

Police report

Danish Shopping Centers are recommended for fines

Date: 08-12-2022

Decision

Private companies

Police report

Complaint

Basic principles

TV surveillance

The Danish Data Protection Authority reports to the police Danske Shoppingcentre P/S for TV surveillance of the toilet area in City2 and recommends a fine of DKK 350,000.

The Danish Data Protection Authority has reported Danske Shoppingcentre P/S to the police for not having sufficiently limited the TV surveillance of at least one toilet area in the City2 shopping centre. The Danish Data Protection Authority has recommended a fine of DKK 350,000.

In connection with a complaint, the Norwegian Data Protection Authority became aware that television surveillance had been set up in several toilet areas in the City2 shopping centre. Danske Shoppingcentre explained to the Data Protection Authority that there had been problems with e.g. vandalism in the toilets, and that Danske Shoppingcentre had therefore set up TV surveillance to prevent vandalism and theft and ensure security for customers.

In connection with the surveillance, Danske Shoppingcentre had implemented a technical solution with a black marking on the camera over the place where a urinal had been set up in one of the men's toilet areas. However, according to the Danish Data Protection Authority's assessment, the black marking on the camera did not sufficiently ensure that the guests were not filmed in connection with using the urinal. The Danish Data Protection Authority has assessed that this is in breach of the principle of data minimisation.

"It is a fundamental principle of the GDPR that no more personal data than necessary may be processed. In this case, it is a very private situation where few people would expect to be filmed. Therefore, we believe it should trigger a fine," says office manager Karina Kok Sanderhoff.

Why report to the police?

The Danish Data Protection Authority always makes a concrete assessment of the seriousness of the case pursuant to Article 83, paragraph 1 of the Data Protection Regulation. 2, when assessing which sanction is the correct one in the opinion of the supervisory authority.

In assessing that a fine should be imposed, the Danish Data Protection Authority has, among other things, emphasized that this is a violation of the regulation's basic principles for the processing of personal data, that this involves monitoring a potentially very large number of people, that the monitoring took place over a longer period of time, and that it is a very private situation to use a urinal.