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**To:** ["casework@ico.org.uk"](mailto:casework@ico.org.uk)  
**Subject:** Triggered Audio in taxis  
**Date:** 07 May 2013 12:08:00

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Dear Sir or Madam,

As you are aware the recent appeal hearing where we challenged the Enforcement notice issued to us by you raised some interesting points on the recording of audio data within taxis.

I am now trying to move forward in light of the decision. A number of drivers, who having experienced the benefits of both visual and audio recording, are expressing a desire to have triggered audio recording in their vehicles but do not wish to be in breach of any regulations or face a legal challenge on their use. These drivers have already gone for a period of time with out the protection of this system and they would appreciate a speedy response to this mail. As a result I have a number of questions. Firstly I will briefly describe the system we use.

The system Southampton City Council has records data onto a hard drive kept within the vehicle. This data is heavily encrypted and can only be accessed by approved persons who need to access the hard drive within the vehicle. The Council is the data controller.

At the hearing there were some concerns expressed about the policy and procedure for the downloads. I have nearly completed this policy to address those concerns.

Arrangements have been made for the audio recording to be turned off and I am making the final checks to ensure 100% compliance with this. However the systems are capable of recording audio and this can be triggered by the use of a panic button or some other electronic trigger such as a door opening.

The questions:

1. Can Hackney Carriages and Private Hire Vehicles record audio data from within their cab if it is triggered by a panic button?
2. If activated how long will the capture of audio data be allowed before it is questioned by the ICO?

I appreciate these questions may not have simple answers so I am more than happy for someone to call to discuss this with me before any written response is given.

## **Phil Bates**

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