

Petition 1709: Install CCTV cameras and provide full time social work support in all additional support needs schools

International evidence

INTRODUCTION

At its meeting on 22 November 2018, the Public Petitions Committee agreed to “investigate international comparisons” in relation to PE1709. Rachel Hamilton MSP suggested the Committee seek information on “whether CCTV is being used in similar settings in other countries” and “what evidence is there to suggest that the approach works well”. This SPICe briefing provides information in response to that request.

METHOD

In preparing this paper, SPICe contacted a number of academics working in the field of education in both the UK and Australia. In addition, SPICe undertook searches of academic literature and online articles.¹

From this research, few documented examples of CCTV being used in specifically in classrooms in schools supporting children with complex additional support needs were found. The closest examples were in Texas and Georgia in the USA. No evaluations of the efficacy of the schemes against their aims was found.

There were also examples of policy consideration in similar areas in Australia and India. There is evidence of CCTV being used in classrooms in the UK in mainstream settings.

USA

Texas and Georgia have legislated for the provision of CCTV in the classrooms of special educational schools or units for the purpose of protecting the pupils from abuse from staff or classmates.

Texas Senate Bill 507 (2015) introduced the right for any parent, member of staff or administrator to request that CCTV be placed in a special education classroom or other setting. Only one individual is required to request the installation of a camera and the school board must comply; all parents are then informed of the installation. Parents do not have a right to refuse to have their child recorded.²

The cameras must cover the entire classroom room including any attached room used for “timeouts” – these areas should not be locked or blocked. The cameras must also record sound. Toilets and areas where pupils get changed should not be covered by the cameras.

¹ SPICe acknowledges the support and help from: Prof Sheila Riddell, University of Edinburgh, Prof Neville Harris & Dr Gail Davidge, University of Manchester, David Roy, University of Newcastle (Australia), and Prof Andrew Hope, Federation University Australia.

² Texas Association of School Boards (2017), [Update on Video Cameras in Special Education Classrooms](#) [Accessed 3 December 2018]

NPR³ reported that the bill was passed in response to incidents of physical restraint and the use of seclusion with teachers blocking doors to “calm rooms” and, in effect, locking the child inside. NPR quoted Texas State Senator Eddie Lucio Jr., sponsor of the original bill, who said he wanted to “give a voice to someone who could not speak up when they were abused at school.” Sen Lucio also identified another benefit of the law, saying “false accusations will not fall on good teachers”.⁴

In 2016, Georgia legislated for a pilot programme for cameras in special education settings, authorising its department for education to produce guidance for the placement of video monitoring cameras and equipment by a school in classrooms in which students receive special education services.⁵ In this case, school boards could opt in to the scheme, rather than it being mandatory as it can be in Texas. Similar proposals have been debated in Nevada and Missouri.⁶

A paper by Heintzelman and Bathon (2017) examined this policy development. They noted that the law did not allow for constant monitoring of classrooms to evaluate teachers. Rather an individual (e.g. parent/staff/student) can request footage after an incident and this footage may then be used for disciplinary or legal proceedings, if appropriate. The paper noted that the video would be used after an incident and therefore may not prevent mistreatment occurring. However, the footage could be used to remove individuals from the profession; the paper also highlighted the costs of implementation. Heintzelman and Bathon argued that the policy is focussed on prosecution of educators rather than on improving learning and preferred “a true model of prevention would support a culture of learning where students and teachers build rapport with one another with positive behavior supports”.⁷

These legislative developments followed campaigns of parents of children in special educational settings. However, opinions of advocacy groups in the USA are mixed. The National Autism Association is reported to support the policy and has argued that cameras can improve student safety by providing documentary evidence of suspected abuse.⁸ TASH which “advocates for human rights and inclusion for people with significant disabilities and support needs” produced a position statement on the issue in which it outlined a number of objections. These objections included a view that CCTV would create a false sense of security and would increase bias against mainstreaming provision.⁹

A paper for the National School Boards Association’s Council of School Attorneys highlighted practical issues with the policy. It stated—

“Setting aside the philosophical debate over the effectiveness of video surveillance, school districts that have installed cameras in special education classrooms have experienced a host of practical pitfalls and conundrums, ranging from what to do when a camera breaks due to students throwing objects in class to serious legal issues arising when parents request to see the footage of their child.”¹⁰

³ National Public Radio.

⁴ NPR (2015) [Coming To Texas: Special-Ed Cams To Protect Students From Their Own Teachers](#)

⁵ [GA Code § 20-2-324.2 \(2016\)](#)

⁶ Orman S. & Clark S (2018) [Recording Devices in Schools](#) (p 10) [Accessed: 3 Dec 2018]

⁷ HEINTZELMAN, Sara C.; BATHON, Justin M. (2017). [Caught on Camera. International Journal of Education Policy and Leadership](#), [S.l.], v. 12, n. 6, jan. 2018. ISSN 1555-5062. [Accessed: 3 Dec 2018]

⁸ - National Autism Association (2012), [Behind Closed Doors: What’s Happening to Students With Autism in America’s Public Schools?: The case for cameras in self-contained classrooms](#)

⁹ TASH (2015) [Will Cameras in Classrooms Make Schools Safer?](#) [Accessed: 3 Dec 2018]

¹⁰ Orman S. & Clark S (2018) [Recording Devices in Schools](#) (p 11) [Accessed: 3 Dec 2018]

AUSTRALIA

In September 2017, the New South Wales Parliament's education committee published a report on the "[Education of students with a disability or special needs in New South Wales](#)". This report included a section on "Complaints about staff misconduct and allegations of ill-treatment" and received submissions calling for the introduction of CCTV in classrooms¹¹. The Committee did not recommend that CCTV be installed in classrooms.

As is the case elsewhere, views are mixed on the merits of CCTV in schools. Two views of academics working in Australia are outlined below.

David Roy from University of Newcastle (Australia) advocates for CCTV to be used in ASN schools. Professor Andrew Hope of the Federation University Australia has written several academic papers on CCTV in schools. He noted that placing CCTV in schools for the purpose of managing teacher and staff behaviour is rare and he was not aware of any specific examples. He also questioned whether such an approach would achieve its goals "given that it would undermine trust within schools and such cameras could be avoided by perpetrators, simply displacing incidents to locations not covered by these surveillance technologies."¹³

INDIA

In 2018 the New Delhi government agreed to install cameras across the school estate for the protection of pupils. [The Guardian reported](#):

"The plan comes after several high-profile crimes at schools in and around the city, including the alleged rape of a five-year-old girl by a member of staff in September and the murder of a seven-year-old boy at a private school in Gurgaon during the same month."

The CCTV was approved in September this year and will "cover classrooms, corridors, laboratories, libraries, vacant rooms, parking lots and areas outside washrooms."¹⁴ Parents are planned to be able to access real-time footage of classrooms through a mobile phone app.¹⁵

The policy was described by Indian legal academics writing in the Oxford Human Rights Hub as a violation of "the children and teachers' fundamental right to privacy and that to freedom of speech and expression, and have an adverse impact on the development of the children."¹⁶ However, the Delhi High Court rejected a petition to prevent the policy in September 2018 on grounds that the privacy of students would be breached. The Hindustan Times reported that the view of the court was that "there was nothing private being done in the classrooms and hence there was 'no privacy issue'."¹⁷

¹¹ The Sydney Morning Herald (16 July 2018) [School classrooms should be fitted with CCTV to protect children from abuse, inquiry told](#)

¹² Roy D. 2018, personal communication

¹³ Hope A 2018, personal communication

¹⁴ The Hindu Times (19 September 2018) [Cabinet approves CCTV cameras in schools](#)

¹⁵ Hindustan Times (17 January 2018), [Parents to get real-time access of CCTV footage in Delhi school classrooms](#)

¹⁶ Deosthali R. & Thakkar C., (2018) [CCTV Cameras in Classrooms: The Conflict between Security and Privacy](#)

¹⁷ Hindustan Times (14 September 2018) [No stay on CCTV in classrooms, rules Delhi high court](#)

UK

No specific evidence of CCTV being used in classrooms of Additional Support Needs schools or units in the UK was found. However, there is evidence that CCTV is being used in classrooms to manage behaviour and teacher performance. In 2009, the Manchester Evening News identified a number of schools in Salford where CCTV was being used to support performance of teachers.¹⁸ A number of teaching unions have policies against the practice.¹⁹ A 2014 NASUWT survey of its Members across the UK in 2014 found that 8% said that CCTV was present in their classrooms.²⁰

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¹⁸ Manchester Evening News (4 March 2009) [Class CCTV comes under fire](#)

¹⁹ E.g. SSTA and ATL (now part of NEU)

²⁰ The Telegraph (20 April 2018) [Classrooms put under 'permanent surveillance' by CCTV](#)