

RECORDING OTHERS - WHAT ARE THE LAWS?

Videoing others in public, videoing behind closed doors and releasing video content of another person without their consent are all grey areas in law that we feel need to be addressed. **There are many blurred lines when it comes to the do's and don'ts of videos and photographs, so let's delve into it!**

What is meant by 'video content'?

Video content is anything you have recorded on an electronic device. **This includes a mobile phone, camera, laptop, PC etc.**

There is also such thing as **professional video content** – this refers to the footage recorded on the likes of **CCTV cameras, drones and dash cams** attached to vehicles. It is not illegal to record footage on these devices as long as it is made clear that people can be subject to being recorded in areas where these devices are in operation.

Can I record people in public?

The laws around videoing others in public is a bit confusing and the legislation in Ireland these days can be interpreted differently. As it stands, **when you are in public you cannot hold an expectation of privacy.** Therefore, if someone records you in a public vicinity such as a park or shopping centre, it is not deemed an illegal offence.

However, in some cases, when videoing others becomes aggressive and develops into harassment, the person recording can be subject to other illegal offences related to public order. So, just because videoing people in public is not illegal, **this does not necessarily mean it cannot lead to arrest.**

You may be in a situation where you have to call a service to inquire about something, for example, ringing your bank to cancel your card.

In this instance, at the beginning of the call you may be informed that this call will be recorded for training purposes. In a situation such as this, **this cannot be looked upon as an illegal offence** as everyone involved was informed that the conversation was going to be recorded.

As well as this, when it comes to recording peers and authorities, there will be consequences. For example, recording a teacher in class one day to show your friends is a **complete breach of school conduct** and will result in **punishment from the school and possibly the guards!**

What if the person in the video consented?

Releasing content someone consented to at the time does not make this act any less illegal. If someone consented to you viewing the video, they usually only mean YOU, not your friends or strangers on YouTube.

This is all the more serious when the content shared is intimate, releasing graphic video or photographic content of another person without their consent is highly illegal and **can result in prosecution under Coco's Law.**

It's extremely important to be conscious of the material you release on the internet and to others. **Make sure you trust the people you are showing content to and be aware that in public or private, recording other people can lead to trouble with the law.**

We understand this information is hard to grasp, so we at LawEd hope we made it a bit easier to get your head around!

