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Body Worn Video

Body Worn Video has the potential to improve significantly the quality of evidence provided by Police officers in a drive to reduce crime, the fear of crime and increase the proportion of offences brought to justice. It also has the potential to significantly enhance public confidence through more effective and transparent policing.

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1. Strategic Context

Video evidence provides compelling evidence of the activities of suspects and will enable the raw emotion and action from the scene to be replayed in the courts in a manner that could never be captured in a witness statement. This enables the Police Service and the wider Justice sector to deliver faster, fairer justice for victims and offenders. It also has the potential to significantly enhance public confidence through more effective and transparent policing. The use of BWV raises privacy and data protection issues, which PSNI will manage in accordance with the appropriate legal and ethical considerations.

It is important the public have confidence in how we deliver policing services. Treating people fairly and with respect is central to establishing trust with communities. We must also ensure that the most vulnerable in society have the confidence to report crime and are reassured by our response to crimes committed against them.

2. Key Principles

Seven key principles for the overt use of Body Worn Video (BWV) provide the strategic underpinning of service policy. Each principle is supported by these instructions and associated documentation.

Principle 1

The use of body-worn video, by the police, is lawful.

Common law provides the police with the authority to use BWV in the lawful execution of their duties, for the purpose of the prevention and detection of crime.

Principle 2

Data will be processed and managed in line with Code of Practice on the Management of Police Information, APP on Information Management and the principles of the Data Protection Act 1998.

Principle 3

The normal use of body-worn video will be overt.

Principle 4

The operational use of body-worn video must be proportionate, legitimate and necessary.

Principle 5

Use of body worn video will be incident specific. Officers will use common sense and sound judgment when using body-worn video, in support of the principles of best evidence.

Principle 6

Body-worn video does not replace conventional forms of evidence gathering (such as written statements and Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE) interviews), it supports them.

Principle 7

Police will consult locally with their communities on the use of body-worn video.

- Increasing early guilty pleas and delivering better, swifter justice outcomes.
- Reducing challenges to police evidence in court.
- Easing dependence on victim evidence particularly those who are vulnerable or reluctant to attend court.
- Decreasing events of public disorder and ASB by modifying behaviours.
- Reducing the number of malicious complaints, and lead to faster resolution of complaints.
- Enhancing service effectiveness and professional development of officers.

3. Aim

The aim and objective is for BWV to support Policing by:

- Improving opportunities for capturing best evidence
- Upholding Public confidence

4. Privacy Impact

The police service understands that the use of BWV technology will have an impact upon the privacy of individuals from crime victims, witnesses and suspects extending to officers and the public, consequently the service has completed and published a Privacy Impact Assessment (PIA).

This PIA document has been developed to examine the risks and document mitigation processes, procedures and measures that will ensure proportional, legitimate and consistent use of BWV technology in the

delivery of policing services to the community.

5. Scope

This instruction explains the approach to the use of BWV technology and is aimed at all officers and staff within the service, and to help inform the broader community of the strategic aims of the use of BWV cameras.

BWV users, their supervisors and managers are expected to comply with this instruction, the service System Operating Procedures (SyOps) and BWV training.

6. When to use Body Worn Video

BWV can be used to gather evidence across a wide range of operational situations.

- Domestic abuse incidents should be recorded
- Stop and Search encounters should be recorded

Some other (non exhaustive) examples where BWV could be used include:

- Public order
- Premises and crime scene searching
- Scene attendance
- Witness first accounts
- During arrest

7. Diversity

The use of BWV will be applied fairly to all members of the community. Cognisance needs to be taken when using BWV that this is not discriminatory or disproportionate to a particular group.

8. Transparency and Integrity

All Police officers and certain designated staff are subject to Public complaints about their conduct under the Police (Northern Ireland) Act 1998 and associated legislation. All officers have a duty to secure and preserve evidence of complaints against Police.

Although BWV evidence is chiefly obtained in regard to criminal proceedings any

recordings are also evidence in relation to complaints against officers and staff, protecting legitimate police action, and must be secured at the earliest opportunity.

9. Complaints about the use of BWV

All complaints against police about the operational use of BWV cameras for police purposes must be dealt with according to Service Instructions relating to the recording and forwarding of complaints as set out in SI 05/17 'Handling Public Complaints & the Role of the Police Ombudsman'.

10. General Use Procedures

Only officers trained in BWV may use a camera.

Officers who have been trained in the use of BWV will book out a BWV camera at the start of their duty period. The officer will comply with the system operational procedures, and training instructions. The device will be fixed to the officer's uniform

and if an officer is plain clothes, (for example a detective) the camera will be visible.

During the course of their patrol, the device will remain in a passive state and is not recording. In order to actuate, the officer will intentionally activate the camera and where possible, make a verbal announcement to indicate that recording has started. This announcement should be present on the recording and if possible, should include:

- The date, time and location;
- The nature of the incident to which the user is deployed; and
- Confirmation to those present that the incident is now being recorded using both video and audio.
- Officers will also be wearing a badge to visually present the above information.

If the recording has commenced prior to their arrival at the scene of an incident the officer should, as soon as is possible, announce to those persons present that recording is taking place and that their actions and sounds are being recorded.

At the end of an incident, the camera is switched off and the recorded information is stored. Unless specific circumstances

dictate otherwise, recording must continue uninterrupted from the moment it starts until the end of the incident or the recommencement of normal patrol. Any recording is also likely to continue for a short period after the incident to clearly establish to any ensuing viewer that the incident had ended.

At the end of period of duty, the officer returns the camera to a docking station. Once the camera is docked the original video footage cannot be deleted or altered. The officer can then identify the elements of any recorded data that is to be retained to assist in an investigation, and exhibit correctly as evidential. All BWV exhibits must be disclosed in any subsequent prosecution case.

All other material will be automatically deleted after 31 days unless it is used for one of the purposes identified in Section 11. Access to BWV footage will be controlled and only persons having an operational need to view may view do so.

11. Information Management and Public Access

Controlled access to BWV footage is offered to other officers and staff within the

service under certain circumstances for media, standards and discipline purposes and with appropriate redaction to protect privacy to include:

- Supervisors & line management;
- Trainers;
- Officers responsible for quality and performance monitoring;
- Discipline and Professional Standards Branches; and
- Media officers

Footage may be shared with other trusted partners if there is a legal basis to do so and (a) It is proportionate and necessary for policing purposes (see MoPI definition) and (b) the other partner is a signatory to an authorised information sharing agreement (ISA)/protocol between them and the PSNI. The existence of an ISA/protocol sets the conditions whereby any sharing of BWV data/footage is done legally, securely and accountably.

All data recorded and downloaded will be retained by police on government accredited secure servers.

Any data required to support an on-going investigation or prosecution will be retained as 'satisfying' a legitimate policing purpose, and be processed under:

- Service Information Management Policy
- Home office/NCPE (2005) Code of Practice Management of Police Information guidance (MoPI)
- College of Policing (2013) APP on Information Management
- Criminal Procedures Investigations Act 1996 (CPI)

Public access to BWV recordings, the Data Protection Act 1998 gives persons the right to find out what information is held about them on computer and some paper records. This legal right is known as, the right of subject access.

If a person wishes to make a request for personal data, i.e. BWV recording under the Data Protection Act 1998 they must do so in writing or by completing the PSNI subject access form (DAT1).

Appendix A Other Related Instructions, Policies and Information

- National guidance on the use of Body Worn video
- Police Service System Operating Procedure (SyOps)
- Privacy Impact Assessment
- Camera Booking And Basic Operation – Quick guide
- Using The Video Manager Application – Quick guide
- Exporting And Downloading Incidents In Video Manager
- Using Body Worn Video On Duty – Quick guide
- Duplicating an Exhibit for the purpose of Clipping or Redaction - A Step by Step Guide
- Service Instruction 05/17 – Public complaints and the role of the Police Ombudsman.
- Body Worn Video Training – Full Course Material
- Health and Safety risk assessment

Appendix B Contact Us

Service Instruction Author

[REDACTED]

s.F40(2)(a)

Branch Email

[REDACTED]

s.F40(2)(a)