

# Privacy and data protection case study

## 6 – IN THE GARDEN



You decide to celebrate your 5-year wedding anniversary by inviting all your friends to a barbecue in your garden. You would like to capture some memories using your drone equipped with a camera. Guests are arriving and you start flying your drone in accordance with aviation safety rules of your country. At some point, you set your drone on semi-automatic mode and continue enjoying the barbecue. Guests are also freely swimming in the pool and are making use of all facilities on the grounds.

Once the barbecue is finished, you download the recorded footage to your computer and share it with your party guests via social media and on your blog. You notice that your drone captured images of your next door neighbours while they were sunbathing in their garden. You decide that it would not harm anyone to include the images of your neighbours.

### Privacy

**Bodily privacy:** Guests in your swimming pool have the right to keep their bodily characteristics and body functions private. Using the camera on your drone to record people may breach this right.

**TIPS** - *Do respect requests from others not to be captured in a picture or included in your footage.*

### Data Protection

**Data protection:** Publishing a video of your guests on social media, and making the footage public risks breaching aspects of the European data protection laws. This risk is even higher if your footage includes data about individuals that leads to their identification. However, if your video includes general shots such as picture a big crowd, the risk is decreased.

**TIPS** - *Do not publish footage in which a guest can be identified by an indefinite number of people (e.g., via a blog post on the internet) without his/her permission to do so. Ask people for permission (including your neighbours) before taking any picture or video, especially as you are taking pictures in private spaces.*

**Transparency, visibility and accountability:** Guests who do not wish to be recorded or who are eventually disturbed by the drone will not be able to identify the operator, since the device is operating semi-automatically.

**TIPS** - *Before the barbecue starts, inform your guests that you will be taking videos of them before you do and respect their wishes not to be included if applicable.*