

Meeting	SPA Policing Performance Committee
Date	9 March 2021
Location	Video Conference
Title of Paper	Body Worn Video Roll Out Approach Considerations
Presented By	ACC Kenny MacDonald, Criminal Justice
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

The paper will highlight the current status and future considerations in relation to the Police Scotland Body Worn Video roll out.

Members are invited to discuss and endorse the content of this paper.

1. BACKGROUND

- 1.1 Body Worn Video (BWV) was first used by Devon and Cornwall Police in 2006 and since then has become a widely utilised technology in policing, other public services and beyond.
- 1.2 BWV is currently utilised to a limited extent by Police Scotland, primarily in the north east of the country. The use of BWV has not been extended to all local divisions, although it has been subject of consideration for national implementation for a number of years and a variety of options have been looked at. In 2017/2018, BWV was close to being given project status, but ultimately it was deprioritised due to restrictions in capital funding.
- 1.3 There is evidence indicating tangible benefits can be realised from the use of BWV. These include:
 - a. Swifter justice through an increase in early guilty pleas, saving time and costs;
 - b. Greater public transparency;
 - c. Improved officer safety due to a potential reduction in assaults;
 - d. Reducing and resolving complaints against officers; and
 - e. Enhanced officer behaviour during interactions with the public.
- 1.4 Additionally, the Dame Eilish Angiolini *'Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing'* makes a recommendation that *"Police Scotland should accelerate its plans to expand the use of body-worn video technology."*
- 1.5 In 2016, the National Police Chiefs Council recommended that BWV should be rolled out to Authorised Firearms Officers within England and Wales. Although not a Home Office force and therefore not bound by the recommendation, Police Scotland now is the only armed policing unit in the UK that does not have BWV.
- 1.6 Whilst there is a strong evidence base for the general use of BWV, and a particularly compelling case for armed officers to be equipped as a priority, there are acknowledged privacy, data and third party concerns that will need to be considered as part of any roll out.
- 1.7 Following discussions with public bodies including the Scottish Government, the Scottish Police Authority and the Justice Sub

Committee on Policing, the Chief Constable has indicated there is a pressing, critical, ethical and operational imperative to progress a targeted roll-out to armed officers before the COP26 conference. Furthermore, the Chief Constable has stated that it is his intention to accelerate the national roll out of BWV to all frontline police officers and staff as quickly as funding will allow.

2. FURTHER DETAIL ON THE REPORT TOPIC

- 2.1 As a result of the Chief Constable's stated aims, two separate but intrinsically linked projects have been formed by Police Scotland, one to introduce the armed policing BWV solution ahead of COP26 and the other to consider a longer-term national strategic BWV solution.
- 2.2 Current projections for national deployment of BWV indicate that a 27 month period would allow for the necessary deliverables to be established, namely: public engagement, business cases, supplier procurement, hardware installation, data asset management, supporting software and technical infrastructure, testing and business change (including training and communications, policies and creation of standard operating procedures). Deployment to front line officers would commence at around 19 months. This is an outline timescale that will be confirmed as part of the standard project business case process.
- 2.3 National deployment of BWV is dependent on Police Scotland having the appropriate Digital Asset Management solution in place. This capability is required to support national strategic BWV implementation by enabling the appropriate storage, tagging and retrieval of data captured. This capability needs to be considered as a management application rather than simple data storage.
- 2.4 The benefits to criminal justice processes provided by BWV are dependent on the multi-agency Digital Evidence Sharing Capability (DESC) programme, which will allow for digital evidence to be shared electronically. Without this capability, workaround solutions for the sharing of BWV evidence will require to be developed with criminal justice partners, thus restricting whole system efficiencies and benefits.
- 2.5 The project for the firearms BWV solution commenced in late January and as such the timescales for delivery ahead of COP26 are tight. The high level key deliverables are as follows:

Date	Activity
February 2021	<ul style="list-style-type: none"> • Completion of user requirements for armed policing • Completion North East Division BWV evaluation • Completion of public engagement survey
March 2021	<ul style="list-style-type: none"> • Tender ready for issue
April 2021	<ul style="list-style-type: none"> • Supplier responses
May 2021	<ul style="list-style-type: none"> • Assessment of supplier responses • Full Business Case
June 2021	<ul style="list-style-type: none"> • Governance for Full Business Case (Resources Committee and SPA Board)
July 2021	<ul style="list-style-type: none"> • Supplier identified and contract signed
July/August 2021	<ul style="list-style-type: none"> • Build and test • EqHRIA/DPIA/Policy/SOP all completed
September 2021	<ul style="list-style-type: none"> • Ready for Go-Live and training roll out commenced
October 2021	<ul style="list-style-type: none"> • Training completed
November 2021	<ul style="list-style-type: none"> • COP 26

- 2.6 Due to procurement and ICT considerations for the wider national BWV roll out, the armed policing solution may have to be regarded as non-extensible, unsustainable in the longer-term and therefore 'disposable'. Efforts will be made however to minimise the extent of any wastage.
- 2.7 A Digital Asset Management solution will not be in place within the timescales for armed policing roll out, therefore an ICT solution similar to that used in North East Division is currently being considered. This will therefore require bespoke evidence sharing solutions to be developed.
- 2.8 Police Scotland acknowledges that whilst there is a strong evidential base indicating the benefits of BWV, there are recognised privacy, data and third party concerns and the introduction of new and emerging technologies such as BWV must be balanced against the police values of integrity, fairness, respect and human rights.
- 2.9 As such, when considering both the roll out to armed policing and development of a national strategic BWV solution, a number of key issues must be open to scrutiny in order to maintain public trust. In consultation with the SPA, the force is developing a joint strategic

statement of commitments in relation to Body Worn Video which will address these issues and will include the following fundamentals.

- 2.10 **Engagement** - The pressing operational imperative to progress a targeted roll out to armed policing before the COP26 conference means that the force will be focused and concise whilst engaging with and informing the public of our intention to roll out BWV to armed policing. Police Scotland will use the information gleaned to inform the wider public engagement for the national roll-out of BWV. The force will engage internally, locally, nationally, accessibly and inclusively to fully understand the context of people's experience, public perception and demand.

(Note: The engagement process for armed policing has commenced with an online public survey, which closes on 24 February 2021. As of 19 February the survey had over 8,000 responses which is a very positive response rate. The feedback thus far is overwhelmingly in favour of Police Scotland using BWV.)

- 2.11 **Evaluating and Learning** – The force will evaluate current use of BWV in the legacy Grampian Police area ('A' Division) to learn lessons and establish good practice. Coincidentally the force will also be benchmarking with other law enforcement agencies and utilising national and international academic studies and data to inform the project's approach.

- 2.12 **Ethics, Equalities Impact and Data Privacy** – The force will utilise the Police Scotland Independent Ethics Advisory Panel and the Independent Advisory Group on New and Emerging Technologies in Policing to advise our intentions. To understand and mitigate against potential privacy and third-party concerns we commit to:

- Completion of an Equality and Human Rights Impact Assessment;
- Completion of a Data Protection Impact Assessment;
- Completion of a Code of Practice;
- Completion of Standard Operating Procedures and associated policies; and
- Completion of standardised training for camera usage and editing of footage.

- 2.13 **Providing benefits to wider criminal justice processes** – The force will recognise our dependencies and commit to using BWV to improve and streamline criminal justice processes to benefit the public, police and criminal justice partners. This will be achieved through engagement and continued support of the Digital Evidence Sharing Capability project.
- 2.14 **Best Value** – Police Scotland will use existing financial, procurement, ICT and change management governance structures to ensure best value, whilst adhering to regulations and legislation.
- 2.15 **Measuring Progress and Assessing Performance** – Through Programme Management structures the force will commit to monitoring benefits realisation from BWV and to reporting through existing governance structures, ensuring transparency and accountability.
- 2.16 **Governance and Scrutiny** - Through existing governance structures the Scottish Police Authority will hold Police Scotland to account regarding its use of BWV.

3. FINANCIAL IMPLICATIONS

- 3.1 In relation to the national strategic BWV solution, detailed work on the standard business case process is required to establish exact costs, scope and timescales for any national strategic deployment of BWV. However, based on current information, the scope would deliver devices to all front line uniformed officers, including Armed Policing and Roads Policing, as per the Mobile Working Phase 1 implementation. This would see over 10,000 Constables, Sergeants and Inspectors equipped.
- 3.2 Current projections indicate that the initial capital cost for the national strategic BWV solution would be **£3.7 million**, with requirements for **£1.6 million** reform funding and **£14 million** revenue budget over a 5 year period.
- 3.3 Implementation of the BWV solution for armed policing will require additional capital and revenue budget. **£500,000** capital has been provided by Scottish Government which is in addition to any future bid for the national strategic BWV solution.

- 3.4 In terms of revenue, the staff budget for armed policing is projected to be **£185,000** and whilst user and technical requirements are still to be developed, early estimates indicate a projected first year budget of **£190,000** to cover any warranty/licensing/data storage charges.

4. PERSONNEL IMPLICATIONS

- 4.1 Both the Scottish Police Federation and the Association of Scottish Police Superintendents are in favour of Body Worn Video being introduced across Police Scotland.
- 4.2 As part of the ongoing public engagement, police officer and police staff associations and their members have been invited to partake in the initial online survey. It appears employee uptake has been strong.
- 4.3 As the projects progress there will be ongoing internal engagement with staff and staff associations, and information regarding the progress of the projects will be routinely available to all staff.

5. LEGAL IMPLICATIONS

- 5.1 Procurement is a critical aspect in projects of this scale and can be subject to legal challenge if not managed appropriately. Armed Policing procurement will utilise an established competitive procurement framework and while costs below £500,000 can be approved by the Police Scotland Head of Procurement, this particular purchase will be subject to SPA governance and scrutiny.
- 5.2 The national strategic solution will require a separate procurement exercise under European Procurement Directives. It will be critical to ensure this procurement is not unduly influenced by the armed policing procurement as they will be two separate tenders.

6. REPUTATIONAL IMPLICATIONS

- 6.1 The use of new and emerging technologies in Police Scotland is a matter subject to significant public scrutiny. If the joint strategic statement of commitments covering:
- engagement;
 - evaluating and learning;
 - ethics, equalities impact and data privacy;

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- providing benefits to wider criminal justice processes;
- best value;
- measuring progress and assessing performance; and
- governance and scrutiny

are not adhered to, this could cause significant reputational challenge for Police Scotland and the SPA.

7. SOCIAL IMPLICATIONS

7.1 Projected benefits of BWV include:

- Swifter justice through an increase in early guilty pleas, saving time and costs;
- Greater public transparency;
- Improved officer safety due to a potential reduction in assaults;
- Reducing and resolving complaints against officers; and
- Enhanced officer behaviour during interactions with the public

all of which if achieved would fundamentally and positively enhance the social fabric of communities in Scotland.

8. COMMUNITY IMPACT

8.1 As per the social implications above there is potential for positive community impacts, but it is also acknowledged there are privacy, data and third party concerns that will need to be considered as part of any roll out. These will be mitigated by:

- Completion of a Data Protection Impact Assessment;
- Completion of a Code of Practice;
- Completion of Standard Operating Procedures and associated policies; and
- Completion of standardised training for camera usage and editing of footage.

9. EQUALITIES IMPLICATIONS

9.1 In terms of public engagement and the future use of BWV, there are equalities implications. As such, Equalities and Human Rights Impact Assessments have been (in the case of public engagement), and will be (in the case of future use of BWV) completed, reviewed

and refreshed regularly to ensure any issues are identified and mitigated in a proportionate and justified manner.

10. ENVIRONMENT IMPLICATIONS

- 10.1 The purchase and deployment of a significant number of BWV cameras and the associated technology required to maintain them will increase the Police Scotland's environmental impact and footprint, however not a considerable extent.

RECOMMENDATIONS

Members are invited to discuss and endorse the content of this paper.