

ABOUT THIS PROCEDURE

This document provides information on the force approach to the requirements in use of body worn video (BWV). This details specific roles and responsibilities, principles of use, operational guidance, mandatory deployments, restrictions on use, and use of BWV as evidential material, in accordance with 'NPCC BWV 2024' guidance.

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KEY SEARCH TERMS	Body worn video (BWV), Digital Evidence Management System (DEMS), Live streaming

How to navigate this document:

You can either:

- Scroll through each page in sequence
- Or click on the tabs on the right-hand side to go to a specific section

If you have any questions on this procedure, please see the relevant contact in the [Further Reference](#) section or email the [Policy Unit](#).

KEY POINTS

- BWV users must familiarise themselves with this policy and comply with it.
- Use of BWV by officers is lawful, as per common law, to protect life and property, preserve order, prevent the commission of offences, and bring offenders to justice and consent is not required from person(s) being filmed.
- Authorised officers and staff, i.e. those trained and issued with a device, will wear an SWP issued BWV device when on operational deployments.
- BWV devices should be powered on at all times and then switched to record by ALL persons present, when footage might support 'professional observation' or would corroborate electronic pocket notebook entries and / or statements.
- In general the BWV user should record entire encounters from beginning to end without the recording being interrupted. Unless mandated by policy, the decision to record or not to record an incident rests with the user, however, users should record incidents whenever they invoke a police power.
- Mandatory activation of BWV applies to stop and search, vehicle stops, domestic incidents, sudden deaths, Use of force, Use of powers of entry into premises, prisoner transport, Mental Health incidents, Taser Carriers, Firearms carriers, and when seizing exhibits, including the packaging and returning of these. (See 5.0)
- Restrictions on use of BWV apply in the following circumstances: Legal privilege, Vulnerable witness interviews, near explosive devices, Performance or misconduct issues, statement taking, capturing images of Indecent images of children (IIOC) or Youth produced sexual imagery (YPSI), first accounts for non-recent rape or serious sexual offences where there is unlikely to be any benefit of using BWV, recording of VA suspect interviews at Police stations. (See 6.0)
- Users **MUST** not indiscriminately record entire duties or patrols and should restrict recording to only the areas and persons necessary in order to obtain evidence and intelligence relevant to the incident, in accordance with data protection and Human Rights legislation.
- Plain clothed officers **MUST** use BWV in the same way as uniformed officers, in circumstances where the use is 'overt'.
- BWV users are to make a verbal announcement that BWV equipment has been activated at the start of any recording or as soon as practicable. When concluding a recording, the user should announce that the recording is about to finish and a rationale for this.
- BWV is not to be used to record images on the screen of another device, except for immediate intelligence purposes.

- With the exception of incidents subject to Post Incident Procedures (PIP), Officers may view their own BWV footage prior to writing their own statement. They should note the fact they have viewed this in their statement. Officers are not to view other officers BWV footage before writing their statement.
- Police Complaints- BWV footage can be shown to complainants in order to resolve a complaint, subject to relevant safeguards. (See 8.8)

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ROLES & RESPONSIBILITIES

Chief Officer

The Chief Officer lead for Body Worn video is the Assistant Chief Constable responsible for Territorial Policing. This Policy is owned by South Wales Police 'Corporate Services' and will be regularly monitored and reviewed to ensure changes in legislation, equipment and policy are reflected.

Policy Lead

The Policy lead will be a Chief Inspector, or higher rank, designated by Corporate Services. The Policy Lead will be responsible for producing and updating force policy, in line with national guidance.

BCU Commanders and Heads of Department(s)

Compliance with procedures contained herein with regards to appropriate deployment and use of Body Worn Video devices.

Roles and responsibilities required below are allocated to appropriate officers and staff and complied with.

That BWV devices are coordinated by their respective OSU's.

Bronze Inspectors

Responsibility for the allocation of out of hours pool BWV devices to front line staff as a temporary replacement.

Department Supervision/ Sergeants

Familiarise themselves with this policy and ensure only trained officers utilise the equipment and software.

Ensure that all their staff are appropriately equipped with BWV.

BWV Users

MUST familiarise themselves with this Policy and comply with it.

MUST ensure they have completed approved training prior to utilising the cameras and software as only officers who have received the appropriate training will be issued the equipment.

MUST take responsibility for what they have chosen to record or omit as they may have to justify their decision making during any subsequent court or other investigative proceedings.

Only South Wales Police purchased Body Worn Video devices can be utilised by staff.

MUST report loss, damage or theft of a BWV device to a supervisor as soon as practicable and obtain a temporary replacement as soon as practicable.

MUST charge your device at sufficient intervals to ensure that the camera has sufficient battery for the current and next tour of duty. Must also sync their devices frequently enough to avoid time and date drift on their device, at least once per week. Syncing the device is achieved by a mobile upload, a mobile data sync or docking the device to a connected dock.

On completion of relevant training and issuance of BWV device all authorised officers and staff will wear BWV when on operational duty.

The camera should be switched on when footage supports 'professional observation' or would corroborate what would be written in a Police issue electronic pocket notebook and / or statement.

ICT

Responsibility for the purchase of all force BWV devices and the subsequent allocation of personal issue devices to officers and the supply of pool devices to OSU's.

Maintenance for all force BWV devices.

DSD

Responsibility for the project management, roll out and governance of new devices

Responsibility for ensuring the safekeeping of all video footage, in accordance with the National Digital and Physical Evidence Retention Guidance

L&D

The preparation and provision of relevant training to all officers before using BWV video, to ensure compliance with force policy.

Provision of self-help guides which can be accessed through the force intranet.

Chairperson of Scrutiny Panel

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Responsibility for the selection and display of BWV footage to community scrutiny panels.

Joint Firearms Unit

JFU has responsibility for all BWV devices utilised by JFU officers, as well as responsibility for their own policy, training and compliance by JFU officers.

FULL PROCEDURE

1.0 POLICY OBJECTIVES

This Policy supports the organisational objectives and obligations placed upon the Chief Constable of South Wales Police to enable and maintain a Body Worn Video (BWV) capability that safeguards the availability, deployment and use of authorised video and audio recording devices by trained officers and staff, and to meet national requirements, as set by the 'NPCC BWV 2024' guidance.

BWV will only be used when it is justified, legal, proportionate, necessary and ethical to do so thus enabling accountable officers and staff to secure and preserve evidence whilst balancing the rights of individuals to freedom of expression, assembly, privacy and protection from discrimination, and to demonstrate organisational transparency.

BWV is an effective apparatus which when properly used:

- Will enhance the quality of evidence in support of criminal investigations
- Facilitate prompt decision making in response to complaints.
- Maintain / improve public confidence as accountability and transparency is enriched.
- Enhance operational decision making when dealing with incidents through live streaming.

All aspects of this Policy are mandatory. This a living document that will evolve as changes to devices, software, legislation and capability change.

2.0 PURPOSE

2.1 Purpose

The purpose of this policy is to promote compliance with legislation and guidance, empowering officers and staff to appropriately capture, review and produce relevant material, so that:

- BWV is only used by officers and staff who are trained
- BWV is only used in appropriate circumstances
- Users comply with reference material listed at section 'Legislation and Regulation'
- Risk to users wearing BWV is minimised
- Enhanced evidence capture that supports swift decision making is achieved
- Integrity, confidentiality and availability of data, capable of withstanding scrutiny from the Criminal Justice System and/or the Information Commissioner is achieved

2.2 The objectives of this Policy are:

- Make best use of Body Worn Video technology to detect and prevent crime
- Increase crime detection rates by improving quality of evidence
- Ensure BWV is used in compliance with relevant legislation and national guidance.
- Increase public trust and confidence in our service
- Reduce court appearances through effective early gathering of evidence.

2.3 Application and Scope

All police officers and police staff, including the special constabulary and those working voluntarily or under contract to South Wales Police must be aware of, and are required to comply with, all relevant policy and associated procedures.

This Policy covers all aspects of the use of BWV equipment by trained officers and staff. The subsequent management of the data obtained falls outside this policy and is covered by national guidance National Digital and Physical Evidence Retention Guidance. Whilst BWV may be utilised in public order situations, this document does not replace the policy and procedures for other users of visual recording equipment, such as that used by Public Order trained Evidence Gatherers, which takes precedence.

3.0 KEY PRINCIPLES

South Wales Police will follow the four key principles for the overt use of body worn video, as defined in the 'NPCC BWV 2024' guidance:

Principle 1

BWV is used lawfully and legitimately.

Common law provides the police with the legal authority to use BWV in the lawful execution of their duties, to protect life and property, preserve order, prevent the commission of offences, and bring offenders to justice.

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 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'. South Wales Police will ensure the integrity of data throughout the process and have due regard for the Surveillance Camera Code of Practice.

In relation to the duration for Evidence Retention, the 'National Digital and Physical Evidence Retention Guidance' which is overseen by the NPCC Digital and Physical Evidence Group, should be followed. 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.

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, relating 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.

4.0 BWV OPERATIONAL USE AND DEPLOYMENT

4.1 Using BWV – Basic Operational Use

- Authorised officers and staff, i.e. those trained and issued with a device, will wear BWV when on operational deployments.
- 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.
- The camera should be switched to record when footage might support 'professional observation' or would corroborate what would be written in a Police issue electronic pocket notebook and / or statement.
- Unless mandated by policy, the decision to record or not to record an incident rests with the user, however users should record incidents whenever they invoke a police power.
- Under normal circumstances, all BWV users present at an evidential encounter, should record the entire incident.
- Any decision not to record a mandatory incident must be documented, with an NDM rationale and brought to the attention of a supervisor.
- Users **MUST** not indiscriminately record entire duties or patrols. Recordings must be incident specific (whether or not the recording is ultimately required for use as evidence).
- Users **MUST** record as much of an incident as possible (including the context of the encounter) for example:
 - as soon as users are deployed to an incident
 - as soon as they become aware that any other encounter is likely to occur in front of them.
- 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.

- Users should, under normal circumstances, cease recording in the following instances when:
 - It is no longer justifiable or proportionate to record - e.g. if, after investigation, there is no likelihood of evidential material being recovered or used.
 - The incident has concluded.
 - At the direction of the PIM (Post Incident Manager) during the post incident process.
- In order to comply with the DPA and ECHR, wherever practicable, users should restrict recording to the areas and persons necessary in order to obtain evidence and intelligence relevant to the incident. Users should always attempt to minimise collateral intrusion on those not involved.
- Plain clothed officers **MUST** use BWV in the same way as uniformed officers, in circumstances where the use is Overt.

4.2 Starting a Recording- What to say

At the start of any recording or as soon as practicable, the user is to make a verbal announcement to indicate that the BWV equipment has been activated. This announcement should be in clear understandable language, tailored to the subjects they are communicating with, considering any disabilities or impairments. This announcement should be captured on the recording. (See AB-v-Hampshire 2018).

If the recording has commenced prior to arrival at the scene of an incident the user should, as soon as is practicable, announce to those persons present at the incident that recording is taking place and that actions and sounds are being recorded. Specific words for this announcement have not been prescribed, but users should use straightforward speech that can be easily understood by those present, such as:

"I am wearing and using a body worn video camera which is recording both video and sound..."

4.3 People Objecting to Recordings

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 requests that the BWV be switched off, 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 is then for the user to consider on a case-by-case basis whether or not to switch the BWV off. There should always be a tendency to record (within the confines of policy and legislation) unless circumstances dictate otherwise. 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.

If the user deems it necessary to turn off their BWV but events subsequently develop that require further investigation or proceedings, they should:

- resume recording to capture any potential evidence
- make the appropriate verbal announcements
- record the circumstances in their pocket notebook (in the same way as they would for a partial recording).

4.4 BWV within private dwellings

In any private dwelling, users may find that one party objects to the recording taking place, for example in Domestic Incidents. In such circumstances users should continue to record and explain the reasons for recording continuously which include:

- Continuing to record will safeguard all parties against any potential allegations.
- Continuing to record would safeguard both parties with true and accurate recording of any significant statement made by either party.
- That an incident has occurred requiring police to attend.
- That the officer's presence might be required to prevent a Breach of the Peace or injury to any person.
- The requirement to secure best evidence of any offences that have occurred, whether this is in writing or on video and the video evidence will be more accurate and of higher quality and therefore in the interests of all parties
- An incident having previously taken place may reoccur in the immediate future

The filming in domestic circumstances could be an issue with some cultural and religious beliefs. An example may be where a female in her home may not be dressed as she would usually be in public e.g. wearing head or face coverings. Officers should be aware of this fact and be practical and sensitive to the wishes of those involved in these Policing incidents.

4.5 Collateral Intrusion

In order to comply with data protection legislation and the Human Rights Act, wherever practicable, users should restrict recording to the areas and persons necessary in order to obtain evidence and intelligence relevant to the incident. Users should always attempt to minimise collateral intrusion on those not involved.

4.6 Commentary whilst recording

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 specifically referenced within the IOPC Stop and Search Learning Report which 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”.

4.7 Concluding or suspending a Recording

It is considered advisable that the officer continues to record for a short period of time after the incident to clearly demonstrate to any subsequent viewer that the incident has concluded, and the user has resumed other duties or activities.

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.

4.8 Evidential Footage Request

Officers and Staff should only share hyperlinks to evidence held in NICE DEMS. Physical copies are only to be made in exceptional circumstances (e.g. Information Management response to a Subject Access Request or Joint Legal Services requirement).

Those burning to DVD or saving to an authorised digital media device such as an encrypted Flash Drive are accountable for the handling and transfer to an approved recipient/agency.

4.9 Pre-event Buffering

When the Reveal Body Worn Video camera is switched on, it is automatically placed in 'buffering mode'. The pre-event buffering functionality allows the capture of video and audio upon activation of the event button for a specified period of time that precedes the moment the event button was actually pressed. Nothing is committed to digital storage whilst in buffering mode until the event button is pressed. This feature is intended to capture the video of an incident just before the 'event' mode is activated.

The pre-event buffering time period for BWV devices operated by South Wales Police Officers and Staff is 30 seconds.

4.10 The Hardware

The BWV equipment is a body-mounted camera with a built-in microphone. The camera stores digital files, which, once recorded, cannot be deleted or amended by the operator. Each digital file carries a unique identifier and has time and date displayed throughout. Dedicated software, NICE Digital Evidence Management System (DEMS) will manage the downloading, storage, viewing and sharing. This provides a full audit trail ensuring evidential continuity is maintained. Any malfunctions of the device should be reported to ICT Support via self-service desk on force intranet for analysis and fault resolution.

Out of hours pool BWV devices can be issued by BCU Bronze Inspectors to front line staff as a temporary replacement.

4.11 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.

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)

<https://assets.publishing.service.gov.uk/media/6492e26c103ca6001303a331/achieving-best-evidence-criminal-proceedings-2023.pdf>

4.12 Witness First Accounts and First Description

If the BWV user is approached by victims or witnesses who are giving their first account of the crime, the user may record the encounter using BWV, but this should be considered against the needs of the individual, with due sensitivity to the nature of the offence being reported. Any initial disclosure from victims and witnesses recorded by BWV should be treated as an evidential recording and submitted to the investigating officer. This is important to ensure compliance with statutory identification procedures under PACE Code D.

Such recordings do not replace the need for formal written statements from victims or witnesses, but they can be used as supporting evidence for the statements and can also be considered as hearsay evidence and used in accordance with the provisions of the Criminal Justice Act 2003.

Care should be taken to ensure that, should a victim or witness provide a 'first description' of the offender on video, that this fact should be recorded and submitted to the investigating officer. This is important to ensure compliance with statutory identification procedures under PACE Code D.

Victims and witnesses should not view BWV recordings of their initial accounts prior to an investigative interview because any subsequent challenge to its integrity may render the interview inadmissible. Challenges to the integrity of an initial account can arise for a variety of reasons and it could be argued that the witness's memory was tainted by viewing the recording and that it exerted an adverse impact on the reliability of their recall during the interview as a consequence.

4.13 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.

4.14 Crime Scenes

It is evidentially important to record as much detail of any given crime scene, therefore, recording should begin at the earliest opportunity. It is recommended that all officers capture a slow 360-degree capture of all crime scenes linked to serious offences, ensuring that the footage captures all persons present including members of the public as this will provide the SIO with previously lost evidential data and will introduce savings during the investigative process. Each crime scene recorded must be highlighted as evidential data and brought to the attention of the SIO at the earliest opportunity.

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

BWV cameras 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, then BWV devices should be powered off

The BWV camera should be treated the same as a mobile phone in these situations, so the minimum distance for safe transmission is 15 metres.

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.

4.16 Use of BWV in public order

Silver commanders are directed to consult with the NPCC guidance document below when considering policy decisions around deployment and use of BWV in public order situations.

[NPCC Public Order 2016](#)

4.17 Selective Capture

Selective Capture is a phrase to cater for the choices made by officers about which elements of an incident to video. In general, the BWV user should record entire encounters from beginning to end without the recording being interrupted. However, the nature of some incidents may make it necessary for the user to consider the rationale for continuing to record throughout entire incidents.

For example, the recording may be stopped in cases of a sensitive nature or if the incident has concluded prior to the arrival of the user. In all cases the user should exercise their professional judgment in deciding whether or not to record all or part of an incident.

In cases where the user does interrupt or cease recording at an ongoing incident they should record their decision on video, E-PNB and / or Niche Occurrence Enquiry log including the grounds for making such a decision.

4.18 Recording of secret or top-secret material

In the event that any recording of footage meets the criteria secret or top secret, as per the Government Security Classification 2018, the Force Information Security officer (FISO) is to be advised as soon as practicable for suitable extraction advice. The BWV camera is to be powered off and placed in a secure cabinet or locker until further notice.

4.19 Mutual aid

Officers engaged in mutual aid will ensure that BWV is utilised and operated in accordance with South Wales Police policies. The Reveal K7 device utilises a 3/4g connection for the purpose of uploading so this capability will be maintained anywhere in the United Kingdom.

If the requesting force elects to temporarily issue their own pool BWV devices in agreement with SWP Force Planning, data from BWV devices are downloaded within the requesting force area. The Chief Constable of that area will then fulfil the duties of data controller ensuring compliance with legal obligations under the DPA.

4.20 Plain clothed officers

Plain clothes officers are required to use BWV in the same circumstances as uniformed officers are.

Part 2 of the Regulation of Investigatory Powers Act 2000 (RIPA) covers acts of directed and intrusive surveillance. The Act identifies the procedures and authorities required in these circumstances.

In specific circumstances BWV may be used covertly. When deployed for covert use, forces must comply with the provisions of RIPA.

The regulation of Investigatory Powers Act 2000 provides for the authorisation of covert surveillance by public authorities where that surveillance is likely to result in private information being obtained about a person.

Surveillance, for the purpose of the 2000 Act, includes monitoring, observing or listening to persons, their movements, conversations or other activities and communications. It may be conducted with or without the assistance of a surveillance device and includes the recording of any information obtained.

Surveillance is covert if and only if it is carried in a manner calculated to ensure that any persons who are subject to the surveillance are unaware that it is or may be taking place.

In all other circumstance, use of BWV is considered overt.

If in doubt as to whether an operation requires a directed surveillance authority in order to use BWV, please consult with the Covert Authorities Bureau or Operational Security Advisor (OPSY).

4.21 Use of BWV at Court

The Courts (Prescribed Recordings) Order 2023 came into force on 24 October 2023, allowing specified security officers, Prisoner Escort Custody Services (PECS), police officers and court and tribunal security staff, to wear and use body worn video in court buildings.

This allows Police officers to wear and use BWV in custody cells; vehicle dock areas; courtrooms (including dock areas); outside of the building but within the area of the court, but only in response to a 'security alert' or in response to the escape or report of the escape, of a prisoner.

A security alert means an unexpected incident which is:

- Identified as a security alert in an announcement or communication directed to the person operating the body worn camera by that person's superior or a person responsible for the security of the building.
- An incident which the person operating the body worn camera 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 body worn cameras, or that officer's superior, considers a police response to be necessary.

Body worn video should only be activated in the case of security alerts or an escaped prisoner, otherwise they should remain in standby mode.

Recording should go on for only as long as the security alert lasts.

Use of body worn video must be for maintaining public order and the protection and safety of those visiting, using or working in, and in the precincts of, court buildings.

4.22 Use of BWV by Commanders

BWV will be made available to all commanders performing the role of duty Gold, Silver, FIM, Public Order Public Safety (POPS) Command, CBRNe Command, and JESIP (SCG/TCG).

BWV technology is available to complement existing methods of recording command decisions and enhance situational awareness/context for those reviewing decisions. Using BWV ensures critical decisions are accurately recorded, correctly stored and the integrity of our records can withstand internal and external scrutiny.

Use of body-worn video will be at the discretion of the commander and may be incident / event specific. Commanders may be required to justify their use or non-use of BWV at a later date.

Commanders should be mindful of using BWV when briefing or recording matters involving sensitive information and intelligence.

Commanders should consider communicating with partners and other key stakeholders to advise if BWV is active and decisions are being recorded audio and visually.

The basic set retention period for commanders BWV is 6 years. If the data becomes relevant for any subsequent inquiry or IOPC/PSD or civil claim investigation, then the relevant department must make the necessary enquiries to ensure continued retention and retrieval of the data.

No Commanders BWV will be uploaded to the NICE investigate solution. Commanders' product will be securely stored within DEMS360 and must be categorised as Command Log.

Access to recordings is controlled, only commanders will be able to access these recordings. However, identified persons having the operational need to view specific incidents may view them on a case-by-case basis.

5.0 MANDATORY DEPLOYMENTS OF BWV

5.1 Stop and Search

- Users should be aware that stop and search encounters can attract complaints and have a significant impact on community confidence. All 'stop and search' encounters must be recorded. A video recording does not replace the need for compliance with the stop and search policy.

The College of Policing APP for stop and search 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](#)

- Strip searches- The College of Policing APP for Stop & search (Stop and Search, Legal Application) states that “Searches exposing intimate parts of the body must be conducted at a nearby police station or other location out of public view, not in a police vehicle. If a body-worn video camera is available, officers should record the encounter in accordance with force policy but should cover the camera (or direct it away from the person) whenever intimate body parts are exposed. Audio recording should remain activated.”
- Whilst there is no specific power within PACE to take a photograph or video image of a person during a stop and search, such action is not explicitly prohibited.
- Officers must consider Article 8 Human Rights Act (Right to a Private Life) and consider if requested to stop recording by the subject, whether it is necessary to do so.
- The presumption would be that recording a stop and search encounter is likely to be proportionate, unless overriding circumstances to the contrary exist.
- The officer must ensure that a written record of the stop and search is made using iPatrol. In circumstances where a Stop and Search is conducted but BWV was NOT used the searching officer can select ‘officer discretion’ but must add a justification for this decision as per a mandatory text box.

5.2 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 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 <https://www.college.police.uk/app/roads-policing/police-pursuits> 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.

5.3 Domestic Incidents

The imagery obtained from attendance at ongoing domestic violence incidents can provide an invaluable and holistic picture of the environment, the demeanour and disclosures of those involved could furnish fundamental evidence to an investigation. The proportionate use of BWV is essential, officers and staff with BWV must follow the below grading principles as they allude to domestic incidents:

Grade 1 Emergency

BWV must be turned on in advance of arrival at the scene of the incident and is not to be turned off until the incident, or the actions arising from it are fully recorded.

Grade 2 Priority

BWV must be turned on in advance of arrival at the scene of the incident and is not to be turned off until the incident, or the actions arising from it are fully recorded.

All other grades

BWV users are reminded that the camera should be switched on when footage might support 'professional observation' or would corroborate what would be written in a Police issue electronic pocket notebook and / or statement.

BWV users should be aware that recordings made at non-crime domestic abuse incidents may have significance in future prosecutions. BWV users attending such incidents must give consideration to any risk factors that they subsequently record in the DASH (Domestic Abuse, Stalking and Honour-Based-Violence) form and, where appropriate, any history of incidents involving the victim which might support that they are being subjected to any form of abuse.

Where such a history exists or where risk factors are present, users should consider treating the recording as evidential material so that it can be retained to support victims and their children in possible future prosecutions, or to assist in other proceedings such as applications for non-molestation orders or restraining orders.

5.4 Sudden and Unexplained Deaths

BWV can be very effective for recording the location of objects and evidence at the scene of an incident or during the search of premises, in addition to any comments made. Investigators are then able to review and consider the implications of the footage, for example, a Senior

Investigating Officer, Crime Scene Investigator and/or Forensic pathologist could gain invaluable information and evidence about the position and condition of the deceased and their surroundings at the optimum time.

BWV must be used at all death scenes attended by police to secure and preserve best evidence, taking cognisance of sections 4.3, 4.4 and 4.5 with regards to objections raised about recording in private premises and collateral intrusion. If exceptional circumstances exist and a decision is made to NOT record using BWV then this decision must be ratified by a line manager and contemporaneously recorded either on incident log, OEL and EPNB.

Officers and staff should explain to family/friends present that they are in attendance on behalf of the coroner to record and investigate the circumstances of the death and the use of BWV enhances the quality of evidence available.

5.5 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. The incident should be recorded from the time that the user reasonably believes they will have to use force. However, in certain circumstances they will not be able to do so therefore the recording must start as soon as reasonably practicable.

Outside of these mandatory requirements, the decision to record or not to record any incident remains at all times with the trained user. The BWV user should be mindful that failing to record incidents that are of evidential value might require an explanation in court.

5.6 Use of Powers of Entry to Premises

BWV can be very effective for recording the location of objects and evidence at the scene of a crime or during the search of premises.

In addition, BWV can be used to provide evidence of the conduct of the search, to confirm where items were found and to record significant statements made by persons present.

When used in this way, the BWV recording should be treated as an evidential recording and, where possible, the user should provide a running commentary of factual information to accompany the recording to provide context during the review.

When planning the execution of a search warrant or similar operation, some consideration should be given to how many BWV users will be present and to how many (or which of them) will record specific elements of the operation. Evidentially and for the purposes of continuity, all officers equipped with BWV and engaged in a search should ensure that their BWV equipment is switched on and recording prior to entering the premises and remains so during the entire searching process. An exception to this is POLSA led searches (see 6.10).

Prior to concluding a recording, a walkthrough of the premises should be filmed to evidence the general condition of the premises when officers leave.

5.7 Prisoner Transport

On all occasions whereby a person is placed within the protected vehicle space (cage) of a suitably equipped police transport van which has a Klick Fast fitting, BWV must be used to record the detention for the duration of the journey.

For the avoidance of doubt, this includes those detained under Section 136 MHA 1983.

The safety of all force employees is of paramount importance, the securing of any BWV device into the vehicle using the Klick Fast fitting will only be required once the individual is safely detained within the vehicle.

Use of BWV however is not in lieu of live observation/monitoring of detainees. College of Policing Custody APP, and IOPC recommendations, require every detainee being transported to be observed live by an allocated escorting officer, in addition to being recorded on BWV. For transportation in a police van, this means the escorting officer must keep eyes on a detained person from the dedicated observation area of the police van.

Responsibilities:

The Driver:

- Will be responsible for securing their personal BWV device into the “Klick Fast” bracket within the rear of the vehicle and activating the recording.
- Will return the personal BWV device to their utility vest at the conclusion of the journey and prior to opening the doors for the suspect/detainee to exit the vehicle and will continue recording until no longer necessary.
- Upon subsequently uploading the footage from their device via 4G or docking the camera, will be required to categorise their footage and update the Incident ID with the relevant occurrence number which is also the NICE case reference.

The Escorting Officer:

- Will ensure that they activate their BWV for the duration of the journey.
- Will be responsible for categorising their own footage.

N.B. If the footage is not evidential, all transport footage should be categorised as relevant unused material.

5.8 Mental Health

Section 12 of The Mental Health Units (Use of Force) Act 2018 states that if a police officer is going to a mental health unit on duty that involves assisting staff who work in that unit, the officer must take a BWV camera if reasonably practicable. While in a mental health unit on duty that involves assisting staff who work in that unit, a police officer who has a body camera there must wear it and keep it operating at all times when reasonably practicable.

BWV should also be used when attending any mental health related police incident, which includes those in the community. The NPCC agreed definition of a Mental Health Incident is: “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 increases the transparency of policing when dealing with mental health and any footage recorded can be subsequently reviewed and submitted as evidence in what can often be a complex scenario. People with mental ill health or learning disabilities outline very different experiences and perceptions when dealt with by the police so BWV footage allows the independent review of police & other agencies responses.

Where police intervention is required, the capturing of evidence can be helpful to understand the rationale for action taken based on the scenario as it presented to attending officers. It will allow a greater degree of scrutiny of the wider partnership response to an incident, and better inform risk management practices and safeguarding approaches.

Where the use of BWV can be clearly identified as having a detrimental impact on the behaviour of a person subject to police intervention, consideration should be made to deactivating it and informing the person/s involved. Where clinical advice is received that the use of BWV is escalating the behaviour of a person then this should be a consideration in deactivating the recording.

Any decision to de-activate BWV must take into account guidance on the direction for use of BWV particularly in terms of a legislative requirement or transparency where use of force is anticipated. Any decision to re-activate BWV should be documented for audit purposes.

5.9 Taser Carriers

The NPCC circular 06LL ‘2022, requires the mandatory use of BWV by officers carrying Taser. An exception to this is set in NPCC circular 07LL 2022 which states that officers carrying Taser conducting covert surveillance roles are not required to use BWV, owing to the operational and technical challenges of utilising BWV in a covert deployment and the requirement to protect intelligence and covert tactics. This position is aligned with the NPCC Armed Policing guidance which makes clear there is no requirement for officers to use BWV during armed surveillance operations

5.10 Firearms

The provision and use of BWV cameras by all JFU officers is covered by the JFU's own BWV policy.

5.11 Seizing, packaging and returning property

In accordance with force policy '*Management of Evidential Property*',

When seizing property, the Officer must activate their Body Worn Camera to record the seizure, paying attention to the condition, make and a detailed description of the exhibit. If the exhibit is a media device particular attention must be paid to its condition both front and back and any damage recorded such as broken or cracked screen, dents or scratches and a note of if the item was in working order at the time of seizure. The footage is to be uploaded to NICE Investigate against the Occurrence number.

When packaging the exhibit, the Officer must activate their Body Worn Camera to record the condition, making a detailed description of the exhibit. Particular attention must be paid to its condition and any damage recorded such as cracks, dents or scratches. The footage is to be uploaded to NICE Investigate against the Occurrence number.

When returning property, the Officer must activate their Body Worn Camera to record the return, paying attention to the condition, make and a detailed description of the exhibit. The footage is to be uploaded to NICE Investigate against the Occurrence number.

6.0 RESTRICTIONS ON USE

BWV is an overt recording medium and can be used across a wide range of policing operations and incidents. There are, however, situations where the use of BWV is not appropriate. In all cases users and supervisors must use their professional judgment with regard to recording.

The following examples of where the use of BWV is not appropriate are for guidance only and this list is not exhaustive.

6.1 Legal privilege

BWV users must be careful to respect legal privilege and must not record material that is, or is likely to be, subject of such protections.

6.2 Vulnerable Witness interviews (VWI)

The use of BWV is not a replacement for VWI and vulnerable victims and / or witnesses must be dealt with in accordance with the current force policy.

6.3 Explosive devices

Like many electrical items, BWV cameras could cause electrostatic interference, which may trigger explosive devices. Therefore, BWV equipment **MUST NOT** be used in an area where it is believed that explosive devices may be present.

6.4 Performance or Misconduct issues

Under no circumstances should BWV equipment be used to record interactions with staff or managers (i.e. internal misconduct or sickness meetings) that occur outside of operational policing activity, as this would not be a legitimate policing purpose.

6.5 Statement taking

Unless there is an operational benefit which can be justified by the user, BWV recordings should not be taken whilst obtaining a written statement under S9 Criminal Justice Act 1967 (NPCC BWV 2023).

6.6 Recording of Interviews

BWV should not be used to record voluntary interviews of suspects under caution which occur at designated VA suites at police stations. It may be used to record interviews which take place other than at a police station should portable DIR equipment be unavailable.

6.7 Indecent Images of Children (IIOC) and Youth Produced Sexual Imagery (YPSI – Sexting)

BWV is a useful means for recording evidence and for demonstrating transparency in respect of police actions. BWV can be used to take photographs but must not be used to capture IIOC and YPSI. If indecent images are inadvertently captured in the course of dealing with an incident or carrying out an investigation users **MUST NOT DOCK OR UPLOAD** from the BWV device. Users should contact DSD Administrators as soon as practicable, and in any event within 31 days of the event to arrange the deletion of the material. The rationale for this is that using BWV to photograph or take footage of IIOC (Indecent Images of Children) or sexting evidence contained on mobile phones, laptops, tablets and computers could be an offence under:

- S160(1) Criminal Justice Act 1988 – Possession of an indecent photograph or pseudo photograph of a child
- S1(1) Protection of Children Act 1978 – taking, making, distributing and sharing an indecent photograph or pseudo photograph of a child

6.8 Rape and Serious Sexual offences (RASSO)

Op Soteria made recommendations regarding the use of BWV as follows:

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 (cases that have occurred within 7 days of report), then BWV should be switched on and recording when arriving at this incident. 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.

6.9 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;

1. 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).
2. 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.

7.0 BWV USAGE- OTHER CONSIDERATIONS

7.1 Retention and disclosure

All images recorded are the property of South Wales Police and must be retained in accordance with force procedures and National Digital and Physical Evidence Retention Guidance. Images are recorded and retained for policing purposes and must not be shown or given to unauthorised individuals/organisations.

Officers and staff are reminded that unauthorised disclosure of digital evidence may constitute an offence under the Computer Misuse Act 1990, (S)170 Data Protection Act 2018 or Common law (Misconduct in a Public Office / Pervert the Course of Justice).

7.2 Policing Purpose

The police collect information that is required for policing purposes. Policing purposes provide the legal basis for the collection, recording, evaluation, sharing and retention of information and may include one, or a combination, of the following:

- protecting life and property
- preserving order
- preventing the commission of offences
- bringing offenders to justice
- any duty or responsibility arising from common or statute law.

The use of BWV must be in accordance with the law and proportionate. For the purposes of the ECHR, it has been determined that police users have sufficient powers in common law to justify the use of BWV. (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 EHRR 193). Use of BWV can, however, be viewed as an interference and so must always be justifiable, on a case-by-case basis.

7.3 Witness Identification

Witnesses to a Policing Incident where the offender is present should under no circumstances be shown the video captured on the BWV. Officers should revert to Police and Criminal Evidence Act 1984 Codes of Practice Section D, which covers the showing of Photographs or other controlled identification processes.

7.4 Using BWV cameras to capture images on the screen of another device

BWV is not to be used for the recording of other types of videos being displayed on a screen such as a shop CCTV system, or the recording of the screen of a mobile phone. To do so generates a copy of poor quality and one that can be easily challenged at court. This practice must only occur in circumstances for immediate intelligence purposes (for example where

there is an immediate threat to life or to facilitate recognition of an offender at large). It must always be followed up with a valid download of the original image data.

8.0 USING BWV FOOTAGE AS EVIDENTIAL MATERIAL

8.1 Uploading File References and Exhibits

All video recordings made on the BWV device must be uploaded as soon as practicable, the recorded footage must be tagged with the occurrence number and categorised accordingly. This should be completed on the BWV device itself and if for any reason this has not been possible then the user can log in to their DEMS360 account to complete this step. After the above steps have been completed recordings that require retention past 31 days will become available in the South Wales Police Digital Evidence Management System (Nice Investigate)

BWV is supporting evidence and officers are still required to provide written statements, which must include an audit trail for the capture of the footage and the subsequent production of Exhibits. Where more than one BWV device is present at the scene of an incident, or the area of the incident is also covered by a CCTV system the officer in the case (OIC) must ensure that all relevant footage is appropriately secured in compliance with the Criminal Procedure and Investigations Act 1996.

Evidential footage will be considered any data that is relevant to an incident where a crime or incident necessary of investigation has been raised, and/or an arrest has been made. This will include:

- Evidence of an offence
- Footage which should be retained and/or disclosed under the Criminal Procedure and Investigations Act 1996

It is the responsibility of the BWV Recording Officer to ensure that evidential footage is correctly marked with the relevant Niche number in the identification field and correctly categorised. In conducting this assessment, it may be necessary to arrange for the translation of any disclosure made in a language other than English.

All BWV Footage **MUST** be categorised within 31 days from recording as uncategorised recordings will be deleted after this time.

The management of digital material is crucial to our obligations under CPIA 1996, DPA 2018 and Code of Practice for Police information and records management. For a full explanation of available Categories and retention periods please see separate Procedure/Guidance 'Management of Digital Material'.

8.2 Evidence Requests

All requests for copy evidence and edits must be accessed through NICE Investigate. Each member of staff will have access levels to the database suitable to their role. The investigating officer or any member of staff connected with the footage can give sharing access for the footage to any person deemed necessary for a policing purpose.

8.3 Statements

Body Worn Video footage can be viewed prior to officers writing their own statements, however officers should only view their own BWV footage, and not that of other officers.

There is also guidance from the Independent Office for Police Conduct (IOPC) regarding this <https://www.ipcc.gov.uk/page/body-worn-video-ipcc-position-and-recommendations>

When officers are making a statement after first viewing body worn video footage, it is recommended for continuity and transparency that officers note in their statements that they have viewed the footage prior to making the statement.

Any officers required to attend a Post Incident Process (PIP), are not allowed to view recorded footage prior to giving a personal account unless authorised by the Post Incident Manager (PIM)

In relation to the operational use of BWV by the Joint Firearms Unit a separate JFU policy applies and is to be referred to.

8.4 General Principles

The following general principles must be adhered to in respect of 'Overt Digital Images' as evidential or unused material in an investigation:

- The master copy is the first copy made from the capture device and must be named as such immediately and securely stored.
- Any further copies will be working copies and must be identified as such.
- A full audit trail must be established and maintained at the point of image capture or at the point of retrieval or seizure from third party. The audit trail will document the working processes from capture through to disposal.

8.5 Image Enhancement

Any imagery that may affect an evidential outcome at court needs to have been prepared with the best forensic practices using the most appropriate equipment / software. The Joint Scientific Investigation Unit (JSIU) MUST undertake ALL submissions for this work

If the case is a major investigation under the direction of an SIO, any image enhancement is likely to be through liaison between the SIO and the Joint Scientific Investigation Unit (JSIU).

Officers who are uncertain regarding aspects of court presentation of imaging evidence must contact the Joint Scientific Investigation Unit (JSIU) for advice.

8.6 Provision of Data to Outside Organisations

Any digital material must not be provided or sent outside of force without prior permission from the System Owner. (Unless covered through established policies in the Digital Evidence Management System.)

Any data sent outside the Force must be compliant with the Data Protection Act 2018, The Management of Police Information (MOPI) guidance, Government Security Classifications Policy and the force Information Sharing Policy.

Relevant documentation must be completed therefore prior to sharing. In all cases you must inform any organisation to which the data is sent of the protective marking associated with the information.

8.7 Use of BWV Evidence Where a Complaint is Made or Anticipated

If a complaint is made against an officer and BWV footage is available, but the officer has not yet viewed it, they should not view it until the investigating officer or person locally resolving the complaint is satisfied that they have a sufficient account of the officer's view of what happened. This allows the officer to give an account that is untainted by what they may see on the BWV footage. The officer should only view the footage before providing their initial account if there is a good policing reason for this – and this reason should be recorded clearly on the relevant NICHE occurrence or officer's account.

In many circumstances, a complaint will not be received immediately after an incident and the officer involved may have viewed the BWV footage by the time the complaint is received. Where this happens and the officer has viewed BWV footage before giving their account of an incident, their account should state that they have viewed the footage. It should also include the reasons for this and, if appropriate, distinguish between what they are saying as their honestly held belief and what is a reflection of what they have viewed on the footage

In some circumstances, BWV footage may provide sufficient evidence for the person locally resolving a complaint to respond to the complaint without the need for an account from the officer the complaint is about. However, this should not prevent an officer being given the opportunity to comment on a complaint about them that is being locally resolved. Similarly, where an investigation is not subject to special requirements, the availability of BWV footage may enable the complaint to be resolved more quickly.

This guidance is explained in full in the attached link to the Independent Office of Police Conduct guidance:

https://www.policeconduct.gov.uk/sites/default/files/Documents/Who-we-are/Our-Policies/IPCC_position_statement_on_body_worn_video.pdf

If supervisors, officers, and staff want any advice regarding the viewing of BWV, where a complaint has been made or anticipated, they can always speak to the SWP Professional Standards Department. If the advice required is of an urgent / time critical matter, out of hours there is an on-call PSD member of staff whose number can be provided through the PSC or FIM.

8.8 Playing of BWV footage to complainants

The showing of BWV footage to complainants, by 'Investigating officers', can provide a key objective overview of events in order to help resolve a complaint. Prior to showing any footage however 'Investigating Officers' should consider whether the information you provide needs to be limited where it is necessary and proportionate to:

- Avoid obstructing an official or legal inquiry, investigation or procedure.
- Avoid prejudicing the prevention and detection, investigation or prosecution of criminal offences or the execution of criminal penalties.
- Protect public security
- Protect national security
- Protect the rights and freedoms of others.

Also consider whether the footage identifies any third parties or information about them which are not known to the complainant. If this is the case then consider clipping the footage or redacting/pixelating any of the affected information.

FURTHER INFORMATION AND FORMS

TERMINOLOGY

Some key terminology related to BWV are summarised as follows:

BWV – Body Worn Video

DEMS – Digital Evidence Management System (NICE)

DPA – Data Protection Act 2018

FOIA – Freedom of Information Act 2000

Burn – The copying of data to a DVD / Digital Storage Media

Capture – The recording of images and audio

Evidential footage – is relevant to an incident where positive action has been taken, a crime or incident necessary of investigation has been raised, and/or an arrest has been made.

Evidence Any matter of fact that a party to a lawsuit offers to prove or disprove an issue in the case. A system of rules and standards that is used to determine which facts may be admitted, and to what extent a judge or jury may consider those facts, as proof of a particular issue in a lawsuit.

Key evidence is that evidence which either alone (the evidence of one witness) or taken together with other evidence (further witnesses or exhibits) establishes the elements of the offence to be proved and that the person to be charged committed the offence with any necessary criminal intent. (CPS guidance (DG6) on charging for police and prosecutors)

A **Master File** is the definitive copy of the data, that is documented, and stored according to established procedures and can be examined by a court if required to confirm the authenticity of the evidence relied on in proceedings. It is an unedited 'bit-for-bit' copy of the original recording stored securely, in line with force policy and procedures pending its production (if required) at court. It is to be treated as an exhibit. The Master File is only viewed if doubt is cast on the integrity of the Evidential Clips.

Evidential Clips are the version produced from the Master File for the investigation or other policing requirements/purpose which show the parts of the Master File which are evidentially relevant (or relevant unused material).

Unused material- material which may be relevant to an investigation and has been retained in accordance with the CPIA Code of Practice, and which will not form part of the prosecution evidence in the case. BWV footage will be potentially disclosable as unused material if it is not being used as evidence.

Relevant material may be relevant to an investigation if it appears to an investigator, or to the officer in charge of an investigation, or to 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. (CPS guidance (DG6) on charging for police and prosecutors)

Live streaming – The process of sending live footage from body worn camera to another whether through either a 4G data connection or Wi-Fi.

A **Non-Complex edit** of a Body-Worn video recording is one which is limited to simple blurring of faces or other parts of the video, partial removal of the audio or the creation of an 'Evidential Clip'

A Complex edit is any other manipulation of the video such as changing the video speed, or pixel enhancement etc and is restricted to those who are accredited with the ISO17026 qualification (Forensic Digital Media Experts)

MOPI – Management of Police Information

APP – Authorised Professional Practice

FORMS

LEGISLATION AND REGULATION

Relevant legislation covering the police use of BWV can be found in the following Acts of Parliament:

- Criminal Procedure and Investigations Act 1996
- Regulation of Investigatory Powers Act 2000
- Human Rights Act 1998
- Data Protection Act 2018
- Freedom of Information Act 2000
- Equality Act 2010
- Protection of Freedoms 2012 (CCTV Codes of Practice: Aug 2013)
- Police and Criminal Evidence Act 1984
- The Police and Criminal Evidence Act (PACE) Code D relates to identifying persons and includes the use of video under the definition of photograph.
- S.64A of PACE 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 BWV.
- Criminal Justice Act 1988
- Protection of Children Act 1978
- Mental Health Units (Use of Force) Act 2018

Other relevant codes and guidance in relation to police use of BWV:

- [NPCC BWV Guidance 2024](#)
- <https://www.gov.uk/government/publications/technical-guidance-for-body-worn-video-bwv-devices-cast-2018>

- Code of Practice for Police information and records management
<https://www.gov.uk/government/publications/police-information-and-records-management-code-of-practice>
- APP on Information Management
- Surveillance Camera Code of Practice
- National Digital and Physical Evidence Retention Guidance
- National Decision Model (NDM)
- Code of Ethics
- ACPO (2007) Practice Advice on Police Use of Digital Images
- ACPO (2007) Digital Imaging Procedure v2.1
- ICO guidance on CCTV
- Code of Practice on the Management of Police Information
- Authorised Professional Practice (APP) for Information Management
- Home Office (2013) Surveillance Camera Code of Practice
- Technical guidance for Body Worn Video, CAST, 2018
- Ministry of Justice (2011) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures
- Home Office – Safeguarding Body Worn Video data 011/18
- Use of Summaries of Visually Recorded Evidence in Cases Referred to the CPS for Charging Decisions. [Charging \(The Director's Guidance\) - sixth edition, December 2020, incorporating the National File Standard | The Crown Prosecution Service \(cps.gov.uk\)](#)

REFERENCE MATERIAL

- SWP Management of Digital Material Procedure/Guidance
- SWP Hostage and Crisis Negotiation Procedure/Guidance
- Records Management Procedure/Guidance
- IOPC position statement on body worn video
- NPCC Policing position statement: Using BWV to record initial contact with victims, witnesses, and suspects
- NPCC Body Worn Video – Use in Public Order guidance – April 2016

Body Worn Video

[FURTHER INFORMATION AND LINKS](#)
[RELATED PROCEDURES AND SOPS](#)
[CONTACTS](#)

RISKS AND IMPACTS

EQUALITY IMPACT

[BWV EIA](#)

DATA PROTECTION

Not Applicable

RISK ASSESSMENTS

[BWV Risk Assessment](#)

AUDIT

DATE	VERSION	KEY CHANGES & COMMENTS	FULL REVIEW?	AUTHORISED BY
17/05/17	01	Published for consultation	Yes	[REDACTED]
13/07/17	02	Consultation closed, published.		[REDACTED]
29/01/18	03	Added to procedure 3.14 Recording of Interviews		[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
05/02/2020	04	Significant re-draft of policy/procedure including: Redraft South Wales Police procedure objectives – introducing proportionality to use of BWV, Human Rights Act 1998 considerations. Guidance Changed to reflect that all aspects are mandatory.		[REDACTED] [REDACTED]

ABOUT
PROCEDURE

KEY POINTS

ROLES

FULL
PROCEDURE

FURTHER INFO
& FORMS

RISKS AND
IMPACT

AUDIT

FAQS

		Redraft of 'Key terms used' – to remove reference to 'intelligence footage' as this risks turning an overt device to covert use for which RIPA authorities are required, separate procedures deal with such use. 1.0 Adoption of the 7 principles of the overt use of BWV. 1.1 Aims redrafted to be more concise: • BWV is only used by officers who are trained • BWV is deployed in appropriate circumstances • Users comply with reference material listed at section 'Legislation, Regulation and Guidance' • Risk to users wearing BWV is minimised • Enhanced evidence capture that supports swift decision making is achieved • Integrity, confidentiality and availability of data, capable of withstanding scrutiny from the Criminal Justice System and/or the Information Commissioner is achieved 1.2 Objectives redrafted to be more concise: • Make best use of Body Worn Video technology to detect and prevent crime • Increase crime detection rates by improving quality of evidence • Ensure BWV is used in compliance with relevant legislation • Embed the use of digital evidence as a crime exhibit • Increase public trust and confidence in our service • Reduce officer case build time and court appearances through greater efficiency 1.3 Removed list of officers and staff to whom the policy applies as deemed unnecessary – if you are issued with a BWV the procedure is to be followed. 1.4 Outcome evaluation removed as this mirrored the objective at 1.2		
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		2.1 Added responsibility for BCU Commanders to ensure compliance with procedures and appropriate deployment of BWV. 2.2 For retention periods directed towards stand-alone procedure 'Management of Digital material'. 2.3 Added responsibilities to BWV operators regarding reporting loss, damage or theft and docking of BWV devices. 2.4 Officers and staff should only share hyperlinks to evidence with physical copies only being made in exceptional circumstances. 3.0 Added section re hardware: The BWV equipment is a body-mounted camera with a built in microphone. The camera stores digital files, which, once recorded, cannot be deleted or amended by the operator. Each digital file carries a unique identifier and is time and date displayed throughout. Dedicated software, DAMS (Digital Asset Management System) will manage the downloading, storage, viewing and sharing. This provides a full audit trail ensuring evidential continuity is maintained. Any malfunctions of the device should be reported to ICT Support via self-service desk on force intranet for analysis and fault resolution. Out of hours pool BWV devices can be issued by BCU Bronze Inspectors to front line staff as a temporary replacement. 3.1 Added section re Pre-event Buffering: When the Axon Body Worn Video camera is switched on it is automatically placed in 'buffering mode', the pre-event buffering functionality allows the capture of video (not audio) upon activation of the event button for a specified period of time that precedes the moment the event button was actually pressed. Nothing is committed to digital storage whilst in buffering mode until the event button is pressed. The pre-event buffering time period for BWV devices operated by South Wales Police Officers and Staff is 30 seconds. 3.23 Removal of reference to 'intelligence footage' as this risks turning an overt device to covert use		
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		for which RIPA authorities are required, separate procedures deal with such use. 4.2 'People Object to Recordings' added additional detail to support decision making. 4.4 Private Premises – added an exception to the policy re not being a police matter (not an alleged offence) as below: N.B. The exception to the above is the deployment of Nationally trained Hostage and Crisis Negotiators – for more detail about the use of Body Worn Video in these circumstances please review the SWP Hostage and Crisis Negotiation Guidance and Procedure document. 5.1 Domestic Incidents – section has been amended to allow more discretion from officers attending slow time enquiries. The imagery obtained from attendance at ongoing domestic violence incidents can provide an invaluable and holistic picture of the environment, the demeanour and disclosures of those involved could furnish fundamental evidence to an investigation. The proportionate use of BWV is essential, officers and staff with BWV must follow the below grading principles as they allude to domestic incidents: Grade 1 Emergency BWV must be turned on in advance of arrival at the scene of the incident and is not to be turned off until the incident, or the actions arising from it are fully recorded. Grade 2 Priority BWV must be turned on in advance of arrival at the scene of the incident and is not to be turned off until the incident, or the actions arising from it are fully recorded. All other grades BWV users are reminded that the camera should be switched on when footage might support 'professional observation' or would corroborate what would be written in a Police issue electronic pocket notebook and / or statement.		
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		BWV users should be aware that recordings made at non-crime domestic abuse incidents may have significance in future prosecutions. BWV users attending such incidents must give consideration to any risk factors that they subsequently record in the DASH (Domestic Abuse, Stalking and Honour-Based-Violence) form and, where appropriate, any history of incidents involving the victim which might support that they are being subjected to any form of abuse. Where such a history exists or where risk factors are present, users should consider treating the recording as evidential material so that it can be retained to support victims and their children in possible future prosecutions, or to assist in other proceedings such as applications for non-molestation orders or restraining orders. 5.2 Sudden deaths wording added: BWV can be very effective for recording the location of objects and evidence at the scene of an incident or during the search of premises, in addition to any comments made. Investigators are then able to review and consider the implications of the footage, for example, a Senior Investigating Officer, Crime Scene Investigator and/or Forensic pathologist could gain invaluable information and evidence about the position and condition of the deceased and their surroundings at the optimum time. BWV must be used at all death scenes attended by police to secure and preserve best evidence, taking cognisance of sections 4.2, 4.3 and 4.4 with regards to objections raised about recording in private premises and collateral intrusion. If exceptional circumstances exist and a decision is made to NOT record using BWV then this decision must be ratified by a line manager and contemporaneously recorded either on Control Works or EPNB.		
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	Officers and staff should explain to family/friends present that they are in attendance on behalf of the coroner to record and investigate the circumstances of the death and the use of BWV enhances the quality of evidence available. 5.3 Automated Facial Recognition Mobile Application South Wales Police are leading with the implementation of Automated Facial Recognition technology and intend to pilot the use of a mobile application of AFR. With the exception of training and testing ALL use of the Automated Facial Recognition mobile application (AFR APP) must be recorded using Body Worn Video. 5.6 Added section re 'Prisoner transport' – sets out the responsibilities of the driver and arresting officer when using a suitably equipped SWP transport van, to record the journey of a detained subject. 5.9 Use of BWV close to potentially explosive environments or suspect packages BWV cameras 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, Axon recommends you power off the camera. The BWV camera should be treated the same as a mobile phone in these situations, so the minimum distance for safe transmission is 15 metres. 6.0 Use of BWV in public order Silver commanders are directed to consult with NPCC guidance. 7.1 MoPI definition of Policing purpose added 7.4 'Bookmarking' section simplified 8.0 Uploading, file references and exhibits paragraph changed to:		
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		After docking, all footage recorded to the BWV device, will be uploaded and stored on the DAMS database. Once docked, the recorded footage is offloaded from the camera, and is saved on the secure networked data storage facility. Users must then access their evidence.com accounts using their individual username and passwords. They will then be asked to enter details surrounding the footage they have recorded. There are two important fields that must be completed. The first of them is the category field. Officers must select which category best applies for their footage. The other required field is the ID number, for example the Niche Occurrence number or Control Works log number should be entered in the incident ID field. Any other details such as exhibit number, suspects and other relevant details should be entered in the Notes column. Any additional information entered into these fields may be used to search on in the future making it easier to retrieve footage required. 8.0 ALL categorisation MUST take place within 31 days. 8.0 Re-emphasis of individuals responsibilities with regards the management of digital material in line with our obligations under DPA 2018, CPIA 1996 and MoPI: The management of digital material is crucial to our obligations under CPIA 1996, MoPI and DPA 2018. For a full explanation of available Categories and retention periods please see separate Procedure/Guidance 'Management of Digital Material'. 8.0 Definition of 'evidential footage' changed to: Evidential footage will be considered any data that is relevant to an incident where positive action has been taken, a crime or incident necessary of investigation has been raised, and/or an arrest has been made. This will include:		
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	• Evidence of an offence • Footage which should be retained and/or disclosed under the Criminal Procedure and Investigations Act 1996 8.6 Mutual aid Provides guidance to officers deployed out of force on mutual aid, SWP issued BWV devices can be used with access to mobile docking stations made available by force planning to upload footage to SWP DAMS. 8.8 Added section from PSD/IOPC perspective: When officers use their professional judgement to determine if it is appropriate to use BWV they will utilise the National Decision Model, the centre of which is ethical reasoning. The Code of Ethics sets out the principles and standards of behaviour that will promote, reinforce and support the highest standards. Much like CCTV evidence the availability of BWV during complaint, conduct and death or serious injury cases will support prompt resolution, whereas the absence of such footage in circumstances where this procedure mandates it's use will be subject of close scrutiny. A hyperlink to IOPC guidance is provide below: https://www.policeconduct.gov.uk/sites/default/files/Documents/Who-we-are/Our-Policies/IPCC_position_statement_on_body_worn_video.pdf Section dealing with Legislation and Regulation has been simplified, added ref to: Relevant legislation covering the police use of BWV can be found in the following Acts of Parliament: Criminal Procedure and Investigations Act 1996 Regulation of Investigatory Powers Act 2000 Human Rights Act 1998 Data Protection Act 2018		
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		Freedom of Information Act 2000 Equality Act 2010 Protection of Freedoms 2012 (CCTV Codes of Practice: Aug 2013) Police and Criminal Evidence Act 1984 • The Police and Criminal Evidence Act (PACE) Code D relates to identifying persons and includes the use of video under the definition of photograph. • S.64A of PACE 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 BWV. Other relevant codes and guidance in relation to police use of body worn video are: ACPO (2007) Practice Advice on Police Use of Digital Images ACPO (2007) Digital Imaging Procedure v2.1 ICO guidance on CCTV Code of Practice on the Management of Police Information and the Authorised Professional Practice (APP) for Information Management Home Office (2013) Surveillance Camera Code of Practice Ministry of Justice (2011) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures Home Office – Safeguarding Body Worn Video data 011/18 College of Policing – Body Worn Video 2014 Use of Summaries of Visually Recorded Evidence in Cases Referred to the CPS for Charging Decisions. https://www.cps.gov.uk/publications/directors_guidance/dpp_guidance_5_annex_a.html		
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		'Reference material' section added - SWP Management of Digital Material Procedure/Guidance - SWP Hostage and Crisis Negotiation Procedure/Guidance - Records Management Procedure/Guidance - IPCC position statement on body worn video - NPCC Policing position statement: Using BWV to record initial contact with victims, witnesses and suspects - NPCC Body Worn Video – Use in Public Order guidance – April 2016 - Code of Ethics Section 4 added bullet point: - Plain clothed officers can use BWV in the same way as uniformed officers in circumstances where the use is Overt. Added section 7.7: 7.7 Plain clothed officers There is no restriction on the use of BWV whilst in plain clothes as long as officers and staff comply with this policy. This includes the necessity to ensure that: - The subject(s) of the interaction is informed as soon as practicable that the BWV device has been activated. Specific words for this announcement have not been prescribed, but users should use straightforward speech that can be easily understood by those present, such as: "I am wearing and using a body worn video camera which is recording both video and sound..." - Wherever possible the BWV user should state:		
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		- o Date, time and location - o Incident type The regulation of Investigatory Powers Act 2000 provides for the authorisation of covert surveillance by public authorities where that surveillance is likely to result in private information being obtained about a person. Surveillance, for the purpose of the 2000 Act, includes monitoring, observing or listening to persons, their movements, conversations or other activities and communications. It may be conducted with or without the assistance of a surveillance device and includes the recording of any information obtained. Surveillance is covert if and only if it is carried in a manner calculated to ensure that any persons who are subject to the surveillance are unaware that it is or may be taking place. In all other circumstances use of BWV is considered overt. If in doubt as to whether an operation requires a directed surveillance authority in order to use BWV please consult with the Covert Authorities Bureau or Operational Security Advisor (OPSY).		
26/03/2020	05	Section 4 added bullet point: • Plain clothed officers can use BWV in the same way as uniformed officers in circumstances where the use is Overt. Added section 7.7: 7.7 Plain clothed officers There is no restriction on the use of BWV whilst in plain clothes as long as officers and staff comply with this policy. This includes the necessity to ensure that: • The subject(s) of the interaction is informed as soon as practicable that the BWV device has been activated.		

		Specific words for this announcement have not been prescribed, but users should use straightforward speech that can be easily understood by those present, such as: "I am wearing and using a body worn video camera which is recording both video and sound..." • Wherever possible the BWV user should state: - o Date, time and location - o Incident type The regulation of Investigatory Powers Act 2000 provides for the authorisation of covert surveillance by public authorities where that surveillance is likely to result in private information being obtained about a person. Surveillance, for the purpose of the 2000 Act, includes monitoring, observing or listening to persons, their movements, conversations or other activities and communications. It may be conducted with or without the assistance of a surveillance device and includes the recording of any information obtained. Surveillance is covert if and only if it is carried in a manner calculated to ensure that any persons who are subject to the surveillance are unaware that it is or may be taking place. In all other circumstances use of BWV is considered overt. If in doubt as to whether an operation requires a directed surveillance authority in order to use BWV please consult with the Covert Authorities Bureau or Operational Security Advisor (OPSY).		
20/04/2020	06	Added section 5.3 (all subsequent sections moved section number by a factor of 1) as below: 5.3 Indecent Images of Children (IIOC) and Youth Produced Sexual Imagery (YPSI – Sexting) BWV is a useful means for recording evidence and for demonstrating transparency in respect of		

		police actions. BWV can be used to take photographs, but must not be used to capture YPSI and IIOC. If indecent images are inadvertently captured in the course of dealing with an incident or carrying out an investigation users MUST NOT DOCK the BWV device. Users should contact DSD Administrators as soon as practicable, and in any event within 31 days of the event to arrange the deletion of the material. The rationale for this is that using BWV to photograph or take footage of IIOC (Indecent Images of Children) or sexting evidence contained on mobile phones, laptops, tablets and computers could be an offence under: • S160(1) Criminal Justice Act 1988 – Possession of an indecent photograph or pseudo photograph of a child • S1(1) Protection of Children Act 1978 – taking, making, distributing and sharing an indecent photograph or pseudo photograph of a child *N.B. See Appendix A: Use of ‘Axon Capture’ and ‘Axon View’ mobile applications which stipulates the same standards in the above circumstances. Appendix A Axon View And Capture		
09/03/2021	07	P14. Section 5.9 Witness first accounts and first description Updated in relation to alleged offences of RASSO: Where the alleged offence is of rape or another serious sexual offence, the victim’s initial account should be captured on the PPD3 form and not on BWV. If a rape or sexual offence is unexpectedly disclosed while BWV is activated, officers should deactivate their BWV and revert to the PPD3 to capture the initial account, if practicable. Annual review complete. Ownership confirmed as TP Hub, where the Force lead for BWV sits (CI TP Hub)		

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Body Worn Video

		Para 8.8 PSD/IOPC now Use of BWV Evidence Where a Complaint is Made or Anticipated updated.		
13/04 /2021	08	Para 8.8 PSD/IOPC now Use of BWV Evidence Where a Complaint is Made or Anticipated updated.		
06/05 /2021	09	Update under 2.3 BWV users MUST dock their BWV device regularly for recharge and uploading of footage to DAMS (best practice is to dock at the end of each shift.) This is essential to avoid clock drift. Due to component tolerances and environmental conditions BWV clocks can drift up to ± 1 minute per month (2 seconds per day) and if not synchronized regularly could record different times from other devices. This could lead to evidential issues in case preparation which are completely avoidable and will require manual correction.		
26/11 /21	10	Changes made to: 4.0- Plain clothed officers MUST use BWV in the same way as uniformed officers in circumstances where the use is Overt 7.7- Plain clothed officers MUST use BWV in the same way as uniformed officers in circumstances where the use is Overt		
18/02 /22	11	Added section 7.8 to meet NPCC requirements 7.8- 'Using BWV cameras to capture images on the screen of another device' - The use of BWV to capture video or images from any another device, e.g. of mobile phone footage or from CCTV screens, must be a last resort in response to immediate intelligence purposes for recognition only. - Officers must ensure that if this is done, the original source recording must also be seized and treated as an exhibit in line with current working practices.		
10/01 /23	12	Annual review completed and policy updated in line with national guidance, in particular the 'NPCC BWV 2022' guidance document, and lessons learned	Yes	

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		including from PSD and Joint Legal Services, including: 3.0- Key Principles- amended to reflect the national change to 5 key principles. 5.1- Strip searches- introduction of the requirement for officers to utilise BWV during strip searches, in line with the College of Policing APP on Stop and Search. 5.5 – Use of powers of entry to premises- A requirement for officers to capture the general condition of a premises when they leave, to protect SWP from any unnecessary legal claims. 5.7 – Mental Health- national guidance included concerning the requirement to use BWV when in attendance at Mental Health Units and during other MH related incidents. 5.8- Taser carriers- mandatory use of BWV by Taser carriers included, in line with national policy. 6.0-Restriction on use of BWV - this is a new section added which lists the restrictions on use of BWV, in order to better summarise situations when BWV should not be used. 7.4 – National guidance included regarding the direction to not record images from the screen of another device, for evidential purposes. 8.3- Statements- amendment made to state that officers can only view their own BWV footage before writing their S9 statement and not that of colleagues. 8.8- Playing of BWV footage to complainants- this is a new point, giving clarity to investigating officers dealing with complaints against Police. Throughout- Reference to Axon removed and replaced with Reveal, in line with the new BWV devices used. Legislation and Regulation- updated to reflect new national guidance links.		
26/06/23	12.1	Section 5.10 has been added, requiring the mandatory use of BWV when officers seize evidential property, and also when packaging and	No	

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		returning such items. This reflects force policy for <i>'Management of Evidential Property'</i>. 'Key points' (pg 2) has also been amended to reflect this.		
23/01/24	13	Annual review completed and policy updated in line with the new <i>'NPCC BWV 2023'</i> guidance document, including: 3.0 Key Principles- amended to reflect a minor change in wording in principles 1 -5 4.5- Commentary whilst recording- This is a new entry to reflect the NPCC BWV 2023 guidance to encourage BWV users to verbalise and document what they see, hear or smell, based on IOPC Stop and Search recommendations. 5.1 – Stop and search – reference and hyperlink included to College of Policing Stop and Search APP. 5.5- Use of powers of entry- updated to exclude use of BWV during POLSA led searches. 6.9 RASSO – this is a new addition to reflect national Op Soteria recommendations; to not use BWV for non-recent incidents where there is unlikely to be any evidential benefit to using BWV and for BWV to be used for RASSO offences which are dynamic, ongoing or within the forensic window. 6.10- POLSA led searches- this is a new entry to reflect the NPCC 2023 guidance, which reflects Police National Search Centre guidance (2022) that BWV is not used during PoLSA led searches utilising Licensed Search Officers.	Yes	
21/04/24	13.1	Section 4.19 is a new addition to reflect new legislation which permits officers to wear BWV in court, but to only activate BWV in response to a security alert or escape, or report of an escape, of a prisoner. Section 5.6 has been updated in response to an IOPC recommendation to highlight the requirement for officers to maintain eyesight on detainees transported in police vehicles, in addition to recording them via BWV.	No	

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Body Worn Video

11/08/24	13.2	'Section 4.20- Use of BWV by Commanders' is a new section requested following recommendations made in the Manchester Arena Inquiry. This section confirms the availability of BWV to all commanders and benefits in using BWV, however, use of BWV remains discretionary. It also advises on retention, storage and access to footage.	No	
29/08/24	13.3	GRA updated	No	
11/01/25	14	Annual review completed and policy updated in line with the new 'NPCC BWV 2024' document, including: 3.0 Key Principles- amended to reflect the change from 5 principles previously, to 4 principles in the new 2024 guidance. 4.1- additional points added for users to complete periodic checks to ensure their camera is working and battery has sufficient charge. 4.2- additional point added – the announcement that BWV is recording should be in clear understandable language, tailored to the subjects they are communicating with, considering any disabilities or impairments. 4.3 People Objecting to Recordings Updated wording reminding users to be aware that turning the camera off limits transparency of their actions and decision making and to verbalise their rationale on BWV before turning off. 4.11 -this is a new addition – <i>Using BWV to record children (under 18's) and vulnerable persons-</i> This reinforces that if gathering evidence in relation to a criminal investigation, then standard evidence capture rules apply, however if a child/vulnerable person is potentially a witness/victim that would require a video-recorded interview, then ABE guidance should be followed. 4.12 is a new addition – <i>Producing a statement after reviewing BWV</i>	Yes	

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	<i>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.</i> <i>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.</i> <i>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.</i> <i>The above principles should also be followed by officers, who can only view their own footage, not that of any other attending users. This can avoid any discrepancies and negates the need for a further statement further down the line.</i> <i>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.</i> <i>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.</i> 4.13- additional point added advising against use of BWV within illicit labs unless the safety of the atmosphere has been confirmed and recorded. 5.2 is a new addition- Police drivers and vehicle stops Users should activate their cameras to record when making a decision to stop a vehicle utilising police powers. Best practice is 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 states BWV should be used in addition to on board.	
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		8.1- additional point added, as highlighted: It is the responsibility of the BWV Recording Officer to ensure that evidential footage is correctly marked with the relevant Niche number in the identification field and correctly categorised. In conducting this assessment, it may be necessary to arrange for the translation of any disclosure made in a language other than English.		
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Please note [governance process](#) and obtain the relevant level of sign off

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N/A

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