



STRATEGIC POLICING AND CRIME BOARD

1 November 2016

Body Worn Cameras

Purpose of Report

1. To update members of the Strategic Police and Crime Board on the results of the Body Worn Camera Project.

Introduction

2. WMP have faced significant challenges in providing the same or increased service performance and public safety outcomes within a restricted cost envelope as a result of an ongoing central Government drive to reduce public spending. To achieve this goal, the Force has had to take advantage of opportunities to improve efficiency and reduce or prevent demand, thereby reducing the volume of activity requiring Force assets. Bodyworn Cameras (BWCs) presented this opportunity.
3. WMP's trials and studies by other global policing and public safety organisations already indicated significant benefits.
4. The purpose of the project has been to procure both Bodyworn Cameras and a Digital Evidence Management System (DEMS) and then roll out the cameras the force's response officers and implement the DEMS.
5. The objective of the project is to improve on key policing metrics of the WMP. The overarching goal is to help transform the Force into serving its communities better. In practice, this means to achieve both measurable improvements such as reduced officer complaints and reduced case processing time, as well as intangible benefits such as increased public trust and satisfaction, transparency and staff self-legitimacy.
6. The project aimed to roll out BWCs to a significant volume of WMP officers thereby enabling the Force to achieve the aforementioned efficiencies.

7. In addition, deployment of BWCs can serve as an enabler for future police capabilities described in the WMP2020 Blueprint, and a dependency for other aspirations within the WMP2020 programme of work, including the exploration of cloud storage capabilities for Digital Evidence.
8. WMP successfully applied for 2015/2016 Police Innovation Funding for a Body Worn Video Digital Solution and were awarded £468,460 funding for FY15/16 and £91,450 funding for FY16/17. To obtain the required funding levels WMP had to procure and implement a solution before the end of March 2016.

Project update

9. The project completed the roll out of Bodyworn cameras to the force's response officers across all 10 LPUs on 10/10/2016.
10. Body worn cameras are due to be in action throughout the West Midlands Fire Service by early 2017.

Project Scope

11. Details of rolling out body worn cameras across West midlands is stated below:
 - 1620 cameras are purchased following the procurement process
 - 1305 cameras have been rolled out to the force's Response officers, with 114 cameras retained by local Shared Services as replacements for faulty devices
 - 201 cameras are retained by IT&D as reserve stock
 - 36 were used during the recent Pelkin operation, the Conservative Party Conference
 - 1620 licences have been purchased to enable the use of cameras and the DEMS by Response officers alongside the use of DEMS by other departments such as investigations and PPU.

Storage

12. Following review of international and WMP's pilots, a prudent assumption was made about the need to store 1h of footage per officer per shift. Assuming 900 officers generating 1 hour footage each day equals to 900 hours.
13. Deleting 80% of footage every month as non-evidential leads to a total storage requirement for year 1 of 130TB.
14. Footage from BWC will be stored using a cloud storage option. This has Tier 3 secure data centres, HMG accredited with secure sharing facility. This also creates backup copies at multiple sites to prevent chances of data loss.

Financial implications

15. The quoted storage underspend is significant when compared to the original DBC estimate, -£673.1k. This is due to the vastly cheaper cloud based storage when compared to the estimated on premises storage option mentioned in the DBC.
16. The storage cost is estimated at £26k over 5 years based on 1200 users in implementing BWCs for Response officers. The £39.3k paid upfront for Year 1 will more than cover this.
17. The underspend for the 3 years of the contract is £209.4k. The underspend for the 5 years to March 2020 is £394.7k
18. The net WMP spend over 5 years to March 2020 is £1,683.5k and takes into account the PIF Grant received in Years 1 and 2.
19. The force will have received the full amount of PIF funding from the Home Office in Year 1 as the spending criteria and levels were met. The force is on target to receive the full amount of PIF funding for Year 2 of the project.
20. Cashable benefits of £409k – Underspent from project.

Training

21. This project has involved the development of comprehensive training packages for officers using the devices, and functions for maintaining the devices and content, including training on: legislation, equipment familiarisation, recording of incidents, storage/production of evidence, and audit & compliance.
22. Refresher training is also provided to ensure consistency with other LPU's. This requirement was created by the initial training delivery and change of SME.

Benefits

23. As mentioned above, the underspend on the project has given total cashable saving of £409k by March 2020, which to date is £58.6k.
24. Apart from WMP's own pilots and analysis, multiple other endorsed studies and pilots have evidenced several benefits of BWCs, this includes the controlled trial in Rialto, California which demonstrated a 59% reduction in use of force by officers and a 90% reduction in complaints made against officers wearing BWC's in comparison to the control group.
25. Birmingham South replicated this study to illustrate similar findings
26. Increase in charge rate by 10%, this includes;
 - i. 13% increases at domestic violence incidents.
 - ii. 22% increase at public order incidents.
 - iii. 12% increase at racially-motivated incidents.
27. Increase of the early guilty plea (EGP) rate by 9 percentage points, from 57% to 66% of all charges. This illustrates that BWC evidence is less disputable and potentially more accurate than officer written actions and testimony.

28. Decrease of overall case duration by 13.5%, from an average of 74 to 64 days
29. Reduced use of force by police officers: A police interaction captured on camera promotes positive behaviour from both citizens and officers. Overall there was a 54% reduction in force used during confrontational encounters when officers are deployed with BWC.
30. Reduced number of complaints against officers: The findings showed there were 113 complaints made against officers in the forces taking part in the study during the year trial period, compared with 1,539 in the 12 months before - a reduction of 93%.
31. Reduced assaults on officers and increased officer safety – the threat of capturing violence towards officers and the risk of a charge deters assaults.
32. Increased public reassurance – the citizen perception that capturing video will act as a deterrent and reduce crime results in an improvement in citizen confidence in the police.
33. Professional development - footage can be used as a training aid for students and other officers.
34. Measures are being put in place to record non-cashable benefits of body worn cameras. This includes;
 - i. Providing evidence in domestic violence cases
 - ii. Improving evidence collection at accident scenes.
 - iii. Recognising patterns of officer behaviour
35. As well as the clear evidential benefit, BWCs can also be used as a tool by frontline officers providing them with protection when on duty.

Concerns

36. It is widely recognised that citizens are likely to have a strong expectation of privacy especially in their own homes. Indeed this is contained with Article 8 of the ECHR (a right to respect for a private and family life) and under normal circumstances BWV should not be used in private dwellings.
37. However if an officer is present at an incident in a private dwelling and is there for a 'genuine policing purpose' and this equipment is able to address a 'pressing social need' then the police can consider making a BWV recording in the same way in which any other incident is recorded.
38. The police officer will be mindful to exercise discretion and recording should only be used when it is relevant to the incident and necessary in order to gather evidence, where other reasonable means of doing so are not available. All recordings require a lawful basis in order to justify infringement of Article 8.
39. West Midlands Police is very mindful of the concerns that this raises and has trained its users to respect and adhere to these safeguards.

Legal implications

40. The BWCs and systems comply with all technical legislation and requirements set by the National Police Chiefs Council (NPCC).
41. Use of the cameras is governed by the force Policy and Procedure guidelines.
42. All captured data will be processed to ensure total compliance with the Data Protection Act and Human Rights Act 1998, and retained and subsequently disposed of in accordance with the Management of Police Information guidance and codes of practice.
43. Any information shared with the Crown Prosecution Service for the purpose of determining any advice/charge and then to assist in any prosecution, will be strictly controlled in accordance with the Crown Prosecution Service (2013) The Director's Guidance on Charging 5th Edition.
44. In order that BWV evidence is admissible in court, West Midlands Police follows the principles contained in the ACPO/Home Office (2007) Digital Imaging Procedure v2.1 and the ACPO (2007) Practice Advice on Police Use of Digital Images.
45. Material from the cameras will only be stored for longer than 1 month where it has been classed as evidential- Otherwise it will be deleted after 1 month.

Standard Operating Procedure

46. BWC have been designed to capture footage of live scenes with accompanying audio. It does not interfere with the officer's ability to perform his/her operational activities.
47. During the course of their normal patrol, the device remains in an inert state and therefore is not recording any material. In order to do so, requires the officer to deliberately activate the device to a record mode and where practicable, make a verbal announcement to indicate that the BWV equipment has been activated. This announcement should be present on the recording and if possible, should include:
 - i. The date, time and location;
 - ii. The nature of the incident to which the user is deployed
 - iii. Confirmation to those present that the incident is now being recorded using both video and audio. Officers will also be wearing a badge to visually present the above information.
48. If the recording has commenced prior to their arrival at the scene of an incident the officer should, as soon as is practicable, announce to those persons present that recording is taking place and that their actions and sounds are being recorded. Announcements should be made using straightforward language that can be easily understood by those present.
49. Once a recording has been completed this becomes police information and must be retained and handled in accordance with the Code of Practice on the Management of Police Information (MoPI). Therefore any recorded image must not be deleted by the recording user and must be retained as required by the procedures. Any breach of the procedures may render the user liable to disciplinary action or adverse comment in criminal proceeding.

50. At the end of period of duty, the officer returns the device to his/her station and again, and following a clearly defined process which, in effect involves the officer 'checking in' the device, they 'dock' it into a dedicated port and this automatically downloads all captured information.
51. This information cannot be deleted or altered. The officer will then identify the elements of any captured data that is to be retained to assist in an investigation, and 'mark' the section appropriately, by using the built in software.
52. All information captured and downloaded will be retained. Any material required to support an on-going investigation or prosecution will be retained as fulfilling a 'policing purpose', and be processed under the Home office/NCPE (2005) Code of Practice Management of Police Information guidance (MoPI) College of Policing (2013) APP on Information Management as well as the Criminal Procedures Investigations Act 1996 (CPIA).
53. Access to recordings will be controlled and only persons having an operational need to view specific incidents may view do so.
54. An officer failing to record an incident may be required to justify the actions as vigorously as any officer who chooses to record a like encounter
55. Officers who fail to switch on BWC when required or fail to follow the correct procedure may be subjected to a disciplinary hearing.

Police and Crime Plan

56. Evidence based policing builds innovative, effective and practical solutions to improve policing. Scores of research projects are underway; all aiming to identify ways of working that will make communities safer.
57. PCC will review the pilot projects examining the operational, technical and legal implications of body worn cameras to assess whether these should be used more widely as a way to increase public confidence, improve evidence gathering and reduce complaints against officers. In addition will assess if body worn video has had an impact on early guilty pleas in the criminal justice system.
58. BWC will be used as an oversight tool to address issues which undermine public confidence, this includes stop and search powers, use of Taser along with access to footage for complaints dip sampling.

Saba Kayani

Office of the West Midlands Police and Crime Commissioner