

## Section 4: Field (PRD) recordings

### 4.1 Background

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3, ss. 414 to 441: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Part 5, ss. 21 to 34: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support webpage. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.2 Use of personal recording device

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved personal recording device (PRD) officers should:

- (i) where possible, use the highest audio/video quality setting available;
- (ii) where available, use advanced video features such as automatic exposure or image stabilisation;
- (iii) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
- (iv) consider the use of an external (lapel) microphone to improve the audio quality of a recording.

Service combined audio and video field recording equipment, with similar operation to the DEIRE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Combined audio and video field interviews of relevant persons should not be conducted using a domestic level PRD. Such recordings should only be made by authorised officers who have the appropriate training and professional level equipment to perform this task.

Officers should ensure that whenever an approved PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

There is no objection to members using privately owned PRD, however, where departmental issue equipment is available, members should use such equipment.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the Operational Procedures Manual).

#### ORDER

Where privately owned equipment is used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with these procedures. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

### 4.3 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital PRD are available for use by officers carrying out their duties, the officer in charge of the officer's station or establishment is to ensure that use of digital PRD and retention of digital recordings are identified as risks for that work unit's risk management plan (see also s. 15.8: 'Business continuity considerations in risk management planning' of the Operational Procedures Manual). This requirement also applies where an officer has approval from their officer in charge of their station or establishment to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the device is of sufficient quality for its intended purpose;
- (ii) the device conforms with s. 2.3: 'PRD specification guidelines,' of this Manual; and
- (iii) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the Information Management Manual'.

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, they are to advise the requesting officer of their decision in writing, e.g. email.

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Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also [s. 3.5: 'Interviews using the DERIE system,'](#) of this Manual).

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Service combined audio and video field recording equipment, with similar operation to the DEIRE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Combined audio and video field interviews of relevant persons should not be conducted using a domestic level PRD. Such recordings should only be made by authorised officers who have the appropriate training and professional level equipment to perform this task.

Officers should ensure that whenever an approved PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

There is no objection to members using privately owned PRD, however, where departmental issue equipment is available, members should use such equipment.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also [s. 3.8.15: 'Checking briefs of evidence'](#) of the [Operational Procedures Manual](#)).

#### ORDER

Where privately owned equipment is used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with these procedures. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

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#### POLICY

Where digital PRD are available for use by officers carrying out their duties, the officer in charge of the officer's station or establishment is to ensure that use of digital PRD and retention of digital recordings are identified as risks for that work unit's risk management plan (see also [s. 15.8: 'Business continuity considerations in risk management planning'](#) of the [Operational Procedures Manual](#)). This requirement also applies where an officer has approval from their officer in charge of their station or establishment to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

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- (i) the device is of sufficient quality for its intended purpose;
- (ii) the device conforms with [s. 2.3: 'PRD specification guidelines,'](#) of this Manual; and
- (iii) any third party software associated with the device has been approved in accordance with [s. 4.17.1: 'Prevention of computer virus infection'](#) of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, they are to advise the requesting officer of their decision in writing, e.g. email.

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- (ii) where available, use advanced video features such as automatic exposure or image stabilisation;
- (iii) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
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Officers should ensure that whenever an approved PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

There is no objection to members using privately owned PRD, however, where departmental issue equipment is available, members should use such equipment.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the Operational Procedures Manual).

#### ORDER

Where privately owned equipment is used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with these procedures. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

### 4.3 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital PRD are available for use by officers carrying out their duties, the officer in charge of the officer's station or establishment is to ensure that use of digital PRD and retention of digital recordings are identified as risks for that work unit's risk management plan (see also s. 15.8: 'Business continuity considerations in risk management planning').

of the Operational Procedures Manual). This requirement also applies where an officer has approval from their officer in charge of their station or establishment to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the device is of sufficient quality for its intended purpose;
- (ii) the device conforms with s. 2.3: 'PRD specification guidelines,' of this Manual; and
- (iii) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the Information Management Manual.

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, they are to advise the requesting officer of their decision in writing, e.g. email.

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## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see Service Manual Definitions) allow officers to collect audio and video recordings whilst operating in the field.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Combined audio and video field interviews of relevant persons should not be conducted using a domestic level PRD. Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the Operational Procedures Manual).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to:

- (i) seek approval in writing from their officer in charge to use a privately owned PRD for work purposes;
- (ii) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;

(iii) ensure the recording format is compatible with:

- (a) court recording playback equipment;
- (b) Service computer equipment; and
- (c) Service approved storage facilities;

(iv) ensure any recordings are:

- (a) whenever practicable, downloaded on a daily basis; and
- (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and

(v) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also s. 3.6: 'Business continuity planning' of the Management Support Manual). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) the device is of sufficient quality for its intended purpose;
- (iii) the device conforms with s. 2.3: 'Portable recording device specification guidelines' of this Manual; and
- (iv) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the Information Management Manual.

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to advise the requesting officer of their decision in writing (e.g. email).

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

#### POLICY

Personal recording device (PRD) recordings, including body worn camera (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

#### PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the relevant procedures for the device. Officers using privately owned PRDs should use the relevant procedures to save all recordings to a Service approved storage facility through a Service computer.



When downloading PRD recordings into a Service approved storage facility, officers should use the correct file naming protocols for the approved storage facility. As a minimum, the files should be named in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

#### ORDER

Personal recording device recordings are:

- (i) to be downloaded into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist;
- (ii) to be downloaded and saved in full. No editing of the recording is to be made on the PRD prior to saving;
- (iii) not to be saved onto privately owned storage facilities e.g. portable hard-drives; and
- (iv) not to be viewed or shared with third parties without appropriate authorisation.

### Retention and production of personal recording device recordings

#### POLICY

The Service is bound by the provisions of the *Right to Information Act* and the *Information Privacy Act*. Personal recording device recordings are a 'document' containing 'personal information' under the *Information Privacy Act* and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the Management Support Manual; or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the Operational Procedures Manual.

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the Management Support Manual.

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

#### PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility.

#### ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## 4.4 Body worn cameras

The use of body worn cameras (see Service Manual Definitions) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### Use of body worn cameras

#### POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate. Officers should ensure the BWC is fully charged and has all previous data deleted when commencing duty.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see s. 4.1: 'Use of portable recording device' of this chapter).

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

## ORDER

Service issued BWCs are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Unless impractical, when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the Operational Procedures Manual).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and it is appropriate to comply with the request.

## PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

## ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in police stations, police establishments or Service vehicles; or
- (vi) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

### **Issue and storage of body worn cameras**

#### **POLICY**

Service-issued BWCs will be allocated to stations. Officers in charge of station may allocate BWCs to individual officers or distribute the devices each shift.

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

#### **PROCEDURE**

At the termination of an officer's shift the BWC should be placed in a Service approved storage facility for downloading and recharging.

#### **ORDER**

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### **Handling and storage of body worn camera recordings**

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

#### **PROCEDURE**

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## **4.5 In-vehicle cameras**

In-vehicle cameras (also known as dash-cams) are portable recording devices (see Service Manual Definitions) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

### **Use of in-vehicle cameras**

#### **POLICY**

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see s. 10.4: 'Vehicle interceptions' of the Traffic Manual);
- (ii) involved in a pursuit (see s. 10.5: 'Pursuits' of the Traffic Manual);
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see s. 10.6: 'Evading police officers' of the Traffic Manual); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

### **Handling and storage of in-vehicle camera recordings**

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

#### **PROCEDURE**

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## Section 4: Field audio and video recordings

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Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see Service Manual Definitions) allow officers to collect audio and video recordings whilst operating in the field.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Combined audio and video field interviews of relevant persons should not be conducted using a domestic level PRD. Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the Operational Procedures Manual).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to:

- (i) seek approval in writing from their officer in charge to use a privately owned PRD for work purposes;
- (ii) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;

- (iii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iv) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (v) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also s. 3.6: 'Business continuity planning' of the Management Support Manual). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) the device is of sufficient quality for its intended purpose;
- (iii) the device conforms with s. 2.3: 'Portable recording device specification guidelines' of this Manual; and
- (iv) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the Information Management Manual.

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to advise the requesting officer of their decision in writing (e.g. email).

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

#### POLICY

Personal recording device (PRD) recordings, including body worn camera (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

#### PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the relevant procedures for the device. Officers using privately owned PRDs should use the relevant procedures to save all recordings to a Service approved storage facility through a Service computer.

When downloading PRD recordings into a Service approved storage facility, officers should use the correct file naming protocols for the approved storage facility. As a minimum, the files should be named in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

ORDER

Personal recording device recordings are:

- (i) to be downloaded into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist;
- (ii) to be downloaded and saved in full. No editing of the recording is to be made on the PRD prior to saving;
- (iii) not to be saved onto privately owned storage facilities e.g. portable hard-drives; and
- (iv) not to be viewed or shared with third parties without appropriate authorisation.

### **Retention and production of personal recording device recordings**

POLICY

The Service is bound by the provisions of the *Right to Information Act* and the *Information Privacy Act*. Personal recording device recordings are a 'document' containing 'personal information' under the *Information Privacy Act* and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the Management Support Manual; or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the Operational Procedures Manual.

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the Management Support Manual.

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility.

ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## **4.4 Body worn cameras**

The use of body worn cameras (see Service Manual Definitions) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### **Use of body worn cameras**

Section 609A: 'Use of body-worn cameras' of the *Police Powers and Responsibilities Act* authorises officers to use a body worn camera in the execution of their duties.

POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate. Officers should ensure the BWC is fully charged and has all previous data deleted when commencing duty.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see s. 4.1: 'Use of portable recording device' of this chapter).

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Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

#### ORDER

Service issued BWCs are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Unless impractical, when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the Operational Procedures Manual).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

#### POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and it is appropriate to comply with the request.

#### PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

#### ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in police stations, police establishments or Service vehicles; or
- (vi) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

### Issue and storage of body worn cameras

#### POLICY

Service-issued BWCs will be allocated to stations. Officers in charge of station may allocate BWCs to individual officers or distribute the devices each shift.

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

#### PROCEDURE

At the termination of an officer's shift the BWC should be placed in a Service approved storage facility for downloading and recharging.

#### ORDER

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### Handling and storage of body worn camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

#### PROCEDURE

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see Service Manual Definitions) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

### Use of in-vehicle cameras

#### POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see s. 10.4: 'Vehicle interceptions' of the Traffic Manual);
- (ii) involved in a pursuit (see s. 10.5: 'Pursuits' of the Traffic Manual);
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see s. 10.6: 'Evading police officers' of the Traffic Manual); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

### Handling and storage of in-vehicle camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.



PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

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## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see Service Manual Definitions) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 x 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the Operational Procedures Manual).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:

(i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;

(ii) ensure the recording format is compatible with:

- (a) court recording playback equipment;
- (b) Service computer equipment; and
- (c) Service approved storage facilities;

(iii) ensure any recordings are:

- (a) whenever practicable, downloaded on a daily basis; and
- (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and

(iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also s. 3.6: 'Business continuity planning' of the Management Support Manual). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with s. 2.3: 'Portable recording device specification guidelines' of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the Information Management Manual.

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.

## POLICY

Personal recording device recordings, including body worn camera (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

## PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

## ORDER

Personal recording device recordings are to be downloaded:

- (i) into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

Personal recording device recordings are not to be:

- (i) saved onto privately owned storage facilities e.g. portable hard-drives; and
- (ii) viewed or shared with third parties without appropriate authorisation.

## Retention and production of personal recording device recordings

### POLICY

The Service is bound by the provisions of the *Right to Information Act* and the *Information Privacy Act*. Personal recording device recordings are a 'document' containing 'personal information' under the *Information Privacy Act* and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the Management Support Manual; or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the Operational Procedures Manual.

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the Management Support Manual.

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility (see the Body worn cameras 'Support materials and Reference Guides' webpage on the Service Intranet).

## ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## Access to Service approved storage facilities

To lodge, view or retrieve recordings within the Service approved storage facility, members are granted a user role and access type, which are detailed in the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

### POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

### PROCEDURE

To receive access to Evidence.com, members are to submit a QP 0985: 'Application for Evidence.com access' to their officer in charge indicating the user role and access type required. Where the application is supported, forward the QP 0985 to the Body Worn Camera Project, Community Contact Command.

### ORDER

When a member leaves the Service or no longer requires access to the Service approved storage facility, the member's officer in charge is to ensure access is revoked.

## 4.4 Body worn cameras

The use of body worn cameras (see Service Manual Definitions) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### Definition

For the purposes of commencing a recording under this section, an '**impractical**' situation means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the *Police Powers and Responsibilities Act* authorises officers to use a BWC in the execution of their duties.

### POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see s. 4.1: 'Use of portable recording device' of this chapter). Officers using privately owned BWCs should ensure the device is fully charged and has all previous data deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

### ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the Operational Procedures Manual).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and the officer determines it is appropriate to stop recording after considering:
  - (a) the seriousness of the offence being investigated;
  - (b) the evidentiary value of continuing the recording despite the request; and
  - (c) whether there may be probity value in continuing the recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

## ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

## Issue and storage of body worn cameras

### POLICY

Service-issued BWCs will be allocated to stations. Officers in charge of stations are responsible for the allocation of BWCs to individual officers (see 'Support Materials and Reference Guides' on the Body worn cameras webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

### ORDER

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### Handling and storage of body worn camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see Service Manual Definitions) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

### Use of in-vehicle cameras

#### POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see s. 10.4: 'Vehicle interceptions' of the Traffic Manual);
- (ii) involved in a pursuit (see s. 10.5: 'Pursuits' of the Traffic Manual);
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see s. 10.6: 'Evading police officers' of the Traffic Manual); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

### Handling and storage of in-vehicle camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

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## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see Service Manual Definitions) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the Operational Procedures Manual).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:

- (i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;
- (ii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iii) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also s. 3.6: 'Business continuity planning' of the Management Support Manual). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with s. 2.3: 'Portable recording device specification guidelines' of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the Information Management Manual.

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.

## POLICY

Personal recording device recordings, including body worn camera (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

## PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

## ORDER

Personal recording device recordings are to be downloaded:

- (i) into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

Personal recording device recordings are not to be:

- (i) saved onto privately owned storage facilities e.g. portable hard-drives; and
- (ii) viewed or shared with third parties without appropriate authorisation.

## **Retention and production of personal recording device recordings**

### POLICY

The Service is bound by the provisions of the *Right to Information Act* and the *Information Privacy Act*. Personal recording device recordings are a 'document' containing 'personal information' under the *Information Privacy Act* and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the Management Support Manual; or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the Operational Procedures Manual.

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the Management Support Manual.

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility (see the Body worn cameras 'Support materials and Reference Guides' webpage on the Service Intranet).

## ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## Access to Service approved storage facilities

To lodge, view or retrieve recordings within the Service approved storage facility, members are granted a user role and access type, which are detailed in the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

### POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

### PROCEDURE

To receive access to Evidence.com, members are to submit a QP 0985: 'Application for Evidence.com access' to their officer in charge indicating the user role and access type required. Where the application is supported, forward the QP 0985 to the Body Worn Camera Project, Community Contact Command.

### ORDER

When a member leaves the Service or no longer requires access to the Service approved storage facility, the member's officer in charge is to ensure access is revoked.

## 4.4 Body worn cameras

The use of body worn cameras (see Service Manual Definitions) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### Definition

For the purposes of commencing a recording under this section, an **'impractical'** situation means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the *Police Powers and Responsibilities Act* authorises officers to use a BWC in the execution of their duties.

### POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see s. 4.1: 'Use of portable recording device' of this chapter). Officers using privately owned BWCs should ensure the device is fully charged and has all previous data deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

### ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the Operational Procedures Manual).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and the officer determines it is appropriate to stop recording after considering:
  - (a) the seriousness of the offence being investigated;
  - (b) the evidentiary value of continuing the recording despite the request; and
  - (c) whether there may be probity value in continuing the recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

## ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

## Issue and storage of body worn cameras

### POLICY

Service-issued BWCs will be allocated to stations. Officers in charge of stations are responsible for the allocation of BWCs to individual officers (see 'Support Materials and Reference Guides' on the Body worn cameras webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

### ORDER

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### Handling and storage of body worn camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see Service Manual Definitions) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

### Use of in-vehicle cameras

#### POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see s. 10.4: 'Vehicle interceptions' of the Traffic Manual);
- (ii) involved in a pursuit (see s. 10.5: 'Pursuits' of the Traffic Manual);
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see s. 10.6: 'Evading police officers' of the Traffic Manual); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

### Handling and storage of in-vehicle camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

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## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the [Police Powers and Responsibilities Act](#), and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the [Police Powers and Responsibilities Regulation](#).

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also [s. 3.5](#): 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see [Service Manual Definitions](#)) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5](#): 'Interviews using the DERIE system' and [3.15](#): 'Replay of previous interviews and adoption of written interview' of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also [s. 3.8.15](#): 'Checking briefs of evidence' of the [Operational Procedures Manual](#)).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:



- (i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;
- (ii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iii) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also [s. 3.6](#): 'Business continuity planning' of the [Management Support Manual](#)). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with [s. 2.3](#): 'Portable recording device specification guidelines' of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with [s. 4.17.1](#): 'Prevention of computer virus infection' of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.

## POLICY

Personal recording device recordings, including body worn camera (see [s. 4.4](#): 'Body worn cameras' of this chapter) and in-vehicle camera (see [s. 4.5](#): 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

## PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with [s. 5.10](#): 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

## ORDER

Personal recording device recordings are to be downloaded:

- (i) into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

Personal recording device recordings are not to be:

- (i) saved onto privately owned storage facilities e.g. portable hard-drives; and
- (ii) viewed or shared with third parties without appropriate authorisation.

## Retention and production of personal recording device recordings

### POLICY

The Service is bound by the provisions of the [Right to Information Act](#) and the [Information Privacy Act](#). Personal recording device recordings are a 'document' containing 'personal information' under the [Information Privacy Act](#) and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) [s. 5.7](#): 'Right to information and privacy' of the [Management Support Manual](#); or
- (ii) [s. 3.14](#): 'Disclosure of information to defence (relevant proceeding)' of the [Operational Procedures Manual](#).

Personal recording device evidential recordings are to be retained in accordance with [s. 5.5](#): 'Records retention and disposal' of the [Management Support Manual](#).

Officers are to comply with:

- (i) [s. 5](#): 'Management of recordings';
- (ii) [s. 6](#): 'Processing and copying of media';
- (iii) [s. 7](#): 'Court presentation'; and
- (iv) [s. 8](#): 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility (see the Body worn cameras 'Support materials and Reference Guides' webpage on the Service Intranet).

## ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## Access to Service approved storage facilities

To lodge, view or retrieve recordings within the Service approved storage facility, members are granted a user role and access type, which are detailed in the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

### POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

### PROCEDURE

To receive access to Evidence.com, members are to submit a QP 0985: 'Application for Evidence.com access' to their officer in charge indicating the user role and access type required. Where the application is supported, forward the QP 0985 to the Body Worn Camera Project, Community Contact Command.

### ORDER

When a member leaves the Service or no longer requires access to the Service approved storage facility, the member's officer in charge is to ensure access is revoked.

## 4.4 Body worn cameras

The use of body worn cameras (see [Service Manual Definitions](#)) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### Definition

For the purposes of commencing a recording under this section, an **'impractical'** situation means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the [Police Powers and Responsibilities Act](#) authorises officers to use a BWC in the execution of their duties.

### POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see [s. 4.1](#): 'Use of portable recording device' of this chapter). Officers using privately owned BWCs should ensure the device is fully charged and has all previous data deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

### ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see [s. 14.3.2](#): 'Situational Use of Force Model (2009)' of the [Operational Procedures Manual](#)).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and the officer determines it is appropriate to stop recording after considering:
  - (a) the seriousness of the offence being investigated;
  - (b) the evidentiary value of continuing the recording despite the request; and
  - (c) whether there may be probity value in continuing the recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

## ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5](#): 'Interviews using the DERIE system' and [3.15](#): 'Replay of previous interviews and adoption of written interview' of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

## Issue and storage of body worn cameras

### POLICY

Service-issued BWCs will be allocated to stations. Officers in charge of stations are responsible for the allocation of BWCs to individual officers (see 'Support Materials and Reference Guides' on the Body worn cameras webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

### ORDER

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

## Handling and storage of body worn camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3](#): 'Storage, retention and production of personal recording device recordings' of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see [Service Manual Definitions](#)) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

## Use of in-vehicle cameras

### POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see [s. 10.4](#): 'Vehicle interceptions' of the [Traffic Manual](#));
- (ii) involved in a pursuit (see [s. 10.5](#): 'Pursuits' of the [Traffic Manual](#));
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see [s. 10.6](#): 'Evading police officers' of the [Traffic Manual](#)); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

## Handling and storage of in-vehicle camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3](#): 'Storage, retention and production of personal recording device recordings' of this chapter.

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## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see Service Manual Definitions) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the Operational Procedures Manual).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:

- (i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;
- (ii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iii) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also s. 3.6: 'Business continuity planning' of the Management Support Manual). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with s. 2.3: 'Portable recording device specification guidelines' of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the Information Management Manual.

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.



## POLICY

Personal recording device recordings, including body worn camera (BWC) (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be uploaded to Evidence.com and deleted from the device on a daily basis. Where evidential recordings cannot be removed from a PRD by the end of shift, the device should be securely stored until the recordings can be uploaded into Evidence.com.

## PROCEDURE

PRD recordings should be uploaded into a Evidence.com in accordance with the:

- (i) BWC Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the BWC webpage on the Organisational Capability Command (OCC) website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of the fact a PRD recording is available, including any reference numbers or file name.

## ORDER

PRD recordings are to be uploaded:

- (i) into Evidence.com at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

PRD recordings are not to be saved onto privately owned storage facilities e.g. portable hard-drives.

## Retention and production of personal recording device recordings

### POLICY

The Service is bound by the provisions of the *Right to Information Act* and the *Information Privacy Act (IPA)*. PRD recordings are a 'document' containing 'personal information' under the IPA and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the Management Support Manual (MSM); or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the Operational Procedures Manual.

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the MSM.

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from Evidence.com (see the BWC 'Support materials and Reference Guides' webpage on the Service Intranet).

## ORDER

PRD recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

### Access to Service approved storage facility

To lodge, view or retrieve recordings within Evidence.com, members are granted a user role and access type, which are detailed in the:

- (i) BWC Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the BWC webpage on the OCC website on the Service Intranet.

## POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

## PROCEDURE

To receive access to Evidence.com, members are to make application via the ICT Customer Portal.

### 4.4 Body worn cameras

#### Definition

For the purposes of this section:

**'Impractical'** means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

#### Body worn cameras

The use of body worn cameras (BWC) (see Service Manual Definitions) provides video and audio evidence of officer's interactions with members of the community and can reduce the incidence of violent confrontations, use of force and false or malicious complaints against officers.

BWC provide audio-visual records of an event, however officers are to be aware BWC may not record the full details of an incident and wherever practicable officers should seek secondary evidence such as witnesses or independent video recordings.

#### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the *Police Powers and Responsibilities Act* authorises officers to use a BWC in the performance of their duties.

## POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where a Service-issued BWC is not available, officers may make application to use a privately purchased BWC on duty (see s. 4.1: 'Use of portable recording device' of this chapter). Privately owned BWCs are to be fully charged and have all previous data saved and deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

## ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

This order does not apply to officers using a body worn camera in covert activities which have been authorised by a commissioned officer or as part of an approved investigative or intelligence practice.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, a recording should be commenced as soon as practicable after an officer reasonably believes they may:

- (i) exercise a police power under legislation; or
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the Operational Procedures Manual).

Where a recording cannot be commenced beforehand, the BWC should be activated as soon as practicable.

When an officer commences a BWC recording, the officer should continue recording until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. guard a crime scene overnight; or
- (iv) senior officer or incident commander directs that a BWC recording can be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

A BWC video recording is not to be made of an unclothed search. An audio recording should be made.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversations); or
- (ii) when the officer reasonably believes it is inappropriate to make a video recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## ORDER

When a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

BWC are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

## Reviewing body worn camera footage

Unless directed not to review BWC footage, e.g. critical incident investigations conducted by Ethical Standards Command, officers may review BWC footage to assist their recollection of events and identify further evidence.

BWC footage should be relied upon to better understand the evidence presented in the officer's statement and should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. BWC do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

## Issue and storage of body worn cameras

### POLICY

Officers in charge of stations are responsible for the allocation of Service issued BWCs to individual officers (see 'Support Materials and Reference Guides' on the BWC webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

ORDER

**BWC** are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### Handling and storage of body worn camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

PROCEDURE

**BWC** evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see Service Manual Definitions) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

### Use of in-vehicle cameras

POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see s. 15.4: 'Vehicle interceptions' of the **Operational Procedures Manual**);
- (ii) involved in a pursuit (see s. 15.5: 'Pursuits' of the **Operational Procedures Manual**);
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see s. 15.8: 'Evading police officers' of the **Operational Procedures Manual**); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

### Handling and storage of in-vehicle camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see Service Manual Definitions) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the Operational Procedures Manual).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:

- (i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;
- (ii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iii) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also s. 3.6: 'Business continuity planning' of the Management Support Manual). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with s. 2.3: 'Portable recording device specification guidelines' of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the Information Management Manual.

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.

## POLICY

Personal recording device recordings, including body worn camera (BWC) (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be uploaded to Evidence.com and deleted from the device on a daily basis. Where evidential recordings cannot be removed from a PRD by the end of shift, the device should be securely stored until the recordings can be uploaded into Evidence.com.

## PROCEDURE

PRD recordings should be uploaded into a Evidence.com in accordance with the:

- (i) BWC Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the BWC webpage on the Organisational Capability Command (OCC) website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of the fact a PRD recording is available, including any reference numbers or file name.

## ORDER

PRD recordings are to be uploaded:

- (i) into Evidence.com at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

PRD recordings are not to be saved onto privately owned storage facilities e.g. portable hard-drives.

## Retention and production of personal recording device recordings

### POLICY

The Service is bound by the provisions of the *Right to Information Act* and the *Information Privacy Act (IPA)*. PRD recordings are a 'document' containing 'personal information' under the IPA and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the Management Support Manual (MSM); or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the Operational Procedures Manual.

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the MSM.

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from Evidence.com (see the BWC 'Support materials and Reference Guides' webpage on the Service Intranet).

## ORDER

PRD recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## Access to Service approved storage facility

To lodge, view or retrieve recordings within Evidence.com, members are granted a user role and access type, which are detailed in the:

- (i) BWC Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the BWC webpage on the OCC website on the Service Intranet.

## POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

## PROCEDURE

To receive access to Evidence.com, members are to make application via the ICT Customer Portal.

### 4.4 Body worn cameras

#### Definition

For the purposes of this section:

**'Impractical'** means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

#### Body worn cameras

The use of body worn cameras (BWC) (see Service Manual Definitions) provides video and audio evidence of officer's interactions with members of the community and can reduce the incidence of violent confrontations, use of force and false or malicious complaints against officers.

BWC provide audio-visual records of an event, however officers are to be aware BWC may not record the full details of an incident and wherever practicable officers should seek secondary evidence such as witnesses or independent video recordings.

#### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the *Police Powers and Responsibilities Act* authorises officers to use a BWC in the performance of their duties.

## POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where a Service-issued BWC is not available, officers may make application to use a privately purchased BWC on duty (see s. 4.1: 'Use of portable recording device' of this chapter). Privately owned BWCs are to be fully charged and have all previous data saved and deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

## ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

This order does not apply to officers using a body worn camera in covert activities which have been authorised by a commissioned officer or as part of an approved investigative or intelligence practice.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, a recording should be commenced as soon as practicable after an officer reasonably believes they may:

- (i) exercise a police power under legislation; or
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the Operational Procedures Manual).

Where a recording cannot be commenced beforehand, the BWC should be activated as soon as practicable.

When an officer commences a BWC recording, the officer should continue recording until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. guard a crime scene overnight; or
- (iv) senior officer or incident commander directs that a BWC recording can be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

A BWC video recording is not to be made of an unclothed search. An audio recording should be made.



## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversations; or
- (ii) when the officer reasonably believes it is inappropriate to make a video recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## ORDER

When a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

BWC are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

### **Reviewing body worn camera footage**

Unless directed not to review BWC footage, e.g. critical incident investigations conducted by Ethical Standards Command, officers may review BWC footage to assist their recollection of events and identify further evidence.

BWC footage should be relied upon to better understand the evidence presented in the officer's statement and should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. BWC do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

### **Issue and storage of body worn cameras**

#### POLICY

Officers in charge of stations are responsible for the allocation of Service issued BWCs to individual officers (see 'Support Materials and Reference Guides' on the BWC webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

#### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

## ORDER

BWC are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### Handling and storage of body worn camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

## PROCEDURE

BWC evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

### 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see Service Manual Definitions) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

#### Use of in-vehicle cameras

## POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see s. 10.4: 'Vehicle interceptions' of the Traffic Manual);
- (ii) involved in a pursuit (see s. 10.5: 'Pursuits' of the Traffic Manual);
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see s. 10.6: 'Evading police officers' of the Traffic Manual); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

#### Handling and storage of in-vehicle camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

## PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## Section 4: Field (PRD) recordings

### 4.1 Background

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3, ss. 414 to 441: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Part 5, ss. 21 to 34: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support webpage. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.2 Use of personal recording device

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved personal recording device (PRD) officers should:

- (i) where possible, use the highest audio/video quality setting available;
- (ii) where available, use advanced video features such as automatic exposure or image stabilisation;
- (iii) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
- (iv) consider the use of an external (lapel) microphone to improve the audio quality of a recording.

Service combined audio and video field recording equipment, with similar operation to the DEIRE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Combined audio and video field interviews of relevant persons should not be conducted using a domestic level PRD. Such recordings should only be made by authorised officers who have the appropriate training and professional level equipment to perform this task.

Officers should ensure that whenever an approved PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

There is no objection to members using privately owned PRD, however, where departmental issue equipment is available, members should use such equipment.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the Operational Procedures Manual).

#### ORDER

Where privately owned equipment is used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with these procedures. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

### 4.3 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital PRD are available for use by officers carrying out their duties, the officer in charge of the officer's station or establishment is to ensure that use of digital PRD and retention of digital recordings are identified as risks for that work unit's risk management plan (see also s. 15.8: 'Business continuity considerations in risk management planning' of the Operational Procedures Manual). This requirement also applies where an officer has approval from their officer in charge of their station or establishment to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the device is of sufficient quality for its intended purpose;
- (ii) the device conforms with s. 2.3: 'PRD specification guidelines,' of this Manual; and
- (iii) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the Information Management Manual'.

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, they are to advise the requesting officer of their decision in writing, e.g. email.

QPS RTI&P Unit

## Section 4: Field (PRD) recordings

### 4.1 Background

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3, ss. 414 to 441: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the [Police Powers and Responsibilities Act](#), and Part 5, ss. 21 to 34: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the [Police Powers and Responsibilities Regulation](#).

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also [s. 3.5: 'Interviews using the DERIE system,'](#) of this Manual).

### 4.2 Use of personal recording device

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved personal recording device (PRD) officers should:

- (i) where possible, use the highest audio/video quality setting available;
- (ii) where available, use advanced video features such as automatic exposure or image stabilisation;
- (iii) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
- (iv) consider the use of an external (lapel) microphone to improve the audio quality of a recording.

Service combined audio and video field recording equipment, with similar operation to the DEIRE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Combined audio and video field interviews of relevant persons should not be conducted using a domestic level PRD. Such recordings should only be made by authorised officers who have the appropriate training and professional level equipment to perform this task.

Officers should ensure that whenever an approved PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

There is no objection to members using privately owned PRD, however, where departmental issue equipment is available, members should use such equipment.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also [s. 3.8.15: 'Checking briefs of evidence'](#) of the [Operational Procedures Manual](#)).

#### ORDER

Where privately owned equipment is used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with these procedures. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

### 4.3 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital PRD are available for use by officers carrying out their duties, the officer in charge of the officer's station or establishment is to ensure that use of digital PRD and retention of digital recordings are identified as risks for that work unit's risk management plan (see also [s. 15.8: 'Business continuity considerations in risk management planning'](#) of the [Operational Procedures Manual](#)). This requirement also applies where an officer has approval from their officer in charge of their station or establishment to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

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- (i) the device is of sufficient quality for its intended purpose;
- (ii) the device conforms with [s. 2.3](#): 'PRD specification guidelines,' of this Manual; and
- (iii) any third party software associated with the device has been approved in accordance with [s. 4.17.1](#): 'Prevention of computer virus infection' of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, they are to advise the requesting officer of their decision in writing, e.g. email.

QPS RTI&P Unit

## Section 4: Field (PRD) recordings

### 4.1 Background

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3, ss. 414 to 441: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the [Police Powers and Responsibilities Act](#), and Part 5, ss. 21 to 34: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the [Police Powers and Responsibilities Regulation](#).

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also [s. 3.5: 'Interviews using the DERIE system,'](#) of this Manual).

### 4.2 Use of personal recording device

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved personal recording device (PRD) officers should:

- (i) where possible, use the highest audio/video quality setting available;
- (ii) where available, use advanced video features such as automatic exposure or image stabilisation;
- (iii) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
- (iv) consider the use an external (lapel) microphone to improve the audio quality of a recording.

Service combined audio and video field recording equipment, with similar operation to the DEIRE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Combined audio and video field interviews of relevant persons should not be conducted using a domestic level PRD. Such recordings should only be made by authorised officers who have the appropriate training and professional level equipment to perform this task.

Officers should ensure that whenever an approved PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

There is no objection to members using privately owned PRD, however, where departmental issue equipment is available, members should use such equipment.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also [s. 3.8.15: 'Checking briefs of evidence'](#) of the [Operational Procedures Manual](#)).

#### ORDER

Where privately owned equipment is used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with these procedures. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not to be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

### 4.3 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital PRD are available for use by officers carrying out their duties, the officer in charge of the officer's station or establishment is to ensure that use of digital PRD and retention of digital recordings are identified as risks for that work unit's risk management plan (see also [s. 15.8: 'Business continuity considerations in risk management planning'](#) of the [Operational Procedures Manual](#)). This requirement also applies where an officer has approval from their officer in charge of their station or establishment to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

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- (i) the device is of sufficient quality for its intended purpose;
- (ii) the device conforms with [s. 2.3](#): 'PRD specification guidelines,' of this Manual; and
- (iii) any third party software associated with the device has been approved in accordance with [s. 4.17.1](#): 'Prevention of computer virus infection' of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, they are to advise the requesting officer of their decision in writing, e.g. email.

QPS RTI&P Unit



## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see *Service Manual Definitions*) allow officers to collect audio and video recordings whilst operating in the field.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Combined audio and video field interviews of relevant persons should not be conducted using a domestic level PRD. Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the *Operational Procedures Manual*).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to:

- (i) seek approval in writing from their officer in charge to use a privately owned PRD for work purposes;
- (ii) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;

(iii) ensure the recording format is compatible with:

- (a) court recording playback equipment;
- (b) Service computer equipment; and
- (c) Service approved storage facilities;

(iv) ensure any recordings are:

- (a) whenever practicable, downloaded on a daily basis; and
- (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and

(v) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also s. 3.6: 'Business continuity planning' of the [Management Support Manual](#)). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) the device is of sufficient quality for its intended purpose;
- (iii) the device conforms with s. 2.3: 'Portable recording device specification guidelines' of this Manual; and
- (iv) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to advise the requesting officer of their decision in writing (e.g. email).

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

#### POLICY

Personal recording device (PRD) recordings, including body worn camera (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

#### PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the relevant procedures for the device. Officers using privately owned PRDs should use the relevant procedures to save all recordings to a Service approved storage facility through a Service computer.

When downloading PRD recordings into a Service approved storage facility, officers should use the correct file naming protocols for the approved storage facility. As a minimum, the files should be named in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

#### ORDER

Personal recording device recordings are:

- (i) to be downloaded into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist;
- (ii) to be downloaded and saved in full. No editing of the recording is to be made on the PRD prior to saving;
- (iii) not to be saved onto privately owned storage facilities e.g. portable hard-drives; and
- (iv) not to be viewed or shared with third parties without appropriate authorisation.

### Retention and production of personal recording device recordings

#### POLICY

The Service is bound by the provisions of the [Right to Information Act](#) and the [Information Privacy Act](#). Personal recording device recordings are a 'document' containing 'personal information' under the [Information Privacy Act](#) and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the [Management Support Manual](#); or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the [Operational Procedures Manual](#).

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the [Management Support Manual](#).

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

#### PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility.

#### ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## 4.4 Body worn cameras

The use of body worn cameras (see [Service Manual Definitions](#)) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### Use of body worn cameras

#### POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate. Officers should ensure the BWC is fully charged and has all previous data deleted when commencing duty.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see s. 4.1: 'Use of portable recording device' of this chapter).

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

## ORDER

Service issued BWCs are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Unless impractical, when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the [Operational Procedures Manual](#)).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and it is appropriate to comply with the request.

## PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

## ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in police stations, police establishments or Service vehicles; or
- (vi) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5: 'Interviews using the DERIE system'](#) and [3.15: 'Replay of previous interviews and adoption of written interview'](#) of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

### **Issue and storage of body worn cameras**

#### **POLICY**

Service-issued BWCs will be allocated to stations. Officers in charge of station may allocate BWCs to individual officers or distribute the devices each shift.

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

#### **PROCEDURE**

At the termination of an officer's shift the BWC should be placed in a Service approved storage facility for downloading and recharging.

#### **ORDER**

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### **Handling and storage of body worn camera recordings**

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

#### **PROCEDURE**

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## **4.5 In-vehicle cameras**

In-vehicle cameras (also known as dash-cams) are portable recording devices (see [Service Manual Definitions](#)) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

### **Use of in-vehicle cameras**

#### **POLICY**

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see s. 10.4: 'Vehicle interceptions' of the [Traffic Manual](#));
- (ii) involved in a pursuit (see s. 10.5: 'Pursuits' of the [Traffic Manual](#));
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see s. 10.6: 'Evading police officers' of the [Traffic Manual](#)); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

### **Handling and storage of in-vehicle camera recordings**

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

#### **PROCEDURE**

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see *Service Manual Definitions*) allow officers to collect audio and video recordings whilst operating in the field.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Combined audio and video field interviews of relevant persons should not be conducted using a domestic level PRD. Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the *Operational Procedures Manual*).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to:

- (i) seek approval in writing from their officer in charge to use a privately owned PRD for work purposes;
- (ii) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;

- (iii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iv) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (v) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment must be approved for use by the officer in charge of the officer's station or establishment and operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures will not be approved and should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile phones.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also s. 3.6: 'Business continuity planning' of the [Management Support Manual](#)). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) the device is of sufficient quality for its intended purpose;
- (iii) the device conforms with s. 2.3: 'Portable recording device specification guidelines' of this Manual; and
- (iv) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to advise the requesting officer of their decision in writing (e.g. email).

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

#### POLICY

Personal recording device (PRD) recordings, including body worn camera (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

#### PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the relevant procedures for the device. Officers using privately owned PRDs should use the relevant procedures to save all recordings to a Service approved storage facility through a Service computer.

When downloading PRD recordings into a Service approved storage facility, officers should use the correct file naming protocols for the approved storage facility. As a minimum, the files should be named in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

ORDER

Personal recording device recordings are:

- (i) to be downloaded into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist;
- (ii) to be downloaded and saved in full. No editing of the recording is to be made on the PRD prior to saving;
- (iii) not to be saved onto privately owned storage facilities e.g. portable hard-drives; and
- (iv) not to be viewed or shared with third parties without appropriate authorisation.

### Retention and production of personal recording device recordings

POLICY

The Service is bound by the provisions of the [Right to Information Act](#) and the [Information Privacy Act](#). Personal recording device recordings are a 'document' containing 'personal information' under the [Information Privacy Act](#) and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the [Management Support Manual](#); or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the [Operational Procedures Manual](#).

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the [Management Support Manual](#).

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility.

ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## 4.4 Body worn cameras

The use of body worn cameras (see [Service Manual Definitions](#)) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the [Police Powers and Responsibilities Act](#) authorises officers to use a body worn camera in the execution of their duties.

POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate. Officers should ensure the BWC is fully charged and has all previous data deleted when commencing duty.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see s. 4.1: 'Use of portable recording device' of this chapter).



Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

#### ORDER

Service issued BWCs are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Unless impractical, when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the [Operational Procedures Manual](#)).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

#### POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and it is appropriate to comply with the request.

#### PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

#### ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in police stations, police establishments or Service vehicles; or
- (vi) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5: 'Interviews using the DERIE system'](#) and [3.15: 'Replay of previous interviews and adoption of written interview'](#) of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

### Issue and storage of body worn cameras

#### POLICY

Service-issued BWCs will be allocated to stations. Officers in charge of station may allocate BWCs to individual officers or distribute the devices each shift.

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

#### PROCEDURE

At the termination of an officer's shift the BWC should be placed in a Service approved storage facility for downloading and recharging.

#### ORDER

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### Handling and storage of body worn camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

#### PROCEDURE

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3: 'Storage, retention and production of personal recording device recordings'](#) of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see [Service Manual Definitions](#)) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

### Use of in-vehicle cameras

#### POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see [s. 10.4: 'Vehicle interceptions'](#) of the [Traffic Manual](#));
- (ii) involved in a pursuit (see [s. 10.5: 'Pursuits'](#) of the [Traffic Manual](#));
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see [s. 10.6: 'Evading police officers'](#) of the [Traffic Manual](#)); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

### Handling and storage of in-vehicle camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

## PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

QPS RTI&P Unit

## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also s. 3.5: 'Interviews using the DERIE system,' of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see *Service Manual Definitions*) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see ss. 3.5: 'Interviews using the DERIE system' and 3.15: 'Replay of previous interviews and adoption of written interview' of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also s. 3.8.15: 'Checking briefs of evidence' of the *Operational Procedures Manual*).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:

- (i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;
- (ii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iii) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also s. 3.6: 'Business continuity planning' of the [Management Support Manual](#)). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with s. 2.3: 'Portable recording device specification guidelines' of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with s. 4.17.1: 'Prevention of computer virus infection' of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.

## POLICY

Personal recording device recordings, including body worn camera (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

## PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

## ORDER

Personal recording device recordings are to be downloaded:

- (i) into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

Personal recording device recordings are not to be:

- (i) saved onto privately owned storage facilities e.g. portable hard-drives; and
- (ii) viewed or shared with third parties without appropriate authorisation.

## Retention and production of personal recording device recordings

### POLICY

The Service is bound by the provisions of the [Right to Information Act](#) and the [Information Privacy Act](#). Personal recording device recordings are a 'document' containing 'personal information' under the [Information Privacy Act](#) and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the [Management Support Manual](#); or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the [Operational Procedures Manual](#).

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the [Management Support Manual](#).

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility (see the [Body worn cameras 'Support materials and Reference Guides' webpage on the Service Intranet](#)).

## ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## Access to Service approved storage facilities

To lodge, view or retrieve recordings within the Service approved storage facility, members are granted a user role and access type, which are detailed in the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

### POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

### PROCEDURE

To receive access to Evidence.com, members are to submit a QP 0985: 'Application for Evidence.com access' to their officer in charge indicating the user role and access type required. Where the application is supported, forward the QP 0985 to the Body Worn Camera Project, Community Contact Command.

### ORDER

When a member leaves the Service or no longer requires access to the Service approved storage facility, the member's officer in charge is to ensure access is revoked.

## 4.4 Body worn cameras

The use of body worn cameras (see [Service Manual Definitions](#)) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### Definition

For the purposes of commencing a recording under this section, an 'impractical' situation means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the [Police Powers and Responsibilities Act](#) authorises officers to use a BWC in the execution of their duties.

### POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see [s. 4.1: 'Use of portable recording device'](#) of this chapter). Officers using privately owned BWCs should ensure the device is fully charged and has all previous data deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

### ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see [s. 14.3.2: 'Situational Use of Force Model \(2009\)'](#) of the [Operational Procedures Manual](#)).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and the officer determines it is appropriate to stop recording after considering:
  - (a) the seriousness of the offence being investigated;
  - (b) the evidentiary value of continuing the recording despite the request; and
  - (c) whether there may be probity value in continuing the recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

## ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5](#): 'Interviews using the DERIE system' and [3.15](#): 'Replay of previous interviews and adoption of written interview' of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).



## Issue and storage of body worn cameras

### POLICY

Service-issued BWCs will be allocated to stations. Officers in charge of stations are responsible for the allocation of BWCs to individual officers (see 'Support Materials and Reference Guides' on the Body worn cameras webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

### ORDER

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

## Handling and storage of body worn camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see *Service Manual Definitions*) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

## Use of in-vehicle cameras

### POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see s. 10.4: 'Vehicle interceptions' of the *Traffic Manual*);
- (ii) involved in a pursuit (see s. 10.5: 'Pursuits' of the *Traffic Manual*);
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see s. 10.6: 'Evading police officers' of the *Traffic Manual*); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

## Handling and storage of in-vehicle camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with s. 4.3: 'Storage, retention and production of personal recording device recordings' of this chapter.

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## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also [s. 3.5: 'Interviews using the DERIE system,'](#) of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see [Service Manual Definitions](#)) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5: 'Interviews using the DERIE system'](#) and [3.15: 'Replay of previous interviews and adoption of written interview'](#) of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also [s. 3.8.15: 'Checking briefs of evidence'](#) of the [Operational Procedures Manual](#)).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:

- (i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;
- (ii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iii) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also [s. 3.6](#): 'Business continuity planning' of the [Management Support Manual](#)). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with [s. 2.3](#): 'Portable recording device specification guidelines' of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with [s. 4.17.1](#): 'Prevention of computer virus infection' of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.

## POLICY

Personal recording device recordings, including body worn camera (see [s. 4.4](#): 'Body worn cameras' of this chapter) and in-vehicle camera (see [s. 4.5](#): 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

## PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with [s. 5.10](#): 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

## ORDER

Personal recording device recordings are to be downloaded:

- (i) into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

Personal recording device recordings are not to be:

- (i) saved onto privately owned storage facilities e.g. portable hard-drives; and
- (ii) viewed or shared with third parties without appropriate authorisation.

## Retention and production of personal recording device recordings

### POLICY

The Service is bound by the provisions of the [Right to Information Act](#) and the [Information Privacy Act](#). Personal recording device recordings are a 'document' containing 'personal information' under the [Information Privacy Act](#) and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) [s. 5.7](#): 'Right to information and privacy' of the [Management Support Manual](#); or
- (ii) [s. 3.14](#): 'Disclosure of information to defence (relevant proceeding)' of the [Operational Procedures Manual](#).

Personal recording device evidential recordings are to be retained in accordance with [s. 5.5](#): 'Records retention and disposal' of the [Management Support Manual](#).

Officers are to comply with:

- (i) [s. 5](#): 'Management of recordings';
- (ii) [s. 6](#): 'Processing and copying of media';
- (iii) [s. 7](#): 'Court presentation'; and
- (iv) [s. 8](#): 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility (see the Body worn cameras 'Support materials and Reference Guides' webpage on the Service Intranet).

## ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## Access to Service approved storage facilities

To lodge, view or retrieve recordings within the Service approved storage facility, members are granted a user role and access type, which are detailed in the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

### POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

### PROCEDURE

To receive access to Evidence.com, members are to submit a QP 0985: 'Application for Evidence.com access' to their officer in charge indicating the user role and access type required. Where the application is supported, forward the QP 0985 to the Body Worn Camera Project, Community Contact Command.

### ORDER

When a member leaves the Service or no longer requires access to the Service approved storage facility, the member's officer in charge is to ensure access is revoked.

## 4.4 Body worn cameras

The use of body worn cameras (see [Service Manual Definitions](#)) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### Definition

For the purposes of commencing a recording under this section, an '**impractical**' situation means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the [Police Powers and Responsibilities Act](#) authorises officers to use a BWC in the execution of their duties.

### POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see [s. 4.1](#): 'Use of portable recording device' of this chapter). Officers using privately owned BWCs should ensure the device is fully charged and has all previous data deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

### ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see [s. 14.3.2](#): 'Situational Use of Force Model (2009)' of the [Operational Procedures Manual](#)).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and the officer determines it is appropriate to stop recording after considering:
  - (a) the seriousness of the offence being investigated;
  - (b) the evidentiary value of continuing the recording despite the request; and
  - (c) whether there may be probity value in continuing the recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

## ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5](#): 'Interviews using the DERIE system' and [3.15](#): 'Replay of previous interviews and adoption of written interview' of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

## Issue and storage of body worn cameras

### POLICY

Service-issued BWCs will be allocated to stations. Officers in charge of stations are responsible for the allocation of BWCs to individual officers (see 'Support Materials and Reference Guides' on the Body worn cameras webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

### ORDER

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

## Handling and storage of body worn camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3](#): 'Storage, retention and production of personal recording device recordings' of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see [Service Manual Definitions](#)) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

## Use of in-vehicle cameras

### POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see [s. 10.4](#): 'Vehicle interceptions' of the [Traffic Manual](#));
- (ii) involved in a pursuit (see [s. 10.5](#): 'Pursuits' of the [Traffic Manual](#));
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see [s. 10.6](#): 'Evading police officers' of the [Traffic Manual](#)); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

## Handling and storage of in-vehicle camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3](#): 'Storage, retention and production of personal recording device recordings' of this chapter.



## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also [s. 3.5: 'Interviews using the DERIE system,'](#) of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see [Service Manual Definitions](#)) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5: 'Interviews using the DERIE system'](#) and [3.15: 'Replay of previous interviews and adoption of written interview'](#) of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also [s. 3.8.15: 'Checking briefs of evidence'](#) of the [Operational Procedures Manual](#)).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:

- (i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;
- (ii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iii) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also [s. 3.6](#): 'Business continuity planning' of the [Management Support Manual](#)). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with [s. 2.3](#): 'Portable recording device specification guidelines' of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with [s. 4.17.1](#): 'Prevention of computer virus infection' of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.

## POLICY

Personal recording device recordings, including body worn camera (see [s. 4.4](#): 'Body worn cameras' of this chapter) and in-vehicle camera (see [s. 4.5](#): 'In-vehicle cameras' of this chapter) recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis. Where a PRD has not been downloaded and has evidential recordings, the device should be securely stored until downloaded into a Service approved storage facility.

## PROCEDURE

Personal recording device recordings should be downloaded into a Service approved storage facility in accordance with the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with [s. 5.10](#): 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of:

- (i) the fact a PRD recording is available; and
- (ii) where the PRD recording is held, including any reference numbers or file name.

## ORDER

Personal recording device recordings are to be downloaded:

- (i) into a Service approved storage facility at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

Personal recording device recordings are not to be:

- (i) saved onto privately owned storage facilities e.g. portable hard-drives; and
- (ii) viewed or shared with third parties without appropriate authorisation.

## Retention and production of personal recording device recordings

### POLICY

The Service is bound by the provisions of the [Right to Information Act](#) and the [Information Privacy Act](#). Personal recording device recordings are a 'document' containing 'personal information' under the [Information Privacy Act](#) and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) [s. 5.7](#): 'Right to information and privacy' of the [Management Support Manual](#); or
- (ii) [s. 3.14](#): 'Disclosure of information to defence (relevant proceeding)' of the [Operational Procedures Manual](#).

Personal recording device evidential recordings are to be retained in accordance with [s. 5.5](#): 'Records retention and disposal' of the [Management Support Manual](#).

Officers are to comply with:

- (i) [s. 5](#): 'Management of recordings';
- (ii) [s. 6](#): 'Processing and copying of media';
- (iii) [s. 7](#): 'Court presentation'; and
- (iv) [s. 8](#): 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from a Service approved storage facility (see the Body worn cameras 'Support materials and Reference Guides' webpage on the Service Intranet).

## ORDER

Personal recording device recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## Access to Service approved storage facilities

To lodge, view or retrieve recordings within the Service approved storage facility, members are granted a user role and access type, which are detailed in the:

- (i) Body Worn Cameras Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the 'Body worn cameras' webpage on the Community Contact Command website on the Service Intranet.

### POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

### PROCEDURE

To receive access to Evidence.com, members are to submit a QP 0985: 'Application for Evidence.com access' to their officer in charge indicating the user role and access type required. Where the application is supported, forward the QP 0985 to the Body Worn Camera Project, Community Contact Command.

### ORDER

When a member leaves the Service or no longer requires access to the Service approved storage facility, the member's officer in charge is to ensure access is revoked.

## 4.4 Body worn cameras

The use of body worn cameras (see [Service Manual Definitions](#)) has proven effective in providing video and audio evidence of officer's interaction with members of the community and can reduce the incidence of violent confrontations, use of force and complaints against officers. Body worn cameras (BWCs) provide an audio-visual record of events from an officer's point of view.

### Definition

For the purposes of commencing a recording under this section, an '**impractical**' situation means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the [Police Powers and Responsibilities Act](#) authorises officers to use a BWC in the execution of their duties.

### POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where an officer is not able to access a Service-issued BWC, the officer may make application to use a privately purchased BWC on duty (see [s. 4.1](#): 'Use of portable recording device' of this chapter). Officers using privately owned BWCs should ensure the device is fully charged and has all previous data deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

### ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, the device is to be recording prior to and during the:

- (i) exercising of a police power under legislation; or
- (ii) applying a use of force (see [s. 14.3.2](#): 'Situational Use of Force Model (2009)' of the [Operational Procedures Manual](#)).

Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.

A BWC video recording is not to be made of an unclothed search. Where practicable an audio recording should be made of the search.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversation or taking an occurrence report);
- (ii) when the officer reasonably believes it is inappropriate to make a video recording; or
- (iii) when a victim or witness requests the BWC to be turned off, and the officer determines it is appropriate to stop recording after considering:
  - (a) the seriousness of the offence being investigated;
  - (b) the evidentiary value of continuing the recording despite the request; and
  - (c) whether there may be probity value in continuing the recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## PROCEDURE

When an officer attends an incident and commences a BWC recording, the officer should continue recording at the incident until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. a murder scene where the officer has been directed to guard the scene overnight; or
- (iv) police forward commander or incident commander at a major incident scene directs that BWC recording is to be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

## ORDER

Where an officer is carrying a BWC and a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

Body worn cameras are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5: 'Interviews using the DERIE system'](#) and [3.15: 'Replay of previous interviews and adoption of written interview'](#) of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

Body worn camera recordings should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. Body worn cameras do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

## Issue and storage of body worn cameras

### POLICY

Service-issued BWCs will be allocated to stations. Officers in charge of stations are responsible for the allocation of BWCs to individual officers (see 'Support Materials and Reference Guides' on the Body worn cameras webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

### ORDER

Body worn cameras are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

## Handling and storage of body worn camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

Body worn camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3](#): 'Storage, retention and production of personal recording device recordings' of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see [Service Manual Definitions](#)) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

## Use of in-vehicle cameras

### POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see [s. 10.4](#): 'Vehicle interceptions' of the [Traffic Manual](#));
- (ii) involved in a pursuit (see [s. 10.5](#): 'Pursuits' of the [Traffic Manual](#));
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see [s. 10.6](#): 'Evading police officers' of the [Traffic Manual](#)); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

## Handling and storage of in-vehicle camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

### PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3](#): 'Storage, retention and production of personal recording device recordings' of this chapter.

QPS RTI&P Unit

## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also [s. 3.5: 'Interviews using the DERIE system,'](#) of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see [Service Manual Definitions](#)) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5: 'Interviews using the DERIE system'](#) and [3.15: 'Replay of previous interviews and adoption of written interview'](#) of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also [s. 3.8.15: 'Checking briefs of evidence'](#) of the *Operational Procedures Manual*).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:



- (i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;
- (ii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iii) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also [s. 3.6: 'Business continuity planning' of the Management Support Manual](#)). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with [s. 2.3: 'Portable recording device specification guidelines'](#) of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with [s. 4.17.1: 'Prevention of computer virus infection'](#) of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.

## POLICY

Personal recording device recordings, including body worn camera (BWC) (see s. 4.4: 'Body worn cameras' of this chapter) and in-vehicle camera (see s. 4.5: 'In-vehicle cameras' of this chapter) recordings should be uploaded to Evidence.com and deleted from the device on a daily basis. Where evidential recordings cannot be removed from a PRD by the end of shift, the device should be securely stored until the recordings can be uploaded into Evidence.com.

## PROCEDURE

PRD recordings should be uploaded into a Evidence.com in accordance with the:

- (i) BWC Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the BWC webpage on the Organisational Capability Command (OCC) website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with s. 5.10: 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of the fact a PRD recording is available, including any reference numbers or file name.

## ORDER

PRD recordings are to be uploaded:

- (i) into Evidence.com at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

PRD recordings are not to be saved onto privately owned storage facilities e.g. portable hard-drives.

## Retention and production of personal recording device recordings

### POLICY

The Service is bound by the provisions of the *Right to Information Act* and the *Information Privacy Act (IPA)*. PRD recordings are a 'document' containing 'personal information' under the IPA and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) s. 5.7: 'Right to information and privacy' of the *Management Support Manual (MSM)*; or
- (ii) s. 3.14: 'Disclosure of information to defence (relevant proceeding)' of the *Operational Procedures Manual*.

Personal recording device evidential recordings are to be retained in accordance with s. 5.5: 'Records retention and disposal' of the <http://qpsnet.qldpol/spp/opcap/business-improvement/frontline-capability/oi/Documents/ServiceManuals/MSMCurrent.pdf> MSM.

Officers are to comply with:

- (i) s. 5: 'Management of recordings';
- (ii) s. 6: 'Processing and copying of media';
- (iii) s. 7: 'Court presentation'; and
- (iv) s. 8: 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from Evidence.com (see the BWC 'Support materials and Reference Guides' webpage on the Service Intranet).

## ORDER

PRD recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

### Access to Service approved storage facility

To lodge, view or retrieve recordings within Evidence.com, members are granted a user role and access type, which are detailed in the:

- (i) BWC Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the BWC webpage on the OCC website on the Service Intranet.

## POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

## PROCEDURE

To receive access to Evidence.com, members are to make application via the ICT Customer Portal.

### 4.4 Body worn cameras

#### Definition

For the purposes of this section:

**'Impractical'** means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

#### Body worn cameras

The use of body worn cameras (BWC) (see [Service Manual Definitions](#)) provides video and audio evidence of officer's interactions with members of the community and can reduce the incidence of violent confrontations, use of force and false or malicious complaints against officers.

BWC provide audio-visual records of an event, however officers are to be aware BWC may not record the full details of an incident and wherever practicable officers should seek secondary evidence such as witnesses or independent video recordings.

#### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the [Police Powers and Responsibilities Act](#) authorises officers to use a BWC in the performance of their duties.

## POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where a Service-issued BWC is not available, officers may make application to use a privately purchased BWC on duty (see [s. 4.1](#): 'Use of portable recording device' of this chapter). Privately owned BWCs are to be fully charged and have all previous data saved and deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

## ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

This order does not apply to officers using a body worn camera in covert activities which have been authorised by a commissioned officer or as part of an approved investigative or intelligence practice.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, a recording should be commenced as soon as practicable after an officer reasonably believes they may:

- (i) exercise a police power under legislation; or
- (ii) applying a use of force (see [s. 14.3.2](#): 'Situational Use of Force Model (2009)' of the [Operational Procedures Manual](#)).

Where a recording cannot be commenced beforehand, the BWC should be activated as soon as practicable.

When an officer commences a BWC recording, the officer should continue recording until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. guard a crime scene overnight; or
- (iv) senior officer or incident commander directs that a BWC recording can be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

A BWC video recording is not to be made of an unclothed search. An audio recording should be made.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversations; or
- (ii) when the officer reasonably believes it is inappropriate to make a video recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## ORDER

When a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

BWC are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5: 'Interviews using the DERIE system'](#) and [3.15: 'Replay of previous interviews and adoption of written interview'](#) of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

## Reviewing body worn camera footage

Unless directed not to review BWC footage, e.g. critical incident investigations conducted by Ethical Standards Command, officers may review BWC footage to assist their recollection of events and identify further evidence.

BWC footage should be relied upon to better understand the evidence presented in the officer's statement and should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. BWC do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

## Issue and storage of body worn cameras

### POLICY

Officers in charge of stations are responsible for the allocation of Service issued BWCs to individual officers (see 'Support Materials and Reference Guides' on the BWC webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

ORDER

**BWC** are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### Handling and storage of body worn camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

PROCEDURE

**BWC** evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3: 'Storage, retention and production of personal recording device recordings'](#) of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see [Service Manual Definitions](#)) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

### Use of in-vehicle cameras

POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see [s. 15.4: 'Vehicle interceptions'](#) of the [Operational Procedures Manual](#));
- (ii) involved in a pursuit (see [s. 15.5: 'Pursuits'](#) of the [Operational Procedures Manual](#));
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see [s. 15.8: 'Evading police officers'](#) of the [Operational Procedures Manual](#)); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

### Handling and storage of in-vehicle camera recordings

In accordance with the *Information Privacy Act*, video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3: 'Storage, retention and production of personal recording device recordings'](#) of this chapter.

## Section 4: Field audio and video recordings

Requirements for interviewing a person in relation to an indictable offence are stipulated in Chapter 15, Part 3: 'Safeguards ensuring rights of and fairness to persons questioned for indictable offences' of the *Police Powers and Responsibilities Act*, and Schedule 9, Part 5: 'Powers and responsibilities relating to investigations and questioning for indictable offences' of the *Police Powers and Responsibilities Regulation*.

Wherever officers intend to interview a person in relation to a non-indictable offence which may result in the person being charged with an indictable offence, officers should comply with the above mentioned safeguards and responsibilities from the outset.

Guidelines for interviewing a person in relation to an indictable offence (a relevant person) are contained within the Queensland Police Service Interview reference sheet available on the Operational Support web-page on the Service Intranet. Officers should consider applying these same guidelines when conducting field interview recordings in relation to non-indictable offences of a serious nature.

Interviews of relevant persons should, wherever possible, be conducted using the DERIE system (see also [s. 3.5: 'Interviews using the DERIE system,'](#) of this Manual).

### 4.1 Use of portable recording device

Portable recording devices (PRD) (see [Service Manual Definitions](#)) allow officers to collect audio and video recordings away from police stations/establishments. For the purposes of this policy, items such as mobile telephones, laptop computers, computing tablets etc. which include a video/audio functionality are not a portable recording device.

#### POLICY

User-accessible recorder settings have a high degree of impact on the quality of the recording and the capacity for enhancement of the recording. When using an approved PRD officers should:

- (i) when using audio only recorders:
  - (a) use the highest audio quality setting available;
  - (b) prior to the commencement of the interview, confirm the recording quality by conducting and replaying a brief test recording at the interview location; and
  - (c) consider the use of an external (lapel) microphone to improve the audio quality of a recording; and
- (ii) when making video recordings, including using a body worn camera or in-vehicle camera:
  - (a) record with a minimum setting of 640 × 480 pixels, and in standard definition. Due to data transfer and storage requirements, high definition, widescreen or extreme image resolution settings should not be used; and
  - (b) where available, use advanced video features such as automatic exposure or image stabilisation.

Service combined audio and video field recording equipment, with similar operation to the DERIE interview room system, should be the first choice for interviews of relevant persons conducted in a static field environment.

Whenever practicable, other than conducting initial interviews at an incident, PRD should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5: 'Interviews using the DERIE system'](#) and [3.15: 'Replay of previous interviews and adoption of written interview'](#) of this Manual). Such recordings should only be made by officers who have the appropriate training and professional level equipment to perform this task (e.g. scenes of crime officers).

Officers should ensure whenever a PRD is used to record a field record of interview or other matter, the PRD is of sufficient quality to provide a true and accurate record of the event and an intelligible record of all conversations conducted.

#### PROCEDURE

Prior to the use of any recording device, officers should be familiar with the operation and limitations of the equipment. Prior to submitting any audio and/or video material as evidence, the investigating officer should check the quality of the recorded material and ensure the recording format used is suitable for court reproduction. The investigating officer should contact the relevant prosecution agency if required (see also [s. 3.8.15: 'Checking briefs of evidence'](#) of the [Operational Procedures Manual](#)).

### Use of privately owned portable recording devices

#### ORDER

When Service-issued PRDs, including body worn cameras (BWCs) are available, officers are to use those devices in preference to privately owned devices.

Where an officer does not have access to a Service-issued PRD and wishes to use a PRD whilst on duty, the officer is to submit a QP 0984: 'Application to use privately owned portable recording device whilst on duty' to their officer in charge. Where approval is granted, the officer is to:

- (i) ensure the device has been set-up using all available security options, including encryption and password protection to minimise the risk of unauthorised access to recordings on the device;
- (ii) ensure the recording format is compatible with:
  - (a) court recording playback equipment;
  - (b) Service computer equipment; and
  - (c) Service approved storage facilities;
- (iii) ensure any recordings are:
  - (a) whenever practicable, downloaded on a daily basis; and
  - (b) deleted from the device as soon as it has been transferred to a Service approved storage facility; and
- (iv) ensure there is no unauthorised access to, or viewing of recordings made on the device.

Where privately owned PRD are used, the equipment is to be operated in accordance with the provisions of this Manual. Unless exceptional circumstances exist, equipment which does not conform to Service policy or procedures should not be used for the purpose of recording evidence e.g. poor quality PRD and mobile telephones.

Where officers have privately owned Axon Body and Axon Flex BWC, the device is to be operated in 'on-line' mode with all data ingested into Evidence.com either by a BWC docking station or using Evidence SYNC desktop software.

#### POLICY

Where a PRD has been privately purchased by an officer for operational duties, the device should:

- (i) be securely stored when the device is not in use to protect any residual data that may be on device;
- (ii) whenever practicable, not be used for personal activities. As a minimum, a separate data storage device e.g. SD card, should be used for personal activities; and
- (iii) be destroyed or cleansed of all data as is relevant/required when the device has reached the end of its useful life, no longer for operational use, is sold or is otherwise disposed of.

## 4.2 Responsibilities of officers in charge of stations and establishments

#### POLICY

Where digital portable recording devices (PRD) are used by officers carrying out their duties, the retention of digital recordings are to be identified as risks for that work unit's risk management plan (see also [s. 3.6](#): 'Business continuity planning' of the [Management Support Manual](#)). This requirement also applies where an officer has approval to use a privately owned digital PRD whilst carrying out their duties.

The use of privately owned PRD as part of official duties should only be approved if:

- (i) the officer does not have access to Service-issued PRD;
- (ii) application for approval to use the device has been submitted on a QP 0984: 'Application to use privately owned portable recording device whilst on duty';
- (iii) the device is of sufficient quality for its intended purpose;
- (iv) the device conforms with [s. 2.3](#): 'Portable recording device specification guidelines' of this Manual; and
- (v) any third party software associated with the device has been approved in accordance with [s. 4.17.1](#): 'Prevention of computer virus infection' of the [Information Management Manual](#).

The officer in charge may contact the Electronic Recording Section, Forensic Services Group, for assistance in determining the suitability of a privately owned PRD.

#### PROCEDURE

When an officer in charge of a station or establishment makes a decision regarding approval for use of a privately owned PRD, the officer in charge is to complete the approval section of the QP 0984. Where the application is supported, forward the QP 0984 to the Body Worn Camera Project, Community Contact Command.

#### ORDER

Officers in charge are to maintain a station register of officers approved to use privately-owned body worn cameras and in-vehicle cameras for operational duties. The register should record the make/model of the device.

## 4.3 Storage, retention and production of personal recording device recordings

The Service approved storage facility for personal recording device (PRD) recordings is provided by Evidence.com.

## POLICY

Personal recording device recordings, including body worn camera (BWC) (see [s. 4.4](#): 'Body worn cameras' of this chapter) and in-vehicle camera (see [s. 4.5](#): 'In-vehicle cameras' of this chapter) recordings should be uploaded to Evidence.com and deleted from the device on a daily basis. Where evidential recordings cannot be removed from a PRD by the end of shift, the device should be securely stored until the recordings can be uploaded into Evidence.com.

## PROCEDURE

PRD recordings should be uploaded into a Evidence.com in accordance with the:

- (i) BWC Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the BWC webpage on the Organisational Capability Command (OCC) website on the Service Intranet.

Officers should use the correct file naming protocols for the approved storage facility and in accordance with [s. 5.10](#): 'Naming protocols' of this Manual.

Where PRD digital evidence has been recorded at an incident which is recorded on QPRIME, the officer who made the recording should make a relevant notation within the relevant QPRIME occurrence of the fact a PRD recording is available, including any reference numbers or file name.

## ORDER

PRD recordings are to be uploaded:

- (i) into Evidence.com at the termination of the officer's shift, unless exceptional circumstances exist; and
- (ii) saved in full. No editing of the recording is to be made on the PRD prior to saving.

PRD recordings are not to be saved onto privately owned storage facilities e.g. portable hard-drives.

## Retention and production of personal recording device recordings

### POLICY

The Service is bound by the provisions of the [Right to Information Act](#) and the [Information Privacy Act \(IPA\)](#). PRD recordings are a 'document' containing 'personal information' under the IPA and the Service, as an agency for the purposes of the Act, must comply with Information Privacy Principle 4: 'Storage and security of personal information'. Any request to access or view a PRD recording is to be dealt with in accordance with:

- (i) [s. 5.7](#): 'Right to information and privacy' of the [Management Support Manual \(MSM\)](#); or
- (ii) [s. 3.14](#): 'Disclosure of information to defence (relevant proceeding)' of the [Operational Procedures Manual](#).

Personal recording device evidential recordings are to be retained in accordance with [s. 5.5](#): 'Records retention and disposal' of the MSM.

Officers are to comply with:

- (i) [s. 5](#): 'Management of recordings';
- (ii) [s. 6](#): 'Processing and copying of media';
- (iii) [s. 7](#): 'Court presentation'; and
- (iv) [s. 8](#): 'Disposal of recordings',

of this Manual, as appropriate with respect to PRD evidential recordings.

## PROCEDURE

When saved PRD recordings are required for investigation, court production or other lawful purposes, members should comply with the published procedures for retrieving the relevant file/s from Evidence.com (see the BWC 'Support materials and Reference Guides' webpage on the Service Intranet).

## ORDER

PRD recordings made by an officer whilst on duty are the property of the Service, irrespective of whether a Service-issued or privately owned PRD is used.

## Access to Service approved storage facility

To lodge, view or retrieve recordings within Evidence.com, members are granted a user role and access type, which are detailed in the:

- (i) BWC Good Practice Guide; and
- (ii) Support Materials and Reference Guides,

published on the BWC webpage on the OCC website on the Service Intranet.



## POLICY

Officers in charge of police stations/establishments are responsible for managing members' access to the Service approved storage facility.

## PROCEDURE

To receive access to Evidence.com, members are to make application via the ICT Customer Portal.

### 4.4 Body worn cameras

#### Definition

For the purposes of this section:

**'Impractical'** means:

where an incident has commenced or escalated at such a pace an officer has been unable to commence a recording prior to responding, e.g. an officer is assaulted without warning and is required to immediately defend themselves or apply a use of force.

#### Body worn cameras

The use of body worn cameras (BWC) (see [Service Manual Definitions](#)) provides video and audio evidence of officer's interactions with members of the community and can reduce the incidence of violent confrontations, use of force and false or malicious complaints against officers.

BWC provide audio-visual records of an event, however officers are to be aware BWC may not record the full details of an incident and wherever practicable officers should seek secondary evidence such as witnesses or independent video recordings.

#### Use of body worn cameras

Section 609A: 'Use of body-worn cameras' of the [Police Powers and Responsibilities Act](#) authorises officers to use a BWC in the performance of their duties.

## POLICY

Where a Service-issued BWC is available, officers performing operational uniform duties (general duties, road policing, TCS etc.) should wear and use a Service-issued BWC during their shift as appropriate.

Where a Service-issued BWC is not available, officers may make application to use a privately purchased BWC on duty (see [s. 4.1](#): 'Use of portable recording device' of this chapter). Privately owned BWCs are to be fully charged and have all previous data saved and deleted when commencing duty.

Wherever practicable, the BWC should be placed in a location where the lens will not be inadvertently obscured by the officer's normal or tactical actions e.g. reaching for a radio microphone, using a TASER etc.

## ORDER

Body worn cameras are to be used as an overt recording device and are not to be used in covert activities. Officers using BWC are to be clearly identifiable as a police officer i.e. in uniform or if in plain clothes, wearing a 'police' tabard or reflectorised vest.

This order does not apply to officers using a body worn camera in covert activities which have been authorised by a commissioned officer or as part of an approved investigative or intelligence practice.

Officers are to ensure their BWC is operational (buffering) at the commencement of their shift.

Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, a recording should be commenced as soon as practicable after an officer reasonably believes they may:

- (i) exercise a police power under legislation; or
- (ii) applying a use of force (see [s. 14.3.2](#): 'Situational Use of Force Model (2009)' of the [Operational Procedures Manual](#)).

Where a recording cannot be commenced beforehand, the BWC should be activated as soon as practicable.

When an officer commences a BWC recording, the officer should continue recording until the:

- (i) incident is finalised;
- (ii) officer has entered an area where the Service has CCTV installed and operating e.g. a watchhouse;
- (iii) need to record the incident is no longer required, e.g. guard a crime scene overnight; or
- (iv) senior officer or incident commander directs that a BWC recording can be ceased.

Prior to ending the recording, the officer should clearly state the recording will be stopped and the reasons for doing so.

A BWC video recording is not to be made of an unclothed search. An audio recording should be made.

## POLICY

In addition to the order above, officers should make BWC recordings when the:

- (i) recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence; or
- (ii) officer believes the interaction should be recorded.

Officers should not make BWC recordings:

- (i) during routine contact with members of the community (e.g. casual conversations; or
- (ii) when the officer reasonably believes it is inappropriate to make a video recording.

There is no obligation to stop recording because a person does not wish to have a BWC operating.

## ORDER

When a recording is not made whilst exercising a police power or applying a use of force, including for legal or operational reasons, the officer is to make a written record of the circumstances in their official police notebook or other Service record (e.g. QPRIME).

BWC are not to be used:

- (i) in places where a reasonable expectation of privacy exists e.g. changing rooms, toilets etc.;
- (ii) on Australian Defence Force facilities;
- (iii) within the precincts of a court;
- (iv) when a medical procedure may be recorded at a medical facility;
- (v) in a correctional facility where CCTV is operational;
- (vi) in police stations, police establishments or Service vehicles; or
- (vii) to covertly record conversations with other members of the Service,

unless the recording is made in the performance of the officer's official duties.

Service-issued BWCs are not to be used for non-policing activities.

## POLICY

Whenever practicable, other than conducting initial interviews at an incident, BWCs should not be used to conduct formal records of interview with offenders for indictable offences (see [ss. 3.5: 'Interviews using the DERIE system'](#) and [3.15: 'Replay of previous interviews and adoption of written interview'](#) of this Manual).

Whilst initial statements at the time of the incident can be recorded on a BWC, wherever possible, written statements should also be obtained from witnesses for presentation in court.

### **Reviewing body worn camera footage**

Unless directed not to review BWC footage, e.g. critical incident investigations conducted by Ethical Standards Command, officers may review BWC footage to assist their recollection of events and identify further evidence.

BWC footage should be relied upon to better understand the evidence presented in the officer's statement and should only be used to corroborate and not replace evidence from other sources such as officers and witnesses. BWC do not remove the necessity for officers to make written notes or conduct other investigational actions at an incident scene (e.g. request scenes of crime attendance).

### **Issue and storage of body worn cameras**

#### POLICY

Officers in charge of stations are responsible for the allocation of Service issued BWCs to individual officers (see 'Support Materials and Reference Guides' on the BWC webpage on the Community Contact Command website on the Service Intranet).

Officers in charge or shift supervisors should ensure BWC devices are downloaded, memory erased and fully charged if the device is to be reissued to another officer.

#### PROCEDURE

At the termination of an officer's shift:

- (i) Service-issued BWC should be placed in a Service approved storage facility for downloading and recharging; and
- (ii) privately owned BWCs are to be downloaded in accordance with the process for the device and recharged.

## ORDER

BWC are to be securely stored when not in use. This includes BWCs privately owned by an officer but used for operational duties.

### Handling and storage of body worn camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

## PROCEDURE

BWC evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3](#): 'Storage, retention and production of personal recording device recordings' of this chapter.

## 4.5 In-vehicle cameras

In-vehicle cameras (also known as dash-cams) are portable recording devices (see [Service Manual Definitions](#)) which can provide corroborating evidence of motorist's behaviour when a prosecution is commenced. Whilst there has not been a Service-wide introduction of in-vehicle cameras, a number of police stations, establishments and individual officers have purchased devices to assist in the performance of their duties. A number of vehicles fitted with the automatic number plate recognition system include in-vehicle cameras as part of the package.

### Use of in-vehicle cameras

## POLICY

Officers should ensure in-vehicle cameras are installed so that they do not obstruct the vision of the officer driving the police vehicle.

Where practicable, officers should commence in-vehicle camera recording when:

- (i) intercepting a vehicle when an offence is detected (see [s. 10.4](#): 'Vehicle interceptions' of the [Traffic Manual](#));
- (ii) involved in a pursuit (see [s. 10.5](#): 'Pursuits' of the [Traffic Manual](#));
- (iii) the recording might assist in providing a record of evidence which assists in the investigation of an offence or suspected offence, e.g. an evade police offence (see [s. 10.6](#): 'Evading police officers' of the [Traffic Manual](#)); and
- (iv) the officer believes the interaction should be recorded,

and are described as evidential recordings for the purposes of this policy.

Where an evidential recording cannot be commenced beforehand, the in-vehicle camera should be activated as soon as practicable.

If an in-vehicle camera records constantly, recordings made whilst the vehicle is travelling and do not include any evidential value are considered ephemeral and are not required to be retained.

### Handling and storage of in-vehicle camera recordings

In accordance with the [Information Privacy Act](#), video and audio recordings made in the execution of an officer's duty are a 'document' and are to be retained by the Service.

## PROCEDURE

In-vehicle camera evidential recordings should be downloaded to a Service approved storage facility and deleted from the device on a daily basis in accordance with [s. 4.3](#): 'Storage, retention and production of personal recording device recordings' of this chapter.



# General Notification

## **DIGITAL ELECTRONIC RECORDING OF INTERVIEWS AND EVIDENCE MANUAL AMENDMENT ISSUE NO. 4**

Digital Electronic Recording of Interviews and Evidence Manual (DERIE) Amendment Issue No. 4 is effective from 26 June 2015. The updated version of the DERIE Manual will be published electronically on the QPS Corporate Intranet (Bulletin Board) on 26 June 2015.

A summary of the amendments made in this issue can be found within the ['Amendments'](#) section of the DERIE Manual.

Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

---

Message Authorised by A/Inspector Andrew Lake, Officer in Charge, Operational Improvement Unit, Operational Capability Command

QPS RTI&P Unit

**From:** Manning.CaraL[PSBACC] on behalf of SD.Notifications[ICT]  
**Sent:** Friday, 28 August 2015 09:29  
**To:** QPS ALL  
**Subject:** General Notification - New Amendment Issue of Service Manuals



# General Notification

S.73 [Redacted]

S.73 [Redacted]

S.73 [Redacted]

## Digital Electronic Recording of Interviews and Evidence Manual Amendment Issue 5

The Service Manuals Amendment Issues are effective from 28 August 2015 and have been published on the [Service Manuals](#) page of the QPS Corporate Intranet (Bulletin Board).

A summary of the amendments made in each issue can be found within the amendment section of each Manual on the [Service Manuals](#) page.

A new document 'Service Manuals Definitions' has been published, containing a combined list of definitions from each Manual.

Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

Members who have created copies of the Service Manuals on their computer or QLiTE device are to ensure previous versions of the Manuals are deleted and replaced with the latest version.

---

MESSAGE AUTHORISED BY ACTING INSPECTOR, ANDREW LAKE, PRINCIPAL POLICY OFFICER, OPERATIONAL IMPROVEMENT UNIT, ENGAGEMENT PERFORMANCE AND PROCEDURES GROUP, OPERATIONAL CAPABILITY COMMAND

**From:** SD.Notifications[ICT]  
**Sent:** Saturday, 17 October 2015 22:49  
**To:** QPS ALL  
**Subject:** General Notification - Digital Electronic Recording of Interviews and Evidence Manual – Issue No. 6



# General Notification

## Digital Electronic Recording of Interviews and Evidence Manual – Issue No. 6

Digital Electronic Recording of Interviews and Evidence Manual (DERIE) – Issue No. 6 is effective from 16 October 2015. The updated version of the DERIE will be published electronically on the QPS [Service Manuals](#) Intranet Page.

A summary of the amendments made in this issue can be found within the '[Amendments](#)' section of the DERIE.

Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

QPS RTI&P Unit

QPS RTI&P Unit

**From:** Schwarz.Tamiel[PSBACC] on behalf of SD.Notifications[ICT]  
**Sent:** Friday, 18 March 2016 07:22  
**To:** QPS ALL  
**Subject:** General Notification - New Amendment Issue of Service Manuals - S.73  
S.73 / DERIE / S.73



# General Notification

S.73

**DIGITAL ELECTRONIC RECORDING OF INTERVIEWS AND EVIDENCE MANUAL Amendment Issue No. 7**

S.73

S.73

Digital Electronic Recording of Interviews and Evidence (DERIE) Manual Amendment Issue No. 7 S.73 are effective from **18 March 2016**. The updated version of the Sch4p4(6) DERIE Manual S.73 will be published electronically on the Service Intranet on 18 March 2016.

A summary of the amendments made in this issue can be found under 'Amendments' for the relevant Manual on the [Service Manuals](#) page of the Service Intranet.

Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

QPS RTI&P Unit



QPS RTI&P Unit

**From:** Bennett.ElizabethT[PSBACC] on behalf of SD.Notifications[ICT]  
**Sent:** Friday, 30 September 2016 13:36  
**To:** QPS ALL  
**Subject:** General Notification - Service Manual and Handbook Updates, September 2016



# General Notification

S.73  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

## **DIGITAL ELECTRONIC RECORDING OF EVIDENCE AND INTERVIEWS MANUAL Amendment Issue No. 8**

S.73  
[Redacted]  
[Redacted]  
[Redacted]

Evidence (DERIE) Manual Amendment Issue No. 8 are effective from **30 September 2016**. The updated versions of these Manuals will be published electronically on the Service Intranet on 30 September 2016.

A summary of the amendments made in this issue can be found under 'Amendments' for the relevant Manual on the [Service Manuals](#) page of the Service Intranet.

Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

---

MESSAGE AUTHORISED BY A/INSPECTOR SCOTT RAVEN, OFFICER IN CHARGE,  
OPERATIONAL IMPROVEMENT UNIT

**From:** 1300ITPSBA(PSBA)  
**Sent:** Wednesday, 25 January 2017 23:01  
**Subject:** General Notification - OPERATIONAL PROCEDURES MANUAL Amendment



# General Notification

S.73  
[Redacted]  
[Redacted]  
[Redacted]

## DIGITAL ELECTRONIC RECORDING OF INTERVIEWS AND EVIDENCE MANUAL Amendment Issue No. 09

S.73  
[Redacted]

Digital Electronic Recording of Interviews and Evidence (DERIE) Manual Amendment Issue No. 9, are effective from **25 January 2017**. The updated versions of these Manuals will be published electronically on the Service Intranet on 25 January 2017.

A summary of the amendments made in these issues can be found under 'Amendments' for the relevant Manual on the [Service Manuals](#) page of the Service Intranet. Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

QPS RTRP Unit

QPS RTI&P Unit

**Bradshaw.HaleyJe[LD]**

---

**From:** Hutchison.DavidI[ORGCC]  
**Sent:** Friday, 31 March 2017 10:50  
**To:** SC General Notifications  
**Cc:** McCall.RobertJ[ORGCC]  
**Subject:** General Notification - Service Manuals Updates, 31 March 2017

S.73

QPS RTI&P Unit



**General Notification**

S.73

S.73

**DIGITAL ELECTRONIC RECORDING OF INTERVIEWS AND EVIDENCE MANUAL Amendment Issue No. 10**

S.73

Digital Electronic Recording of Interviews and Evidence (DERIE) Manual Amendment Issue No. 10 are effective from **31 March 2017**. The updated versions of these Manuals will be published electronically on the Service Intranet on 31 March 2017.

A summary of the amendments made in these issues can be found under 'Amendments' for the relevant Manual on the [Service Manuals](#) page of the Service Intranet.

Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

---

Message Authorised by Inspector Rob McCall, Officer in Charge, Operational Improvement Unit

**David Hutchison** | Hutchison.DavidI[ORGCC]  
Operational Improvement Unit, Frontline Capability, Organisational Capability Command  
07 3364 6043 (x66043)

QPS RTI&P Unit

**From:** 1300ITPSBA(PSBA)  
**Sent:** Thursday, 24 August 2017 20:47  
**Subject:** General Notification - Publication of Service Manuals Amendment Issue



# General Notification

S.73  
[Redacted]  
[Redacted]

## DIGITAL ELECTRONIC RECORDING OF INTERVIEWS AND EVIDENCE MANUAL Amendment Issue No. 11

S.73  
S.73  
[Redacted], Digital Electronic Recording of Interviews and Evidence (DERIE) Manual Amendment Issue No. 11 and S.73 are effective from **25 August 2017**. The updated version of these Manuals will be published electronically on the Service Intranet on 25 August 2017.

A summary of the amendments made in these issues can be found under 'Amendments' for the relevant Manual on the [Service Manuals](#) page of the Service Intranet.

Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

S.73  
[Redacted]  
[Redacted]

---

MESSAGE AUTHORISED BY INSPECTOR ROB MCCALL, MANAGER, OPERATIONAL IMPROVEMENT UNIT, ORGANISATIONAL CAPABILITY COMMAND.

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ABN 32 164 714 360



Crime and Corruption  
Commission

QUEENSLAND

Our Reference: AD-16-0077 / LH  
Contact Officer: Rebecca Denning

IN-CONFIDENCE

16 May 2017

Queensland Police Service  
Mr Ian Stewart APM  
Commissioner  
GPO Box 1440  
Brisbane QLD 4001

Dear Mr Stewart *lan*

**Re: Suggested Amendments to the QPS Body Worn Camera Policy**

The current trial of the Joint Assessment and Moderation Committee (JAMC) has involved a number of matters where issues relating to body worn cameras (BWCs) have been discussed. One particular issue that has arisen in some cases is the availability of BWC footage in circumstances where officers were faced with events that unfolded quickly or unexpectedly. In these cases, BWC footage either is not available at all or does not fully capture the behaviour of persons prior to police action.

The Crime and Corruption Commission (CCC) notes that Section 4.4 of the Digital Electronic Recording of Interviews and Evidence (DERIE) Manual currently states that:

*Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, the device is to be recording prior to and during the:*

- (i) exercising of a police power under legislation; or*
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the Operational Procedures Manual).*

*Where a recording cannot be commenced beforehand, the BWC is to be activated as soon as practicable.*

The CCC believes that it is not sufficiently clear from this when officers should start recording. In particular, it is not clear exactly how long "prior to" exercising a power or applying a use of force that an officer should activate their BWC. To help increase the likelihood of more complete BWC recordings being made in the kinds of incidents described above, the CCC suggests that this part of the QPS policy should be amended to require officers to start recording when they reasonably expect or anticipate that they may exercise a power or apply a use of force. The CCC suggests the following wording more specifically:





*Unless impractical (see 'Definition' of this section), when an officer is carrying a BWC, the device is to be recording prior to and during the:*

- (i) exercising of a police power under legislation; or*
- (ii) applying a use of force (see s. 14.3.2: 'Situational Use of Force Model (2009)' of the Operational Procedures Manual).*

*A recording should be commenced as soon as practicable after an officer reasonably expects or anticipates that they may exercise a police power or apply a use of force.*

The CCC's view is that this would provide greater clarity to officers about when they should start recording and in turn allow events that unfold quickly or unexpectedly to be captured more often.

The CCC recognises that, regardless of the wording of this part of the policy, when an officer is able to start recording might at times be influenced by the nature of the incident. However, in the context of the JAMC, the CCC believes that attempting to improve the use of BWC in this way is important for ensuring that the JAMC has access to as much information as possible in making its decisions. It may also have benefits in other areas of policing identified by the Queensland Police Service as being improved by BWCs, such as enhanced evidence-gathering for criminal matters.

The CCC would appreciate a response to its suggested amendments by **COB 31 May 2017**. Should the QPS agree to the amendments, the CCC believes these should ideally be implemented prior to the next round of BWC training, but otherwise as soon as practicable.

Should you have any queries, Dr Rebecca Denning, Director, Policy and Research, can be contacted on 3360 6033 or at [Rebecca.Denning@ccc.qld.gov.au](mailto:Rebecca.Denning@ccc.qld.gov.au).

Yours sincerely



**A J MacSporran QC**  
Chairperson

## 14.3 Use of force

For all use of force reporting requirements, in addition to the information contained in this section, see [Appendix 14.8: 'Use of Force Reporting Requirements'](#) of this chapter.

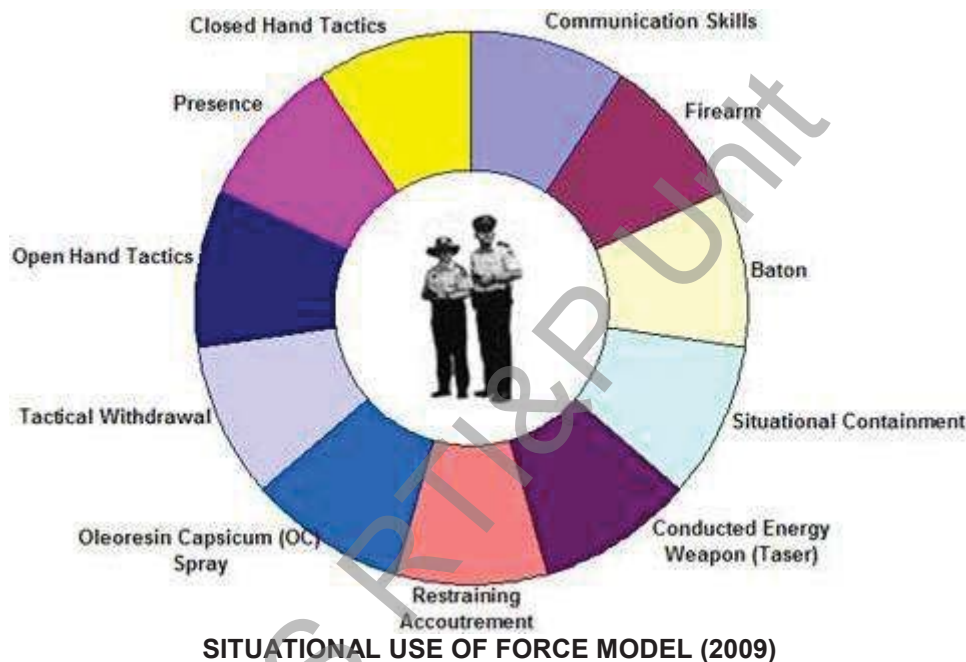
### 14.3.1 Operational Skills and Tactics (OST) training

**Cancelled as of 18 September 2014. See Commissioner's Circular 13/2014.**

### 14.3.2 Situational Use of Force Model (2009)

The Service has adopted a 'Situational Use of Force Model' as a guide to assist police officers and watchhouse officers when dealing with 'use of force' incidents.

The 'Situational Use of Force Model' visually represents a police officer surrounded by the 'use of force' options available to police officers. This model assists the police officer to select the most appropriate option(s) to resolve an incident. The 'Situational Use of Force Model' is not restrictive. Police officers may select other 'use of force' options to escalate or de-escalate the 'use of force', as necessary. With respect to watchhouse officers, the 'Situational Use of Force Model', except for 'firearm', 'conducted energy weapon' and 'baton' use of force options, is available to assist watchhouse officers resolve an incident.



The functions of the Service are contained in s. 2.3 of the *Police Service Administration Act*. Briefly, these are as follows:

- (i) the preservation of peace and good order;
- (ii) the protection of all communities in the State;
- (iii) the prevention of crime;
- (iv) the detection of offences and bringing of offenders to justice;
- (v) the upholding of the law generally;
- (vi) the administration, in a responsible, fair and efficient manner and subject to due process of law and directions of the Commissioner; and
- (vii) the provision of services, and the rendering of help reasonably sought, in situations of emergency or otherwise.

The Service has adopted the philosophy of 'Consider all Options and Practise Safety' (COPS). Police officers and watchhouse officers should embrace this philosophy when dealing with incidents which may require the use of force.

Police officers and watchhouse officers should consider all the 'use of force' options available to them and all the circumstances of an incident when determining the most appropriate 'use of force' option(s) to be used.

Police officers and watchhouse officers should bear in mind that all 'use of force' applications must be:

- (i) authorised;
- (ii) justified;
- (iii) reasonable / proportionate / appropriate;

- (iv) legally defensible; and
- (v) tactically sound and effective.

In this regard:

- (i) police officers should consider the provisions of ss. 615: 'Power to use force against individuals' and 616: 'Power to use force against individuals in critical situations' of the *Police Powers and Responsibilities Act* and s. 283: 'Excessive force' of the *Criminal Code*; and
- (ii) watchhouse officers should consider the provisions of ss. 652: 'Power to use force against individual at watchhouse'; 653: 'Power to use force—transfer etc. of person in custody to or from court cell or other place' and 612: 'Assistance in exercising powers' of the *Police Powers and Responsibilities Act* and s. 283: 'Excessive force' of the *Criminal Code*.

Police officers and watchhouse officers should also consider the following factors when selecting a 'use of force' option:

- (i) the physical attributes of the person concerned as opposed to the police officer or watchhouse officer;
- (ii) the circumstances and location of the incident;
- (iii) the possibility that the police officer or watchhouse officer may be required to increase or decrease the initial 'use of force' option as the situation changes;
- (iv) the possibility of injury to the police officer or watchhouse officer;
- (v) the possibility of injury to the person concerned;
- (vi) the possibility of injury to other persons;
- (vii) in the case of police officers, the requirement to act quickly and professionally (having made the decision to make an arrest) to prevent an escalation of an incident; and
- (viii) the requirement for decisions made by police officers and watchhouse officers to satisfy the 'SELF Test' (see the 'SELF Test' decision making model on the QPS Corporate Intranet (Bulletin Board)).

There is a danger of causing injury or death to a person by the application of some 'use of force' options. Therefore, police officers and watchhouse officers should exercise due care at all times when using any of these options.

### 14.3.3 Neck restraint holds

Neck restraint holds are an Open Hand Tactics 'use of force' option.

There are two basic types of neck restraint holds. These are the:

- (i) the respiratory neck restraint hold (choke hold) which applies pressure directly to the trachea (wind pipe) and establishes subject control through the principles of pain and strangulation. A properly applied respiratory neck restraint is likely to cause serious bodily harm or death and therefore is considered a 'lethal force' option (see 'Definitions' of this Manual); and
- (ii) vascular neck restraint hold (carotid neck restraint) which applies pressure to the sides of the neck (i.e. compression of the carotid arteries, jugular veins and carotid bulb) resulting in a decrease of blood supply to the brain and leading to altered levels of consciousness. The objective of this technique is to establish subject compliance either voluntarily or involuntarily. When properly applied, a lateral vascular neck restraint hold is unlikely to cause death or serious injury, and therefore is considered a 'less than lethal force' option (see 'Definitions' of this Manual).

The Chief OST Instructor is to ensure lateral vascular neck restraint holds are taught to police officers as part of OST training on a regular basis.

#### POLICY

Police officers should not use lateral vascular restraint holds unless acting or aiding in self-defence.

Officers should not to use lateral vascular neck restraints on:

- (i) the elderly;
- (ii) children;
- (iii) persons with Down's syndrome;
- (iv) pregnant women; or
- (v) persons with an obvious or suspected head or neck injury.

#### PROCEDURE

Officers applying a lateral vascular restraint hold are to:

- (i) apply the hold from behind the subject person only;

## Continual threat assessment

During any interaction, officers are to conduct a continual threat assessment. This means considering any **person, object or place** which could put the officer (or others) at risk, and understanding that in all situations every person, object or place falls into one of two categories. These categories are:

- (i) high risk, which refers to an obvious risk such as attending an armed robbery call or responding to a person armed with a weapon; and
- (ii) assessed risk, which refers to a situation where an officer has assessed a person, object or place and considers a response based on the circumstances, the information known at the time and the officer's previous experience and training.

### 14.3.1 Decision-making and planning the approach

#### POLICY

Prior to attending an incident, officers should plan an approach that allows for the minimum use of force necessary to be applied, in order to resolve the incident.

Whilst attending an incident, officers should conduct continual threat assessments, and continually re-assess plans, to make sound decisions about management of an incident and application of appropriate situational use of force. The safety of the general public, police and any individual/s subject to a use of force situation should be considered during the decision-making process.

Officers may develop an Incident Action Plan (IAP) by applying relevant elements of the ICENRIRE incident management model (see s. 1.12.7: 'Incident Action Plans' of this Manual).

At all times, the mission priority should be at the centre of planning and the decision-making process.

Planning includes, but is not limited to:

- (i) gathering information and intelligence;
- (ii) assessing threats and developing a working strategy;
- (iii) considering powers and policy;
- (iv) identifying options and contingencies; and
- (v) engaging appropriate resources.

Physical force should only be used as an operational necessity when other options have failed or have been assessed as being inappropriate for the circumstances.

### 14.3.2 Situational Use of Force Model (2016)

#### POLICY

The Service has adopted a 'Situational Use of Force Model' as a guide to assist police officers and watchhouse officers when dealing with incidents requiring the use of force.

The 'Situational Use of Force Model' visually represents the use of force options available to police officers, with communication central to all available options. Officers are to be aware that communication skills includes consideration and application of both verbal and non-verbal communication.

The 'Situational Use of Force Model' is not restrictive. Officers may select other use of force options to escalate or de-escalate the use of force, as necessary. When applying any use of force option officers should communicate effectively with all involved people, with the aim of de-escalation of the incident and/or resolution of the incident with minimum amount of force used. De-escalation means decreasing the magnitude, identified risks and/or intensity of a situation, with an aim to avoid or minimise the use of physical force.

# Situational Use of Force Model (2016)

*Use the minimum amount of force necessary to safely resolve an incident*



## Use of force considerations

The functions of the Service are contained in s. 2.3 of the *Police Service Administration Act*. Briefly, these are as follows:

- (i) the preservation of peace and good order;
- (ii) the protection of all communities in the State;
- (iii) the prevention of crime;
- (iv) the detection of offences and bringing of offenders to justice;
- (v) the upholding of the law generally;
- (vi) the administration, in a responsible, fair and efficient manner and subject to due process of law and directions of the Commissioner; and
- (vii) the provision of services, and the rendering of help reasonably sought, in situations of emergency or otherwise.

## POLICY

The Service has adopted the philosophy of 'Consider all Options and Practise Safety' (COPS). Police officers and watchhouse officers should embrace this philosophy when dealing with incidents which may require the use of force.

Police officers and watchhouse officers should consider all the 'use of force' options available to them and all the circumstances of an incident when determining the most appropriate 'use of force' option(s) to be used.

Police officers and watchhouse officers should bear in mind that all 'use of force' applications must be:

- (i) authorised;
- (ii) justified;
- (iii) reasonable / proportionate / appropriate;
- (iv) legally defensible; and
- (v) tactically sound and effective.

In this regard:

(i) police officers should consider the provisions of ss. 615: 'Power to use force against individuals' and 616: 'Power to use force against individuals in critical situations' of the *Police Powers and Responsibilities Act* (PPRA) and s. 283: 'Excessive force' of the *Criminal Code*; and

(ii) watchhouse officers should consider the provisions of ss. 652: 'Power to use force against individual at watchhouse'; 653: 'Power to use force—transfer etc. of person in custody to or from court cell or other place' and 612: 'Assistance in exercising powers' of the *PPRA* and s. 283: 'Excessive force' of the *Criminal Code*.

Police officers and watchhouse officers should also consider the following factors when selecting a 'use of force' option:

- (i) the physical attributes of the person concerned as opposed to the police officer or watchhouse officer;
- (ii) the circumstances and location of the incident;
- (iii) the possibility that the police officer or watchhouse officer may be required to increase or decrease the initial 'use of force' option as the situation changes;
- (iv) the possibility of injury to the police officer or watchhouse officer;
- (v) the possibility of injury to the person concerned;
- (vi) the possibility of injury to other persons;
- (vii) in the case of police officers, the requirement to act quickly and professionally (having made the decision to make an arrest) to prevent an escalation of an incident; and
- (viii) the requirement for decisions made by police officers and watchhouse officers to satisfy the 'SELF Test' (see the 'SELF Test' decision making model on the *Service Intranet*).

There is a risk of causing injury or death to a person by the application of some 'use of force' options. Therefore, police officers and watchhouse officers should exercise due care at all times when using any of these options.

### **Communication**

Communication includes the application of both verbal and non-verbal communication skills. Officers should, in aiming to de-escalate any conflict situation, use calm and even communication with a view towards negotiation rather than use of force. Effective communication involves engagement and trying to establish a connection with another person. Examples of effective communication skills in this context can include:

- (i) calling the person by their name;
- (ii) asking open-ended and clarifying questions;
- (iii) taking steps to put the person at ease;
- (iv) trying different approaches to making a connection; and
- (v) explaining what you're doing.

### **Situational containment**

Situational containment is the process of assessing a situation and identifying the hazards, potential risks, threat levels and the likelihood of situation escalation. Situational containment maintains control through containment of a threat within a cordoned area whilst minimising the threat of escape and any potential triggers of escalation or expansion.

### **Tactical repositioning**

Tactical repositioning is a decision to move to an alternate position when faced with a real and present danger in order to allow officers to tactically plan and assess a response to an incident. Tactical repositioning may enhance control and safety without providing a significant advantage to the threat and can include withdrawing, creating distance, advancing or moving to cover.

### **Other resources**

Other resources is the use of improvised equipment, items, weapons or personnel necessary to effectively resolve an incident, in accordance with the provisions of this section, where application of standard options is not appropriate or available. This may include the activation of specialist units or personnel (e.g. SERT, EORT, negotiators), the use of their methodologies, tactics and equipment. Other resources may also include obtaining assistance from agencies or authorities external to the QPS to assist in resolving the incident (e.g. QFES, health professionals etc.).

## **14.3.3 Open hand tactics**

Open hand tactics are skills that may be used by officers when control of a policing situation cannot be achieved otherwise. Open hand tactics equip officers with a range of operational skills and tactics which assist officers in performing their functions safely, efficiently and effectively. Application of these tactics may allow officers to achieve and maintain control of a subject or policing situation.

Open hand tactics may include but are not limited to:

## Continual threat assessment

During any interaction, officers are to conduct a continual threat assessment. This means considering any **person, object or place** which could put the officer (or others) at risk, and understanding that in all situations every person, object or place falls into one of two categories. These categories are:

- (i) high risk, which refers to an obvious risk such as attending an armed robbery call or responding to a person armed with a weapon; and
- (ii) assessed risk, which refers to a situation where an officer has assessed a person, object or place and considers a response based on the circumstances, the information known at the time and the officer's previous experience and training.

### 14.3.1 Decision-making and planning the approach

#### POLICY

Prior to attending an incident, officers should plan an approach that allows for the minimum use of force necessary to be applied, in order to resolve the incident.

Whilst attending an incident, officers should conduct continual threat assessments, and continually re-assess plans, to make sound decisions about management of an incident and application of appropriate situational use of force. The safety of the general public, police and any individual/s subject to a use of force situation should be considered during the decision-making process.

Officers may develop an Incident Action Plan (IAP) by applying relevant elements of the ICENRIRE incident management model (see [s. 1.12.7](#): 'Incident Action Plans' of this Manual).

At all times, the mission priority should be at the centre of planning and the decision-making process.

Planning includes, but is not limited to:

- (i) gathering information and intelligence;
- (ii) assessing threats and developing a working strategy;
- (iii) considering powers and policy;
- (iv) identifying options and contingencies; and
- (v) engaging appropriate resources.

Physical force should only be used as an operational necessity when other options have failed or have been assessed as being inappropriate for the circumstances.

### 14.3.2 Situational Use of Force Model (2016)

#### POLICY

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The 'Situational Use of Force Model' visually represents the use of force options available to police officers, with communication central to all available options. Officers are to be aware that communication skills includes consideration and application of both verbal and non-verbal communication.

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Open hand tactics may include but are not limited to:

**From:** Beattie.Angus[PSBAIT] on behalf of SD.Notifications[ICT]  
**Sent:** Friday, 12 December 2014 00:05  
**To:** QPS ALL  
**Subject:** General Notification - Operational Procedures Manual Amendment Issue No. 46



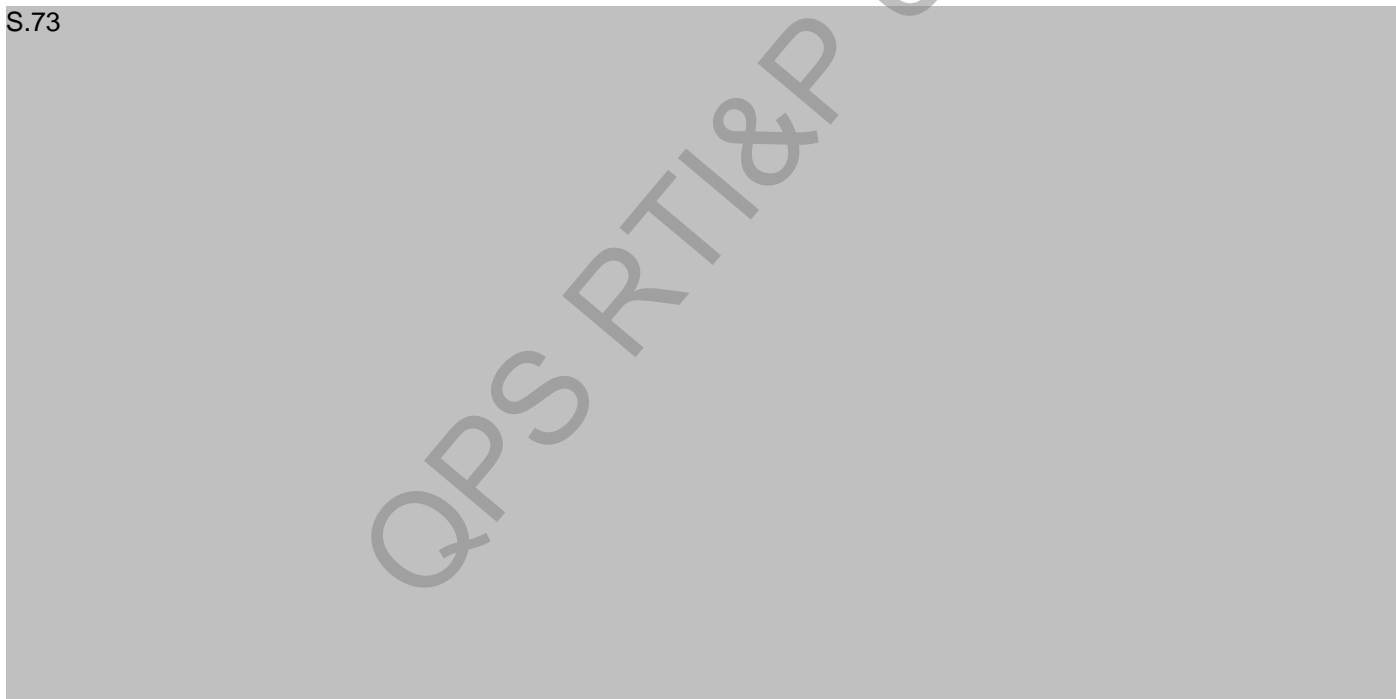
# General Notification

## **OPERATIONAL PROCEDURES MANUAL AMENDMENT ISSUE NO. 46**

Operational Procedures Manual (OPM) Amendment Issue No. 46 is effective from 12 December 2014. The updated version of the OPM will be published electronically on the QPS Corporate Intranet (Bulletin Board) on 12 December 2014.

A summary of the amendments made in this issue can be found within the '[Amendments](#)' section of the OPM.

S.73



Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

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MESSAGE AUTHORISED BY INSPECTOR BRIAN ROGERS, OFFICER IN CHARGE,  
OPERATIONAL IMPROVEMENT

**From:** 1300ITPSBA(PSBA)  
**Sent:** Saturday, 1 July 2017 10:39  
**Subject:** General Notification - Operational Procedures Manual Amendment Issue 58.2



# General Notification

## **OPERATIONAL PROCEDURES MANUAL Amendment Issue No. 58.2**

Operational Procedures Manual (OPM) Amendment Issue No. 58.2, incorporating Commissioner's Instructions 3/2017: 'Situational Use of Force' S.73

, is effective from **1 July 2017**. The updated versions of the OPM will be published electronically on the Service Intranet on 30 June 2017.

A summary of the amendments made in these issues can be found under 'Amendments' for the relevant Manual on the [Service Manuals](#) page of the Service Intranet.

Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

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MESSAGE AUTHORISED BY INSPECTOR STEVEN MUNRO, PORTFOLIO ENGAGEMENT,  
ORGANISATIONAL CAPABILITY COMMAND.

QPS R1&P Unit

**From:** 1300 IT PSBA(PSBA)  
**Sent:** Friday, 28 September 2018 17:09  
**Subject:** General Notification - Service Manuals Update, 28 September 2018



# General Notification

## OPERATIONAL PROCEDURES MANUAL Amendment Issue No. 66

S.73



Operational Procedures Manual (OPM) Amendment Issue No. 66, S.73

are effective from **28 September 2018**. The updated version of these Manuals will be published electronically on the Service Intranet on 28 September 2018.

A summary of the amendments made in these issues can be found under 'Amendments' for the relevant Manual on the [Service Manuals](#) page of the Service Intranet.

Officers in charge are to note the contents of this message and bring them to the notice of all members under their control.

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MESSAGE AUTHORISED BY INSP. GEOFF SMART, A/OFFICER IN CHARGE, OPERATIONAL IMPROVEMENT UNIT, ORGANISATIONAL CAPABILITY COMMAND.

Notification Ref #**204827**