

**For information on
5 May 2017**

Legislative Council Panel on Security

Use of Body Worn Video Cameras by the Police

PURPOSE

This paper provides to the Panel the latest information on the use of Body Worn Video Cameras (BWVCs) by the Police.

BACKGROUND

2. Under Section 10 of the Police Force Ordinance (Cap 232), the Police have the duty to prevent and detect crimes and offences. BWVCs, with their small size, convenience and ease of use, facilitate frontline police officers to collect objective and accurate evidence at the scene and enhance officers' capability in handling confrontations.

3. To carry out their duties more effectively, the Police have conducted two stages of field trials from March 2013 to July 2015 in regard to the introduction of BWVCs. We have also reported details of the first stage of trial to the Panel in March 2014. The trial results showed that video footages factually recorded the circumstances of incidents, which were more accurate and clearer than oral accounts. This provided useful corroboration for the Police's investigation as well as the relevant prosecution work and trials, thereby enhancing the effectiveness of law enforcement. In many cases, the subjects had stopped over-reacted behaviour and become calm when being video-filmed, and this facilitated the Police's handling of confrontations. In light of the satisfactory trial results, the Police have decided to implement the roll-out of BWVCs and increased the number of BWVCs, so that more police officers could, depending on the actual circumstances, use BWVCs to record incidents more accurately and objectively, particularly confrontations.

USAGE

4. At present, the Police possess about 1 390 BWVCs, which are used by officers of the Emergency Units, the Police Tactical Unit, the Quick Reaction Force of New Territories North Region and various Police Districts. Police officers will use BWVCs for recording

in confrontational scenarios, or incidents where a breach of the peace has occurred or is likely to occur.

5. The Police have clear and stringent internal guidelines to regulate the use of BWVCs, the handling of data and submission of recorded footages to the court as evidence, etc. Such guidelines aim to ensure police officers' compliance with the relevant requirements of the Personal Data (Privacy) Ordinance (Cap 486) (PDPO) and court proceedings while using BWVCs. According to the guidelines, only police officers who have undergone professional training on operating BWVCs are allowed to use BWVCs. Up to now, more than 10 000 police officers have undergone such training. All officers using BWVCs must also have adequate understanding on the PDPO and various relevant ordinances as well as regulations.

6. Any recording made by BWVCs must be incident-specific. Police officers using BWVCs have to overtly wear the cameras on their uniform, and where reasonably practicable, notify the subject prior to commencement of recording. While recording, BWVCs will display red indicating light. BWVCs are also equipped with outward-facing screens, so that the subject would be aware that he or she is being video-filmed and can see the images being recorded at the same time. Once the purpose of using BWVCs has been achieved, police officers should stop recording.

7. Every time after using BWVCs, police officers are required to report to their supervisors. The use of BWVCs would then be reviewed by the supervisors concerned. The video footages will be handed over to another team of officers for saving and handling, and the hand-over and handling processes will be logged. Digital storage media of BWVCs incorporate digital signature and feature specially coded security seals to prevent unauthorised handling. All footages will be retained for at least 31 days from the date they were recorded. Footages with no investigative or evidential value, or are not suitable for training or review purposes, will be deleted after 31 days. Footages with investigative or evidential value will be treated as case exhibit, retained for investigation and court proceedings, and then deleted once such process has been completed. If a footage is to be retained for more than 31 days, written authorisation from a Senior Superintendent has to be obtained and such an authorisation has to be reviewed on a monthly basis by the authorising officer. Operators and case investigators must also obtain the approval of supervisors before watching a footage. On the other hand, if a footage is considered suitable

for use for training or review purposes after strict scrutiny, the footage will be edited to ensure that it does not contain any identifiable personal particulars or case details.

8. Since BWVCs have been used in March 2013, as at 31 March 2017, the Police have recorded a total of 724 footages with BWVCs in 493 incidents, of which 172 footages were used in investigations or submitted as evidence. In fact, footages recorded by BWVCs played a very important role when they were submitted as evidence in courts. For example, in a case of assaulting police officer and a case of wilfully obstructing police officer in the due execution of duty, relevant footages served as important evidence for convictions. In other circumstances, the use of BWVCs by police officers in operations where confrontational scenarios or a breach of the peace were likely to occur could yield a de-escalating and restraining effect, thereby helping to bring the atmosphere of the scene under control, making the subject accept the Police's instructions, and preventing illegal acts. The Police have stringent monitoring measures in the operating procedures of BWVCs and have not found any case of loss of BWVCs or leakage of footage information.

CONCLUSION

9. In view of the remarkable effectiveness of BWVCs, the Police plan to procure more BWVCs. Furthermore, the Police will upgrade their Third Generation Command and Control Communications System to the Fourth Generation System. This plan includes a project to combine BWVCs with a new model of beat radios.

10. In the long run, the Police plan to equip each frontline uniformed police officer with a BWVC during execution of duty. The Police will implement this plan by stages and plan to do so through the project to combine BWVCs with beat radios. Subject to the progress of this combination project and other relevant factors, the Police preliminarily estimate that each frontline uniformed police officer could be equipped with a BWVC based on operational needs in around 2021 on the full completion of the Fourth Generation Command and Control Communications System.