



## **Body Worn Video (BWV) Procedure**

This document is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Deputy Mayor for Policing as part of the York & North Yorkshire Combined Authority are required to adhere.

### **Procedure Statement**

North Yorkshire Police (NYP) and the Deputy Mayor for Policing as part of the York & North Yorkshire Combined Authority are committed to maximising the use of its resources to capture the best possible evidence. When used effectively Body Worn Video (BWV) can promote public reassurance, capture best evidence, reduce harm, and deter people from committing crime and anti-social behaviour. Use of BWV is mandated in certain circumstances however NYP encourages all officers to use BWV in any instances where one or more of these benefits will be gained.

Recordings made by BWV will provide independent evidence that will improve the quality of prosecution material and may reduce the reliance on victim evidence, particularly those who may be vulnerable or reluctant to attend court. BWV may also impact on the professionalism of the service and assist in the continual development of our staff. Officers, trainers, and supervisors can utilise the equipment to review and improve interactions, interventions, and the use of police powers.

The procedure will:

- Provide guidance on individual responsibilities regarding BWV
- Ensure consistent use across the force
- Signpost officers to legislation and documents relevant to BWV use.

**Addendum to procedure dated 9 January 2025 – interim position on use of Body Worn Video in response to report of Rape and Serious Sexual Offences. ([link to addendum 1.4.7](#))**

### **Overarching Policies:**

#### **Procedures:**

Property and Exhibits Procedure

#### **Other Documents:**

Body Worn Video Self-Service

Body Worn Video post-learning

Surveillance Camera Code of Practice June 2013

College of Policing Code of Ethics 2014

College of Policing APP Information Management

Police and Criminal Evidence Act 1984  
Criminal Procedures and Investigations Act 1996  
Data Protection Act 1998  
Human Rights Act 1998  
Regulation of Investigatory Powers Act 2000  
Freedom of Information Act 2000  
Protection of Freedoms Act 2012

## **Process**

### **1.1 Background**

- 1.1.1 Police BWV is an overt method to promote public reassurance, capture best evidence, modify behaviour, prevent harm, and deter people from committing crime and/or anti-social behaviour. NYP will maximise these benefits for the communities we serve, by effectively efficiently embedding the use of BWV in our uniformed patrols.
- 1.1.2 This procedure specifically relates to overt BWV cameras issued by NYP for uniformed patrol. Specialist officers may use other recording devices not covered by this procedure (e.g. PSU evidence gatherers and football spotters, crime scene/collision investigators). The current issue camera is made by Reveal and managed through DEMS 360. No other legacy cameras are to be used or worn by NYP staff.

### **1.2 Legality**

- 1.2.1 Common law provides the police with the authority to use BWV in the lawful execution of their duties, for the purpose of the prevention and detection of crime.
- 1.2.2 These cameras are overt and will be used by uniformed police officers and PCSOs (henceforth all referred to as 'officers'), so no Regulation of Investigatory Powers (RIPA) authority is required, unless used for direct surveillance purposes.

### **1.3 Use of BWV**

- 1.3.1 All uniformed officers will be trained in the use of BWV, and the Digital Evidence Management Software (DEMS) which is used to archive and manage the recordings. They will self-issue a BWV camera at the start of a shift. If a BWV camera is not available inform your line manager as soon as practicable.
- 1.3.2 Instructions (guides and video tutorials) regarding the use of the BWV camera and DEMS software can be found on NYP intranet.
- 1.3.3 All Taser and Firearms officers must be equipped with a BWV Camera and should always take priority if BWV stock is low.
- 1.3.4 Staff on plain clothes duties should carefully consider the nature of their duties and plan for the availability and use of BWV where there is a foreseeable opportunity to use it (remember that BWV is not for covert use).

- 1.3.5 Officers are required to start recording when it may provide evidential value or transparency in any encounter, provided it is lawful and appropriate in the circumstances. All recordings will be incident specific, cameras must not be used indiscriminately to record all patrols or duties. Duty superintendent, Force Incident Manager, or local supervisor can give direction that BWV cameras will/will not be activated at specific incidents.
- 1.3.6 Pre Record is enabled on the BWV Cameras. This is a feature that records 30 seconds in a continuous loop. When the record button is pressed the previous 30 second footage is captured as well as anything from the record button until the recording is stopped. Officers must power on their BWV camera to enable the Pre Record feature before they deploy out of their Police station.
- 1.3.7 All officers are reminded that the Body Worn Video (BWV) system is connected to an electrical source. It is therefore particularly important to ensure that when docking cameras, that the camera is not wet, as this can be a fire hazard. It is your personal responsibility to remove waterproof jackets if wet before docking a camera and ensure that the camera is dry before docking into a charge bar.
- 1.3.8 Recording requirements
- Uniformed Officers - Must record every Policing encounter.
  - Non-Uniformed Officers – Should use BWV when exercising any Police Power and when using force, or any use of force is anticipated.
- 1.3.9 The National Decision Model (NDM) will be used to inform any deviation from this, but a record must be made in PNB. Officers will have to explain why a recording was not made.
- 1.3.10 At the start of each recording where practicable, the officer will state the time, date and location and give a brief reason why they are recording. Where practicable, they will make a verbal announcement in plain English, to warn those present that BWV is being used, e.g. "I am wearing and using body worn video, I just need to tell you that you're being video, and audio recorded." This warning may need to be repeated. At the end of a recording the officer will state the reason they have ended the recording.
- 1.3.11 All significant comments must be recorded in writing in a PNB and offered to the individual to sign, even if they are recorded using BWV (PACE Act 1984).
- 1.3.12 Officers and staff must not indiscriminately record entire duties or patrols and only use the recording to capture video and audio at incidents that would normally be the subject of a PNB entry or as 'professional observations,' regardless of whether these are ultimately used as evidence.
- 1.3.13 Private dwellings
- The police service has the power to use BWV devices under common law. If officers or staff find that one party objects to them recording in a private dwelling and, e.g. domestic abuse is apparent, they will continue to record and explain their reasons for doing so. These include:
- 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.
- Continuing to record would safeguard both parties with true and accurate recording of any significant statement made by either party.
- An incident having previously taken place may recur in the immediate future.
- Continuing to record will safeguard the officer or staff against any potential allegations from either party.
- Officers and staff must consider article 8 of the Human Rights Act 1998 - the right to private and family life, if conducting recordings in dwellings and must not record beyond what is necessary for the evidential requirements of a case.

#### 1.3.14 Use on court premises

The camera should not be turned on within the court precincts unless there is an incident which officers are called to deal/assist with. Once the incident has been concluded the camera should be turned off

In relation to incidents within the court room while it is in session, officers should not switch the camera on unless an incident occurs requiring a police response.

Failure of officers to follow this guidance may mean they breach s41 of the Criminal Justice Act 1925 and s9 of the Contempt of Court Act 1925.

#### 1.3.15 Use in the FCR

BWV should be activated from the outset when running a firearms incident, a pursuit, response to an event deemed to be an emergency, major or critical incident and should be left recording until it's conclusion.

BWV should be seen as an aide to recording decisions and information. The current options for logging decisions are not replaced by the use of BWV rather BWV should be seen to support and evidence the production of command decision logs. Officers should record decisions/actions as they would normally. BWV material should, therefore, be used to support the capture of evidence, recording decisions and actions in command logs.

1.3.16 All officers will return the camera at the end of shift and ensure that automatic upload of recordings begins.

1.3.17 Any loss of camera must be reported to supervision immediately, and Information Security Incident report completed.

### 1.4 Limitations on BWV

1.4.1 Strip Searches – Any officer performing a strip search where intimate body part are exposed must face their camera away from the subject so the search is not video captured. This can be done by turning the camera head towards the officer whilst still mounted. Audio should continue to be recorded during the search.

- 1.4.2 Officers should exercise care in using BWV where it may cause serious offence, for example, during religious worship.
- 1.4.3 Officers must also consider whether use of BWV in an area where someone may expect privacy is necessary.
- 1.4.4 In so far as is practicable, officers should restrict recording to areas and persons necessary to obtain evidence and intelligence relevant to the incident and should attempt to minimise collateral intrusion to those not involved. Where practicable, officers should take all reasonable steps to warn those in the vicinity that they are recording footage.
- 1.4.5 BWV cameras are electronic devices and could cause electrostatic interference, which could trigger an explosive device. BWV **MUST NOT** be used in an area where it is believed that explosive devices may be present.
- 1.4.6 Officers must follow best evidence guidance for the capture of digital evidence. This includes recording screens using BWV. This will always be an absolute last resort if evidence will be lost imminently and cannot be recovered by any other means. Officers **MUST** document in their PNB exactly what attempts have been made in recovering best evidence, auto deletion time, capture time and why it is necessary to capture evidence in this method. Attempts to capture best evidence should continue.

#### **Addendum to Procedure dated 9 January 2025**

##### *1.4.7 Body Worn Video Use in response to Rape and Serious Sexual Offences (RASSO)*

###### *Non-recent incident of a RASSO*

*Where there is unlikely to be any evidential benefit of using BWV, then BWV should not be used. 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.*

###### *Dynamic, ongoing or within forensic window opportunities (cases that have occurred within seven days) of a RASSO*

*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.*

*The Operation Soteria suggestions are for BWV to be turned off when obtaining a victim's initial account and through the completion of a First Response Booklet for all RASSO. If the victim wishes for their account to be recorded on BWV and feels more comfortable with it on during this process, then their wishes should take precedence.*

#### **1.5 Post Incident Procedure**

- 1.5.1 Any incident which results in the death or serious injury of any person following police contact. Officers should keep cameras recording until instructed to do otherwise and turn the camera head towards their body, to continue to record audio.

1.5.2 Cameras will be seized as evidence as part of the post incident procedure. Officers must not review any recording on any cameras.

## **1.6 Download Management**

1.6.1 DEMS will be hosted on a secure NYP server. All recordings will be stored/archived on DEMS and are the property of NYP. They will only be shared according to agreed protocols.

1.6.2 All Recordings - where practicable should be associated with a valid Niche Occurrence number in DEMS. Metadata such as time/date etc is recorded against all recordings automatically.

1.6.3 Non-Evidential - recordings will be automatically retained for 31 days. Recordings not marked with a retention policy within this time will be automatically deleted after this period. This data cannot be recovered. Only brief meta data is retained as an audit.

1.6.4 Evidential Recording – Evidential files must be tagged as such within the 30 days period before they are automatically deleted. Officers are responsible for setting the correct retention period for the recording. Officers must select the Evidential box and then the correct retention period based on the incident captured. This will automatically set the retention period for the recording. If the Incident retention period needs to be changed the retention selecting in DEMS must be updated.

- Niche linking - Officers must enter the Niche Incident number; this will generate a Niche Property item in the Niche occurrence to ensure that the BWV and Niche Occurrence are associated.
- Cloaking – Officers are responsible for adding any cloaking to the recording. This could be for example because it is operationally or publicly sensitive to ensure that only authorised officers/staff have access.

1.6.5 Redaction - DEMS allows officer to Cloak, Clip or Redact footage themselves, which should in most instances be sufficient for interview or court purposes. There are however limitations to an automated system, so in more serious cases, consideration should be given to this been completed by regional teams. The redaction process does not alter the original “master” copy. It creates a working copy which can then be used for case files/interviews etc.

1.6.6 Uploading – Digital files ie Clips and photographs can be uploaded into DEMS, for interview, case building or intelligence purposes. Evidential/Non-Evidential guidance must be followed.

1.6.7 Instructions regarding the use of the BWV camera and DEMS archive can be found on NYP intranet.

1.6.8 Retention periods for some footage may be amended for audit and training purposes but must be deleted once no longer necessary.

## **1.7 Exhibits and Statements**

- 1.7.1 BWV material should be used to corroborate, rather than replace, traditional written statements. Officers should not rely on BWV for providing their evidence.
- 1.7.2 Evidential statements must include the following information specific to any BWV:
- Device serial number.
  - Time, day, date and location officer took possession of BWV device.
  - Time, day, date and location officer started recording.
  - Time, day, date and location officer finished recording.
  - Time, day, date and location officer created master copy (upload to archive).
  - Time, day, date and location officer created any cloak, clip or redacted copy and why
  - If anyone else had access to the device at any time prior to upload.
- 1.7.3 DEMS comprises of a fully auditable networked system. Footage can be viewed via standard computers where footage cropping can take place. This footage is viewable by others involved in the investigation process.
- 1.7.4 Officers must follow the process for producing BWV footage for the use in case files.
- 1.7.5 Disclosure of footage taken at an incident should be considered alongside normal disclosure rules, regardless of whether the footage still exists, i.e. footage was taken but not marked as evidential and therefore auto-deleted, due to the retention rules, as its relevance was not understood at the point of capture, or within the 31-day non-evidential retention period.

## **1.8 Export data from DEMS**

- 1.8.1 Guidance from the Criminal Justice department must be followed for providing evidential footage for investigations and case files. Where footage is required for playback in interview digital copies/direct playback is recommended and physical DVD playable copies should only be made where digital copies are not practicable or there is not the appropriate hardware to facilitate digital playback in the interview location.

## **1.9 Disciplinary action**

Officers and staff have a positive duty to collect the best available evidence and could face disciplinary action if they fail to do so.

Completed recordings must be retained and handled in accordance with the APP – Information Management. Any breach of the APP or this policy may render the user liable to disciplinary action and/or adverse comment in criminal proceedings.

## **2. Responsibilities**

### **2.1 BWV User**

- Ensure camera is booked out.
- Ensure the device is working correctly and powered on before leaving police premises to ensure pre-record is running.
- Report any fault to ICT and notify the station SPOC.
- Inform supervision if there are insufficient cameras.
- Use this procedure, NDM and guidance to make decision to record/not record at incidents.
- Update control room if BWV recording is not being made and the rationale why.

- Upload footage to force archive.
- Only access force archive for policing purpose.
- Select the appropriate Evidential retention policy.
- Link Niche Occurrence
- Exhibit recordings and evidence them in statements.
- Cloak, Clip or Redact footage for interview / CPS.
- Dip sample recordings as part of tutor responsibility.
- Report the loss of camera as an Information Security Incident.
- Ensure camera placed on battery bar charger at conclusion of shift.

## 2.2 First Line Supervision

- Ensure the use of BWV. It should be carried as standard equipment for operational duty as it supports the integrity of both the public and the organisation.
- Dip sample recordings as part of regular supervision functions.
- Ensure relevant recording is saved if a public complaint is registered.

## 2.3 Lost/Missing Device

- Where a BWV device is lost during an operational shift the officer must report the loss to a line manager as soon as practicable. The supervisor must record;
  - Serial Number of the camera (found in DEMS)
  - Name and collar number of the Officer/staff
  - The date and time of the loss
  - The date and time of the report made to them
  - Location where the camera was believed to be lost (descriptive as possible)
  - Circumstances which led to the loss of the device (descriptive as possible)
  - Actions taken to locate the device
  - Report the loss to the Force Incident Manager (FIM) who will arrange a log to be created with the above information
- The officer/staff member concerned must then complete a Security breach form - [Report a Security Breach](#)

## 2.4 Station SPOC

- Monitor the correct use of BWV devices and archive.
- Complete a monthly audit of equipment and update the check list.
- Ensure all staff in their area of command are trained in use of BWV, DEMS and archive.
- Monitor availability of BWV devices, and report insufficiencies
- Manage return of damaged BWV device to ICT for repair/replacement.
- BWV Monthly Check list

## 2.5 Force Control Room Staff

- Update incident log if BWV user reports footage has not been recorded and the rationale provided.

## 2.6 Interviewing Officer

- Ensure all BWV footage that will be played to either suspect or legal representative, in either disclosure or interview has been viewed in full. Ensure no confidential information is played as part of the video or audio file, and that no infringement of



anyone's protected characteristics (identified in Equality Section 3 – below) takes place.

## **2.7 Investigation Hub**

- Record BWV use correctly on MG forms.
- Prepare footage for submission to CPS/courts.
- View any footage which is being passed from the police to any other agency, to confirm 3<sup>rd</sup> party confidentiality or to and ensure no infringement of anyone's protected characteristics (identified in Equality Section 3 – below) takes place.
- If any issues above identified, arrange for appropriate redaction, prior to release from NYP.

## **2.8 Information Communication Technology**

- Maintain server to host BWV archive.
- Manage return of damaged BWV devices from divisions.
- Repair devices within their capability.
- Return devices to manufacturer for repair/replacement, as required.
- Maintain database of devices and ancillary equipment.

## **2.9 Professional Standards Department**

- PSD will adhere to with the national direction on dip sampling, interrogating the system only if a complaint, misconduct or integrity-related matter is reported or if it is appropriate under lawful business practice regulations

## **2.10 Information Management**

- Ensure saved footage has appropriate retention policy applied
- Ensure saved footage is deleted/retained according to CPIA/MOPI

## **2.11 Civil Disclosure Unit**

- Deal with Freedom of Information and Subject Access Requests relating to BWV.

## **2.12 Regional Scientific Support Services**

- Provide accredited editing and redaction of BWV.

## **2.13 Operational District Commanders/Heads of Department**

- Monitor the correct use of BWV devices and archive.

## **2.14 Command Team**

- Ensure that this procedure is brought to the attention of all staff that will use BWV camera or access the archive of recorded footage.

## **Definition of Special Terms**

<b>APP</b>	Authorised Professional Practice
<b>BWV</b>	Body Worn Video
<b>COP</b>	College of Policing
<b>CPIA</b>	Criminal Procedures and Investigations Act 1996
<b>CPS</b>	Crown Prosecution Service

**DEMS** Digital Evidence Management Software (DEMS 360 provided by Reveal Media)  
**ECHR** European Convention on Human Rights  
**MOPI** Management of Police Information  
**NDM** National Decision Model  
**NYP** North Yorkshire Police  
**PNB** Pocket Notebook (or digital device with similar function)  
**SPOC** Single Point of Contact