Policy Statement

Summary

The Regional Scientific Support Unit CCTV Team needs to recover and manage CCTV evidence so that we can maximise evidential and intelligence opportunities across the region.

This policy aims to ensure that we recover and manage a proportionate amount of CCTV evidence relative to the crime being investigated. This is so we avoid over recovery of material potentially leading to overlooking crucial evidence due to the volume of footage. Also under recovery which, in the case of routine or volume crime, might breach our legal duty under the Criminal Procedures Investigation Act 1996 (CPIA) to make reasonable enquiries, and missed opportunities to detect crime and provide a quality service to victims.

Scope

This policy applies to all police officers and police staff who are involved in any processes relating to the retrieval and management of CCTV evidence.

Collecting CCTV Evidence – First Responder

Principles

• For CCTV installed in residential and commercial properties with the purpose of preventing and detecting time, the emphasis is placed on the system owner to provide the police with the evidential footage.
• However if this isn’t possible, for volume crime types, an appropriately trained and competent attending officer can attempt recovery. For more serious crimes, it is essential that the Regional CCTV Team must be contacted at the earliest opportunity to recover the CCTV evidence.
• The attending officer must be mindful of the possibility of CCTV cameras being located in unlikely places.
• The attending officer must view the footage at the scene to establish relevance before it is seized. In judging whether footage is relevant or not, the attending officer should be mindful of their obligations under the Criminal Procedure and Investigations (CPIA) Act 1996.
• Write-over periods for CCTV systems vary considerably, it is important that the attending officer establishes what the write-over period is at the time of their first attendance.
• Once the write-over period is known, it can be used to determine priorities for technical recovery in cases where the footage is not already provided for collection by the system owner. If there is no imminent risk of the material being overwritten, it may be recovered later. The date of the incident will normally be earlier than the date attended by the officer, so this must be taken into account when prioritising technical recoveries.
How and what CCTV to be collected

• This should be a balanced decision. Attending officers must be mindful of the duty of disclosure but also avoid unnecessary work by setting time and/or geographical parameters too wide. Reference should be made to Home Office best practice and CPIA rules.

• CCTV evidence may corroborate or question the account given by witnesses or complaints and can be useful for this purpose even if the actual offence is not recorded, this must also be taken into account by the attending officer.

• Footage before the incident: Each incident should be assessed on its merits with the appropriate period possibly ranging from five minutes to an hour. The period before the incident is important because of the potential to:
  o Locate potential witnesses or criminal associates;
  o Show routes taken by offenders in/out of the scene;
  o Show the offender preparing for the offence; and
  o Identify other lines of enquiry.

• Footage after the incident: Each incident should be assessed on its merits with the appropriate period possibly ranging from one minute to 10 minutes. The period after the incident is important in identifying the exit route taken by the offender(s) as well as locating discarded evidence.

• When CCTV evidence is collected, the attending officer must:
  o Record the details for each item of CCTV evidence collected including the time discrepancies, make and model of the system, time period of the footage, camera cover details and availability of any player software;
  o Ensure all items have exhibit numbers and continuity labels are placed in the exhibits store, with all items been booked onto Niche; and
  o Note the write-over period for each digital system for the purpose of further enquiry if needed, and to agree priorities for the technical recovery if the overwriting is imminent.

Downloading CCTV Evidence - Technical Recovery

Principles

• Attending officers must oversee CCTV recovery wherever possible, when the system owner retrieves the material from the system. The emphasis is on the complainant to provide the attending officer with the evidence.

• If the attending officer is unable to be present at the time of the material being downloaded, it must be checked at the earliest opportunity, before the write-over period, to ensure the intended footage has been collected and it plays back correctly.

• If there is a requirement to seize CCTV systems or hard disks, the attending officer must first liaise with the Regional CCTV Team. This is because removing the systems or hard disks can cause damage to the equipment, which may not work properly if removed incorrectly.

• Loan systems maybe be put in place when a full CCTV system has been removed by the Regional CCTV Team, to ensure the premises are left...
secure. It is essential that the system that has been seized/recovered is viewed within agreed timeframes so that any evidential material can be removed and the system returned to its owner.

- Local authorities, and other owners of public space CCTV systems will supply footage on request and most have police employees stationed in the control room who can help copy footage. Most of these systems have a 30 day write-over period, but the actual period must be confirmed during first contact. The Regional CCTV Team can advise and assist.
- Most buses and coaches and some bus shelters contain CCTV systems. Specific sections of footage can be downloaded and the bus/coach company will normally assist with this. The Regional CCTV Team can advise and assist.

Volume Crime CCTV Procedures

Principles

- At initial attendance, the CCTV evidence must be viewed as soon as possible to establish that the incident has been recorded and taken place. It is important the officer viewing the footage records:
  - The details of all the material viewed along with possible sightings and subjects of interests, to allow for the next lines of enquiry and reprioritisation if necessary; and
  - The details of the incident, what is been looked for, to ensure parameters can be adjusted should new intelligence cause a change in the subject of interest.
- No value opinions must be noted on the log. CCTV images must not be stored on the Niche record.
- The District CCTV liaison staff are the initial point of contact for volume crime enquiries, and for further technical assistance the Regional CCTV Team can be contacted.
- CCTV evidence must be provided in a viewing format that standard DVD players and computers will play. District CCTV staff have facilities to produce working copies of CCTV footage for disclosure for volume crime.
- Master copies of CCTV evidence must be given an exhibit number and sealed using the appropriate CCTV labels, stored in a suitable container (one item per container) and fully documented on an MG11 form and exhibits log. Any section copies or edited compilations must be separately exhibited.
- CCTV evidence of an offence can be used as a means to identify an offender if the image quality is of an acceptable standard.

Serious and Major Crime CCTV Procedures

Principles

- At the early stages of a major incident, it is important that individuals
allocated the following roles:
- A CCTV Co-ordinator for the operation to act as a single point of contact;
- First responder, who will collect the footage readily available from the system owner (The Trawl Team directed by the CCTV Co-ordinator for the operation);
- Technical Recovery, who will recover the evidence from the systems where required (The Regional CCTV Team); and
- Viewing and logging of CCTV evidence and exhibit handling (The Viewing Team).

- The initial task of identifying the location(s) of the CCTV evidence will be aided by the parameters set by the SIO. Initial trawls should be intelligence led and will normally focus on the areas immediately around the location of the incident.
- Any extension of parameters is a matter for the SIO in consultation with the CCTV Co-ordinator and the Regional CCTV Team, and will be based on developments in the investigation and intelligence received from the viewing team.
- Footage must be categorised as either, evidential, unused material/intelligence, or irrelevant.
- Retention of footage deemed irrelevant is not mandatory, but a note must be made of the classification and the decision not to retain. This also applies to footage viewed in situ and not recovered. The Disclosure Manual and Crown Prosecution Service (CPS) advice on retention should be balanced with the CPIA relevance test when considering footage to be deemed irrelevant.
- Due to the fact a large amount of footage may need to be seized and therefore stored, it is important to remember that other investigators may benefit from viewing the footage to assist with other enquiries. Full systems that have been seized by the Regional CCTV Team will be held in the Imaging Unit Temporary Store and any viewing must take place there.
- Master copies of CCTV evidence must be given an exhibit number and sealed using the appropriate CCTV labels, stored in a suitable container (one item per container) and fully documented on an MG11 form and exhibits viewing log. Any section copies or edited compilations must be separately exhibited, with full systems having the relevant paperwork attached to the machine.

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**CCTV Co-ordinator (Detective Sergeant) Responsibilities**

A CCTV Co-ordinator is usually a Detective Sergeant, and they are responsible for:
- Acting on behalf of the Senior Investigating Officer (SIO) for all CCTV matters, having the overall responsibility;
- Liaising closely with the SIO and Regional CCTV Team to be aware of new and emerging developments;
- Determining the appropriate geographic and time parameters with the SIO and arranging a trawl of the areas to locate the possible sources of the CCTV evidence;
• Agreeing with the Regional CCTV Team the available sources for technical recovery of the relevant CCTV evidence, to then set priorities for the recovery programme;
• Establishing a CCTV forensic strategy and ensure it includes the details of the resources involved, the parameters, priorities for the material in relation to retrieving and viewing as well as clear directions to the viewing team on the information they are looking for; and
• Prioritising the collection of CCTV from relevant locations, authorising reprioritisation where required as the known facts of the investigation develop in line with an updated CCTV forensic strategy.

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**Collection of Material**

• Once the relevant CCTV is located, it is important that the recovery is handled in the most efficient manner:
  o *If the CCTV evidence can be handed over by the system owner:* Then collect the footage and an MG11 statement.
  o *If the CCTV evidence requires downloading from a system:* Then trained staff can recover this from the scene. However, due to CCTV evidence relating to serious and major crimes often being subjected to high levels of scrutiny, the Regional CCTV Team must be contacted as the primary resource for technical recovery.
  o *If the entire CCTV system needs to be seized:* Then the Regional CCTV Team must be contacted for advice and guidance.

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**Viewing Procedure**

• The first material collected must be viewed at the earliest opportunity and viewing must begin as soon as the exhibits are received. The viewing team must not wait until all the material in a given zone is collected before starting the viewing process.
• All decisions are to be documented on the CCTV viewing log and in the CCTV forensic strategy document. The viewing priorities are set by the SIO and will be the basis of the decisions and clarification on what information is been looked for.
• Each exhibit viewed must be recorded together with the details of who carried out the viewing, what video clips and stills have been produced and what was observed. Opinions must not be recorded.
• Any sightings and movements of interest must immediately be passed onto the CCTV Co-ordinator to be shared to allow for an efficient reprioritisation of activity if required.
• If it is believed that the footage contains information that is both vital and time-crucial to the investigation, it will be designated as urgent and must be viewed quickly to obtain such information. In these circumstances it is not necessary to complete a viewing log entry, as the evidence will need to be viewed more methodically later, but this immediate action must be recorded for completeness.
• The viewing officer must record relevant events on the viewing log. Any similar event that keeps reoccurring would be recorded as individual
events on the log.

- The viewing officer must also:
  - Highlight the relevant information in the form of an officers report;
  - Exhibit stills only if they are to be shown in interview with a suspect or shown to a witness who subsequently comments on the still; and
  - Once each viewing is complete, submit the viewing log and officers report, where relevant, to the incident room.

Retention Periods

**Principles**

- For detected crimes, under the CPIA code of practice, any relevant CCTV master footage should be retained until the accused is acquitted, convicted or the prosecutor decides not to proceed with the case.
- For detected crimes, where the accused is convicted of the offence, all relevant material must be kept until the convicted person is released from custody, discharged from hospital where the hospital order has been imposed or 6 months from the date of conviction in all other cases.
- The senior officer in case must consider the current and previous offences committed by the offender and take into account the MoPI guidance on retention, review and disposal when making the decision on the retention period of the footage.
- The decision to delete any material will be made by the senior officer in the case and will be documented in accordance with force policy and MoPI guidance.
- For undetected crimes, CCTV evidence should be retained in accordance with MoPI guidance on retention, review and disposal, further guidance can be found in the Records Management policy.
- For crimes relating to custody and reception area tapes, the retention period must be 3 months. However if tapes are required for an investigation, they should be held for the length of the investigation and then MoPI guidance on retention, review and disposal.
- For crimes relating to traffic car video or digital recordings, the retention period must be 6 months. Unless the footage is required for a specific reason which then it must be held for 6 years and then reviewed.
- ANPR images and texts, the retention period must be 2 years and then subject to review before being destroyed. Disclosure of ANPR camera sites or images must not be considered when CCTV evidence is available and only then with the approval of the ANPR Technical Unit.
**Additional Information**

**Compliance**

This policy complies with the following legislation and guidance:
- Criminal Procedure and Investigations (CPIA) Act 1996
- College of Policing (formerly NPIA) Practice advice on police use of digital images 2007
- College of Policing (formerly NPIA) Management of Police Information (MoPI) Code of Practice and Guidance
- Home Office Guidance for the Police Use of Body Worn Video Devices
- Home Office CAST (formerly HOSDB) Storage, replay and disposal of digital evidential images
- Home Office CAST (formerly HOSDB) Digital Imaging Procedure
- Home Office CAST (formerly HOSDB) CCTV Operational Requirements Manual
- Home Office CAST (formerly HOSDB) Technical Consideration for Digital Interview Recording (Draft)
- NPCC (formerly ACPO) Practice advice in the use of CCTV in criminal investigations

**Policy Database Administration**

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The Equality and Human Rights Assessment for this policy is held on Force Registry which can be accessed via [this link](#).

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