



Our Ref: 001638/21

Your Ref:

Address Correspondence to: Information Management

Date 01 July 2021

Freedom of Information Act 2000

I write further to your request for information received 13/05/2021.

I note you seek access to the following information:

I am a member of the public, and I would like to request information.

Body Camera - Code of Practice

When Police Officers arrive at my home unannounced to talk to me, that is not concerning anything I have done wrong; I am not made aware I am being recorded on their body camera.

I would like to know when I am allowed to be captured on a police body camera, and I would like to know what happens to that information. I would like to see your code of Practice on the use of body cameras towards public members.

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

Please find attached a copy of Leicestershire Police Body Worn Video Policy. Further, below is the College of Policing guidance which is used to support Leicestershire Police's policy:

[Body-Worn Video \(college.police.uk\)](http://college.police.uk)

Some information has been redacted with the below exemption applied to the redacted areas.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire Constabulary, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption(s) applicable relate to your request are as follows:

- Section 31 – Law Enforcement

Section 31 is a prejudice based, qualified exemption and there is a requirement to articulate the harm that would be caused as well as carrying out a public interest test.

Section 31 – Evidence of Harm

Under the Act, we cannot, and do not request the motives of any application for information. We have no doubt that the vast majority of requests made under the Act are legitimate.

However, in disclosing information to one applicant, we are expressing a willingness to provide it to anyone in the world. This means that a disclosure to a genuinely interested and concerned person automatically opens it up for a similar disclosure, including those who would use the information to gain an advantage over the police.

In considering whether or not this information should be disclosed, consideration has been given to the potential harm that could be caused by disclosure.

Effective policing requires the accurate and effective processing of information relating to each individual case in order for it to be successful. As a result, during the course of an investigation, information is recorded and processed on Police systems and following the attached policy. If a disclosure was made under the Act of these specific areas of the policy it would severely impact on the process of law enforcement.

To release this information into the public domain would therefore clearly impact on our law enforcement capabilities with regards to future cases.

Public Interest Test

The public interest is not what interests the public, but what will be of greater good if released to the community as a whole. It is not in the public interest to disclose information that may compromise Leicestershire Police's ability to fulfil its core functions.

Section 31 – Considerations favouring disclosure

There is a public interest in disclosure of the requested information as it would allow the public to discuss the conduct of investigations and would therefore raise the Force's accountability. It would also aid transparency and allow any failings to be discussed in the public domain.

Section 31 – Considerations favouring non - disclosure

I am of the opinion that it is not in the public interest to disclose sensitive information that relates to the detailed internal procedures relating to investigations on this occasion. The information requested contains a wealth of information that if disclosed, would reveal police tactics and evidence gathering techniques along with other information which is vital to Law Enforcement.

If this was released into the public domain, it would allow those like minded to commit crime to be aware as to how this type of investigation is conducted. It would therefore give them an added advantage should they wish to impede a future investigation and would significantly weaken our law enforcement capabilities.

Conclusion

I believe that on balance it is **not** in the public interest to release these areas of information which you have requested on this occasion for the reasons stated above. I appreciate that this is not the decision you had hoped for but I must consider the wider position under the Freedom of Information Act 2000 which I feel necessitates the need to refuse your request under this legislation.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer
Leicestershire Police

Leicestershire Police in complying with their statutory duty under sections 1 and 11 of the Freedom of Information Act 2000 to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law.

Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to The Information Manager, Leicestershire Police Headquarters, St. Johns, Enderby, Leicester LE19 2BX.