



## **Police Use of Body-Worn Video Cameras at Incidents of Domestic Abuse**

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# Aims

- Outline the key findings of the study
- Identify the policy and practice relevance of the findings
- Gain feedback on the issues discussed – and their wider implications

# Structure

- Research context
- The study
- The Findings: Perceived value of BWCs:
  - Case-building for prosecution/conviction
  - Avoiding trouble in police work
- Practice implications
- Closing remarks

# Research context (1)

- Recent institutionalisation of body-worn cameras (BWCs) within British police forces
- Variation in technology, in policy and in practice (see College of Policing guidance 2014)
- ‘Domestic abuse’ a key priority for BWCs – owing to challenge of successful prosecution
- HMICFRS calls for research into use of BWCs in context of domestic abuse incidents (2016)

# Research context (2)

- Very high rates of ‘victim retraction’ (or ‘non-attendance’), but difficult to secure a conviction without the complainant’s testimony
- Given this, important to maximise the evidential value of the complainant’s initial account as the central piece of evidence (Westera & Powell, 2015)
- Strategies to enhance the response:
  - Ensuring police conduct a quality initial investigation;
  - Arranging support for the complainant between the arrest of the defendant and trial;
  - Tailoring the court process to improve the reliability and credibility of the complainant’s evidence

# The Study

- A small scale collaborative study over 12 months: University of Leeds, Cumbria Constabulary and West Yorkshire Police
- **Aim (1)** to identify the challenges and opportunities of ensuring that BWCs are used in ways that increase the effectiveness and efficiency of police responses to domestic abuse incidents
- **Aim (2)** Examine the impacts of BWCs on how incidents of domestic abuse are dealt with (i.e. 'disposed of') within the criminal justice process

# Data collection

- Four focus groups per force with ‘front-line’ police officers (45 participants in total)
- Eight interviews, across both forces, with officers holding responsibility for patrol teams, body-worn cameras or domestic abuse
- Two interviews with senior prosecutors of the Crown Prosecution Service (one per force)
- Criminal justice ‘outcomes’ data were collected from both forces, for offences categorised as ‘domestic abuse’

# Force contexts

- Significant difference in level of investment in, and so deployment of, BWCs (during the study)
- Both forces issued BWCs to officers via ‘pooled use’ (i.e. non-personal use) at start of each shift
- In both, officers to turn on/off the ‘record mode’ and tasked with providing commentary
- In both, mandatory to record ‘domestic abuse’ incidents, but not the DASH interview, or disclosure of sexual offence allegations



# What did we find?

- A strong overall consensus among officers of the benefits of using BWCs (in this context)
- They said BWCs helped them in their role in various ways (here categorised into ‘case-building’ and ‘avoiding trouble’)
- This rather rudimentary point is crucial given we know the success of (top-down) organisational change is contingent on acceptance by the lower ranks

# Perceived value of BWVs: 'Case-building' (1)

- Officers felt the perceived properties of BWC footage could strengthen the evidence of a casefile
  - ‘Impartial and impactful’ (e.g. recording footage of the injury and/or damage caused at the scene)
  - ‘Reviewable’ (e.g. by responding officers, interviewing detectives, evidential review officers, prosecution lawyers, judiciary, magistrates)
- By providing strong corroborating evidence
- *Or* by serving as (admissible) complainant testimony under the *res gestae* doctrine (CJA, 2003)

# Perceived value of BWVs: 'Case-building' (2)

- The findings raise questions about – the greater use of – **'victim unsupported prosecutions'**
- What do responding officers need to do in anticipation of these cases? (e.g. what to film, who to film and what to ask?)
- What do responding officers need to know in anticipation of these cases? (e.g. how to ask a question, how not to ask a question)
- What principals should be adopted in deciding whether to pursue these cases?

# Perceived value of BWVs: 'Case-building' (3)

- The findings also raise questions about bias and myth among the public and criminal justice actors
- Some footage will show inconsistencies with complainants' and witnesses' later statements
- Some footage will show complainants acting in ways contrary to socially prescribed expectations
- Some complainants will not want to be filmed – the increasing significance of 'absence', following the normalisation of 'presence'?

# Perceived value of BWVs: Avoiding ‘trouble’ in police work

- BWVs as a palliative – reducing the risks of ‘on-the-job trouble’ (i.e. of being assaulted)
- BWVs as a ‘third eye’ – allows officers to focus on ‘the here and now’ when dealing with incidents
- BWVs as an ‘independent eye’ – reducing the risks of ‘in-the-job trouble’ (i.e. enhancing ‘accountability’)
- Increases officers’ confidence they can justify decisions and actions to police managers and decreases likelihood of malicious complaints

# Practice implications: Training considerations (1)

- Use of cameras and the recorded video footage – before, during and after an incident (i.e. technological, procedural, partnership)
- Increasing the evidential value - the role of BWCs in conducting effective investigations, particularly complainant testimony
- Responding to contingencies - ‘complainant shut-down’, ‘complainant disclosure’, ‘witness denial’ (or when should cameras be turned-off)

# Practice implications: Training considerations (2)

- Safeguarding against potential deleterious effects of BWCs on officers decisions, actions, words...
  - Maintaining a ‘victim-focused response’
  - Avoiding ‘accountability syndromes’ (i.e. the use of discretion, the use of authority)
  - Recognising the diverse situational competencies of ‘good policing’

# Closing remarks (1)

- BWCs seen to be a valuable tool – both for **the criminal process** and **the policing of incidents**
- Enhances, in particular, confidence of succeeding with ‘victim unsupported prosecutions’
- But BWCs risk leading to prosecutions ‘because we can’ rather than ‘because we should’ (i.e. thus querying victim autonomy)
- As officers perceive BWCs increase the likelihood of conviction, this in itself may shape police actions in ways that contribute to that outcome



# Closing remarks (2)

- BUT – officers perceived the core (‘crime control’) value of BWCs lay in them being able to record the **immediate aftermath** of an incident (the so-called ‘golden hour’) – raising questions of:
  - (a) the role of BWCs in ‘domestic abuse as a process of low level coercion/control’ with a cumulative impact and, more broadly, its impact on how officers ‘frame’ and conceive of ‘domestic abuse’
  - (b) the capacity of police to respond immediately to ‘crisis calls’

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