

SI0123

Use of Personal Mobile Devices on Duty

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This Service Instruction is intended to provide direction regarding the use of personal mobile devices on duty, either in the workplace or when agile working.

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1. Introduction

This Service Instruction is intended to provide direction regarding the use of personal mobile devices on duty, either in the workplace or when agile working.

2. Purpose

This Service Instruction provides direction in relation to what constitutes unacceptable or inappropriate use of personal mobile devices on duty. It is intended to protect the wellbeing of Police Officers and Police Staff, while ensuring the highest standards of professionalism and performance are achieved in the course of their duty.

This Service Instruction applies to all Police Officers and all Police Staff.

Any breaches of this Service Instruction may result in misconduct / disciplinary proceedings under [The Police \(Conduct\) Regulations \(Northern Ireland\) 2016](#) or Police Staff Handbook.

The directions contained in this Service Instruction relate to the use of personal mobile devices on duty. Information in relation to the use of Police Service of

Northern Ireland (PSNI) mobile devices is contained in [Service Instructions](#) 05/16, Information Security and 10/17, Social Media.

3. Health and Safety

Considerations

The Chief Constable has a statutory requirement under the [Health & Safety at Work \(Northern Ireland\) Order 1978](#) for securing the health, safety and welfare of persons at work and for protecting others against risks to health or safety in connection with police activity.

In order to achieve this, it is necessary for the Chief Constable to issue Service Instructions to provide advice and direction in relation to safe working practices. This Service Instruction identifies risks (potential officer safety implications) caused by officers using their personal mobile device or its associated applications. It is therefore the duty of the Chief Constable to consider reasonable measures to protect the public and police employees.

4. Equality and Human Rights Considerations

The [Human Rights Act 1998](#) requires the PSNI, as a public authority, to act in a way that is compatible with the [Articles](#) of the European Convention on Human Rights. However, the PSNI can legitimately interfere with a right conferred in an Article if there is a legal basis and it is deemed necessary and proportionate. It is recognised that limitations placed on the use of personal mobile devices may have the potential to impact on the following Articles:

- [Article 8](#) – Right to Respect for Private and Family Life;
- [Article 10](#) – Freedom of Expression;
- [Protocol 1, Article 1](#) – Protection of Property.

In addition to the Health and Safety considerations described at Section 3, the [Police \(Northern Ireland\) Act 2000](#) states that it is the duty of a constable:

- To protect life and property;
- To preserve order;
- To prevent the commission of offences;

- Where an offence has been committed, to take measures to bring the offender to justice.

This requires Police Officers on duty to be alert, observant and capable of being a professional witness at all times.

Therefore, in terms of the provisions of the [Health & Safety at Work \(Northern Ireland\) Order 1978](#) and the [Police \(Northern Ireland\) Act 2000](#); this instruction is assessed as having a legal basis for both Police Officers and Staff and is necessary and proportionate for the intended outcomes described in [Section 2](#).

5. Definitions

Personal Mobile Device

For the purposes of this Service Instruction, a personal mobile device includes all;

- 'Smartphones',
- Tablets,
- Watches; or
- Any other electronic device capable of communicating with another electronic device by means of speech, text, instant

messaging, email, Bluetooth and so forth.

Use of Personal Mobile Device

Using a personal mobile device includes accessing the device for the purposes of utilising any of its functions. This includes accessing the internet and any internet based application.

Multimedia

Multimedia refers to the integration of multiple forms of media including but not limited to text, graphics, audio and video.

6. Possession of personal Mobile Device on Duty

Police Officers and Police Staff are permitted to retain their personal mobile devices on duty where the role permits.

Many personal mobile devices contain Location Services or similar Global Positioning System (GPS) software which enable the location of the device, and therefore the individual, to be identified.

It is recommended that Police Officers and Police Staff, who choose to retain

possession of their personal mobile device on duty, disable all Location Services and GPS functions. These services can be activated, if required, for essential tasks such as assisting members of the public, as described in [Section 7](#).

It is recognised that most personal mobile devices will contain personal data, of some sort, including pictures, messages, numbers, locations etc. Police Officers and Police Staff should be cognisant of the associated personal and organisational risks resulting from the loss of their personal mobile device, in addition to the personal impact on them. Police Officers and Police Staff who choose to retain possession of their personal mobile device on duty increase the risks associated with such a loss.

The PSNI will not be liable for any damage to or loss of a personal mobile device resulting from a Police Officer or Police Staff member choosing to keep their personal mobile device with them on duty.

Police Officers and Police Staff must not provide their personal mobile number in the course of their duties and in furtherance of any investigation or complaint, or for any

other reason, to any victim, witness or any other person who they interact with.

If a contact number is required to be provided, the Officer must either provide the number of the office where they are stationed, the number of their PSNI issue mobile device or the PSNI Non-Emergency Number 101.

7. Use of Personal Mobile Device whilst on Duty

Call Function

Police Officers and Police Staff must not use personal mobile devices to make any calls or texts in furtherance of PSNI enquiries or business. Furthermore, personal mobile numbers should not be given to victims, witnesses, partners or other interested parties.

If it is necessary to contact victims, witnesses or partners, Police Officers and Police Staff must utilise their PSNI issue mobile device, the telephone function on their PSNI radio handset, or use a PSNI landline.

It is acknowledged that Police Officers and Police Staff may require to use their personal mobile devices to speak to colleagues and supervisors during the course of their duties.

Callers should be aware of bystanders and wherever possible, these calls should be made in a secure environment. Any calls or multimedia messages that relate to a police investigation **must** be logged and referred to in accordance with disclosure requirements of the [Criminal Procedures and Investigation Act 1996](#).

Police Officers and Police Staff must refrain from routinely using personal mobile devices for personal calls on duty. The exception is during refreshment breaks in a secure environment.

It is accepted that there will be occasions where it is deemed essential for a Police Officer or Police Staff member to make or receive a personal call; e.g. in emergencies, for welfare reasons or for specific caring responsibilities. Under such circumstances officers must be cognisant of the impression that they are giving to members of the public, partners, stakeholders and colleagues.

Essential personal calls must be limited in length so as not to impact upon the performance of duty or compromise the safety of fellow colleagues or members of the public.

Engagement in multiple or extended conversations on duty has the potential to compromise the safety of the individual, colleagues and the public. This is liable to interfere with the performance of the individual and is prohibited.

The onus will be on the individual to justify their use of a mobile phone on duty. If in doubt, clarification should be sought from a line manager. Some examples are provided at the rear of the service instruction. See [Appendix A](#) which has been added to aid your understanding of when it may be acceptable to use a personal mobile device while on duty.

Any individual who requires to make an essential personal call and who is not in possession of a personal mobile device or PSNI issue mobile device, may utilise their PSNI radio handset to do so.

Personal mobile devices should be set to silent or vibrate in order to minimise any disruption to duties.

Internet Based Applications

Police Officers and Police Staff should not access any internet based application on duty; with the exception of during refreshment breaks in a secure environment or in the case of exceptional circumstances, such as a family emergency. The applications that should not be accessed may include:

- Auction or selling sites;
- Dating Sites;
- Gambling sites;
- Personal Banking;
- Personal Email accounts;
- Social Networking and Media Sites.

Police Officers and Police Staff are, however, permitted to access applications, at any time, that would assist them in the course of their duties and which are unlikely to compromise their safety. Such applications may include:

- Satellite Navigation applications;

- News based applications for the purpose of staying apprised of local and national developments and current affairs;
- Learning and development based materials or legislation that officers require urgent access to.

In such circumstances, Officers and Staff should seek to utilise a police issue device for this purpose before using their personal device. If regular access to the required applications is not available through a police issue device, Officers should raise a request via Information and Communication Services (ICS) to be issued with a suitable device for this purpose.

Although Police Officers and Police Staff may access applications during a refreshment break, they must not, at any time (whether on or off duty), post comments on any social media site in relation to their duties or details of any incident that they have attended or have knowledge of.

Any PSNI Police Officer or Police Staff who discloses operational information

intentionally or carelessly may be liable to criminal charges under the terms of the [Data Protection Act 2018](#), [Official Secrets Act 1989](#) and /or subject to [The Police \(Conduct\) Regulations \(Northern Ireland\) 2016](#) or [Northern Ireland Civil Service Handbook](#).

Photographs, Images and Multimedia

Under no circumstances should Police Officers or Police Staff use personal mobile devices to capture images (still, moving or otherwise), or audio of any PSNI information or communication system or in any police premises or vehicles.

The photography of colleagues on duty should be carefully considered. Images should not be posted online without the prior written consent of all parties due to security and safety considerations.

Police Officers and Police Staff **should not, unless in exceptional circumstances**, use personal mobile devices on duty to take photographs or other recordings for evidential purposes. Exceptional circumstances would include those where a delay would result in the

loss of significant evidence. In such circumstances, the authority of a supervisor should be sought, where operationally possible, prior to any use. Such use will be subject to scrutiny and a rationale regarding the decision making process may be requested. Police Officers and Police Staff should be aware that such actions could potentially result in their personal mobile device entering the evidential chain and being seized as an exhibit for use at any future court proceedings.

When a Police Officer or Police Staff member uses their personal mobile device to take photographs or other recordings, for evidential purposes, then their personal mobile device and the evidence obtained will be treated in accordance with current seizure and retention guidelines¹.

Attendance at Searches & Calls for Service

It is technically possible that during attendance at a call for service or search, data relating to a mobile device may be captured by an internet router or by scanners.

A further risk exists through the use of social media applications with location services enabled. Such use, on duty, may expose social media profiles to third parties, as suggested friends, duty to proximity in an area or to an individual.

To avoid this information being captured, it is best practice to ensure that personal mobile devices are switched off.

8. Supervisors

This Service Instruction does not confer any powers on supervisors to inspect or examine any officer's personal mobile phone in an attempt to ascertain compliance with this Service Instruction.

While everyone in policing is responsible for challenging any inappropriate behaviour, including the inappropriate use of a personal mobile device, there is a specific responsibility placed upon supervisors to promote the standards set out within this Service Instruction.

¹ Service Instruction 24/17, Property.

9. Legislation & Guidance

Legislation & Guidance
Police (Northern Ireland) Act 2000
Data Protection Act 2018
Human Rights Act 1998
Health & Safety at Work (Northern Ireland) Order 1978
The Police (Conduct) Regulations (Northern Ireland) 2016
Criminal Procedures and Investigation Act 1996
The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000
Information Security Standards Remote Working with PSNI assets
Information Security Standards Internet Usage
Official Secrets Act 1989
Police Staff handbook

[European Convention on Human Rights- Articles](#)

[Health & Safety at Work \(Northern Ireland\) Order 1978](#)

Appendix A Case Studies

Case Studies

Scenario 1

The next of kin of a neighbourhood officer is currently undergoing acute treatment in a hospital. The medical team who are treating the next of kin may require immediate contact with the officer to consult on immediate essential treatment.

The Officer is permitted to use a personal mobile device on duty for remaining in contact with the medical team.

Rationale

The Officer's actions are permitted under Paragraph 7 of the Service Instruction as a call to or from the medical team is for a welfare reason and may be an emergency.

Scenario 2

A detective is currently undergoing treatment for a serious illness and is awaiting examination results from a hospital.

The Officer is permitted to take and use a personal mobile device on duty for the purpose of contact with the hospital to receive the examination results.

Rationale

The Officer's actions are permitted under Paragraph 7 of the Service Instruction as a call to or from the hospital is essential, under exceptional circumstances and would be limited in length.

Scenario 3

A member of Police Staff wishes to use a personal mobile device to update and view a social media platform, on duty and in the office.

The member is not permitted to use a personal mobile device for this purpose.

Rationale

The member's actions are not permitted under Paragraph 7 of the Service Instruction as Police Officers and Police Staff should not access any internet based application on duty with the exception of during refreshment breaks within a secure environment or in the case of exceptional circumstances such as a family emergency.

Scenario 4

A Police Officer has placed a dash-cam in their vehicle that records all images while the vehicle is moving and stationary. The Officer wishes to keep the dash-cam active in the Police estate to record any incident of accidental damage that may occur.

The Police Officer is not permitted to use the dash-cam in their vehicle in the Police estate.

Rationale

The Officer's actions are not permitted under Paragraph 7 of the Service Instruction. The capture of images in PSNI premises is forbidden.

Scenario 5

A Police Officer is finishing a shift before going on a period of annual leave.

The Officer, not certain about their duties on their return from leave, wishes to take a photograph of their duties on the Options duty rostering system.

The Police Officer is not permitted to use any device for this purpose.

Rationale

The Officer's actions are not permitted under Paragraph 7 of the Service Instruction which states that under no circumstances should a police officer or member of Police Staff use a personal mobile device to capture images of any PSNI information system.

Scenario 6

A Police Officer wishes to place a call to their child-minder to check on the welfare of their child.

The member is permitted to use a personal mobile device for this purpose.

Rationale

The Officer's actions are permitted under Paragraph 7 of the Service Instruction. The call to the child-minder should be limited in length to avoid impact on the performance of duty or compromise the safety of fellow colleagues or members of the public.

Appendix B Contact Us

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