

# **Report on Evaluation of the NSW Police Force Body - Worn Camera Phase 2 Implementation**

Prepared by:

Dr Amanda Davies

Charles Sturt University

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## 1.0 Executive Summary

An evaluation of the NSWPF Phase 2 BWC deployment has been conducted to develop an understanding of this initiative on key areas of impact for the NSW Community, NSW Legal Profession and Judiciary, NSW Multicultural Community Groups, NSW Victims of Crime and NSWPF Officers and NSWPF Commanders.

The report offers two major themes, firstly the quantitative metrics associated with each objective and secondly insight into the reality of the operational experience of the impact of the deployment of BWCs for NSW policing.

The research indicates positive trends across all categories examined. Whilst the report also indicates potential areas for consideration and further action, these do not reduce the positive impact being experienced by the organisations, community members, NSWPF members, advocacy groups who contributed to the research in this report.

An important feature of this report is the widespread capture of data from the many and varied groups impacted by the implementation of BWCs for policing in New South Wales. Such diversity enables validation of the data from multiple perspectives and establishes credibility of the indicative trends.

The findings in this report when combined with the NSWPF Financial metrics data for the BWC project contribute to a comprehensive evaluation of this important organisational initiative.

The following points are expanded on in the following Section 2.0 'Major findings expanded' and the analysis and presentation of data is located in the respective sections of this report.

### 1.1 Indicative trends summary

1. **Positive endorsement** for NSWPF BWCs by NSW Community members, NSW Legal, Judiciary, Multicultural, Victims of Crime representatives for the emerging benefits afforded for policing and associated areas of influence as a contributor to: **increasing community / police relations, accountability and safety;**
2. NSWPF BWCs are contributing to a **reduction in sustained complaints against NSWPF members;**
3. NSWPF BWCs are contributing to **an increase in successful NSWPF prosecutions where BWCs are present;**
4. NSWPF BWCs are contributing to **increased efficiency in the NSWPF prosecution process** due to increase in early guilty pleas;
5. NSWPF Officers are reporting the presence of BWCs is contributing to **improved behaviour by the general public, including de-escalating levels of aggression and assault;**
6. **NSWPF Officers** are reporting the presence of BWCs is contributing to an **increase in confidence and security in attending incidents with violent behaviour;**
7. **Positive endorsement** for the BWCs in **supporting Victims of Crime in the judicial process;**
8. **Positive endorsement** for the BWCs **contribution to NSWPF prosecution cases of a Domestic Violence nature;**
9. NSWPF Officer **concerns with technical instability** of the BWCs and associated componentry – specifically:
  - a. Vulnerability of the on/off switch;
  - b. Vulnerability/instability of docking processes; XXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX d. Vulnerability/instability of BWC attachment clips; e. Vulnerability/instability of BWC upload/download software causing loss of footage;

10. NSWPF Officer **concerns with experienced inconsistency of Standard Operating Procedures** related to the required presentation of BWC evidence for prosecution and judicial proceedings;

11. NSWPF Officer identification for NSWPF **consideration for BWCs to replace DVEC** cameras for evidence capture, including statements when attending domestic violence related incidents.

## 1.2 Future considerations summary

The following future considerations are developed from the key areas identified as having the potential to contribute to enhancing the NSWPF implementation of BWCs initiative. An underpinning theme for 8 of the 9 future considerations is for an increase in the communication between the NSWPF and the general public and within the NSWPF. The communication channels and content varies dependent on the audience. The major consideration here is that communication is revealed as a key to enhanced success, adoption and advocacy of the use of BWCs for policing in New South Wales.

The NSWPF on initial review of the Future Considerations has offered an early response to the Future Considerations which is included at Addendum 1, Section 12.

### 1. Public Information

Develop a strategy to:

- (a) increase communication with the public to guide where to find information regarding the use of BWCs by the NSWPF ( i.e. direct to the NSWPF public facing website)
- (b) increase the detailed information on the public facing NSWPF website as to the key authorised process for use of BWCs and footage by NSWPF Officers;

### 2. Standardization of NSWPF Prosecution requirements of BWCs

Develop a strategy with associated processes to:

- (a) standardize the NSWPF Prosecutor requirements in relation to inclusion of BWC footage for prosecution proceedings. The development of strategy to be inclusive of consultation with the NSW Judiciary;
- (b) Increase the communication content and frequency with NSWPF officers to advise of updates related to progress in the development of standardized policies and protocols for inclusion of BWC footage for prosecution proceedings.

### 3. Communication currency and NSWPF officer support for BWC operations

Develop a strategy to include on the NSWPF Intranet site:

- (a) Communication alerts to NSWPF Officers when updates in relation to Standard Operating Procedures and other relevant BWC operational information is released – to increase currency of knowledge across the organization;
- (b) Open access channel for NSWPF officers to submit questions to assist their BWC operation ( e.g. a live FAQ site monitored by a BWC.

### 4. Training support and reference resource

Develop a strategy to maximise the benefits of the BWCS through:

- (a) developing an end to end step by step best practice training videos for the use of BWCs which includes all potential actions e.g. Undocking BWC process, filming processes, re-docking, uploading / downloading, tagging, preparation of material for Brief of Evidence (in line with



(b) the training videos to be stand-a-alone for each step, creating the potential for a resource library which enables officers to access specific steps for reference and enables ease of replacement with updates as they occur.

Develop a strategy to demonstrate the positive impact of the BWCs for NSW policing through:

- ## 6. Examine the potential to enable the BWC to replace the DVEC

- (a) examine the potential to enable the BWC to replace the DVEC camera for recording evidence related to domestic violence related incidents;
- (b) communicate initiatives and status of the progress to the NSWPF Officers ( NSWPF Intranet site)

Develop a strategy to:

- ## 8. Continuous monitoring of the impact of the BWCs for NSWPF operations

As the utilization of BWCs by the NSWPF matures additional valuable insights and trends will emerge that offer a contribution to quality assurance and continuous improvement for the NSWPF.

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## 2.0 Major Findings Expanded

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### 2.1 Objective 1 Identify the impact of the implementation of NSWPF Body Worn Camera use on NSW Community and NSW Police Force relations

Analysis of the data attributed to Objective 1 – Identify the impact of the use of BWCs by NSWPF Officers on relations between NSWPF Officers and the NSW Community revealed the following trends:

- **A positive impact on change in police/ citizen relations.** The perspective of the NSW Community, NSWPF Officers and Victims of Crime Advocacy Group representatives recorded a 60.29%, 52.4% and 76.67% respectively, level of agreement on this element premised on:
  - Increase in transparency of actions and accountability of NSWPF Officers and members of the public
- **A positive level of endorsement for the use of BWCs by NSWPF Officers** across community based groups, NSWPF Commanders and Officers, NSW judicial system representatives (Local Court Magistrates, Legal Professionals, NSWPF Prosecutors) and Victims of Crime Advocacy Group representatives premised on:
  - The protection it provides for NSWPF Officers and community members against false allegations;
  - Accuracy of evidence for the judicial process (charges and court hearings)
  - An increase in more appropriate public behaviour /compliance with NSWPF Officers (60% level of agreement)
  - The BWCs are a deterrent to potential offenders. NSW Community Members and NSWPF Officers recording a 72.33% and 64.44% respectively level of agreement on this factor

All groups represented recorded within a 85% to 100% range level of positive endorsement for the NSWPF deployment of BWCs;

- **A positive level of agreement the use of BWCs by NSWPF Officers is necessary** for policing in NSW. NSW Community members, NSWPF Commanders and Officers, NSW judicial system representatives (Local Court Magistrates, NSW Legal professionals, NSWPF Prosecutors), Victims of Crime Advocacy Group representatives and members of multicultural community groups collectively and consistently agreed the use of BWCs by NSWPF Officers was in contemporary society a necessity. This perspective premised on the transparency and accountability their use offers for the actions of NSWPF Officers and members of the public.

All groups recorded within a 85.5% to 100% level of positive agreement on this aspect of BWC deployment for NSW policing;

- **The major concern identified with the deployment of BWCs for use by NSWPF Officers is the limited public information** available and or distributed in relation to the NSWPF BWC initiative. Notably, the data indicates a range of 50% - 82.8% of NSW Community members, NSW Victims of Crime Advocacy Group representatives suggested information was available to them. These metrics are not strongly supported by comments from NSW Community members or multicultural community group members, both groups identifying the limited information creates a negative perspective on the introduction of the BWCs for NSW policing.

## 2.2 Objective 2 Identify the implications of the use by the NSWPF of BWCs on evidentiary material for prosecution proceedings

The data analysis for Object 2 Identify the implications of the use by the NSWPF of BWCs of evidentiary material for prosecution proceedings revealed substantial positive trends as follows:

- **Trending increase in guilty pleas vs not guilty pleas when BWCs present** – 45% of NSWPF Officers, 56% of NSWPF Prosecutors, 53.57% of NSPF Legal Profession supporting the suggested trend. NSWPF metrics data indicating 9.1% increase trend e.g. NSWPF Transport Command increase of 5.7%;
- **Trending increase in quality of evidentiary material for Briefs of Evidence** – 96.15% NSWPF Prosecutors, 82.76% NSW Legal Profession and 80.65% Victims of Crime Advocacy Groups agree with the trend;
- **Trending increase in rate of successful NSWPF Prosecutions** most notably for Violent Crime (82.3% and Safety on Public Transport 82.5%);
- **Major areas of contribution to evidentiary material by BWCs includes:**
  - Reduces opportunity for error of recall
  - Reduces trauma for victim of crime
  - Provides protection for victim of crime
  - Independent reliable witness
  - Illustrates real time situation and environment of crime
  - Provides protection for decisions and actions of NSWPF Officers;
- **Major areas of concern with BWCs in relation to contribution to evidentiary material** and judicial process includes:
  - Transcription of audio increases NSWPF Officer and Prosecutor time devoted to individual cases;
  - Transcription of audio being undertaken by untrained personnel leading to potential error;
  - BWC footage not available in an efficient and timely manner – contributing to the subsequent delay in judicial proceedings
  - Experienced inconsistencies of NSWPF Officers in relation to Standard Operating Procedures for compliance with NSWPF Prosecutors' requirements of BWC footage and inclusion in Briefs of Evidence and the judicial process;
  - Delays in transcription + delays in footage being presented in court;
  - Limitations in relation to technology available within courts to view the BWC footage;
  - Length of time required to view footage in court
  - Pursuit of cross examination by Defence Counsel of NSWPF Officers when evidence is on BWC footage;
  - Pursuit of Not Guilty pleas when evidence of offence is on the BWC footage

## 2.3 Objective 3 Identify the impact of the use of NSWPF BWCs on injuries / assault to NSW Police Force Officers

The data collected and analysed for Objective 3 Identify the impact of the use of BWCs on injuries / assault to NSW Police Force Officers revealed a range of positive trends. This area of evaluation requires a longitudinal framework to more adequately validate the early inductive trends emerging from the data which includes:

- **NSWPF Officers (35.62%) on the frontline were experiencing a positive change in behaviour and assault police incidents;**
- **NSWPF Officers (57%) identified experiencing an increase in compliant behaviour by community members;**
- **NSWPF Officers (63.04%) agree the BWCs are a deterrent to potential offenders**
- **NSWPF Officers (50.65%) agree when wearing BWCs they had an increased level of confidence and security attending incidents of violent behaviour**

Overall key benefits:

- **Increase in evidence of assault police incidents for progressing prosecution proceedings;**
- **Indictive trend of NSWPF Officers experiencing a reduction in the level of aggression at police/citizen incidents**
- **Indicative trend of increased compliant behaviour by community members may show a reduction in rate of assault police incidents over time**

These positive trends are counterbalanced by the preliminary NSWPF metrics data which indicates:

- **Increase of assault police incidents when BWCs are present, 0.10% to .46%.**

A level of caution is to be applied in consideration of the NSWPF metric data due to (a) the limited period over which the data has been gathered and therefore a consistent trend is not yet validated and (b) the numerous additional factors which influence situations of assault police which are beyond only the presence of BWCs.

## 2.4 Objective 4 Identify the impact of the use of BW”Cs on complaints against NSWPF Officers

The evaluation of the Phase 2 NSWPF implementation of BWCs has revealed similar trends as those reported for the Phase 1 implementation. The evaluation of Phase 2 has enabled evaluation of an extended period of time over which to gather relevant data of a metric nature, the lived experience of the front line officers, their colleagues and NSWPF Commanders and the impact of BWCs on the level of complaints submitted by members of the public.

The key findings from analysis of the data indicates utilisation of BWCs by the NSWPF offers the following:

- **Positive impact on efficiency of complaint management process including initial triaging**
- **Positive impact on staff morale**
- **Positive impact on staff resourcing of the complaint management process**
- **Positive impact on identifying and managing NSWPF Officer training intervention and remediation**
- **Positive impact on increase in NSWPF Officer confidence of benefits of BWCs**
- **Protection for NSWPF Officers and members of the public from unlawful actions and unsubstantiated complaints respectively**

In support of these findings are the substantial NSWPF metrics data for outcomes of complaints submitted against NSWPF Officers trends. Specifically:

**An increase in declined complaints in the period June 2018 – Mar 2019 from 225 to 300**

**An increase in the number of complaints not sustained June 2018 – Mar 2019 from 81 to 92**

**A reduction in the number of sustain complaints June 2018 – Mar 2019 from 109 to 81**

The data suggests there continues a level of concern expressed by NSWPF Officers and their concerns observed by NSWPF Commanders that the BWCs are a source of monitoring of Officer behaviour. This is a reality, and the data suggests it is not a purposeful negative intent, rather as a training intervention and remediation approach. In addition, the data further suggests as the benefits of the BWCs in the complaint management process are increasingly identified and disseminated to officers, there is the potential for further acceptance of the benefits of the BWCs in this area of managing operational policing.

## 2.5 Objective 5 Identify the impact of NSWPF BWCs on Victims of Crime

The data analysed to contribute a response to Objective 5 Identify the impact of the use of BWCs by NSWPF on Victims of Crime was sourced in the main from NSWPF Officers and Victims of Crime Advocacy Representative Groups. Appreciatively, there are challenges in sourcing direct data from Victims of Crime and the contribution to this evaluation report from the Victims of Crime Advocacy Group Representatives in NSW is invaluable.

On the international policing research, policy and practice platforms there is limited published material which offers the 'other side/party's view, specifically victims of crime. It is encouraging to identify the analysis of data from 'both sides' in this evaluation project resonate with each other and both record high levels of positivity.

In the main the data has focused on crimes of a domestic violence nature and the impact of the BWCs on domestic violence incidents and victims.

The data suggests:

- **A positive trend for the advantage to Victims of Crime with the implementation of BWCs ( 80.65%)**
- **A positive trend for the impact of the BWCs in assisting resolution of domestic violence incidents ( 72.41%)**
- **A positive trend for the impact of the utilization of BWCs on NSWPF police/VOC relations (76.67%)**
- **A positive trend for the impact of BWCs in influencing a positive change in domestic violence incidents (36.33%)**
- **A positive trend for the impact of BWCs in influencing a positive change for victims of domestic violence incidents (23.69%).**

The key areas of influence of the BWCs for domestic violence incidents and victims included:

### **Positive influence:**

- Captures admissions on BWCs at the scene
- Establishes accurate record of injuries and emotions at the incident
- Establishes increased and accurate evidence which assists victims in court
- Establishes evidence which assists in court when a victim retracts
- Reduces stress and trauma for victim having to recount details and incident
- Contributes to provision of evidence leading to potential increase in arrest rates
- Enables avenue for victims who are more prepared to talk to BWC than DVEC
- Contributes to changes of behaviour of offenders in some cases

The data suggests NSWPF Officers recording a rate of 72.36% for no change for domestic violence victims as a result of BWC deployment. There are a multitude of potential influencing factors on which this response is premised. The data does indicate the following areas which impact negatively on realising benefits of the BWC for domestic violence incidents and victims:

### **Negative influence:**

- The switching required due to SOPS between DVEC and BWC has a tendency to reduce Officer use
- Adds distress to victim to require recording on DVEC if they have previously been recorded on BWC
- Sensitivity of incidents reduces victims' comfort at being recorded

An area of concern for the NSWPF Officers is the requirement for two separate recording devices to be operated at a domestic violence incident i.e BWCs and the DVEC camera. The depth of the concern related to this issue places it at the forefront of future consideration for policy and procedures for the NSWPF in consultation with associated legal and judicial parties.

## 2.6 Objective 6 Identify the impact of BWCs on NSWPF Officer Performance of duties

The analysis of data for Objective 6 Identify the impact of BWCs on NSWPF Officer performance reflects the intrinsic nature of the use of BWCs in police work which creates an interdependence and influence of their use by Officers which ranges from potential scrutiny of their professionalism, accountability and legitimacy to the many associated decisions and actions Officers perform on a daily basis.

The overwhelming response from NSWPF Officers and NSWPF Commanders was for positive level of endorsement of the professionalism of NSWPF Officers prior to the introduction of BWCs. This is reflected in the post BWC implementation data which suggests a positive change in the level of professionalism. It is important to note, the change refers in the main to an increase in awareness of utilising accurate NSWPF procedures, communications and actions when interacting with members of the public.

In analysis of the NSWPF Officer survey data, the negative indicators are suggestive of two areas of concern (1) fear of scrutiny of their performance (2) the limiting influence of the presence of BWCs on the natural communication progress between officers and members of the public.

- **NSWPF Officers suggesting a 41.52% positive change in their individual performance**
- **NSWPF Officers suggesting a 43.8% positive change in their colleagues performance**
- **A minimal level of negative performance at 2% (Individual Officer) and 4.88% ( Officers' colleagues)**

The encouraging positive trend emerging from the NSWPF Commander interviews is the observation as the BWCs are utilised more extensively and contribute to positive outcomes for the NSWPF Complaint Management Process the greater the acceptance of the BWCs for their potential benefits for NSWPF Officers and their work. The implication of this potential trend reducing the level of negative change in performance.

The positive indicative trends in relation to the impact of the BWCs on the NSWPF Officers performance from NSWPF Officer, NSWPF Commanders and NSW Community members include:

- **Increase in confidence**
  - **BWC provides protection/safety**
  - **Increased physical safety for Police and Public**
  - **Increased evidence for false allegations for Police and Public**
- **Awareness of the BWCs leading to increase in professionalism**
  - **BWC provides increased accountability for Police and Public behaviour/actions**
  - **Increased transparency of performance – Police and Public**

## 2.7 Objective 7 Identify the adequacy of the NSWPF BWC deployment process/s

In respect of Objective 7 Identify the adequacy of the NSWPF BWC deployment process/s two key areas were examined (1) NSWPF Officers' experience with the technical capabilities of the BWC and (2) NSWPF Officers' experience with the BWC associated training and deployment processes.

To contribute to the quality assurance of the NSWPF BWC Phase 2 deployment and continuous improvement strategies, data is sourced from the NSWPF Officers and NSWPF Commander surveys and interviews. A number of positive trends emerged in respect of the adequacy of the training and level of confidence and knowledge in the use of the BWCs by the NSWPF Officers including:

- **75.45% of NSWPF Officers considered the training adequate**
- **90.2% of NSWPF Officers considered they are confident in the use of the BWCs**

- **59.16% of NSWPF Officers consider the NSWPF has the right processes in place to support the Phase 2 BWC deployment**
- **61.17% of NSWPF Offices consider they know where to seek assistance**

In review of the NSWPF Officers' experience with the BWCs trends emerged which indicate continuing negative experiences with the technical aspects of the BWCs and their associated componentry/processes including:

- **Positioning of the on/off switch on the camera being vulnerable to accidental activation/deactivation**
- **\*Instability of the BWC docking processes resulting in lost footage, inability to release BWCs**
- **\*Instability of battery life for individual BWCs**
- **\*Instability of the software program to download/upload BWC footage resulting in lost footage, inaccurate tagging of footage to associated documentation**
- **Limitations of the BWC downloading/uploading features to enable sharing(tagging) between registered NSWPF COPS system events**
- **\*Green and red lights on the BWC unable to be distinguished in bright sunlight**
- **\*XX**
- **\*Fragility of clips attaching the BWC to the NSWPF Officers' clothing causing lost or damaged cameras and lost BWC footage**

The technical aspects marked with \* were identified in the evaluation of the NSWPF Phase 1 report.

The data indicates NSWPF Commanders are unanimous in support of the BWCs this support is impacted by concern with the low level of availability of useable BWCs for their operational staff.

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## 3.0 Background

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The evaluation of the NSWPF Phase 2 BWC implementation has been conducted following the evaluation of the initial Phase 1 implementation in 2015/16. Whilst the Phase 2 evaluation builds on from the Phase 1 evaluation the magnitude of the Phase 2 implementation project includes significant areas of difference in the data collection between the two evaluation projects.

The NSWPF Phase 2 BWC evaluation project has provided opportunity to engage the NSW Community to offer their perspective on the NSWPF implementation of BWCs. Similarly, the project has afforded opportunity to engage more widely across the various sectors for whom BWCs used by NSWPF Officers impacts their work and lives. For example, the Phase 2 evaluation includes response from Victims of Crime Advocacy Group Representatives (appreciatively, a complex and sensitive area in which to engage and receive contribution). As indicated in Section 4.0 Data Collection, the potential number of respondents to the respective survey groups is beyond 6,500 people and immeasurable due to the open invitation to the public to complete an online survey. The rates of response to the surveys and interviews offer a valuable basis from which to develop an understanding of the major areas of impact by the NSWPF BWC implementation.

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## 4.0 Data collection

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### 4.1 Evaluation Data Collection

A critical element in the evaluation of the BWC Phase 2 implementation was to maintain a focus on transparency and to invite participation from key stakeholders to contribute to a comprehensive report. To address this goal, qualitative and quantitative data has been collected through surveys and interviews and metrics data sourced from the NSWPF. A key feature of this research is the inclusion of reaching out to the community and to victims of crime to offer a balanced perspective and contributing to leading research in this area.

To enable a comprehensive and balanced perspective of the impact of the NSWPF Body Worn Camera Phase 2 implementation in addition to NSWPF metrics data the following groups and communities within NSW were invited to contribute feedback/comments. Table 1 presents the data collection sources for this project.

Data collection for the Evaluation of the NSWPF Body-worn Camera Phase 2 Implementation has been conducted under Charles Sturt University Human Research Ethics Committee Protocol Number: H1800.

*Table 1 Data sources for evaluation of NSWPF Phase 2 implementation*

Group	Data collection	Data Received
NSW Community	Community survey posted on the NSWPF Facebook site and social media e.g. twitter was utilized to encourage the public to complete the survey	1629 completed surveys submitted
NSWPF Officers	The NSWPF Education and Training Commander sent an invitation to 5,000 Officers ( selected at random) to complete a survey	811 completed surveys submitted
	500 NSWPF Officers were sent an email invitation to participate in a telephone interview	33 Officers responded 30 NSWPF Officer interviews conducted
NSWPF Commanders	50 NSWPF commanders were invited to participate in a telephone interview	30 NSWPF Commander ( and senior Officers) interviews conducted



<b>NSW Legal Aid and NSW Aboriginal Legal Service</b>	334 NSW Legal Aid lawyers sent a survey to complete 90 NSW Aboriginal Legal Service lawyers sent a survey to complete	30 completed surveys submitted
<b>NSW Local Magistrates</b>	136 NSW Local Magistrates were invited to complete a survey	24 completed surveys submitted
<b>NSW Victims of Crime Advocacy Group Representatives</b>	11 NSW Victims Advisory Board Members invited to complete a survey 59 Victims Advisory Group Representatives invited to complete a survey	22 completed surveys submitted
<b>NSW Multicultural Groups and Representatives</b>	16 NSWPF Multicultural Board members invited to participate in an interview	5 interviews conducted
	Surveys and Polls conducted by Multicultural Group representatives including: i Arabic Women ii Syrian Refugees iii Nepalese Community members iv Arabic Community v Sudanese Community	* the feedback from the polls and surveys provided in the Multicultural Advisory Board member interviews
<b>NSWPF Prosecutors</b>	400 NSWPF Prosecutors invited to complete a survey	23 completed surveys submitted

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## 5.0 Objective 1 Identify the impact on the NSW community and NSWPF relations

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### 5.1 Background

The data collection for Objective 1 was designed to develop an understanding of the impact of the use of BWCs by NSWPF Officers on the relationship between the NSW Community and the NSWPF. There are a number of specific themes which in combination provide insight into the overall impact of the BWCs on this relationship. These themes are drawn from the data associated with:

- public awareness of the use of the BWCs by NSWPF Officers;
- the level of necessity for their use;
- community understanding of the protocols associated with the use of the BWCs
- perceived and or experienced impact on behaviour of specific groups within the community;
- perceived and or experienced impact on behaviour of the general public

To assist in contextualizing the community response in relation to Objective 1 it is helpful to understand the demographics of the Community survey respondents, this is presented in Figure 1.

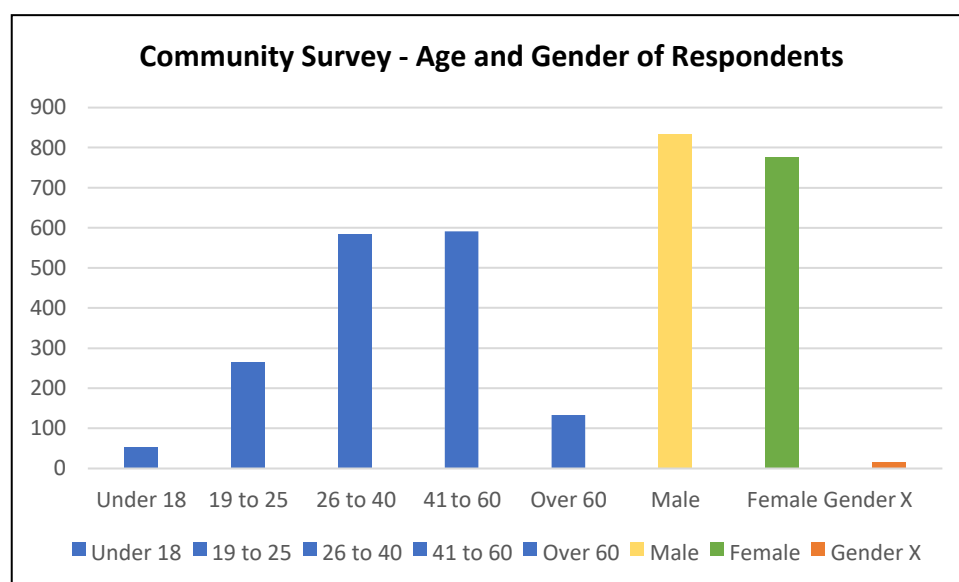


Figure 1. Community survey – Age and Gender of Respondents

### 5.2 Level of awareness of the NSWPF introduction and use of BWCs

A contribution is offered to understanding the level of public information distribution in relation to the operationalization of the BWCs by NSWPF through consideration of the response provided to this factor by community members, NSWPF Commanders, NSW Advocacy groups and multicultural group representatives.

#### 5.2.1 Positive indicators for level of awareness

The response from the NSW Community survey indicates a positive level of awareness and this is supported in comments from NSWPF Commanders and Officers who suggest in their experience the general public are aware NSWPF Officers are wearing and authorized to use BWCs.

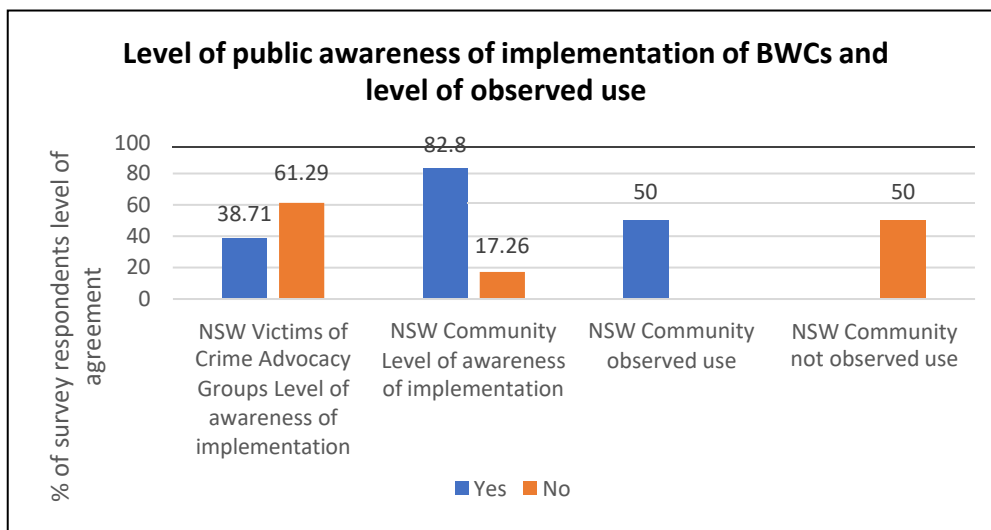


Figure 2. Level of public awareness of NSWPF use of BWCs and level of observed use

A further indicator of the level of awareness and access to information regarding the NSWPF use of BWCs is illustrated in Figure 2 . A level of 52.3% of respondents indicated information about the BWCs was available to them. This level should be considered in association with the 11.4% of respondents who indicated information was not available to them and the 36.34% who recorded a ‘neutral’ response.

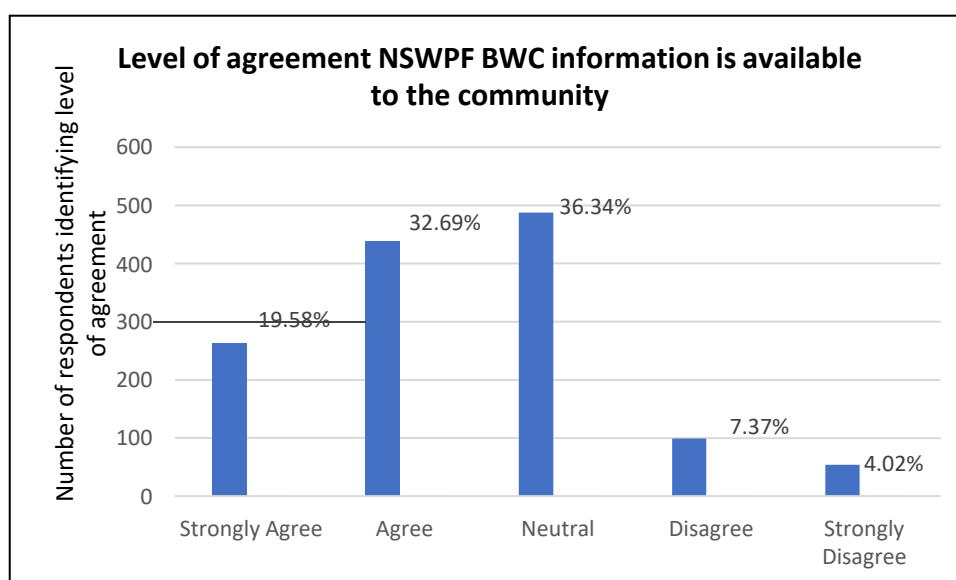


Figure 3 Level of agreement NSWPF BWC information is available to the community

## 5.2.2 Negative indicators for level of awareness

There is a level of response which suggests there are limitations to the awareness of regarding the operational aspects of the cameras, the legal rights of the NSWPF Officers’ and the public in relation to their use. This theme was revealed in the NSW Community survey and interviews with representatives of multicultural groups. Further, the response from the NSW Victims of Crime Advocacy Groups, as indicated in Figure 2 suggests a low level of public awareness. Table 2 presents a sample of the comments from the Community survey and the Victim of Crimes Representative Groups Survey which illustrates the themes in respect of level of awareness.

Table 2 Community and Victims of Crime Advocacy Group Representatives comments on level of awareness

Community survey response examples of public information access
<p><i>...I would like to know where to get information[about the BWCs];</i></p> <p><i>...Information needs to be made available easier maybe via social media to the link to a web address, people are not likely to Google search for the police page and try and find it there, people more likely to press the link;</i></p> <p><i>...I'd like more info on when they are activated or do they record 24/7 and if someone has had dealings are they entitled to the footage for their records?</i></p> <p><i>...There is no information readily available as to when and where they will be used and whether they will always be recording;</i></p> <p><i>...There needs to be more information about how they are used;</i></p> <p><i>...Not widely known – word of mouth. There is a role here for community leaders to take information to the community.</i></p>
NSW Victims of Crime Advocacy Group Survey comments in respect of public information on the NSWPF use of BWCs
<p><i>...I think there is a lot of awareness surrounding the fact that members of the NSWPF are required to wear body cameras. However, I do not think there is much awareness about how to get access to footage or whether or not citizens can access footage;</i></p> <p><i>...the use of BWCs is useful in dealings especially with those in family and domestic violence situations, however, very few people I talk to outside of those who have direct dealings with police seem to be aware of the use of such devices. More public information and awareness should be a priority for the overall support of victims and NSWPF Officers;</i></p> <p><i>...Low awareness as, like taser guns, I am unaware of coverage in mainstream media. I am unaware of NSWPF conducting any information campaign on this.</i></p>

A level of caution should be applied to interpretation of the data here as responses indicate the limited awareness is related to the operational aspects of the BWCs e.g. how they are to be used, how the footage will be used, the regulations applied to NSWPF Officer use. This point resonates strongly in the NSW Community survey responses. This theme is evidenced also in the following comments from multicultural community representatives:

*... Not sure how the public were advised needs to be a stronger strategy to disseminate to the public so they don't have to go searching. For example the changes to alcohol laws everyone knew about it this should be done the same way;*

*...So far very little awareness of the purpose of the cameras and how they are to be used.*

### 5.3 Level of endorsement for the introduction of BWCs for NSWPF

NSW Community acceptance and endorsement for the use of the NSWPF BWCs contributes to understanding the overall success of the initiative. In this evaluation, the overall level of endorsement for the introduction of the BWCs for NSWPF is drawn from the following sources of data:

- (a) **NSW Community survey**  
Q. 5 I consider the NSWPF Body-worn camera project will make a positive difference for police and community relations  
Q. 6 I think the use of BWCs by police is necessary for policing in NSW
- (b) **NSW Victims of Crime Advocacy Groups**  
Q. 3 The use of Body Worn Cameras by NSWPF Officers offers advantages for victims of crime
- (c) **NSW Legal Profession**  
Q. 3 Response to NSWPF BWCs are an advantage to clients
- (d) **NSW Local Court Magistrates**  
Q6 Observed or experienced impact of the NSWPF BWCs  
Q7 General comment on the NSWPF use of BWCs
- (e) **NSWPF Officers**  
Q. 5 (Survey) The introduction of BWCs is necessary for the organisation
- (f) **NSWPF Area Commanders**  
Q12 General comments
- (g) **NSW Multicultural Group Representatives**  
Q6 How do you consider the use of BWCs is received by your community?

### 5.3.1 Levels of endorsement – NSW Community, NSWPF Commanders and Officers

The first set of data analysed in relation to positive/negative endorsement indicates a consistent high level of positive endorsement for the use of the BWCs across the community based response groups, the NSWPF Commanders and Officers and the judicial system representatives (Magistrates, Legal Professionals).

Analysis of the comments provided in the Community survey revealed 93.8% of comments were supportive of the use of BWCs for NSW policing.

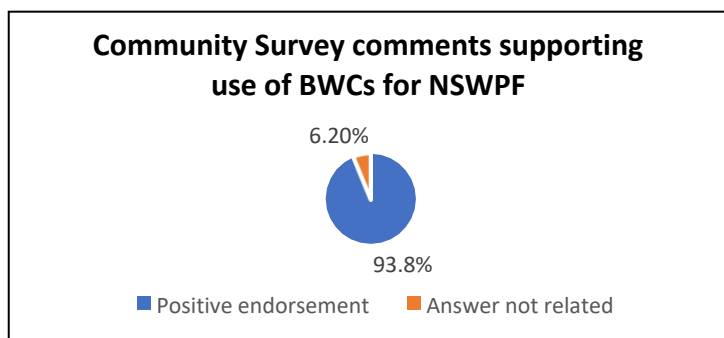


Figure 4 Level of Community support for use of BWCs

Figure 4 illustrates the respective levels of positive comments supporting the use of the BWCs drawn from the NSW Community survey comments.

Figure 5 presents the comparative levels of endorsement from NSWPF Area Commanders, Officers and the community the data drawn from specific targeted survey questions to each group.

The levels of endorsement are encouraging for the NSWPF BWC deployment initiative with:

- 87.0% of NSW Community survey indicating positive endorsement
- 100% of NSWPF Commanders indicating positive endorsement
- 79.49% of NSWPF Officers indicating positive endorsement

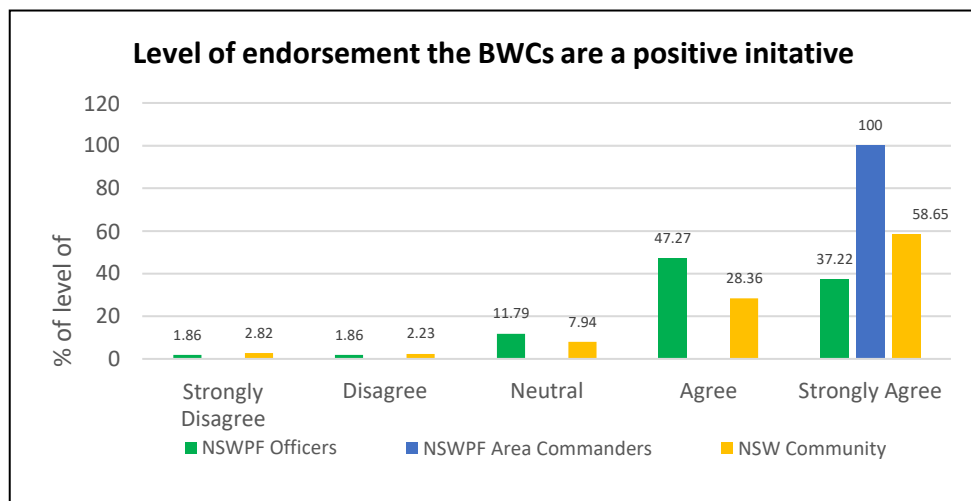


Figure 5 Positive levels of endorsement

It is a valuable contribution for understanding the %s reported in Figure 5 to illustrate with example comments received in the respective surveys.

### 5.3.2 NSW Community level of endorsement

A total of 904 comments were recorded in the Community survey in response to inviting general comments in relation to the BWC initiative. The comments received were filtered into categories: positive, negative, other. Table 3 presents sample comments supporting the negative and positive perspective of community members.

Table 3 Community survey example of positive and negative comments towards BWC

Community survey General Comments		
Positive	Negative	Other
883	15	6
<b>Supportive comments:</b>  <i>...It protects both civilians and police Officers, it records the facts;</i>  <i>...they are definitely needed;</i>  <i>...I think they are a great idea to protect the police force team as well as [providing] evidence to protect them;</i>  <i>...Great tool to protect our police and minority communities where discrimination and /or corrupt behavior will be captured;</i>  <i>...Believe it helps Officers being accused by public/offender;</i>  <i>...Love this project, so many benefits that it's hard not to justify the initiative. Should've been done years ago!</i>  <i>...I think this is a great idea, I feel like a lot of people aren't very biased towards police and having the footage to back the police up makes it so much better especially when a major incident or crime occurs , the police would be able to show how their training and incident management is very effective and prevent people from being able to slander and create a bad bias about the police.</i>		

**Non supportive comments:**

*... More unhelpful than helpful. Police feel so entitled and power hungry to be recording our every move, ever since they were introduced I have had significantly worse interactions with police;*

*...How many cameras will just happen to not be working or the footage deleted when police are accused of wrong doing?*

*...Cops that manipulate the cameras when its an advantage to them. Turn off the cameras when they don't want something on camera and turn on the camera when they want something on camera, manipulating the footage to only show certain things;*

*...Puts too much pressure on police. Opens them up to too much scrutiny for doing their jobs;*

*...Am concerned that Police will have undue influence in a court room if they can produce video whereas the other person cannot. Part of me thinks that I should not care because if you're not doing anything wrong then you have nothing to worry about...but Police are not infallible and have made mistakes and I sometimes don't trust them unfortunately. If I knew the reason behind the cameras I'd feel more comfortable with them;*

*...It is a great privacy breach. I don't think it's necessary for people to be filmed if they aren't doing anything wrong. It is simply not right. But if the Officers have a good judgement of character and believe that problems may arise when they're interacting with specific individuals I think it would be useful in that way and may change the way these potential offenders act towards them.*

### 5.3.3 NSWPF Officer BWC levels of endorsement

The following examples of NSWPF Officer comments is drawn from the 406 general comments recorded in the NSWPF Officer survey. The categorization of these comments is based on (1) direct positive endorsement (2) direct negative comment and (3) a category of other is made up of comments related to technical issues, suggestions for improvements to the BWC, NSWPF standard operating procedures and general suggestions for improvement of the BWC cycle. If the 'other' comments did not specifically indicate a positive or negative perspective they were not included in the positive/negative count. Table 4 presents illustrative comments from the NSWPF Officer survey.

Table 4 NSWPF Officer and community member comments in relation to endorsement of the BWCs

NSWPF Officer BWC endorsement perspective		
Positive	Negative	Other
219	40	147
<b>Supportive comments:</b> <p><i>...I am a strong supporter of the use of BWV and they provide an opportunity to show the courts and the general public the professionalism of our police and more importantly to provide evidence to support our street police against vexatious and false complaints;</i></p> <p><i>...In my opinion, as a front line first responder, BWC is an essential tool, saving time, money and reducing the likelihood of police injuries and complaints;</i></p> <p><i>...Good initiative. I actually had a Magistrate give positive feedback on the quality of brief prep for a dv matter;</i></p> <p><i>...it is good, especially when a single unit Officer, it provides protection for the Officer against complaints and also the evidence for charges;</i></p>		

*...The camera doesn't lie. Protects all that play by the rules both NSWPF and public.*

*...The Camera is like a brick to wear, obtrusive and cumbersome;*

[illegible]

## Table 5 NSWPF Commander General Endorsement Comments

*...I applaud the initiative, it is a valuable piece of kit and was overdue*



## 5.4 Level of necessity for the use of BWCs by the NSWPF

A further data set which illustrates the positive support for the introduction of BWC use by NSWPF Officers in NSW is the response to whether this initiative is necessary for NSWPF Officers. The high rate of agreement recorded from the community and the NSWPF Commanders, NSWPF Officers and the data provided by multicultural group representatives is presented in Figure 6.

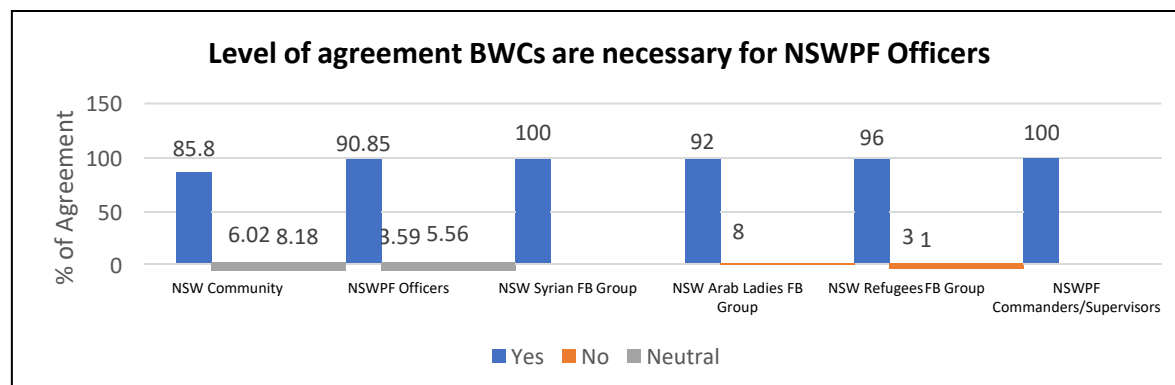


Figure 6 Level of agreement BWCs are necessary for NSWPF Officers

### 5.4.2 Indicative levels of endorsement – NSWPF Prosecutors

Analysis of the response by NSWPF Prosecutors to the nine survey questions related to the NSWPF use of BWCs indicates a high level of endorsement for the positive benefits for successful prosecution afforded by the use of BWC footage. An area receiving a less positive response relates to the time frames and workloads within the judicial process, the analysis of this data is discussed under Objective 2. As indicated in Figure 7 there are areas in which the NSWPF Prosecutors identify the BWCs are producing a positive impact at rates of 92.3%, 72%, 96% and these when, balanced against the less positive impact areas identified (related to procedural time frames and processes) results in an across the board 60% level of positivity.

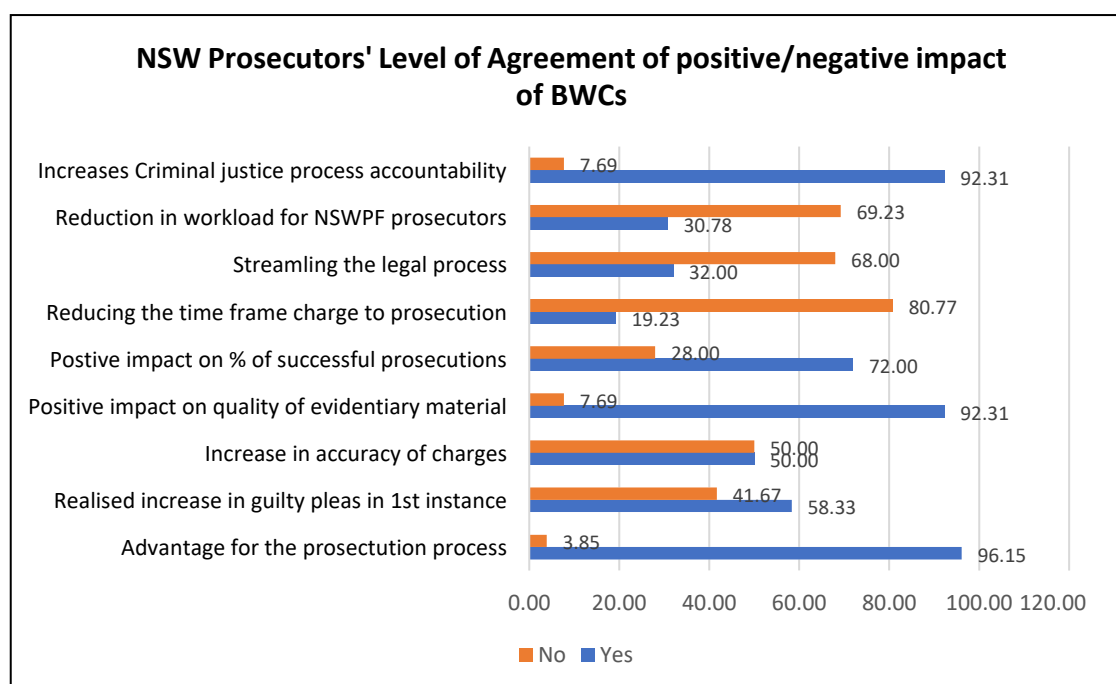


Figure 7 NSWPF Prosecutors level of agreement of positive/negative impact of BWCs

### 5.5.3 Indicative levels of endorsement – Legal Professionals and Advocacy Groups

In a similar trend as revealed in Section 5.3.2, the NSW Legal Profession and the Victims of Crime Advocacy Group representatives recorded a positive endorsement of the use of BWCs by NSWPF. As indicated in Figure 8, the five areas analyzed also recorded responses in the negative. The balance is substantially weighted in the positive. Further comprehensive analysis of the premise for the negative response are presented in the respective Objectives and sections of this report.

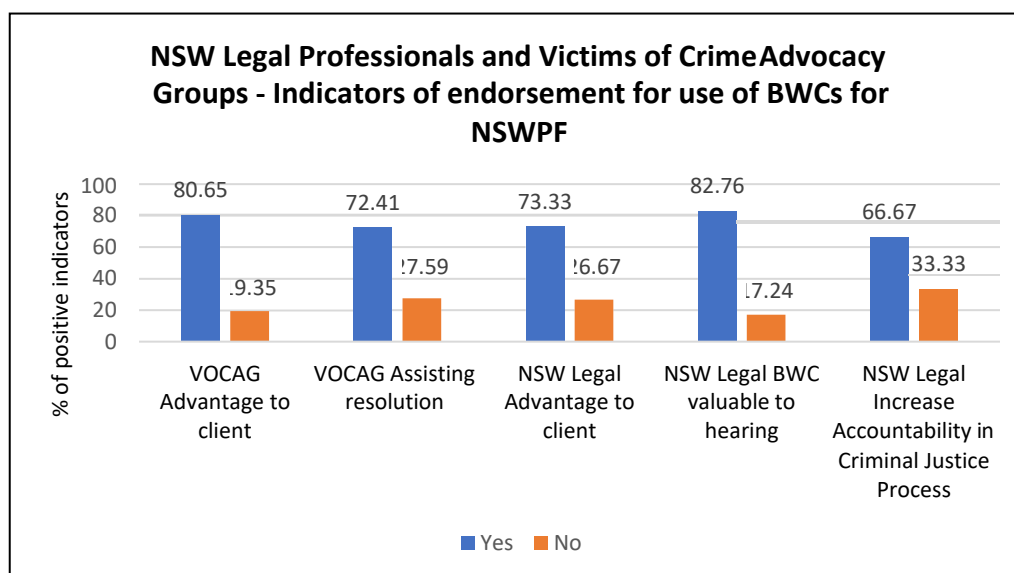


Figure 8 NSW Legal professionals and Victims of Crime Advocacy Groups: Indicators of endorsement for use of BWCs by NSWPF

## 5.6 Impact on NSWPF Officer relationship with Community members

The analysis of data presented in the previous section provides the context in which to develop an understanding of the impact of the BWC implementation on the relationship between the NSWPF and the NSW community members. Data from the following sources has been analysed to contribute to identifying the BWC initiative on the community/NSWPF relations:

- NSWPF Officer survey and interviews;
- NSWPF Commander interviews;
- Victims of Crime Advocacy representative surveys;
- Community survey.

### 5.6.1 Indicative impact of the BWCs on NSWPF and Community relations

This section commences with presenting a comparative response from the respective surveys. It is interesting to note the high level of positive change recorded by the NSW Community survey and the Victims of Crime Advocacy Representatives survey. In parallel, the NSWPF Officer survey indicated a more than 50% positive change in this area as illustrated in Figure 9.



The interviews with NSWPF Commanders did not identify negative comments in respect of the impact of the BWCs on NSWPF/Community relations.

The positive indicators of change as identified by NSWPF Officers in the respective survey, suggests a pre-existing level of acceptance by the community of the presence of cameras. Comments suggest the advent of cameras in highway patrol cars may be a factor contributing to the level of acceptance and the wider community use of mobile phone cameras, cctv cameras, in home cameras all of which have the potential to add an element of familiarity and acceptance.

Table 7 Impact of NSWPF BWCs on change in police/community relations – NSWPF Officer positive indicators

NSWPF Officers positive indicators
<p><b>Positive indicators of change:</b></p> <p><i>...I think the ICV (in car video) changed the way people behaved when they knew they were being filmed so people have got used to it;</i></p> <p><i>...we have had some funny cases where they go and get the whole family to be on the camera;</i></p> <p><i>...we had an incident at a Bon Jovi concert where a woman was uncooperative and her husband stepped in our side and tried to help he was very supportive, it was not what we expected.</i></p>

A recurring theme revealed in the NSWPF Officer interviews referred to the BWC creating a barrier to communication. This was contextualized in those situations which are sensitive or people are feeling vulnerable

Table 8 Impact of NSWPF BWCs on change in police/community relations – NSWPF Officer negative indicators

NSWPF Officers' negative indicators
<p><b>Negative impact of BWC on communication</b></p> <p><i>...the use of the BWC can limit the flow of communication, making people nervous and or reluctant to have sensitive information or topics recorded;</i></p> <p><i>...we have had some funny cases where they go and get the whole family to be on the camera;</i></p> <p><i>...it makes us act like robots;</i></p> <p><i>...a lot of people are nervous about the cameras and there are jobs where you don't use it like death message delivery;</i></p> <p><i>...it is turning us into robots, we have so much we have to say when we first interact, who we are where we are from etc. and now includes the statement about the camera, this all has you lose the personal touch.</i></p>

The Victims of Crime Advocacy representatives recorded a 76.67% positive impact on NSWPF and community relations the example comments presented in Table 9 offer insight into the respective positive and negative indicators.

The comments presented in Table 9 are not directly attributable to respondents to the percentages in Figure 9.

Table 9 Victims of Crime Advocacy Group Representatives comments re impact of BWCs on NSWPF/community relations

Victims of Crime Advocacy Group Representatives perspective
<p><b>Positive indicators of change:</b></p> <p><i>...The public will reconsider any thoughts of violence toward police Officers knowing their actions will be recorded. cameras will also support any allegations a member of the public may make against an offending Officer should this occur;</i></p> <p><i>...This footage not only can protect the police from false accusations from the public, it will also assist police to help the victims more, leading to positive relations with each other;</i></p> <p><i>...If it is explained clearly what is going on and make sure that the victim of crime understands exactly what is going on perhaps it may have a positive impact. However, again, questions and answers can be misunderstood in a situation of stress;</i></p> <p><i>...Mostly, sometimes the police keep asking the victim the same question over and over again, this makes the victim feel they are being interrogated;</i></p> <p><i>...It streamlines the legal process for many victims and provides more details of the event for easier digestion.</i></p>
<p><b>Negative Indicators:</b></p> <p><i>...As there is no public accountability or the footage of the body cameras is not reviewed, I believe that police Officers continue to engage in misconduct;</i></p> <p><i>...No - if VoC is intimidated by Body Camera and feels interrogated;</i></p> <p><i>...Body Worn Videos benefit NSW Police only. The equipment is not used as a strategy to build rapport between NSW Police and victims of crime;</i></p> <p><i>...In my situation, one male NSW Police Officer was videoing the event, whilst the other female Officer was yelling at me and telling me "shut-up" and saying "you're making too much noise",It was a situation which was handled unprofessionally by the NSW Police. There was no need for the Officer to yell and swear;</i></p> <p><i>... I don't believe the relationship between NSWPF and victims is strong at all and the body worn cameras do not impact or assist relations</i></p>

### 5.6.2 Indicative impact on relationship between NSWPF and specific groups of people

The perception of the community as to the groups most likely to be affected by the use of BWCs by NSWPF suggests youths, teens and offenders would be most affected. This theme is drawn from analysis of the Community survey question that asked if there were specific groups within the community who may potentially be impacted by the use of the BWCs by NSWPF.

As illustrated in Figure 10 Offenders and Teens were the two groups which received the highest rank in terms of groups to be impacted by the use of BWCs. At present there is no validated evidence to test this perception, it may be an area of consideration for future research.

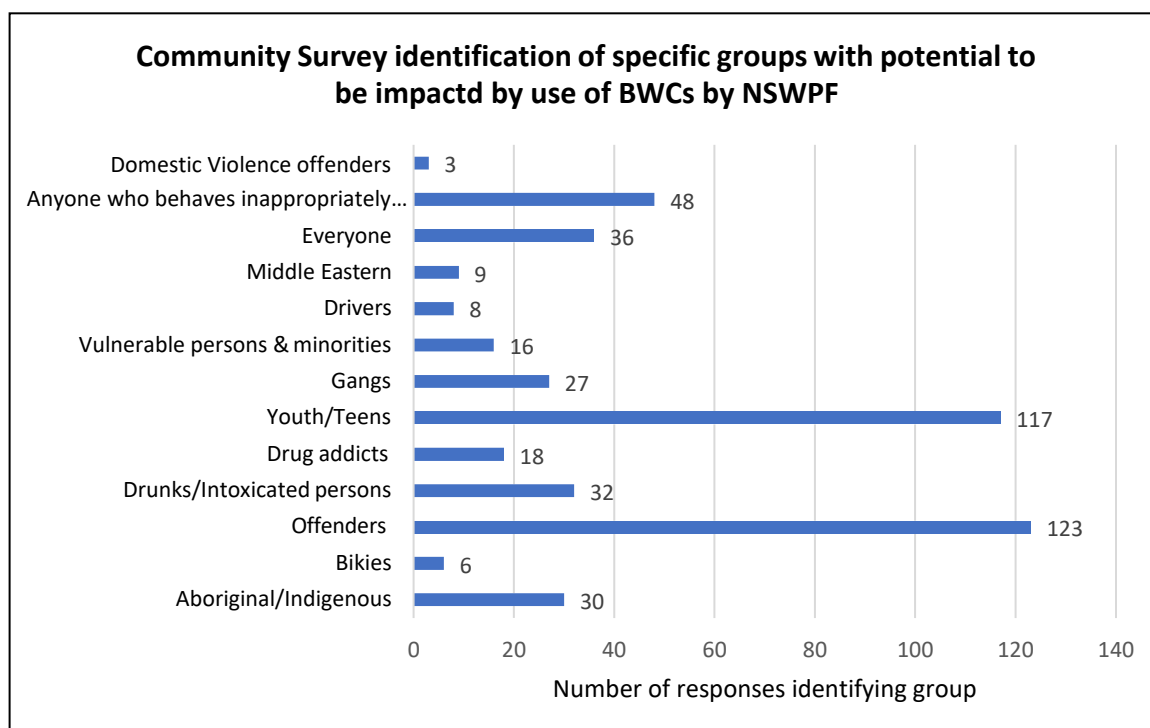


Figure 10 Community perspective of specific groups with potential to be impacted by use of BWCs

#### 5.6.2.1 Potential impact on offender behavior/relations with NSWPF Officers

The Community survey identification of offenders as one of the groups to be impacted by the use of BWCs is supported by the view of NSWPF Officers in this regard. In Figure 11, the NSWPF Officer and community high level of agreement to the survey question : The use of BWC is a deterrent for potential offenders is presented.

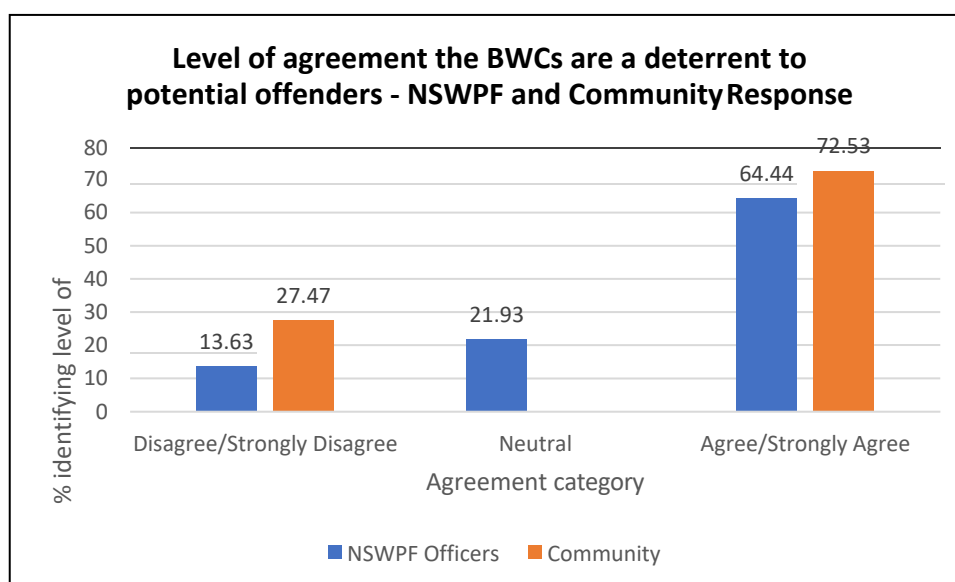


Figure 11 Level of agreement by NSWPF the use of BWCs is a deterrent to potential offenders

In line with the NSWPF Officer responses presented in Figure 11, the interviews with NSWPF Officers revealed both positive and negative experiences in relation to the impact of the use of the BWCs on the attitude of potential offenders. Table 10 offers example comments from the NSWPF Officer interview question *Have you observed the use of the BWCs having impacted on the attitude of potential offenders?*

Table 10 NSWPF Officer perspective on BWC impact on attitude of potential offenders

NSWPF Officer response to: <i>Have you observed the use of the BWCs having impacted on the attitude of potential offenders?</i>
<p><b>Positive indicators:</b></p> <p>...yes absolutely it de-escalates as soon as mentioned they are on camera;</p> <p>...yes impacts on everybody, depends on the situation probably a 60-80% of the time it is a positive impact;</p> <p>...yes more compliant, people do not like getting penalty notices for pedestrian offences, once they realise it is on they acknowledge the presence and their behavior improves;</p> <p>...yes as soon as they know they are being recorded and that it can be played in court all of a sudden they change their behavior;</p> <p>...in domestic disputes the victims will clam up because they know it will be on camera and maybe used later;</p> <p>...does mediate some behavior once they are told they are on camera, often does lead to de-escalation. Those that are already behaving badly stops 10 – 20% of them once on camera;</p>
<p><b>Negative indicators:</b></p> <p>...on the trains you would think it would have a positive impact, but 9 times out of 10 they get more aggressive and act up in front of the camera, they say they don't give a f... and it gets difficult to control the situation. This is both young and older people;</p> <p>...I don't think it has an impact, it reduces the tension not 100% but it does help to calm them down;</p>

### 5.6.2.2 Potential impact of BWCs on behavior of the general public

To provide an additional level of understanding of the potential impact of the BWCs on behavior (not specifically offenders), it is helpful to consider the operational experience of NSWPF Officers in the field. As indicated in Figure 12, the NSWPF Officer survey revealed a level of 60% agreement the BWC has led to increased compliance with Officers whilst a level of 38.4% did not agree the BWCs had led to increased compliance.

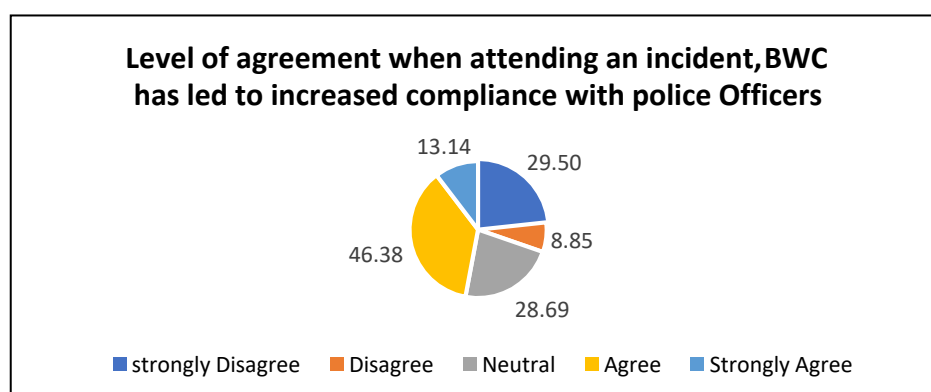


Figure 12 Level of increased compliance with NSWPF Officers

The NSWPF Officer survey comments provide an additional source for understanding the experienced impact of the BWCs on the behavior of members of the public in general. A selection of positive and negative comments on this element are presented in Table 11.

Table 11 NSWPF Officer observed impact of BWCs on behavior of the general public

NSWPF Officer observed impact of BWCs on behaviour of the general public
<p><b>Positive indicators:</b></p> <p><i>...9 times out of 10 when they are told they are being recorded they lose some of their attitude and become more compliant;</i></p> <p><i>...99% of people are fine with it, only that 1 percent of belligerent/drunk/drugged that don't care and will still carry on;</i></p> <p><i>...being in Highway Patrol, the customers we stop are well aware of us informing them they are being recorded so the impact is minimal;</i></p> <p><i>...definitely noticed the change, as soon as they see the red light on the camera they become so much easier to deal with;</i></p> <p><i>...even in standby mode, people see the light on the camera and modify their behaviour, we have had less people filming with phones and vexatious complaints</i></p>
<p><b>Negative indicators:</b></p> <p><i>...because we have been using the ICV for years I haven't observed any change;</i></p> <p><i>...haven't seen any noticeable change other than offenders starting to record us more often because they are being recorded ( tit-for-tat);</i></p> <p><i>...some people are reluctant to speak once they know they are being recorded;</i></p> <p><i>...I have not noticed any change in people I interact with, numerous times despite recording, offenders will continue to swear, yell etc;</i></p> <p><i>...most people are not affected by the use of the camera, but people that have complained in the past are now not complaining as much</i></p>

## 5.7 Objective 1 Summary

Analysis of the data attributed to Objective 1 – Identify the impact of the use of BWCs by NSWPF Officers on relations between NSWPF Officers and the NSW Community revealed the following trends:

- A positive impact on change in police/ citizen relations.** The perspective of the NSW Community, NSWPF Officers and Victims of Crime Advocacy Group representatives recorded a 60.29%, 52.4% and 76.67% respectively, level of agreement on this element premised on:

  - Increase in transparency of actions and accountability of NSWPF Officers and members of the public
- A positive level of endorsement for the use of BWCs by NSWPF Officers** across community based groups, NSWPF Commanders and Officers, NSW judicial system representatives (Local Court Magistrates, Legal Professionals, NSWPF Prosecutors) and Victims of Crime Advocacy Group representatives premised on:



- The protection it provides for NSWPF Officers and community members against false allegations;
- Accuracy of evidence for the judicial process (charges and court hearings)
- An increase in more appropriate public behaviour /compliance with NSWPF Officers (60% level of agreement)
- The BWCs are a deterrent to potential offenders. NSW Community Members and NSWPF Officers recording a 72.33% and 64.44% respectively level of agreement on this factor

All groups represented recorded within a 85% to 100% range level of positive endorsement for the NSWPF deployment of BWCs;

- **A positive level of agreement the use of BWCs by NSWPF Officers is necessary** for policing in NSW. NSW Community members, NSWPF Commanders and Officers, NSW judicial system representatives (Local Court Magistrates, NSW Legal professionals, NSWPF Prosecutors), Victims of Crime Advocacy Group representatives and members of multicultural community groups collectively and consistently agreed the use of BWCs by NSWPF Officers was in contemporary society a necessity. This perspective premised on the transparency and accountability their use offers for the actions of NSWPF Officers and members of the public.

All groups recorded within a 85.5% to 100% level of positive agreement on this aspect of BWC deployment for NSW policing;

- **The major criticism of the deployment of BWCs for use by NSWPF Officers** is the limited public information available and or distributed in relation to the NSWPF BWC initiative. Notably, the data indicates a range of 50% - 82.8% of NSW Community members, NSW Victims of Crime Advocacy Group representatives suggested information was available to them. These metrics are not strongly supported by comments from NSW Community members or multicultural community group members, both groups identifying the limited information creates a negative perspective on the introduction of the BWCs for NSW policing.

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## 6.0 Objective 2 Identify the implications of the use by the NSWPF of BWCs on evidentiary material for prosecution proceedings

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### 6.1 Background

This section is devoted to developing an understanding of the impact of the use of BWCs on the activities and associated judicial. To build a comprehensive understanding of the impact of the use of BWCs on the various layers of the judicial process, analysis of data related to the impact of the BWCs on the following areas is presented:

- Early guilty plea rate
- Brief of Evidence processes
- Quality of evidentiary material for court hearings
- Efficiency of judicial process implications
- Prosecution processes and outcomes
- Legal profession (defence counsel) processes
- Victims of crime judicial outcomes
- Local court processes

### 6.2 Impact of BWCs on early guilty plea rate

There are several contributing areas of data which combine to provide a summary of the experienced impact of BWCs on the rate of early guilty pleas. This is a significant area of evaluation as the influence on the rate of early guilty pleas has a domino effect on the many areas of the judicial process including NSWPF Prosecutors, NSWPF Legal Professionals, NSWPF Local Court personnel and activities and the alleged offenders, their victims and the families/associates of both parties.

#### 6.2.1 Impact of BWCs on early guilty plea rate – NSWPF Officers

The data suggests a positive level of agreement the BWCs are influencing an increased experienced rate of early guilty pleas at 45%. The rate should be considered in parallel with the rate of 41.24% of NSWPF Officers who were neutral on the subject. The negative response is recorded at 14% ( Figure 13). Of note, are the themes emerging from the data in this area which suggest adjustments to the access processes and timeframes to BWC footage by Legal Counsel, NSWPF prosecutors and alleged offenders may further influence the rate of early guilty pleas.

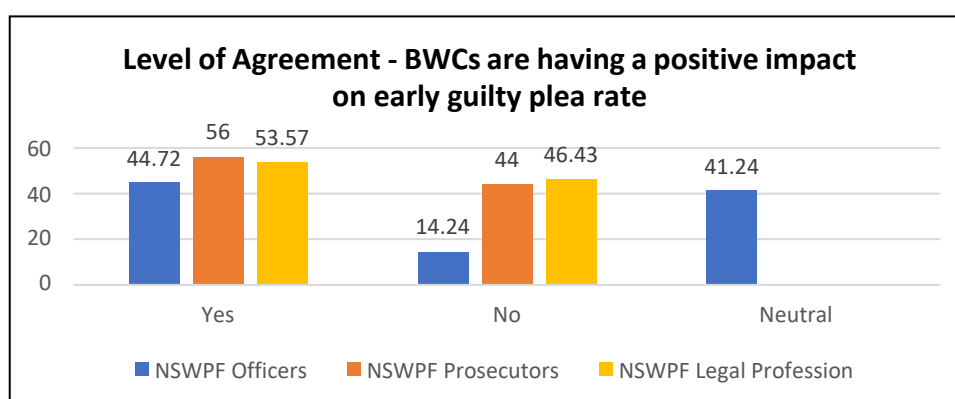


Figure 13 Level of agreement – BWCs are having a positive impact on early guilty plea rate

Further, the data identifies there is also a perception that in some cases offenders are encouraged or choose to plead not guilty when the footage, in the opinion of the charging NSWPF Officer and NSWPF Prosecutor, offers

evidence of guilt and at the subsequent hearing at court the offender pleads guilty. Implications of these situations are the multifaceted time, cost and potential emotional impact for victims, offenders and all persons involved in the judicial process.

The experience as identified by the NSWPF Officers of an increase in early guilty pleas being influenced by the use of BWCs resonates with the metrics data provided by the NSWPF. As indicated in Figure 14, and exemplified by the current experience of the NSWPF Transport Command which has realized an increase of 5.7% in guilty pleas where BWC tagged evidence is present. The data in Figure 14 does not distinguish between an early guilty plea prior to instruction to prepare a brief or a guilty plea later in the prosecution process.

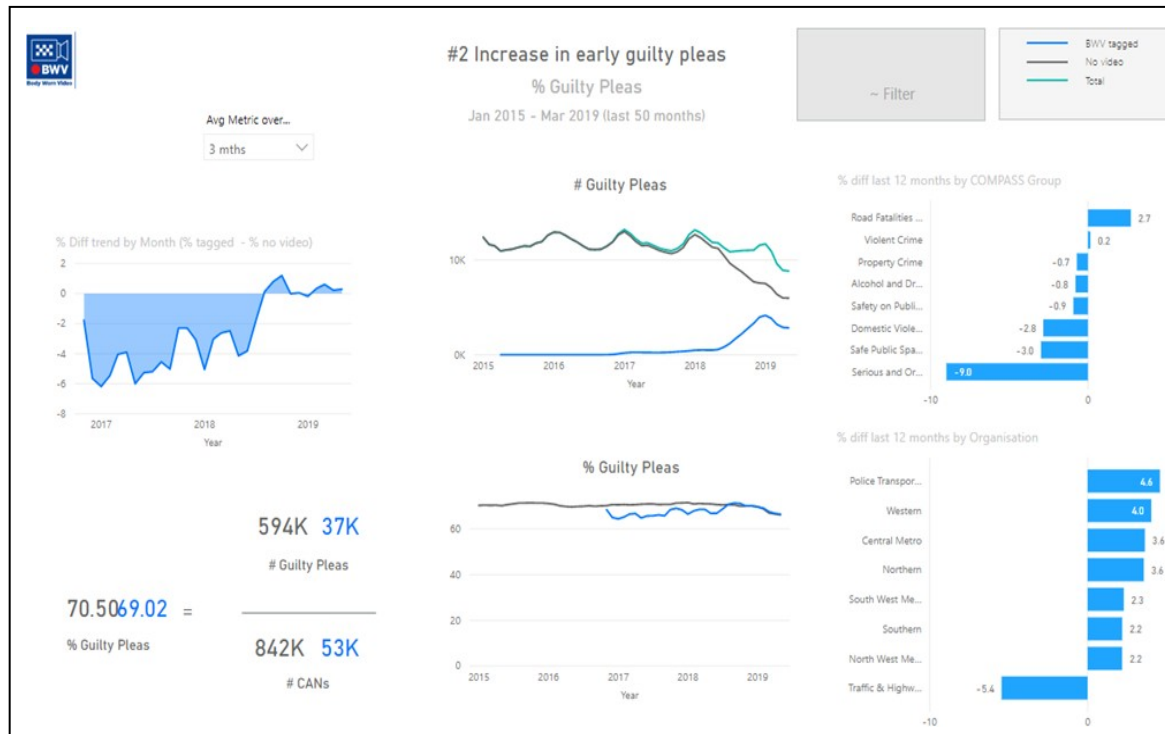


Figure 14 NSWPF Metric Data for Guilty plea rate 2015 - 2019

The indicative positive trend illustrated in Figures 13 and 14 resonates with the comments offered in interview with the NSWPF Officers. Of note, the comments offered by the NSWPF Officers are drawn from the Officers field based experience only not based on metric data:

...From the prosecutors, offenders and solicitors a short turn around to plea of guilty, we are hearing back from police informants that the BWC are assisting early pleas ;

...certainly impacting on early guilty pleas, some of those who have been charged with intoxication related offences and the video gives them an opportunity to reflect on how they did behave;

...the footage from the BWC is clear and the sound better when we so before a hearing 9 times out of 10 they plead guilty first up;

As indicated early in this section, NSWPF Officers suggest there is also a trend for alleged offenders to continue to plead not guilty, when in the opinion of NSWPF Officers the footage indicates clearly an offence has occurred:

...No, have not experienced a reduction in not guilty pleas, here we deal with a lot of Aboriginal Legal professions and 905 of cases go to hearing, to sure why as the video footage is very clear;

...I had a job involving a poker machine, it went to hearing even though I had written in my statement we had BWC and an admission of guilty on the footage, so it went to 4 hearings and finally at the last minute at court he pleaded guilty;

...I had a case in Liverpool where a guy was carrying on and I issued a Field Court Attendance notice, the matter went to court, he represented himself. The prosecutor played the BWC footage and had to stop it as the defendant decided then to plead guilty.

## 6.2.2 Impact of BWCs on early guilty plea rate – NSW Legal Professionals

The data analysis presented in Figure 13 indicates the NSW Legal Profession supports the suggestion the BWCs are positively impacting the early guilty plea rates. The data should be viewed in the context that there is a differential rate of 7.14% between the negative and positive response for this aspect.

Consideration of the survey response comments from the NSW legal profession offers helpful insight into the potential basis for the metric data. Table 12 presents examples of the comments drawn from the survey responses. A response provided in the NSW Legal Profession survey summarises the perspectives offered in Table 12:

*...Streamline the process of requesting the video, having a system where Legal Aid can directly request all associated with the 'H' number and get us the footage asap so we don't have to plead not guilty and get the entire brief of evidence when it is just the footage we want.*

Table 12 NSW Legal Professionals' perspective on impact of BWCs on early guilty pleas

NSW Legal Professionals' response to impact of BWCs on early guilty pleas
<p><b>Supportive indicators:</b></p> <p><i>... The footage is often enough to convince the client they don't have a case;</i></p> <p><i>... I don't know about determinations of guilt, but where BWV is provided and it is relevant to the disputed issues, it certainly increases the likelihood of recommending a plea of guilty;</i></p> <p><i>...Yes, if it is clear on the footage that it has happen it makes it easier for the client to accept and enter pleas;</i></p> <p><i>... on occasion it will clarify an accused person's memory of events in a way that will lead to a guilty plea;</i></p> <p><i>... BWF often strengthens the Prosecution case and thus leads to early pleas of guilty in appropriate circumstance;</i></p> <p><i>... I tell my clients that the Magistrate will hear the video of them admitting to the offence or seeing them with the incriminating evidence;</i></p> <p><i>... Where the BWV is served in a timely manner it can expediate a guilty plea. Clients may only have a vague recollection of events due to intoxication or mental health issues affecting memory. Playing them the video will often fill in some of the gaps.</i></p>
<p><b>Negative indicators:</b></p> <p><i>... It is quite often served far later than the rest of the brief so the matter is still listed for hearing, discount lost etc;</i></p> <p><i>...sometimes its existence will actually lead to a not guilty plea because it makes explicit that police were acting unlawfully when they arrested someone, for instance which will often lead to a challenge to the admissibility of any evidence obtained thereafter and , sometimes to a finding of not guilty;</i></p> <p><i>... It does not PROVE an offence. It only shows from when police turn up on scene AFTER an alleged offence;</i></p> <p><i>... Clients will still usually want to see the brief of evidence and statement versus recording does not change much;</i></p>

*... If BWC was served as part of a mini-brief (similar to DVECs) then this would increase early pleas of guilty and preserve a defendant's discount, whilst also preventing brief service orders being made;*

*... If it were used more frequently I believe that it would. Clients are skeptical when they have cameras on their body and for whatever reason do not record the interaction. In those instances it can be a problem;  
... The absolutely routine, accepted, par for the course failure of police to serve material means that many, many matters go down for local court hearing, or to case conference in EAGP matters, where they did not need to, because police are not held properly to account in any way in relation to disclosure. That is now also the case with body worn. I have received briefs that say 'body worn to be supplied if matter goes to hearing.' NSW police routinely opposed producing under subpoena, frequently 'coughing up' after months of back and forward;*

### 6.2.3 Impact of BWCs on early guilty plea rate – NSWPF Prosecutors

The data collected and analyzed from the NSWPF Prosecutor survey revealed 58.33% of NSWPF Prosecutors were experiencing an increase in the number of guilty pleas in the first instance (Figure 13). The comments offered on this subject in the surveys are insightful in understanding the rationale for the level of agreement on this issue. Importantly, there are further insights into the experience of the NSWPF Prosecutors with the BWC footage in respect of instances where the footage and process does not support an increase in the rate of early guilty pleas.

As illustrated in Table 13 the NSWPF Prosecutor survey revealed positive and negative aspects in relation to the impact of the BWC on early guilty pleas. The negative comments reflect on the NSWPF Officers involved in the matter and on the processes followed by defence counsel.

Table 13 NSWPF Prosecutor response to impact of BWC on early guilty plea rate

NSWPF Prosecutor response to impact of BWC on early guilty plea rate
<p><b>Positive indicators:</b></p> <p><i>...I have experienced matters of assault police/affray etc where once viewing footage, pleas of guilty are entered;</i></p> <p><i>...It does typically alter the plea to one of guilty, avoiding hearings;</i></p> <p><i>...I have seen matters with BWC footage where a plea guilty was entered at the first opportunity, but there may well have been a plea guilty without it.</i></p>
<p><b>Negative indicators:</b></p> <p><i>...BWC can also have the counter effect that it highlights failures of police when arresting, cautioning, searching etc. so some offenders plead no guilty once they receive legal advice;</i></p> <p><i>... Defendants still maintain their innocence even in the face of evidence that shows their offending behaviour;</i></p> <p><i>...defence solicitors do not view them until after the matter has already been to court it seems the have not looked at the footage until a hearing date has been set</i></p>

## 6.2.4 Impact of BWC on early guilty plea rate – NSW Local Magistrates

Analysis of the survey data received from the NSW Local Court Magistrates identified comments on the impact of the BWCs on early guilty pleas. In their response, Local Court Magistrates suggest the use of BWCs is influencing an increase in early guilty pleas. This view is tempered with suggestions there is also experience articulated where the BWC footage offers clear evidence and this is not always accepted by the legal profession. The following comments are those which were offered specifically on the issue of the influence of BWCs on the rate of early guilty pleas:

*... While it should result in more guilty pleas that is not my experience. While a picture is said to be worth 1000 words that concept does not appear to be embraced by many in the legal profession;*  
*...it has led to early pleas in some instances and certainly can help to distill the issues;*  
*...there are more pleas of guilty in matters that may otherwise have been contested;*  
*...Very positive. Contemporaneous evidence has resulted in early guilty pleas in all but one matter [for me], where the footage ultimately corroborated the prosecution case, rebutted the defence case and resulted in a conviction on all counts;*  
*...reduction in pleas of not guilty but usually after plea not guilty entered and brief order made and often only on day due to lack of /delayed service of BWC footage.*

## 6.3 Impact of BWC on Briefs of Evidence process

The previous section focusing on the impact of the BWCs on the rate of early guilty pleas is intrinsically associated with the impact of the BWCs on the Brief of Evidence preparation process. This inter-relationship is clearly articulated in the survey and interview comments from the NSWPF Officers, Commanders, Prosecutors, Legal Professionals and Local Court Magistrates. In this section, data is presented from each of the associated parties to build a comprehensive understanding of the BWC factors which impact on the Brief of Evidence process.

### 6.3.1 Impact of BWC on Briefs of Evidence process – NSWPF Officer perspective

As illustrated in Figure 15, the data revealed a 45.98% of NSWPF Officers did not agree the BWCs reduce the amount of time required to prepare Briefs of Evidence. Further, a rate of 27.01% of NSWPF Officers were neutral on this subject and a 27.01% of NSWPF Officers agreed the BWCs had reduced the time required to prepare Briefs of Evidence. Examining the comments offered by the NSWPF Officers in the surveys and interviews provides a level of explanation as to the factors which are hindering the positive impact on time reduction of the BWCs in the Brief of Evidence process.

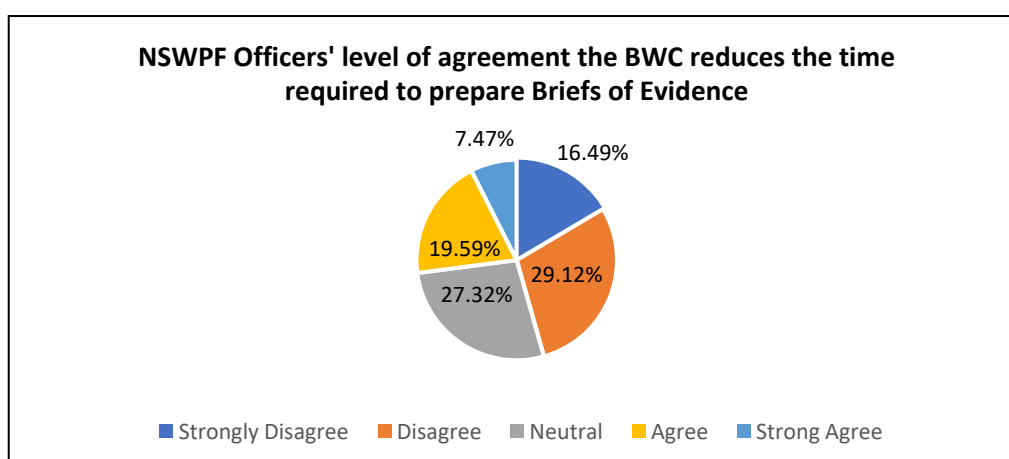


Figure 15 Level of agreement the BWC reduces the time required to prepare Briefs of Evidence

The three key areas of concern raised in comments from NSWPF Officers in relation to the impact of the BWCs on the Brief of Evidence process focused on:

- (1) time required to complete transcriptions of the BWC audio – **increased**

- (2) the process for creating DVD's for court – **time consuming and unstable**
- (3) Limited clarity on the guidelines as to the requirement for court required by the NSWPF Prosecutors ( SOPS) – **lack of consistency in instruction from NSWPF Prosecutors**

The comments in Table 14 offer examples of NSWPF Officer responses on this issue and further offer suggestions to enable the BWC initiative to more adequately support the Brief of Evidence process. The key concern identified relates to enabling BWC footage to be more seamlessly useable as evidence in court hearings.

Table 14 NSWPF Officer response to impact of BWCs on Brief of Evidence process

NSWPF Officer response to impact of BWC on Brief of Evidence Process	
<b>Transcription Efficiency – negative impact</b>	<p><i>...Voice recording of witness statements and victim statements, without the need for transcription, similar to DVEC principles and legislation would improve brief preparation times</i></p> <p><i>...If the burning and introduction of BWC can be simplified would benefit brief preparation. When multiple activations of BWC for the same matter, may use around 15 discs per service!!</i></p> <p><i>...Time consuming to transcribe up to 15 pages for court;</i></p> <p><i>... The time to transcribe by the Officers is time consuming</i></p> <p><i>...Writing statements while watching Body Worn Video is time consuming. It would be good If you could just introduce the footage and tender it as evidence without having to sit and write what was said word for word;</i></p> <p><i>... Use of body worn has not reduced the need for officers to complete brief as XXXXXXXXXX and XXX generally call for a brief regardless;</i></p> <p><i>... We are continually reminded XXXXXXXXXXXXXXXXXXXXXXX that we are unable to simply produce the video in our statements. In addition advise XXXXXXXXXXXXXXXXXXXXXXX is that in most cases the BWV may be inadmissible. We instead must transcribe the contents of the video into our statements. On average its about 4 pages extra of typing and about two hours longer for any real incident that we have attended. The computers at police stations do not have speakers sufficient to allow for police to transcribe the poor audio recording of the Victims and Offenders. The Audio recording of the camera's needs to be improved;</i></p> <p><i>...usually they want a brief of evidence before they even look at the body worn video, we explain its all on video before they enter a guilty plea, but we still have to do the brief and add the body worn and its a problem with actually physically getting the body worn to the defence since most rely on fax and email for service of briefs;</i></p> <p><i>... Transcribing BWV also wastes Police time - it should provide transcript automatically;</i></p> <p><i>... Brief preparation time has actually increased with the use of BWV as the need to individually transcribe the footage when preparing an officers statement is now critical.</i></p> <p><i>...Brief preparation time is increased due to officers having to download 4 x separate copies of BWV footage. Resources (disks/USBs) are often not available and the time taken to prepare this is substantial;</i></p> <p><i>...Brief preparation is impacted as Police statements are much longer and contain much more irrelevant conversation but prosecutors have advised to include all</i></p> <p><i>Brief time has increased as transcripts now required. Having a camera should not make anyone feel more secure at a violent incident;</i></p> <p><i>... BWC have massively increased the time taken by Constables on my team to prepare briefs, reviewing footage, transcribing for statements making copies etc;</i></p>





	<i>only then include other evidence relevant that's not on camera. General Duties police in particular do not have the luxury of being able to sit in an office for hours on a shift reviewing and transcribing footage.</i>
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### 6.3.2 Impact of BWCs on Briefs of Evidence process - NSWPF Commander

The themes revealed in the interview responses from NSWPF Commanders in relation to the impact of the BWCs on the Brief of Evidence process reflect similarly those areas raised by the NSWPF Officers (Section 6.3.1), in particular, transcription time. In addition, the NSWPF Commander comments reflect areas of positive impact as a result of the use of the BWCs in association with the Brief of Evidence process. Whilst these comments do not directly identify the Brief of Evidence process, it is the inference here of the impact of the availability of BWC footage associated with early guilty pleas which directly impacts the Brief of Evidence process. Table 15 presents a collection of responses from the NSWPF Commander interviews which offer insight into:

- (1) The financial implications of BWC audio transcription
- (2) The potential cost savings to the LAC through early guilty pleas

The following examples of NSWPF Commander comments on this subject illustrate the theme associated with point (2) above:

*...Early guilty pleas – cuts down Inspector time and saving to the Command.*  
*...The early guilty pleas are saving our court cost processes*  
*...early guilty pleas means we do not have officers on standby, on overtime.*

An important reference in relation to consideration of the impact of BWCs on Briefs of Evidence and the potential ultimately for court hearings was provided through interview with a NSWPF Commander. The interview response referred specifically to the incident at Glen Innes, whereby the BWC recording has the potential to negate the requirement for statements and the time and financial costs associated with the process.

Table 15 NSWPF Commander comments in relation to impact of BWCs on Brief of Evidence process

NSWPF Commander comments in relation to impact of BWCs on Brief of Evidence process	
<b>Transcription</b>	<p><i>...Lengthy transcriptions, we had one that was 30 minutes, there is potential for error if not done professionally, and there is also potential for exposure to sensitive material if done by office staff ( civilians);</i></p> <p><i>...The transcripts are funded by the command, where if it is an ERISP it is funded outside the command budget. With BWC we have three options:</i></p> <ul style="list-style-type: none"> <li>○ <i>An officer transcribes and they are not trained and there is room for error and a cost to take the Officer off operational;</i></li> <li>○ <i>A public servant in the office who may be available – not trained and therefore open to inaccuracies and sensitive material;</i></li> <li>○ <i>Professional Translator – this comes out of Command budget</i></li> </ul> <p><i>...In regards to transcription costs – need to make the video available as part of the brief, mention dates and refer to the key parts in the fact sheet and make it available to the defence;</i></p> <p><i>...Need to look at transcript process should be the same as for ERISP ;</i></p> <p><i>...There is no capacity for transcription it rests with the officer so they may baulk at using the camera because they will have to transcribe;</i></p>

<b>Associated reduction in costs</b>	<p><i>...BWCs causes and results in reducing the need to have additional Officers attend court to corroborate evidence, again saving on Officer resources and including wages, petrol, printer, stationary;</i></p> <p><i>...Minimising and reducing time to court, this is huge as it impacts on being able to maintain operational capacity;</i></p> <p><i>... if we do not need to have Officers off the truck standing around at court then not only is it a cost saving operationally but across many areas – a picture tells a thousand words;</i></p> <p><i>...reduction in court time should bring net gain operationally, reduce overtime to cover operational needs;</i></p> <p><i>...our successful prosecution rate has gone up, the officer offers it as an exhibit and makes pertinent reference in statements and the magistrates are accepting this;</i></p> <p><i>...BWC causes and results in more efficient policing it reduces the need to have additional officers attend Court to corroborate evidence, again saving on resources beyond the officers' time, for example, Wages/Petrol/Printer/ Stationery</i></p>
<b>Areas for consideration</b>	<p><i>...as we progress as an organisation, we do not need both DVEC and BWC it would be good to have just one device;</i></p> <p><i>...adopt a process in relation to transcription costs where the video is available as part of the brief, mention dates and refer to the key parts in the fact sheet and make this available to the defence;</i></p>

### 6.3.3 Impact of BWCs on Brief of Evidence process – NSWPF Prosecutor

Analysis of the comments provided in the NSWPF Prosecutor survey response indicates similar areas of concern as those emerging from the NSWPF Officer comments in regards to (1) transcription and (2) a consistent approach to presentation of BWC footage within the Brief of Evidence process.

The data indicates 68% of NSWPF Prosecutor survey respondents do not consider the use of BWCs has had a positive impact on the streamlining of the legal process. A level of 32% indicated they considered the BWCs are having a positive effect in this area. A note of caution is required in the interpretation of this data, the response included consideration of the complete charge to prosecution outcome process. It is therefore helpful to present the comments provided in the NSWPF Prosecutor survey which specifically reference the Brief of Evidence process. The respective comments are provided in Table 16.

Table 16 NSWPF Prosecutor response to impact of BWCs on Brief of Evidence process

<b>NSWPF Prosecutor comments in relation to impact of BWCs on Brief of Evidence process</b>	
<b>Negative Impact on time</b>	<p><i>...As a prosecutor it takes more time to prepare a brief with BWV because not only do we have to read the police statement but also view the entire BWC footage which is a duplication. But then on many occasions a lot of the recording is not relevant or not admissible. I might watch 20 minutes of BWV but only 5 minutes is relevant. If 3 – 4 officers turn up to a job, I will be watching a total of 60 minutes of BWC footage of the same incident;</i></p> <p><i>...It is quicker to read a 2 – 3 page police statement than to watch perhaps 15 minutes of footage in which you do not have the benefit of a written transcript, so you are often left to make notes of any admissions/ conversation and any other relevant footage. If you were to</i></p>

*consider a brief containing say, 4 police statements against 4 BWC disks, you simply do not have time on the hearing date to view the latter before going to court;*

*...viewing footage is often longer than reading statements, comparing statements to footage for accuracy takes more time;*

*...as an extra brief item it increases the amount of material in the brief. BWC footage can go for 30 – 40 minutes, can often have multiple officers recording – takes longer to completely check a brief with BWC footage in it;*

*...BWC footage review adds to brief review time, Synopsis are not provided so lengthy footage needs to be watched in full. Even with a Synopsis you would need to watch the video in full so you are not caught off guard in court if something adverse occurs in another part of the footage. Often the BWC footage raises questions concerning inconsistent tby officers, safeguard and powers related deficiencies, inconsistencies between the footage and the facts. Briefs with BWC footage have more challenges than Briefs without.*

#### 6.3.4 Impact of BWCs on Brief of Evidence process – NSW Legal Profession

The comments provided by members of the NSW Legal Profession suggest there are concerns within the profession with the process for providing and utilising BWC footage in relation to the Brief of Evidence process. The main concerns identified include:

- (1) There is difficulty in obtaining agreement to access the footage for legal representatives
- (2) Lengthy delays in obtaining/accessing/viewing footage for legal representatives ( including after the Brief is served)
- (3) Increase in time to review the brief with the addition of BWC footage.

Table 17 presents a sample of the comments provided by the NSW Legal Profession members in relation to the Brief of Evidence process.

*Table 17 NSW Legal Profession comments in relation to the impact of BWCs on the Brief of Evidence Process*

**NSW Legal Profession comments in relation to impact of BWCs on the Brief of Evidence process**

### 6.3.5 Impact of BWCs on Brief of Evidence process – NSW Local Court Magistrates

Analysis of the survey responses from NSW Local Court Magistrates identified concern related to BWC footage not being viewed by the defence counsel prior to the court hearing. The data does not level responsibility for the situation at any party ( NSWPF or the NSW Legal Profession) rather offering suggestions for improvement to the early access by defence counsel to relevant BWC footage. The following comment illustrates this area of concern:

*...The difficulty is that quite often the and /or the legal representative have not viewed the footage until they arrive at court on the morning of the hearing. If there was a better process to make the at evidence available to an accused or their legal representative at an earlier time it may result in less matters being listed for defended hearing.*

One NSW Local Court Magistrate offered explanation of the process they employ to overcome the above situation:

*...I won't set a matter down for hearing if defence have not viewed the footage, or will set a hearing date with a reply date to allow viewing.*

## 6.4 Impact of BWCs on Evidentiary Material

Developing an understanding of the impact of BWC footage as evidentiary material in court hearings is important for the contribution it may offer to the many sectors associated with the justice process. The overwhelming theme which emerged from the surveys and interviews conducted in this evaluation clearly centred on the positive contribution BWC footage offers to the judicial process.

### 6.4.1 Impact of BWCs on Evidentiary Material – NSWPF Prosecutors

The NSWPF Prosecutor survey response indicates a high level of agreement the BWC footage is having a positive impact on the quantity and quality of evidentiary material, on the rate of successful prosecutions and 96.15% of respondents indicated it is an overall advantage to the prosecution process. It is interesting to note the high levels of positive agreement in this area when balanced with the identification of increased workloads and judicial process time frames for NSWPF Prosecutors as a consequence of the BWC footage inclusion in evidentiary material.

Figure 16 presents the comparative data for the respective areas of evaluation which contribute to developing an overall NSWPF Prosecutor as to the impact of the BWC footage for the prosecution process.

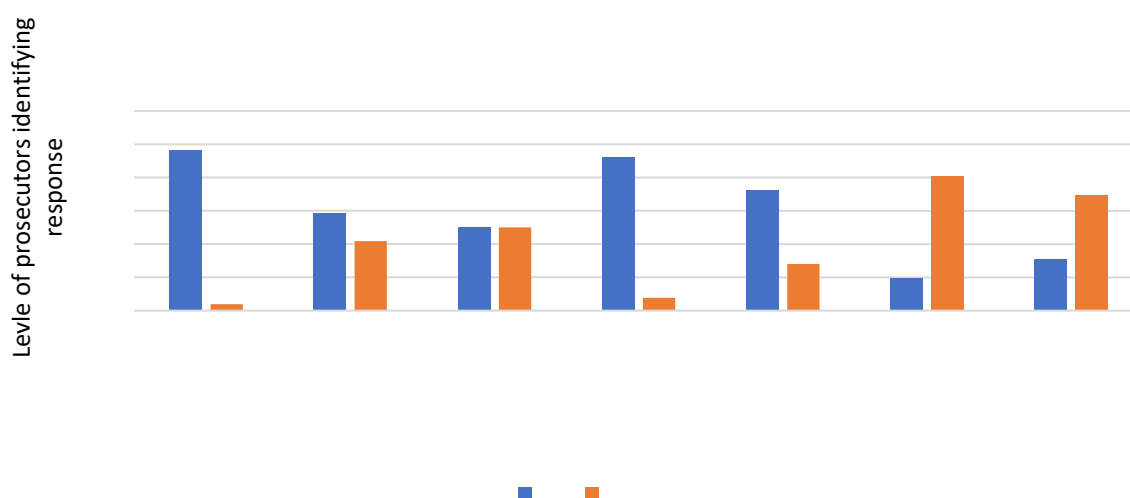


Figure 16 NSWPF Prosecutors Level of agreement BWCs are an Advantage/Disadvantage for the prosecution process

A number of key factors were identified in the analysis of the NSWPF Prosecutor survey responses. These factors centred on:

- (1) The BWC footage offering real time visual presentation of the respective incident vs written text based account;
- (2) Reduces the opportunity for error of recall on behalf of both NSWPF Officers and accused;
- (3) Reduces reliance on NSWPF Officer evidence in the witness box
- (4) Reduced the occurrences of complaints or argument related to NSWPF Officer use of powers;
- (5) Offers opportunity to identify additional offences;

The following comment from a NSWPF Prosecutor offers a powerful, clear summary of the benefits of the BWC footage for the prosecution process:

*...In running matters where the defence have raised issues of police integrity including racism and homophobia the footage has shown that the claims made by the defence were baseless. The magistrate in one matter stated "And this is the value of Body Worn Video, I can see what the police have to deal with at the time, in the heat of the moment." and further "The police were courteous and professional"*

Table 18 offers a sample of comments from the NSWPF Prosecutors' survey which illustrate the key areas of positive impact of BWCs in the prosecution process.

Table 18 NSWPF Prosecutors' perspective of benefits of BWCs for the prosecution process

NSWPF Prosecutors' perspective of benefits of BWCs for the prosecution process	
<b>(1) Real time illustration</b>	<p><i>...The evidence is captured in real time, it's present for the court to view. This enables the court to get a 'real' feel for the situation presented to police rather than trying hard to paint the picture for the court in a calm court room setting. I have found it reduces any allegations regarding police not recalling conversations/events etc. It is considerably important for assault/resist police matters and use of force issues.</i></p> <p><i>... It shows the actual incident as opposed to Police just giving verbal evidence of the matter. I have used body worn for hinder police recently which clearly showed what occurred which was at odds with what the deft said occurred.</i></p> <p><i>... Provides real evidence of the often disgraceful behaviour or members of the public towards police;</i></p> <p><i>... It shows the speed at which it happens, it shows the true anger and aggression displayed by defendants which can be hard to explain in FACTS sheets;</i></p> <p><i>... There have been matters where the issue has been in question. Once the Magistrate watched the BWV there was zero doubt. It can be an incredibly powerful tool for prosecutions.</i></p>
<b>(2) &amp; (3) Less reliance on NSWPF Officer recall/ less opportunity for error</b>	<p><i>...Police do not have to rely on their memory to complete their statement - conversations between the police and third parties are accurate and make it impossible for the accused to deny admissions made to police at the scene;</i></p> <p><i>... Less reliance on Police evidence in the witness box;</i></p> <p><i>... Has reduced the number of arguments related to police use of cautions, safeguards, directions and instruction;</i></p>

<b>(4) Reduces occurrences of complaints against NSWPF Officers</b>	<p><i>...Has allowed the early review of police actions and subsequent early withdrawal of matters where police actions were improper or unlawful;</i></p> <p><i>...Direct evidence of offences involving police is invaluable. Furthermore, poor or complaintable conduct by police is identified early and appropriate action can be taken;</i></p>
<b>(5) Identify additional offences</b>	<p><i>...Has assisted to identify further offences following an event through review of the BWV. Particularly useful at public order type incidents or large affrays.</i></p>

#### 6.4.2 Impact of BWCs on Evidentiary Material – NSW Legal Profession

The NSW Legal Profession offered responses to a range of questions which were designed to provide insight into the impact of the BWCs from the legal defence perspective. Figure 17 presents the respective response rates drawn from the NSW Legal Profession survey.

A key theme that emerged from this data suggests whilst there is a high level of agreement the BWCs are an advantage for the defence counsels' clients, encourages early determination/recommendation of early guilty pleas and adds value to the hearing, the negative aspect identified is the low level of agreement the BWC is efficient for representation matters.

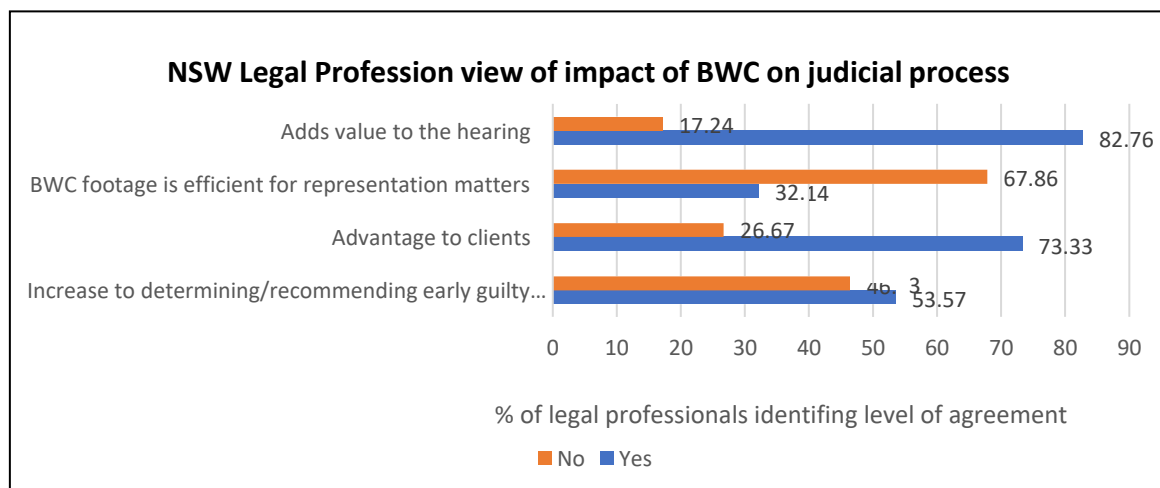


Figure 17 NSW Legal Profession view of impact of BWC on judicial process

Similar themes emerged in the analysis of the NSW Legal Profession survey data as identified by the NSWPF Prosecutors in respect of the specific contribution the BWCs offer to the evidentiary process. The key themes identified included:

- (1) The BWC footage offering real time visual presentation of the respective incident vs written text based account;
- (2) Reduces the opportunity for error of recall on behalf of both NSWPF Officers and accused;
- (3) Provides an independent witness.

Of note, the comments also identified the NSW Legal Profession consider the BWC footage is an advantage for both the prosecution and defence counsel. Table 19 presents examples of comments in respect of the three key themes which emerged from the NSW Legal Profession survey.

Table 19 NSW Legal Profession Survey comments – Impact of BWCs on the legal process

NSW Legal Profession perspective of impact of the BWCs on the legal process	
<b>(1) Visual of real time</b>	<p><i>...video footage is usually very valuable. Cameras are not prone to mistakes of memory, bias and dishonesty. Cameras can sometimes be misleading, especially when they have a low frame rate or show an incident from a misleading angle but generally are preferable to witness evidence;</i></p> <p><i>...Irrefutable evidence on matters that previously boiled down to witness observations only;</i></p> <p><i>...It helps show to the court the scene when the police turn up and it narrows issues</i></p> <p><i>...actions speak louder than words and a picture can paint a thousand words</i></p> <p><i>... it is valuable to hearings for both the police and the accused</i></p>
<b>(2) Reduces error of recall</b>	<p><i>...it recorded all that was said in a situation where the witness could not remember all of the words</i></p>
<b>(3) Independent witness</b>	<p><i>...its like CCTV, an independent witness</i></p>

### 6.4.3 Impact of BWCs on Evidentiary Material – NSW Local Court Magistrates

The NSW Local Court Magistrate survey revealed parallel themes to those for the NSWPF Prosecutors and NSW legal profession for the positive value the BWC footage offers in the presentation of evidentiary material in court hearings.

The comments from the NSW Local Court Magistrates in relation to this aspect of the BWCs is particularly powerful in painting a very clear picture of the benefit to aiding decision making in the courtroom. The key themes which emerged from the data include:

- (1) The compelling visual and accurate representation of incidents/situations
- (2) Reduces reliance on recall by all parties
- (3) Reliable independent witness

It is helpful here to offer a sample of the comments offered in the survey to illustrate the depth of the support by the judiciary for the BWC footage as evidentiary material. Table 20 presents the respective NSW Local Court Magistrate comments on this aspect.

The following response illustrates the collective themes in the NSW Local Court Magistrate survey data:

*...The are a great tool for police to obtain contemporaneous complaints and evidence including admissions and “walk-through” film. BWC definitely ordinarily improve the strength of the police case and are excellent if operated properly to secure the interests of justice.*



Table 20 NSW Local Court Magistrates view of impact of BWC on evidentiary material

NSW Local Court Magistrates view of impact of BWC on evidentiary material	
(1) <b>Visual of real time</b>	<i>...the evidence gives an immediate and often graphic account by a witness to an event that led to criminal charges, such evidence can be cogent in a criminal case;</i>
(2) <b>Reduces error of recall</b>	<i>...it is often far more compelling and far more accurate than oral testimony describing events or than from developing a mental picture from words on a page;</i>
(3) <b>Independent witness</b>	<i>...I am generally very happy to see BWC footage used in evidence as it not only show the interaction but also the location and often where witnesses are and so on;</i>  <i>...BWC footage has significantly affect the presentation of evidence in court. The police statements are now significantly taken from the BWC footage and thus are significantly more accurate The court is able to view the location, the circumstances of the interaction with police, the tone of the parties and see the non-verbal cues when assessing the reliability of that evidence;</i>  <i>...the BWC footage usually strengthens the police case, however we commonly experience difficulties playing the film;</i>  <i>...BWC has reduced the scope and frequency of dispute about police interactions with people when they attend an incident; and particularly concerning cautions, and admissions or other statements to police or in the presence of police;</i>

#### 6.4.4 Impact of BWCs on evidentiary material – Victims of Crime Advocacy Groups

The data analyzed from the Victims of Crime Advocacy Group Representatives (VCAGR) survey identified a high level of support for the positive contribution to be made by BWC footage in court hearings.

A level of 80.65% of VCAGR respondents identified the use of BWCs by NSWPF Officers was an advantage for victims of crime. Further the comments presented in Table 21 which are drawn from the VCAGR survey illustrate the rationale for the high level of support for the BWC footage including:

- (1) BWC footage is a form of protection for victims of crime in court hearings;
- (2) BWC footage captures evidence at a time when a victim may be unable to recall details of an incident
- (3) Reduces the potential for further victim trauma ( in recalling incident for the court)

Table 21 Victims of Crime Advocacy Group Representatives view of BWC cto evidentiary material

Victims of Crime Advocacy Group Representatives view of BWC contribution to evidentiary material	
(1) <b>BWC form of protection for victims</b>	<i>...it is especially good in domestic violence when victims are afraid of the perpetrator and then want to drop AVO's or change statements. BWC are a good form of evidence when protecting victims;</i>  <i>...I have seen the impact that visual and audio evidence can have during court proceedings. This evidence is particularly important in matters such as Domestic Family Violence where the victim may have a change of heart after the incident</i>



<b>(2) BWC captures evidence</b>	<p>...Can help capture the aftermath of an event when the victim may be traumatized/injured and may not recall the event clearly in the future. Can also capture the damage and injuries caused during an incident;</p> <p>...it allows the moment of crime and immediate response to be recorded. The moment is fresh and allows for a more accurate representation of that person's reactions / feeling at the time;</p> <p>...can capture the distress and injuries immediately and can also show the defendants behaviour at the time of the incident</p>
<b>(3) Reduces victim trauma of recalling events</b>	<p>...helps to avoid victims having to retell their stories and gives evidence of what happened at the time of the incident and this is more accurate evidence;</p> <p>... it is less confronting for many than having to make a statement.</p>

## 6.5 Impact of BWCs on the efficiency of the judicial process

The data analyzed in relation to perspectives as to the impact of the BWCs on the efficiency of the judicial process contributes to understanding the overall impact of the BWC deployment by NSWPF.

The notion of efficiency is two-fold here, firstly time factors and secondly procedural efficiency.

The key themes which emerged from the surveys and interviews included:

### Positive themes

- (1) The increase in the quality of the evidentiary material (provided by BWCs) contributes to a more timely decision making process in court;
- (2) The increase in the quality of the evidentiary material (provided by BWCs) reduces the number of contentious matters (and results in potential time saving)

### Negative themes

- (1) delayed cases due to waiting for transcriptions
- (2) delayed cases due to waiting for BWC footage to be available to defense counsel
- (3) the additional time to watch footage by NSWPF Prosecutors and NSW Local Court Magistrates
- (4) Incompatibility of technology in courts to show BWC footage
- (5) Pursuing cross examination of NSWPF officers when evidence is on BWC footage
- (6) Pursuit of Not Guilty pleas when the evidence of offence is on the BWC footage

It is interesting to note the NSWPF metrics data which is trending an increase in successful prosecution where BWC footage is tagged.

As indicated in Figure 18 the data suggests a rate of 31.05% of cases with tagged BWC footage vs 28.14% of cases with no tagged BWC footage.

This preliminary trend offers cautious optimism for increased efficiency for the prosecution process for which validation will be confirmed with a more extensive monitoring of this trend over time.



<b>BWC footage not adequate to contribute to the court matter</b>	<i>...on occasion it is valuable, sometimes it is so short or does not capture the relevant portion</i>
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### 6.5.2 Impact of BWC on efficiency of judicial process – NSW Local Court Magistrates

The response from NSW Local Court Magistrates in relation to their perspective of the impact of the use of BWC footage on the judicial process reflects similar concerns as raised by the NSW Legal Profession, i.e. delay in footage being played in court. The data indicates high levels of support by the NSW Local Court Magistrates for the use of BWC footage whilst at the same time identifying areas which limits the level of efficiency to be achieved in the court process. The key areas identified include the following:

- Delays in transcription + delays in footage being presented in court;
- Limitations in relation to technology available within courts to view the BWC footage;
- Length of time required to view footage in court
- Pursuit of cross examination by Defence Counsel of NSWPF Officers when evidence is on BWC footage;
- Pursuit of Not Guilty pleas when evidence of offence is on the BWC footage

Table 23 offers a sample of the comments from the NSW Local Court Magistrates' survey which illustrate the areas of concern in relation to the impact of the BWCs on the judicial process.

*Table 23 Impact of BWC on efficiency of judicial process – NSW Local Court Magistrates areas of concern*

<b>Impact of BWC on efficiency of judicial process – NSW Local Court Magistrates areas of concern</b>	
<b>(1) Delays in transcription and (2) Delays in footage being presented in court</b>	<i>...it is my experience that there is almost always a delay in getting the material played in court;</i>  <i>...the difficulty is that quite often the defendant and/or the legal representative have not viewed the footage until they arrive at court on the morning of the hearing;</i>
<b>Limitations in relation to technology available within courts to view the BWC</b>	<i>...All NSW Local Courts should have proper facilities for playing BWC footage many country locations do not have proper facilities. These days that is completely inappropriate given that almost all defended hearings involve electronic evidence of some kind. In particular all the courts on Level 5 at Downing Centre urgently need to be properly resourced for electronic evidence;</i>  <i>...if served in a format compatible with the courts technology any additional hearing time is more than compensated for by the value of the evidence.</i>
<b>Time required to view footage in court</b>	<i>...In cases where BWC is played from several Officers a defended hearing can take longer e.g. if an interaction took half an hour and BWC is played from four police playing the BWC will take two hours of court time. However in most cases prosecutors do not seek to play every camera, and in cases where it is done it is because different cameras show different parts of the interaction, and overall I would say it probably evens out with those matters where people plead guilty because everything is shown on the camera;</i>  <i>...Sometimes defence lawyers insist on playing all of the BWC footage in one case that was from 8 officers. I've had to sit through footage of officers doing mobipol checks, when nothing is happening;</i>

<b>Pursuit of cross examination of NSWPF officers when evidence is on BWC footage</b>	<i>...The use of BWCs should result in more guilty please particularly in matters such as assaults and resistance to police officers but it doesn't seem (regrettably) to have made a lot of difference. Police are still being required for cross examination as to their version of events even when it is there for all to see on video;</i>
<b>Pursuit of Not Guilty pleas when evidence of offence is on the BWC footage</b>	<i>...Hopefully some in the legal profession who are responsible for entering plea of not guilty to most offences their clients face will become accustomed to the use of these cameras and reconsider their client's position and provide more comprehensive advice before blindly entering not guilty pleas. Ultimately, the use of these cameras can only lead to saving of the scarce resource that is the ever decreasing amount of court time in this jurisdiction.</i>

## 6.6 Impact of BWC on NSWPF Prosecution outcome rates

A significant contributor to an overall understanding of the impact of the BWCs on the judicial process is the potential and realized outcomes of the prosecution process. There are four main sources of data which provide insight (a) NSWPF Prosecutions data set and (2) NSWPF Prosecutor survey and (3) NSWPF Officer survey and the NSWPF Metrics Analysis.

### 6.6.1 Impact of BWC on NSWPF Prosecution outcome rates – NSWPF Prosecutors

A very high level of positive endorsement of the impact of the BWCs on outcome rates for NSWPF prosecutions was revealed in the respective survey data. A **rate of 72% of NSWPF Prosecutors agreed the BWCs are having a positive impact on the rate of successful prosecution.** This is supported in the evidence provided in Section 6.6.1. Of note, responses from NSWPF Prosecutors identified a range of experiences where the BWC has impacted for successful prosecution. There is also a level of caution to be applied to the consideration of these implications. Specifically, the BWC is not only enabling successful prosecutions it is also enabling matters to be withdrawn where circumstances on the BWC are identified which may contribute to unsuccessful prosecution i.e. actions of police officers. received in relation to this area of impact. The following examples of responses from the NSWPF Prosecutor survey illustrate the support for the positive outcomes and the advantage to withdraw a prosecution process early:

*...I think it is having a positive impact on successful prosecutions where police have done the right thing and I think it enables the withdrawal of matters at an early stage where police have not acted properly;*

*...there has not been a noticeable decrease in the failed prosecution rates since the introduction of BWC across the two commands I have prosecuted for. The BWC can in some cases give rise to the need to withdraw matters which might have previously proceeded and been successful because a review of the officers' conduct or the defendants' actions in the BWC. So in some cases the BWC is the reason for the failure [of the prosecution];*

*...I can recall matters where the BWC pushed a matter beyond a reasonable doubt. It is without doubt a positive not only for successful prosecutions but for policing in general.*

### 6.6.2 Impact of BWC on NSWPF Prosecution outcome rates – NSWPF Data

Interestingly, this positive perspective resonates with the data available to date from the NSWPF in which a trend is emerging identifying an increase in successful prosecutions where BWC footage is present. The experience of the NSWPF Transport Command for example for the period 2015 to 2019 shows an increase in successful prosecutions of 9.1% when comparing BWC footage tagged vs no BWC footage.

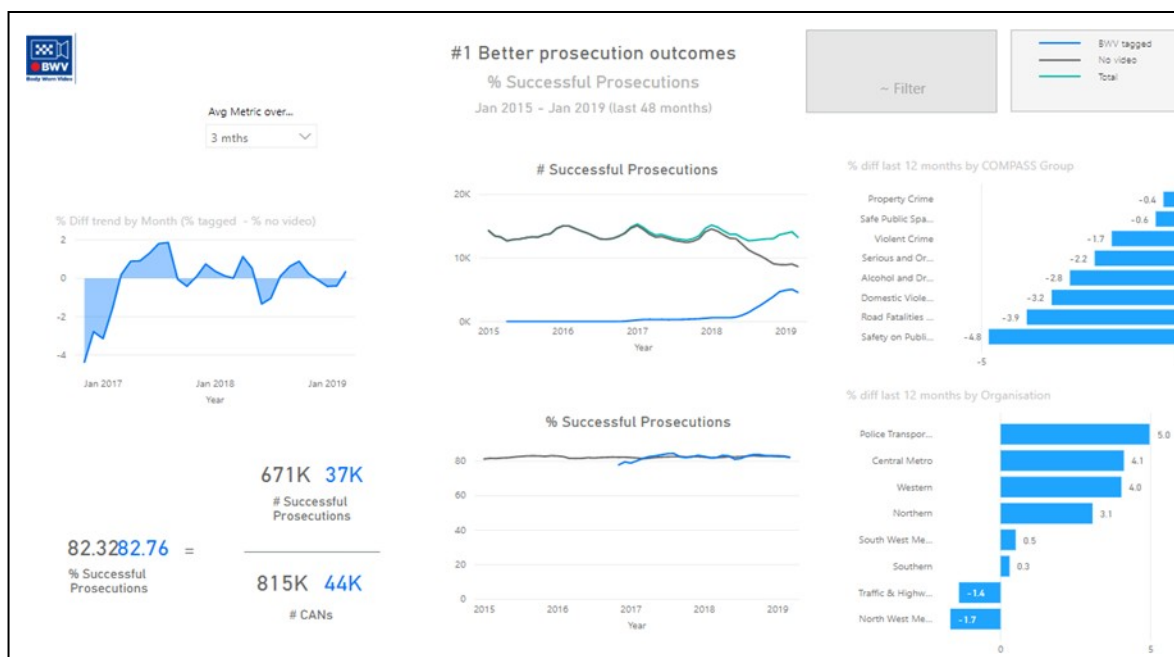


Figure 19 Impact of BWCs on rate of successful NSWPF Prosecution outcomes

### 6.6.3 Impact of BWC on NSWPF Prosecution outcome rates – NSWPF Officers

The NSWPF Officer survey data indicates a high level of agreement by respondents the BWC increases the likelihood of successful prosecutions.

The data recorded and presented in Figure 20 is consistent with the rate of successful prosecutions data provided by the NSWPF for the period 2015 – 2019.

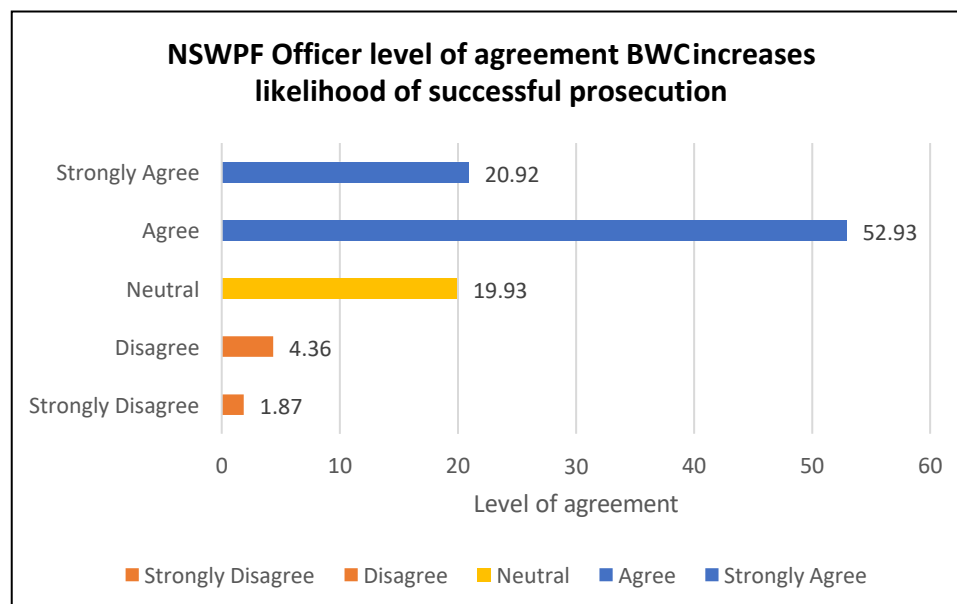


Figure 20 NSWPF Officer level of agreement BWC increases likelihood of successful prosecution

## 6.7 Objective 2 Summary

The data analysis for Object 2 Identify the implications of the use by the NSWPF of BWCs of evidentiary material for prosecution proceedings revealed substantial positive trends as follows:

- **Trending increase in guilty pleas vs not guilty pleas when BWCs present** – 45% of NSWPF Officers, 56% of NSWPF Prosecutors, 53.57% of NSPF Legal Profession supporting the suggested trend. NSWPF metrics data indicating 9.1% increase trend e.g. NSWPF Transport Command increase of 5.7%;
- **Trending increase in quality of evidentiary material for Briefs of Evidence** – 96.15% NSWPF Prosecutors, 82.76% NSW Legal Profession and 80.65% Victims of Crime Advocacy Groups agree with the trend;
- **Trending increase in rate of successful NSWPF Prosecutions** most notably for Violent Crime (82.3% and Safety on Public Transport 82.5%);
- **Major areas of contribution to evidentiary material by BWCs includes:**
  - Reduces opportunity for error of recall
  - Reduces trauma for victim of crime
  - Provides protection for victim of crime
  - Independent reliable witness
  - Illustrates real time situation and environment of crime
  - Provides protection for decisions and actions of NSWPF Officers;
- **Major areas of concern with BWCs in relation to contribution to evidentiary material** and judicial process includes:
  - Transcription of audio increases NSWPF Officer and Prosecutor time devoted to individual cases;
  - Transcription of audio being undertaken by untrained personnel leading to potential error;
  - BWC footage not available in an efficient and timely manner – contributing to the subsequent delay in judicial proceedings
  - Experienced inconsistencies of NSWPF Officers in relation to Standard Operating Procedures for compliance with NSWPF Prosecutors' requirements of BWC footage and inclusion in Briefs of Evidence and the judicial process;
  - Delays in transcription + delays in footage being presented in court;
  - Limitations in relation to technology available within courts to view the BWC footage;
  - Length of time required to view footage in court
  - Pursuit of cross examination by Defence Counsel of NSWPF Officers when evidence is on BWC footage;
  - Pursuit of Not Guilty pleas when evidence of offence is on the BWC footage

## 7.0 Objective 3 Identify the impact of the use of BWCs on injuries / assault to NSW Police Force Officers

The evaluation of the NSWPF BWC Phase 1 Implementation revealed an emerging trend in the reduction of assaults on NSWPF Officers. The data analysed for the Phase 2 implementation has similarly revealed a decrease in the number of assaults against police charges.

### 7.1 Impact of BWCs on Assault Police Incidents

The data presented in Figure 21 is in contrast to the NSWPF Officers' response to this issue in the respective survey. As illustrated in Figure 21 the NSWPF Officers indicated a level of 63.12% had not observed any change in assault police incidents. A level of 35.62% of NSWPF Officers indicated a positive change observed and 1.25% of responses indicated a negative change. To more adequately understand this metric data it is valuable to consider the comments offered in the survey on this area of evaluation.

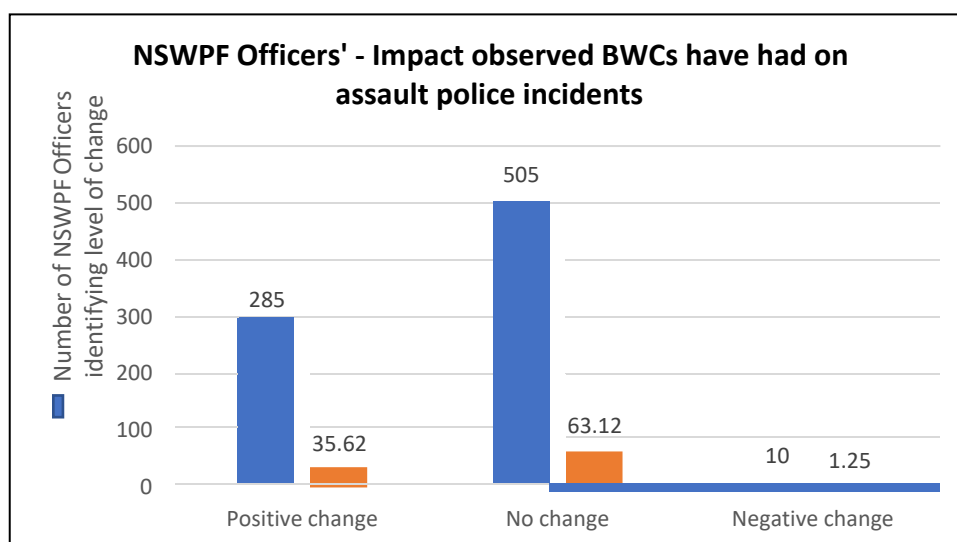


Figure 21 NSWPF Officers' response to impact observed BWCs have had on assault police incidents

As indicated in Table 24 a total of 338 comments were received and they were categorised into comments on *Positive impact on court/evidence/plea*; *No change observed*; *Reduction in assaults and aggression*; and *Not in a position to comment*.

Table 24 NSWPF Officer comments – Impact of BWCs on assaults on NSWPF Officers

NSWPF Officer comment rate in relation to change in Assault Police incidents	
Category of comment	No of comments
1. Increases evidence of assaults/increases evidence for court/ increases guilty pleas (BWC footage increases evidence of behaviour of NSWPF Officers and members of the public)	112
2. Reduction in levels of aggression and assaults (presence of BWC had a calming effect on the interaction)	73
3. No change observed	93



(alcohol, drug affected remain aggressive and assault, BWC did not deter offender from assaulting police)	
4. Not in an informed position to comment (not operational, not been assaulted, not observed assaults)	110

Of note is the NSWPF metrics data (Figure 22) which indicates a trend of a slight increase in Assault Police incidents when BWCs are present 0.10% to .46%. This data is preliminary in nature due to (a) the short period over which it has been collected and analysed and (b) other influencing variables (impacting on the incident) have not been accounted for in this data to date.

The interesting element is the alignment between the rate of NSWPF Officers who indicated ‘no change or negative change’ trending at 64.37% and the preliminary negative trend indicated by the NSWPF metrics data. To counter balance these indicative trends is the 35.62% of NSWPF Officers who suggest there has been a positive change in this area as a result of the use of BWCs.

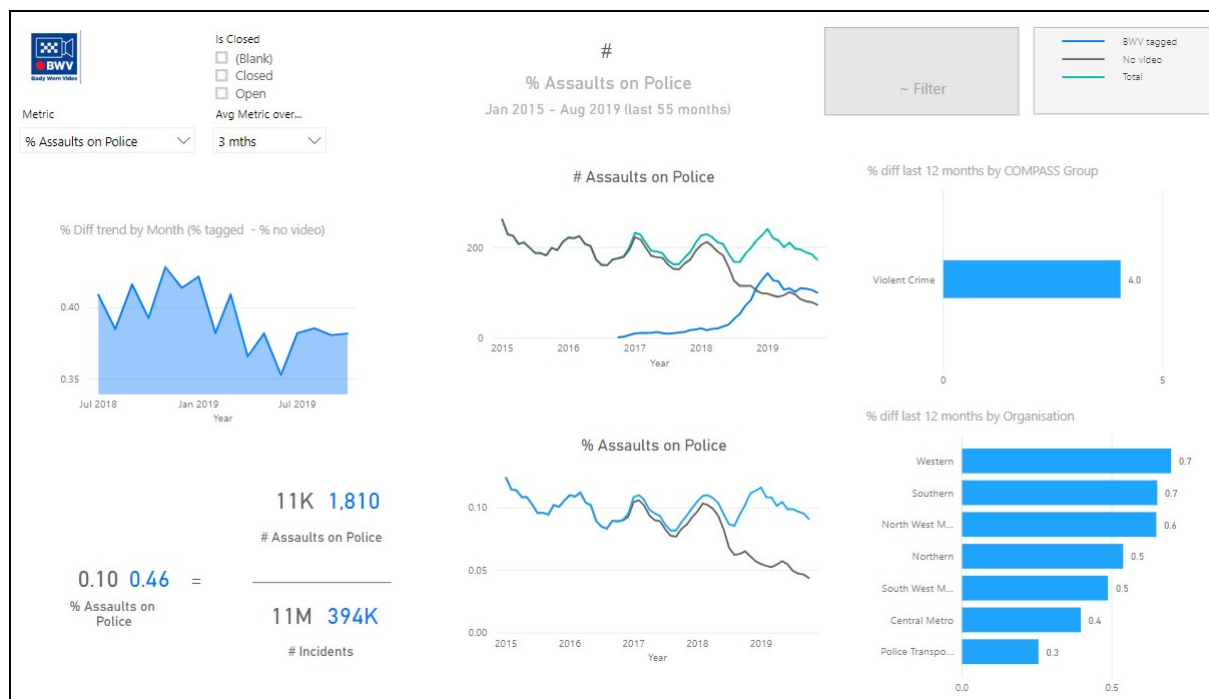


Figure 22 Trending Number and Percentage rates of Assaults on Police with BWC present

Importantly, from an operational frontline NSWPF Officer perspective, the BWCs have increased the sense of confidence and security experienced by those attending incidents involving violent behaviour.

Whilst 15.53% of NSWPF Officers suggested they did not agree with the statement *I feel more confident and secure when attending incidents involving violent behaviour*, and 33.91% remained neutral on the topic a rate of 50.56% of NSWPF Officers agreed with the statement.

As illustrated in Figure 23, the trending rate of 50.65% of NSWPF Officers suggesting they feel more confident and secure would be encouraging organisationally.



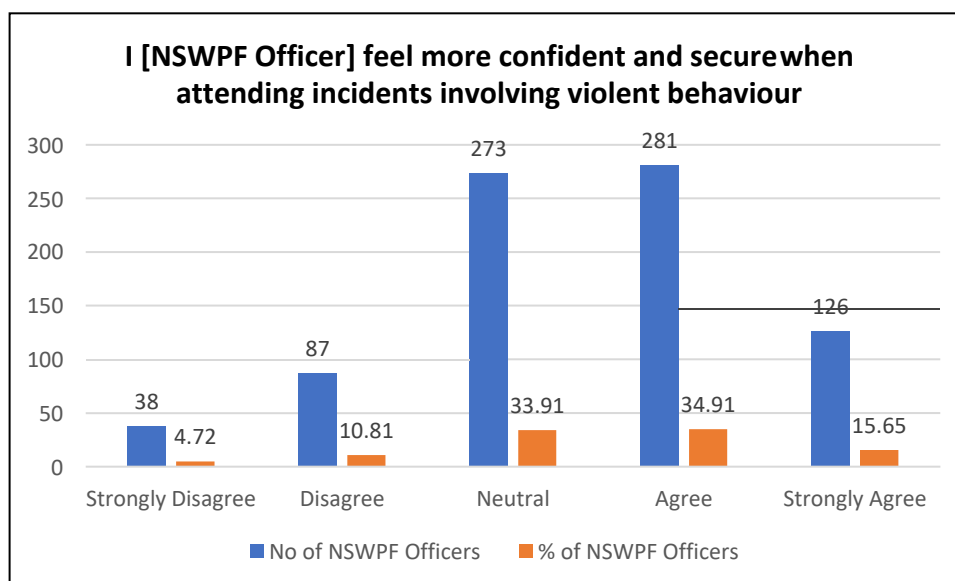


Figure 23 Trending rate of NSWPF Officer perspective of impact on BWCs on officer safety and security

It is insightful to consider examples of the comments in each of the 4 categories to contribute to understanding the experienced impact of the BWCs by NSWPF Officers in relation to assaults on police.

Table 25 NSWPF Officer perspective on impact of BWCs on Assault Police incidents

NSWPF Officer perspective on impact of BWCs on Assault Police Incidents	
<b>Increases evidence of assaults/increases evidence for court/increases guilty pleas (BWC footage increases evidence of behaviour of NSWPF Officers and members of the public)</b>	<p>...previously, magistrates do not seem to believe that police get assaulted 'for no reason'. I have experienced people be found not guilty of assault police for a variety of reasons. Being able to take the footage of an accused into the court room is invaluable. I don't know if it would necessarily REDUCE the number of assault police incidents, but from an evidentiary value it is valuable;</p> <p>...able to capture the incident and the manner in which the offender was acting before and after the incident;</p> <p>...better recording of such incidents including police action before hand to reduce claims of misunderstanding or even provocation;</p> <p>...guilty verdict! A picture is worth a thousand words in these instances. Every instance of Assault Police I have been involved in since the roll out was recorded and guilty pleas have been entered on each occasion. The camera/audio quality is excellent and is a great tool for court. I'm always confident going to court knowing there is BWC footage available;</p> <p>...I have been assaulted whilst using the camera, the difference I we got an immediate guilty plea when it was apparent the incident was recorded. We were able to successfully refute reps as the BWC footage was reviewed.</p>
<b>Reduction in levels of aggression and assaults (presence of BWC had a calming effect on the interaction)</b>	<p>...I have witnessed a definite reduction in this type of behaviour as prior to BWC, people felt that they had a degree of anonymity when in a group and were more likely to assault police as they felt they could make good their escape without fear of being identified. With the introduction of BWCs retrospective identification of offenders has increased and their behaviour captured on high quality footage;</p>

	<p><i>...In some instance it has been positive as it alters the behaviour of persons who are aware that they are being recorded. However, you will always have those members of the community who will not care if they are being recorded or not;</i></p> <p><i>...most people will not assault you when being filmed, however I have still been assaulted when filming with a BWC;</i></p> <p><i>...POIs are beginning to be more subdued and less violent towards police.</i></p>
<b>No change observed (alcohol, drug affected remain aggressive and assault, BWC did not deter offender from assaulting police)</b>	<p><i>...I have been assaulted whilst I was wearing it, it clearly captured the incident, but the POI still has pleaded not guilty;</i></p> <p><i>...I was assaulted wearing a BWC and was captured on my camera and my offside's camera. The male person was going to assault me regardless. In saying that informing members of the public that they are being recorded does make some think about their actions and assists with convictions as it is great evidence;</i></p> <p><i>...XX;</i></p> <p><i>...in the heightened emotional or mentally impaired state of the offender at the time of the incident has shown little impact on this aspect;</i></p> <p><i>...none (change), if people want to hit police they don't care about who is watching, they will hit police. These people are usually drug or alcohol affected so being recorded is not a deterrent.</i></p>
<b>Not in an informed position to comment (not operational, not been assaulted, not observed assaults)</b>	<p><i>...I can't comment as I am not on the road;</i></p> <p><i>...I can't comment haven't had one ( BWC) long enough;</i></p> <p><i>...have not been involved in any similar incidents;</i></p> <p><i>...have not experienced such an incident since introduction of cameras</i></p>

### 7.1.1 Impact of BWCs on Assault Police incidents – NSWPF Commanders

The NSWPF Commander interview responses in relation to observed impact of the BWCs on rates of Assault Police incidents revealed five categories of response:

- **Anecdotal evidence the rate was decreasing**
- **Statistics not yet available (Command recent adopters of BWCs)**
- **Statistics indicating rates remaining stable in some areas**
- **Rate change may be impacted by additional factors e.g. lock out laws**
- **Potential future positive impact**

Table 26 offers examples of the comments from NSWPF Commanders' associated with the impact of BWCs on Assault Police Officers.

Table 26 NSWPF Commanders perspective of impact of BWCs on rates of Assault Police Incidents

NSWPF Commanders perspective of impact of BWCs on rates of Assault Police Incidents	
<b>Anecdotal evidence the rate was decreasing</b>	<p><i>...anecdotally, for example Friday nights, even when people are on the 'gear' it seems to reduce their behaviour;</i></p> <p><i>...anecdotally, better off compliance.</i></p>
<b>Statistics not yet available (Command recent adopters of BWCs)</b>	<p><i>...too early to tell, we are a country command;</i></p> <p><i>...haven't seen any stats on this yet;</i></p>
<b>Statistics indicating rates remaining stable in some areas</b>	<p><i>...Assault police incidents have remained even or unchanged when comparing incidents reported in the periods pre BWC ( Jan – June 2018) and post deployment of BWC (Jan – June 2019). Both periods scrutinized are at 34 Assault police reports;</i></p> <p><i>...seems to have remained stable, it is difficult to say, the circumstances that police normally get assaulted in i.e. alcohol related matters then the use of the camera would not make a difference to the POI;</i></p>
<b>Rate change may be impacted by additional factors e.g. lock out laws</b>	<p><i>...rates seems to be decreasing however there are other factors in this area such as the lock out laws;</i></p>
<b>Potential future positive impact</b>	<p><i>...public have learnt from court appearances and this may change the way they behave in the future;</i></p> <p><i>...I think it will in the future;</i></p> <p><i>...I don't think the impact has set in fully yet, I am confident the assaults are more likely to go to a positive conviction due to the BWC.</i></p>

### 7.1.2 Impact of BWCs – Comparison on Assault Police, Deterrent to Offenders & Compliance with Police

It is helpful to developing an overall understanding of the impact of the BWCs on the potential behaviour of members of the community in the context of Assault Police. A comparison of the perception of NSWPF Officers as to the impact the BWCs have had on assault police incidents, level of compliance with NSWPF Officers and behaviour of potential offenders contributes to this understanding. Figure 24 presents the respective levels of the three areas of comparison.

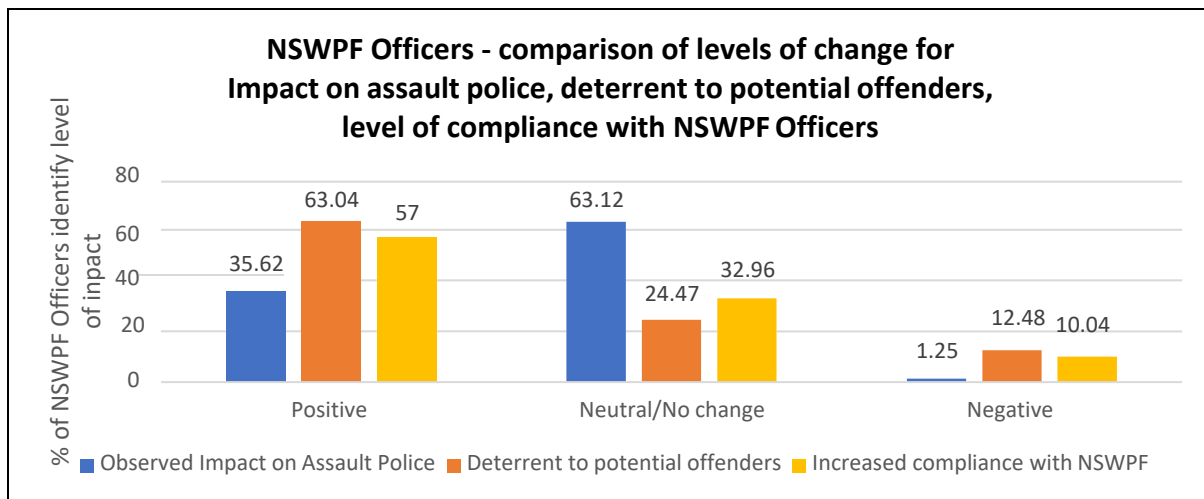


Figure 24 NSWPF Officers comparison of level of change on assault police incidents, deterrent to potential offenders & level of compliance

## 7.2 Objective 3 Summary

The data collected and analysed for Objective 3 Identify the impact of the use of BWCs on injuries / assault to NSW Police Force Officers revealed a range of positive trends. This area of evaluation requires a longitudinal framework to more adequately validate the early inductive trends emerging from the data which includes:

- **NSWPF Officers (35.62%) on the frontline were experiencing a positive change in behaviour and assault police incidents;**
- **NSWPF Officers (57%) identified experiencing an increase in compliant behaviour by community members;**
- **NSWPF Officers (63.04%) agree the BWCs are a deterrent to potential offenders**
- **NSWPF Officers (50.65%) agree when wearing BWCs they had an increased level of confidence and security attending incidents of violent behaviour**

Overall key benefits:

- **Increase in evidence of assault police incidents for progressing prosecution proceedings;**
- **Indictive trend of NSWPF Officers experiencing a reduction in the level of aggression at police/citizen incidents**
- **Indicative trend of increased compliant behaviour by community members may show a reduction in rate of assault police incidents over time**

These positive trends are counterbalanced by the preliminary NSWPF metrics data which indicates:

- **Increase of assault police incidents when BWCs are present, 0.10% to .46%.**

A level of caution is to be applied in consideration of the NSWPF metric data for this Objective 3 due to (a) the limited period over which the data has been gathered and therefore a consistent trend is not yet validated and (b) the numerous additional factors which influence situations of assault police which are beyond only the presence of BWCs.

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## 8.0 Objective 4 Identify the impact of BWCs on complaints against NSWPF Officers

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### 8.1 Background

The early findings of the evaluation of the NSWPF Phase 1 deployment of BWCs identified an emerging trend for the reduction in the rate of complaints that were sustained against NSWPF Officers. The evaluation of Phase 2 has revealed a similar trend with a marked reduction in the number of sustained complaints in the period of the Phase 2 BWC deployment. It is valuable in developing a holistic understanding of the impact of the BWCs on complaints against police to not only consider the metrics i.e. the recorded number of complaints vs the number of sustained complaints, also to consider the impact on complaint triaging, officer morale and the impact of introduction of the online public facing portal for submitting complaints against officers. The portal was introduced during the period the BWCs were iteratively deployed across NSW. It is therefore reasonable to expect a 'spike' in the number of complaints recorded at the time of the portal release and thereafter.

The data sourced to develop a comprehensive understanding of the impact of BWCs on complaints against police included:

- NSW Community survey comments
- NSWPF Commander interview comments
- NSWPF Legal Profession survey comments
- NSWPF Officer survey comments
- NSWPF metrics data

A number of very clear and strongly supported themes emerged from the qualitative data in respect of the impact of BWCs on the complaints against police process. The themes included:

- Positive impact on efficiency of complaint management process including initial triaging
- Positive impact on staff morale
- Positive impact on staff resourcing of the complaint management process
- Positive impact on identifying and managing NSWPF Officer training intervention and remediation
- Positive impact on increase in NSWPF Officer confidence of benefits of BWCs

The trends identified from the analysis of the above data sets resonate with the overall inductive trend of a reduction in sustained complaints and reduction in the number of declined complaints. Two key sets of NSWPF metrics data indicate support for the field based data trends for complaints against NSWPF Officers for the period July 2017 – August 2019 and June 2018 – March 2019 and presented in the following.

### 8.2 Impact of BWCs on complaints against NSWPF Officers and the NSWPF Complaint Management Process – NSWPF Commanders

A key area identified by NSWPF Commanders impacted by the introduction of the BWCs is the triaging of complaints received against NSWPF Officers. The inherent nature of complaints against police officers realizes a cascading effect from the initial complaint to impact on officer morale; staff resourcing to manage complaint investigations; where appropriate temporary replacement of staff who are stood down from duty; and staff training interventions where identified as required.

In response to the question: *Have you observed the use of BWCs having impact on the rate of complaints against police?*, one NSWPF Commander offered the following example of the impact of the BWCs on verifying NSWPF officers' actions and mitigation of potential complaints:

*...We had a critical incident here, the police activate the cameras from the beginning of the incident XX*

XX.  
 XX  
 XX  
 XX. The  
 footage totally corroborated the police officers version of events. There were 4 officers  
 involved, unlikely to be an inquest and these officers are selling the worth of the use of the BWCs.

Table 27 presents examples of the comments attributed to the four key themes drawn from the NSWPF Commander interview data in respect of evaluating the impact of BWCs on complaints against police and the NSWPF Complaints Management Process.

Table 27 Impact of BWCs on complaints against police & NSWPF Complaints Management Process key themes and comments

Impact of BWCs on complaints against police & NSWPF Complaints Management Process (CMT) key themes and comments	
(1) <b>Positive impact on efficiency of complaint management process including initial triaging</b>	<p>...BWC has had a massive impact on the CMT and realized a decline in complaints as the video provides the evidence, as an investigator it is the first thing asked for;</p> <p>...had two complaints where BWC was used and the officers were exonerated – its assisting a more timely process;</p> <p>...has impacted on us being able to triage complaints quickly, enables the investigating officer to make decisions in a timely fashion;</p> <p>...it enables triage straight up if there is video and decline or investigate;</p> <p>...for triaging it is the best evidence, excellent tool to decide if there is evidence to proceed, stops a lot of complaints;</p> <p>...every single complaint in the past 6-12 months not one has been upheld, triage is a quick process;</p> <p>...Real impact in the CMT for me personally as a Superintendent, it has realized 99% rate of exoneration of officers in complaint matters.</p>
(2) <b>Positive impact on staff morale</b>	<p>...good morale since the positive impact on CMT – the officers are now just taking the BWC as part of their kit;</p> <p>...I tell the officers, don't be scared the camera offers the evidentiary aspect it reduces stress, there is no second guessing;</p> <p>...there is some concern about the balance, if you don't use the camera there could be a reverse assumption</p>
(3) <b>Positive impact on staff resourcing of the complaint management process</b>	<p>...The first hand video enables the decline of complaints at the beginning this is a huge benefit. It has an operational impact – officers are not placed off duty and having to go through the investigation process;</p> <p>...interestingly, recently we have had some false complaints against police, we triage them, dismiss them and I support the officers. With me doing this and keeping the troops informed it is proof of the benefits of the BWC and it is having a positive effect on staff;</p> <p>...trriage is quick process...it saves money;</p>

	<p>...over time I would expect it would reduce the amount of complaints that we need to investigate and the flow on effect, financially, resourcing, officer morale.</p>
<p><b>(4)</b> <b>Positive impact on identifying and managing NSWPF Officer training intervention and remediation</b></p>	<p>...we also look at the BWC footage for remediation of complaint issue, if training required;</p> <p>...the BWC is positive in managing underperforming staff. We had an investigation and the P/C stated his actions, when we viewed the footage this did not support his statements and the actions involved operational safety;</p> <p>...it provides us with evidence of high risk officers with customer service complaints</p>

As indicated in Figure 27, the more recent NSWPF metrics data suggests a sustained trend in the reduction of complaints sustained over the period in which the greater majority of BWCs have been deployed for use by NSWPF Officers state wide.

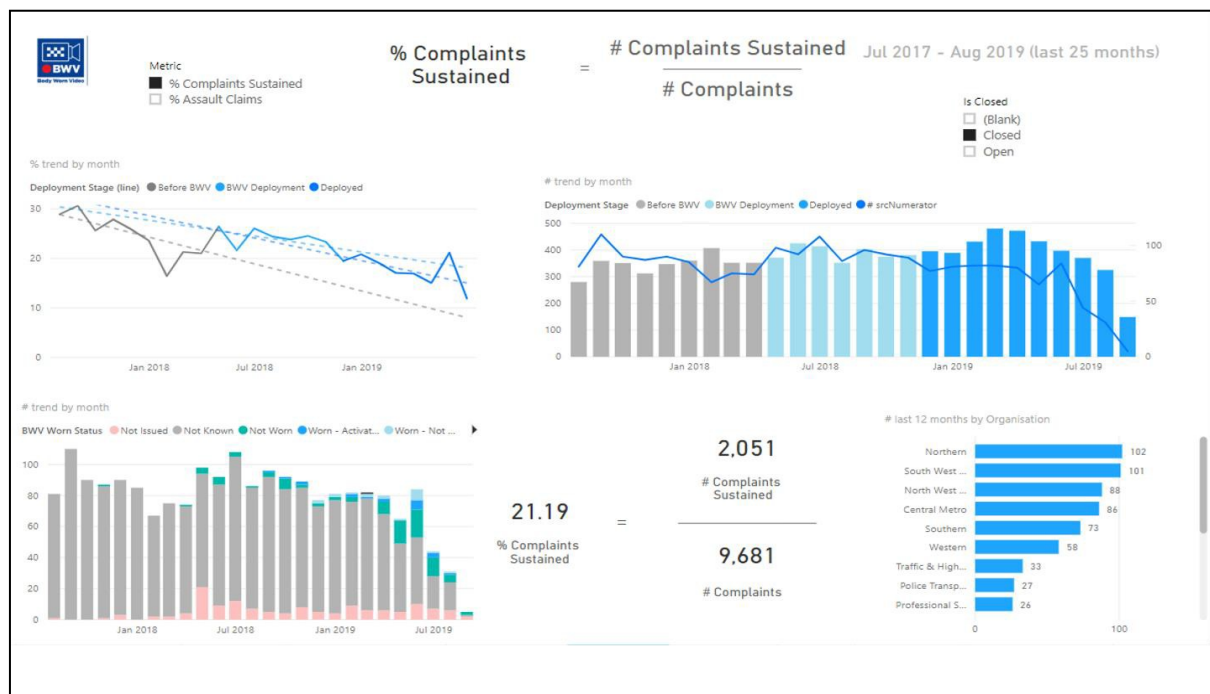


Figure 27 NSWPF metrics data – Number of complaints against NSWPF sustained 07/17 – 08/19

In a similar trend, Figure 28 illustrates the NSWPF metrics data for the period June 2018 – March 2019 which presents the number of complaints declined, sustained, not sustained and open (currently under examination). The numbers resonate with the qualitative, lived experience of the NSWPF Officers and their NSWPF Commanders as articulated in the survey and interview data.

Of note, the positive impact the BWCs are realising in this area of NSW policing and potential long term impact on associated community and police relations, time and cost savings for the NSWPF and NSW community, confidence and moral support for NSWPF Officers and confidence in the NSWPF from the community they serve.



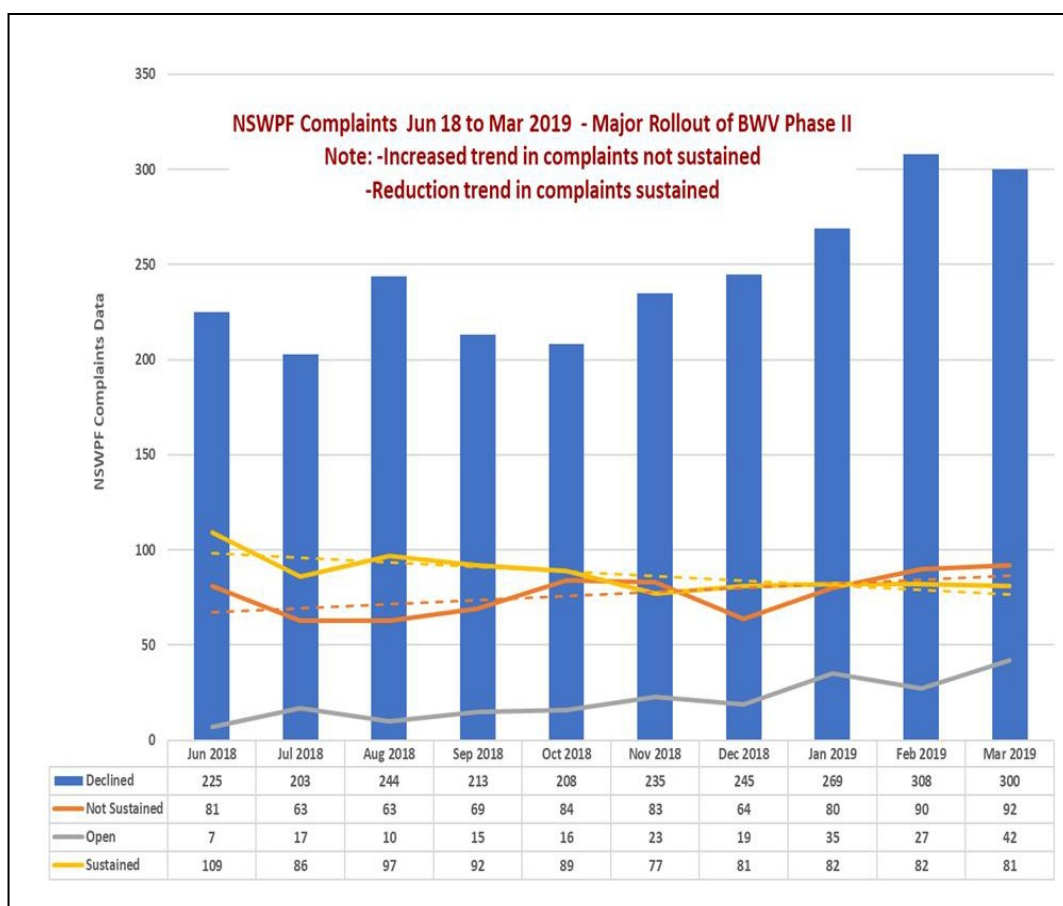


Figure 28 NSWPF metrics data – Outcome of complaints against NSWPF Officers June 2018 – March 2019

### 8.3 Impact of BWCs on complaints against NSWPF Officers and the NSWPF Complaint Management Process – NSW Community

The NSW Community survey offered opportunity for respondents to offer general comment in relation to the introduction of the BWCs by NSWPF. Analysis of the comments received identified one key theme in relation to complaints against police i.e. positive endorsement of the BWCs as an evidence gathering tool for the protection of both police and members of the public. Table 27 offers illustrative comments drawn from the NSW Community survey on this topic.

Table 27 Impact of BWCs on complaints against NSWPF Officers – NSW Community perspective

Impact of BWCs on complaints against NSWPF Officers – NSW Community perspective	
<b>Positive impact for protection of NSWPF Officers against complaints</b>	<p>... Fantastic initiative, gives police the ability to show what the situation is really like, gather real time evidence for court, refute false complaints;</p> <p>... I am all for them, they can protect the police Officer for vexatious complaints and the is footage of incidents they attend that can be another tool for when matters go to court;</p> <p>... I think it's brilliant in that it supports police versions and protects them in relation to complaints and evidence in court. Also assaults against them and what actually takes place between Officer and public are there to be seen;</p>



	<p><i>...Excellent to see Police incorporating this. Will likely encourage people to be more honest when dealing with the Police. Also a very good backup for allegations of police brutality. Win-win situation for police and the general public;</i></p> <p><i>...I think it is a good idea - protects police and community from untrue allegations by providing reliable and accurate footage of all interactions;</i></p> <p><i>... it protects the officer from malicious complaints and the public from unlawful actions by the police;</i></p> <p><i>...Wish we had them. Great when dealing with complaints against police and for evidence accountable.</i></p>
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#### 8.4 Impact of BWCs on complaints against NSWPF Officers and the NSWPF Complaint Management Process (CMP) – NSWPF Officers

The NSWPF Officer survey offered opportunity for respondents to comment generally on the NSWPF BWC initiative. Analysis of the comments received identified three key areas in respect of the impact of BWCs on complaints against NSWPF Officer and the NSWPF CMP.

Table 28 presents comments in relation to the three key areas:

- Protects NSWPF Officers;
- Provides evidence for training intervention and remediation;
- Level of concern the BWCs creates stress for NSWPF Officers – monitoring & internal complaints

Table 28 Impact of BWCs on complaints against NSWPF Officers and the NSWPF CMP Process – NSWPF Officer perspective

Impact of BWCs on complaints against NSWPF Officers – NSWPF Officer perspective	
<b>(1) Protects NSWPF Officers</b>	<p><i>...I am a serving police Officer and have been required to assess complaints made by members of the community about their treatment by police. The footage allowed me to acutely assess their concerns and view exactly what occurred. I have identified a number of the complaints to be false in nature and invited the complainants to attend and view the footage which they have not;</i></p> <p><i>.... As a senior officer who deals with complaints I can honestly say that it saves police rather than sinking them. I have never had e BWV complaint matter that wasn't cleared by the BWV. I'm sure it will happen, but to date it's been an invaluable tool for clearing police of complaints;</i></p> <p><i>...Greatest benefit is evidence against complaints and for prosecution. It doesn't always prevent offending but it provides excellent evidence of the offender's demeanour and attitude when it doesn't. It will negate many vexatious complaints against Police;</i></p> <p><i>...essential tool for policing, reducing bogus complaints about police and increasing guilty pleas at court;</i></p> <p><i>...The use of BWV is proving beneficial to Police. It is proving to be an excellent evidence gathering tool; limits negative behaviour from some members of the public and has been shown to assist Police during internal complaint enquiries to disprove false allegations.</i></p>
<b>(2) Provides evidence for training</b>	<p><i>...Provides evidence for training intervention and remediation;</i></p>

<b>intervention and remediation</b>	<i>... The use of Body worn video's holds the Officers accountable for their actions and whilst not only having an impact on the customers actions, also modifies the police Officers behaviour</i>
<b>(3) Level of concern BWC creates level of stress for NSWPF Officers – monitoring &amp; internal complaints</b>	<p><i>....All in all great asset to NSWPF. Disappointing that complaints have arisen from accidental activations by officers in their car, alone having a conversation. Because of such incidents some officers are unwilling to leave the camera on standby due to fear they may be disciplined saying "something out of school";</i></p> <p><i>.....XXX XX XXX. The seat belt in the vehicle constantly turns it on. Police should be able to have private conversations to vent their frustrations without fear that someone had theirs on. It's part of the coping mechanism for Police to use dark humour to prevent PTSD. The machine should making a "Beep" showing it is recording. This negative outweighs the positive of guilty pleas and lack of complaints. I have a long Policing career and have never had a false complaint sustained so I'd prefer not to have BWV then the fear of it constantly turning on;</i></p> <p><i>...Body worn Video has caused extensive paranoia in police. It seems as though it is a new tool for complaint management against police officers. I can see that many colleagues are being reprimanded since BWV has come out;</i></p> <p><i>XX XX;</i></p> <p><i>...Bosses love BWV because it assist in sustaining complaints against police officers. It has nothing to do with court or evidence;</i></p> <p><i>...BWV should only be used by the Police Force for the gathering of evidence against offenders. It should not be used by Management to review an officer carrying out their duties.</i></p>

## 8.5 Objective 4 Summary

The evaluation of the Phase 2 NSWPF implementation of BWCs has revealed similar trends as those reported for the Phase 1 implementation. The evaluation of Phase 2 has enabled evaluation of an extended period of time over which to gather relevant data of a metric nature, the lived experience of the front line officers, their colleagues and NSWPF Commanders and the impact of BWCs on the level of complaints submitted by members of the public.

The key findings from analysis of the data indicates utilisation of BWCs by the NSWPF offers the following:

- **Positive impact on efficiency of complaint management process including initial triaging**
- **Positive impact on staff morale**
- **Positive impact on staff resourcing of the complaint management process**
- **Positive impact on identifying and managing NSWPF Officer training intervention and remediation**
- **Positive impact on increase in NSWPF Officer confidence of benefits of BWCs**
- **Protection for NSWPF Officers and members of the public from unlawful actions and unsubstantiated complaints respectively**

In support of these findings are the substantial NSWPF metrics data for outcomes of complaints submitted against NSWPF Officers trends. Specifically:

**An increase in declined complaints in the period June 2018 – Mar 2019 from 225 to 300**

**An increase in the number of complaints not sustained June 2018 – Mar 2019 from 81 to 92**

**A reduction in the number of sustain complaints June 2018 – Mar 2019 from 109 to 81**

The data suggests there continues a level of concern expressed by NSWPF Officers and their concerns observed by NSWPF Commanders that the BWCs are a source of monitoring of Officer behaviour. This is a reality, and the data suggests it is not a purposeful negative intent, rather as a training intervention and remediation approach. In addition, the data further suggests as the benefits of the BWCs in the complaint management process are increasingly identified and disseminated to officers, there is the potential for further acceptance of the benefits of the BWCs in this area of managing operational policing.

## 9.0 Objective 5 Identify the impact of BWCs on Victims of Crime

### 9.1 Impact of BWCs on Victims of Crime (VOC) - Introduction

An important inclusion in the evaluation of the impact of BWCs as utilized by NSWPF Officers is to develop an understanding of the impact of the initiative on victims of crime (VOC). Inclusion of VOC perspectives on this enables a more encompassing understanding of the lived experience of the impact of the use of BWCs by NSWPF Officers. Analysis of data for this objective includes consideration of the impact of the BWCs on Domestic Violence incidents and associated judicial processes from NSWPF Officers, Victim of Crimes Advocacy Group Representatives, and NSW Community Member surveys.

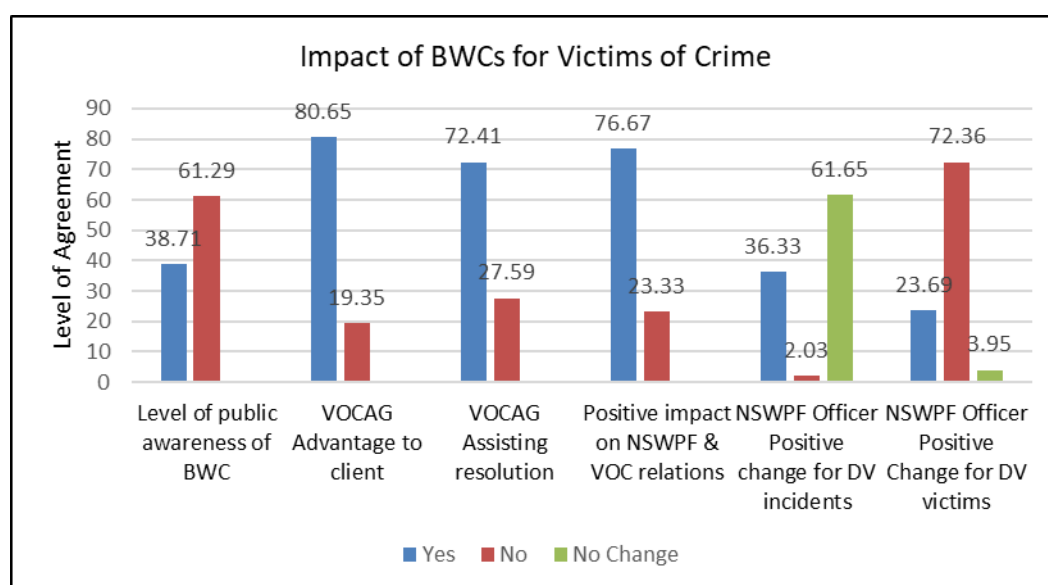


Figure 29 Impact of BWCs for Victims of Crime

The data presented in Figure 29 indicates a high level of agreement the use of BWCs by NSWPF Officers is positively impacting the management and outcomes for domestic violence incidents. The data suggests positive impact of the utilization of BWCs on NSWPF police/VOC relations (76.67%), trending positive change in domestic violence incidents (36.33%) and for victims of domestic violence (23.69%). To more comprehensively understand the rates of change trending in this data, requires consideration of the comments offered by the respective groups. The comments drawn from the NSWPF Officer survey and the Victims of Crime Advocacy Group Representatives identify common themes including:

#### **Positive influence:**

- Captures admissions on BWCs at the scene
- Establishes accurate record of injuries and emotions at the incident
- Establishes increased and accurate evidence which assists victims in court
- Establishes evidence which assists in court when a victim retracts
- Reduces stress and trauma for victim having to recount details and incident
- Contributes to provision of evidence leading to potential increase in arrest rates
- Enables avenue for victims who are more prepared to talk to BWC than DVEC
- Contributes to changes of behaviour of offenders in some cases

#### **Negative influence:**

- The switching required due to SOPS between DVEC and BWC has a tendency to reduce Officer use
- Adds distress to victim to require recording on DVEC if they have previously been recorded on BWC

- Sensitivity of incidents reduces victims' comfort at being recorded

The following sections 9.2 and 9.3 offer examples of comments from each of the respective contributing groups to developing a response to the overall Objective 5.

## 9.2 Impact of BWCs on Domestic Violence Incidents & Victims – NSWPF Officers

A total of 362 comments were recorded from the NSWPF Officer survey associated with the officers' perspective of the impact of the BWCs on domestic violence incidents and victims of domestic violence.

The key themes are presented below with examples of comments which illustrate the NSWPF Officers' perspective. There were numerous very poignant comments offered by the officers, their experience palpable through their comments, one in particular which referred to the impact on victims of domestic violence:

*...it helps to 'cement' their version[victim] and prevent them from trying to back out of the complaint and therefore fall back into the cycle of violence.*

Table 29 Impact of BWCs on Domestic Violence Incidents and Victims – positive implications – NSWPF Officers

Impact of BWCs on Domestic Violence Incidents & Victims Positive implications	
Positive implications	
<b>Evidence assists in court when victim retracts</b>	<p><i>...police have been able to obtain versions of incidents at the commencement of an incident this assists in taking action when the victim in a matter then decides that they do not wish to participate in a DVEC or provide a statement;</i></p> <p><i>...if the victim wants to retract their statement at court the BWC can be played;</i></p> <p><i>...makes it harder for victims to later deny their allegations and the seriousness of the incident later at court;</i></p> <p><i>...admissions captured in the first instance, the demeanor of victims captured even if they do not make a statement or DEVC, this is extremely helpful when victims change their mind and no longer want to proceed with charges.</i></p>
<b>Accuracy and quality of evidence for NSWPF action and prosecution proceedings</b>	<p><i>...XXXXXXXXXXXXX I have noticed a significant number of victims that would fabricate first contact information to have the offender arrested. Introduction of BWCs captures initial response, initial versions and any readily available evidence;</i></p> <p><i>...better recording of other external factors such as the damage or other general environment which can be used in court or also for proof for support agencies such as FACS if child welfare is brought into question;</i></p> <p><i>...it has shown them at the time they are a victim, it can be very different when seeing people at court months after where this now shows what happened;</i></p> <p><i>...unwilling victims of a swaying nature who later recant their initial versions or claim they either were misunderstood or supplied false versions are better recorded so particularly claims that a victim had not stated certain things can be recanted in the witness cross examination at court;</i></p>

	<p><i>...allows for the scene to be recorded and shown exactly, without having to try to explain the situation or the behaviour of the people at the time of attending. This is what the attending Police were faced with upon arrival and assists in justifying their actions, even if by the time the matter does go to court and the victim and defendant no longer want to take action against each other;</i></p> <p><i>...able to gather full observations of the behaviour or the victim and the offender at the time of the police attendance.</i></p>
<b>Supports Victims in taking judicial action</b>	<p><i>...capturing from the moment police attend the scene may allow grounds for police taking positive action even if the victim does not want/fearful to provide a DVEC statement;</i></p> <p><i>...I have found victims are more comfortable being recorded on BWC as opposed to supplying a typed written statement because they have to think more about what happened.</i></p> <p><i>...On BWC their statement seems to come more naturally to them and they are more likely to tell the truth which shows their distress and emotions;</i></p> <p><i>...shows the courts the victims state of mind and well-being at the time of the incident;</i></p> <p><i>...better results and peace of mind for victims that have been trying to let police know that they are a victim, the BWC capture the incident when it happens so benefits the police and the victim;</i></p> <p><i>...initial complaints and injuries are being recorded and used as evidence for charges despite the victim's unwillingness to make statements</i></p>
<b>Changes behaviour at the incident</b>	<p><i>...helps to defuse the situation quicker. Person of interest tend to change behavior on camera;</i></p> <p><i>...people tend to be more compliant;</i></p> <p><i>...verbal interactions are less aggressive.</i></p>

The comments from NSWPF Officers also identified experience with the BWCs as having a negative impact in domestic violence circumstances.

The two areas of concern includes the barrier the BWC creates for the victim, the suggestion is victims do not want to be on camera. Indications for this reluctance include the sensitive nature of the circumstances, the presence of the camera and its overtness.

The second area of concern is the conflict between the use of the BWC and the Domestic Violence Evidence in Chief Camera – the response from NSWPF Officers indicates support for one camera, the BWC and authority to use it for admissions, statements and associated evidence at the respective scene.

The issue related to BWCs vs DVEC is raised in a number of areas throughout the data collected for this evaluation report.

It is in the response to the impact of the BWCs on domestic violence incidents and domestic violence victims where the BWCs vs DEVC perspective is more prominently articulated.

*Table 30 Impact of BWCs on Domestic Violence Incidents & Victims – Negative implications – NSWPF Officers*

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## Impact of BWCs on Domestic Violence Incidents & Victims - Negative implications – NSWPF Officers

### Negative implications

#### Victims' reluctance to be recorded

*...I have found victims and accused parties are unlikely to speak when they realise they are being filmed I think this has had a negative impact on information gathering;*

*...negative because some victims refuse to say what occurred when you tell them you are recording;*

*...most DV victims are embarrassed by their situation, I find sometimes the presence of the BWC will have an adverse effect on victims in that they don't feel comfortable disclosing what has occurred to them;*

*...people are less willing to disclose things to you due to the presence of the camera;*

*...victims to feel uncomfortable with the cameras on and I d feel for them, however, it has been helpful when the victim becomes uncooperative and refuses to assist;*

*...when we initially started using them a lot of victims were very hesitant and some were openly hostile if they knew that a body worn was recording them;*

*...90% of victims don't want the camera turned on.*

#### BWC vs DVEC

*... it can be quite overpowering to have an officer wearing BWC and then pulls out another camera to record a DVEC. Should be BWC only, the technology is there we are just doubling upon the process;*

*...with BWC and DVEC too many cameras, just need one. At this point the victim is very vulnerable and we have more cameras XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX;*

*...they feel frustrated that after giving you their story, which is recorded on BWC they have to re-tell it on a DVEC and then again in court;*

*...witnesses become apprehensive about doing a proper statement saying "I've already told you what happened on video";*

*...if a victim is unwilling to do a DVEC the BWC can assist in capturing the victim's initial emotions, and any injuries not to mention any admissions made by the offender at the scene;*

***...it would be better if the BWC could be used to conduct DVEC interviews which would lessen the need for further recording equipment to be taken into often volatile situations. The BWC is already activated and being used at the time of the interaction. This BWC / DVEC situation needs to be rectified;***

*...it would be far better if everything cold be used off the BWC especially with statements/versions which would free up more investigative time.. especially they are so much easier to download than the DVEC disks.*

## 9.3 Impact of BWC on Domestic Violence incidents & Victims – NSW Victims of Crime Advocacy Representatives

The response from the NSW Victims of Crime Advocacy Representatives in relation to the impact of the BWCs on domestic violence incidents and victims reflect those of a similar nature to the NSWPF Officer response trends. An area of prominence relates to the issue of victim retraction of charges or statements post incident. The BWCs it is suggested have a significant role in contributing to establishing irrefutable evidence for prosecution proceedings, irrespective of the victims' post incident decisions. Table 31 offers a sample of comments from the VOC Advocacy Group Representatives survey, interestingly the comments across all survey responses were of a positive nature.

Table 31 Impact of BWCs on Domestic Violence Incidents & Victims- Positive implications – VOC Advocacy Group Representatives

<b>Impact of BWCs on Domestic Violence Incidents &amp; Victims Positive implications – VOC Advocacy Group Representatives</b>	
<b>Positive implications</b>	
<b>Evidence supports court process when victim retracts</b>	<p><i>...it is especially good in domestic violence when the victims are afraid of the perpetrator and then want to drop AVO's or change statements. The BWCs are a good form of evidence when [there are] protracting victims;</i></p> <p><i>...this [BWC] evidence is particularly important in matters such as domestic violence matters where the victim may have a change of heart after the incident.</i></p>
<b>Accuracy and quality of evidence for NSWPF action and prosecution proceedings</b>	<p><i>...if police have footage showing abuse, they can refer back to it for their statements therefore they are more precise</i></p> <p><i>;</i></p> <p><i>...footage may show injuries suffered by the victim and the general body language, behaviour and spoken language of the perpetrator;</i></p> <p><i>...it can help capture the aftermath of an event when the victim may be traumatized/injured and may not recall the event clearly in the future and can also capture the damage and injuries caused during the incident;</i></p> <p><i>...it allows the moment of crime and immediate response to be recorded, the moment is fresh and allows for a more accurate representation of that person's reaction/feeling at the time;</i></p> <p><i>...if the footage can be used for police to write their statement giving a truer version of events and not relying simply on the human memory of events as they occurred, this will definitely assist victims of crime;</i></p>
<b>Supports Victims in taking judicial action – less distress</b>	<p><i>... the BWCs have made it easier for victims to give a statement as well as capturing their emotions and injuries she may have sustained;</i></p> <p><i>...it is less confronting for many than having to make a statement;</i></p> <p><i>...it helps to avoid victims having to retell their story and gives accurate evidence of what happened at the time of the incident;</i></p>

## 9.4 Objective 5 Summary

The data analysed to contribute a response to Objective 5 Identify the impact of the use of BWCs by NSWPF on Victims of Crime was sourced in the main from NSWPF Officers and Victims of Crime Advocacy Representative



Groups. Appreciatively, there are challenges in sourcing direct data from Victims of Crime and the contribution to this evaluation report from the Victims of Crime Advocacy Group Representatives in NSW is invaluable.

On the international policing research, policy and practice platforms there is limited published material which offers the 'other side/party's view, specifically victims of crime. It is encouraging to identify the analysis of data from 'both sides' in this evaluation project resonate with each other and both record high levels of positivity.

In the main the data has focused on crimes of a domestic violence nature and the impact of the BWCs on domestic violence incidents and victims.

The data suggests:

- **A positive trend for the advantage to Victims of Crime with the implementation of BWCs ( 80.65%)**
- **A positive trend for the impact of the BWCs in assisting resolution of domestic violence incidents ( 72.41%)**
- **A positive trend for the impact of the utilization of BWCs on NSWPF police/VOC relations (76.67%)**
- **A positive trend for the impact of BWCs in influencing a positive change in domestic violence incidents (36.33%)**
- **A positive trend for the impact of BWCs in influencing a positive change for victims of domestic violence incidents (23.69%).**

The key areas of influence of the BWCs for domestic violence incidents and victims included:

**Positive influence:**

- Captures admissions on BWCs at the scene
- Establishes accurate record of injuries and emotions at the incident
- Establishes increased and accurate evidence which assists victims in court
- Establishes evidence which assists in court when a victim retracts
- Reduces stress and trauma for victim having to recount details and incident
- Contributes to provision of evidence leading to potential increase in arrest rates
- Enables avenue for victims who are more prepared to talk to BWC than DVEC
- Contributes to changes of behaviour of offenders in some cases

The data suggests NSWPF Officers recording a rate of 72.36% for no change for domestic violence victims as a result of BWC deployment. There are a multitude of potential influencing factors on which this response is premised. The data does indicate the following areas which impact negatively on realising benefits of the BWC for domestic violence incidents and victims:

**Negative influence:**

- The switching required due to SOPS between DVEC and BWC has a tendency to reduce Officer use
- Adds distress to victim to require recording on DVEC if they have previously been recorded on BWC
- Sensitivity of incidents reduces victims' comfort at being recorded

#### 9.4.1 Future considerations

An area of concern for the NSWPF Officers is the requirement for two separate recording devices to be operated at a domestic violence incident i.e BWCs and the DVEC camera. The depth of the concern related to this issue places it at the forefront of future consideration for policy and procedures for the NSWPF in consultation with associated legal and judicial parties.

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## 10.0 Objective 6 Identify the impact of BWCs on NSWPF Officer performance

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## 10.1 Impact of BWCS on the performance (attitude, morale, professionalism) of duties by NSWPF Officers

Developing an understanding of the influence of the use of BWCs on an Officer's attitude / morale / professionalism is important on several levels.

Firstly the air of concern which has flowed domestically and internationally around the introduction of the BWCs for its potential to scrutinise Officers for what they say and do whilst on duty and the consequences of any behaviour, accidental or purposeful which may be deemed unprofessional. The widely published global experience indicates that for some jurisdictions the BWCs are used as evidence in performance assessments.

Secondly, the potential for actions or verbal communication captured on footage to distract from the focus for which the policing incident footage was originally filmed. This is particularly relevant where there is potential for the BWC footage to be utilised as evidence in court. To present a balanced view of the impact of the use of BWCs on NSWPF Officer performance requires drawing on a collection of resources including:

- NSW Community survey
- NSWPF Officer Survey
- NSWPF Commander Interviews
- NSWPF Officer Interviews

The major theme identified in the collective data sources indicates a positive influence of the BWCs on the performance of NSWPF Officers. It is important to note the high level of 'no change' recorded is identified within the survey comments and interviews as a positive outcome, with the reference being the Officers perceived as professional operators pre and post BWC deployment.

## 10.2 Impact of BWCs on NSWPF Officer performance – Community

The NSW Community survey offered opportunity for general comments and a total of 904 comments were submitted. Of the 904 comments, 883 were identified as positive endorsement for the use of the BWCs (not all comments referred to a positive or negative opinion) and 15 comments specifically identified a negative response to the use of BWCs. For the purpose of understanding the NSW Community perspective of the impact of the BWCs on NSWPF Officer performance the 904 comments were analysed and four distinct themes were identified, the four themes simultaneously connect directly with performance of NSWPF Officers:

- BWC provides protection/safety
  - Increased physical safety for Police and Public
  - Increased evidence for false allegations for Police and Public
- BWC provides increased accountability for Police and Public behaviour/actions
  - Increased transparency of performance – Police and Public
- Mandatory operation
  - Concern the BWC footage is manipulated
  - Concern the NSWPF Officers discretion to use be seen as manipulation of evidence
- Mandatory equipment for all operational NSWPF Officers

Figure 30 presents the relative weighting of the four themes when compared to the 97.7% positive themed comments. To accurately compare this data it is important to acknowledge a comment can be positive and belong to one of the four categories.

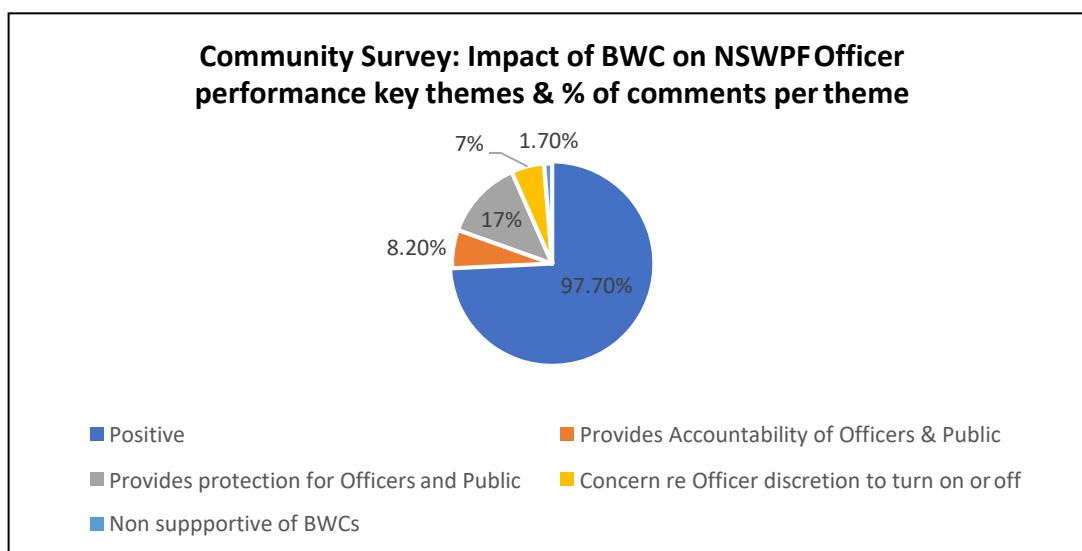


Figure 30 NSW Community Survey – impact of BWC on NSWPF Officer performance

### 10.2.1 Impact of BWC on NSWPF Officer performance – Community Response Themes

The following Table 32 offers example comments for the four themes identified within the NSW Community survey comments.

The themes are interdependent i.e. engaging the BWCs for all operational officers and have them operated full time when interacting with the public increases transparency, increases evidence which offers protection against false claims for both police and public (or the opposite, proves allegations) and reduces the perception of NSWPF Officers being able to ‘manipulate’ data.

Interestingly, the Community survey comments also provided insight into the views of those who work in concert with the NSWPF, for example paramedics. The following comment offers insight from the perspective of those who work in collaboration with NSWPF Officers:

*...I hope they continue to wear them and the use of BWC becomes more widespread. I am a paramedic and work closely with the police force and have benefited from them wearing the BWC as there have been occasions the cameras have acted as a deterrent to violence toward me and my partner when working with unwell individuals. I also feel safe if anything were to happen to me at work I would have solid evidence from the police*

Table 33 Community response to Impact of BWCs on NSWPF Officer performance

Impact of BWC on NSWPF Officer performance – Community Response Themes and Examples	
<b>BWC provides protection/safety</b>	
<b>Increased physical safety for Police and Public</b>	<p><i>... I think it's technology well used, as someone who's going to be a paramedic and has been a traffic controller I've worked with cops etc and to see the sheer amount of violence that comes their way I'm glad that these cameras can potentially help police prove they haven't misjudged a situation. If people are protesting this then my question is always ""What do you have to hide?"" Why would a camera bother an innocent person with a clear conscience?;</i></p> <p><i>...Every officer should have to wear one for the protection of the officer and the protection of the public;</i></p>

	<p><i>...Use of BWVC aligns with modern technology. While it creates an intrusion into what may be viewed as a private conversation, the assurance to both Police and community engaging with Police outweighs those concerns. In a world where every phone is a video camera, these devices facilitate modern interactions aligned with modern understandings of what is and isn't available to be record;.</i></p> <p><i>...I think its safer for the police and the pubic and assists in de-escalation conflict as well as helping to reduce legal issues. Evidence can be observed in real-time and people can be more accountable for their actions</i></p>
<b>Increased evidence for false allegations for Police and Public</b>	<p><i>... I think it is an advantage for all involved as it eliminates confusion around difficult situations and reduces the need to rely on eye witnesses or he said/she said statements as video evidence is available. It allows for easier prosecution of offenders and may eliminate any possibility for police corruption;</i></p> <p><i>...I think it is a great idea, it is protection for both the police and the defendant against false allegations. If people know the cops are wearing body cams, they might be less antisocial and follow move on directions better and with less fuss;</i></p> <p><i>...They should be rolled out on a much larger scale as they protect officers from false claims, that we see almost every day in social media.</i></p> <p><i>...The cameras also assist victims of crimes by capturing how the victim was almost directly after the crime whilst they are giving a statement.</i></p>
<b>BWC provides increased accountability for Police and Public behaviour/actions</b>	
<b>Increased transparency of performance – Police and Public</b>	<p><i>...Great for accountability of police officers...they should be as open to public scrutiny as anyone else;</i></p> <p><i>...Great initiative, for the protection of officers and for ensuring transparency in investigations;</i></p> <p><i>...I totally agree with this. Anything that helps transparency for the sake of both parties. Footage should be able to be used in court without question;</i></p> <p><i>...Should be used always in all situations, stops corruption, must not be turned off, police must explain why they acted in a certain way and be held accountable for actions;</i></p> <p><i>...The use of BWCs protect both the police officer and the involved person/s. It is another tool used for transparency I am a retired (10 years) Detective Inspector NSWPF; I liken the use of BWVC to that of the introduction of the ERISP (Video / audio recorded interview); the ERISP became a godsend of a police interview tool.</i></p>

## Mandatory operation – removing NSWPF Officer discretion as to switching BWC on and off

**Concern the BWC footage is manipulated**

**Concern the NSWPF Officers discretion to use be seen as manipulation of evidence**

*...I have concerns that the video camera may be deliberately obstructed or otherwise hindered in instances where the situation may be disadvantageous to the officers. Should they be used as means for recording situations and to give evidence, I believe that officers should not have the ability to manually turn the cameras on and off, and instead have them constantly recording;*

*...The system MUST NOT allow the officer wearing the device to switch the unit on and off at their own discretion as has recently been experienced in the USA and it is essential that any footage only be accessible by a senior officer fully and personally responsible for any loss of data;*

*...Body worn cameras should always be recording especially when officers are responding / deployed for an incident. It should not be the choice of the officer as to whether he/she thinks it should be recording. There are available systems out there that are always providing a background recording and has a separate section for intended/deliberate recordings. This way, the BWC is completely impartial and not subject to deactivation by the officer;*

*...The most glaring issue is that police have full discretion over the use of the cameras meaning they can turn them on and off as they please. This means they could potentially provoke a member of the public, then film parts of the reaction, then stop filming and engage in further misconduct thereafter. It also means police can choose not to film an encounter at all. If this option is available to the police, then it should also be available to the public. Either have the cameras recording at all times, or allow members of the public to request the cameras be turned on. The use of body-worn cameras in its current form erodes trust with the public. It makes me fearful of biased recordings that only reveal a small part of a larger story. Furthermore, police should welcome the chances stated above as it would quickly reveal any officers abusing their power or not complying with their rules for behaviour.*

## Mandatory equipment for all operational NSWPF Officers

**BWC provides protection/safety**

*...great tool to protect our police and minority communities where discrimination and/or corrupt behaviour will be captured. I do think they need to remain on at all times;*

*...it's a great idea, they should all wear them and not be able to turn the off it will keep the community safe;*

*...they should be on every officer, unable to turn them off and they get charged if they 'accidentally' block the lens;*

*...they must not be able to be deactivated by the officer or anyone else, they must be recording at all times when worn;*

*...concerns about officers ability to switch cameras off, or report them as faulty, after incidents in which their conduct may be questionable;*

*...should be worn by all enforcement agencies;*

*...all police need to use when not in the office or cars*

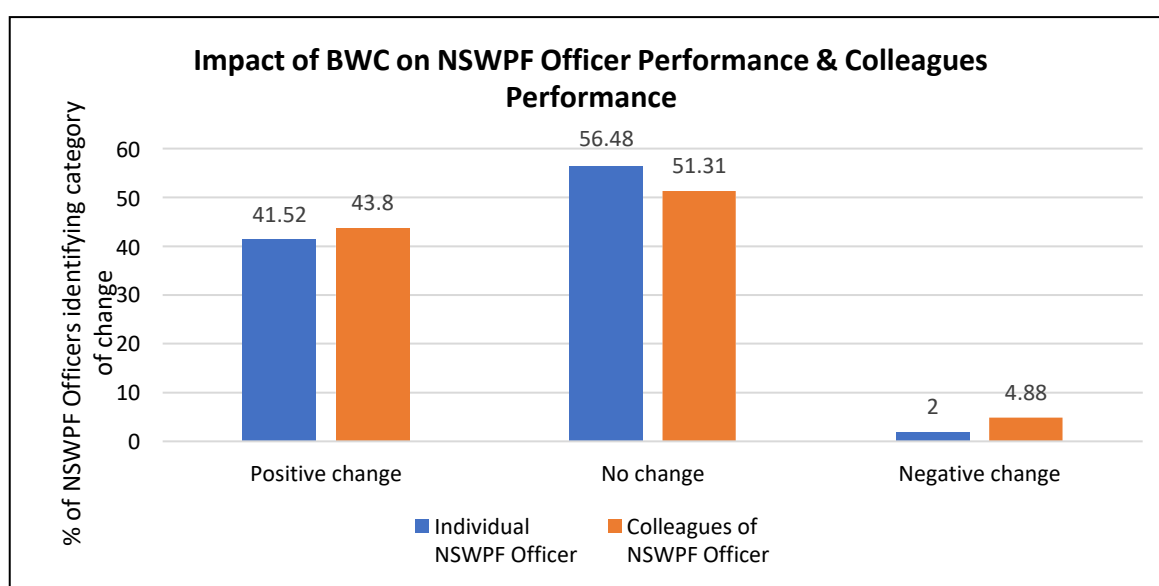
### 10.3 Impact of BWCs on NSWPF Officer Performance – NSWPF Officers

The data analysed from the NSWPF Officer survey and interviews consistently identified sound support for the positive impact of the BWCs on officer performance.

Firstly, the survey results revealed Officers considered the BWCs had realised a positive change in their personal performance (41.52% of Officers agreed with this perspective). Secondly, the survey results indicated the NSWPF Officers considered the BWCs had produced a positive change in the performance of their fellow NSWPF Officers (43.8% of NSWPF Officers agreed with this perspective).

As indicated in Section 10.1 the high level of ‘no change’ is due, it is suggested in the comments, to the NSWPF Officers being deemed professional in their performance irrespective of the BWC introduction. Figure 32 presents the comparative rates of impact the NSWPF Officers identified in relation to change in performance of themselves and fellow officers.

Figure 32 Impact of BWCs on NSWPF Officer Performance & Colleagues Performance – NSWPF Officers



The NSWPF Officer survey and interview responses to the questions related to change in performance / attitude / morale revealed four key themes:

- Increase in confidence
- Awareness of BWCs leading to increase in professionalism
- Fear of scrutiny leading to reluctance to use the BWC
- Presence of BWC and associated protocols for use creating a barrier to communication

The four themes and illustrative comments drawn from the NSWPF survey are presented in Table 34. In addition examples of comments which indicate the performance of fellow officers has not changed are included to indicate the range of perspectives on this issue.

It is important to consider the sample comments contained within the negative indicators in light of the percentage of NSWPF Officers who identified this indicator – 2% for NSWPF Individual officer and 4.88% in respective of colleagues of the NSWPF Individual officer.

Whilst developing an understanding of the factors which may contribute to a negative indicator, on balance the positive change or no change is of a higher weighting overall.

Table 34 Impact of BWC on NSWPF Officer colleagues performance – NSWPF Officer response

Impact of BWC on NSWPF Officer Colleagues Performance – NSWPF Officer Response	
Positive Indicators	
<b>Increase in Confidence</b>	<p>... it has certainly shown me that by and large they are operating in a professional manner. No doubt the BWV increases their awareness to remain professional even in the most difficult situations, which is what I generally have experienced during the dip sampling. I do believe the BWV has given them a lot of confidence to stand their ground knowing their actions will be corroborated;</p> <p>...It has given police more confidence in court when briefs are called as the evidence is clearly displayed.</p> <p>...More confidence in dealing with people and obtaining evidence in matters that would otherwise be word against word</p>
<b>Increase in professionalism</b>	<p>...I have found it makes the Constables think more about their level of professionalism when the cameras are on, not that they were unprofessional in the past, more so they are now more conscious of their actions;</p> <p>...I feel that some officers have been forced to modify their behaviour as a result of BWV. This is a good thing and as a supervisor it is pleasing to see the uptake of it's use in the field;</p> <p>...They know they are more accountable and it reinforces the need to be real, but professional;</p> <p>... The positive is that cautions and other formalities are being remembered and used more appropriately and officers restrain themselves more when force is applied;</p> <p>... I feel it makes most officers mindful of their own behavior while dealing with people, and keeps them professional;</p> <p>... I find other officers are more mindful of how they interact with people when I am working with them as I always wear and use BWV;</p> <p>...I believe it creates a greater awareness of what is occurring and reminds staff to switch on and pay attention to everything occurring around them.</p>
<b>No Change</b>	<p>...I have not noticed a visible change, most I have worked with have always conducted themselves in a professional manner;</p> <p>...I haven't observed any change in staff approach to how they interact with members of the public. HWP staff are familiar with being filmed and being held accountable for their actions, BWC is simply an extension of this;</p>







Important to understanding the impact of the BWC on professionalism is the observed emerging transition from fear of scrutiny to a realisation of the benefits and the consequential reduction in resistance to use of the BWC. Table 35 presents example comments from the NSWPF Commanders in relation to their observed impact of the BWCs on NSWPF Officer behaviour.

Table 35 NSWPF Commanders' observed impact of BWCs on NSWPF Officer performance

NSWPF Commanders' observed impact of BWCs on NSWPF Officer performance	
<b>Professionalism</b>	<p><i>...I believe the BWC has a positive impact on the professionalism of officers here at the XXXXXXXXXX PAC. Officers with BWC units express themselves better, provide clearer instructions to members of the community/customers and mandatory requirements and safeguards are being articulated more regularly and with more confidence;</i></p> <p><i>...Definitely, when it first came in we had some teething problems – Officers concerned it would be used as Big Brother watching now the crews have the from the 'get go';</i></p> <p><i>...the BWC gives them pause for thought, we eagerly seek BWC footage in complaint matters and promote as misconduct intervention and encourage the use of the camera;</i></p> <p><i>...Our officers need to be more aware of powers and conversation, XXXXXXXXXXXXXXXX XX.</i></p> <p><i>...no real impact, we are one of the largest commands in the state and we are used to cameras everywhere – cctv, homes, mobipol, ICT, it is accepted and our staff utilize it;</i></p> <p><i>...we had a search issue at court and it was viewed and they were very complimentary about the officers and I told the staff;</i></p> <p><i>...definitely having an impact on professionalism, recently we had some false complaints, I triaged them and I support the officers and with me doing this and keeping the troops informed – it is proof of the benefits and it is having a positive effect;</i></p> <p><i>...I have seen some bad things(from Officers on BWC), but this aids development</i></p>
<b>Confidence</b>	<p><i>...I believe staff feel more confident in the use and existence of BWC. I have observed police arriving on scene, turning on their BWC and attending to their duties with improved authority and confidence.</i></p>
<b>Fear of scrutiny</b>	<p><i>...Conscious of the BWC, it is taking them awhile to realise some of the benefits;</i></p> <p><i>... concerned about 'big brother', this is changing with positive examples of how the BWC are protecting their actions;</i></p> <p><i>...very positive, some were slow at first and once they could see the benefits of added protection and evidence;</i></p> <p><i>...good morale, reluctance at start and has improved since then, the positive Complaints Management system has assisted and the additional evidence for court;</i></p>

## 10.5 Objective 6 Summary

The analysis of data for Objective 6 Identify the impact of BWCs on NSWPF Officer performance reflects the intrinsic nature of the use of BWCs in police work which creates an interdependence and influence of their use by Officers which ranges from potential scrutiny of their professionalism, accountability and legitimacy to the many associated decisions and actions Officers perform on a daily basis.

The overwhelming response from NSWPF Officers and NSWPF Commanders was for positive level of endorsement of the professionalism of NSWPF Officers prior to the introduction of BWCs. This is reflected in the post BWC implementation data which suggests a positive change in the level of professionalism. It is important to note, the change refers in the main to an increase in awareness of utilising accurate NSWPF procedures, communications and actions when interacting with members of the public.

In analysis of the NSWPF Officer survey data, the negative indicators are suggestive of two areas of concern (1) fear of scrutiny of their performance (2) the limiting influence of the presence of BWCs on the natural communication progress between officers and members of the public.

- **NSWPF Officers suggesting a 41.52% positive change in their individual performance**
- **NSWPF Officers suggesting a 43.8% positive change in their colleagues performance**
- **A minimal level of negative performance at 2% (Individual Officer) and 4.88% ( Officers' colleagues)**

The encouraging positive trend emerging from the NSWPF Commander interviews is the observation as the BWCs are utilised more extensively and contribute to positive outcomes for the NSWPF Complaint Management Process the greater the acceptance of the BWCs for their potential benefits for NSWPF Officers and their work. The implication of this potential trend reducing the level of negative change in performance.

The positive indicative trends in relation to the impact of the BWCs on the NSWPF Officers performance from NSWPF Officer, NSWPF Commanders and NSW Community members include:

- **Increase in confidence**
  - **BWC provides protection/safety**
  - **Increased physical safety for Police and Public**
  - **Increased evidence for false allegations for Police and Public**
- **Awareness of the BWCs leading to increase in professionalism**
  - **BWC provides increased accountability for Police and Public behaviour/actions**
  - **Increased transparency of performance – Police and Public**

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## 11.0 Objective 7 Identify the adequacy of the NSWPF BWC Deployment process/s

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### 11.1 NSWPF BWC Deployment – Adequacy of Training strategy and support – NSWPF Officers

To contextualise the NSWPF Officers' perspective as to the technical adequacy of the deployment strategy and associated training and support for the Phase 2 NSWPF BWC deployment, consideration of their (1) view as to the training received for use of the BWC, (2) knowledge of the support strategies and (3) their level of competency to use the camera. Figure 33 presents the respective survey data response for these areas of consideration.

It is interesting to note, the 90.2% level of agreement the NSWPF Officers are confident with their ability to use the camera and a 2.9% level of disagreement with this statement. In parallel a level of 74.45% agreement the training was adequate was identified with 11.42% in disagreement with this statement.

It is therefore not unreasonable to suggest the latter results in Section 11.2 which focus on technical issues experienced with the BWCs by the NSWPF Officers is from a sound basis of competency to use the BWCs.

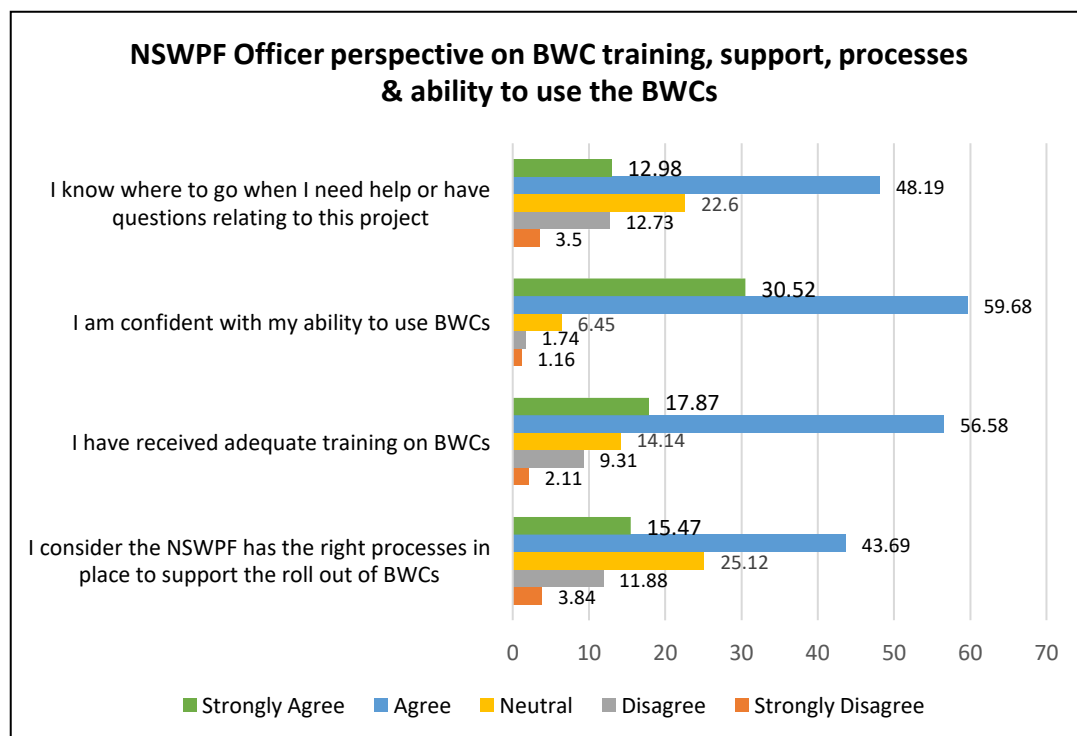


Figure 33 NSWPF Officer perspective on BWC training, support, processes & ability to use the BWCs

A positive trend is identified in relation to the NSWPF Officers' perspective as to the NSWPF establishing supportive processes in the overall Phase 2 deployment strategy. A critical factor in multifaceted, complex projects is establishing continuing support processes to ensure sustainability of the initial implementation.

The data analysed from the NSWPF Officer survey suggests the respondents consider such support in terms of seeking help or information is accessible. A level of 61.17% of NSWPF Officers identified agreement they know where to go for help and information and a level of 16.23% in disagreement with this statement.

It is valuable in terms of continuous improvement to develop an understanding of the NSWPF Officers perspective as to the adequacy of the training provided with the BWC deployment project. The data provided in the NSWPF

Officer interviews suggests a sound level of agreement the training was adequate. There is also a level of negative perspectives in respect of the adequacy of the training.

The encouraging aspect is the suggestions for improvement offered by a number of NSWPF Officers who considered the training inadequate. Table 36 presents examples of the positive support for the training processes, indications of negative indicators and suggestions for future training.

A key theme which emerged from the NSWPF Officers' comments was the suggestion post training is required in the area of utilising the BWC footage for court matters. This aligns with the suggestions in Section 6.

Table 36 NSWPF Officer BWC Training Experience

NSWPF Officer BWC Training Experience	
<b>Positive indicators</b>	<p><i>...the facilitator in-depth was good training;</i></p> <p><i>...I did the facilitator training course and it was okay;</i></p> <p><i>...the training package was good, highway are familiar, it is more helpful for General Duties [officers];</i></p> <p><i>...the last class of Probationary Constables received part of the package at Goulburn and have been using the cameras in their training</i></p>
<b>Negative indicators</b>	<p><i>...no was not adequate, it was haphazard, XXXXXXXXXXXXXXXXXXXXXXXX, it was learn on the job an we were teaching ourselves;</i></p> <p><i>...Training was a waste of time, what people need to know is the post filming, what to upload, what do the prosecutors need and how to supply in the statement and use the footage;</i></p> <p><i>... The power point is too much, make it simpler I think there was like 90 + slides;</i></p> <p><i>... Training/ what training, I saw a short video clip – fortunately I managed to work it out;</i></p> <p><i>...need follow up we mostly taught ourselves</i></p>
<b>Identified training needs</b>	<p><i>...we could have micro learns about pieces of legislation;</i></p> <p><i>...More post training to understand about burning copies;</i></p> <p><i>...Need post filming training – the legislation what and how to use matters for court;</i></p> <p><i>...Would be good to have more training about the legislation what the camera can be used for it would be good if we could use if for statements;</i></p>

## 11.2 NSWPF Officer experience with the technical competency of the NSWPF BWCs and associated processes

Developing an understanding of the adequacy of the NSWPF BWC Phase 2 deployment is aided through developing an understanding of the Phase 2 operational experience through the lens of the NSWPF Officers and NSWPF Commanders. A key component of the overall adequacy of the Phase2 deployment is the BWC product and the NSWPF Officers experience with utilising the BWC and associated software and hardware. Figure 37 presents the respective experience of the NSWPF Officers with identification of technical issues they have experienced with the BWCs.

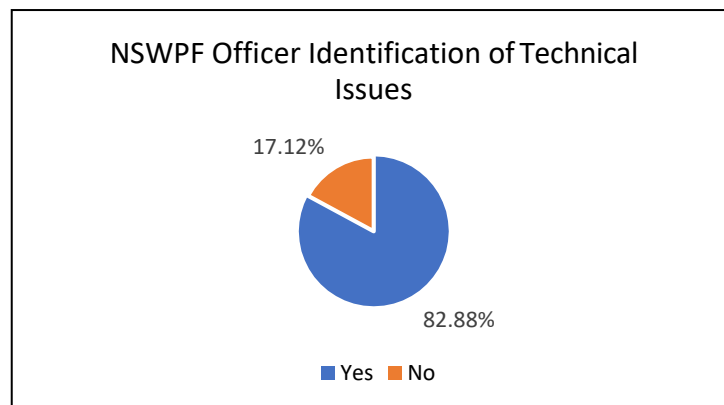


Figure 37 NSWPF Officer level of experienced technical issues with the BWCs

Analysis of the 526 NSWPF Officer survey related comments revealed 9 core categories of technical issues experienced by NSWPF Officers with the use of the BWCs. Within these categories, there is an interdependence as it is not unreasonable to suggest the use of the word kiosk may also refer to docking and visa-a-versa.

- processing
- docking equipment and process;
- palm print registration – related to docking
- identification of and uploading/downloading of footage
- software related malfunction;
- On/Off button (Series B)
- Red and Green light
  - Safety
- Battery longevity and charging
- Mounting and clips

The comments which referred to the Series A cameras, where identified, were removed from the data presented in Figure 38 with the intent of providing a 'picture' of the current experience/situation with Series B cameras. The approach to the presentation of the data is based on the schedule of replacement of Series A and deployment of Series B completed by the latter end of 2018. The data presented in relation to this aspect of the Phase 2 BWC deployment has been collected as from August 2019.

As illustrated in Figure 38 the key areas of concern relate to the docking process for the cameras (combined kiosk and docking statistics), issues arising from the 'software' and 'file loss/not uploading– this refers to uploading, downloading, locating and loss of files. Comments further identified concerns with the on/off capability of the camera. Whilst 'battery' registered in a similar range as for the on/off capability, caution is required in relation to this statistic as there is no direct identification of whether the NSWPF Officer is referring to Series A or Series B.

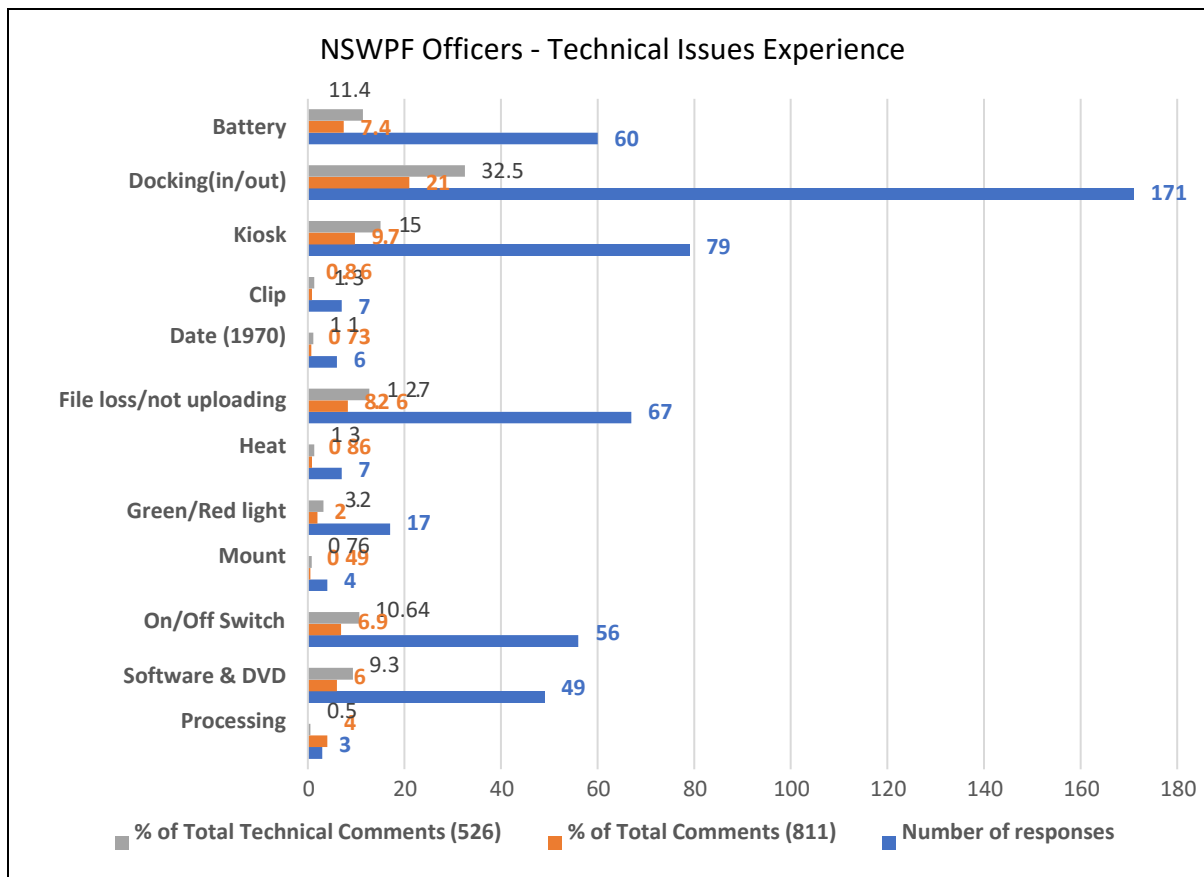


Figure 38 NSWPF Officer Technical Issues Experienced with the BWCs Phase 2 deployment

### 11.3 Explanation of key areas of concern with BWC technical elements

To contribute to the continuous improvement process of this complex and multifaceted project, understanding from the frontline operational user of the BWC offers valuable insight. The key themes which emerged from the survey and interview data and presented in Figure 38 are extrapolated further in the following sections in order to offer a more in-depth understanding of the influencing factors.

#### 11.3.1 Docking process and Kiosk equipment

A total of 250 of the 526 comments received from NSWPF Officers related specifically to negative experiences with the docking and kiosk equipment and processes. These concerns formed a natural set of four categories including:

- Docking process concerns ( inability for the kiosk to accept or release the BWC)
- Impact of inability to log out or in a camera with palm prints
- System not accepting and recognizing the cameras in the docking station and the system ‘freezing’
- Loss of footage due to system not recognizing the BWC when logged in to the kiosk

Comments received from the NSWPF Officers provides additional clarity as to the concerns being experienced with the docking process and the kiosk equipment. A sample of the comments which represent the key concerns are presented in Table 37.

Table 37 NSWPF Officer docking station and kiosk concerns

Docking station and kiosk concerns	
<b>Docking process concerns and impact on downloading of files</b>	<p><i>... the docking system is often faulty i.e. after placing the camera onto the dock, it fails to read/recognise, after recognising the camera exists, a message or "error" occurs or "uploading" message continues to be displayed on a cycle and longer then usual;</i></p> <p><i>.....Have had trouble signing in as the BWV charging station at times doesn't recognize when the BWV is connected. Which requires various attempts in different ports before it works;</i></p> <p><i>...A lot of glitches with the docking of the camera where the kiosk doesn't accept your camera or your palm for ID. In addition, occasionally when attaching footage to an event through the BWV application, an error message appears and the footage disappears from the application however, isn't attached to the event via View IMS either. There are a few glitches I have encountered along the way;</i></p> <p><i>...The BWV kiosks are still plagued with issues, at times meaning we are unable to take out cameras as they are not registered by the kiosk. It can require several reboots of the system, and re-docking of the cameras (even after the recent update). It would be great to see the ability to access locally stored footage to burn to disc instead of downloading the footage from VIEW IMS (which can appear compressed and not high quality).</i></p> <p><i>...Checking in of the BWC can be difficulty at times where it does not allow to be put back. This issues has improved since the recent upgrade.</i></p> <p><i>...I think there is an issue when someone does not check the camera back in properly it just does not download. I understand the supervisor can check back in t the issuer, however, the supervisor is not always available to so. I believe the camera should either be checked back out to the original owner who checked it out automatically or give everyone access to put it back to the Officer who checked it out.</i></p> <p><i>...On the new system, occasionally devices will not be detected when being checked back in. XX, they often don't bother to tend to the issue and just leave the video in the dock not checked in. It would be of great assistance if I didn't have to wait for a Sergeant to be on shift to allow these devices to be booked in.</i></p> <p><i>... BWV Kiosks often fail and malfunction. Examples include Kiosks not "pairing" with cameras when they are mounted back onto it at the end of the day. This is frustrating for Police as footage does not upload and cannot be linked to Events and used as evidence.</i></p> <p><i>... freezing of the kiosk, resulting in the BWCs not being recognised and downloaded. Removing the cameras, restarting the kiosk, and re-seating the cameras has so far always fixed the problem.</i></p> <p><i>...Kiosk simply turning off, blue screen of death, blackouts or temporary power outages causing the kiosk to fail upon powering up again. BWCs not powering off and some not downloading when connected etc.</i></p>

<b>Docking with palm print</b>	<p><i>... Technical issues mainly relate to the terminal failing to recognise the palm print. Also having numerous issues when trying to put the BWC back in with the terminal not reading the camera;</i></p> <p><i>...Palm not recognized on check-out &amp;/or check in;</i></p> <p><i>...Palm reading has failed at kiosk;</i></p> <p><i>...Signing in and out can be an issue when a previous officer has not signed their camera back in correctly</i></p> <p><i>...I have no problem signing the camera out by scanning my hand but for some reason it does not recognize it to sign it back in and I have to do it manually.</i></p>
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### 11.3.2 Loss of footage

The loss of footage and software issues are interrelated. In addition, the issues categorized as loss of footage are intrinsically embedded with the experiences identified with the malfunctioning of the docking and kiosk equipment and processes.

This interdependence is expressed in the following NSWPF Officer comment:

*...Placing cameras back on dock. they don't load and no request for handprint to sign in comes up. happens numerous times. take camera off dock put it back on and never works. have lost a lot of video footage because of this.*

The major concern here is the loss of BWC footage and the multiple consequences of such loss on potential charges and critically, loss of valuable evidence for court cases.

Table 38 NSWPF Officer – Loss of BWC footage due to malfunction

<b>Loss of footage due to malfunction concerns</b>	
<b>Loss of footage due to malfunction of BWC</b>	<p><i>...On two occasions the BWV did not upload the shift recordings. No one seemed to know what to do and my ticket was processed several months later;</i></p> <p><i>One footage did not download to my user name and has disappeared. Unknown error;</i></p> <p><i>...files disappearing once uploaded to the kiosk and having to be retrieved via RASP jobs in order to be able to attach them to events;</i></p> <p><i>...Multiple instances of BWV failing to sync with the consol. multiple instances of lost footage for unknown reason;</i></p> <p><i>...Cameras disabling themselves when in use resulting in the loss of pertinent footage;</i></p> <p><i>...The battery does not last the entire shift. Often there is no time to come back and change in between jobs. Loss of recording from malfunctioning BWV units;</i></p> <p><i>...Sometimes the videos do not download and vital footage is lost for court. On 2 occasions I have lost footage where the camera has failed to download properly, luckily the footage was not of any importance.</i></p>



### 11.3.3 Software program restricting access & usability of BWC footage

In analysis of the comments provided by the NSWPF Officers in respect of concerns with the technical elements of the BWC, a theme emerged which related to the limitations of the associated software program.

In particular a concern was identified whereby there was limited ability to enable cross referencing or uploading of footage to events which were owned by another NSWPF Officer or NSWPF jurisdiction.

A highlighted example is provided in Table 39 which exemplifies the limitations and subsequent impact of such limitations for investigative activities and the judicial process.

*Table 39 Limitations of software program associated with NSWPF BWCs*

[illegible]

#### 11.3.4 Activation of BWC on/off switch

Analysis of the data related to technical issues experienced with the BWCs revealed widespread concern with the ability of the BWCs to turn on when bumped and consequently the NSWPF Officer not being aware the camera is activated. Multiple examples of this occurrence were provided in the NSWPF Officer survey and interviews, a sample of these are presented in Table 40.

The examples presented in Table 40 indicated the breadth of this concern and indications of the wider impact of the ability for the BWC to turn on accidentally and off without intervention from the user.

Table 40 NSWPF Officer concerns with activation of the BWC on/off switch

Activation of BWC On/Off Switch	
	<p>...I have had one turn off whilst recording for no reason. No buttons were pressed in any way. I was standing still at the time and nothing was in the vicinity of the camera;</p> <p>...I have had another instance where despite the camera appearing to be functioning</p>



*...The camera often falls off when in a violent situation. Its also often fails to capture critical information due to the camera position and its movement. A camera that follows the head movement of the officer would be much better.*

*... The clips are unsuitable for plain clothes use, leading to multiple drops of the units and subsequent damage.*

#### 11.3.6 Inadequate number of working BWCs at stations

One of the themes which emerged from the NSWPF Officer surveys and interviews and the NSWPF Commander interviews on the subject of the NSWPF deployment process was identified as a concern for the limited number of BWCs available for car crews.

The indications suggest the NSWPF Officers are unable to use BWCs due to availability. As advised by a NSWPF Commander in interview:

*...Issues with equipment, broken, unavailable we have 10 – 12 sets and only 2 are working. This affects the attitude, makes Officers skeptical, you can ask “are you wear the camera” and their response is “if it will work”.*

Similarly, further NSWPF Commander interview comments resonate with the concern with limited availability of BWCs:

*...On average we have 8 working cameras for 21 operational staff;*

*...We have 4 cameras for 15 staff on a day, I see cameras not in use at other stations and Yet we do not have enough cameras for our car crews;*

*...we have 10 cameras 3 working so are sending staff out on the road without cameras.*

*...we have currently 10 of 40 cameras available. 30 have been returned for cracks mainly, but haven't been replaced or substitutes given in the meantime; with no indication on when the faulty cameras will be returned.*

### 11.4 Objective 7 Summary

In respect of Objective 7 Identify the adequacy of the NSWPF BWC deployment process/s two key areas were examined (1) NSWPF Officers' experience with the technical capabilities of the BWC and (2) NSWPF Officers' experience with the BWC associated training and deployment processes.

To contribute to the quality assurance of the NSWPF BWC Phase 2 deployment and continuous improvement strategies, data is sourced from the NSWPF Officers and NSWPF Commander surveys and interviews. A number of positive trends emerged in respect of the adequacy of the training and level of confidence and knowledge in the use of the BWCs by the NSWPF Officers including:

- **75.45% of NSWPF Officers considered the training adequate**
- **90.2% of NSWPF Officers considered they are confident in the use of the BWCs**
- **59.16% of NSWPF Officers consider the NSWPF has the right processes in place to support the Phase 2 BWC deployment**
- **61.17% of NSWPF Offices consider they know where to seek assistance**

In review of the NSWPF Officers' experience with the BWCs trends emerged which indicate continuing negative experiences with the technical aspects of the BWCs and their associated componentry/processes including:

- **Positioning of the on/off switch on the camera being vulnerable to accidental activation/deactivation**
- **Instability of the BWC docking processes resulting in lost footage, inability to release BWCs**
- **Instability of battery life for individual BWCs**
- **Instability of the software program to download/upload BWC footage resulting in lost footage, inaccurate tagging of footage to associated documentation**
- **Limitations of the BWC downloading/uploading features to enable sharing(tagging) between registered NSWPF COPS system events**
- **Green and red lights on the BWC unable to be distinguished in bright sunlight**
- **Inability to switch off lights on the BWC creates a NSWPF Officer safety issue**
- **Fragility of clips attaching the BWC to the NSWPF Officers' clothing causing lost or damaged cameras and lost BWC footage**

The data indicates NSWPF Commanders are unanimous in support of the BWCs, this support is impacted by concern with the low level of availability of useable BWCs for their operational staff.

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## 12.0 Addendum 1

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### 12.1 Future considerations summary with NSWPF early response ( December 2019)

The NSWPF on initial review of the Future Considerations has offered an early response to the Future Considerations and this response is included below:

#### 4. Public Information

Develop a strategy to:

- (c) increase communication with the public to guide where to find information regarding the use of BWCs by the NSWPF ( i.e. direct to the NSWPF public facing website)
- (d) increase the detailed information on the public facing NSWPF website as to the key authorised process for use of BWCs and footage by NSWPF Officers;

##### **NSWPF early response (December 2019):**

*A redacted version of the BWV SOPs currently exist on the NSWPF website which outlines the key authorised process for use of BWCs and footage by NSWPF Officers*

#### 5. Standardization of NSWPF Prosecution requirements of BWCs

Develop a strategy with associated processes to

- (c) standardize the NSWPF Prosecutor requirements in relation to inclusion of BWC footage for prosecution proceedings. The development of strategy to be inclusive of consultation with the NSW Judiciary;
- (d) Increase the communication content and frequency with NSWPF officers to advise of updates related to progress in the development of standardized policies and protocols for inclusion of BWC footage for prosecution proceedings.

##### **NSWPF early response ( December 2019):**

*Existing SOPs address this concern at a general level. These SOPs and prosecutor requirements to assist officers will be reviewed and is a work in progress to be completed by March 2020*

#### 6. Communication currency and NSWPF officer support for BWC operations

Develop a strategy to include on the NSWPF Intranet site:

- (c) Communication alerts to NSWPF Officers when updates in relation to Standard Operating Procedures and other relevant BWC operational information is released – to increase currency of knowledge across the organization;
- (d) Open access channel for NSWPF officers to submit questions to assist their BWC operation ( e.g. a live FAQ site monitored by a BWC.

##### **NSWPF early response ( December 2019):**

*The current version of the BWV SOPs, How to Guides, Resources, FAQ's are already published on the NSWPF Intranet site. Practice notes are currently being developed and will also be included on that site in January 2020*

## **9. Training support and reference resource**

Develop a strategy to maximise the benefits of the BWCS through:

- (c) developing an end to end step by step best practice training videos for the use of BWCs which includes all potential actions e.g. Undocking BWC process, filming processes, re-docking, uploading / downloading, tagging, preparation of material for Brief of Evidence (in line with NSWPF Standard Operating Procedures), process for inclusion in statement, process for presentation to offender and counsel at early guilty plea stage, storage of footage;
- (d) the training videos to be stand-a-lone for each step, creating the potential for a resource library which enables officers to access specific steps for reference and enables ease of replacement with updates as they occur.

### **NSWPF early response ( December 2019):**

*This strategy is to be developed in conjunction with ISS, Client Services Change Management, and Senior User. A single end to end best practice training video is to long for officers to view. There are currently training videos on the NSWPF intranet site including checking in/out BWCs, enrolling to use a palm vein and some scenario based training videos. The addition of further videos will be considered and added to the library if required.*

## **10. Promotion of BWC benefits for NSWPF Officers**

Develop a strategy to demonstrate the positive impact of the BWCs for NSW policing through:

- (c) Publication on the NSWPF Intranet BWC site, examples of incidents with positive outcomes from the field to build confidence in the use of the BWCs and aid transition from reluctance to use to advocates;
- (d) Real-time examples offer insights into the relevant and diverse manner in which BWCs support policing efforts.

### **NSWPF early response ( December 2019):**

*Senior user, BWV Change Manager, and BWV Benefits Manager to capture feedback from the field. Benefits Manager to monitor and report the overall performance of BWV and what beneficial changes are unfolding , and communicate these to the field*

## **11. Examine the potential to enable the BWC to replace the DVEC**

Develop a strategy to:

- (c) examine the potential to enable the BWC to replace the DVEC camera for recording evidence related to domestic violence related incidents;
- (d) communicate initiatives and status of the progress to the NSWPF Officers ( NSWPF Intranet site)

### **NSWPF early response ( December 2019):**

*A trial is currently taking place in two metropolitan and one country command for the use of BWV for Domestic Violence Evidence Kit (DVEK) statements. This will guide the further use of BWV for this purpose. Some police are already using BWV for DVEK, outside the trial locations and prefer it.*

## 12. Examine the areas of technical concerns and/or recommendations for enhanced BWC performance

Develop a strategy to:

- (c) review the technical concerns with the BWCs raised in this report:
  - (4) the safety ramifications associated with the BWC lights (M-View advise the release of a BWC with stealth mode which has no light);
  - (5) positioning and vulnerability of the on/off switch (and subsequent loss or inclusion of footage);
  - (6) instability of docking/undocking the BWC;
  - (4) tagging process for BWC footage;
- (d) Communicate to the NSWPF officers the progress of (a) above and/ or the outcome of decisions related to (a) above e.g. decisions in relation to stealth mode lighting

### NSWPF early response ( December 2019):

*All technical issues are actively managed and any patterns are identified and fed back into the future requirements process. Similarly the vendor is assessing camera evolution for the next generation of cameras & docks. This is already a current activity*

*(a) Stealth mode is available yet not currently enabled on the fleet of cameras. Given the exception scenario that this represents, the decision was made to leave the lights on as the camera must be used overtly to record (i.e. with the blinking lights). Note that the Matrix 1 camera, which replaced the previous On-call cameras, specifically had a reduction in the brightness of the lights to address this original concern.*

## 13. Continuous monitoring of the impact of the BWCs for NSWPF operations

Develop a strategy for:

continued monitoring of the NSWPF BWC implementation.

As it matures additional valuable insights and trends will emerge that offer a contribution to quality assurance and continuous improvement for the NSWPF