

BIG BROTHER WATCH

Smile you're on body worn camera

Part II - Police

The use of body worn cameras by UK police forces

A Big Brother Watch Report

August 2017

Contents

Executive Summary.....	3
Key Findings	4
Tables	5
Chapter 1: Have body worn cameras been proven to be effective?	7
Chapter 2: Has footage from body worn cameras been effective as evidence in court or in securing early guilty pleas?	9
Chapter 3: When are body worn cameras switched on?.....	10
Chapter 4: Data protection and security of footage.....	12
Chapter 5: Oversight	13
Conclusion.....	15
Recommendations	16
Appendix 1: Technical Specifications.....	17
Appendix 2: Full Police Force Breakdown.....	18
Appendix 3: Methodology	25
Appendix 4: Original FOI Request	26
About Big Brother Watch.....	27

Executive Summary

Smile you're on Body Worn Camera Part II - Police reveals for the first time the investment police in the UK have made in equipping frontline officers with body worn cameras.

Since 2010 the police, Crown Prosecution Service (CPS) and politicians have enthusiastically promoted the roll out of body worn cameras.

The public have been told the technology is a critical tool in reducing violence against officers, improving transparency in police/public relations, assisting the police with the number of guilty pleas they obtain and will play an essential role in speeding up justice by being used as evidence in court.

Off the back of such enthusiasm we felt it necessary to investigate how many police forces had invested in the technology, how many cameras were being used by frontline staff and if the benefits lived up to the promises promulgated by the various groups.

Responses to our Freedom of Information request reveals that 71% have adopted the technology, with a total spend of £22,703,235 on 47,922 body worn cameras. This is a huge increase from 2010 when the police told us in response to a Freedom of Information request that they had spent £2.2million on 2,843 cameras.¹

With such an increase in investment it would be logical to assume that the police had determined conclusively that the technology was indispensable and worthy of such substantial spending, and that the Crown Prosecution Service (CPS) could show the extent to which footage from body worn cameras has benefitted conviction rates.

However, this is not the case. Neither the police nor CPS could provide us with data relating to the use of footage in criminal proceedings. This makes it impossible to verify the promise of improved convictions based on the use of the technology.

Furthermore, publicly available findings from the police regarding the outcome of the trials of the technology reveal inconclusive proof of the benefits to frontline policing and the public, and ongoing concerns with the technology itself. Meanwhile, academic research shows that the way the cameras are deployed can impact the safety and security of the police and public alike.

If the plan for future policing is to provide every frontline officer with a body worn camera, proof of purpose is vital. Our findings reveal that such proof is far from conclusive.

In light of our findings we make three policy recommendations:

- 1. Data must be collated and published to show how often body worn camera footage is used as evidence during court proceedings and in obtaining early guilty pleas.**
- 2. Forces must publish regular transparency reports to show how body worn cameras are being used in day to day policing.**
- 3. Forces should ensure that all body worn cameras deployed show clearly when the citizen is being filmed. Protection of data when at rest or in transit must be standard.**

¹ Figures obtained under FOI by Big Brother Watch in 2010.

Key Findings

Based on responses from 45 police forces²

- **47,922** body worn cameras have been purchased by UK police forces.
- **32 Forces (71%)** use body worn cameras.
- **4 Forces (9%)** were in the process of beginning trials or were planning on rolling out body worn cameras for the first time.
- **6 forces (12%)** do not use body worn cameras and do not have any trials or roll outs planned.
- In total **£22,703,235** has been spent on body worn cameras.
- **Neither the CPS nor the police** told us how often footage has been used in court proceedings.
- **19** forces use body worn cameras made by **Reveal**.
- **Axon** (formerly trading as Taser International), supply **26,935** cameras to forces, including the **three largest police forces in England** the Metropolitan Police, Greater Manchester Police and West Midlands Police.
- **3 forces** provided us with information relating to trials of body worn cameras which had been undertaken.

² We received data from 42 forces. 3 forces failed to provide us with information (two forces refused to disclose any information. One force failed to provide us with sufficient information.)

Tables

Table 1: Police forces with the largest number of body worn cameras

No.	Police Force	Number of Cameras
1	Metropolitan Police	22,000
2	Greater Manchester Police	3148
3	Hampshire Constabulary	2800
4	Police Service of Northern Ireland	2100
5	West Midlands Police	1617
6	Bedfordshire Police	1412
7	Leicestershire Police	1400
8	Derbyshire Constabulary	1354
9	Hertfordshire Constabulary	1298
10	Northamptonshire Police	1271

Table 2: Highest spending police forces

No.	Police Force	Total Spend
1	Metropolitan Police	£15,500,000.00
2	Leicestershire Police	£765,000.00
3	Police Service of Northern Ireland	£730,000.00
4	Northamptonshire Police	£682,000.00
5	Bedfordshire Police	£668,525.52
6	Hertfordshire Constabulary	£614,000.00
7	Surrey Police	£600,000.00
8	West Midlands Police	£565,426.00
9	Sussex Police	£496,000.00
10	Cambridgeshire Constabulary	£442,370.65

Table 3: Largest Suppliers

No.	Manufacturer	No. of forces supplied
1	Reveal	19
2	Axon	4
3	Edesix	2
	Pinnacle	2
4	B-Cam	1
	Veho	1
	Viewu	1

Table 3 Largest Supply of Body Worn Cameras³

No.	Manufacturer	No. of body worn cameras supplied
1	Axon	26,935
2	Reveal	14,363
3	Edesix	2,100
4	Veho	1,100
5	Pinnacle	350

³ Merseyside Police is supplied by both Viewu and Edesix but no breakdown between the suppliers was provided therefore the figures haven't been included in this table.

Chapter 1: Have body worn cameras been proven to be effective?

Supporters and enthusiasts of body worn cameras say the technology will improve and enhance transparency in frontline policing, reduce the length of time it takes to prosecute criminals, and offer greater protection from inappropriate or violent behaviour for both police officers and members of the public.

Senior police figures across the UK have publicly supported the roll out of the technology.

Ron Hogg, Police and Crime Commissioner for Durham Constabulary, said in 2014 *“The effective use of these cameras will promote public reassurance, capture best evidence, prevent harm and deter people from committing crime and anti-social behaviour.”*⁴

Whilst Andy Marsh, Chief Constable of Avon and Somerset Constabulary and the National Police Lead for Body Worn Cameras, argued in the summer of 2016 that *“When an officer wears a camera, the evidence captured is often much higher quality. I have seen earlier admissions and quicker pleas, together with better informed sentences and sanctions from courts.”*⁵

But has research into the use of body worn cameras proven these assertions to be accurate?

In 2016 the Metropolitan Police began what they described as *“the largest rollout of body worn cameras by police anywhere in the world.”*⁶ Before the roll out was approved, the Metropolitan Police, alongside the London Mayor’s Office for Policing and Crime and the College of Policing undertook a Home Office funded trial of body worn cameras. The trial covered the use of 500 cameras by 814 officers.

The findings of the trial⁷ showed the technology had little-to-no impact on several elements of police work. The report revealed:

- *“no overall impact”* on the *“number or type of stop and searches”* conducted;
- *“no effect”* on the proportion of arrests for violent crime; and
- *“no evidence”* that the cameras changed the way officers dealt with either victims or suspects.

Whilst the report identified a reduction in allegations from the public against officers when they wore the cameras, it was noted that figures *“did not reach statistical significance”*⁸ and merely matched the overall downward trend in complaints the police were experiencing irrespective of the use of the technology.

Despite the trial failing to provide a mandate, the Metropolitan Police proceeded to spend over £15,000,000 on 22,000 cameras – which were rolled out within the year. The rollout was greeted

⁴ Durham Constabulary, *Force rolls out hundreds more bodycams*, 5th June 2014: <https://www.durham.police.uk/news-and-events/Pages/News%20Articles/Force-rolls-out-hundreds-more-bodycams.aspx>

⁵ Avon & Somerset Police & Crime Commissioner, *Body Worn Video Cameras Set To Launch In Avon and Somerset*, 18th July 2016: <http://www.avonandsomerset-pcc.gov.uk/News-and-Events/News-Archive/2016/July/Body-worn-video-cameras-set-to-launch-in-Avon-and-Somerset.aspx>

⁶ Metropolitan Police Service, *Rollout of body worn cameras*, 17th October 2016: <http://news.met.police.uk/news/rollout-of-body-worn-cameras-191380>

⁷ L Grossmith, C Owen, W Finn, D Mann, T Davies, L Baika, *Police, Camera, Evidence: London’s cluster randomised controlled trial of Body Worn Video*, November 2015, p. 13:

https://www.london.gov.uk/sites/default/files/bwv_report_nov_2015.pdf

⁸ *ibid*

enthusiastically by the then Commissioner of the Metropolitan Police, Sir Bernard Hogan-Howe, who said their use “*speeds up justice, puts offenders behind bars more quickly and most importantly protects potential victims.*”⁹This was said in spite of the findings of the trial which had failed to conclusively prove the assertions to accurately be the case.

Like the Metropolitan Police, other forces around the country have also undertaken trials and published the findings before formally rolling out the cameras. We were sent three trial reports and sought out others published online.

Many of the trials expressed similar concerns to the Met:

Paisley and Aberdeen Police stated that: “*It is hard to demonstrate the extent of any reduction in assaults on officers as a result of the use of BWV [body worn video] cameras*” and that “*It has not been possible to provide evidence on whether the number of complaints against the police falls when BWV is used.*”¹⁰

North Wales police reported that they had had “*no increase in detection rates*” and that “*the current effect of BWV on complaint volumes appears to be very marginal.*”¹¹

Aberdeen and Renfrewshire police found that it had been “*difficult to show a causal relationship between the use of BWV cameras and changes in crime.*”¹²

Durham Constabulary suggested that it “*is unlikely any impact could actually be attributed to Body Cameras*”¹³ in regards to a reduction in overall crime figures.

Just like the Metropolitan Police all these forces failed to conduct further trials, choosing instead to invest vast sums of money into a technology which was never conclusively proven to be of any real value.

Whenever technology is to be used in policing or for public safety, trials are critical. When results are inconclusive, the answer should be more testing not a roll-out of the technology regardless.

Whilst the police were conducting their practical trials, academics focused on researching the claims that body worn cameras improve safety and reduce complaints of the police.

In 2014 a team of academic researchers at Cambridge University’s Institute of Criminology, in conjunction with the Rialto Police Department in California, USA published the report *The Effect of Police Body-Worn Cameras on Use of Force and Citizens’ Complaints against the Police: A Randomized Control Trial.*¹⁴

⁹ Metropolitan Police Service, *Rollout of body worn cameras*, 17th October 2016: <http://news.met.police.uk/news/rollout-of-body-worn-cameras-191380>

¹⁰ Flexible Research Contract: Evaluation in the Community Safety Unit, Body Worn Video Projects in Paisley and Aberdeen, Self Evaluation, Evaluation Report, July 2011, p.14

¹¹ North Wales Police, *Body Worn Video: 6 Month Evaluation*, March 2016, (Report released to Big Brother Watch under the Freedom of Information Act 2000).

¹² Paisley and Aberdeen Evaluation (no.12), p.7

¹³ Durham Constabulary, *Body Worn Video Device: Evaluation*, November 2013, (Report released to Big Brother Watch under the Freedom of Information Act 2000)., p. 23

¹⁴ B Ariel, W Farrar, A Sutherland, *The Effect of Police Body-Worn Cameras on Use of Force and Citizens’ Complaints against the Police: A Randomized Control Trial*, November 2014 <https://www.repository.cam.ac.uk/bitstream/handle/1810/246429/JQC11.pdf?sequence=1&isAllowed=y>

The report, known as the “Rialto Study”, randomly assigned body worn cameras to officers within the Rialto Police Department for a year. During this period every interaction those officers had with the public was recorded. The findings revealed that the use of force by officers against individuals dropped by 59% and complaints against officers fell by 87%.¹⁵

It is inevitable that supporters of this technology would turn to the Rialto Study as comprehensive proof that their assumptions have been shown to be accurate. But despite the seemingly positive outcome, the academic team consistently pointed to the fact that “*most of the claims made by advocates and critics of the technology remain untested*”.¹⁶ They recommended that “*police forces, governments and researchers*” should “*invest further time and effort in replicating these findings*”¹⁷ and invest in further work on the subject before the use of cameras becomes widespread.

It is clear that more research is needed by both the police and academics to ensure that assumptions do not outweigh evidence. This research should be ongoing; in addition to the collation and publication of police force’s data outlining how the technology is used on the streets and as evidence in court.

Without conclusive proof, the claims made by senior police fall flat and the continued use of this technology must be called into question. Moreover, if the future of policing is to increase the use of intrusive technology, clear quantifiable evidence is needed. Having proof that the technology is being used appropriately and is achieving the results promised is logical and crucial for transparent and honest communication with the public.

Chapter 2: Has footage from body worn cameras been effective as evidence in court or in securing early guilty pleas?

The Crown Prosecution Service (CPS) has also been a vocal supporter of the use of body worn cameras, making clear that “*The underlying principle of using BWV is that it can be used as evidence.*”¹⁸ We were surprised, therefore, to discover that the CPS is unable to prove the benefits of the technology in relation to its use in prosecutions.

One of the critical claims made by enthusiasts for the technology is that footage from the cameras will improve sentencing and early guilty pleas.

We used Freedom of Information requests to ask both the police and the CPS how many court cases have used footage taken from a police body worn camera which led to a successful or an unsuccessful prosecution. We also asked the CPS how often a defendant entered a guilty plea based on body worn camera footage and how often footage from a body worn camera was requested from the police.

Neither the police or CPS provided us with a response.

¹⁵ Institute of Criminology University of Cambridge, *First scientific report shows police body-worn-cameras can prevent unacceptable use-of-force*: <http://www.cam.ac.uk/research/news/first-scientific-report-shows-police-body-worn-cameras-can-prevent-unacceptable-use-of-force>

¹⁶ Michael D. White, *Police Officer Body-Worn Cameras: Assessing the evidence*, 2014

¹⁷ Ariel (n16), p.32

¹⁸ Home Office, ACPO, *Guidance for the police use of body-worn video devices*, Police and Crime Standards Directorate, July 2007, p. 12: <http://library.college.police.uk/docs/homeoffice/guidance-body-worn-devices.pdf>

The police cited that the data was not being centrally recorded, not being held in an easily retrievable format or, most worrisome of all, that the data was simply not held at all. The CPS told us that the data would require a *“manual review of case records”*.

Whilst we appreciate that systems may not have been originally established to record the use of footage in an easily readable format, the failure to seek to build systems to record the use of footage in a prosecution or in relation to an early guilty plea is of profound concern.

With no access to the facts and figures relating to the outcome or how footage from body worn cameras is used it is impossible to assess the claims of their value.

If the police and CPS are insistent that the technology will improve sentencing and improve guilty pleas they need to provide data to show the assertion to be accurate.

To the credit of the police and the CPS, we know that An Evidence Gathering Checklist¹⁹ for the police to use in relation to domestic abuse cases has been created. The CPS say the checklist ensures *“that all evidence is explored and everything possible is done to support victims.”*²⁰

We welcome this approach and the emphasis on encouraging the police to consider and record the evidence they have acquired. If it can improve prosecutions and support for victims of crime then it is a welcome move. It also assists in the necessary analysis of police efficiency, a necessary part of transparency. But why is such a checklist not used for all forms of criminal activity?

The police and the CPS should record when technology has been used in policing or in the building of a case for or against an individual. The data should be stored in a readable and accessible format and be regularly published as part of an annual review. This will allow the public to see what benefits, if any, the technology is bringing to policing.

Chapter 3: When are body worn cameras switched on?

Police officers in the UK wearing body worn camera have discretion when the camera is on or off.

Guidance from the College of Policing and the Surveillance Camera Code of Practice make clear that *“continuous, non-specific recording is not permitted”* and that all filming should be *“proportionate, legitimate and necessary.”*²¹

We are supportive of a discretionary on/off use of the cameras. The alternative approach of continuous filming would excessively impinge upon the privacy of the police officers working with the cameras, as well as the privacy of the public. However, complex issues arise in relation to whether filming is left to officer discretion or whether it is continuous.

In the guidance to assist officers, the College of Policing guidance makes clear that the officer must *“at the start of any recording...where practicable, make a verbal announcement to indicate that the BWV [body worn video] equipment has been activated.”* and that *“If the recording has started prior*

¹⁹ Joint NPCC and CPS Evidence Gathering Checklist – For Use by Police Forces and CPS in Cases of Domestic Abuse http://www.cps.gov.uk/legal/assets/uploads/files/joint_npcc_cps_evidence_gathering_checklist.doc e (DA)

²⁰ International Women's Day - Bodyworn police cameras helping domestic abuse prosecutions, 8th March 2017 http://www.cps.gov.uk/news/latest_news/international-womens-day/

²¹ College of Policing, *Body-Worn Video*, August 2014 p. 5: <http://library.college.police.uk/docs/college-of-policing/Body-worn-video-guidance-2014.pdf>

to the user's arrival at the scene of an incident, they should, as soon as is practicable, announce to those present that recording is taking place and that their actions and sounds are being recorded."²²

Taken at face value the guidance appears to be beneficial to both the officer, who will stop and consider whether they should begin filming, and for the citizen, to clearly know when they are being filmed.

However, research by the Institute of Criminology academics at Cambridge University (the same team responsible for the Rialto Study) found that officer discretion and the timing of when filming begins can lead to an increase in attacks on officers.

Working alongside UK and USA police forces, the study²³ revealed that when discretion is used rates of assault towards officers increased by an average of 15% compared to officers not using the cameras.

Furthermore, they pointed out that being on camera may have a detrimental impact on the behaviour of the officer as well as the behaviour of the citizen. They make clear that being on camera *"may make officers less assertive... and make them more vulnerable to assault"*²⁴ and *"if an officer decides to announce mid-interaction they are beginning to film, that could provoke a reaction that results in use-of-force."*²⁵ However, the researchers considered that this could be as *"officers feel more able (or compelled) to report instances when they are assaulted"*²⁶, although they state that this notion is *"yet un-evidenced."*²⁷

This research is of profound importance in highlighting the unknown impact surveillance body worn cameras can have both on the user and on the person being filmed. Often the impact of surveillance is only addressed in relation to privacy infringements, yet the findings of this report highlight the psychological impact body worn cameras can have on the officer and members of the public. This should be investigated further.

If surveillance technology worn by officers is to become a basic policing tool, the police will need to ensure that the impact of being watched whilst at work does not impact the mental or physical health of officers. The findings from Cambridge University must not be dismissed as issues which will be resolved as people get used to the technology. The police must ensure that ongoing research is undertaken into the impact on their staff using these cameras.

It will also be critical to ensure the technology officers are using is of the highest standard, and benefits from features which clearly indicate to the public when they are being filmed.

All the cameras currently used by UK police forces feature a light which is activated when the camera is filming. Some of the cameras have a front facing screen.

²² Ibid, p.24

²³ B. Ariel, A Sutherland, D Henstock, J Young, P Drover, J Sykes, S Megicks, R Henderson, *Wearing body cameras increases assaults against officers and does not reduce police use of force: Results from a global multi-site experiment*, 2016: <http://journals.sagepub.com/doi/pdf/10.1177/1477370816643734>

²⁴ Ibid, p 752

²⁵ Body-worn cameras associated with increased assaults against police, and increase in use-of-force if officers choose when to activate cameras, 17th May 2016 <http://www.cam.ac.uk/research/news/body-worn-cameras-associated-with-increased-assaults-against-police-and-increase-in-use-of-force-if>

²⁶ B Ariel (no. 26), p 752

²⁷ ibid

The public have been promised this technology is not about secret filming. Forces therefore should purchase products which go to every length to emphasise when the camera is on and off and when a citizen is being filmed.

Chapter 4: Data protection and security of footage

As with any technology that records sound and footage, the use of body worn cameras must adhere to strict data protection laws.

Footage recorded by the cameras will likely include sensitive and personal data. Due to the positioning of the camera incidental people may be caught on film. The interior of someone's home or workplace may also be captured if the camera is used during an arrest, investigation or search. From an audio perspective names, addresses and other personal details will all be recorded.

Citizens also need to be given clarity about their data protection rights in relation to experiencing body worn cameras. Guidance should be given on a citizen's rights to request removal of footage or obtain access to the footage via a subject access request. Citizens should be 100% clear that unless criminal charges are brought, the footage of them will remain protected.

Data protection is also critical when it comes to the security of the footage on and off the device, but the security offered by the various cameras used by UK police forces varies.

Some of the available cameras appear to take security of data very seriously. The ability to encrypt footage held on the device offers protection should the camera be lost, stolen or hacked. Others offer automatic deletion once data has been uploaded, minimising the volume of footage held on the devices.

Durham Constabulary have previously raised specific concerns regarding a Veho²⁸ body worn camera, pointing out that "*Any potential encryption of the camera is believed not to be possible due to it being a removable SD card rather than an inbuilt memory*"²⁹. Despite this major concern Durham Constabulary are still using the cameras. Encrypting data is critical, but the technology must be compatible.

We are concerned to see that the Axon cameras used by the largest police forces in the country provide Bluetooth and Wi-Fi functions to allow officers to download or transfer footage with ease. Both functions can be hugely insecure increasing the opportunity for the data to be intercepted, hacked or lost.

Significant issues have also been found regarding how Axon stores their data. Sky News in August 2015 revealed some police forces were storing footage from body worn cameras on commercial cloud servers hosted outside the UK by Taser (the manufacturers of the Axon cameras) as opposed to holding the footage on their own systems which they had direct control over³⁰.

In an age where high profile hacks and data breaches are increasingly commonplace it is easy to see the danger of holding information in this manner. Steps must be taken to ensure that all body worn

²⁸ VCC-003 Muvi Pro

²⁹ Durham Constabulary, *Body Worn Video Device: Evaluation*, November 2013, p. 10

³⁰ Sky News, *Security Fears Over Police Body Cameras*, 20th August 2015: <http://news.sky.com/story/security-fears-over-police-body-cameras-10348763>

cameras purchased use encryption and that the encryption isn't subsequently undermined by poor technological design.

There appears to be very little to justify the inclusion of Wi-Fi and Bluetooth capabilities in devices. Officers should refrain from utilising these capabilities unless they are 100% sure the technology and the connection is secure.

Cameras should therefore only be used if they offer a deletion-on-upload service, to ensure that no data is left on a device longer than is necessary.

Data and security measures aside, all forces should also be confident that the technology they are using is fit for purpose. Police reports of officers complaining about poor technology are not uncommon.

During their trial of cameras, officers at Essex Police listed a "*failure to record, recording at the wrong angle, difficulties switching it on/off and not working in poor lighting, as well as being bulky so difficult to wear.*"³¹ Despite this the force rolled out 411 cameras to their frontline staff at a cost of £209,610.

Similar concerns have been raised by police in Scotland. With a recent report from the BBC quoting officers describing the system as "*inoperative*" and "*unusable*". Most worrying of all was the reference to "*one camera [which] was found by officers to be recording audio at all times even when it was not activated to record.*"³²

It would be expected that such devices would be pulled immediately after such flaws were found.

There are obvious issues here which need to be addressed. Data protection should be at the heart of the use of this technology and an important facet of this is ensuring that the public are fully aware at all times of their rights. A failure in public knowledge in this area is a failure of the police. The actual technology used should be of the highest quality, built with privacy, security and data protection in mind. Poor technology leaves citizens' personal data vulnerable.

Chapter 5: Oversight

Two independent bodies oversee the use of body worn cameras and video surveillance technologies:

- The Surveillance Camera Commissioner (SCC), in addition to other responsibilities³³, oversees the use of body worn cameras by local authorities and the police.
- The Information Commissioner's Office (ICO), as part of their broader remit³⁴, regulates the processing of personal data obtained by surveillance camera systems.

³¹ College of Policing, *The Essex Body Worn Video Trial: The impact of Body Worn Video on criminal justice outcomes of domestic abuse incidents*, October 2014, p. 2: http://whatworks.college.police.uk/Research/Documents/BWV_Report.pdf

³² BBC News, *Issues with police body-worn camera system revealed*, 28th April 2017: <http://www.bbc.co.uk/news/uk-scotland-39730665>

³³ The Surveillance Camera Commissioner also fulfils a wider range of responsibilities: The role of the Surveillance Camera Commissioner is to encourage compliance with the surveillance camera code of practice. The office of the commissioner was created under the Protection of Freedoms Act 2012 to further regulate surveillance cameras. The act required a code of practice to be produced about surveillance camera systems. The surveillance camera code of practice sets out guidelines for CCTV, body worn video, drones and automatic number plate recognition.

Both have produced their own Code of Practice³⁵ for the use of surveillance camera technology, emphasising that surveillance technologies must be used only when necessary and in a proportionate and transparent way. Body worn cameras are no exception.

Oversight is an important aspect of accountability. It must be ensured that the guidance these bodies give is closely followed to ensure the police are using this technology correctly.

The ICO's CCTV Code of Practice emphasises the need for ongoing scrutiny of the technology; anyone using a body worn camera *"should continue to monitor the use of the BWV [body worn video] system as a whole to see if it is still achieving its original purpose. If it appears that it is no longer achieving this purpose or it is no longer required, you should look at potentially less privacy intrusive methods to address the need."*³⁶

The Surveillance Camera Commissioner makes clear that although the technology can bring benefits, a body worn camera *"is still an invasive surveillance tool and must not be used without due regard to an individual's privacy, the sensitive location of its use and proper recognition of legal and regulatory guidelines."*³⁷

There is a responsibility here on both the police and the oversight bodies. The police should closely follow the guidance they are given by the experts, ensuring that they use this technology appropriately in order to maintain or develop public confidence. If this is not done, then the use of the technology should be curtailed. The oversight bodies must hold the police to account and be frank where necessary. Collaboration is vital to ensure there is no abuse of this intrusive technology.

³⁴ The Information Commissioner's Office remit is broader than just oversight of surveillance cameras by organisations and private individuals: The Information Commissioner regulates the processing of personal data as set out in the Data Protection Act. This applies to all sectors across the UK and includes personal data that has been obtained by surveillance camera systems. The Information Commissioner's function includes complaints handling and enforcement powers.

³⁵ Surveillance Camera Commissioner, *Surveillance Camera Code of Practice*, June 2013: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/204775/Surveillance_Camera_Code_of_Practice_WEB.pdf

Information Commissioner's Office, *In the picture: A data protection code of practice for surveillance cameras and personal information*, 21st May 2015: <https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

³⁶ Information Commissioner's Office, *In the picture: A data protection code of practice for surveillance cameras and personal information*, p. 30: <https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>

³⁷ T Porter, *Body Worn Video*, 30th November 2016: <https://videosurveillance.blog.gov.uk/2016/11/30/body-worn-video/>

Conclusion

It is inevitable that the future of policing will involve technology, but the technology used must be shown to bring real, quantifiable and unique benefits to the police and to the fight against crime.

Our findings, alongside those of the police and academics, reveals that the promised benefits of body worn cameras are far from proven. The findings cast doubt on the logic of a police force spending vast sums of a waning budget on technology which they themselves have expressed concern about.

This is not the first time that the public have been encouraged to support the use of costly surveillance technology based on hypothetical benefits. The mass adoption of CCTV on the streets of the UK by police and public authorities was promised to reduce crime and improve safety on the streets. Yet after two decades and billions of pounds invested in CCTV, the reality is that it is only effective at investigating crime after the event, not preventing it from happening in the first place.³⁸ Time after time CCTV is promoted based on making people “feel” safe, as opposed to ensuring they are actually made safer.

The lessons of CCTV should be considered when it comes to deploying body worn cameras. The public must not be led to believe that the technology is a guarantee of improved policing.

Furthermore, we must be conscious of forces deploying the technology for purposes beyond their initial remit. Recent news reports have revealed Durham Constabulary are using the technology as a surveillance tool to gather up-to-date images of known “villains” taken during stop and search. This reveals the cameras are being used for a purpose far removed from the promises of senior police that they will only be used to improve transparency, relations between the police and public and conviction rates.

As our earlier report in this series, *Smile You're on Body Worn Camera Part 1: Local Authorities* showed, where the police lead, councils and other public authorities are always keen to follow. The police therefore must set an example. This example should extend past best practice, and must also make clear that it is not responsible to pursue worthless technology in the hope that after enough time has passed the technology's value will be either proven or forgotten about as it becomes commonplace.

For body worn cameras to benefit both officers and society alike, the police and CPS must ensure that quantifiable data on the use of footage and the use of the cameras is collated and published. If the findings continue to reveal inconclusive evidence of the perceived benefits, police forces should halt use of the technology immediately. Technology may be inevitable, but its success is not. We should not just use technology for technology's sake. The public should be assured that investment in technology is value for money, and that the benefits are proven and not assumed.

³⁸ A Home Office report concluded that the impact of CCTV had been “variable”. “Any measured change in crime following CCTV installation could not always be attributed to CCTV”, Home Office, *The impact of CCTV: fourteen case studies*, 2005, p.36

Recommendations

In light of our findings and based on the wide range of published research relating to the UK police use of body worn cameras we propose a number of policy recommendations to be considered by forces already deploying or seeking to deploy the technology:

- 1. Data must be collated and published to show how often body worn camera footage is used as evidence during court proceedings and in obtaining early guilty pleas.**

It is not good enough to say the evidence recorded by body worn cameras is having a positive impact on court proceedings without proving that to be the case. It should be a matter of further discussion regarding which organisation should be responsible for collecting and making the information public, but both individual police forces and the Crown Prosecution Service seem well placed to fulfil this role.

- 2. Forces must publish regular transparency reports to show how body worn cameras are being used in day to day policing.**

Body worn cameras have to be proven to be useful to the police both before the initial roll out and on an ongoing basis. Regular transparency reports showing how often cameras are triggered, what impact they are having and which situations they are useful in will help forces to target their use of the technology more effectively. It will also help them to show why the cameras are necessary and how they can help officers in their duties.

- 3. Forces should ensure that all body worn cameras deployed feature a visual aid to show clearly when the citizen is being filmed. Protection of data when at rest or in transit must be standard.**

The increasing number of media headlines about hacks and the loss of personal data clearly show that any form of information could potentially be at risk. The sensitive nature of the footage captured by a body worn camera only increases this threat. To limit their susceptibility to external threats forces have to minimise the amount of information they hold and the footage they do retain must be properly protected.

Appendix 1: Technical Specifications

A body worn camera is a small device attached to a police officer's uniform which can be manually switched on and off. The cameras capture video and audio.

Seven different manufacturers currently supply body worn cameras to police forces in the UK. The products are all similar but each manufacturer will offer a different capability be it size, screen position or data protection

Reveal have provided many different cameras to police forces across the UK. Currently, their main product is the RS2-X2.

- The RS2-X2 can be worn on the chest, helmet or shoulder.
- It features a front facing screen.
- The camera also features a light to show when the device is recording.
- Data is encrypted on the device.
- Data is uploaded at the end of a shift using either the Digital Evidence Management System (DEMS) provided by Reveal or the force's own data storage.

Axon (formerly trading as Taser International) provide products such as the Axon Body 2 and the Axon Flex 2.

- The Axon Body 2 is a small device worn on the body.
- Axon cameras do not have a front facing screen but they do feature a light which is activated when the device is recording.
- Axon provide an app to work in conjunction with the devices.
- Axon cameras also feature Wi-Fi and Bluetooth functions to enable the sharing of data.
- Data is encrypted on the device.
- Data can be uploaded to the Axon provided cloud system.

Edesix manufactures the Videobadge series of body worn cameras.

- The VB-100, VB-200 and VB-300 are rectangular and can be worn on the chest.
- None of these models feature a front facing screen and only the VB-300 series features a light show recording is in progress.
- The VB-300 series is Wi-Fi enabled.
- The devices feature encryption.

Appendix 2: Full Police Force Breakdown

Police Force	Use Body Worn Cameras	Total Spend	Total Number of Cameras	Use in Court			Storage			
	Permanent or trial?			Model	Manufacturer	Successful Case	Unsuccessful Case	Total	Retention Time	Location
Avon and Somerset Constabulary	Permanent ³⁹									Refused – cost and time
Bedfordshire Police	Permanent	£668,525.52	1412 ⁴⁰	RS2-X2	Reveal	Information not held - only recently come out of project stage			31 days	Centrally on local storage
Cambridgeshire Constabulary	Permanent	£442,370.65	917	RS2	Reveal	Information cannot be provided			31 days	Secure storage
Cheshire Constabulary	Does not use Body Worn Cameras									
City of London Police	Permanent	£101,000	170	Body 2	Axon	0	0	0	As long as required for policing purposes	Evidence.com cloud storage
Cleveland Police	Permanent	£57,000 ⁴¹	100	RS3-SX	Reveal	Refused - cost and time			In accordance with MOPI rules	Secure internal servers
Cumbria Constabulary	Permanent	£90,000	250	PR5	Pinnacle	Refused - cost and time			Minimum of 31 Days	We burn all relevant footage to a disc and store

³⁹ Although the force refused the request on the basis of cost and time, we were sent a link to a press release which stated that the force were rolling out body worn cameras.

⁴⁰ Includes officers working for Bedfordshire Police and a Joint Bedfordshire/Cambridgeshire Unit.

⁴¹ PCC obtained a grant as part of the protecting women and girls from violence campaign.

								in our video imaging unit storage.
Derbyshire Constabulary	Permanent	£387,236.35	1292 ⁴²	RS2-X2 and RS2-X3	Reveal	Refused under Section 12	30 days unless deemed evidential.	Server
Devon and Cornwall Police ⁴³	See Dorset Police's response for current deployment - see note for previous trial							
Dorset Police	Trial expected to begin Q3 2016	£0	100 ⁴⁴	PR5	Pinnacle	Trials not started	31 if non-evidential	Central digital assets/evidence management platform
Durham Constabulary	Permanent	£49,500 ⁴⁵	1100 ⁴⁶	Muv i Pro VCC-003	Veho	Information not held - do not record whether or not footage is used in court proceedings	In accordance with MOPI rules	Information not provided
Dyfed Powys Police	Does not use Body Worn Cameras							
Essex Police	Permanent	£209,610	411	B-CAM A5		Refused - cost and time	Information not provided	Internal storage servers
Gloucestershire Constabulary	Refused - cost and time							

⁴² A further 62 are on order

⁴³ Information obtained from previous FOI: 1. Trial took place in Plymouth from January 2014. 2. 38 cameras were purchased. 3. £5000 - provided by Safer Plymouth. 4. 8244 5. Cameras issued to Response and Local Policing & partnership Officers.

⁴⁴ Via the Police Innovation Fund.

⁴⁵ Approximate figure

⁴⁶ 1050 issued to frontline staff and a further 50 are kept as spares or replacements.

Greater Manchester Police	Permanent	Refused - commercially sensitive	3,148 ⁴⁷		AXON Body Camera Systems	Refused - Cost and Time	30 if non-evidential	Unknown ⁴⁸
Gwent Police	Permanent	£164,405	360	RS2	Reveal	No Information Held	31 days if non-evidential	Secure force servers
Hampshire Constabulary ⁴⁹	Permanent	Unknown	2,800 ⁵⁰	RS2-X2	Reveal	Refused - Cost and Time	Unknown	
Hertfordshire Constabulary	Permanent	£614,000	1298	RX2	Reveal	Unknown. Response notes - " <i>We have not collated this detail yet</i> "	31 days	Information not provided
Humberside Police	Unclear ⁵¹	£143,000 ⁵²	92		Reveal	Refused - cost and time	31 days	Information not provided
Kent Police	Essex Police's response notes that Kent Police submitted and were awarded funding from the Home Office Innovation Fund in 2014							
Lancashire Constabulary	Permanent	£200,000 ⁵³	250 ⁵⁴	RX3 ⁵⁵	Reveal	Information not held	30 days	DEMS storage and management software
Leicestershire Police ⁵⁶	Permanent	£765,000 ⁵⁷	1400	RS3-SX and	Reveal	Information not recorded	30 days	Held on servers owned and managed

⁴⁷ Contract provided notes a minimum of 2000 up to a quantity of 3,148 Camera Systems.

⁴⁸ Contract provided by response notes that Evidence.com digital asset management system licenses were provided.

⁴⁹ Response provided the following link which contained the information: <http://uopnews.port.ac.uk/2015/03/05/body-worn-video-cameras-reduce-crime/>

⁵⁰ Targeted figure by the end of 2015/16.

⁵¹ Response does not specify whether this is a trial or on a permanent basis.

⁵² £80,000 - Received from the Home Office in 2007 for the purchase of equipment and £7000 per annum spent on licenses.

⁵³ Approximate figure.

⁵⁴ Set to increase to 400.

⁵⁵ Response notes that Reveal Media RX2 cameras will be purchased in the future.

⁵⁶ Rolled out cameras alongside four other East Midlands forces - Nottinghamshire, Northamptonshire, Derbyshire and Lincolnshire. Trialed in one of these regions, on behalf of the others, before roll-out.

⁵⁷ £475,000 was from the Home Office's Policing Innovation Fund and the remainder came from the Leicestershire Police and Crime Commissioner.

				RS2-X2 ⁵⁸				by Leicestershire Police
Lincolnshire Police ⁵⁹	Roll out began July 2016	Refused - Cost and Time						
Merseyside Police	Permanent	Complete figures unavailable - see note ⁶⁰	850	PVR-PRO 2	Viewu and Edesix	Refused - cost and time	31 days unless required for evidence	Stored on a database - the Digital Evidence Management System
Metropolitan Police	Permanent ⁶¹	£15,500,000 ⁶²	22000	Axon2 body camera and Flex2 camera	Axon Taser	Information not held - envisaged that it will be in the future, once digitisation has taken place in the courts	31 days	off-site cloud based storage system for the pilot, but will move to UK based Microsoft Azure solution.
Norfolk Constabulary ^{63 64}	Use cameras used in trial ⁶⁵				Reveal			
North Wales Police	Permanent	£232,940.84 ⁶⁶	120 ⁶⁷	RS2 Camer	Reveal	Information not held in an accessible format	30 days if non-evidential	Central Secure Sever

⁵⁸ 700 - RS3-SX and 700 - RS2-SX. In the past individual departments have also purchased devices from Pinnacle Response and Robocam. These have since been disposed of.

⁵⁹ Response notes that a Force wide introduction began in July 2016.

⁶⁰ January 2014-January 2015: £119,000 and February 2015-October 2015: £147,000. Part funded by the Home Office

⁶¹ Response notes - In process of rolling out body worn cameras to all public facing officers.

⁶² Projected expenditure on completion of roll out. £13.4m Capital and £2.1 Project Opex (non-capitalised project).

⁶³ Joint response with Suffolk Constabulary.

⁶⁴ Response notes - Both of the Constabularies have trialled the use of cameras and a number of officers use the cameras which were used during the trial. 3 cameras are being used by the Norfolk Licensing Team. Overall there are less than 20 in operation. The cameras in use are cameras manufactured by Reveal Media.

⁶⁵ State that "a number of officers use the cameras which were used during the trial"

⁶⁶ 120 in use - £69,988 (75% was funded centrally by the Home Office's Innovation Award) and 310 on order - £162,952.84.

				a				
North Yorkshire Police⁶⁸	Permanent	Information cannot be provided	38	Information centrally held		Refused - cost and time	Information not provided	Information not provided
Northamptonshire Police	Permanent	£682,000	1271	Multiple ⁶⁹		Used regularly in court, but specific information not held	31 days if non-evidential	Information not provided
Northumbria Police	Refused Cost and Time							
Nottinghamshire Police	Permanent	£291,670	550	RS2-X2	Reveal	Information not provided	31 days if non-evidential	Electronic server
Police Scotland	Permanent	Purchased by predecessor force	434	Information not held ⁷⁰		Information not held	31 days if non-evidential	Stored consistently with national guidance and relevant legislation.
Police Service of Northern Ireland	Permanent	£730,000	2100	VB-320	Edesix	Refused - cost and time	31 days if non-evidential	Stored consistently with guidance
South Wales Police	Does not use Body Worn Cameras							
South Yorkshire Police	Does not use Body Worn Cameras							
Staffordshire Police	Permanent	£370,551 ⁷¹	550	RS3	Reveal	Removed - cost and time	31 days if non-evidential	Information not provided
Suffolk	See Norfolk							

⁶⁷ 120 in use and a further 310 on order

⁶⁸ Response notes - No central project in place for body worn cameras.

⁶⁹ Pinnacle LE2, Pinnacle PR5, Pinnacle PR6, B-cam SRU, Axon Flex, Axon Body, Reveal RS3, Reveal RS2-X2, Robocam and Edesix Video Badge.

⁷⁰ Response notes - Anecdotally it is thought the majority are Edesix.

⁷¹ Includes all support and maintenance costs.

Constabulary								
Surrey Police	Awaiting trial	£600,000	1220	RS2 X2	Reveal	N/A		
Sussex Police	Permanent	£496,000	over 1000	RS2	Reveal	Currently no data	30 days unless evidential	Information not held
Thames Valley Police	Permanent	Information not provided	380	RS3 SX	Reveal	Refused - cost and time	31 days if non-evidential	Retention in line with MoPI guidance and Data Protection Act 1998
Warwickshire Police⁷²	Does not use Body Worn Cameras - exploring potential for future use							
West Mercia Police⁷³	Does not use Body Worn Cameras - exploring potential for future use							
West Midlands Police	Preparing permanent roll-out ⁷⁴	£565,426 ⁷⁵	1617	Body 2	Axon Taser	Refused - cost and time	In line with MOPI guidelines	Secure government cloud server
West Yorkshire Police⁷⁶	Permanently		70 ⁷⁷	Information not provided				

⁷² Response notes - Body worn cameras one option under consideration for a trial.

⁷³ Response notes - Body worn cameras one option under consideration for a trial.

⁷⁴ Included in current use figures

⁷⁵ Response notes - includes cameras, docks, peripherals, software licensing and storage.

⁷⁶ Information gathered in part from a previous FOI response, provided by West Yorkshire Police. Previous FOI included following link: https://www.westyorkshire-pcc.gov.uk/media/92443/item_6_report_on_bwv.pdf.

⁷⁷ Chief Constable Report to the Police and Crime Commissioner attached to previous FOI notes this is a minimum. Previous FOI notes force is able to deploy 70 at a time.

Wiltshire Police	Planning a roll out ⁷⁸	No purchases made	100 ⁷⁹	See note ⁸⁰	N/A	N/A	N/A
-------------------------	-----------------------------------	-------------------	-------------------	------------------------	-----	-----	-----

⁷⁸ Planning a roll-out in conjunction with Avon and Somerset Constabulary.

⁷⁹ These cameras were purchased (Under a Home Office Innovation Fund initiative) in 2014 in conjunction with Avon and Somerset Constabulary but they were not adopted because of the lack of a centralised digital evidence repository. They now no longer meet the right technological standards or have the functionality to meet operational needs. Wiltshire Police is planning to purchase 863 cameras with Avon and Somerset Constabulary.

⁸⁰ Cameras purchased with Avon and Somerset Constabulary are planned to be RS2-X2.

Appendix 3: Methodology

Beginning on the 2nd August 2016 a Freedom of Information request was sent to all UK police forces.

We asked each force whether or not they used body worn cameras and if this was part of a trial or a permanent basis. If the force did use body worn cameras, we also asked how many cameras had been purchased, how much had been spent, what type of cameras were being used, where the footage was held and how long for, as well as for copies of any documentation about trials of the technology. We also asked for details of how often footage captured by a body worn camera had been used in court, requesting that the forces breakdown the figures between the number of successful and unsuccessful cases.

We received 45 responses; this is equivalent to 100%. For the purposes of this report only responses received by 1st April 2017 have been included.

On the 3rd July 2017 we sent a Freedom of Information Request to the Crown Prosecution Service.

We asked the CPS how many times they had requested and received body worn camera footage from police forces. We also asked how many cases used the footage and the success of these cases. In relation to this, we also requested how many times this footage led to an early guilty plea from the defendant. Finally we asked for copies of any guidance that prosecutors have received on how to use body worn camera footage in courts.

We received a response on 18th July 2017.

Appendix 4: Original FOI Request

Police

Dear Sir or Madam

I am writing under the Freedom of Information Act 2000 to request information about your force's use of body worn cameras, specifically I am asking the following:

1. Does your force use body worn cameras?
 - i. If the answer is yes please indicate whether this is part of a trial or if the technology has been adopted on a permanent basis
2. How many body worn cameras has your force purchased?
3. How much has your force spent on body worn cameras?
4. Please provide the make, model and manufacturer of the body worn cameras you have purchased.
5. How many times has the evidence gained from body worn cameras been used in court?
Please breakdown between the following:
 - i. The number of successful cases.
 - ii. The number of unsuccessful cases.
6. Where and for how long is the footage held?
7. Please provide documentation relating to the results of any trial of body worn cameras that your force has undertaken.

I understand under the Freedom of Information Act that I am entitled to a response within twenty working days. I would be grateful if you could confirm this request in writing as soon as possible.

Crown Prosecution Service

Dear Sir or Madam,

I am writing under the Freedom of Information Act 2000 to request information about footage obtained by police body worn cameras and its use in court during the period 2010 to 2016:

1. How many times has the CPS requested body worn camera footage from police forces?
2. How many times has the CPS received body worn camera footage from police forces?
3. How many court cases have used footage taken from a police body worn camera?
 - i. How many led to a successful prosecution?
 - ii. How many led to an unsuccessful prosecution
4. On how many occasions has a defendant entered an early guilty plea where police body worn camera footage formed part of the evidence?
5. Please provide copies of any guidance for prosecutors on how the evidence collected by a body worn camera can be used in court.

I understand under the Freedom of Information Act that I am entitled to a response within twenty working days. I would be grateful if you could confirm this request in writing as soon as possible.

About Big Brother Watch

Big Brother Watch work to ensure that those who fail to respect our privacy, undermine our online security, or fail to protect our personal data, are held to account.

We campaign on behalf of the individual to ensure your privacy and civil liberties are maintained in the digital age by government, public authorities and businesses.

Founded in 2009, Big Brother Watch produces unique research exposing the misuse of powers, informative factsheets explaining complex laws, and briefings for parliament, the press and the public.

If you are a journalist and would like to contact Big Brother Watch please call +44 (0) 7505 448925 (24hrs).

Email: info@bigbrotherwatch.org.uk

Postal address:
Big Brother Watch
55 Tufton Street
London SW1P 3QL

Website:
www.bigbrotherwatch.org.uk