

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2020-02434

Keyword: Organisational Information/Governance

Subject: Body-worn video guidance for officers

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act We can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken to disclose the following.

Request 1

The guidance for officers on circumstances when body-worn video must be used.

Answer

The following information has been taken directly from the Police Service of Northern Ireland operational guidance dated 17/02/20, titled PSNI guidance on usage of body worn video (BWV), page 5 when to use BWV.

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

- Domestic abuse incidents **should** be recorded
- Following a direction By ACC Todd, Stop and Search encounters **must** be recorded

Any Stop and Search encounters without a recording will require a reasoned explanation why this is so, which will need to be agreed by a supervisor

- Spit and Bite Guards have been solely issued for the policing response to the COVID-19 pandemic. Following direction from T/ACC Mairs, Body Worn Video **MUST** be used when applying Spit and Bite Guards outside the custody suite.

Any encounters without a recording will require a reasoned explanation why this is so, which will need to be agreed by a supervisor.

Whilst it is a matter of individual officer discretion regards when BWV might be used, there is an *expectation* the officer will use BWV to record (unless there are legal or operational reasons not to do so) in cases involving:

- Public order
- Traffic offences
- Arrests
- Searching premises/land/vehicles
- Critical incidents
- Use of force against persons or property
- Giving a direction to an individual or group under any statutory power

In addition an officer *should* also consider using BWV where:

- (a) It may assist in providing a record of evidence in respect of the investigation of any offence or suspected offence
- (b) It would be beneficial to provide transparency of an encounter
- (c) The user would have been expected or required to have completed a written record or report of an encounter or incident
- (d) A recording may be of evidential value in the future and to make a recording is proportionate and lawful in the circumstances.

Please also find attached for your records a previous freedom of information response and a PSNI service instruction document titled *body worn video* that was issued in relation to FOI-2018-01062.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Corporate Information Branch, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

