



## Little England? The rise of open-street Closed-Circuit Television surveillance in Canada.

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### Abstract

Social monitoring is often explained in terms of top-down or hierarchal forms of power, which is reflected in the reliance on neo-Marxist and disciplinary society analytical frameworks in contemporary studies of open-street closed-circuit television (CCTV) surveillance. Established surveillance theories cannot account for instances when citizens themselves seek out regulatory measures in their own communities. Community schemes can precede and inform police policy. Drawing from developments in the sociology of governance, I examine media coverage, government document and questionnaire data regarding the rise of open-street CCTV schemes in Canadian cities, demonstrating empirically how regulation through CCTV surveillance can be generated from above (e.g. police, state), the middle (e.g. business entrepreneurs), and below (e.g. moral entrepreneurs and civic governance). Offering four suppositions that act as a pragmatic framework for understanding the rise of open-street CCTV in Canada, this article is a partial corrective to the reigning theoretical explanations regarding how regulatory projects like open-street CCTV are generated.

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### Introduction

Why are police, local government and communities in Canada increasingly turning to open-street closed-circuit television (CCTV) surveillance as a crime control tool? Criminologists have demonstrated that the crime rate in Canada has decreased over the last three decades (Cesaroni and Doob, 2003:436), and serious questions about the efficacy of open-street CCTV in reducing crime have been raised (Armitage, 2002; Welsh and Farrington, 2003). Other measures like proper street lighting can be more effective as a deterrent of crime (Welsh and Farrington, 2004; Painter, 1996). The discrepancy between declining crime rates and rising numbers of surveillance cameras makes the popularity of open-street CCTV in Canada a subject matter rich for sociological analysis.

Open-street CCTV surveillance can be thought of as a socio-technical assemblage consisting of people, places, and technologies. An operator or officer watches on TV an area observed by a video camera. The video camera could be mounted on a wall, a street lamp, a fence or the roof

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of a building. A key difference between open-street CCTV and private camera surveillance (in a mall, bank, workplace, etc.) is that open-street CCTV monitors public places and is operated by people representing public institutions. This paper is concerned only with the rise of camera surveillance in the open-street in Canada, and not those surveillance systems in car parks, schools, hospitals, sports facilities, or housing estates in public or quasi-public spaces. The rise of open-street CCTV in Canada has been virtually ignored in the international literature on camera surveillance. Whereas the widespread and rapid proliferation of open-street CCTV surveillance in the UK during the 1990s was hindered little by fair information practices (Maguire, 1999), the ascension of open-street CCTV in Canada is just beginning – albeit within the parameters set out by both Provincial and Federal privacy offices.

Recent literature on the rise of open-street CCTV has argued that state government remains the dominant actor in policy networks and partnerships that collaborate for the implementation of open-street surveillance systems (Norris and McCahill, 2006; Webster, 2004; Coleman, 2004, Coleman, 2003). Other authors have conceptualized the rise of open-street CCTV as evincing the centrality of disciplinary power in contemporary Western society (Norris, 2003; Fyfe and Bannister, 1998, 1996). While these writings may partially explain the diffusion of open-street CCTV in the UK, another group of scholars have argued that these theoretical accounts of surveillance, with their assumptions regarding power and politics, are limited in their ability to conceive of how regulatory measures that employ camera surveillance can be generated from any number of social positions (Hier et al, 2006; Walby, 2005, Fussey, 2004, Hier, 2004). In this article, the rise of open-street CCTV in Canada is explained in a way that departs from the top-down approaches typifying the surveillance literature. As I demonstrate empirically, the rise of open-street CCTV in Canada troubles theoretical approaches that rely on neo-Marxist and disciplinary society analytical frameworks.

Using media articles, questionnaire responses, and government documents as data sources, and drawing from developments in the sociology of governance, this article offers four suppositions that provide a pragmatic framework for understanding the proliferation of open-street CCTV in Canada. First, open-street CCTV schemes in Canada are often based on schemes in the UK, or based on other ‘successful’ Canadian schemes based on UK camera monitoring systems. Second, some form of social anxiety, ranging from localized moralization to fear of crime to risk discourses, is usually antecedent to the implementation of open-street CCTV schemes. *Pace* theoretical treatments of surveillance that rely on top-down approaches for explaining social monitoring, open-street CCTV can be generated from numerous social positions that overlap and co-articulate a desire for regulation through camera surveillance *vis a vis* these anxiety discourses. Third, open-street CCTV is not simply a ‘big city silver bullet’ in police service struggles to contain certain behaviours to a metropolitan locale. Smaller, rural centres are also adopting streetscape CCTV to combat vandalism and rowdyism. Last, contestation rather than consensus marks the rise of open-street CCTV in Canada. To this end, there are channels for regulating streetscape monitoring through privacy legislation, and spaces for resisting open-street CCTV through civic protest.

The article is organized in three parts. In the first section, I critique neo-Marxist and disciplinary society analytical frameworks and their implicit assumptions regarding power and politics

regarding the rise of open-street CCTV. Second, I draw from developments in the sociology of governance to account for how varying social positions are involved in the generation and legitimation of regulatory projects like open-street CCTV. The third section details the empirical scope of open-street CCTV in Canada.

### Conceptualizing the Rise of Open-street CCTV

Much has been written on open-street CCTV in the UK (see Norris et al., 2004; Coaffee, 2004; Norris, 2003; McCahill and Norris, 2002; McCahill, 2002; Williams and Johnstone, 2000; Norris and Armstrong, 1999; Hay, 1995). Open-street CCTV in the UK really got its start after the killing of James Bulger legitimized the Home Office Challenge Competitions and the CCTV Initiative after that. Two ten year old boys killed Bulger in February 1993. Fuzzy video images of Bulger being led by the boys from a shopping centre to his death on a railway track were played on the news for weeks (Norris and Armstrong, 1999:37), which legitimated the massive expenditures on CCTV to come. Britain's Home Office alone spent over £250 million of public money on open-street CCTV between 1992 and 2002 (McCahill and Norris, 2002:2). Between £4-5 billion has been spent on the installation and maintenance of CCTV systems across the UK since 1994 (Norris et al., 2004:112). Graham (1999) sees the growth of CCTV in the UK as parallel with the developments of energy, water, and telephone utilities in the 19<sup>th</sup> century.

Most writing that tries to conceptualize the rise of open-street CCTV in the UK has relied on what Fussey (2004) calls a neo-Marxist analytical framework. For instance, Norris and McCahill (2006:101) have recently argued that the introduction of open-street CCTV “dovetailed neatly with the government’s ideological demands for privatization of the public sector”. These authors argue that such dovetailing “extends the central state’s capacity for action and influence” (pg. 105). These “responsibilization strategies” are pursued by the central state and benefit the interests of the state (pg. 113). Similarly, Webster (2004) has argued that the diffusion of open-street CCTV in the UK has been encouraged, if not driven, by government policy and rhetoric. He writes that “politicians, in both central and local government, play an important role in disseminating a pro-CCTV message and marginalizing dissenting voices” (pg. 239). Webster does better to acknowledge that a number of agents and agencies, including national and local politicians, central government departments, local authorities, police forces, media, and the CCTV industry are involved in policy networks that push for open-street CCTV, but goes on to argue that these elements are “working together,” that they are “bound together by shared goals and values,” and that powerful institutions like centralized government shape and control the discourses articulated by different agents and agencies and the network itself (pg. 246-247).

Norris and McCahill, and Webster to a lesser extent, are reproducing earlier analyses of open-street CCTV that argue camera surveillance is imposed from above as a social ordering strategy to control deviants in the neoliberal city (see Coleman, 2004, 2003). From this perspective, open-street CCTV serves the interests of elite-driven partnerships. Similarly, Garland (2001:124) argues that state agencies are being extended, where “state agencies activate action

by non-state organizations and actors”. This kind of “responsibilization” renders other organizations responsible for policing, such that “the state’s new strategy is not to command and control but rather to persuade and align, to organize, to ensure that other actors play their part” (pg. 126). The difficulties of this neo-Marxist approach are two-fold. First, other agents and agencies in the network are never attributed much agency for articulating discourses that are contrary to neoliberal ideology. The neo-Marxist approach assumes a consensus of interests instead of focusing on a field of contending discourses. Second, the state is conceived of having a power to activate agents and agencies and their desires for surveillance. That community schemes could precede and inform police policy is analytically closed off as a possibility.

Another body of literature discussing open-street CCTV has drawn from Foucault’s (1979) canonized writing on the Panopticon. The Panopticon was an architectural design proposed by Jeremy Bentham as a means to reform the 18<sup>th</sup> century English prison system. From a centralized observation deck surrounded by a circular housing of prison cells, inmates could be watched constantly (or not) by prison guards standing behind semi-closed blinds. That prisoners would not know if they were being gazed upon assured the automatic functioning of power. The idea of panoptical supervision would seem appropriate as an analytic for describing the omnipresence of CCTV cameras in downtown cores, and the idea has been conveniently taken up in the surveillance literature generally (Whitaker, 1999; Poster, 1996; Gandy, 1993) and CCTV literature specifically (Norris, 2003; McCahill, 2002; Fyfe and Bannister, 1996). There is, however, an effort in contemporary surveillance theory to think past undifferentiated applications of Foucault’s Panopticon metaphor when thinking about social monitoring (Lyon, 2006; Hier, 2004; Hier, 2003; Boyne, 2000; Haggerty and Ericson, 2000; Bauman, 1998; Mathiesen, 1997; Deleuze, 1990). The question of a disciplinary society is posed with the effects of surveillance in mind, whereas the question in this article is how to conceptualize the rise of open-street CCTV.

As Fussey (2004:266) has convincingly argued, the neo-Marxist and disciplinary society paradigms “overlook the importance of the local processes, structures and agency that ultimately shape CCTV policy formulation”. However, Fussey offers no alternative explanatory framework. In the remainder of the paper, I draw from the sociology of governance to challenge the *a priori* assumptions regarding power and politics implicit in the above theorizations of the rise of open-street CCTV. My purpose is less to refute the neo-Marxist and disciplinary society frameworks than complement them by showing empirically how the rise of open-street CCTV in Canada has differed in several respects from the rise of open-street CCTV in the UK.

### **Governance and the Rise of open -street CCTV**

Drawing on the sociology of governance, open-street CCTV is conceptualized as a regulatory project generated in affective response to socially constructed deviant populations in the city. Governance is defined as any co-ordinated form of human interaction involving reciprocal, multiple, and overlapping relations of power and authority, where the actions of some agents structure the actions of others. Less a concept or theory and more a political process of everyday life, governance is power acting through peoples, in a multitude of sites, including local,

regional, national, international, and global authorities, but also corporations, charities, families, and the self. The sociology of governance “brings into view a heterogeneous field of more or less calculated attempts to shape the conduct of persons, populations, and things towards desired ends” (Rose, 2000a:143). This extensiveness of politics reduces the scope of direct management of human affairs by state agencies and increases the degree to which diverse non-state agents and agencies advance their own strategies of governance in a particular places (Rose, 2000b:97). Rather than viewing surveillance as a simple top-down measure (e.g. the hierarchal state), regulation can be generated from any number of social positions, some of which interact in order to justify and implement open-street CCTV. In terms of ascendance and social positioning, regulatory projects like open-street CCTV can be generated from above, the middle, and below (also see Hunt, 1999:1-20). By above, I mean powerful and hierarchal political bodies (e.g. the state, police). By the middle, I mean agents such as businesses and business associations. By below, what is meant is that citizens themselves seek out regulatory measures for their own communities based on the problematization of some behaviour(s) considered risky, immoral, or harmful. Rather than conceptualizing governance processes as uni-directional (e.g. top-down *versus* bottom-up), power is multi-directional and exerted from numerous social positions at the same time. The point is that state apparatuses are not always the position from which regulatory surveillance projects are generated.

The surveillance literature is only just beginning to see the value of perspectives that pay attention to social subjectivities (Hier, 2004) and the role of communication (Mathiesen, 1997). Claims made by those from varying social positions (government, police, business, community organizations, and citizenry), often communicated in the media, consolidate support for open-street CCTV. Business and moral entrepreneurs are terminologies I use to describe certain key actors involved in risk, grievance, harm, and morality-based problematizations as it relates to the diffusion of open-street CCTV. Business entrepreneurs are any interest group or person acting as an advocate of capital, who seeks the implementation of CCTV for its purported potential to decrease property crimes and the perception of disorder in downtown shopping areas. Moral entrepreneurs are any group or person who rally around a moralized grievance or series of grievances in order to legitimize CCTV for its potential to increase safety in urban areas (Becker, 1963:155). In response to a grievance or the perception of disorder, moral entrepreneurs enforce rules in their own communities. Local presses are key players that regulatory agents and agencies use to communicate their beliefs, but are not simply an elite instrument. Local media make their own political decisions, and are sometimes directly involved with funding regulatory projects. Yet, governance is always incomplete (Hunt and Wickham, 1994). Each attempt at regulation is met with resistance and counter-discourses.

Western societies tend to turn public issues (like crime, disorder, drug and sex trade) into social or governmental problems as a prelude to introducing forms of regulation. Hay (1995) argues that subjects are recruited to governmental projects via the manner in which subjects themselves find symbolic and ideological resonance with the conveyance of shared experiences or anxieties. It is through problematization – claims to harm or danger associated with certain behaviours – that both those defined as deviant outsiders and regulators come to be constituted as subjects. The example of James Bulger explicates how media magnified a single grievance and projected the amplified anxiety onto a wider set of risks which came to symbolize social disorder in urban

space, thus consolidating citizen support for the regulatory project. A focus on the communicative aspects of governance processes show how non-state agents and agencies can articulate their own desire for regulatory projects like open-street CCTV, which, as Matthews (2002) has argued, disrupts the distinction between surveillance and freedom so crucial to traditional, top-down representations of social monitoring.

### The Empirical Scope of open-street CCTV in Canada

Data presented in this section consist of news articles and responses from a pan-Canadian CCTV questionnaire that was distributed to police services across Canada. Information was also gathered from police service websites, from the Ontario Information and Privacy Commissioners office, the Commission d'Accès à l'Information in Quebec, and the Federal Privacy Commissioner's office. This research reveals fourteen Canadian cities that have implemented open-street cameras and nineteen municipalities that have either initiated camera schemas or have utilized CCTV surveillance in the past. Sudbury, Hamilton, London, Windsor, Toronto, Peterborough, Thunder Bay, Sturgeon Falls and Thessalon Ontario (ON), Edmonton Alberta (AB), Antigonish Nova Scotia (NS), Kelowna British Columbia (BC), Montreal and Baie-Comeau Quebec (QC), operate open-street CCTV programs. Hull and Sherbrooke QC, Winnipeg Manitoba (MB), as well as Yellowknife Northwest Territories (NWT) have had open-street CCTV systems previously. Vancouver, Nanaimo and Victoria BC, Calgary, Lethbridge, St. Albert and Medicine Hat AB, Saskatoon and Fort Qu'Appelle Saskatchewan (SK), Dauphin and Selkirk MB, Charlottetown Prince Edward Island (PEI), as well as Midland, Brockville and Guelph ON, are considering open-street CCTV or have considered it before. Using the four suppositions delineated in the introduction of the article as a guide, below I outline the empirical scope of open-street CCTV surveillance in Canada.

#### *General Diffusion*

Regardless of the social position from which they are generated, open-street CCTV schemes in Canada are often based on schemes in the UK, or based on other 'successful' Canadian schemes which are based on UK camera monitoring systems. The longest running open-street CCTV schema in Canada, the 'Lion's Eye in the Sky' in Sudbury ON, is a case in point. Plans for a camera monitoring schema began during 1994 when Police Chief Alex McCauley became aware that Glasgow police service used open-street CCTV in its downtown core. McCauley then visited Scotland in 1995, and worked out the plans for CCTV in Sudbury (KPMG, 2000:9). The project is aptly named 'Lion's Eye in the Sky', as the Lion's Club is a major funding partner, although Northern Voice and Video (who donated the first camera), Sudbury Hydro, CP Rail, Sudbury Metro Center, and Ontario Works have also been contributors. Revealed through the pan-Canadian questionnaire is that the Greater Sudbury Police Service monitors eleven cameras in the downtown core of Sudbury<sup>2</sup>.

<sup>2</sup> Cameras are monitored at the police headquarters by trained civilians provided through the province's workfare program, Ontario Works. Operating costs are now at least \$1,200 a month (*Sudbury Star*, December 16, 2000. A5), with KPMG reporting that the total cost of the system between 1996 and 2000 was \$31,000. In late 2001, it became apparent that the lack of permanent funding for the 'Lion's Eye in the Sky' could lead to its demise (*Sudbury Star*, September 21, 2001. A3). It had been reported that the project operated



Figure 1: A photograph of signage in downtown Sudbury ON (from the KPMG report)

In May 2000, Sudbury Police Services hired KPMG, an international consulting firm, to audit the CCTV system. The KPMG report claimed “at least 300, and as many as 500 robberies, assaults, thefts and other criminal offences have been deterred by the Lion’s Eye in the Sky project, saving as much as \$800,000 in direct monetary losses” (KPMG, 2000:1). “Crimes of all kinds were down 10.9 per cent in the Sudbury region in 1999,” with Police Chief McCauley taking this as evidence that the ‘Lion’s Eye in the Sky’ should be expanded into other areas of the city (*Sudbury Star*, January 18, 2000. A1). The “crime rates continued to drop” (*Sudbury Star*, November 20, 2001. A3), and CCTV cameras were credited with reducing crime in the downtown area (*Sudbury Star*, October 27, 2001. A5). Other municipal police services in Canada (including London, Hamilton, Barrie, and Vancouver) began to justify their own plans by pointing to the rumoured efficacy of Sudbury’s cameras in reducing crime and ‘anti-social’ behaviour.

The sixteen camera initiative in London ON was one such system gaining credence through reference to Sudbury’s initiative in their efforts to deter random violence in the downtown core. Sgt. Steve Goodine, author of a police study conducted by London police services, reviewed several British and American CCTV schemes, as well as Sudbury’s, in drawing his conclusion. He credited the Sudbury program with a 20-per-cent drop in crime as well as boosting area business (*London Free Press*, December 17, 1999. A3). When confronted with the possibility of legal issues pertaining to privacy, London Mayor Anne Marie DeCicco cited the Sudbury system and its unabated longevity in the face of privacy legislation.

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independent from government or tax dollar funding, but discovered in the pan-Canadian questionnaire is that scheme is now funded solely by GSPS out of their operating budget.

The CCTV system in Hamilton ON is also based on the purported success of the Sudbury 'Lion's Eye in the Sky' CCTV system. In 2001, Hamilton Police Services joined forces with the Downtown Hamilton Business Improvement Area to purchase five CCTV cameras intending to monitor 'beat 672' in the downtown core. The cameras were not activated until June 3, 2004 because of concerns over privacy and the time it took to conduct public consultations<sup>3</sup>. Superintendent Terry Sullivan commended Sudbury, contending that the Hamilton system shared the same goals as the initiative in Sudbury. Superintendent Michael P. Shea, the Hamilton officer in charge of CCTV, was also apt to quote Sudbury as a success in order to justify the implementation of open-street CCTV in downtown Hamilton. In an article he penned for the *Hamilton Spectator*, Shea wrote:

Although relatively new to Canada, the CCTV program has proven very successful in Sudbury. Robberies and assaults decreased by 38 per cent in the three years following installation, and property crime decreased by 44 per cent. CCTV monitoring was also recently introduced in London, Ont. (*Hamilton Spectator*, September, 5, 2002 A13).

Superintendent Shea referenced Sudbury during community consultations, arguing that the Sudbury scheme showed no signs of displacement and decreased "crimes of opportunity" (Shea, 2003). The Hamilton Police Services website asserts "What brought this idea to the forefront was a similar project undertaken in the City of Sudbury".

Many other municipalities cite Sudbury as a CCTV success story. The City of Toronto operates an open-street CCTV program at the corner of Yonge and Dundas square in downtown Toronto<sup>4</sup>. A total of 6 cameras were installed in December, 2002, for the purpose of monitoring drug trade, assaults, shootings, and crime. Toronto police services cited rumoured declines in crime rates in Gloucester UK, Baltimore Maryland, and Sudbury ON to rally support for the cameras. RCMP in Kelowna BC implemented a single open-street CCTV camera on February 23, 2001, above the Queensway bus loop near City Hall, to monitor sex and drug trade in a downtown park. Garnering widespread national media attention and jointly funded by the City and the Downtown Kelowna Association, the stated objectives of the system are to detect and deter crime, and to improve community safety. Kelowna's camera is based on similar CCTV surveillance systems in England, Australia, and Sudbury ON. Barrie ON is yet another municipality that used the example of the Sudbury system to justify their own open-street CCTV plans. Jim Perri, then Mayor of Barrie, cited Sudbury as a success and budgeted for 16 cameras, hoping to combat the perception that downtown Barrie was unsafe (*Examiner*, August 29, 2001. A3). All of the above schemes either base their system on Sudbury's or cite it as a success.

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<sup>3</sup> Public consultations were advertised in the *Hamilton Spectator* the day of or day prior to the meetings (*Hamilton Spectator*, March 20, 2002. A7; *Hamilton Spectator*, April 26, 2002. A15; *Hamilton Spectator*, April 27, 2002. A14; *Hamilton Spectator*, May 22, 2002. unknown). The twelve consultations drew in only 259 total participants, with eight of the consultations drawing a sparse 4 or less people (Shea, 2003).

<sup>4</sup> Data from a personal interview with Mark Ratner of the Ontario Officer of the Information and Privacy Commissioner. July 21<sup>st</sup> 2004.

Other open-street CCTV schemes in Canada are based directly on UK models. In June of 2001, it was reported that Calgary police services had plans to implement a two-camera pilot project in the downtown's bar strip (*Calgary Herald*, June 27, 2001. B5). The pilot project was to be called 'Operation Street Sweeper'. Objectives of the camera project aimed at reducing public drunkenness, 'knife attacks,' and other violent incidents associated with the downtown nightlife. In early August 2002, Police Chief Beaton sent two police officers to Scotland to study open-street CCTV (*Calgary Sun*, August 11, 2002. A28). Beaton's interest peaked after he himself participated in an FBI-sponsored terrorism seminar in Scotland, where he toured two of Scotland's eight police districts to "witness the CCTV cameras up and running down crooks" (*Edmonton Sun*, August 5, 2002, A22). The example of Calgary AB again draws attention to the argument that open-street CCTV is diffusing to Canada from the UK.

### *Ascendance and Social Positioning*

A central contention of this paper is that open-street CCTV can be generated from multiple social positions. For Hunt (1999:5), the focus on hierarchal state formations or elite social groups cannot adequately encompass the dynamics of regulatory projects. Governance is always negotiated by a multiplicity of agents and agencies in a field of contending discourses. State and local government are considered as one of the multiplicity of authorities, agencies, and agents who seek to shape conduct in the urban.

Exemplifying governance from below is the ascension of open-street CCTV in London ON. Sixteen CCTV cameras went live in London on November 9, 2001. The implementation of London's downtown camera project was legitimated through focus on two violent events: the murders of Michael Goldie-Ryder and Jamie Williamson. After Williamson's death in 1995, politicians and police promised changes to improve safety downtown, beginning with a meeting that included a wide range of groups representing people who live or work in the core. Williamson, however, was largely forgotten until Goldie-Ryder's death four years later. Goldie-Ryder, twenty years of age, was stabbed to death during January 1999 in downtown London, attempting to protect two women. He died after a three day hospital struggle. The injustice brought on a swarm of media coverage that spoke of "a rash of killings" (*London Free Press*, January 18, 1999. A3). Police Chief Al Gramolini promised he would "clamp down on violence in the downtown core" (*London Free Press*, January 25, 1999. A1). Then chairperson of London's police services board, Orlando Zamprogna, commented on the "escalating situation," saying "violence is especially frightening to women and the elderly – consumers whose spending could make the downtown a success".



Figure 2: A photograph of signage in downtown London ON.

Utilization of the discursive mechanism associating downtown with random violence – “the recent rash of downtown violence,” “the series of killings” – lasted throughout the entire year of 1999. The isolated event of the murder was transformed into an imaginary set of risks afflicting the downtown core, including purse snatchings, bank heists, break-ins, and assaults (Hier, 2004). By December, 1999, the effect of media coverage was to legitimate an open-street CCTV system, earmarked with a \$235,000 price tag (*London Free Press*, December 17, 1999. A3). In the anticipation leading up to the activation of the cameras, the murder of Goldie-Ryder was consistently alluded to in the media discourse<sup>5</sup>.

The London ON surveillance system was fundamentally a citizen’s initiative. The death of Goldie-Ryder resulted in the formation of Friends Against Senseless Endings (FASE), a moral entrepreneurial citizens’ group against community violence that was instrumental in raising the necessary funds. The group was headed by Goldie-Ryder’s mother and others, who organized in response to the grievance against Goldie-Ryder to voice their concern about safety in the local media. Nearly 800 Londoners staged a walkathon, “walking against violence” in memory of Goldie-Ryder, raising \$10,000 for the cause (*London Free Press*, May 17, 2001. A2). With the camera project focusing on the grief suffered, grievance- and risk-based problematization, and the potentiality for anyone to incur such criminal hazard in the downtown core, FASE raised \$171,500 of the \$235,000 needed by the summer of 2001, with an anonymous donation of \$50,000 being the largest received. The London Downtown Business Association contributed

<sup>5</sup> See *London Free Press*, January 1, 2002. SP3; *London Free Press*, December 8, 2001. B4; *London Free Press*, November 9, 2001. A10; *London Free Press*, September 1, 2001. A2; *London Free Press*, June 23, 2001. A3; *London Free Press*, May 17, 2001. A2; *London Free Press*, April 4, 2001. A3; *London Free Press*, March 13, 2001. A4; *London Free Press*, June 17, 2000. F2; *London Free Press*, April 3, 2000. A10; *London Free Press*, December 17, 1999. A3; *London Free Press*, August 28, 1999. A3; *London Free Press*, January 25, 1999. A1.

\$43,000 and the Bank of Nova Scotia, where Goldie-Ryder's mother worked, added \$24,000. Six donors pledged \$12,500 (the cost of one camera): the Hampton Group, The *London Free Press*, Ceeps & Barney's, Aboutown Transportation Ltd., the London police services board and University of Western Ontario board of governors (*London Free Press*, April 4, 2001. A3). In response to localized and isolated grievances, FASE played the central role in mobilizing the implementation of London's sixteen camera system, although both local business and police were and are active in funding and maintenance of the system. This supports the supposition delineated earlier that the generation of regulatory projects involves a multiplicity of agents and agencies, and that regulatory projects can sometimes emerge from the level of civic governance.

The open-street CCTV system in Hamilton is more akin to a top-down regulatory project, although local business support is not waning. Before any public consultation, the HPS joined forces with the Downtown Hamilton Business Improvement Area in 2001 to purchase five cameras. In January 2001, an 18-year old figure skater named Alexandre Hamil was accosted in downtown Hamilton and robbed of \$100, spawning a series of news stories in the *Hamilton Spectator* regarding the supposed endemic risks of the downtown core. Business entrepreneurs in the downtown area claimed that fear of the core area was hurting economic activity. After the cameras were installed in 2002, but just before they were activated in 2003, the *Hamilton Spectator* ran a series of articles that voiced concern that the fear of downtown was financially hurting the city's semi-pro hockey team, whose rink was located in the downtown core (*Hamilton Spectator*, January 23, 2003. E1; *Hamilton Spectator*, January 25, 2003. E1). Ron Foxcroft, a prominent Hamilton business man and a part owner of the Bulldogs hockey team, claimed people were too fearful to venture into downtown Hamilton to take in the games, even too fearful to walk on the streets after 6:00pm (*Hamilton Spectator*, January 21, 2003. E1). Whereas the open-street CCTV system in London was discursively focused on two volatile events, projecting the anxiety caused by those murders onto a set of imaginary risks afflicting the downtown core, Hamilton's five camera system is more focused on reducing the perception and fear of crime in the city centre and fear of the core itself.

On the west coast of Canada, the Vancouver Police Department (VPD) had proposed a 23 fixed camera and 2 mobile camera system called the Neighbourhood Safety Watch Program to monitor 59 square blocks of the downtown eastside of Vancouver, Strathcona, Chinatown, and Gastown. Support for the Vancouver system comes from the perceived need to police the drug and sex trade in the downtown core. These activities, used to characterize the lower east side, are demonized and made subject to forms of social hygiene. Official communication between Vancouver City departments and Vancouver police refers to the corner of Hastings and Main as a "drug market" (Neighborhood Safety Watch, 2001:60). Claims makers link the drug problem to higher incidences of other crimes. For instance, a study performed by the Vancouver Board of Trade proclaimed that Vancouver suffered from the second highest incidence of property crime in North America, with the average household in Vancouver paying an extra \$150 a year to cover the cost of insurance (*Canadian Press Newswire*, October 26, 2003). The Vancouver Board of Trade argues a tougher justice system is needed to police vagrancy. Showing how open-street CCTV in Vancouver is driven by agents in the middle of the tripartite regulatory framework delineated above, the pressure to revitalize downtown Vancouver is counterpart to

the business community's need to increase trade flow. Civil society groups, such as the British Columbia Civil Liberties Association (BCCLA) and the Carnegie Community Action Project, protested camera implementation. In 1999, the BCCLA published a position paper on the proposed Vancouver schema, arguing that the costs were unjustified, and that the trade off of privacy for security was problematic. However, it was only in May of 2005, because of a University of Leicester report that found open-street CCTV did not deter crime or fear of crime, that the VPD announced they were abandoning the plan.

Pertaining to Calgary's open-street CCTV scheme, a homicide in early 2004 rekindled the drive to implement camera surveillance in the downtown core. Shane Johnson, age 23, was stabbed in the back by an unknown assailant outside a nightclub on 1<sup>st</sup> St. S.W. Immediately, city alderman Madeline King and Mayor Dave Bronconnier called for the installation of a 24-hour monitoring system downtown (*Calgary Sun*, January 27, 2004. A3). King had also advocated CCTV in the downtown core after Aaron Shoulders, age 18, was killed in August 2003. The sister of Johnson went public a few days after the murder, advocating the implementation of open-street CCTV in downtown Calgary in order to reduce violent events (*Calgary Sun*, February 1, 2004. A7). In Calgary, as with Goldie Ryder in London ON, a single grievance is amplified to legitimize the implementation of a proposed camera surveillance system.

Moralization, riskiness, and fear of crime are the articulations of deeper social anxieties, and any of these can be played up by moral entrepreneurs like FASE, by business entrepreneurs like downtown business improvement associations, by the state and police, by media themselves, and/or some combination thereof. Perceptions of urban space overlap with regulatory agents and agencies so that regulatory interventions can be generated from above, the middle, or below. Instead of conceptualizing power as a force that the state exercises over a subject population, this analysis shows that the subject population itself possesses power and that they often use it in a dynamic way to govern their own communities.

### *Into Every Village, Parish, and Hamlet*

A growing body of literature sees the rise of open-street CCTV as related specifically to responsabilization in the neoliberal city (Coleman, 2005, 2004, 2003). The perception of cities as breeding grounds for deviance often deters investment and global market flows, and it is argued that open-street CCTV implementation occurs as a result of "partnership" methods for revitalization and securitization (Coleman, 2005; Coleman and Sim, 2000, 1998). The following data on open-street CCTV surveillance in Canada begins to problematize the idea that CCTV is a 'big city surveillance tool' for 'big city problems,' suggesting that open-street CCTV is now being adopted in small, rural centres where issues of urban regeneration and city safety are not as predominant (see Norris and Armstrong, 1999; Graham et al. 1995; Graham, 1996 on the diffusion of open-street CCTV into rural areas of the UK).

The town of Antigonish NS, with a population of 4,700 and home to St. Francis Xavier University, is one of the smallest centres to consider open-street CCTV in Canada. On October 20, 2003, City Council voted in favour of installing two video surveillance cameras in the downtown area, with an expected cost of \$10,000 (*Halifax Herald*, October 22, 2003). The cost will come out of the police budget. Two rural communities in Manitoba, Selkirk (pop.

10,000 and Dauphin (pop. 8,000), have indicated their wish to have CCTV cameras installed to deter vandalism. In 2002, the Ontario Office of the Information and Privacy Commissioner (OOIPC) conducted privacy assessments of several open-street CCTV schemes in Ontario. The assessments were conducted to evaluate whether the camera system contravened the *Freedom of Information and Protection of Privacy Act* which was subsequently amended in 2003. The West Nipissing police service operates a camera monitoring program in Sturgeon Falls ON (pop. 5,800). The program commenced in September 2001, and involves three cameras in the downtown core. The Town of Thessalon ON (pop. 1,400) operates a CCTV program that consists of three cameras in the downtown area. In Quebec, the Commission d'Accès à l'Information (CAI) is the office that regulates privacy issues. The CAI investigated the use of open-street CCTV cameras in the small town of Baie-Comeau QC in 2002. The investigation showed that the Baie-Comeau (pop. 23,000) municipality generally observed the minimal rules for camera monitoring set by the CAI<sup>6</sup>.

While it is the case the open-street CCTV is being implemented in smaller centres as a panacea for dealing with crime and fear of crime, larger municipalities are also showing interest in open-street CCTV. Victoria, British Columbia, has examined the possibilities of a 27 camera system in the city's notorious 'red zone'. The 'red zone' is a discursive mechanism used to describe several square blocks in Victoria's downtown core that are imagined as potentially risky and dangerous to the transient tourist population. Medicine Hat AB had preliminary plans to investigate a CCTV system but scrapped the idea after City Council raised questions concerning the affordability and necessity of camera surveillance. Police services in Edmonton AB currently have four cameras located in the Whyte avenue corridor. The system was borne out of a 2003 pilot program that ran for a trial period over the Canada Day weekend and the summer Fringe festival (Work, 2003:1). A disproportional number of calls for service, in addition to public fear stemming from the "notorious Whyte avenue Canada Day riots of 2001" (*The Record*, June 14, 2004. C15), are the circumstances that lend legitimacy to system. The CAI in Quebec is currently investigating an open-street CCTV system in Montreal. Implemented for the purpose of policing drug/gang activity in the downtown, the permanent Montreal installation, which began as a trial, is located along rue de St. Denis. In Winnipeg MB, a system proposed by the Chief of Police in June 2002 was rejected by City Council because of its \$1.2 million dollar price tag.

### *Regulating Open-street CCTV*

In these final sections of the paper I deal with privacy regulation and activist resistance as it pertains to open-street CCTV surveillance in Canada, examining the tension between building privacy in versus protesting surveillance out (Bennett and Grant, 1999:7). The establishment of Federal and Provincial Privacy Commissioners in Canada, whose task it is to regulate information practices according to their respective legislations and jurisdictions, provides an apparatus for protecting the right to privacy. Comprehensive privacy standards are argued to be progressive way to protect communities from over-scrutiny (Bennett and Raab, 2003). Federal

<sup>6</sup> The Baie-Comeau municipality was asked to conform to two requests. First, the town had to re-assess their open-street CCTV schema within six months, in dialogue with CAI *Conseillères*, deciding on whether to maintain the CCTV system or to limit its use to selected periods throughout the year. Second, the CAI stated that the town of Baie -Comeau could not install new cameras until the results of the aforesaid report were made available.

and Provincial privacy apparatuses in Canada have had some success in regulating open-street CCTV schemes in Sherbrooke QC, Yellowknife NWT, and Kelowna BC, yet privacy as a concept has not motivated mass collective action towards resisting CCTV in public places.

Sherbrooke QC was the first city in Canada to implement cameras in their downtown core in 1991. Four cameras surveilled the downtown bar district between 1991 and 1993 for the purposes of curbing delinquent behaviour (Stoddart, 2002). Provincial Information and Privacy Commissioners have enforcement powers over the public sector in their jurisdiction, and in Quebec the Commission d'Accès à l'Information (CAI) regulates privacy issues. The CAI enacted public sector privacy legislation in 1982, called *the Act respecting access to public document and the protection of personal information*. Under this legislation, a report was filed against the Sherbrooke CCTV system in November 1999. The open-street CCTV system was found to collect personal information (called 'nominative information' in Quebec law), contrary to Quebec's public sector privacy legislation (Bennet and Bayley, 2005; Stoddart, 2002). The CAI investigator disagreed with the City of Sherbrooke that the recording of images was necessary to deter crime, and argued that, because the cameras captured and retained televisual data, the CCTV system contravened the Act. The Sherbrooke scheme was then dismantled.

In early May 2001, Centurion Security Services in Yellowknife NWT, mounted four CCTV cameras on the roof of Sutherland Drug Store at the corner of Franklin Avenue and 50<sup>th</sup> Street as part of a marketing demonstration, monitoring the cameras 24 hours a day and notifying police of suspicious activity. Since the CCTV system in Yellowknife was controlled and maintained by a business entrepreneur in separation from police or citizens' initiative, it can be conceptualized as coming from the middle. The televisual data travelled via a live feed to two remote monitors in the security firm's office, but the data was not taped (Bennett and Bayley, 2005). A complaint was filed by Elaine Keenan Bengts, Privacy Commissioner of the Northwest Territories, with then Federal Privacy Commissioner George Radwanski, arguing that the cameras contravened the *Personal Information Protection and Electronic Documents Act (PIPEDA)*. *PIPEDA* is Federal private sector privacy legislation and applied in this case because a commercial company was carrying out the video surveillance in Yellowknife's downtown area. Since *PIPEDA* does not limit the definition of personal information to recorded information, the fact that the video feed was live and not taped was irrelevant. *PIPEDA* requires entities that collect information gain consent before collecting, disseminating or using personal information for any purpose, and that a definite purpose must be defined. The cameras were removed within a week of their activation because of negative publicity, before being deemed illegal on June 15th, 2001. Radwanski concluded that Centurion's camera system violated section 2 of *PIPEDA* because it collected personal information in the form of identifiable physical characteristics. Radwanski also found that Centurion Security Services had collected personal information without consent, in contravention of Principle 4.3 in *PIPEDA*.

In Kelowna BC, camera surveillance is conducted by the Royal Canadian Mounted Police (RCMP), not municipal police. The RCMP is the only police service in Canada that falls under the jurisdiction of the Federal Privacy Commissioner. On June 25, 2001, BC's Information and Privacy Commissioner, David Loukidelis, filed a complaint with the Federal Privacy Commissioner, contending that the camera contravened the Federal *Privacy Act* which applies

to the RCMP (*Canada AM*, October 5, 2001). In the *Privacy Act*, personal information is defined as any information about an identifiable individual that is recorded in any form. Despite Radwanski's ruling that the case violated the *Privacy Act*, Kelowna RCMP continued to operate the camera system and arranged to monitor the cameras and record information only when suspicious activity occurred, which technically put the RCMP in compliance with the definition of personal information in the *Privacy Act*. Radwanski wrote, "I am not satisfied that a continuation of the video-camera surveillance without continuous recording is sufficiently respectful of the privacy rights of Canadians. In my view, only outright removal of the camera would meet that standard" (*Maclean's*, November 19, 2001). Kelowna RCMP planned five additional cameras to be implemented in late 2003.

In response to the Kelowna RCMP defiance, Radwanski sent a letter to the Solicitor General of Canada, requesting that the Solicitor General instruct the Kelowna RCMP to comply with his ruling and remove the camera. On April 5, 2002, the Privacy Commissioner released the legal opinion of former Supreme Court Justice Gerard La Forest on the matter. With reference to section 8 of the *Charter of Rights and Freedoms*, La Forest concluded that:

If I am correct that general video surveillance trenches upon a reasonable expectation of privacy, then it follows almost inexorably that it violates section 8 of the Charter. Any invasion of a reasonable expectation of privacy is by definition a "search". One of the prerequisites for a valid search is that it be authorized by law...there is no statutory authority for such a search. And it is doubtful if general video surveillance is encompassed by any common law search power (*Canada NewsWire*, April 10, 2002).

La Forest also concluded that the Solicitor General of Canada had the authority to regulate the RCMP's usage of open-street CCTV. Radwanski took this opinion to the BC Supreme Court where he launched a constitutional challenge against the Kelowna CCTV system. The Federal government motioned to dismiss the case (*Canada NewsWire*, March 11, 2003), and found that the Federal Privacy Commissioner's jurisdiction was limited to those duties specified in the *Privacy Act*. Several months later, Radwanski was found in contempt of Parliament after a spending calamity, and the Kelowna case was consequently dropped.

The Kelowna case demonstrates that privacy policy does fail in some cases despite multiple and overlapping levels of legislation and administration. Because privacy legislation is primarily aimed at the state or other centralized and centralizing organizations, legislation cannot anticipate and obstruct the implementation of citizen-driven surveillance schemes. The politics of privacy, as currently practiced, fails to acknowledge that the power to regulate the population moves through the population itself and is not simply exercised from above. Privacy law cannot completely guarantee the protection of personal information, and constitutional processes are reactive. Moreover, privacy legislation sets the conditions of possibility necessary for legitimate surveillance proliferation, and in this sense is hegemonic. For such reasons, the right to privacy is thus not always the most sufficient language for challenging open-street CCTV surveillance.

### *Resisting Open-street CCTV*

Based on the data presented to this point, it may appear that the rise of open-street CCTV is inevitable. Stemming from political struggle and shifts in urban governance, however, there are spaces for resisting the rise of open-street CCTV. Though some resistance to open-street CCTV has already occurred in Britain (Davies 1999a, 1999b), these actions have not materialized into widespread collective movements. Brockville ON is an important location to examine when studying open-street CCTV in Canada because it is the only municipality to have ever dissolved an open-street CCTV schema through civic resistance. Open-street CCTV in Brockville dates back to early 1999, when Police Chief Barry King presented a proposal to the city's Community Services Committee. The proposal called for eight cameras, contingent on the police receiving a \$158,000 grant from the province (*Recorder and Times*, January 15, 1999. A6). The objective of the program was to deter crime, vandalism, and rowdiness on King street in downtown Brockville, and had the unanimous support of local businesses. Days before the meeting between Police Chief King and the city, City Councillors and the Mayor were inundated with phone calls from Brockville citizens who were deeply concerned with the implications of implementing camera monitoring in the downtown. The night before the meeting, City Councillor Jason Baker fielded phone calls for two straight hours (*Recorder and Times*, January 28, 1999. A3). Mayor Ben Tekamp took 32 calls at his home. Citizens felt threatened by increasing levels of state surveillance, and their efforts secured a unanimous no vote against the CCTV initiative. Brockville<sup>7</sup> sets a precedent for resisting open-street. These levels of civic protest indicate that many citizens feel open-street CCTV infringes unnecessarily on civil liberties.

Guelph ON is another city that has considered implementing open-street CCTV, for the purposes of "battling hooliganism in the core" (*Guelph Mercury*, September 20, 2003). In 1999 and again in 2003, the Guelph Police Services Board, backed by members of City Council, recommended that Guelph police services introduce open-street CCTV. Based on the results of a 1999 study of open-street CCTV in Britain and the United States conducted by officer Susan Healey, the Police Chief rejected the recommendations both times. Healey's (1999) report had four major findings: that schemes perceived as police-driven are likely to be subjected to considerable public scrutiny and opposition; that the use of CCTV opens the door to a number of legal issues around the potential abuse of tapes and monitoring equipment, particularly with the more advanced pan/tilt/zoom systems; that system start up and maintenance often proves too costly; and that safety issues in the downtown core of Guelph were already addressed through other means. In a 1998 survey, Guelph police found that 83% of citizens agreed that downtown Guelph was a safe and secure place (8). Opposed to the implementation of open-street CCTV,

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<sup>7</sup> In the September 2003, the city of Brockville again considered implementing open-street CCTV in "their ongoing fight against vandalism and loitering" (*Recorder and Times*, September 19, 2003. A1). As part of their zero tolerance policy against crime, the police services hoped to use CCTV to respond to "an escalation in vandalism" at the waterfront parks. The issue of vandalism meshed with fear about youths loitering downtown, who "uttered obscenities" and "swarmed passers-by". Peter Dunn, Brockville's Arts Center administrator, said to reporters that "rowdies" full of "reckless abandon" make King street appear "out of control" and "unsafe" for women and children. The youth insurrection described by Dunn in the local newspaper was exaggerated. Business and moral entrepreneurs employ discursive strategies through the media that create a particular view of youth crime which is biased against all youth and particularly youth of lower socio-economic status. At time of writing, the OOIPC was unaware if the 2003 initiative had become reality in downtown Brockville.

Guelph police services continue to promote joint police-community problem solving in the downtown core. The example of Guelph demonstrates that municipal police services can form policies autonomous from the pressures of other regulatory agents and agencies.

Peterborough ON operates a program that started in the summer of 2001 consisting of three cameras in Millennium Park, two cameras in the local museum, and one camera at the local marina. A coalition of local groups, including the Council of Canadians, the Social Justice Coalition, and the Peterborough NDP has come together behind the Peterborough Coalition Against Poverty under the guise of the Stop the Cameras Coalition (STCC). Stop the Cameras Coalition supporters have been attempting to subvert the six camera initiative through a diversity of tactics, including the circulation of petitions, distribution of posters in downtown Peterborough, and hosting of public debates about camera surveillance. The coalition lists several reasons as to why they resist the implementation of urban CCTV: cameras will not deter crime; cameras are an infringement of basic civil liberties and rights as Canadians; cameras are not supported through democratic consent; maintenance, repair, and monitoring costs are too high for taxpayers; finally, there are better possible alternatives for crime control. The Peterborough example suggests that schemes perceived as being commercially driven or not congruent with public interest will fail in certain circumstances, which does not rule out the actuality that citizens sometimes seek out CCTV as a regulatory strategy for their own communities. The examples of Brockville and Peterborough ON show how local groups resist, however un/successfully, open-street CCTV schemes.

## Conclusion

Webster (1996) has argued that the rise of open-street CCTV in the UK during the 1990s involved various agencies that promoted open-street CCTV for a range of reasons and motivations, and that these motivations go beyond reducing and deterring crime. Similarly, in this article I have argued that regulatory agents and agencies have their own motivations and are not simply activated by central state organizations (e.g. responsabilization). In Canada, the case is something more akin to communities acting on themselves. Open-street CCTV can be generated from any number of social positions, which sometimes overlap in an effort to introduce regulatory projects. Following Fussey (2004), I have critiqued the neo-Marxist and disciplinary society analytical frameworks popular in contemporary studies of open-street CCTV and drawn from governance studies as a corrective. Though open-street CCTV schemes in Canada are often based directly on schemes in the UK, the rise of open-street CCTV in Canada has been different than in the UK in several respects. The Federal government in Canada has not played the central promoting and funding role that the Home Office did in the UK. Open-street schemes have been resisted in several Canadian cities by an active citizenry. Overlapping Federal and Provincial Privacy Commissioners and laws offer more efficient and standardized methods for regulating surveillance practice than the sort of self-regulation common in the UK under the *Data Protection Act* and the *Crime and Disorder Act* (Webster, 2004). Distributors played a more central role in the UK as it relates to the proliferation of open-street CCTV, whereas this does not seem to be the case in Canada. Despite these differences, there is also a significant

relationship between the rise of open-street CCTV in Canada today and the rise of CCTV surveillance in England during the 1990s that deserves more attention in future research.

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