

<b>BODY WORN VIDEO DEVICE PROCEDURE</b>	
Administration Procedure	
TRIM Reference	AR19/19737[v2]
First Issued	27 November 2017
Last Reviewed	14 February 2023
Next Review	February 2027

## **1. STATEMENT**

- 1.1** Council has a responsibility to provide workers with a safe working environment. Body Worn Video Devices can promote public reassurance, capture best evidence, modify behaviour, prevent harm and deter people from anti-social behaviour, and have the potential to improve officer safety.

## **2. PURPOSE**

### **2.1 Purpose**

To capture video, and audio recordings to assist an investigator's ability to review investigations and officer/public interaction.

To reduce harassment, intimidation and/or threatening behaviour while officers are undertaking their day-to-day responsibilities.

### **2.2 Scope**

To provide officers issued with body worn video devices with instructions on when and how to use the device.

### **2.3 Strategic Reference**

#### **1. Community**

- 1.3 People of all ages, cultures, abilities and interest have access to services, facilities and experiences that support their wellbeing.

#### **5. Governance and Financial Sustainability**

- 5.6 Council is a great place to work – we attract, develop and retain a skilled workforce to deliver our priorities.

## **3. PRINCIPLES**

### **3.1 Device use**

A Body Worn Video Device is to be used to record interactions between Officers and customers in a public area only to:

- 3.1.1 Provide a deterrent to verbal and physical abuse towards the officer;
- 3.1.2 Provide evidence that may protect an Officer from false claims;
- 3.1.3 Record any physical or verbal abuse that may occur;
- 3.1.4 Provide evidence that may be used in investigations by Council, or for matters that may lead to court action.

The use of a Body Worn Video Device does not reduce the requirement to collect thorough written and photographic documentation of an investigation or incident.

### **3.2 Equipment Issue**

- 3.2.1 Only officers who have received the appropriate training will be issued a Body Worn Video Device.

- 3.2.2 The device will be signed in and out by the individual officer, by recording their Officer ID, date and time in a record book.
- 3.2.3 When not in use, all equipment must be securely stored in a suitable location within the Officers work area.
- 3.2.4 The user must ensure the device is working correctly prior to leaving the office, check that the battery is fully charged and the date and time stamp is accurate.

### **3.3 Training and Equipment Use**

- 3.3.1 Officers should familiarise themselves with the efficient operation of the device to avoid incorrect usage.
- 3.3.2 Officers are required to wear the device and have it in stand-by mode whilst working on street. It should be worn on the chest in a position which permits unfettered vision directly ahead of the Officer.
- 3.2.3 In order to use a Body Worn Video Device, Officers must receive training in all necessary technical aspects of the specific equipment, capture of data and its use from the IT Department.
- 3.2.4 A training package for the equipment will include:
  - a) Technical Information;
  - b) Legal implications;
  - c) Practical use issues;
  - d) Evidentiary data capture;
  - e) Record Keeping;
  - f) Work, Health and Safety.
- 3.2.5 Once Training has been completed, and the Supervisor/Manager is satisfied that an Officer has obtained the required knowledge, the Authorised Officer's training details will be recorded and TNA updated accordingly.

### **3.4 What to record**

- 3.4.1 Officers should record any interaction that is the result of an expiation notice or verbal warning being issued. There may be other occasions where recording will be warranted, at the discretion of the Officer. Officers should also start recording before entering a known problem area.
- 3.4.2 If Officers record an interaction which involves verbal or physical abuse, or may be subject to a complaint, or a professional observation such as a crime or accident, they must inform their Line Manager so this data can be retained for possible future use.

### **3.5 Commencing recording process**

If a confrontation occurs, the Officer should advise the other party that recording is taking place and state the date, time and locations, where practical to do so.

### **3.6 Informing of recording**

If an officer is approached by an aggressive person, the officer should immediately initiate the record button, and advise the person promptly of the following: *"I am an Authorised Officer with the Port Augusta City Council, I have activated my Body Worn Video Device, for my protection, please be aware that anything you say or do may be used in evidence"*.

**3.7** If an officer is investigating a dog attack incident or on a parking patrol, if the recording has commenced prior to arrival at the scene the officer should, announce to those persons present *"I am wearing and using a Body Worn Video Device which is now recording"*.

### **3.8 Threatening Behaviour**

**3.8.1** At all times, if an officer determines that the threatening behaviour has not changed following the activation of the Body Worn Video Device, the Officer must back way from the situation, and immediately inform their Supervisor/Manager.

**3.8.2** If there is a risk of an assault occurring or an assault has occurred remove yourself from danger immediately, and contact SAPOL, then your Supervisor/Manager.

### **3.9 Do not interrupt filming**

**3.9.1** Once recording has commenced, recording must continue uninterrupted from commencement of recording until the conclusion of the incident or resumption of general patrolling.

**3.9.2** Wherever possible, the Officer should continue to record for a short period after the incident to clearly demonstrate that the incident has concluded and the user has resumed other duties or activities.

**3.9.3** Prior to concluding the recording, the Officer should make a verbal announcement to indicate the reason for ending the recording and should state the reason, date, time and location (where practicable) for concluding the recording.

### **3.10 Retention of video evidence**

**3.10.1** Once a recording has been completed the recording needs to be retained, and this must be handled in accordance with the Camera Surveillance Policy.

**3.10.2** Officers shall not edit, alter, erase, duplicate, copy, share or otherwise distribute in any manner Body Worn Video Device recordings without the prior written approval of the Chief Executive Officer.

**3.10.3** All data, images, video and metadata captured by Body Worn Video Devices must be retained in accordance with Council's Records Management Policy.

**3.10.4** Any breach of this procedure may render the Officer open to disciplinary action.

### **3.11 What not to record**

**3.11.1** Officers must not use the device to record third party conversations (unless it may be of evidentiary use for an incident involving a crime).

**3.11.2** Officers must not record private personal incidents, general conversations between Officers, or incidents not related to their work.

**3.11.3** In so far as is practicable, users should restrict recording to areas and persons necessary in order to obtain evidence and intelligence relevant to an incident and should attempt to minimise collateral intrusion to those not involved, particularly children.

**3.11.4** Use of Body Worn Video Device for any purpose other than in accordance with this procedure is prohibited.

### **3.12 Failure to Record**

Failure to record an incident that should have been recorded may lead to questioning of the Officer's behaviour during an interaction, and the requirement for further investigation or training.

### **3.13 Legal Considerations**

**3.13.1** Recording incidents in a public place are legally permitted, however a statement must be made alerting any member of the public present that recording is to occur.

**3.13.2** Recording private conversation of third parties, or incidents in a private place are illegal and are to be avoided at all times.

## **4. RESPONSIBILITY & REVIEW**

### **4.1 Responsible Officer**

Director Infrastructure

### **4.3 Availability**

This procedure will be available on Council's Intranet.

### **4.4 Review**

This procedure will be reviewed as required and following any review of the Camera Surveillance Policy.

## **5. REFERENCES**

### **5.1 Legislation**

Surveillance Devices Act 2016  
Local Government Act 1999

### **5.2 Other References**

Camera Surveillance Policy  
Complaints Policy  
Request for Service Policy  
Privacy Policy