

## Procedure for Body Worn Video Cameras

<b>Report of the:</b>	Head of Customer Services & Business Support.
<b>Contact:</b>	Joy Stevens, Richard Chevalier
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	N/A
<b>Annexes/Appendices (attached):</b>	<b>Annexe 1:</b> Policy for Body Worn Video Cameras <b>Annexe 2:</b> Operational Procedure for Body Worn Cameras
<b>Other available papers (not attached):</b>	None stated

### Report Summary

This report proposes the introduction of body worn video cameras by civil enforcement officers and car park staff to be used as a deterrent to threatening and abusive behaviour.

### Recommendation (s)

That the Committee:

- (1) Approve the attached Code of Practice for the use of Body Worn Cameras.
- (2) Approve the attached Body Worn Camera Operational Procedure.
- (3) Approve the use of body worn video cameras by civil enforcement officers and car park staff.

## 1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The aim of the proposal is to deter those who would use threatening or abusive language and behaviour towards civil enforcement officer making Epsom & Ewell a better safer place to work.

## 2 Background

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- 2.1 Both civil enforcement officers on their daily patrols and staff within the Ashley Centre car park are, on occasion, subjected to abuse including verbal, discriminatory and sometimes threatening behaviour whilst carrying out their duties.
- 2.2 Home Office statistics released in October 2017 showed that hate crimes in England and Wales increased by 29% last year, and particular spikes were noticed following the EU referendum and terror related incidents in the UK.
- 2.3 An increase in verbal and threatening behaviour toward civil enforcement officers had been noticed in recent months. In October the Health and Safety officer took a report to Leadership team which highlighted that there had been fourteen reports of verbal or threatening behaviour towards civil enforcement officers or car park staff.
- 2.4 Of the fourteen incidents reported by officers eight of these were for extreme verbal abuse, five for racial abuse and one for mobile phone intimidation, although in total, three of the incidents ended up with members of the public using their phones to film the officer.
- 2.5 In all cases the abuse had been triggered by a day to day occurrence within the parking service such as a penalty charge notice being issued, a lost token charge being enforced, a credit card payment being declined at a machine or youths being asked to leave the car park.
- 2.6 Five of these incidents were reported to the police. Two could not be followed up as they were unable to find the accused. In two cases the police found the accused but concluded it was one person's word against another so did not take further action and in one case the police spoke to the offender who had apologised, saying they had spoken the words in a "moment of madness".
- 2.7 In response to these and other incidents the Leadership Team approved a trial of a video badge and ultimately a body camera. Drawing on our officers past experience and that of other boroughs, body worn video cameras can be a successful deterrent to public behaviour and a useful tool in officer coaching when dealing with a confrontational situation.
- 2.8 Officers have created a Body Worn Camera Code of Practice and Operational Procedure attached at **Annexe 1**.
- 2.9 The body worn cameras would be used to achieve five main aims:
  - 2.9.1 To protect members of staff and the public
  - 2.9.2 To discourage physical assaults or aggressive and abusive behaviour against staff
  - 2.9.3 To assist in the identification of offenders leading to their arrest and successful prosecution

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- 2.9.4 To reduce staff's fear of aggressive or abusive behaviour
- 2.9.5 To assist in the training and development of officers
- 2.10 The cameras can be easily switched on to record by an officer when required. They remain inactive unless switched on to record.
- 2.11 Any footage recorded would be securely stored on a system which would require username and password to access. Only the Parking Manager and Parking Operations Supervisor will have access to the password.
- 2.12 Any footage no longer required will be deleted from the system.
- 2.13 Any recordings will only be viewed by authorised personnel and in the following circumstances:
  - 2.13.1 There has been an aggressive/abusive incident which needs to be investigated
  - 2.13.2 A complaint has been received from a member of the public concerning the manner in which a PCN has been issued or the behaviour of a civil enforcement officer
  - 2.13.3 Evidence has been requested by the Police or is required as evidence in court
- 2.14 Authorised personnel are listed in the Operational Procedure.
- 2.15 In introducing the body worn cameras the balance of intrusion in to people's privacy whilst in a public place has been considered against the benefits. It also noted that audio recording is generally much more privacy intrusive and therefore requires a greater justification. The recordings will only be triggered by a specific threat and it is necessary in these circumstances to obtain a reliable record of conversations between staff and individuals. Consideration has been given as to whether there is any other less intrusive method of addressing the safety issues but nothing has been identified that would achieve the five aims set out above.
- 2.16 The cameras will only be operated when an incident takes place and in accordance with our procedures. Access to the recordings will be restricted and viewing can only take place once the recording has been downloaded to the Council's secure storage by authorised personnel. As the cameras are being used for the purpose of increasing safety, and given the measures which will be put in place through our procedures, these benefits outweigh the collateral intrusion which may be suffered.
- 2.17 Heads of Service across the Council have been asked to consider whether similar equipment may be useful to protect officers in other frontline services across the Council.

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### 3 Proposals

- 3.1 That Environment Committee approves the Body Worn Camera Code of Practice and Operational Procedure.
- 3.2 That civil enforcement officers and car park staff be permitted to wear a body worn video camera to be used only in the circumstances highlighted in the Operational Procedure.

### 4 Financial and Manpower Implications

- 4.1 The purchase of the body worn video camera equipment can be accommodated within existing revenue budgets within Car Park cost centres.
- 4.2 Any future repair and replacement cost will be met from existing revenue budgets within the Car Park cost centres.
- 4.3 **Chief Finance Officer's comments:** *The financial implications are detailed within paragraphs 4.1 and 4.2 of the report.*

### 5 Legal Implications (including implications for matters relating to equality)

- 5.1 The use of CCTV equipment and the data gathered by such equipment is governed by various legislation as set out in the Code of Practice attached at Annexe 1, in paragraph 2.
- 5.2 **Monitoring Officer's comments:** *The Council must have regard to the Surveillance Camera Code of Practice, and should seek to ensure that we comply with all aspects of the Code in relation to the CCTV systems we operate. All personal data must also be processed in accordance with the Data Protection Act and therefore careful consideration needs to be given to how the information is obtained, stored and accessed. Failure to comply could lead to enforcement action by ICO.*
- 5.3 *The Surveillance Camera Code of Practice requires that 12 guiding principles are adopted by system operators. These principles have been considered throughout this report and annexes. The code requires that access to retained images and information needs to be restricted and there should be clearly defined rules on who can gain access and for what purpose the access is granted. These principles are reflected in the annexes which ensure that only those who have a justifiable need to view the images can access this securely stored data.*

### 6 Sustainability Policy and Community Safety Implications

- 6.1 The use of body worn video cameras is aimed at improving community and officer safety.

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### **7 Partnerships**

- 7.1 Officers have met with Surrey Police to discuss hate crime, threatening or abusive situations and the use of body worn video cameras. The police would support their use and have indicated that any footage captured would strengthen evidence in a legal case.

### **8 Risk Assessment**

- 8.1 The purpose of the body worn camera is to protect staff and the public. If it is perceived that the use of the camera or a verbal warning that the camera is to be used would escalate the incident then the officer would use their discretion, however they may be required to justify such an action.

### **9 Conclusion and Recommendations**

- 9.1 That the Committee consider and approve the attached Code of Practice for the use of Body Worn Video Cameras
- 9.2 That the Committee consider and approve the attached Body Worn Camera Operational Procedure.
- 9.3 That the Committee approve the use of body worn video cameras by civil enforcement officers and car park staff.

**Ward(s) Affected: (All Wards);**