



FREEDOM OF INFORMATION REQUEST



Request Number: F-2022-02333

Keyword: Policing Themes, Operations and Investigations Investigations and Operations

Subject: Use OF CCTV In Investigations

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

PSNI response to F-2016-00654 includes a copy of 'The Use of Close Circuit Television in Criminal Investigations.' Is this still the extant policy on use of CCTV in investigations?

Answer

College of Policing, Authorised Professional Practice (APP) is the official source of professional practice for policing. Under the heading, *Passive Data Generators, guidance on utilising CCTV* is set out in detail. The document; '*Practical Advice on The Use of CCTV in Criminal Investigations*' can be accessed via a hyperlink from APP and is signposted as one source of further information, a summary of legal and policy frameworks as they apply to CCTV. As such, the document referenced is relevant but it should be noted that it was published over 10 years ago whereas College of Policing APP content is reviewed much more regularly. All material referenced in this paragraph can be retrieved via an open source internet search; *College of Policing APP, Passive Data Generators, CCTV*.

Request 2

In section 2 on initial assessment of CCTV the policy states: "before seizing any CCTV equipment or footage investigating police must conduct an initial assessment of the data to establish is there is, or is likely to be, any evidence contained on it". Does this mean where there is no reason to believe there is or likely to be evidence that particular CCTV equipment or footage should not be sought? What is meant by 'likely'?

Answer

This excerpt of the document clearly relates to the question of seizing CCTV footage. The subsequent question posed by the requestor relates to the seeking of CCTV footage, seeking and seizure are two separate investigative actions. In answer to the questions;

Question - Does this mean where there is no reason to believe there is or likely to be evidence that particular CCTV equipment or footage should not be sought?

Response - Please see *College of Policing APP, Passive Data Generators, CCTV*, please see sections entitled *Immediate Benefits and Outcomes* – these sections set out clearly why CCTV footage should be sought.

Question - What is meant by 'likely' ?

Response - In context of the bespoke setting of investigative objectives, CCTV parameters are agreed. See *College of Policing APP, Passive Data Generators, CCTV*, sections entitled; *Prioritising Trawls and Factors to Consider* – these sections help the investigator devise said CCTV objectives and parameters and provide examples of locations thought to be most productive. The examples themselves demonstrate what's meant by likely.

Request 3

Is there a review process to determine whether this assessment has been adequately complied with?

Answer

CCTV investigative Objectives and Parameters remain fluid and should be reviewed periodically for effectiveness. See *College of Policing APP, Passive Data Generators, CCTV*, section *Changing Parameters*.

Request 4

Is the assessment used as the basis for access to footage in the third party request under GDPR regulations?

Answer

The answer to Request 2 above applies.

Request 5

Is there a policy and/or procedure governing the use of CCTV in investigations where the cameras are directly operated by PSNI (particularly if it is public facing) and also CCTV operated by other public authorities e.g. local government.

Answer

With regard to CCTV directly operated by PSNI the same principles apply as outlined in responses above although written approval must be given by a sergeant or above prior to the data being accessed by an investigating officer.

With regard to other public bodies the same principles outlined in responses 1-4 would also apply.

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 Corporate Information Manager, Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.police.uk.

If, following an Internal Review carried out by an independent decision maker, you remain unhappy about how your request has been handled you have the right to apply in writing to the Information Commissioner, under Section 50 of the Freedom of Information Act, at 'Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. There are a number of other platforms you can use to contact the ICO and these can be found on the ICO's website at the

following link: [Make a complaint | ICO](https://ico.org.uk/make-a-complaint/) (<https://ico.org.uk/make-a-complaint/>).

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 their 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.