



# NPCC

National Police Chiefs' Council

## **BODY-WORN VIDEO GUIDANCE 2024**

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The following forces and organisations are recognized as contributors to this document, by actively attending meetings or returning data;

<i>Avon and Somerset Police</i>	<i>Ministry of Defence Police (MOD)</i>
<i>British Transport Police (BTP)</i>	<i>National Crime Agency (NCA)</i>
<i>Civil Nuclear Constabulary (CNC)</i>	<i>National Police Chiefs Council (NPCC)</i>
<i>College of Policing (CoP)</i>	<i>Norfolk Constabulary</i>
<i>Cumbria Constabulary</i>	<i>North Wales Police</i>
<i>Derbyshire Constabulary</i>	<i>North Yorkshire Police</i>
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<i>Dorset Police</i>	<i>Nottinghamshire Police</i>
<i>Durham Constabulary</i>	<i>Police Scotland</i>
<i>Dyfed-Powys Police</i>	<i>Police Service of Northern Ireland (PSNI)</i>
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<i>Gloucestershire Constabulary</i>	<i>South Yorkshire Police</i>
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<i>Kent Police</i>	<i>UK Border Agency</i>
<i>Lancashire Constabulary</i>	<i>West Midlands Police</i>
<i>Lincolnshire Police</i>	<i>West Yorkshire Police</i>
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## Foreword

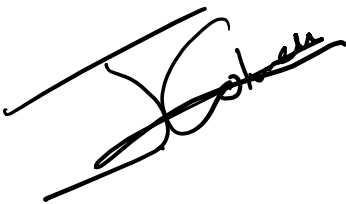


In an era where transparency and accountability are paramount to public trust in policing, body-worn video (BWV) continues to represent a significant advancement in our ability to document interactions between the police and the public, enhance community relations and ensure the integrity of our actions.

Innovation within technology is moving at an incredibly fast pace and this can bring speed, accuracy, and productivity benefits to policing. BWV is no exception with advancements in real-time situational awareness, AI features that can monitor and analyse behaviour, sound and faces, and software that can provide us with rich and accurate analysis. Policing needs to consider how best to utilise this technology in the future, with a robust commitment to ethical standards.

This year has brought national disorder across all parts of the country, which has had significant impacts on policing, and a profound, long-lasting effect on our communities. BWV has been invaluable in capturing evidence, building intelligence pictures, and ensuring offenders are dealt with swiftly through the criminal justice system. These events resulted in mass movement of staff, who moved quickly to assist neighbouring forces. I urge you to familiarise yourself with the mutual aid guidance within this document, and ensure your staff are deployed with BWV, and afforded the protection it can bring, regardless of where they are in the country.

I remain committed to innovation, collaboration, and continuous improvement in BWV practices and this document outlines current best practice for the overt deployment and use of BWV. It is the result of collaborations across all UK police forces, partner agencies, along with strategic stakeholders. It truly is a collaborative document and I thank everyone involved for their continued support.



Jim Colwell MBA CMgr MCMi  
Acting Chief Constable  
National Police Chiefs Council lead for Body-worn Video

## DEFINITIONS AND ABBREVIATIONS

**Activate to record:** from powered on/standby mode, recording is activated via the designated recording activation (button/slider) function

**BWV:** Body-worn video

**BWC:** Body-worn camera

**CoP:** College of Policing

**Complex edit:** any manipulation or enhancement of body-worn footage, and any insertion of footage within a compilation, is restricted to users who are ISO accredited, and guidance should be sought from your Digital Forensic Units.

**Non-complex edit:** routine extraction, editing and redaction of force-generated body worn footage. This can be completed using the force's approved body worn video system provided the users have been trained within that system. [Forensic Science Regulator Draft Code of Practice – January 2023 \(publishing.service.gov.uk\)](#)

**CPS:** Crown Prosecution Service

**Evidence:** a general term, used to describe any physical or digital property, or any information which could potentially prove or disprove issues within a criminal justice case.

**Key Evidence:** the evidence to be relied upon by the prosecution to establish the elements of the offence to be proved, including the identity of the offender and any relevant state of mind, together with any other evidence that can further strengthen the case by contradicting or otherwise undermining any explanation raised by the suspect [Charging \(The Director's Guidance\) - sixth edition, December 2020, incorporating the National File Standard | The Crown Prosecution Service \(cps.gov.uk\)](#)

**Evidential Clips:** a clip produced from a working copy of the master file, that shows the evidential material that meets the disclosure test or is relevant unused material. They are very unlikely to be more than 10 minutes in length to allow for ease of sharing with the CPS and to apply redaction if applicable.

**Exhibit:** a document or thing shown to a witness and referred to by the witness in evidence [Exhibits | The Crown Prosecution Service \(cps.gov.uk\)](#) At common law, it is within the power of, and is the duty of, constables to retain for use in court things which may be evidence of crime, and which have come into possession of constables without wrong on their part (R V Lushington ex parte Otto (1894) 1 QB 420 ). Generally, the courts entrust the prosecution with the exhibits pending trial and after committal.

**Master File:** the definitive copy of the data, that is documented, sealed, and stored according to established procedures, and can be examined by a court if required, to confirm the authenticity of the evidence. The master file should be treated as an exhibit, and not altered or edited in any way.

**NDM:** National Decision-Making Model

**NPCC:** National Police Chiefs Council

**PRAP:** Police Race Action Plan

**Policing Purpose:** covers situations where a user is fulfilling the College of Policing's definition of policing purpose, which includes, but is not limited to, the prevention and detection of crime, the apprehension and prosecution of offenders, protecting life and/or property and preserving order. It can also include maintenance of law and order, defending civil proceedings, anything in the interest of national security and any duty or responsibility of the police arising from common or statute law. [Privacy policy | College of Policing](#)

**Powered off:** cameras are switched off

**Powered on:** cameras are switched on and are in a standby mode, with pre-record activated

**Recording deactivated:** whilst the camera is activated to record, the recording is deactivated using the designated function (slider/button), which then returns the camera to standby/powered on mode

**Relevant material:** if material appears to an investigator, the officer in charge of an investigation, or the disclosure officer, that it has some bearing on any offence under investigation or any person being investigated, or on the surrounding circumstances of the case, unless it is incapable of having any impact on the case

[AG Guidelines 2022 Revision Publication Copy.pdf \(publishing.service.gov.uk\)](#)

**Secure Server Storage:** can be internal or cloud-based environment that is accredited to a level of at least OFFICIAL under the [Government Security Classifications Policy \(HTML\) - GOV.UK \(www.gov.uk\)](#)

Any footage captured on a BWV device which is assessed and categorized as **SECRET** or **TOP SECRET**, should not be stored on a networked solution (including local networks). Appropriate security needs to be put in place and managed as per your force policy on the storage and retention of SECRET and TOP SECRET information.

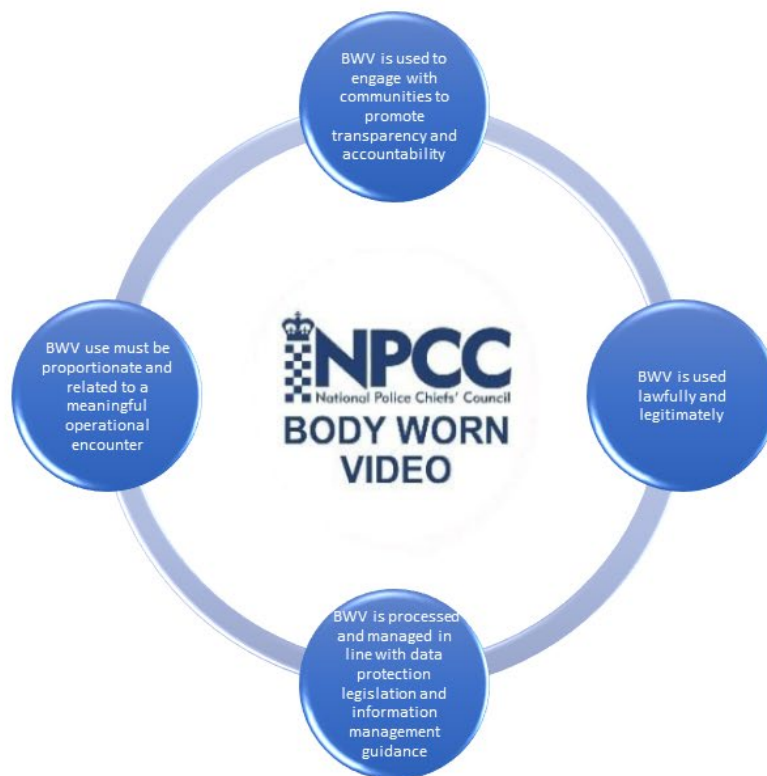
**Sleep/stealth mode:** a capability that allows all signs that a camera is powered on/recording to be removed, such as flashing lights and audible sounds.

**Unused material:** material which may be relevant or non-relevant to an investigation and will not form part of the evidence in the case.

# SECTION 1 – INTRODUCTION

## The Policing Principles for the overt use of BWV

These key principles for the overt use of body-worn video (BWV) serve as a foundation on which forces should consider when constructing and reviewing individual force policy. Strategic leads within forces should familiarise themselves with these principles, which are reviewed and amended as necessary on a yearly basis to ensure they remain current necessary.



### Principle 1 - BWV is used lawfully and legitimately

Policing's underlying power to use body-worn video is derived from common law, where it may be used in the lawful execution of duties, to protect life and property, preserve order, prevent the commission of offences, and bring offenders to justice.

There is further legislation that is also relevant to the police use of body-worn video, further details of which can be found within the legislation itself but are summarised here.



## Data protection legislation

The use of BWV will invariably involve the capture and processing of personal data, of those aware they are being recorded but also of those unaware and captured in the background.

Where footage is obtained and processed for law enforcement purposes, the [Data Protection Act 2018 \(legislation.gov.uk\)](#) applies. The DPA 18 defines law enforcement purposes in Section 31 Part 3 as the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including safeguarding against and the prevention of threats to public security. More information relating to law enforcement processing can be found here [Guide to Law Enforcement Processing | ICO](#)

Where footage is used for any other purpose than the above, then UK General Data Protection Regulation (UK GDPR) applies.

This table shows the key principles for both the DPA and UK GDPR, and as data controllers, forces have a legal obligation to comply with these principles when processing data.

	<b>UK GDPR General Processing</b>	<b>DPA 18 Law Enforcement Processing (Part 3)</b>
Principles	<ul style="list-style-type: none"><li>• Lawfulness, fairness and transparency</li><li>• Purpose limitation</li><li>• Data minimization</li><li>• Accuracy</li><li>• Storage limitation</li><li>• Integrity and confidentiality (security)</li><li>• Accountability</li></ul>	<ul style="list-style-type: none"><li>• Lawful and fair</li><li>• Specified, explicit and legitimate</li><li>• Adequate, relevant and not excessive</li><li>• Accurate and up to date</li><li>• Kept no longer than is necessary</li><li>• Appropriate security measures</li></ul>

Data protection legislation provides the following individual rights;

- Right to be informed
- Right of access
- Right to rectification
- Right to erasure or restrict processing
- Right not to be subject to automated decision making

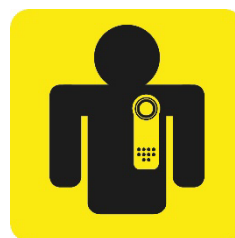
There are further rights that apply if the data is not held for law enforcement purposes under part 3 of the DPA 18, so under UK GDPR, individuals also have the following rights;

- Right to data portability
- Right to object

For policing's use of BWV, there is a requirement for the individual(s) within a recording to be informed about the collection and use of their personal data. To comply with this principle, forces should implement the following;

- body-worn cameras should be clearly identifiable as recording devices, and if a front screen is not present, consideration should be given to labeling them to identify them as capable of recording both video and audio.
- users should announce their use of BWV, in clear and concise language, as soon as this is practicable, adapting this to the needs of any persons present who may require additional clarification, such as vulnerable people, or someone with a disability or additional needs. Users who are not in uniform should be explicit in this announcement.
- Information relating to how the data is processed, how long it will be retained for and who it may be shared with should be available for the public to access, for example, this could be published on a police force's public-facing website.
- Data protection legislation applies to staff, and if a force wishes to use footage for training or internal review, then this needs to be documented within BWV training.

The [Technical guidance for Body Worn Video \(BWV\) devices: CAST, 2018 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/682207/Technical_guidance_for_Body_Worn_Video_(BWV)_devices_CAST_2018.pdf) document dictates that people need to be made aware they are being recorded, through a visible indicator on the device, such as a red light, or display an icon or text notifying its function to record. The document above contains downloadable icons, such as the ones below, for forces to utilise that have been designed to indicate the presence of body worn devices.



BWV cameras can have the capability to activate a 'stealth' mode, where all signs that a camera is recording is removed, such as flashing lights, audible sounds, or an illuminated screen. This mode can be incredibly beneficial in certain situations such as firearms incidents, or when attending to persons in mental crisis. However, it is still imperative in these situations that any subject must be informed they are being recorded when it is reasonable and practicable to do so. Subjects should not be made to believe that the camera has been switched off when it is still recording.

## The European Convention on Human Rights (ECHR)

### Article 6: the right to a fair trial.

In principle, the use of body-worn video is justifiable for preventing and detecting crime, as it can collect valuable evidence for use in criminal prosecutions. It can be an objective record, providing information that is beneficial to the prosecution or the defence. Footage must be exhibited and safeguarded with an audit trail. However, at any point, a court may scrutinise this justification and it is imperative that forces are only retaining footage relating to an offence, unless some other good reason exists for its retention.

### Article 8: the right to private and family life.

Forces need to consider this article when in both public, and private areas, and the use must be within the law and proportionate. Under ECHR, it has been determined that police users have sufficient powers in common law to justify the use of body-worn video - see R (on the application of Wood) v Commissioner of Police for the Metropolis (2009) EWCA Civ 414 at (98) and Murray v the UK (1995) 19 EHRR193. However, the use of body-worn video can be viewed as an interference, and must be justifiable for every usage, and users must take care not to record beyond what is necessary for policing purposes.

A public place is only public for the persons present at the time, and there may still be a degree of expectation of privacy even in a public place (Peck v UK (2003) 36EHRR 41; (2003) EMLR 287). Conversations between members of the public should always be considered as private.

The United Nations Convention on the Rights of the Child (UNCRC) is an international treaty which was developed specifically for children. Article 16 states the law must protect the child's right to privacy, and this should be reflected when managing and processing BWV data involving children.

## Criminal Procedure and Investigations Act 1996 (CPIA)

The CPIA governs the disclosure of evidence in criminal proceedings. Police and prosecution have a duty to disclose evidence that may be relevant to the defence. Any BWV footage recorded during an encounter that may be relevant to an investigation, should be reviewed, retained, and listed on the disclosure schedule.

## Attorney General's Guidelines on Disclosure 2020

These guidelines [AG\\_Guidelines\\_2022\\_Revision\\_Publication\\_Copy.pdf \(publishing.service.gov.uk\)](#) are issued by the Attorney General for investigators, prosecutors and defence practitioners on the application of the disclosure regime contained in the Criminal Procedure and Investigations Act 1996 (CPIA) Code of Practice Order 2022.

Where BWV is of no evidential value, but it appears to have some bearing on the offence under investigation, any person being investigated, or on the surrounding circumstances of the case, then it becomes relevant unused material.

Unused BWV must be reviewed in full to identify whether any of the content could be capable of undermining the prosecution or assisting the defence (the disclosure test), and any content capable of doing so must be sent to the CPS. If the entirety of the unused footage contains both relevant and irrelevant material, it should be clipped down so that only the relevant unused content is provided to the CPS.

For file builds requiring disclosure schedules, the relevant unused BWV must be scheduled on the non-sensitive or sensitive disclosure schedule.

Sensitive material is material that, if disclosed, would give rise to a real risk of serious prejudice to an important public interest. When making a decision about the sensitivity of an item, investigators should have regard to the types of material listed in paragraph 6.14 of the CPIA Code.

Sensitive material should be revealed to a prosecutor on a separate schedule to the non-sensitive material. Where a document contains a mix of sensitive and non-sensitive material, the sensitive material must be redacted, with a copy of the redacted document placed on the non-sensitive unused material schedule and the original placed on the sensitive schedule.

Unused BWV listed on a disclosure schedule may fall as Rebuttable Presumption material likely to meet the disclosure test where the content satisfies one of the following categories,

\* Where not already contained within the crime report:

- any record or note made by an investigator (including police notebook entries and other handwritten notes) on which they later make a statement, or which relates to contact with suspects, victims, or witnesses;
- an account of an incident or information relevant to an incident noted by an investigator in manuscript or electronically;
- records of actions carried out by officers (such as house-to-house interviews, CCTV, or forensic enquiries) noted by a police officer in manuscript or electronically;
- CCTV footage, or other imagery, of the incident in action;

\* Any previous accounts made by a complainant or by any other witnesses

\* Interview records (written records, or audio or video tapes, of interviews with actual or potential witnesses or suspects)

\* Any material casting doubt on the reliability of a witness e. g. relevant previous convictions and relevant cautions of any prosecution witnesses and any co-accused

Unused BWV that falls as Rebuttable Presumption must be provided to the CPS, however where multiple body-worn cameras capture the same content, it may be that only one set of footage needs be provided. The remainder should be listed clearly on the unused material schedule. This decision must be made on a case-by-case basis, as it may be that similar but distinct footage has been captured, in which case multiple sets of footage should be provided.

These guidelines also provide guidance in relation to providing material that is disproportionate to redact – an investigating officer can conclude that if relevant footage isn't directly related to the offence and contains information that requires extensive redaction

(such as personal or sensitive data), then it does not need to be shown to the prosecutor. For further detail and information please refer to the guidelines.

### Charging (The Director's Guidance) – sixth edition, December 2020

This guidance sets out the arrangements prescribed by the Director of Public Prosecutions for charging decisions, the information to be sent when a charging decision is to be sought, the other material required to support a prosecution and the joint working framework for police officers and prosecutors during the investigation and prosecution of criminal cases. Within this guidance is the following in relation to the redaction of body-worn video;

- Before any redaction is considered, it is the officer's responsibility to clip body-worn video footage to the evidential selection or unused footage that falls as rebuttable presumption or meets the disclosure test. Experience has shown that key evidence rarely exceeds 10 minutes in length – there are exceptions to this such as video recorded interviews, but the expectation is that the evidential section provided will be under 10 minutes in length.
- When considering body-worn video redaction, the key consideration is the context in which the footage was recorded and the expectation of an individual's right to privacy. An individual would not generally have an expectation of privacy when captured in a public place, unless there is a risk of harm, or data loss from disclosure. The Data protection Act is a legal requirement. The Police and the CPS do not have any special relationship that negates the need to redact and protect personal information.
- All redactions must be undertaken in compliance with your force policy regarding the respective responsibilities of the individual officer and forensic imaging team.

Further information can be found within this document and also within the joint NPCC and CPS Redaction Guidance Set located in the knowledge hub ( [Welcome - Knowledge Hub](#)) 'NPCC Disclosure' site library. [Charging \(The Director's Guidance\) - sixth edition, December 2020, incorporating the National File Standard | The Crown Prosecution Service \(cps.gov.uk\)](#). Please refer to Appendix C which contains a redaction crib sheet that provides guidance on the level of redaction required.

### Freedom of Information Act 2000

This Act makes provision for the disclosure of information held by public authorities, and this may include body-worn video in certain circumstances. There are exemptions where a request is not obliged to be fulfilled, for example, if that disclosure would, or be likely to prejudice the prevention or detection of crime. When responding to a FOI request, redaction is likely to be necessary to comply with the DPA 18 and to prevent collateral intrusion. More information can be found here [Freedom of Information Act 2000 \(legislation.gov.uk\)](#)

## Environmental Information Regulations 2004

These regulations cover public access to environmental information, which is not limited to official documents or information created, which could include body-worn footage. More information can be found here [The Environmental Information Regulations 2004 \(legislation.gov.uk\)](#)

## Regulation of Investigatory Powers Act 2000 (RIPA)

Part 2 of the Act covers acts of directed and intrusive surveillance, and the procedures and authorities required in these circumstances. There are certain circumstances where body-worn cameras can be used covertly, and in these cases, forces must comply with the provisions of RIPA. This document is intended to provide guidance for the overt use of BWV only. Overt BWV users should make themselves aware of *AB v Hampshire Constabulary* determined that police officers using their body-worn cameras within a private dwelling, and without telling the occupant that these devices were recording, amounted to surveillance and gave rise to article 8 considerations. [AB v Hampshire Constabulary, first decision under new IPT rules - The Investigatory Powers Tribunal](#)

## Protection of Freedoms Act 2012 and the Surveillance Camera Code of Practice

Part 2 of the [Protection of Freedoms Act 2012 \(legislation.gov.uk\)](#) deals with the regulation of CCTV and other surveillance camera technology, and introduced the [Surveillance camera code of practice - GOV.UK \(www.gov.uk\)](#).

This act details the code of practice that covers any systems used by police forces or local authorities for recording or viewing visual images for surveillance purposes, which will include body-worn video. Police forces in England and Wales, non-territorial police forces, police and crime commissioners and the National Crime Agency are specified as relevant authorities, and therefore, should consider the code and its 12 guiding principles. Forces must provide strong justification if they wish to divert from the code's principles, however the spirit of the surveillance camera code of practice is to ensure the integrity and transparency of the use of this technology. Therefore, forces need to be able to justify and contextualise their decisions when their actions deviate from these principles.

## Police and Criminal Evidence Act (PACE) 1984

Code D relates to identifying persons and includes the use of a moving image under the definition of photograph. Section 64A permits a person to be photographed in certain circumstances, with or without their consent, by a constable elsewhere than at a police station, although it does not specifically refer to body-worn video. This power can be applied if certain conditions have been met, which are detailed within the legislation here [Police and Criminal Evidence Act 1984 \(legislation.gov.uk\)](#). The general operational use of BWV is not covered by PACE.

BWV should not be solely used for the purpose of gaining an image for the purposes of identification. If an individual is captured on body-worn footage and subsequently identified

as a person requiring identification in relation to an investigation, then PACE code D must be adhered to [PACE Code D \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Code E relates to a code of practice on audio recording interviews with suspects. Provided paragraph 1.6 of Code E is complied with (definitions of recording media and a designated person), and that the police force's Chief Officer has approved the 'device' (the body-worn camera) for this purpose, then body-worn cameras can be used to conduct suspect interviews away from a police station. [PACE CODE E \(publishing.service.gov.uk\)](https://publishing.service.gov.uk). It is up to individual forces to decide how they wish to use this legislation and are advised to consult with their local CPS to ensure there is an agreed process in place for submitting evidence.

### Mental Health Units (Use of Force) Act 2018

Section 12 of this legislation states police officers, when attending a mental health unit on duty, must keep their body-worn cameras running, unless it is not practicable to do so. [Mental Health Units \(Use of Force\) Act 2018 \(legislation.gov.uk\)](https://legislation.gov.uk)

### Forensic Science Regulator (FSR): Code of Practice

The Forensic Science Regulator Act 2021 (section 2) required quality standard requirements, including specialist training, to be set for forensic science activities related to the investigation of crime.

Routine extraction of force-generated material from force-controlled systems, and the clipping and redaction of this material, does not fall within this code. These activities can be performed using the force's approved BWV system provided the users have been trained in that system. Sharing of police BWV footage between forces (mutual aid) and subsequent redaction of this footage is low risk and does not fall within the code, if the user has received the appropriate training, and the footage has not been processed forensically prior to sharing.

However, any manipulation or enhancement of BWV footage, and any insertion of footage within a compilation, is restricted to users who are ISO accredited. Any use of BWV to capture evidence from other screens or digital devices (such as recording CCTV screens, or mobile phone screens) would require a declaration of non-compliance with the code.

Please take note that this only refers to BWV that is force-generated. Any BWV footage from other sources (such as other sectors that use BWV such as retail and security) will not apply and will require processing under the FSR codes. Please contact your force digital forensic units/digital video units to seek any guidance.

## Principle 2 - BWV is processed and managed in line with data protection legislation and information management guidance

The retention, review and disposal of body-worn footage must be in line with all relevant legislation and current guidance, including the code of practice on the management of police

information and the authorised professional practice (APP) on information management. Forces must be able to ensure the integrity of the data throughout its journey, whilst having due regard for the Surveillance Camera Code of Practice.

The duration of the retention of the footage is governed by the National Digital and Physical Evidence Retention Guidance. This guidance specifies that the retention of the footage should be driven by the conclusion of a case. There is an addition of two 6-month categories to comply with the Police Reform Act 2002, where footage must be protected to clarify if it is required in relation to a complaint against staff or required for an investigation. The retention categories for BWV footage are summarised in section 4. For any further information on retention, please refer to the owners of the schedule for body-worn footage retention, the NPCC Records Management Working Group.

To comply with data protection legislation, as well as the requirements detailed on page 7, these are additional considerations when using BWV;

- Begin recordings as early as possible to offer transparency and context. The expectation will be that the recording will carry on uninterrupted until it no longer is required, no longer appropriate or there is no likelihood of immediately capturing evidence. The decision and rationale to stop recording should be captured on camera, even if this is a temporary pause to recording during an incident, such as whilst on a cordon at a scene or with a prisoner at hospital.
- Not to make recordings of general patrolling duties. Recordings should be incident-specific, for a policing purpose or related to an operation (e.g. policing at a football match, or at a demonstration).
- Securely hold all recordings in accordance with force procedures, with access to these recordings being controlled and fully auditable. All actions within the platform to be fully logged.
- Retain records of metadata, and details of disposal of any non-evidential recording.
- Ensure that information relating to your force's use of BWV are published and accessible to the public. This can include information such as the retention policy, how the data is processed, any use of the pre-record function and who to contact if they wish to enquire further.
- Ensure that users are aware of subject's rights if they are captured on BWV and can provide information or direct persons to where that information is published and are able to recognise and report a data breach or near miss to the appropriate team within their force.
- If sharing information with others, they must also be made aware of their obligations as data controllers, under the DPA 18.

### Principle 3 - BWV use must be proportionate and related to a meaningful operational encounter

Users must activate at the earliest opportunity their BWV when engaged in a meaningful operational encounter, related to a policing purpose.



This is defined as an encounter that is likely to have a significant or long-lasting effect on the individuals involved, the community or the police. It is worth noting that any interaction with the police, however brief that may be, can have a long-lasting effect on an individual, so the expectation will be that all initial interactions with the public, relating to a policing purpose, will be recorded on BWV. Users are reminded of the national decision-making model (NDM) when using BWV and to record any justification and decision to start/stop recording on camera.

All recordings must be proportionate and related to a specific incident or encounter and must not be a continuous recording of shifts or general patrol.

There are certain situations and scenarios where body-worn video may not be appropriate, and these are detailed further in this guidance document.

## Principle 4 - BWV is used to engage with communities to promote transparency and accountability

Body-worn footage is a key tool in police accountability and legitimacy and can be used to work towards building trust and confidence between the police and communities they serve. This could be through sharing BWV footage through community scrutiny panels, but also through releasing footage to the media if circumstances dictate. Further guidance around what to take into account when releasing footage to the media is detailed within section 4 of this document.

The release of the Government response to the [Inclusive Britain: government response to the Commission on Race and Ethnic Disparities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/inclusive-britain) states;

*“Body-worn video (BWV) is a vital tool for policing. BWV protects the public by allowing interactions to be recorded and reviewed, ensuring powers are used correctly and protecting officers from spurious claims of mistreating the public.*

*The Commission determined that BWV is used inconsistently across police forces and not enough in routine police scrutiny.*

*We accept that BWV should be used much more widely in scrutiny groups so communities can see how officers within their forces behave and hold them to account for any misdemeanors”.*

The use of BWV features heavily throughout the Police Race Action Plan (PRAP) which is a coordinated effort across all Chief Constables in every police force across England and Wales, to improve trust and confidence in policing among black communities. As this plan is adjusted to reflect its long-term footing within policing, BWV will remain a vital tool within the anti-racism commitment moving forwards to commit policing in England and Wales to anti-racism and achieving racial equality.



It is encouraged that BWV is shared within external and internal scrutiny groups, subject to data sharing agreements, for the purposes of increasing transparency and accountability, to identify not only areas of concern and reflective learning, but also best practice and promotion of good work that is being carried out in communities. Strategic leads should ensure there is a robust process for ensuring that feedback from these panels is fed back into the force through the correct channels, and that it is reviewed and acted upon. Care needs to be undertaken to ensure that the footage/information that is viewed within scrutiny panels is kept confidential and secure, whilst still ensuring transparency to its viewers. Further information on how forces can achieve this is detailed within section 4.

# SECTION 2 - BEFORE RECORDING

## Why we record

Body-worn cameras allow for a user's perspective of an incident and can be placed in a position to capture the best available footage, such as head or chest mounted. The footage is unable to be altered or deleted and is uploaded securely, therefore offering an impartial and unbiased account of an incident. BWV should be used to capture evidence, but also anything that may be relevant to an investigation. There are benefits of users wearing BWV as it can play an important role in ensuring transparency for both parties – it can protect users from malicious allegations and allows for quicker and efficient resolution of complaints. It also safeguards members of the public and gives them confidence in knowing that there is a visual record of an interaction. Forces should publicise their use of BWV, so the public are aware of what to expect when they encounter a user wearing one.

## When to record

Where police officers and other users are equipped with BWV, they should use it to record a meaningful operational encounter, when related to a policing purpose.

A policing purpose is defined by the College of Policing as including (but not limited to);

- the prevention and detection of crime,
- the apprehension and prosecution of offenders,
- the protecting of life and property,
- to preserve order,



This covers a variety of policing scenarios and will lead to greater transparency in policing's actions, increased capture of evidence, but also footage that may be relevant to investigations or enquiries. The retention of the footage after recording is covered in the information management section of this document.

***There should be an expectation for users to justify why they didn't record, rather than why they did***

Users are advised to power on the camera at the earliest opportunity when commencing wearing BWV – this means the camera will be switched on and in a standby mode, with pre-record activated.

Cameras should not be left powered off or in any kind of 'sleep' mode during a user's duty to bypass the pre-record.

Recording can then be activated through the press or action of one button/action. Users should commence recording prior to arriving at an incident. This allows for the camera to capture the gathering of any information and provides context around decisions made. Users

should be encouraged to verbalise any information being gathered or passed to them, such as information passed via personal radios, to further increase context and transparency. If a spontaneous incident occurs, users should activate their cameras to record as soon as practicable, with the pre-record function capturing the lead-up to that activation.

All users must follow their own force policy. However, there will be an expectation for all users present to record the entire encounter. A practice of just one user recording on behalf of everyone present should be discouraged – all users present are required to record from their own camera. This captures not only their own actions, but those of others from a different context/perspective.

***If you are an officer deployed on mutual aid to a host force that may have a different BWV policy, please revert to your own force policy, or this NPCC guidance***

There are certain situations where the use of body-worn video is mandated and must be used unless there are exceptional circumstances. These are as follows;

- **Armed Policing** – body worn cameras to be worn, head-mounted, for overt armed policing deployments (details within NPCC circular from the NPCC Armed Policing Portfolio, 01AP'2016).
- **Specially Trained Officers (STO's/taser officers)** – BWV is mandatory for STO's across all Home Office police forces in England and Wales and to be used within training (details within NPCC circular from the NPCC Less Lethal Weapons Portfolio, 06LL'2022).
- **Attending mental health units on duty** – Section 12 of the Mental Health (Use of Force) Act, 2018 states that if a police officer is attending a mental health unit on duty to assist staff who work in that unit, that police officer must wear and operate a body camera at all times it is reasonably practicable. [Mental Health Units \(Use of Force\) Act 2018: statutory guidance for NHS organisations in England, and police forces in England and Wales - GOV.UK \(www.gov.uk\)](#)

## When not to record

It has been recognised that there has been mission creep of BWV beyond its initial evidence gathering purpose over the years, and there are limitations of its capabilities to be aware of. In certain situations, there may be other forms of recording information that are more suitable than BWV. BWV is not intended to replace other forms of evidence gathering such as statement-taking, it is there to corroborate it.

Its use should always be in line with local and national policy, and although this guidance sets out considerations for when to record and when not to record, users must be able to justify each use on a case-by-case basis and make full use of the National Decision-making model when making the decision to use, or not use BWV. It is ultimately up to the user to decide when to commence recording, if at all, and when to conclude recording, and be able to justify why they came to these conclusions.

In some cases, the use of BWV can lead to a detrimental effect on criminal justice outcomes or does not fall within the NPCC principles of BWV use. The following situations are examples, and not an exhaustive list, of where users should consider if their use of BWV is appropriate;

- Recording entire duties or patrols that are not incident specific. If deployed on a specific operation that may require long periods of inactivity or minimal public interaction (such as on a cordon), then users are advised to have their cameras powered up, on stand-by, with the pre-record function activated to allow for the capture of any spontaneous incidents.
- Recording of other types of video evidence, such as CCTV screens and mobile phones, using BWV. Although this may seem like a pragmatic way to deal with lines of enquiry, there has been a tendency for the original 'master recording' to not be seized within a reasonable time and is then lost. This presents issues further down the line in court, as there is no original master recording as per CPIA, but also the BWV recorded version of evidence will be a much poorer quality, have little evidential integrity and can be easily challenged at court. However, there may be circumstances where this practice is the only way of securing evidence that may otherwise be lost, (golden hour principle), there is an immediate policing purpose or an urgent safeguarding concern. In these scenarios, users must be able to justify why they have recorded that digital evidence, and the consequences if they had not done so. This practice would also require a declaration of non-compliance from the force in relation to the FSR codes and would receive a level of scrutiny as to why this was completed. If still in existence, the original data must be downloaded and seized as soon as possible to ensure the authenticity and integrity of that piece of evidence.
- BWV should not be routinely used to record written MG11 statements (under Section 9 of the Criminal Justice Act 1967) unless there is an operational benefit which can be justified by the user.
- Users must respect legal privilege, and must not record material that is, or likely to be, subject to such protections.
- Within military-owned areas. Please see section 3 for areas or locations that are sensitive, or for tactics that may be covert.
- Users should not use BWV as a substitute for an ABE.
- When attending a report of a non-recent RASSO offence, then the expectation will be that users do not record this interaction. Work from Op Soteria, along with the NPCC Rape and Serious Sexual Offences (RASSO) portfolio, has identified that first-responders using BWV at attendance of non-recent RASSO offences, can have a detrimental effect on the outcome and introduce bias throughout the criminal justice journey. **This is only in relation to a report of a non-recent RASSO offence.**

- Recording for purposes that are not related to a policing purpose, for example, recording conversations with colleagues, or discussions related to performance or reflective practice.
- Indecent images of children should not be captured on BWV. If there is an accidental capture, please follow the advice within section 3.

## Who can record

Forces should ensure that all users of BWV and the management platforms have completed training to ensure they are competent in not just the devices themselves, but also the management of the data, and the consequences of any mismanagement. All users need to be made aware that any misuse of BWV will be dealt with thoroughly by professional standards departments.

Individual forces can decide what content and format they wish the training to be conducted. However, early introduction of the cameras can help officers in their professional development, especially if used in scenario-based training, as this allows for reflective learning. If footage from a student officer is uploaded to the 'live' system, then the retention of footage must be in line with the relevant legislation and guidance, and the decision to retain should be based on a policing purpose, not solely for professional development.

Consideration should be given to ensuring users are familiar with procedures related to vulnerable persons, children or victims of RASSO, and how the use of a BWV could impact an individual and potentially have a lasting effect on their trauma.

Training should be refreshed to users at appropriate intervals or when required, such as when a user moves to a new role and has not received recent BWV training.

## Camera set-up considerations

Forces can decide as to the set-up and capabilities of their cameras. However, it is strongly advised for strategic leads of forces to consider the following;

- Pre-record or pre-event buffering – following agreement at the Local Policing Coordination Committee, within the NPCC, the BWV portfolio recommends at least 30 seconds pre-record of audio and video for UK home office police forces. To utilise this capability, forces should ensure that users 'power on' BWV devices at the beginning of a start of duty, so cameras are in a standby mode with pre-record activated. It has been highlighted through national publications (such as the IOPC National Stop and Search Learning Report), that not having the audio element is a risk, as it is not allowing for the true and accurate version of events to be recorded. Information around your force's use of pre-record should be published on a public-facing website to inform the public that this capability is being used. Users should take into consideration what they may be looking at or talking about leading up



to activating a camera to record, as this may mean that information classed as above OFFICIAL may be captured. Forces should liaise with their suppliers as a 'group' of cameras can be programmed to have a different pre-record if required and can be used in sensitive locations or by users deployed in roles where they may encounter such information. Your force's use of pre-record should be overt and any associated risks should be accessible to the public and detailed within your force's DPIA.

- Definition of footage recorded – when BWV was first introduced, the camera was designed to mimic that of a human eye, as to not introduce additional scrutiny of an officer's testimony in court, for example if a user claimed they saw something when the camera shows something else, and this is used to undermine their honest held belief. However, with technology moving forward, and cameras now capable of recording in 720p and 1080p, alongside increased scrutiny on police actions, there is an argument for having technology that provides us with as clear evidence as possible. The view from the CPS is that the best quality footage to enable identification of offences/suspects/weapons, will produce the best outcome at court. Any forces that increase the definition of their footage would be advised to get a written document from their supplier, detailing the sensitivities of that camera recording in that definition, and how this may include detail that may not be visible to the human eye. Some considerations to bear in mind is the additional cost of storing footage at an increased definition, which is likely to be significant, and a forces existing infrastructure to be able to manage this level of higher definition data.

## Emerging Technologies

Technology and innovation within policing is advancing at pace and can bring speed and accuracy to police processes to deliver a more efficient and productive outcome. The area of BWV is no exception and policing is required to consider how best to utilise this technology in the future.

Technological capabilities within the cameras themselves can enhance real-time situational awareness through capabilities such as live- streaming of footage and built in artificial intelligence (AI) features to monitor and analyse behavior, sound, and faces. BWV that includes wireless connectivity can afford users the protection for all parties, without the restrictions of having to be within your own force, or even returning to police premises to dock cameras and upload footage.

Additionally, there is focus on the vast amounts of rich data we hold within BWV platforms, and the analysis we can draw from it. Innovation can move us from a position where we are storing our BWV data passively and using it on a reactive basis, to secure and scalable management and analysis. This could involve identifying footage with certain elements such as use of force, language used and violence and assaults on staff, to enable enhanced productivity relating to scrutiny, BWV misuse and officer welfare.

## NPCC Covenant for using Artificial Intelligence (AI) in Policing

This covenant outlines a set of principles that forces have agreed will define how it uses AI in its business. Whilst this will be an ongoing and constantly evolving area of work, especially around disproportionately against a community or race, the principles will ensure we are acting with transparency from the outset.

They are;

Principle A – Lawful

Principle B – Transparent

Principle C – Explainable

Principle D – Responsible

Principle E – Accountable

Principle F – Robust



For more information, please read the full document here [ai\\_principles\\_1\\_1\\_1.pdf](#)  
([science.police.uk](http://science.police.uk))



## SECTION 3 - DURING RECORDING

### Announcing and commencing recording

Users should power on their camera at the start of their shift and check it periodically during their shift to ensure it is functioning correctly and has sufficient battery. When a user identifies that they are engaged in, or about to be, in a meaningful operational encounter, then they should activate their cameras to record.



***As soon as practicable, ensure BWV is mounted appropriately and recording the interaction.***

It is essential that people are made aware that they are being recorded. Devices can have icons and text displayed on the cameras to assist with this, along with indicators such as a visible red light when recording is activated. At the start of a recording, or as soon as circumstances allow, the user is to make a verbal announcement that they are recording both visually and audibly. This announcement should be in clear understandable language, tailored to the subjects they are communicating with, considering any disabilities or impairments. Users should be able to articulate the lawful basis around police use of BWV and be able to alleviate any concerns around the management and security of the footage.

Users should specifically ensure that this is complied with when operating in plain clothes, or in a private dwelling, as per the case of [AB v Hampshire Constabulary, first decision under new IPT rules - The Investigatory Powers Tribunal](#)

### Commentary and recording of decision making

Users should be encouraged to alongside visual recording, verbalise and document what they see, hear or smell. This can add greater context to the viewer of what the user is experiencing that may not be captured on camera or audio.

This is referenced within the IOPC Stop and Search Learning Report which although is explicitly related to stop and search, could bring the same benefits across all operational encounters and police decision making. It states;

***Recommendation 13: Chief Officers should take steps to ensure that officers are using their body-worn video to capture all relevant information in the time leading up to the person being detained for a search, the conduct of the search itself and the subsequent conclusion of the encounter”.***

BWV can also be used by senior officers or officers in command roles that are required to document and keep records of decision making and rationale. One of the recommendations from the Manchester Arena Inquiry is for those who take up a command position in the event of a Major Incident (this includes all emergency services) are issued with a means to record what they say, hear and see. Although this doesn't state BWV specifically, the cameras fulfill this role, and a number of forces are ensuring that officers within a command role have access to BWV for this purpose.

## Stop and Search

Any stop and search process must comply with the relevant legislation and codes of practice, along with the Authorised Professional Practice by the College of Policing, and the expectation is, to ensure full transparency during this use of power, that all use of stop and search powers will be recorded, unless there are exceptional and justifiable circumstances not to.

The stop and search APP states that;

***“The standard approach is that body-worn video should be activated to capture all relevant information in the time leading up to the person being detained for a search, the conduct of the search itself and the subsequent conclusion of the encounter. [Stop and search | College of Policing](#)***

Officers who are in plain clothes but identify themselves as police officers to use powers are not exempt from this guidance. These officers should consider how best to carry and utilise body-worn cameras, dependent on their role, to still ensure the best protection and transparency for all parties.

It is identified that there are limitations with carrying an overt camera in a discrete manner, and then mounting and securing when required in a dynamic situation. However, for a stop and search process, where police officers are encouraged to use the national decision-making model (NDM) and consider if a search is proportionate and necessary, in the majority of circumstances, there should be sufficient time and opportunity to ensure the camera is mounted in the best possible place to capture that encounter. If more than one BWV user is present, consideration should be given to not just the searching officer recording, but also a colleague that is overseeing the encounter. This will provide context of the overall encounter and aligns with the College of Policing's definition that police use of stop and search powers must be transparent and accountable.

Procedural justice (fair decision making and respectful treatment) works towards ensuring that the police use of stop and search powers is seen by the public as legitimate. Footage of stop and search processes is often scrutinised through internal and community scrutiny panels and forces should emphasise to users the importance of recording stop and search encounters on body-worn video. Forces should seek to collect data around the use of BWV during stop and search procedures and submit within their annual data returns (ADR'S), to allow for full transparency and detail around the use of BWV.

It is important and should be emphasised to users that they should not use their BWV during the stop and search process for the purpose of identifying the subject, and that persons searched are not obliged to give their name, address, or date of birth.

The BWV footage of a stop and search encounter is not classed as the written record of a stop and search and does not replace the need for a written or electronic record of the search. Stop searches/vehicle searches where suspicions are allayed are classed as non-evidential and as such, to meet our obligations in line with the DPA and the agreement that policing has with the Information Commissioner's Office for the handling of such material, should not be held for longer than 31 days. However, should forces wish to make a policy decision that goes outside of this agreement, they must be able to demonstrate through their DPIA how that policy is applied and why. For example, if they choose to align the retention of the footage with the retention of the written record. Special care should be given to making a policy decision of this nature particularly if the way in which it has been articulated could be interpreted as automated decision making leading to the over retention of personal data.

## Exposing Intimate Parts Searches (EIP)

An EIP (exposing intimate parts) search, also known as a strip search, is the most intrusive form of search permitted under stop and search powers. These searches must be conducted at a nearby police station, or other location out of public view, but not in a police vehicle.



This guidance relates to EIP searches which are governed by Code A and are not taking place in a custody centre.

Using BWV during these searches can ensure the transparency of the entire encounter, and protect all parties involved. The College of Policing's APP states the following in relation to using body-worn cameras during these searches;

***“If a body-worn camera is available, officers should record the encounter in accordance with force policy, but should cover the camera, or direct it away, when intimate body parts are exposed. Audio should remain activated”.***

**[Legal application | College of Policing](#)**

Not all models of BWV have the capability to turn the lens away when mounted on the body. In these circumstances, an overview of the conduct of the search from a distance may be beneficial and allow for an accurate record of the conduct of the officers involved and the subject before, during and after the process. To achieve this, a BWV camera could be placed in a position as to not capture intimate parts, such as in the corner of the room.

However, not having a video recording of the process, especially if force is being used to complete a non-compliant EIP search, may pose a risk in relation to allegations or what context could be drawn from audio alone when actions cannot be seen. Another alternative

is to consider clipping and redacting the full screen once the footage is uploaded.

If the EIP search involves a child or vulnerable person, then the footage may be required to be retained and subjected to a local safeguarding review, regardless of the outcome of that search, so please refer to your local force policy. Users should consider the welfare of the subject during an EIP search, and ensure they are clear in their communication throughout.

Any EIP searches which are conducted post arrest, therefore governed by Code C, and carried out in custody centre's, will be led by the custody officer in charge of that detainee and they will determine if the use of BWV is required.

An intimate search can only be carried out post arrest and is governed by the provisions of Code C PACE.

## Use of Force

Any use of force must be recorded on BWV, unless there are exceptional and justifiable reasons not to. Use of force is subject to a high level of scrutiny, and BWV can provide valuable context around decision making when dealing with violent or aggressive subjects. All users at an incident will be expected to activate their cameras to record, regardless of if other colleagues are already present and recording. Different users will bring different perspectives and viewpoints, and anyone choosing not to record, will be expected to have a strong justification why they didn't.



It is identified that there are limitations with carrying an overt camera in a discrete manner, and then mounting and securing when required in a dynamic situation. Consideration should be given to this when reviewing these instances.

## Police drivers and vehicle stops

The power to stop a driver of a vehicle (S163 RTA 1988) and the power to request the driver's details (S164 RTA 1988) are 'no grounds' discretionary police powers. However, forces have a duty to ensure their officers are using these powers lawfully and legitimately to retain the confidence of their communities, especially in relation to complaints. All forces have agreed to record ethnicity under S164 RTA, 1988, to better understand the use of the power and to inform conversations with their communities regarding disproportionate use of powers. Any subsequent use of stop and search legislation is required to be recorded in the usual way. Therefore, users should activate their cameras to record when making a decision to stop a vehicle utilising police powers. Best practice will be for users to verbalise their decision making on BWV. If a vehicle fails to stop, BWV would then have captured the context leading up to that request, and evidence for that offence.

The College of Policing APP on police pursuits ( [Police pursuits | College of Policing](#)) provides guidance on recording real-time evidence, and to consider the need to provide evidence of any criminal activities and the decision-making process. The presence of in-car recording

equipment shouldn't preclude users from activating BWV within a vehicle, as BWV will bring a different perspective, will capture the context leading up to that situation, and will also capture the user's actions when they alight from the vehicle. It is highly desirable in pursuit situations to have a vehicle fitted with driver and vehicle data management systems, together with visual recording equipment, such as BWV, for evidential purposes.

## BWV during detainee transport

Recent national events and feedback from HM Coroner have identified vulnerability when transporting detainees to custody centres or places of safety. All escorting officers should have their BWV activated during this journey as a record of that journey and any incidents that occurred within. Any decision made not to record a journey should be strongly justified on their camera prior to deactivating recording.

This is to include recording within any vehicles that may have a separate camera system within them, such as caged vans, as there may be limitations to some of these systems, such as no audio or a short retention period that means footage may be auto deleted before its requirement is known. Forces should check who manages the data from these camera systems and how long footage is stored for and ensure that between the use of BWV and in-vehicle solutions, that a journey is covered by both/either, and data can be accessed and managed efficiently.

## Building entries, searching premises and boarding up

Where there are a number of users involved in effecting entry to a premise, all equipped with BWV should ensure that their cameras are switched on and recording when effecting entry.

After a scene is secure, BWV can be an effective tool in recording the layout and the location of any objects or evidence and capturing any significant statements from people at the scene.

Where a number of users are searching within the same premise, consideration should be given to if all engaged in searching are required to record. This is due to the large amount of data that is likely to be captured, including personal and sensitive data such as documents, photos, legal privilege and details of others such as family members. This amount of data will require extensive redaction prior to any court process, so forces must consider their policies in relation to this. The use of the 30 seconds audio and video pre-record will greatly assist in this situation, as users who are conducting a search could keep their camera powered on and on standby whilst searching, and then activate their cameras to record at the point of locating an object. A verbal commentary at this point would assist further in adding context to the location of that object.

If seizing money, depending on your force's policy in relation to seizing of cash, then BWV should be used to ensure full transparency.

Users must be careful and considerate in respect of cryptocurrency and items subject to legal privilege and must not record such material unless it forms part of the investigation.

Prior to leaving a scene or premises, especially where there has been damage incurred, or a company is required to board up and secure the premises, it is recommended that someone equipped with BWV completes a final walkthrough of the scene, records any damage and all officers leaving that scene. This is to ensure that there is a true and accurate record of any damage caused to a property through police involvement, in case of any later disputes.

## Police Search Advisor (PoLSA) led searches

Police National Search Centre guidance (2022) is that BWV is not used during PoLSA led searches utilizing Licensed Search Officers (LSO's).

This is because;

- It may lead to the disclosure of confidential search tactics which are sensitive (not dependent on type of search, any tactics used by LSO's should not be disclosed).
- Some BWV cameras have live streaming capability which may pose a risk as the RF from any transmission could initiate a device, such as IED.

However, it is acknowledged that BWV can be used both pre and post search to negate complaints about damage, and to record the location of persons and property as entry is gained. Once the scene is under control and all persons detained, BWV should be switched off.

## Use of BWV close to potentially explosive environments or suspect packages

BWV devices contain wireless transmission technology that transfers radio frequencies over the air as a form of energy transfer.

Wireless transmission has been deemed a risk factor in igniting an explosive environment. If you need to enter a potentially explosive environment or approach a suspect device, a BWV device must be powered off.

BWV devices must not be powered on within 15 meters of a suspect package and not used to record any suspect device in situ.

The use of BWV within illicit labs also follows the same principles as above and should not be used unless the safety of the atmosphere has been confirmed and recorded.



## Sensitive/Covert Operations or Locations

This guidance is specifically around the overt use of BWV. Transparency lies at the heart of police use of this technology, therefore police need to reinforce this in the way BWV is used, to maintain public trust and confidence. The definition of what is classed as overt, for the purposes of this guidance, is an overt police officer is one that is readily identifiable as a police officer. This includes officers and users in plain clothes, unmarked vehicles and those who are discrete, until such time they exercise a power. These users should consider how best to carry and utilise BWV, as they are still required to be afforded the protection and accountability of a uniformed colleague. Officers that fall within these roles that carry taser will be subject to the mandated requirement from the NPCC Less Lethal Weapons Portfolio that all Specially Trained Officers (STO's) are to have BWV when they deploy.

BWV devices may come with the capability to activate a 'stealth mode', which means that all signs that a camera is recording are removed, such as the flashing recording light, audible sounds and an illuminated screen. This mode can be incredibly beneficial in certain scenarios, such as firearms incidents, or when attending persons in mental health crisis. However, the subject must still be informed, when it is reasonable and practicable to do so, that they are being recorded. They are not to be made to believe that the camera has been switched off when it is in fact, still recording.

BWV can be used in covert policing, subject to the relevant legislative requirements. A covert police officer is one that is deployed in a covert role and documented within the force's STRA (Strategic Threat and Risk Assessment).

However, it is identified that there may be certain locations or operational situations where there is a need to balance force policy, with the need to protect officer safety and/or operational security.

In pre-planned instances where BWV will be deployed on attending officers, consideration should be given to;

- presence of covert assets, - sensitive methodology or intelligence,
- identification of possible covert officers, equipment, or vehicles,
- any safety considerations,
- location,
- information on walls, or passcodes for entry to buildings/areas,
- any potential for material relating to legal privilege,
- cryptocurrency – including any seed phrase/keys,



If BWV has been deployed during a spontaneous incident, and the nature/content of the footage means that anonymity for persons within that footage is sought for officer safety or operational security reasons, then redaction of that footage can be carried out with the relevant authority dictated by your force policy.

Any information captured on BWV that is classified as above Official should not be uploaded to the network. The camera should not be docked or connected to a network and local force

policy should be followed in relation to the management of data classified as Secret or Top Secret.

## Mutual aid – deploying with BWV

A lack of consistency in BWV usage when deployed on mutual aid has been highlighted by the NPCC BWV portfolio as a significant risk. Staff deployed out of their home force need to be afforded the exact same protection as if they were policing in their own force, and communities would expect to receive a consistent level of service regardless of where in the country the police officer they are speaking to has come from. BWV is fundamental in securing remand decisions and within Post Incident Processes (PIP), as well as capturing evidence in slower-time enquiries. Therefore, the expectation will be that as a minimum, forces will adhere to the following guidelines in relation to BWV and mutual aid.

### When a force is sending staff out of force

- ensure officers are deployed with their force supplied BWV, and a reminder of force policy/NPCC guidance around using it.
- Supply officers with a means to charge, offload and share footage. This could consist of a 'grab bag' consisting of a force networked laptop, a dock and charging leads. The addition of being able to set this up within police vehicles gives great flexibility and the ability to respond to immediate requests.
- Allocate a BWV SPOC/Bronze within your deploying officers. A member of staff who will take responsibility for the kit and is proficient and confident in using BWV and the platforms associated with it.

### When a force is receiving staff from out of force

- Consider if there are facilities to host charging facilities for laptops and docks, and where this could be located. Especially for pre-planned operations, it can be beneficial to have BWV areas, within staff accommodations or welfare areas, where forces can set up their own docking areas. This area would require sufficient space for the attending forces, sufficient power supply and would be required to have restricted access to ensure the security of the devices and the footage held on them.
- Consider circulating secure Wi-Fi passwords to attending officers – most BWV footage is held in the cloud so Wi-Fi will be required in order to upload footage. Some forces also use Wi-Fi or LTE to upload footage, and especially during periods where there may be heavy internet traffic, this may assist.



## Using BWV to conduct suspect interviews away from a police station

Pace Code E allows a Chief Constable to authorise a recording device to be used for suspect interviews away from a police station (voluntary interviews) [PACE Code E 2018 \(accessible\) - GOV.UK \(www.gov.uk\)](#)

The legislation does not dictate under what circumstances this can be applied (although this is under review), so forces may choose the circumstances around when they use this legislation. Consideration should be given to the seriousness of the offence, any vulnerabilities of the person being interviewed, and the views of the local CPS.



This document [Technical Guidance for Body Worn Video Devices \(publishing.service.gov.uk\)](#) specifies the technical considerations for using BWV to conduct suspect interviews. It includes consideration of the lighting and audio within the room (if away from a police premise) and to use two devices to ensure everyone in the room is visible. It dictates that a display screen should be available in order to check the view, however it does clarify that this display screen could be on the front or rear of the device or through a mobile app.

## Using BWV at the attendance of Rape and Serious Sexual Offences (RASSO)

Op Soteria has identified the need to change the way police forces investigate RASSO offences and highlighted the inconsistent use of BWV at such offences. Work has been ongoing in relation to the effect BWV can have on criminal justice outcomes (both positive and negative), the victim, and how it can impact their trauma.

Combining the findings from Op Soteria and a desire for a thinking approach, with the effectiveness of BWV in capturing evidence from a scene, forces should familiarise themselves with the following considerations in relation to their BWV/RASSO policy;

- *When attending a non-recent incident of a RASSO offence, where there is unlikely to be any evidential benefit of using BWV, then BWV should **not** be used. Due to the limited, evidence-gathering opportunities, there is very little benefit of recording this initial interaction. However, users are reminded that if there is a policing purpose for which they feel recording is necessary and justified, or it is required for the protection of both parties (for example, the victim requests they feel more comfortable with it recording), then the reasons for recording should be announced at the commencement of that recording.*

- *If a user is attending a report of a RASSO offence that is dynamic, ongoing, or within forensic window opportunities (check your RASSO force policy for what is defined as forensically live), then BWV should be activated to record when arriving at this incident, or prior if your force policy dictates. In these circumstances, BWV can capture layout of a scene, persons present, significant comments, exhibits in situ and the victim and recording should capture all available evidence.*

*The user(s) dealing with the victim should adopt a thinking approach to using BWV. The use of BWV at traumatic incidents has the potential to create additional stress on a victim and users engaging with a victim, should consider carefully if to use BWV when taking the initial account from a victim.*

*The College of Policing have published within their Briefing note for Police First responders to a rape or sexual assault ([Briefing note for police first responders to a report of rape or sexual assault \(college.police.uk\)](https://www.college.police.uk/~/media/College/Policy/2018/07/Police-First-Responders-to-a-Rape-or-Sexual-Assault)) that BWV can be used to record initial accounts only where the victim has consented and has the capacity to consent. Although consent isn't usually required to use/not use BWV, this is one exception where the needs and wishes of the victim should be discussed and considered. Therefore, if the victim wishes for their account to be recorded on BWV and feels more comfortable with it in during this process, then their wishes should take precedence. Op Soteria have identified that there are difficulties relating to victims giving meaningful consent to BWV use, due to the inability to withdraw this consent and the likelihood that lack of consent is a significant feature of the offence. Victims who have suffered image-based abuse may feel unsafe with BWV use, and therefore it should not be used in these circumstances.*

*The Op Soteria suggestions are for BWV to be turned off when obtaining a victims initial account and through the completion of a Sexual Offences Investigation Log, First Response Booklet, or similar. **Therefore, the circumstances of each individual case and the wishes of the victim should determine if BWV is used during the recording of an initial account.** If in any doubt, or the circumstances aren't clear, then forces should consider the suggestions from Op Soteria that BWV should remain off during the initial account.*

- *If a user has attended a report of another incident, and a disclosure of a RASSO occurs, then continue to record as normal, assuming the camera is already recording. Op Soteria have suggested that to make a point of switching the camera off, may create a sense of stigma or embarrassment for that person making the disclosure. This includes any disclosures of RASSO offences resulting from a domestic abuse risk assessment process.*

It is imperative that users are open and transparent about their use of BWV and explain why they are using it and how it will be used at a later date and consider discussing options such as the stealth mode function. Unlike other areas of policing where if there are objections to recording there will still be a tendency to record, in RASSO cases, the views and wishes of the victim must be considered and will take the highest priority.

## Using BWV at Domestic Incidents

BWV can be beneficial when attending incidents of domestic abuse, to capture an immediate and exact record of the scene, exhibits, and the emotions and reactions of persons present. The presence of BWV footage throughout attendance can strengthen a prosecution case through capturing the demeanour and any further offending towards the victim. This can be valuable in strengthening a case where the victim does not feel able to support a prosecution, or where a victim may diminish the effect and impact of the incident as time passes.

BWV users should gather all evidence of domestic abuse, or an encounter where they believe such abuse may occur, remembering that all recordings must be justifiable and proportionate in the circumstances. This includes recording at non-crime domestic incidents and where significant risk factors are likely to be disclosed, which can then be used to assist in any applications for restraining orders, non-molestation orders or Domestic Violence Protection Orders (DVPO's).

## Using BWV to record children (under 18's) and vulnerable persons

The recording and data management of footage of young people, children and vulnerable persons should be subject to additional safeguarding considerations and only where there is a policing purpose and if necessary and proportionate. If gathering evidence in relation to a criminal investigation, then standard evidence capture rules would apply.

Footage involving children could be exploited or used for malicious purposes if easily accessible, so when dealing with footage involving children, additional redaction should be considered to ensure that any personal or identifying information, such as faces, school uniform and logos, etc, are not identified. The same principle would apply for footage capturing children in a state of undress, or in swimwear, and if evidential, considerations should be made to redacting this child within the footage, unless it specifically relates to an offence against that child, such as child neglect.

When dealing with children or vulnerable persons at an incident, BWV is likely to be activated to record upon initial arrival. If it is identified that this child/vulnerable person is potentially a witness/victim that would require a video-recorded interview to achieve best evidence, then guidance should be followed from this document ([Achieving Best Evidence in Criminal Proceedings \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/Achieving_Best_Evidence_in_Criminal_Proceedings.pdf)). This details the actions required around the initial contact with victims and witnesses in relation to achieving best evidence. This may not always be apparent on first attendance, but even when it is so, the need to take immediate action in terms of securing medical attention and making initial decisions about the criminal investigation plan might be such that initial questioning is necessary. Users should consider a 'thinking approach', and exercise professional judgement similar to when dealing with victims of RASSO, when deciding to record this initial questioning of a child/vulnerable person. Considerations should include circumstances of the offence, and the effect that

recording that child/vulnerable person may have on their trauma, especially if recording equipment or imagery was used as part of the offence. Users are reminded that they do not require consent to speak to a child/vulnerable person. However, consideration should be given to explaining to children/vulnerable persons about the camera, why they are wearing it, and allow them to ask any questions. As with RASSO, if the circumstances are unclear, and there is any doubt as to if recording, or even discussing recording, would have a detrimental effect on that individual, then recording should be deactivated.

The initial questioning should be intended to elicit a brief account of what is alleged to have taken place, such as when and where the alleged incident took place and who was involved or otherwise present. This is because this information is likely to influence decisions made in respect of aspects such as forensics, medical examinations and arrest of alleged offender(s). Some initial questioning may also be needed to obtain enough information to formulate a risk assessment and/or any victim support. Users should follow the principles within the Achieving Best Evidence guidance, which includes listening to the witness, allowing them to speak freely without interruptions and asking open-ended questions, as far as possible in the circumstances.

If at a domestic incident, or to attend a concern for safety of a child, or a report of child neglect/cruelty, then BWV should be used to capture the living conditions and demeanour of persons and siblings present.

***Any questioning of children or vulnerable people, beyond that of initial questioning to determine an offence, should only be carried out by specialist officers and should not be recorded on BWV. However, this shouldn't be a barrier to engagement, checking on welfare or allowing them to speak freely.***

The voice of the child is an important consideration when dealing with not just children, but others who can evidence the experience of a child, such as adults that children have disclosed to. To capture all evidence, and the voice of the child, BWV should be recording during these conversations and disclosures with adults. For further guidance around voice of the child, please refer to the NPCC Child Abuse portfolio.

Please see Appendix A for a guidance table breaking down the use cases of BWV at different vulnerability crimes.

## [BWV and mental health incidents](#)

A mental health incident is defined by the NPCC as 'Any police incident thought to relate to someone's mental health where their vulnerability is at the centre of the incident or where the police have had to do something additionally or differently because of it'.

BWV should be used when attending reports of a mental health incident, either in a criminal justice capacity or acting in support of health-care services where the presence of a police officer is required/requested.

Using BWV at mental health incidents can seem particularly intrusive as it is capturing moments of a person in extreme crisis, at the moment they are in need of immediate care

and assistance. The involved person may outline very different perceptions and experiences when presented to, or being assessed by mental health professionals, so BWV footage allows an insight into a person's behaviour at the point they requested help. Having BWV recording allows for full transparency of all actions taken, and the circumstances and context leading up to any powers under the mental health act being exercised, and any use of force applied to do so. However, this guidance does acknowledge that the use of BWV could have a detrimental effect on persons in mental health crisis, and the NDM applied in each case. Where the use of a camera is likely to or has triggered a decline in their behaviour (such as flashing lights, visible screen, audible sounds) then users should consider switching to a 'stealth mode' if their camera has one, although it **must** be emphasised that the camera will still be recording. Consideration should be made to deactivating the camera and informing the person if their behaviour continues to decline or if advised to by a health care professional due to the presence of the camera.

When transporting subjects in a mental health crisis, users could consider recording the entire journey – however, taking into account the availability of places of safety, users may wish to leave their camera powered on in the pre-record mode during long periods of inactivity during a particularly long transport, or switch between another user's camera.

Footage of police attendance at mental health incidents can be particularly useful to review, to research persons in mental health crisis and the police response to them. These scenarios can be complex and mental health professionals may find the viewing of BWV footage of a patient to be particularly insightful into their mental state and symptoms, that they may not necessarily present sometime after police involvement. This can be facilitated through a scrutiny panel format, with feedback and learning being identified to all parties.

The importance of BWV to deal with persons in mental health distress has been emphasised through the Mental Health Units (Use of Force) Act 2018, which states that if a police officer on duty attends a mental health unit to assist staff on duty at that unit, then they must wear and operate their BWV at all times. Its use ensures maximum transparency and accountability by all parties and can alleviate any concerns or allegations made by persons who may not recall the true record of events during their mental distress.

## BWV within private dwellings

If a user is present within a private dwelling, for a policing purpose, they are entitled to make a recording in the same way they would record any other incident.

However, there are certain considerations – article 8 of the ECHR states individuals have a right to a private and family life, and recording within the confines of a dwelling is likely to be particularly intrusive. To record, there must be a lawful basis and policing purpose to justify doing so.

Users should make themselves aware of AB V Hampshire, and the importance of announcing they are recording when in a private dwelling especially, and the consequences if they fail to do so.

Users should ensure that they are able to explain to occupants about their use of the BWV to alleviate any concerns. Any objections to recordings that are being conducted for a policing purpose can be documented on the recording, and an explanation given to the subject as to why the recording will continue. This may be of relevance for certain offences within a private dwelling such as a domestic incident, or an investigation involving the protection of children.

Users may find themselves attending private dwellings to conduct routine policing enquiries/investigations, such as seizing firearms/ammunition in relation to firearms license holders. In these scenarios, recording should be carried out according to local force policy, and if it is for a policing purpose. BWV does not replace forms of evidence gathering such as statements. Forces will also need to consider how they retain such material in these circumstances, ensuring they adhere to the data protection legislation.

## BWV within hospitals, ambulances and during medical interventions

The use of BWV within ambulances, hospitals, and other areas where medical procedures are conducted must be considered carefully in relation to any increased likelihood of collateral intrusion and capturing irrelevant, personal or special category data.



If a user has attended a hospital and deems it necessary to record within the confines of that hospital for a policing purpose, and they can justify recording, then they should record, but with caution. Recording within hospitals captures a great deal of personal and sensitive information not just about the subject, but about others who are not subjected to the recording and therefore have an expectation of privacy. Generally, professional persons working in their professional capacity at their place of work are not considered to have a higher right to privacy in these scenarios, and for example, would not require redacting out of footage (previous NPCC BWV Guidance, published 2022). However, special category data relating to patient's medical conditions, such as discussions and treatments would normally require redacting.

Every effort should be made to ensure that any specific medical intervention/treatment from medical staff is not recorded. The effect of recording has led to patients not fully disclosing their medical history or circumstances which has led to them not receiving care specific for them. For example, a patient involved in a road traffic collision may not disclose that they have taken drugs if they are aware they are being recorded, this in turn affects their treatment, which could have adverse consequences on their health. There is also no requirement to record medical interventions as evidence. Although this seems like a discrete way of capturing all available information, a medical professional's first duty of care will be to provide treatment to their patient – and should any evidence be captured during a medical intervention, they will provide this through a statement at a later time.

Where there are medical procedures within custody, these should also not be recorded, as directed by The Faculty of Forensic and Legal Medicine (FFLM). Their guidance is that there has never been a requirement to video record any clinical interaction in the custody

environment, and this includes the taking of any forensic samples, including blood samples required under the Road Traffic Act, 1988. For further information on this, please read their position statement here [FFLM Position Statement on video recording assessments in custody - FFLM](#)

However, there is an understanding that medical interventions may end up being captured on BWV, especially if the user is present at a dynamic scene or is required to assist medical staff. Force policies should reflect the need to capture information that may be relevant to an investigation whilst ensuring the human rights and medical care of a subject is not compromised, especially in scenarios where this may cross over, such as at initial attendance or within ambulances. Users may wish to consider providing a more detailed explanation to medical staff about why as police users, we record all our actions.

Even when a medical intervention has been captured on BWV, this should not be used to replace a statement being directly provided by the clinician involved, as they can add vital interpretation and context.

What is important to note, is if a police user conducts medical treatment, especially life-saving interventions, this should be recorded on BWV, to ensure full transparency in our actions. The value of having this footage has proved invaluable in national learning, public inquiries and has shaped police first aid training which has undoubtedly saved lives.

## BWV within courts

Legislation has been passed that now allows for the use of BWV within court rooms ( [The Courts \(Prescribed Recordings\) Order 2023 \(legislation.gov.uk\)](#)). The legislation dictates that uniformed police officers are permitted to record within the areas of the court room (including the dock area), holding cells, custody cells, and vehicle dock areas. This would be in response to a security alert or in response to the escape, or report of an escape, of a prisoner. A security alert is defined as an unexpected incident which is;

- Identified as a security alert in an announcement or communication directed to the person operating the BWV by that person's superior or a person responsible for the security of the building.
- An incident which the person operating the BWV considers likely to interfere with the operation of any court and other activities in the building and its precincts or threaten the safety and security of the building or any person in the building and its precincts; or
- An incident where the police are called, or the police officer operating the BWV, or that officer's superior, considers a police response to be necessary.

BWV should only be activated in the above circumstances, and otherwise, should remain powered on in standby mode. Once the security alert has passed, the user should cease recording.

This legislation now allows for BWV to be carried in court, along with taser, which fulfils the mandate for specially trained officers (STO) to carry BWV. This legislation also allows for court and security staff to use BWV within court rooms and public areas.

However, the expectation will be that using BWV within a courtroom will be a rare occurrence and must fulfill the above criteria.

## BWV at unexpected deaths

BWV has been identified by HM Coroner as bringing invaluable context and information during attendance at unexpected deaths, and BWV should be activated to record at a scene involving any unexpected death, including the sudden unexpected death in infancy (SUDI) and the sudden unexpected death in children (SUDC).

Consideration will need to be given to explaining the use of BWV in such tragic circumstances, and clear and sensitive communication is key – a user will still need to inform any subjects present such as family, that they are recording, but it may be useful to provide more detail about the purpose of the recording and discuss using a stealth mode to minimize distractions.

The effective use of BWV at unexpected deaths that are categorised as investigated - no suspicious circumstances ( [Categories for unexpected death investigations \(college.police.uk\)](#) ) can reduce the need for a Crime Scene Investigator (CSI) attendance and can inform a pathologist of relevant factors ahead of a post-mortem, such as a deceased's living conditions and position when found. When attending these incidents, users should consider recording a general walkaround of the scene, the position of the deceased and any specific injuries. Any methods of suspension should also be recorded, along with the removal and securing of any valuables or jewellery. A commentary during this would greatly assist subsequent viewing from a pathologist and/or HM Coroner.

Once footage is uploaded to the force network, consideration should be given to placing appropriate restrictions on who is able to view that footage, dependent on the circumstances surrounding that death.

Users should be mindful that BWV footage is routinely shared with HM Coroner ahead of an inquest and can then be viewed by Interested Persons (such as family members) if requested. Current processes when dealing with the deceased have been developed through lessons learned following major incidents which resulted in significant loss of life. It was highlighted that there is a special responsibility placed on those who work with the deceased, and although related to Disaster Victim Identification (DVI) processes, BWV users should be mindful of the following principles;

- Provision of honest, and as far as possible, accurate information at all times and at every stage,
- Respect for the deceased and bereaved,
- A sympathetic and caring approach throughout,
- The avoidance of mistaken identification,

Recording should cease at the point where the deceased either arrives at a hospital, or responsibility is handed over to another individual/agency. Previous guidance around not recording at medical interventions should be adhered to. This is particularly relevant in cases



of sudden unexpected death in infancy (SUDI) and sudden unexpected death in children (SUDC), where a specified set of procedures then take place, and these should not be recorded.

As stated in the NPCC National Digital and Physical Evidence Retention Guidance, BWV footage relating to an unexpected death should be retained on behalf of the coroner. Legislation relating to coroners investigations ([The Coroners \(Investigations\) Regulations 2013 \(legislation.gov.uk\)](#)) state that physical evidence should be kept for at least 15 years after an investigation has been completed, and digital evidence should also align to this.

As highlighted, BWV from the scene of an unexpected death is commonly viewed by pathologists and Coroners ahead of an inquest. Disclosure within an inquest setting is a two-stage process, firstly to the coroner who will identify any concerns held within that footage. If appropriate, they may request that this material is redacted, prior to disclosure to Interested Parties. Wherever possible, and as previously discussed, this footage should be shared via digital means. However, not all coroner's areas will have the capability to receive the footage via digital sharing, so conversations should be had with your local HM Coroner, to discuss how best to share BWV footage with them.

## [Capturing indecent images of children on BWV](#)

BWV should not be used to record screens containing indecent images of children, including as an alternative to seizing the device. However, with the increase in BWV, there comes with that, an increased possibility of capturing indecent images of children, either unintentionally or accidentally. There are legal defences to distributing or possessing with the intention to distribute, which are having a legitimate reason or had not seen those images and had no reason to suspect they may be indecent. To satisfy a defence of having a legitimate reason, then two factors to consider is if the defendant is being truthful, and if so, is the reason for possession a legitimate one. If a user can fulfill these factors, then they will initially be required to upload to the BWV Digital Evidence Management Solution. Once uploaded, please refer to your force policy around how that footage is managed, and if it is required to be transferred to another system that is best placed to manage those types of images.

## [Witness First accounts](#)

BWV may be used to capture the first accounts of victims and witnesses of non-sexual related crimes, and crimes that require an immediate response. Users should consider any special measures this person may be entitled to further down the line (due to a vulnerability, type of crime, etc.) and consider if using BWV may put them at risk, and if so, consider using written means to capture this.

A first account is principally about determining any action that is immediately necessary,

such as if an offence has been committed and if so, where it was committed and by whom. Also identified during this conversation will be any risk factors, any vulnerabilities, and the direction the investigation is going in.

These recordings do not replace the need to take formal written statements but can be used as supporting evidence.

If a video recorded interview is required at a later date to achieve best evidence, users should limit any questioning to just establishing the offence and any safeguarding issues that will affect them (please see guidance around using BWV to record children and vulnerable persons).

## Objections to Recording

In principle, users are not required to obtain the expressed consent of any person being filmed. However, they must inform them that they are being filmed when it is reasonable and practicable to do so.

If a subject does request that the BWV is switched off, then the user should advise them of the following;

- Any non-evidential material is not retained for any longer than necessary.
- The material is restricted and cannot be viewed without a policing purpose.
- The footage is police information and can be accessed on request in accordance with a subject access request.

It will ultimately be up to the user to decide on a case-by-case basis whether and when they will switch the BWV off. There should always be a tendency to record (unless specified within this guidance or within the confines of legislation), but circumstances may dictate that recording is not suitable, for example if it is no longer proportionate or necessary. Users must be aware that by turning the camera off, they are limiting the transparency of their actions and opening themselves up to additional scrutiny regarding that decision. Any decisions made around stopping or re-commencing recording should be made on the BWV with the context around why those decisions were made.

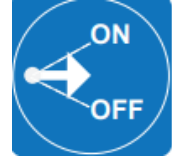
Attention should be drawn to the NPCC auditors/social media bloggers guidelines that state during interactions with auditors/bloggers, BWV should be activated to capture the individuals and the interaction. In these interactions, it is imperative that users are confident in their powers of use around recording the interaction.

## SECTION 4 – POST RECORDING

### Concluding/suspending a recording

As is the decision to start recording sits with the user, so does the decision to stop recording.

Users should stop recording when it is no longer proportionate or justifiable to record, when there is no longer a policing purpose to record or when the incident has concluded. The user must be satisfied that there is no likelihood of capturing any further evidence, or any further evidence will be captured by another recording system, such as custody CCTV.



When suspending a recording, users should make a verbal announcement when doing so, explaining the context around those decisions, and again, when re-commencing recording.

The exception to this will be when a Post Incident Process (PIP) has been implemented, and users will be required to keep their BWV recording until arrival at the Post Incident Management (PIM) suite and instructed to do so.

### Information Management

BWV cameras should be docked/connected to a network as soon as possible after recording to ensure footage is transferred off the device as soon as possible, ideally at the end of every shift as detailed in this document. [Technical Guidance for Body Worn Video Devices \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk) This will also preserve the integrity of the devices, to enable them to receive software updates and to prevent excessive clock drift.

### Retention

All BWV files uploaded to the digital evidence management solutions (DEMS), should have a default handling position of automatically deleting after 31 days, to comply with obligations under the DPA 18 and GDPR. The ability to manually delete footage should be extremely limited to admins of the system, and only used in exceptional circumstances, to maintain transparency and integrity of police use of BWV. If footage is deemed to be evidential and required to be retained, then the duration of the retention of this footage is governed by the National Digital and Physical Evidence Retention Guidance. It is recognised that this guidance recommends that the retention of BWV is driven by its outcome within the criminal justice system and in line with legislation, and this is largely dependent on the technology and interoperability of an individual's force's systems. Regardless, forces should be working towards compliance with legislation and the implementation of national guidance published.

However, taking into account that it is likely that the outcome of a case won't be known within 31 days, there are holding codes that can be applied in two situations, to retain the footage for up to 6 months. If required to be retained for longer than 31 days, the following should be applied;

<b>Holding code</b>	<b>Timescale</b>	<b>Notes</b>
<b>Non-Evidential/ Negative stop search (default)</b>	31 days to delete	Default handling position; to drop off at 31 days as a hard delete to comply with GDPR.
<b>PSD *</b>	6 months	To comply with Police Reform Act. PSD will need to retrieve and retain from BWV system once they require it and retain it under the National Retention Schedule.
<b>Subject investigation **</b>	6 months	The retention engine will then be required to apply retention at conclusion of case.

*NPCC Digital and Physical Evidence Retention Guidance, 2022*

*\* The timescale included for this code is what the review team felt was reasonable when taking into account all of the feedback received from forces during both the NPCC BWV and RMWG reviews. However, as this would be subject to force policy in the same way that Strand 2 is (see Section 8.5 onwards), this could be configured locally allowing forces to reduce or extend the holding period.*

*\*\* Further information on this follows below from 1.5.2 onwards.*

Footage should be managed in accordance with the APP on Information Management and the DPA 18. For full details, please refer to the full document.

BWV files should have a unique reference and the ability to be manually labelled or tagged with certain information such as a crime reference, and a retention period, which if technology allows, can then link to records management system (RMS) to verify, and link BWV to crime occurrences.

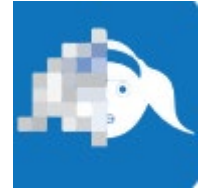
A BWV management platform must be able to provide a full audit record for every BWV file, both master and evidential clips, and be capable of meeting the logging obligations in accordance with Section 62 of the DPA 18 (to log the collection, alteration, consultation, disclosure, transfer, combination, and erasure of any data). If a still image is required from footage, then users are advised to save and exhibit that image, with a full description of how that image will be processed. An example of this may be if a force uses BWV images to input into a facial recognition system for identification purposes.

To prove the authenticity of recordings required as evidence in court, evidential statements may be requested to confirm that the securely stored master file is the original 'bit for bit' file direct from the recording device.

Forces must preserve the master file as an exhibit and are encouraged to not store BWV on removable storage cards or media. The primary and preferred method of storage, and sharing footage, should be via digital means. There may be times where this is not possible or the infrastructure does not allow, and other mediums such as DVD/USB could be considered. However, this would be an exception, and the reasoning behind this way of storage and sharing fully documented, with the media being treated as a physical exhibit and handled as such.

## Redaction

Guidance around redaction of all multimedia evidence, including BWV, has been published through the Charging (The Director's Guidance), sixth edition, December 2020 and the Attorney General's Guidelines on Disclosure, 2020.



The NPCC Disclosure portfolio, in conjunction with the Crown Prosecution Service (CPS) have published information to police forces, in order to ensure that we are not over-redacting material. BWV footage that shows key evidence should be clipped to ideally, under 10 minutes in length, and the following guidelines followed in relation to what requires redaction.

**Need Help with Multimedia Redaction**

### What requires redaction?

Personal and sensitive personal data that is not required for a law enforcement purpose.

For example:

- ✓ Audio of Phone and Banking Numbers (redact to the last 4 digits)
- ✓ Covert audio capturing speech of someone unrelated to the case
- ✓ Face and speech of unrelated detainee in Custody CCTV
- ✓ Audio of a Victim / witness home address (not the offence / search location)
- ✓ Face and speech of unrelated patients in a hospital

### Are you over redacting?

Unless there is risk of harm, you do NOT need to redact

- ✗ Faces of bystanders in a public place
- ✗ Vehicle registrations
- ✗ Faces and speech of employees within company footage
- ✗ Faces and speech within social media footage
- ✗ Faces and speech of nurses whilst an interview is taking place in a hospital
- ✗ Audio of a complainant / witness address where this is the offence or search location

See the Joint NPCC & CPS Redaction Guidelines for more information  
Available on the 'NPCC Disclosure' library on the Knowledge Hub or check locally

There is a further redaction crib sheet in appendix C. More information can be found within the joint NPCC and CPS Redaction Guidance Set located in the knowledge hub ([Welcome - Knowledge Hub](#)) 'NPCC Disclosure' site library. [Charging \(The Director's Guidance\) - sixth edition, December 2020, incorporating the National File Standard | The Crown Prosecution Service \(cps.gov.uk\)](#)

Any BWV footage that captures material that is classified as Secret or Top Secret, should not be intentionally uploaded to the network. The camera should not be docked or connected to the network, and force policy should be followed in relation to the management of that classification of data. If footage is uploaded to the network that subsequently is identified as

having a higher classification, then this footage should be restricted, and efforts made to download out of the system and stored in another location.

***BWV footage should only be viewed for a  
policing purpose only***

Any viewing outside of this breaches both DPA 18 and GDPR in relation to data being kept securely, with integrity and confidentiality. It also undermines policing's use of BWV, our effective investigation into crime and how we handle material. Forces should also make use of restricting footage that is sensitive, distressing or would cause significant interest within the force. This will also prevent the misuse of the system through viewing BWV footage for a non-policing purpose (or for curiosity reasons).

More detailed information on managing BWV footage is published here and forces should make themselves familiar with this guidance [Safeguarding Body Worn Video Data \(online version\) \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

## Post Incident Process (PIP) and Post Incident Management (PIM)

A post incident procedure (PIP) may be implemented when a death or serious injury (DSI) following police contact occurs. BWV is likely to be relevant to any subsequent DSI investigation and has in the past, been viewed after an incident to clarify if a PIP is required.

BWV devices should remain recording until their arrival at the post incident suite and the user is instructed to turn it off by the post incident manager (PIM) or their representative. This will help to ensure that the user's consequent actions are captured, such as first aid provision and scene management, and will provide reassurance that inappropriate conferring has not taken place.

If it is necessary to turn BWV off (for example, for welfare or privacy), or if recording ceases due to a fault or battery failure, a supervisor should be notified, and the reason should be recorded.

Where there is a requirement to upload footage, this should, where practical, not be done by the PIM or a key police witness (KPW). This ensures the appropriate separation of those individuals from the evidence gathering and investigative process.

Forces who deploy their officers on mutual aid, should consider how the footage from their cameras, will be made available for efficient viewing if one of their users were to be involved within a PIP/PIM, in a host force that uses a different supplier of camera.

For more detailed information on the PIP and PIM processes please refer to the College of Policing APP [Post-incident procedures following death or serious injury | College of Policing](#)

## Sharing BWV with the Crown Prosecution Service (CPS)

Where BWV material is used as evidence, it will be an exhibit. If it is relevant unused material, then it must be scheduled on the non-sensitive or sensitive disclosure schedule.

It is important to ensure that when BWV is shared on the defence, that there is no sensitive information or data, and forces should provide redacted versions of evidential clips that provide evidential material. Unused BWV that falls as rebuttable presumption or can meet the disclosure test must not be disclosed directly to the defence, this should be sent to the CPS for assessment and onward transfer where required. Users are reminded that it is the responsibility of the CPS to share evidence with the court, not the OIC, and BWV must not be provided by the OIC to a barrister or jury, unless specifically ordered to by the court.



All footage relating to criminal courts must be shared via the approved electronic sharing method that forces have with their local CPS and not burn footage to USB or DVD formats. In other courts, such as civil court, family court or coroners court, every effort should be made to share the footage electronically, but circumstances may mean that footage has to be shared via another means, which should be fully documented.

## Sharing BWV with other agencies

Schedule 2 of the DPA 18 allows forces to share material with a statutory partner agency where it is necessary on a case-by-case basis to prevent or detect a crime or apprehend or prosecute offenders.

Anything out of scope of this (for example, family court), would require a strong justification that it was lawful, necessary, and proportionate to do so, and would require an information sharing agreement (ISA) or protocol to cover all aspects of sharing the footage. The question should be asked as to why we are sharing the footage and what benefits it may bring, and why that specific agency?

It should be made clear to receiving parties that they are responsible for its appropriate use and storage, and it is advisable to outline this in writing prior to any release of footage.

To maintain the logging requirements of the DPA 18, there should be a record kept of why that footage was recorded, and for what context/policing purpose, and the reasoning why it has been shared with another agency. Every effort should be made to share the footage electronically, but circumstances may mean that footage has to be shared via another means, which should be fully documented.

For more detailed guidance please refer to the College of Policing's Authorized Professional Practice (APP) which includes data sharing [Information sharing | College of Policing](#)

## Sharing BWV with the media

Recent events worldwide, where video footage from a member of the public has been released to the media/social media, has contributed to the decline in public confidence and trust in policing. BWV footage of an incident can give a true and accurate account of events, context to decisions made, and correct harmful misinformation circulating online. The NPCC BWV portfolio encourages forces to be proactive in identifying cases that can be shared to increase public transparency and build confidence in the legitimacy of our actions, but there are a number of considerations before doing so. The release of BWV footage is not something that will be routinely suitable and consideration should be given to the use of less intrusive options prior to releasing footage. A decision regarding the release of footage should be made using the NDM, and after reading the APP on [Engagement and communication | College of Policing](#) and [Information management | College of Policing](#)

The following should be considered;

- **The lawful basis for Sharing** - where the footage does not show the identity of individuals, then it can be shared providing there is a policing purpose for doing so. The challenges and constraints arise when we share footage that enables individuals to be identified. This must only be considered under exceptional circumstances and when deemed strictly necessary. The immediate need to release footage relating to on-going criminal or misconduct investigation must be based upon the prevention or de-escalation of serious violence or disorder and its release would alleviate a pressing social need or media interest – the threshold is high but shouldn't be treated as an absolute barrier.

The legislation that needs to be adhered to is the Human Rights Act (impact on article 8, so the release of footage should fulfil a legitimate aim, is lawful, is necessary and proportionate with sufficient safeguards). Also, the Data Protection Act 2018 and GDPR, which will relate to the sensitive processing of data and infringement on the privacy of those within the footage. Part 3 of the DPA 18 does state data captured by BWV can be shared if it is necessary for law enforcement purposes, and if sensitive processing, a strict requirement for law enforcement purposes, to exercise a function conferred on a person by an enactment or rule of law, and substantial public interest.

The release of footage during an active criminal investigation or misconduct investigation, or where publicly filmed footage is circulated online and causing public concern (so therefore there is a high likelihood of criminal and conduct matters) is an example of when a release under part 3 may be applied, for the prevention or de-escalation of serious violence or disorder.

Forces can also process and share footage under GDPR, where the processing is linked to increasing public confidence and not in relation to the prevention or de-escalation of serious violence or disorder. This would be under the conditions of article 6 (1) (e) public interest processing and sections 10-11 DPA/article 9-10 GDPR – Special categories and criminal convictions data and schedule 1 conditions. Footage released following the conclusion of an investigation is an example of when this may apply and can attract media coverage and public attention that helps to build public confidence.



If there is a lawful, proportionate, and necessary basis to release footage that could identify all those shown within it, redaction must be conducted prior to the release being authorised, to ensure that the identify of those shown is not inadvertently disclosed. This document gives further guidance around the redaction of footage [Safeguarding Body Worn Video Data \(online version\) \(publishing.service.gov.uk\)](#)

- **The investigative impact of sharing** – the investigative impact will be highly dependent upon whether there is an ongoing criminal or misconduct investigation, including a referral to the IOPC. If not related to any active investigation, such as following a stop and search where no object is found, then consideration will need to be given to ensure the footage does not prejudice any future proceedings and infringe upon article 6 of ECHR a right to a fair trial.  
It is possible that the necessary release of footage, may lead to police actions being shown that is not entirely positive. It is important that forces are seen to be open and transparent when responding to allegations of wrongdoing, and in these situations, consideration would have to be given as to how public confidence can be maintained, for example through a self-referral to the IOPC.
- **The community impact of sharing** – forces should be careful not to set an expectation that footage will be publicly released upon request, and not to create a perception that police are selectively choosing when to release footage to their advantage, thus potentially undermining public confidence. Prior to the release of any footage, a community impact assessment should be considered and where practicable local stakeholders advised. Another route may be to consider sharing the footage with an independent advisory group or a local community scrutiny panel under existing information sharing protocols, as a less intrusive alternative to public release or as part of a wider strategy of engagement and reassurance alongside a release of footage.  
It should be recognized that sharing footage may not alleviate all concerns and there is a risk that the officer's subjective opinion may be discarded when watched multiple times or paused. Consideration should be given to releasing other details regarding the wider circumstances to aid the viewer and provide full context.
- **The impact of sharing on the police workforce** – when acting in a professional capacity, police officers have a reduced right to privacy under article 8 of the ECHR – however the effect of a clip of significant public interest being released should not be underestimated, and consequences that may have on their professional and personal life. Consideration must be given to if releasing the footage would place the officers at an increased risk of harm, and how this could be minimized. If the officers would be provided with special measures at any subsequent proceedings, then this should be maintained via redaction. The officers' views should be sought prior to any release and safeguarding measures and appropriate support in place ahead of the release of any footage.

The release of any BWV footage must be for a legitimate aim, and be lawful, necessary, and proportionate. On every case, professional judgement, the NDM and risk assessments must be utilised as no two scenarios are likely to be the same. The rationale should be documented for reference at a later stage.

Any release of footage involving a child must be given additional consideration. Children are considered vulnerable, and their images could be exploited, so extra care should be taken to ensure redaction of any personal information, logos of school uniform, and ensuring they are not dressed in, or partaking in an activity where their image could be mis-used (such as in a swimming costume).

## Sharing of BWV with a host force when on mutual aid

It has been recognised that the sharing of footage when officers are on mutual aid brings about many challenges, due to the different suppliers, technology, and infrastructure between forces. As specified in the [Technical guidance for Body Worn Video \(BWV\) devices: CAST, 2018 - GOV.UK \(www.gov.uk\)](#) forces should consider their user's capability to share footage when out of force and examine the requirement for a portable data transfer system/process. In the event of a Post Incident Process (PIP), or footage required by the CPS in order to make overnight remand decisions, it is strongly advised that forces have a capability within that host force, for that footage to be downloaded and shared, within a reasonable amount of time. Examples of how forces are achieving this is through portable 'kits' of docking facilities, a Wi-Fi dongle and a networked laptop that travels with officers or a team, or the download capability deployed to certain officer's laptops who are present within the host force.

A force that is hosting mutual aid deployments should consider the following provisions;

- Consider if there are facilities to host charging facilities for laptops and docks, and where this could be located. Especially for pre-planned operations, it can be beneficial to have BWV areas, within staff accommodations or welfare areas, where forces can set up their own docking areas. This area would require sufficient space for the different forces, sufficient power supply and would also be required to have restricted access to ensure the security of the devices and the footage held on them.
- Consider circulating secure Wi-Fi passwords to attending officers – most BWV footage is uploaded to the cloud so Wi-Fi will be required to upload footage. Some forces also use Wi-Fi or LTE to upload footage, and especially during periods where there may be heavy internet traffic, this may assist.
- Please circulate how you would like to receive incoming BWV footage. This will need to take into account less urgent enquiries, through to the immediate requirement for footage for example if required for a PIM process or for a remand decision. Consider circulating a specific email address to send digital sharing links to, or the use of sharing portals within your digital evidence management system (DEMS).

## Sharing BWV footage with Community Scrutiny Panels

BWV within scrutiny panels can be an effective tool in facilitating a process which aims to build trust and confidence between police and the communities they serve. Further guidance from the Home Office relating to a Community Scrutiny Panel Framework is being drafted and will provide forces with a framework for which to base their decisions around a panel's aim and governance, panel membership and scope, case selection and output/feedback.

In relation to the showing of BWV, forces need to consider how best to protect the information, whilst managing the risks associated with sharing it.

The considerations can be separated into the below headings;

- Protecting the footage prior to a panel – panel members must be aware of their obligations to not copy, discuss or disclose the information they view on BWV. Forces can use different methods to mitigate this such as the signing of confidentiality agreements prior to a panel and are advised to take guidance from their information assurance departments who can best advise the level of risk and how to mitigate against and document that. This may be especially prudent to consider if you are showing BWV to children or vulnerable people, who may not understand what is expected of them, and even with a signed agreement in place, would be exempt from any further action if they were to breach that agreement.  
It is advisable that the footage that is selected for a panel is reviewed beforehand, and preferably by the person who will be showing the footage at the panel. This should be a competent user of your forces BWV system and platform. By reviewing the contents of this footage prior to a panel, that user is then aware of the entire circumstances surrounding that incident, any trigger points or distressing parts of the footage and parts of the footage that contain personal or sensitive data. This review must not be used as part of the selection process for footage. However, after reviewing, exceptional circumstances may arise in which it may not be appropriate to show that footage, and this can be decided on a case-by-case basis. A knowledge of the footage may also allow for less redaction, as that user will be able to navigate around the footage, such as mute the sound when they are disclosing personal information. A decision whether you redact the footage shown at scrutiny panels, and specifically external/community ones, will rest with the force and their information assurance and data protection teams. All associated risks should be documented within your force's DPIA.
- Protecting the footage during a panel – panels can take many formats, such as in-person, virtual, regular, or incident-led. Prior to showing the footage, panel members should be reminded of their obligations under the Data Protection Act 2018 and adjust for the format of that panel – such as telling panel members not to record the screen if it is a virtual/teams meeting. Panel members should be informed of the procedure if they wish to no longer view the footage, or a conflict of interest arises, such as if they know the person involved. Any safeguarding processes should be raised here, with a discrete process for members to follow if they wish to no longer participate in the viewing.

- Protecting the footage after a panel – forces should ensure that any safeguarding measures are in place for panel members affected by the footage, taking into account panel members that have lived experience. A record should be kept of the details of the footage shown within a scrutiny panel, so in the event of a data breach, it is known what footage has already been in the public domain.

## Internal review and mis-use of BWV

BWV footage should be routinely viewed by professional standards departments (PSD's) and counter-corruption units (CCU's) in relation to complaints against the organisation and individual staff members. BWV footage may help in the quicker resolution of complaints as the true facts of an incident can be quickly established. Consequently, it can also highlight poor professional practice and undesirable behavior, although this tends to be after a complaint has already been made. Forces should ensure that these departments are knowledgeable in their force policy on BWV and are actively challenging and taking further action with users where their BWV usage has not followed policy.



The unauthorised viewing and sharing of footage is a data protection breach and should be dealt with accordingly. The full audit and logging system of DEMS platforms can assist with proving this. Forces should try and be proactive in monitoring their BWV platforms to identify misuse, and technology can assist in this.

The review of BWV footage can help improve the professionalism of policing and provide a powerful tool for behavioral change and continuous improvement. Supervisors are encouraged to conduct regular reviews of their officers BWV, as this is an effective way of ensuring their officers are using BWV to record their policing encounters, and to maintain compliance with force policy and professional standards. Any non-compliance with force policy in relation to not using BWV correctly or mis-managing the information should be investigated thoroughly. To ensure the public's trust and confidence in policing's use of BWV, strategic leads need to ensure that they are monitoring and dealing with any incidents that may adversely affect this.

## Use of BWV within training

Forces are encouraged to introduce BWV cameras at the earliest opportunity within a student officers training program, as this will help promote muscle memory to operate the cameras, but it also allows for the review of scenario-based training to assist in professional development and reflective learning.

The mandate that dictates all taser officers deploy with BWV, also stipulates that BWV should be used during taser training. In training such as this, the use of 'dummy' cameras means assessors can identify compliance with force policy, and the activation of the camera.

Consideration should be taken to not using 'live' cameras to record training, so training tactics or scenarios are not accessible and viewable by users who are yet to complete that specific training.

Using BWV footage in other areas of policing can also be effective, such as;

- In training (officer safety, taser, first aid),
- For operational debriefs such as firearms incidents, PIP/PIM processes,
- For debriefs relating to safeguarding/welfare of staff within occupational health departments,
- Organisational learning,

Forces must still manage BWV used within training according to data protection, and any personal data must be removed from any footage, unless it is essential to achieve the training purpose. For example, it may be necessary to retain an individual's face or voice to illustrate their demeanor prior to a use of force against them.

Prior to using any footage, a risk assessment must be completed to ensure that the material does not have an adverse effect or impact on any persons, and not encourage any unconscious bias. The footage must be reviewed regularly to ensure it is still relevant to training standards and requirements.

The retention of any footage used for training purposes must still be justifiable, necessary and for a policing purpose. Footage cannot be retained purely for training purposes.

## Producing a statement after reviewing BWV

BWV may be used to capture a verbal first account from a witness, and they may be permitted to review this account prior to making and signing a written statement.

Care must be taken to ensure that the witness only views the footage related to them, and only given access to their own first account, rather than the entire incident.










Any subsequent statement should also refer to the fact that the BWV of their first account has been viewed prior to making that statement and the reasons for doing so.

What is a more common scenario is the viewing of BWV from the wearer prior to making their own statement. The above principles should be followed, and they should only view their own footage, not that of any other attending users. This can be beneficial for the investigation as it can cover off any discrepancies, early on when still fresh in the officer's mind, and negates the need for a further statement further down the line.

Where officers review their BWV footage prior to making a statement, they must refer to this at the beginning of their statement, for full transparency and to account for any differences that may exist between their BWV and their written statement. Where a user has also made written notes at the scene of an incident, that should be completed prior to watching any BWV of the incident. Users are encouraged to make verbal declarations and commentaries whilst their camera is recording, as this will assist when reviewing their footage prior to making a statement, as will provide context for actions taken.

## Appendix A – Guidance Chart for use of BWV at DA/RASSO/Child abuse cases

This table has been designed as guidance only. Users should take a ‘thinking approach’ surrounding the victim and the offence, as that will take precedence over this guidance.

Type of Incident	BWV at initial attendance	BWV whilst taking DARA/initial questioning of a child/sexual abuse investigations log
Domestic Incidents		
Non-recent RASSO offence involving an adult		
Forensically live RASSO offence involving an adult		 Adopt a thinking approach
Offence’s involving a child who is present		 Adopt a thinking approach
Offences involving a child//vulnerable person who is not present – adult disclosure		<b>N/A</b>

\* any questioning of children/vulnerable persons, beyond an initial account, should only be carried out by specialist officers, but the voice of the child can be captured through recording the accounts of adults.

\*\* for definitions of what constitutes a non-recent or forensically live case, please refer to your local force policy, or consult with the NPCC RASSO portfolio.

## Appendix B – Asset Management

BWV equipment is a significant investment and requires the introduction of new processes to ensure the storage and management of a large number of devices.

Forces should ensure there is suitable facilities to cater for suitable storage, the booking in and out of pool cameras if required, and the downloading of data, whilst also ensuring the end-to-end process to comply with the relevant regulatory frameworks.

Care should be taken to ensure that these spaces and facilities are kept clean and well-maintained with the facility to ensure camera lens can be cleaned.

Forces should make it clear to users that cameras should be docked or connected to the network as soon as possible to transfer any footage from the device to the back-office system – typically at the end of a user’s shift. This regular docking/connection ensures cameras can receive necessary software updates, conduct health checks, and limit the effect of clock drift. Users that may not have regular access to docking facilities, should ensure their camera is connected to the network monthly to preserve its integrity when gathering evidence.

Forces must ensure that security processes are in place to protect footage on devices if lost, and that robust reporting processes are in place if a camera is misplaced or stolen.

## Appendix C – Redaction crib sheet

### Redaction Crib Sheet – Multimedia (v1 2023)



This crib sheet aims to support decision making for the most common types of personal data you may encounter within **evidential and disclosable or rebuttable presumption unused material being sent to the CPS** (clip footage where required to only evidential / relevant and disclosable content).

**All redaction decisions should be considered with a thinking approach. 'Unlikely to require redaction' must be considered against any special consideration in the case itself, most importantly if a risk of harm exists.**

Example	Redaction Required?		Notes
	Likely	Unlikely, unless a risk of harm exists	
Faces of bystanders in a public place		X	There is no general reasonable expectation of privacy when in a public location.
Vehicle Registrations		X	There is no reasonable expectation of privacy when in a public location and without system access no other information is available.
Faces and speech of employees within company footage		X	Not as standard as in commercial premises there will be signage informing staff and customers that CCTV is in place, therefore there is no reasonable expectation of privacy.
Faces and speech of those within social media footage		X	This is already in the public domain so there is no reasonable expectation of privacy.
Faces and speech of staff whilst an interview is taking place in a hospital		X	It is an overt interview, and it is apparent the recording is taking place and therefore no reasonable expectation of privacy for hospital staff (the same does not apply for a patient or member of public).
Faces of persons present in a private location who are not involved in the incident		X*	*If the persons know there is CCTV at the location or BWV is being recorded, then there is no reasonable expectation of privacy. However, if they do not know this is being recorded then consideration should be given to redacting. If the footage is of a person witnessing the incident, supporting or otherwise, then there is no need to redact as it is important information that is likely to be disclosable.
Personal Data of the Deceased		X*	*Unless this would create an operational risk or out of respect for the deceased or their relatives.
Visual and / or audio of banking details	X		Consideration should be given to redacting bank account numbers to the last 4 digits.
Custody CCTV capturing the face and speech of unrelated detainee	X		Yes, as there is an expectation of privacy.
Audio of a complainant / witness address	X*		*Unless this is the location of the offence, the location from which evidence was seized, or where the witness saw the incident from is critical to the evidence (R v Turnbull).
Audio of a complainant / witness phone number	X		Consider leaving the last four digits within the audio, or as many as is necessary to be able to differentiate between them.
Locations or visual identifiers of locations where sensitive	X*		*This may be required for locations of national security, locations associated to safeguarding, or any visual identifier of a sensitive location.



**Attorney General's Guidelines on Disclosure (Annex D):** Scan QR Code or [click here](#)



**Joint NPCC and CPS Redaction Guidance and FAQs (on the Knowledge Hub 'NPCC Disclosure' site):** Scan QR code or [click here](#), or check locally



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