how we use it. A subject access request can be submitted [here](#).

2. The right to rectification

We take reasonable steps to ensure that the information we hold about you is accurate and complete. However, if you do not believe we have correct information, you can ask us to update or amend it.

3. The right to erasure (also known as the right to be forgotten)

You have the right to request that we delete the personal information we hold about you. However, there are exceptions to this right and in certain circumstances we can refuse to delete the information in question.

4. The right to complain to the Data Protection Commission

You can complain to the Data Protection Commission (DPC) if you are unhappy with the way that we have dealt with a request from you to exercise any of these rights, or if you think we have not complied with our legal obligations. The DPC contact details are included below:

Postal: Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, D02 RD28
Telephone: 01 7650100 / 1800 437 737
Office Hours: 9.30 - 13:00hrs 14:00 - 17:30hrs (Monday - Friday)
Website: www.dataprotection.ie

Making a complaint will not affect any other legal rights or remedies that you have.

What will happen if we change our privacy statement?

Any changes we may make to this Privacy notice in the future will be posted on the IFI website: <https://www.fisheriesireland.ie/body-worn-cameras> Please check back frequently to see any updates or changes to our privacy notice.