

Managing Body-Worn Cameras

June 2022

Independent assurance report to Parliament
2021–22: 19



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Independent reasonable assurance report to Parliament

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VAGO

Victorian Auditor-General's Office

The Hon Nazih Elasmr MLC
President
Legislative Council
Parliament House
Melbourne

The Hon Colin Brooks MP
Speaker
Legislative Assembly
Parliament House
Melbourne

Dear Presiding Officers

Under the provisions of the *Audit Act 1994*, I transmit my report *Managing Body-Worn Cameras*.

Yours faithfully



Andrew Greaves
Auditor-General
8 June 2022

The Victorian Auditor-General's Office acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

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Audit snapshot

Is Victoria Police's use of body-worn cameras underpinned by policies, training, governance and technology that are fit for purpose and support improved public safety?

Who and what we examined

We examined how Victoria Police uses and governs body-worn cameras (BWC), including how it uses and protects the recordings.

Why this audit is important

Most Australian police forces use BWCs. Victoria Police started using them in 2018.

While BWCs present many opportunities for police to improve how they interact with the public and gather evidence, they also come with risks. Unmanaged, these risks can undermine a police force's integrity and accountability to the public.

What we concluded

Victoria Police has fit-for-purpose policies and training materials for the use of BWCs and appropriate controls to protect footage.

Victoria Police does not have a way to consistently track all police officers' use of BWCs and does not know how compliant they are with activation requirements overall. Our testing found police officers activated their BWCs in 83.6 per cent of instances they were required to record footage. This may impact the intended benefits of BWCs, which include improved public safety.

Victoria Police uses BWC footage to help resolve complaints and assist with some legal proceedings.

However, it does not have processes to measure what degree of impact this is having. It is also not currently tracking achievement of intended benefits.

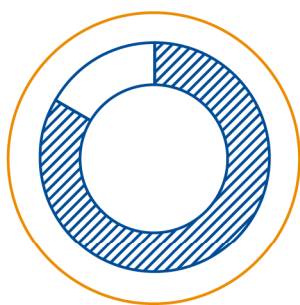
Victoria Police is likely to miss opportunities to continuously improve its use of BWCs unless it actively monitors police officers' performance and drives best practice.

What we recommend

We made 8 recommendations to Victoria Police about:

- capturing and managing BWC footage
- achieving and tracking intended benefits.

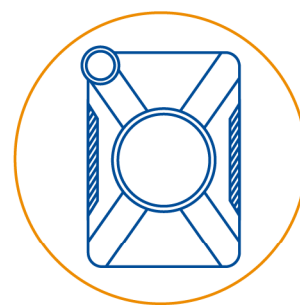
Key facts



Police officers activated BWCs in
83.6%
of the instances they were
required to*



2,865,436
recordings captured since
implementation**



10,264
BWCs in operation**

Note: *Based on VAGO analysis of data from March 2021. See Appendix E for more information about our data analysis **As of 30 March 2022.

Source: VAGO, based on data provided by Victoria Police.

What we found and recommend

We consulted Victoria Police and considered its views when reaching our conclusions. Its full response is in Appendix A.

Capturing and managing body-worn camera footage

To capture and manage body-worn camera (BWC) footage effectively, Victoria Police needs to ensure police officers activate their BWCs when required. Victoria Police also needs to monitor use and compliance and have controls to protect footage.

Activating BWCs when required

Victoria Police's BWC activation framework gives police officers appropriate guidance on when to activate a BWC. Our data analysis for the month of March 2021 showed that Victoria Police officers activated their BWCs to capture footage in 83.6 per cent of the instances they were required to.

With 16.4 per cent of interactions unrecorded, there is a risk that footage may not be available for key incidents. This could result in:

- weaker evidence for investigations and prosecutions
- reduced transparency in complaint investigations
- reputational damage to Victoria Police.

Monitoring BWC use and compliance

Victoria Police has manual processes for monitoring and reporting on how police officers use BWCs and the recorded footage. These processes are time-consuming and provide limited insights into the use of BWCs.

Because Victoria Police does not systematically assess police officers' compliance with its activation framework, it does not understand why BWCs were not activated in 16.4 per cent of instances. Therefore, it cannot be assured that police officers are consistently activating BWCs when needed.

A **BWC** is a small battery-powered camera that frontline police officers wear on their torso when they are on patrol.

A BWC captures what is in a police officer's field of vision. When activated, BWCs capture audio and video.

BWC performance monitoring dashboard

Victoria Police has recently taken a positive step towards improving monitoring of its BWCs by developing a dashboard. This dashboard shows summarised statistics on how police officers are using their BWCs and managing footage. However, in its current form, the dashboard does not help Victoria Police measure the force's overall compliance with its activation framework.

Controls to protect BWC footage

Victoria Police has controls to safeguard BWC footage, including controls for retaining, accessing, redacting, clipping and protecting footage.

Retaining footage

Victoria Police has documented, evidence-based retention periods for different types of footage. Its retention policy is clear and its retention periods align with the significance of the crime or incident recorded.

Managing access and changes to footage

Victoria Police has controls and review processes to restrict and monitor access to footage to those authorised. Only system administrators can manually delete footage. This reduces the risk of Victoria Police losing evidence that it could use to investigate crimes or complaints.

However, until recently, Victoria Police had a weak password policy that did not comply with the Australian Government's *Information Security Manual*. Further, it does not follow all of the data security protocols that its BWC contractor recommends. These weaknesses reduce protection of BWC footage and increase the risk of unauthorised internal access.

The Australian Government's **Information Security Manual** provides a framework that organisations can apply to protect their information and systems from cybersecurity threats.

Logging changes to footage

Victoria Police has processes to ensure that it records changes and access to footage. When footage is redacted or clipped, the original footage is always kept. Staff, including system administrators, cannot alter the audit logs that record any changes to the footage. However, Victoria Police does not regularly review these audit logs or have a process for this.

Protecting footage and data from unauthorised access

BWC footage is well protected from unauthorised external access. Victoria Police uses an encrypted cloud-based solution to store footage and associated metadata.

Recommendations about capturing and managing BWC footage

We recommend that:

Response

Victoria Police	1. implements a compliance monitoring tool for police officers that: <ul style="list-style-type: none">reduces manual processes and improves automation as much as possibleincorporates detailed baseline data that captures all operational instances police officers are required to recordmeasures compliance against its body-worn camera activation framework (see sections 2.1 and 2.2)	Accepted in principle
	2. establishes guidance and expectations for using its recently developed body-worn camera performance monitoring dashboard (see Section 2.2)	Accepted
	3. implements a password policy that is compliant with the Australian Government's <i>Information Security Manual</i> (see Section 2.3)	Accepted in principle
	4. improves the detail of data in its cloud-based storage system to allow efficient monitoring and auditing processes (see Section 2.3)	Accepted in principle
	5. establishes a policy for regularly and consistently reviewing audit logs to reduce the risk of mishandling body-worn camera footage (see Section 2.3).	Not accepted

Outcomes of BWC and footage use

Victoria Police uses BWC footage to help it achieve specific outcomes, including to resolve some legal proceedings and investigate complaints against police officers. To ensure it achieves all the intended benefits of deploying BWCs, Victoria Police needs to continue tracking their use and impact and keep police officers up to date on current policies.

Using footage as evidence in legal proceedings

Victoria Police can show that it has used BWC footage as evidence to help resolve some criminal legal proceedings.

However, it does not know what degree of impact BWCs have had on resolving legal matters for criminal and family violence incidents because it does not currently monitor how and when it uses footage. As a result, Victoria Police cannot measure the impact of using footage in legal matters and cannot show if using BWCs helps expedite legal proceedings.

Using BWCs to record statements from victims of family violence

Victoria Police has also used BWCs to record statements from victims of family violence. These recorded statements are called digitally recorded evidence-in-chief (DRECs). However, this function is still in a trial phase and has not yet been widely used.

Using footage to investigate complaints against police officers

Victoria Police can demonstrate that it has used footage to help resolve complaints against police officers. It has clear guidelines to support this process.

However, Victoria Police does not currently have an efficient way to track when it has used footage in a complaint investigation. Also, it does not measure the impact that BWCs and footage have had on complaints.

Tracking the intended benefits and effective use of BWCs

In 2019, Victoria Police wrote a benefits realisation plan that clearly defined the benefits it intended to achieve by deploying BWCs. It also created an evaluation framework for assessing the effectiveness of its BWC use.

Initially, Victoria Police monitored its progress against the intended benefits in project status reports. However, it has not continued this monitoring. It also has not conducted a post-implementation benefits review or issued the reports it committed to in its benefits realisation plan. While Victoria Police can point to anecdotal evidence that suggests using BWCs is achieving the intended benefits, it cannot demonstrate to what extent these benefits have been realised.

Evaluating the effectiveness of Victoria Police's BWC use

In July 2018, in line with its evaluation framework, Victoria Police assessed the effectiveness of its 6-week BWC pilot which began in April 2018. It used this to inform its broader rollout approach.

In early 2021, Victoria Police also commissioned a consultant to conduct a post-implementation evaluation of BWCs. The consultant made 11 recommendations to improve BWC operations and split these into 'quick wins' and 'strategic projects'. Victoria Police is currently considering the report's recommendations and what it would need to do to implement them.

Through these evaluations, Victoria Police can better understand the effectiveness of its use of BWCs. However, without the ability to measure the achievement of intended benefits, Victoria Police's evaluations do not give the full picture.

Training and guidance for using BWCs

Policies and procedures

Victoria Police has reviewed and improved its policies and procedures for using BWCs, both during the rollout and at later stages.

The latest version of its BWC activation framework (December 2020) makes it easier for police officers to understand when they need to activate BWCs. Victoria Police has also effectively communicated changes to policies and procedures.

Training and on-the-job support

Victoria Police provides clear and comprehensive training for all new BWC users. During the BWC rollout it also provided additional on-the-job support. However, it reduced this once BWCs were fully deployed.

Victoria Police does not provide continuous or refresher training on BWCs. It relies on emails and announcements to inform police officers about updated policies, procedures and legislation.

Recommendations about achieving and tracking intended benefits

We recommend that:		Response
Victoria Police	6. develops monitoring and reporting processes that allow it to measure the use of body-worn camera footage in legal proceedings and complaints against police officers and capture its impact on outcomes (see sections 3.1 and 3.2)	Not accepted
	7. implements and uses a benefits management framework to ensure that any proposed benefits realisation plans it creates for future projects include outcomes targets that are achievable, measurable, specific and consistent (see Section 3.3)	Accepted
	8. ensures it provides refresher training on body-worn cameras when it undertakes major updates or changes policies or equipment, and for users whose position or location means that they do not use body-worn cameras regularly (see Section 3.4).	Accepted

1.

Audit context

In 2018, Victoria Police introduced BWCs in response to a recommendation from the 2016 Royal Commission into Family Violence (the Royal Commission) to help support victims of family violence.

Using BWCs can improve how police interact with members of the public and gather evidence.

This chapter provides essential background information about:

- What BWCs are
 - The BWC rollout
 - Trial of DRECs
 - Regulations, policies and guidelines for using BWCs
 - The BWC technology and system
-

1.1 What are BWCs?

BWCs are small battery-operated cameras used by frontline police officers. BWCs are used to capture audio and video recordings of interactions between Victoria Police and the public.

BWCs are constantly recording, but the footage is saved only when police officers activate them. BWCs also save 30 seconds of footage prior to activation. Police officers are responsible for docking their BWCs to charge, which allows footage to be automatically uploaded. They are also responsible for categorising any footage they collect.

1.2 BWC rollout

In 2018, Victoria Police introduced BWCs in response to a March 2016 recommendation from the Royal Commission.

While the Royal Commission was the catalyst for the BWC rollout, Victoria Police and the Victorian Government were aware of their potential to provide other benefits, including improving community safety and justice outcomes, such as:

- increasing police transparency and accountability
- improving the safety of police officers and the public
- positively influencing the behaviour of police officers and the public
- using footage in complaint reviews and legal proceedings.

To fund the rollout, the government allocated \$42.6 million in the 2016–17 Budget. This was part of the Public Safety Police Response initiative and would supply BWCs to all frontline police officers across Victoria.

How BWCs were rolled out

In April 2018, Victoria Police introduced BWCs through a 6-week pilot of 134 devices at 2 police stations—Epping and Ballarat. This was to test the:

- impact on police officers and external stakeholders, including priority community groups, of routinely using BWCs
- appropriateness of Victoria Police's draft policies and procedures
- functionality of the BWC technology, including the hardware and supporting system.

Victoria Police assessed the pilot as a success. It used the results to help support a full rollout of BWCs to all frontline police officers from mid-2018 to November 2019.

1.3 Trial of DRECs

In recommending the use of BWCs, the Royal Commission's objective was to allow police officers to record statements from victims of family violence to potentially spare them from having to provide evidence in person at court.

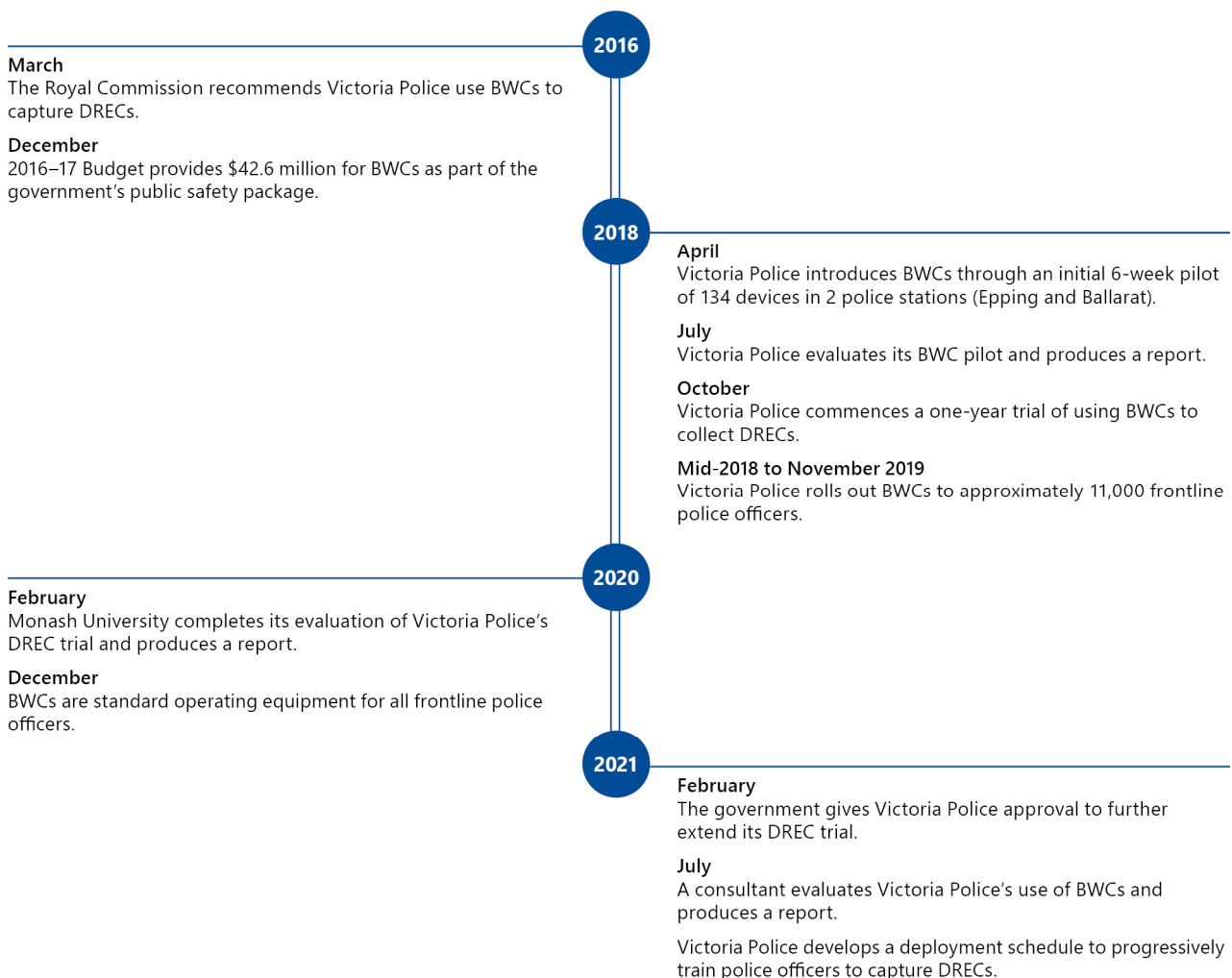
In October 2018, Victoria Police began a one-year trial of using BWCs to collect these statements, which are called DRECs.

A DREC can replace a formal written statement and be used as a victim's main form of evidence in a family violence hearing. This form of 'live' evidence can show a victim's raw emotions, which demonstrates a situation and its impact rather than relying on the court interpreting a written statement. For the victim, it also reduces the burden of having to relive the experience.

In February 2021, Victoria Police obtained government approval to expand the DREC trial to further explore the benefits and the impact for courts, victims and wider stakeholder groups. In July 2021, Victoria Police developed a deployment schedule to progressively train police officers across Victoria to capture DRECs over the following 18 months.

Figure 1A shows the key dates for Victoria Police's BWC rollout and trials.

FIGURE 1A: **Timeline of key dates for Victoria Police's BWC rollout**



Source: VAGO.

1.4 Regulations, policies and guidelines for using BWCs

BWC governance

Victoria Police has a decentralised operating model with 4 geographical regions divided into 21 local divisions, specialist departments and commands. These are managed by Victoria Police's Executive Command. People Development Command manages BWC policies. The Digital Services and Security Department gives police officers operational guidance on using BWCs.

Executive Command is the primary advisory and decision-making body for Victoria Police. The Chief Commissioner of Victoria Police, 4 deputy commissioners, 2 deputy secretaries, the chief information officer and an independent member are part of Executive Command.

Surveillance Devices Act 1999

The *Surveillance Devices Act 1999* (the Surveillance Act) regulates BWC use and:

- specifically outlines how surveillance information, including BWC footage, can be collected, used, communicated and stored securely
- lists requirements for data protection and record keeping.

The Surveillance Act limits how Victoria Police can use and handle BWC footage. It permits BWC footage to be used for specific purposes, including:

- investigating offences
- as evidence in a legal proceeding related to an offence
- investigating a complaint against a police officer or a police officer's conduct
- educating and training police officers.

The Victorian Government amended the Surveillance Act and its associated regulations in December 2021. These changes allow Victoria Police to use BWC footage for additional purposes, including:

- in civil proceedings if police or the state are a party, or if police are called as a witness
- in Victorian Civil and Administrative Tribunal proceedings
- in Victims of Crime Assistance Tribunal proceedings
- in proceedings that relate to a personal safety intervention order
- disclosing to the secretary of the Department of Families, Fairness and Housing to investigate if a child needs protection.

The Surveillance Act does not permit Victoria Police to otherwise retain footage. It requires Victoria Police to delete footage if it is satisfied that it will not likely need it for one of these purposes.

The Surveillance Act also requires Victoria Police to keep records of when it has used BWC footage internally and as evidence in legal proceedings. It also requires Victoria Police to document when it has shared footage externally or deleted footage. Victoria Police considered these requirements when it set its categories and retention periods for footage.

Victoria Police Manual

Victoria Police sets its operational policies through the Victorian Police Manual, which covers a diverse range of topics relevant to policing, including BWCs. Its BWC Operational Guidelines supplements the manual.

These 2 documents explain how to operate BWCs and include the activation framework, which outlines when a police officer must, should and should not activate their BWC.

While acknowledging that there are some technical and practical limitations, Victoria Police's expectation is that a police officer wearing a BWC will record the majority of operational incidents during their shift. Figure D1 in Appendix D summarises some of the key requirements of the activation framework.

It is important to note that a BWC only saves footage when activated. This includes 30 seconds of footage prior to activation.

1.5 BWC technology and system

In 2018, Victoria Police signed a 5-year contract with a contractor to provide BWC hardware and software. The total cost of this contract was approximately \$53 million.

This contractor also manages the back-end security of its software as part of its ongoing contract with Victoria Police. Victoria Police manages the front-end security, such as user access controls.

Footage from BWCs is automatically uploaded to the cloud (managed by the contractor) through docking stations that connect to Victoria Police's information technology (IT) network.

Retaining and storing footage

Victoria Police stores and deletes footage depending on how it is categorised. Figure D2 in Appendix D outlines Victoria Police's 15 categories and their retention periods.

2.

Capturing and managing BWC footage

Conclusion

Our data analysis showed that Victoria Police officers activated BWCs in 83.6 per cent of the instances they were required to record. However, Victoria Police did not know this because it does not consistently measure police officers' overall compliance with the activation framework.

Victoria Police is likely to miss opportunities to continuously improve its use of BWCs unless it actively monitors police officers' compliant BWC use and drives best practice.

Victoria Police has security controls to protect footage and associated metadata.

This chapter discusses:

- Police officers' compliance with the activation framework
 - Victoria Police's compliance monitoring
 - Security controls for protecting BWC footage and data
-

2.1 Police officers' compliance with the activation framework

We tested Victoria Police's overall compliance with the BWC activation framework for the month of March 2021. To do this, we compared BWC footage data to other data from Victoria Police's ePDR (electronic Patrol Duty Return) system. We measured individuals' compliance and also tested the rate of instances that were not recorded by any attending police officers. We did this because police officers are usually on patrol in groups of 2 or more. In instances where one police officer fails to activate their BWC, Victoria Police may still have access to BWC footage from another police officer. However, if none of the police officers present activate their BWCs, Victoria Police has reduced evidence to investigate crimes, incidents or complaints.

We found that:

ePDR data shows jobs that emergency call takers and police stations dispatch to frontline police officers to attend. It includes reports of crimes and other requests for emergency services. ePDR data shows which police officers attended each job. Police officers add details to their ePDR records, including any actions they took, inquiries they conducted and importantly, how they resolved the job.

For incidents that required a recording ...	Which means ...
individual attending police officers activated their BWCs and captured footage in 83.6 per cent of cases	these police officers complied with the activation framework.
none of the attending police officers captured footage in 9.9 per cent of cases	<ul style="list-style-type: none">these police officers did not comply with the activation frameworkthere is a risk that Victoria Police has reduced or no evidence to investigate some crimes, incidents or complaints.

Appendix E outlines our data analysis methodology.

Victoria Police is unlikely to drive better performance in its use of BWCs unless it addresses key weaknesses in its compliance monitoring.

2.2 Victoria Police's compliance monitoring

Victoria Police requires supervisors across all regions, divisions and stations to regularly review police officers' footage to:

- ensure police officers across the force are using BWCs consistently
- detect noncompliance with its BWC policies, including the activation framework.

Victoria Police clearly outlines its processes for monitoring and reporting on compliance with the activation framework in policy documents.

We were unable to assess how well Victoria Police monitors BWC compliance overall. Our interviews with staff indicated that stations inconsistently complete compliance monitoring activities. Supervisors monitor and track compliance in different ways using different templates, terminology and approaches.

There is no overarching summary of compliance monitoring activities and related actions. This makes it difficult for Victoria Police to consistently monitor and ensure compliance across the force.

Consistent compliance reports would let Victoria Police compare performance across stations, divisions and regions over time. This could provide some assurance that all police officers are using their BWC effectively.

Burden on supervisors

In its current form, monitoring compliance is a significant burden on supervisors because Victoria Police's oversight processes are predominantly manual. Supervisors we interviewed all commented on the significant amount of manual effort it takes to review footage. They said they find it difficult to manage this in addition to their other responsibilities.

Supervisors are responsible for reviewing samples of police officers' BWC footage on a monthly basis and identifying potential activation and categorisation issues. For long BWC recordings, such as an incident where police officers were required to guard a crime scene for several hours, even the minimum review requirements take a long time. Victoria Police's lack of automated analysis or tools to assist has meant that it also gains limited insight into BWC activation compliance across the force.

Escalating issues

BWC performance reporting is limited to the divisional level and below. Station commanders report to their local area command inspector on serious issues and, if required, escalate issues to divisional superintendents and Professional Standards Command. This command is responsible for promoting high ethical standards and investigating complaints of corrupt or criminal behaviour or misconduct.

Executive Command and People Development Command do not oversee BWC use at an operational level and most monitoring tasks do not result in formal BWC reports. Executive Command usually only gets involved in BWC compliance matters for critical incidents, such as where a police officer discharges their firearm or is involved in a person's death or serious injury.

Executive Command's view is that BWCs are appropriately managed at a station and divisional level and only critical incidents or systemic issues need to be escalated. Victoria Police does not have benchmarks for poor BWC performance. This means that there is nothing to ensure that station or division leaders will escalate compliance issues, even if performance is consistently poor.

Given its strategic leadership role, Executive Command should have processes to ensure overall compliance, but currently it does not have oversight of this.

BWC performance monitoring dashboard

In its benefits realisation plan, Victoria Police committed to reporting on BWC activation rates. It also recognised the need for an automated tool to help supervisors monitor and verify how police officers use BWCs.

In October 2021, Victoria Police introduced a dashboard that shows summarised statistics and figures on how police officers are using their BWCs. This dashboard,

which is available to staff of sergeant rank or above, also shows divisional, regional and statewide trends.

Weaknesses with the dashboard

The dashboard gives supervisors a more in-depth understanding of BWC use than they had previously. It also gives them a quick way to check if police officers in their team are not complying, although only with some of the activation and policy requirements.

While the dashboard can help supervisors check some areas of compliance, such as categorising footage, it does not measure overall compliance with the activation framework. For example, it does not show if police officers activate their BWCs for all required incidents.

Before the dashboard, Victoria Police did not have a tool for helping to assess compliance across the force, including activation compliance rates. It took over 3 years to develop this tool because it had difficulty establishing a baseline dataset to measure BWC footage against.

Victoria Police advised us that the dashboard is a self-governing tool intended to help supervisors monitor compliance with policies. It has not mandated that supervisors use the dashboard. It has also not set any policy expectations or guidelines on how supervisors and staff should use it. This creates the risk that supervisors will use the dashboard inconsistently or not at all.

Victoria Police could improve its guidance about the dashboard by specifying:

- how it intends supervisors to use it to monitor BWC use
- how frequently supervisors should review it
- what trends or irregularities in the data should trigger further investigation
- what figures, statistics or results it expects supervisors to follow up.

Victoria Police advised us that it plans to further enhance the dashboard by integrating the insights of other data sources. Victoria Police is also considering integrating ePDR data, which we used in our analysis. This has the potential to provide key insights into the force's broader activation framework compliance.

Without using ePDR data or generating a similar source of police interactions with the public to match with BWC data, Victoria Police will continue struggling to measure BWC activation compliance rates.

2.3 Security controls protecting BWC footage and data

Victoria Police has various controls to protect its BWC footage and data, including:

- categories and retention periods
- access and editing restrictions
- system and data storage security.

Categories and retention periods

Victoria Police has evidence-based retention periods for different types of BWC footage. Its retention policy is clear and its retention periods are proportionate to the significance of the crime or incident recorded and to a recording's potential to be useful. We reviewed the retention settings in Victoria Police's cloud-based storage system and found that they were consistent with its policy for categories and retention periods.

Deleting BWC footage

Victoria Police uses functions in its cloud-based storage system to delete footage that has been deemed not likely to be required for a permitted purpose. It has appropriate controls in place for how this can be done.

However, Victoria Police system administrators can manually delete footage. System administrators told us that they have never approved a manual deletion in the time that Victoria Police has used BWCs.

We reviewed a sample of the system audit logs and confirmed that BWC files had only been deleted by the system in accordance with Victoria Police's retention periods. These audit logs cannot be altered, even by system administrators, and retain metadata after recordings have been deleted. This means that Victoria Police maintains key data about deleted footage. This data includes when and where footage was captured and by which police officer.

Access and editing restrictions

Victoria Police's contractor recommends best-practice security protocols for managing footage. Victoria Police advised us that it follows these protocols, but we found some inconsistencies.

Audit logging

Audit logs are important because they track access and changes to footage and data. Good audit logs should capture every access, change and deletion, including:

- the time and date it occurred
- the specific user that accessed the footage or made the change
- if it was a user or system-based change.

Victoria Police's cloud-based storage system has an automatic audit logging function. We assessed Victoria Police's audit logs in the system and found that they capture the information we would expect for this type of system.

However, Victoria Police does not periodically monitor or review these logs to check compliance with its BWC Operational Guidelines. It told us that it reviews audit logs on a 'by exception' basis, but that no exception has warranted a review yet.

Victoria Police also did not provide specific detail on what would constitute an exception that warranted a review. This means that unless Victoria Police is alerted to inappropriate or unauthorised sharing or access to footage in another way, it may not detect it.

Passwords

Users access the cloud-based storage system through Windows Active Directory with single-factor authentication. Users' passwords comply with Victoria Police's password policy and must be changed at least every 90 days.

However, Victoria Police's password policy does not comply with the Australian Government's *Information Security Manual* because it does not enforce better-practice password complexity requirements. For example, dictating the number and types of characters a password must contain.

This reduces Victoria Police's system and data security, including the security of BWC footage. Victoria Police had planned to update its password policy in October 2021. It is now trialling an updated policy and plans to roll it out across Victoria Police from mid-2022.

Assurance practices for user access, permissions and retention periods

Victoria Police's contractor also recommends its clients use best-practice front-end security protocols to protect information in its cloud-based storage system, including periodically reviewing and validating:

- individual users with access to the system, including the appropriateness of assigned roles
- the configured role types and associated permissions
- retention categories.

Victoria Police is not currently doing any of these reviews thoroughly and consistently. System administrators do review users who have been inactive for 90 days and deactivate unnecessary accounts on a monthly basis, which serves as a limited form of user access review.

Victoria Police has a process for providing access to new users. However, it does not routinely review the roles assigned to users to check they have an appropriate level of access, as its contractor recommends. This is a missed opportunity to reduce the risk of unauthorised users accessing footage.

We reviewed Victoria Police's system role types and permissions and found that administrator and evidence management privileges are appropriately limited to specific staff positions and seniority.

Editing BWC footage

Users may sometimes need to edit footage to redact or clip it. Users do this to 'black out' information that may be harmful if exposed or unnecessarily breach someone's privacy.

When a police officer edits BWC footage, the system creates a new file and keeps the original footage unaltered and available. The BWC Operational Guidelines requires users to attach notes to redacted or clipped copies that explain what changes they made, when and why.

In our sample, we found that 0.64 per cent of files had been edited. We also found that Victoria Police does not use a specific field to indicate if a file has been redacted or clipped. This shows police officers are inconsistently applying the policy. In operational practice, this has little impact because Victoria Police's cloud-based storage system shows both the original and edited version of a file together.

However, this may limit the insights that can be gained from analysing BWC metadata.

Labelling BWC footage

Police officers can add information to their BWC recordings. This includes ID codes (to link the footage to records in other systems), titles and categories. They can also add tags, notes and descriptions. However, our analysis of BWC data indicates Victoria Police does not yet have clear and enforced expectations for labelling footage.

Victoria Police initially established the practice of using dispatch IDs as ID numbers for BWC recordings, but it is not currently enforcing this. We found only 51 per cent of files had dispatch IDs listed against them. Inconsistently labelled footage can be more difficult for police officers to review or find and use as evidence.

System and data storage security

Most of the controls Victoria Police has to protect footage and metadata are provided by its contractor, including secure back-end storage.

We assessed the system's audit logs, security, access, user controls and protocols that protect BWC footage and metadata. We consider the contractor's data management policies, data encryption procedures and security protocols for its cloud-based storage system appropriate. The contractor's cloud-based storage system encrypts footage and data both when it is stored and being uploaded.

3.

Using footage to achieve positive outcomes

Conclusion

Victoria Police uses BWC footage to help resolve complaints and legal proceedings. However, it does not have processes to measure the degree of impact this is having. This is also true of the impact of DRECs for use as evidence, which was a key driver for Victoria Police being funded to roll out BWCs in the first place.

Following the rollout of BWCs, Victoria Police had a consultant evaluate how effectively it was using them. However, it has not continued tracking achievement of the intended benefits and cannot demonstrate to what degree it has achieved them.

Victoria Police has good policies and training in place that support consistent use of BWCs and footage across the force.

This chapter discusses:

- Using BWC footage in legal proceedings
 - Using BWC footage to investigate complaints
 - Tracking and measuring outcomes of BWC use
 - BWC policies and training
-

3.1 Using footage in legal proceedings

One of Victoria Police's main uses for footage is as evidence in legal proceedings. Availability and use of BWC footage as evidence varies based on the type of proceedings.

Criminal and family violence proceedings

Victoria Police can show that it has effectively used BWC footage as evidence to help it achieve conviction or resolution in some criminal and family violence matters. However, it does not currently have a time-efficient way to track this and does not routinely measure:

- instances of footage being available to use as evidence in criminal matters
- how footage has been used in legal matters and court cases
- the overall degree of impact that BWCs have had on its ability to resolve criminal and family violence matters.

Victoria Police told us the existence of BWC footage has had a significant positive impact in the early resolution of criminal matters. It says relatively few criminal matters are proceeding to court contest where there is BWC footage available to use as evidence. However, we only received limited and mostly anecdotal examples of when footage has helped resolve a criminal matter, either in a contested hearing or prior to court.

Victoria Police could not provide any examples where footage was used in family violence proceedings. It advised us that in some cases, legal proceedings do not progress to a contested court hearing specifically due to the strength of the BWC footage as evidence. Many offenders choose to plead guilty rather than contest a charge if there is video footage. However, it is difficult for Victoria Police to substantiate this with evidence because even if an offender pleads guilty, it does not have access to the advice provided to the offender by their legal counsel.

Availability of BWC footage in civil matters

Until December 2021, members of the public could not get access to BWC footage to help them resolve civil matters. This was due to limitations on what footage could be used for under the Surveillance Act. This raised concerns about transparency of BWC access for those outside Victoria Police among legal practitioners and prompted a drive for legislative review. There have since been changes to the legislation and regulations. This is a positive step in increasing Victoria Police's accountability.

3.2 Using footage to investigate complaints

Victoria Police can demonstrate that it uses BWC footage to help resolve complaints against police officers. It has clear guidelines that support its processes for:

- accessing footage to address minor complaints
- escalating more serious complaints to Professional Standards Command for investigation.

The *Victoria Police Manual* has a specific guide for disciplinary procedures and complaints. Supervisors or Professional Standards Command may restrict some users' access to footage while they are investigating a complaint.

Victoria Police's complaint policy says a supervisor may allow a complainant to view relevant footage once the supervisor has viewed it to ensure it is appropriate to share externally. This is reasonable because sharing BWC footage could potentially put people, including witnesses, in danger, or evidence at risk of being destroyed. However, Victoria Police does not track when footage has been showed to complainants or when this has been requested and refused.

Measuring the impact of footage on complaints

Victoria Police is of the view that based on anecdotal evidence from police officers, Professional Standards Command and some case studies, BWC footage has had a substantial positive impact on its ability to resolve complaints.

However, Victoria Police does not currently have an effective way to monitor how it uses footage in complaint investigations or measure the impact on a wide scale over time. This means it cannot determine the degree of impact that footage has had on complaints or how consistently it is being used for this purpose. It is therefore missing the opportunity to show it is achieving one of the intended benefits of introducing BWCs.

Changing the behaviour of police and the public

BWC footage provides objective evidence of what actually took place. Police officers told us that wearing BWCs has had a positive impact on the behaviour of both police officers and the public.

Supervisors also told us that just the knowledge that footage exists has resolved a lot of complaints early and without needing to go through the official complaint process.

It is difficult to determine the extent to which wearing BWCs and having footage has had a positive impact on complaint rates. Victoria Police does not have a way of tracking when a complaint did not eventuate due to BWC use. However, it is possible to measure the impact of footage use in investigating complaints, though Victoria Police has yet to do this consistently.

Professional Standards Command's complaint investigations and case studies

Victoria Police undertook a small case study report for our audit. This case study examined how Professional Standards Command has used footage to investigate complaints of assault by police officers between 1 January and 31 March 2021.

In the case study ...	And ...
the sample group of police officers activated their BWC and captured footage in 22 out of 30 (73.3 per cent) of the incidents they should have	in those cases, the footage greatly assisted Professional Standards Command to investigate the complaint and determine the outcome.
	<ul style="list-style-type: none"> • in 21 of those cases, the footage exonerated the police officers of wrongdoing • in one case, Professional Standards Command determined that police officers did use excessive force.

The case study report acknowledged that due to the small sample size of the review, Victoria Police cannot evaluate the overall effectiveness of BWC footage in complaint investigations. It also noted barriers to tracking this in its current processes.

Victoria Police advised that it intends to improve and update its complaints system and processes to capture the use of BWC footage in complaints and that there are relevant projects underway.

We also reviewed 6 anecdotal examples of investigations where Professional Standards Command used footage to resolve a complaint. These examples demonstrated that having footage can make the process of investigating complaints quicker and simpler.

During the BWC rollout, staff working on the project observed a reduction in the number of complaints against police officers and the time spent resolving complaints. They estimated BWCs were saving an average of 3 hours per complaint. With an average of 70 complaints per month, this equated to a saving of almost a full day's work for a full-time staff member.

However, Victoria Police cannot currently validate the degree to which complaints resolution has improved because it is not tracking and measuring the impact of footage on this process.

3.3 Tracking and measuring the outcomes of BWC use

Achieving benefits is the purpose of investing in a project, so it is important that agencies measure and articulate their progress in delivering the intended benefits. The Department of Treasury and Finance (DTF) acknowledges that agencies often lose focus on a project's intended benefits during the inevitable challenges and stresses of implementing it.

For these reasons, DTF recommends that agencies develop a benefits management plan when planning investment projects.

As previously discussed, Victoria Police and the government were aware of the potential for BWCs to provide many benefits that could improve public safety and

justice outcomes. As a tool, footage also has significant potential for monitoring and investigating police officers' conduct and therefore ensuring the force's integrity.

Benefits realisation monitoring

In April 2019, midway through rolling out BWCs to frontline police officers, Victoria Police produced a detailed BWC benefits realisation plan. The plan outlined key stakeholders' roles and responsibilities for managing intended benefits.

Victoria Police clearly linked the plan's formal benefits to defined key performance indicators (KPIs) with associated targets and baselines. The plan also had a methodology and rationale, which Victoria Police planned to use to measure and report on the intended benefits during the rollout.

Figure 3A lists the benefits, KPIs, performance measures and targets Victoria Police committed to in the benefits realisation plan.

FIGURE 3A: BWC formal benefits, KPIs, measures and targets

Benefit	KPI	Measure	Target
1. Support police professionalism	Enhanced police officer accountability	Compliance with the BWC activation framework	80% user compliance with the BWC Activation Framework (within 12 months of BWC implementation project ending)
		Decrease in the number of formal complaints against frontline police due to availability of BWC evidence	5 per cent decrease in number of formal complaints against frontline police arising from public interactions (within 12 months)
2. Reduced victim trauma	Reduction in number of family violence victims required to appear in court	As a direct result of BWC evidence being tendered, a reduction in the number of occurrences where family violence victims need to appear in court to provide evidence	A demonstrated reduction in the number of occurrences where family violence victims need to provide evidence in court (within 12 months)
3. Improved gathering and use of evidence	Established practices for collection, assessment and utilisation of BWC evidence	Compliance with policies for assessing BWC evidence	95 per cent of BWC recordings are categorised within 7 days (within 12 months)
		Number of occasions where BWC footage has been admitted into evidence	A demonstrated adoption of BWC footage being admitted into evidence (within 12 months)
4. Improved police officer safety	Improved perceptions of police officer safety	An increase in BWC users' perceptions of safety in the field due to the use of BWCs	5 per cent increase in BWC users' perceptions of safety in the field (within 12 months)

Source: VAGO, adapted from Victoria Police's 'BlueConnect Program: Body Worn Camera Project Benefits Realisation Plan'.

We found some weaknesses in Victoria Police's benefits and measures, including that:

- targets for benefits 2 and 3 ask for 'demonstrated' reductions or adoptions, but are unclear because they do not set any benchmarks
- benefit 2 cannot be directly measured (as discussed in Section 3.1)
- the targets for all benefits appear to be one-off tests for Victoria Police to achieve within 12 months. However, consistent monitoring and reporting over time on some measures would provide greater insights.

Victoria Police has not revised the benefits realisation plan since it drafted it in 2019.

Project status reports

In its BWC benefits realisation plan, Victoria Police committed to clear reporting requirements. This included reporting both during and after the rollout. During the rollout, Victoria Police produced fortnightly project status reports, which gave some insight into its progress against the intended benefits.

These fortnightly reports show that project staff foresaw and identified the risk that Victoria Police would not meet its some of KPIs due to an 'inability to accurately measure compliance with the BWC activation framework'. While project staff continued to list this risk in the status reports, they did not mitigate the risk by:

- identifying the evidence sources they needed to fulfil the benefits realisation plan's commitments
- identifying and addressing gaps in their measuring and reporting capability
- revising the measures.

Victoria Police has now stopped tracking and reporting on its progress in achieving the intended benefits of BWCs. This means that while it states it is seeing positive outcomes, it cannot substantiate this claim.

Victoria Police's February 2020 project status report noted it was awaiting a final evaluation report to be conducted by a consultant to assess if the project had achieved its intended benefits. However, the evaluation report in July 2021 stated it could not assess this in detail due to Victoria Police's lack of KPI analysis and reporting.

DREC benefits

Victoria Police is developing a DREC benefits realisation plan, which it will revise as the extended DREC trial progresses. While it is still in draft, the plan includes some key assumptions and dependencies around naming conventions and the level of detailed data that prosecutions units collect.

Based on current BWC operations, these dependencies will be challenging to accommodate. This is because Victoria Police does not currently have systems or processes to collect all of the information it will need to measure achievement of the KPIs. The DREC plan does not currently outline how Victoria Police will address these potential issues.

Internal and external evaluations

Victoria Police's pilot evaluation

As part of establishing oversight and governance arrangements for the BWC project, Victoria Police established an evaluation framework for the implementation.

Project staff evaluated the pilot's effectiveness in July 2018 and found 'no major deficiencies'. As a result, Victoria Police deemed the technology suitable for all frontline police officers and its planned DREC trial.

The evaluation made 10 recommendations to enhance the success of the full BWC rollout. The project team accepted all recommendations.

Monash University's evaluation of DRECs

The Royal Commission's recommendation required Victoria Police to have its DREC trial independently evaluated. Victoria Police commissioned relevant specialists from the Monash Gender and Family Violence Prevention Centre to conduct process and outcomes evaluation of the trial's effectiveness.

Monash University produced an evaluation report in February 2020. It found that, due to its short duration, Victoria Police's DREC trial provided limited insight into the effectiveness of DRECs in courts or their impact on victim survivors.

In February 2021, the government requested Victoria Police do a further phased trial for DRECs before deciding whether to roll out the function across the state. The government requested this change so Victoria Police could better evaluate the impact of using DRECs on victim trauma as well as benefits in court and for broader stakeholder groups.

Monash University's report recognised the need for ongoing research and evaluation. Victoria Police has engaged the Department of Justice and Community Safety to further evaluate its staged DREC trial as the rollout progresses.

Post-implementation evaluation

Victoria Police took positive steps to assess its performance by following up its pilot evaluation. In early 2021, Victoria Police commissioned a consultant to conduct an independent evaluation to assess the effectiveness of its use of BWCs.

The July 2021 report found that Victoria Police's BWC rollout was a successful organisation-wide technology implementation project. It found Victoria Police had successfully leveraged learnings from its pilot.

The report also acquitted Victoria Police's performance against recommendations and actions in its pilot evaluation report and Monash University's report. The report highlighted 10 incomplete actions and recommendations from those reviews.

The report made 11 recommendations to improve Victoria Police's BWC operations and split them into 'quick wins' and 'strategic projects'. Victoria Police accepted the recommendations 'in principle'. It nominated senior officers to assess the recommendations and produce implementation plans to identify any cost pressures before committing to implement them.

These internal and external evaluations have helped Victoria Police better understand the effectiveness of its BWC project. However, they do not provide a full picture of

BWC effectiveness because Victoria Police has not measured its progress against the benefits realisation plan's intended benefits.

3.4 BWC policies and training

Victoria Police provides guidance and support to staff on BWCs, including policies, procedures and training material.

Policies and procedures

The *Victoria Police Manual* and BWC Operational Guidelines provide a clear and comprehensive framework on using BWCs. Victoria Police properly references and explains relevant legislation in the policies, including requirements of the Surveillance Act, the *Crimes Act 1958* and others. We reviewed the *Victoria Police Manual* and BWC Operational Guidelines and found they are consistent with each other.

Victoria Police produced the latest version of the BWC Operational Guidelines in December 2020. This update substantially changed the activation framework's primary guiding principle for activating BWCs from 'should' to 'must'. This shift appropriately reduces discretion and makes it clearer and easier for a police officer to understand when they need to activate their BWC.

Feedback we received during our interviews supports this. Police officers told us their practical approach is to record everything unless there is an obvious reason not to.

Communicating policy expectations

Victoria Police's policies and procedures are accessible on its intranet.

During the BWC rollout, Victoria Police had a comprehensive change management plan and communications strategy, which it used to effectively deliver key messages.

Victoria Police tailored its communication during the BWC rollout to specific user and stakeholder groups. These communications focused on raising awareness, letting police officers know what to expect, and promoting adoption by providing examples of success stories and benefits of use.

We assessed a range of communication pieces provided by Victoria Police and found they were detailed, timely, accessible and informative.

BWC training

Victoria Police provides training to users, superusers, new recruits and supervisors.

User training

All BWC users must complete 4 e-learning modules before they receive a BWC. The training effectively outlines the key functions of BWCs and the policy requirements for using them. The modules also include troubleshooting and guidance on how to manage evidence. Each module has an assessment which police officers must pass to prove their learning.

Victoria Police has also updated the modules to reference its current policies, the activation framework and relevant legislation.

However, Victoria Police does not provide any continuous or refresher training on BWCs to ensure police officers are aware of current and updated procedures. It relies on emails and announcements to inform police officers of updates to policies, procedures and legislation. If these communications do not reach all staff, some police officers may not fully understand up-to-date policy requirements, which increases the risk of them not complying.

Recruit training

Embedding BWC use at the Victoria Police Academy was not part of the initial BWC rollout. However, since then Victoria Police's contractor has supplied 650 dummy BWCs for recruits to use during their training. Recruits receive a dummy BWC within their first 2 weeks at the academy and use this to complete 5 training modules that incorporate theory and practical use.

When recruits finish their academy training, they attend a dedicated training workplace. Until recently, police officers on a dedicated training workplace rotation did not receive a BWC. This was because Victoria Police did not have enough licences for its cloud-based storage system to meet operational needs.

To address this, Victoria Police recently procured more licences from its contractor. It now has 500 licences for support staff and 15,852 licences for users, which is an increase of 4,852 user licences. Victoria Police has assessed this to be enough licences for all recruits to use a BWC during their dedicated training work placement.

Supervisor training

Victoria Police developed a supervisor training module that covers BWC governance responsibilities, compliance and managing BWCs and evidence. However, this training did not run due to time constraints.

While supervisors have access to a BWC Officer In Charge handbook, training would help ensure they are actively overseeing BWC use. Given supervisors' important oversight role in enforcing consistency and compliance, discontinuing this training removed an opportunity to enhance the way BWCs are used.

On-the-job support

Victoria Police provided multiple forms of on-the-job support during the BWC rollout, including a dedicated support email address and hotline. However, since the rollout finished, police officers have had less BWC-specific operational support and rely on online fact sheets.

Victoria Police recently introduced an option in its IT service portal where police officers can ask BWC support questions. The operational technology support team responds to these questions.

Fact sheets

Victoria Police has 25 fact sheets on its BWC intranet, which gives police officers quick and easy access to information when they need it.

The fact sheets cover BWC policies, IT troubleshooting, managing footage and supervisors' responsibilities.

APPENDIX A

Submissions and comments

We have consulted with Victoria Police, and we considered its views when reaching our audit conclusions. As required by the *Audit Act 1994*, we gave a draft copy of this report to Victoria Police and asked for its submissions and comments.

Responsibility for the accuracy, fairness and balance of those comments rests solely with the agency head.

Responses were received as follows:

Victoria Police	29
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VICTORIA POLICE

Shane Patton APM
Chief Commissioner of Police

Our Ref: FF - 165474
Your Ref: File No. 34630 21

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311 Spencer Street
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3008 Australia

Telephone +61 3 8335 6400

P.O. Box 913
Melbourne Victoria 3001 Australia

Victorian Auditor-General
Mr. Andrew Greaves
Level 31/35 Collins Street,
Melbourne, VIC, 3000

Dear Mr. Greaves,

Victoria Police response to the proposed Performance Audit Report *Managing body worn cameras*

Thank-you for the opportunity to provide a response to your proposed report, dated 18 May 2022.

Previous VAGO audit findings have greatly assisted Victoria Police, to enhance service delivery, improve accountability and strengthen risk management.

Victoria Police accepts proposed recommendations two (2), seven (7) and eight (8), however due to external constraints, practical barriers, resourcing, and financial limitations, recommendations one (1), three (3) and four (4) are accepted in-principle only.

Recommendation five (5) is not accepted as Victoria Police has an established robust information security system in place. Recommendation six (6) is also not accepted due to the significant barriers in the ability to capture the impact of body worn cameras (BWC) in resolving or assisting proceedings. These difficulties were highlighted in the project closure report.

Please find attached a table that outlines the Victoria Police response, action, and anticipated completion dates for each of the eight recommendations (Attachment A).

Yours sincerely,



Shane Patton APM
Chief Commissioner

31 / 5 /2022

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Attachment A**Victoria Police action plan to address recommendations from *Body Worn Camera Audit*.**

No.	VAGO recommendation	Action	Completion date
1	Recommendation 1 - implements a compliance monitoring tool for police officers that: <ul style="list-style-type: none"> • reduces manual processes and improves automation as much as possible • incorporates detailed baseline data that captures all operational instances police officers are required to record • measures compliance against its body-worn camera activation framework (see Sections 2.1 and 2.2 1 – Implements) 	Accept in principle. Victoria Police will develop a business case to implement improved reporting.	June 2023
2	Recommendation 2 - establishes guidance and expectations for using its recently developed body-worn camera performance monitoring dashboard (see Section 2.2)	Accept. Victoria Police will develop a communication plan, including referencing and promoting the dashboard in BWC operational guidelines.	March 2023
3	Recommendation 3 - implements a password policy that is compliant with the Australian Government's Information Security Manual (see Section 2.3)	Accept in principle. Noting the program of ██████████ is owned by ██████████. Victoria Police will work with ██████████ to identify the deployment of passphrases to uplift the security of passwords across the organisation.	September 2022

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4	Recommendation 4 - improves the detail of data in its cloud-based storage system to allow efficient monitoring and auditing processes (see Section 2.3)	Accept in principle. Victoria Police will engage with the vendor regarding more efficient monitoring and auditing processes. Implementation of this recommendation will be subject to the cloud system capability and financial costs.	June 2023
5	Recommendation 5 - establishes a policy for regularly and consistently reviewing audit logs to reduce the risk of mishandling body-worn camera footage (see Section 2.3)	Not accepted. This audit did not identify any mishandling of BWC footage. BWC is no different to any other information system managed and used by Victoria Police. Victoria Police as an organisation for these types of systems adopts a validation approach due to the sheer volume of different systems, and data /information contained within them. This audit identified that Victoria Police has a sufficiently robust information security system related to BWC.	
6	Recommendation 6 - develops monitoring and reporting processes that allow it to measure the use of body-worn camera footage in legal proceedings and complaints against police officers and capture its impact on outcomes (see Sections 3.2 and 3.3)	Not accepted. Victoria Police has identified challenges in quantitative and qualitative measurement of BWC footage in legal proceedings and complaints against police officers. While access to BWC footage is very useful to either challenge issues raised by defence or resolve evidentiary or factual points of contention, it is difficult to specifically measure reduction in delay or resolution rates brought about by the provision of BWC footage. It can be deduced that BWC footage is the deciding factor in resolving some matters, but the metric cannot be definitive as the instructions to an accused by counsel often aren't known. Many different types of evidence are relied upon in legal proceedings. Reporting on the impact of outcomes as a direct result of BWC footage would therefore not be accurate and could be misleading.	

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7	Recommendation 7 - implements and uses a benefits management framework to ensure that any proposed benefits realisation plans it creates for future projects include outcomes targets that are achievable, measurable, specific, and consistent (see Section 3.3)	Accept. Victoria Police will explore opportunities to strengthen guidance regarding a benefits management framework.	May 2023
8	Recommendation 8 - ensures it provides refresher training on body-worn cameras when it undertakes major updates or changes policies or equipment, and for users whose position or location means that they do not use body-worn cameras regularly (see Section 3.4)	Accept. Victoria Police will provide training on body worn cameras when it undertakes major updates or changes policies or equipment, to relevant sworn employees.	As required.

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APPENDIX B

Acronyms, abbreviations and glossary

Acronyms

BWC	body-worn camera
DREC	digitally recorded evidence-in-chief
DTF	Department of Treasury and Finance
ePDR	electronic Patrol Duty Return
IT	information technology
KPI	key performance indicator
VAGO	Victorian Auditor-General's Office

Abbreviations

the Royal Commission	Royal Commission into Family Violence
the Surveillance Act	<i>Surveillance Devices Act 1999</i>

Glossary

Reasonable assurance	We achieve reasonable assurance by obtaining and verifying direct evidence from a variety of internal and external sources about an agency's performance. This enables us to express an opinion or draw a conclusion against an audit objective with a high level of assurance. We call these audit engagements. See our assurance services fact sheet for more information.
Limited assurance	We obtain less assurance when we rely primarily on an agency's representations and other evidence generated by that agency. However, we aim to have enough confidence in our conclusion for it to be meaningful. We call these types of engagements assurance reviews and typically express our opinions in negative terms. For example, that nothing has come to our attention to indicate there is a problem. See our assurance services fact sheet for more information.

APPENDIX C

Scope of this audit

Objective

This audit assessed if Victoria Police's use of BWCs is underpinned by policies, training, governance and technology that are fit for purpose and support improved public safety.

Who we examined	Its key responsibilities
Victoria Police	Victoria Police's role is to serve the Victorian community and uphold the law to promote a safe, secure and orderly society.

What we examined	Activities
The use of BWCs from implementation to present	Victoria Police rolled out BWCs in 2018 and now uses them to collect evidence and improve the safety of police officers and the public.

How we assessed performance

To form our conclusion against our objective, we used the following lines of inquiry and associated criteria:

Line of inquiry	Criteria
Victoria Police's governance structures, policies, procedures, guidance and training support its members to use BWCs to compliantly obtain and secure footage intended to meet the aims of the program.	<ol style="list-style-type: none">1. Victoria Police has a governance structure that oversights and supports the compliant use of BWCs across the force.2. The <i>Victoria Police Manual</i> and related policies and procedures clearly define when BWCs must be used and when they should be used, and how they are operated.3. Training provided at the Victoria Police Academy, and ongoing on-the-job training and support, ensures members' continued effective use of BWCs.4. Victoria Police has implemented controls and a strategy for data storage that ensure BWC footage is stored securely, for a length of time proportionate to its usefulness and associated risks, and is only accessible to authorised staff for approved uses.

Line of inquiry	Criteria
Victoria Police members understand and comply with relevant policies when collecting, accessing and using BWC footage.	<ol style="list-style-type: none"> 1. Victoria Police members activate BWCs to capture footage as required by legislation, policies and internal procedural directions. 2. Victoria Police members only access retained BWC footage when they have been authorised to do so and only for purposes that align with associated policies. 3. Victoria Police verifies consistent BWC usage and uses technology to monitor and audit the use of BWCs.
Victoria Police's use of BWCs is supporting improved public safety.	<ol style="list-style-type: none"> 1. Victoria Police has clearly defined the intended benefits of using BWCs. 2. Victoria Police is using BWC footage to assist in the resolution of legal proceedings, including family violence incidents. 3. Victoria Police is using BWC footage to assist in the resolution of complaints against members of Victoria Police. 4. Victoria Police is using an evaluation or performance assessment framework to measure and report on the effectiveness of the use of BWCs.

Our methods

As part of the audit we:

- conducted data analysis to test police officers' compliance with the BWC activation framework (methodology outlined in Appendix E)
- assessed how police officers collect, manage and access BWC footage
- assessed how supervisors monitor police officers' compliance with policies
- interviewed 27 frontline police officers, including BWC users and supervisors, from 7 police stations across all 4 Victoria Police regions to understand their experiences and views of BWC operation. The stations we visited varied in size and in the geography and demography of the areas they service
- reviewed Victoria Police's policies and procedures
- met with relevant key staff in departments responsible for policy, training, technology support and data protection and storage.

We did not complete a full information technology general controls review. We assessed the system audit logs, security, access, user controls and protocols that protect BWC footage and metadata. We had Victoria Police attest its adherence with best practice.

We conducted our audit in accordance with the *Audit Act 1994* and ASAE 3500 *Performance Engagements* to obtain reasonable assurance to provide a basis for our conclusion.

We complied with the independence and other relevant ethical requirements related to assurance engagements. We also provided a copy of the report to the Department of Premier and Cabinet.

Unless otherwise indicated, any individuals named in this report are not the subject of adverse comment or opinion.

Cost and time

The full cost of the audit and preparation of this report was \$770,000. The duration of the audit was 16 months from initiation to tabling.

APPENDIX D

BWC activation framework and footage retention periods

FIGURE D1: **Victoria Police's expectations for activating BWCs**

Expectation	Requirement
When a BWC recording must be made	<p>Police officers wearing a BWC must start a recording:</p> <ul style="list-style-type: none"> when exercising legislated or common law powers, including: <ul style="list-style-type: none"> arresting/detaining person/s for any offence or when exercising family violence holding powers vehicle interceptions or random breath tests person or property searches conducted with or without a warrant attending private premises, including to address residential noise complaints issuing infringement notices process servings, including summons, intervention orders or family violence safety notices interactions with the public where police officers are otherwise required to record the contact legislated inspections of premises, such as those related to liquor and firearm control to capture an incident occurring, likely to occur or which has occurred, including: <ul style="list-style-type: none"> when attending tasks dispatched by emergency call takers that result in a public contact a police pursuit where it is safe to do so or when they deploy devices that immobilise vehicles when approached/hailed by the public in need of police assistance when observing and/or attending to members of the public in need of assistance during public order events as directed.
When a BWC recording should be made	<p>Police officers should start a BWC recording on any other occasion if they believe it would assist in:</p> <ul style="list-style-type: none"> providing transparency during a public interaction or police activity collecting evidence, including recording summary offence interviews conducted in police stations.
When to stop recording	<p>When a police officer has started a BWC recording, they should only stop recording when:</p> <ul style="list-style-type: none"> an interaction ends an incident is resolved or otherwise ends (for example, all evidence is collected and parties have moved on) directed to stop by a supervisor in accordance with policies or by a police officer in charge of a critical incident. <p>Police officers must record their entire interaction with a person who is in custody or detained until they are:</p> <ul style="list-style-type: none"> released from custody or the interaction ends

- transferred to another police vehicle
- formally transferred to a correctional facility or the care of another agency (for example, a hospital)
- brought into a police station, room or cell with the intention of interviewing them or continuing their custody.

If a recording is not made or is muted or stopped prematurely outside of this framework, police officers must record the circumstances in one of 3 of their official record keeping logs, or on the recording itself prior to it being stopped, to provide enough detail to later account for the omission.

When a recording must not be made

Police officers must not record:

- when they are acting outside of their police duties or functions
- when they are conducting a formal indictable offence interview
- to covertly capture conversations with other police officers
- during a full or intrusive search
- during a conversation with a police officer engaged in undercover activities or with a human intelligence source (if known)
- when engaged in conversation away from the public (for example, a private police conversation or a formal digital evidence capture interview)
- when dealing with a particularly distressed victim or witness or a person apparently afflicted by a mental illness where the presence or use of a BWC may escalate the situation, unless a recording is operationally required

Police officers should not start or should stop a BWC recording when there is a reasonable expectation of privacy, such as in a changing room or toilet, unless they are exercising police powers or the duty or function outweighs the privacy/human rights being limited.

Source: VAGO, adapted from the *Victoria Police Manual* and BWC Operational Guidelines.

FIGURE D2: **Footage categories and retention periods**

Retention period	Category	Details
Permanent	Fatality (all types)	For all reportable deaths, including homicides, road, rail or industrial accident deaths and other reportable deaths, such as historic/public interest matters
	Pending review	Temporary holding category only
	Professional Standards Command	For footage related to the investigation of a complaint or of police officer conduct or behaviour. For use by Professional Standards Command, the ethical and professional standards officer and officers in charge only
	Sex offences	For sex offences, except offences relating to threats to or distribution of intimate images and those involving offensive behaviour
100 years	Hazmat	For serious hazard material incidents (involving potential/ongoing specialist involvement), such as fires (including structure or non-structure fires), clandestine laboratories, chemical leaks, asbestos and natural disasters (including pandemics, floods and bushfires)
50 years	Major crime	For serious offences, including homicides (also fatality all types), rapes (also sex offences), aggravated burglaries and armed robberies, and clandestine laboratories (also Hazmat)
	Serious injury incident/collision	For incidents involving a serious injury (where a person is admitted to hospital), including workplace accidents, rural accidents and road or rail collisions
20 years	Family violence	For all interactions involving a report of family violence, including DRECs, offender processing, and serving intervention orders and family violence safety notices
	Use of force	For any incident when a 'use of force' form must be submitted in line with

Retention period	Category	Details
		policies
10 years	Indictable other	For indictable offences processed by uniform police officers, including burglaries, thefts, criminal damage and assaults. Also processing offenders and executing warrants for these offences
8 years	Summary brief	For summary offences and traffic offences proceeding by summons
7 years	Other summary	For matters dealt with by immediate action, including council and other infringements, Environment Protection Authority notices and defects
1 year	RSA Impairment	For incidents involving the conduct of a drug impairment assessment only
90 days	Non-evidentiary	Where none of the other categories apply, including inadvertent footage
Police officers not to use	xDO NOT USEx	Generic category

Note: RSA stands for responsible service of alcohol.

Source: VAGO, adapted from Victoria Police's BWC Operational Guidelines.

APPENDIX E

Our data analysis

We tested police officers' overall compliance rate with an aspect of the activation framework. To do this, we designed a data matching and analysis exercise that compared BWC footage metadata to ePDR data.

ePDR data shows jobs that emergency call takers and stations have dispatched, including reports of crimes and other requests for emergency services. ePDR data shows which police officers attended each job. Police officers must add details to their ePDR records during and after a job, such as any actions they took, any inquiries they conducted (such as licence, registration or criminal record checks) and importantly, how the job was resolved. Supervisors review and sign off on ePDRs to ensure police officers have undertaken all appropriate actions, judgements and follow-ups.

We used ePDR data to create a baseline of police interactions to test if police officers captured a BWC recording when they were required to. We requested BWC footage metadata and ePDR records for March 2021. We chose that month because it was a relatively standard month after the most recent change to the activation framework. We received 228,144 BWC records and 228,321 ePDR dispatch job records.

We cleaned the ePDR data and generated parameters to match it with BWC data. We allowed a buffer for differences between dispatch time, arrival time, events occurring (and being recorded) and the ePDR record update times, which are usually done after police officers have finished responding to an incident. We also split each job into separate records for each police officer that attended to test individuals' compliance.

We consulted Victoria Police and filtered out job types we interpreted did not involve interactions with the public the activation framework would require police officers to record. We then randomly selected a sample of 140 ePDR jobs to test for matches with BWC footage metadata. This included 308 police officer attendance records.

After identifying potential matches, we manually checked them to validate them. We worked with Victoria Police to ensure we matched all of the records it was possible to match. Our final result was a 16.4 per cent rate of noncompliance with the activation framework with a 95 per cent confidence interval between 12.2 and 21.8 per cent. We also found that for 9.9 per cent of jobs, no attending police officers captured BWC footage, despite the activation framework requiring a recording. The 95 per cent confidence interval for this result was between 5.6 and 16.7 per cent.

Auditor-General's reports tabled during 2021–22

Report title

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<i>Major Infrastructure Program Delivery Capability</i> (2021–22: 02)	September 2021
<i>Clinical Governance: Department of Health</i> (2021–22: 03)	September 2021
<i>Managing Conflicts of Interest in Procurement</i> (2021–22: 04)	September 2021
<i>Major Projects Performance</i> (2021–22: 05)	September 2021
<i>Administration of Victorian Courts</i> (2021–22: 06)	October 2021
<i>Protecting Victoria's Biodiversity</i> (2021–22: 07)	October 2021
<i>Management of Spending in Response to COVID-19</i> (2021–22: 08)	October 2021
<i>Supplying and Using Recycled Water</i> (2021–22: 09)	November 2021
<i>Auditor-General's Report on the Annual Financial Report of the State of Victoria: 2020–21</i> (2021–22: 10)	November 2021
<i>Results of 2020–21 Audits: Local Government</i> (2021–22: 11)	December 2021
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