



VICTORIA POLICE

VICTORIA POLICE BODY WORN CAMERA PILOT

This fact sheet provides information about the body worn camera (BWC) pilot being conducted by Victoria Police at Epping and Ballarat.

Body Worn Camera Pilot

The primary purpose of body worn cameras (BWC) is to improve safety and justice outcomes, while not unnecessarily impinging on the privacy of police or the community.

The pilot will provide Victoria Police with an opportunity to test and fully understanding all elements of BWC functionality and the implications of its use by Victoria Police. Following the pilot, Victoria Police will analyse and evaluate information to determine the next steps.

Body Worn Cameras

Body worn cameras (BWCs) are small cameras that attach to a police member's vest which are capable of capturing direct audio and video face-to-face interactions between police members and the public and real-time capture of video evidence at the scene of an incident.

The cameras are clearly visible on the uniform of police members; the cameras have lights and noise when operating.

When will the BWC be used?

A police member should start their BWC when:

- Exercising a legislated or common law power and the recording would assist in collecting evidence, or
- Any other occasion when the member believes a recording necessary:
 - To capture an incident occurring, likely to occur, or has occurred, or
 - Would provide transparency of a public interaction or Police activity

A police member must start their BWC when they are interacting with a person who is "in custody".



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Situations when a BWC will not be used

A member must not use their BWC in the following circumstances:

- Outside their police duties or functions.
- To covertly record conversations with other members of Victoria Police.
- During an intimate search.
- When engaged in general police conversation away from the public.

And when conducting a formal, video recorded interview within a custodial facility.

How long is the BWC footage retained?

BWC footage will be retained and categorised according to the type of incident.

- The category determines restricted access and the period of time. The footage must be retained in line with the Public Records Office of Victoria (PROV).
- Data stored in the Digital Evidence Management System will be classified '**For Official Use Only – Sensitive Personal**'
- Non-Evidentiary footage will be retained for 90 days.

Who has access to the footage?

Access is restricted to authorised persons.

Only the police member who recorded the footage and the Officer in Charge will have access. Authorised prosecutors and solicitors will be able to obtain redacted copies of the footage on behalf of an accused person.

The EMS is fully auditable with a forensic fingerprint of each evidence file and tamperproof evidence audit records are maintained even after footage has been deleted.

Note: All access to footage is recorded and fully auditable

The Officer in Charge (OIC) is required to verify the tagging and categorisation of the BWC footage for accuracy. The OIC will also ensure there has been no inappropriate access and where footage has been accessed, a documented reason for the access has been provided.



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Sharing Footage

All information captured on a BWC is defined as 'protected information' under the *Justice Legislation Amendment (Body-worn Cameras and Other Matters) Act 2017*.

This definition limits the use, communication and publication of all information obtained through the BWC for specific purposes as outlined in Section 30, of the Surveillance Devices Act 1999 specifically for:

- The investigation of an offence.
- An investigation of a complaint.
- The keeping of records.
- The education and training of a police officer.
- Any prescribed purpose.

Prescribed purpose

- An investigation or inquest carried out under the Coroners Act.
- A proceeding for a family violence intervention order under the Family Violence Protection Act.
- Locating any missing person.

If you would like to find out more about the body worn camera (BWC), please visit the Victoria Police internet page shown below.

[Victoria Police Body Worn Camera Web Page](http://www.police.vic.gov.au/content.asp?Document_ID=50039)

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