



Audio Visual Recording Devices (AVRD)

Policy & Information

April 2023

D&S IFCA Policy Documentation

Version Control / Policy Review		
Date	Reviewer	Comments
3 rd April 2023	Neil Townsend, Mat Mander & Gavin Mayhew (D&S IFCA)	Policy developed from previous Body Worn Video Camera Policy. Expanded to include other devices. Separate Standard Operating Procedure refined.

Contents

Aim of this Policy Document.....	3
What does this Policy Document Cover?	3
Why Does D&S IFCA Use AVR?	3
What does use of AVR involve and how are you informed?	4
Our Responsibilities & Information Management.....	4
Protecting Data from AVR & Your Rights	5
Where can I find more information?	6

D&S IFCA Policy Documentation

Aim of this Policy Document

This document has the aim of informing all stakeholders of Devon & Severn Inshore Fisheries & Conservation Authority (D&S IFCA) how and why audio-visual recording devices (AVRD), such as body worn video cameras, are used for enforcement purposes by investigating Officers and how recorded footage is stored and processed. This document will be reviewed when necessary.

What does this Policy Document Cover?

It refers to the use of AVRD for the purpose of capturing evidence where people are aware that it is happening.

It does not include the use of Automatic Number Plate Recognition (ANPR); unmanned aerial systems (UAS) such as drones, or other systems that capture the personal information of identifiable individuals. Neither does it cover the use of covert or secret use of surveillance cameras and closed-circuit television, where individuals are unaware that they are being observed or listened to for such purposes as crime prevention or investigation. This type of activity is covered by the Regulation of Investigatory Powers Act (RIPA) 2000. D&S IFCA does not use covert camera equipment.

Why Does D&S IFCA Use AVRD?

D&S IFCA is a statutory body and operates under provisions contained within the Marine and Coastal Access Act 2009. Its Officers have a wide range of powers enabling the enforcement of fisheries legislation throughout its District. Personal data is used and stored to conduct investigations related to fisheries offences.

In carrying out such duties D&S IFCA Officers must act in accordance with a wide range of other legislation including the Police and Criminal Evidence Act 1984 (PACE) which governs, amongst other things, inspections, searches, seizures and interviewing of suspects.

D&S IFCA has considered the use of technology to be of benefit within its Enforcement & Compliance Strategy. The use of AVRD is technology that can assist D&S IFCA's Enforcement Officers to conduct inspections. The lawful basis for use of the equipment is set out within the provisions of Common Law. D&S IFCA has identified the following key reasons for the use of AVRD.

- There is a need to record people's activities where inspections are conducted, including audio visual recording.
- The use of AVRD is proportionate to the type of investigation conducted by Officers and provides evidence relating to any investigations that are conducted.

D&S IFCA Policy Documentation

- The use of AVRD protects both staff and the public and can discourage aggressive and abusive behaviour during any inspection.
- The use of AVRD assists in the investigation of allegations of inappropriate conduct by Officers.

What does use of AVRD involve and how are you informed?

- All Officers wearing (or using) AVRD should record all engagements and inspections. Recordings should begin at the start of a boarding or inspection or as soon as practical afterwards.
- Where practicable Officers will ensure that anyone being recorded will be informed about the recording and why this is being done.
- On request, D&S IFCA Officers can provide details of who to contact for queries or complaints and explain how a copy of this Policy Document and other relevant Data Protection policies can be obtained.

Our Responsibilities & Information Management

- Standard Operating Procedures and Data Protection Policies are in place that cover the use of the equipment, what information is recorded, for what purpose(s), how it is used, maintained, kept secure and who it may be disclosed to (and under what circumstances).
- In all circumstances D&S IFCA AVRD footage, when forming part of a prosecution case, will be retained for a period of **5 years** following conviction or appeal. Any footage not required for a prosecution case will be deleted after a period of **31 days**.
- Disclosures and release of images and recordings will be lawful, justifiable, only made where necessary, controlled and documented.
- The Authority will only use approved companies to provide services to manage or process recordings.
- We will assess security risks to determine how we will protect equipment and recordings from unauthorised or unlawful use or disclosure and against accidental loss, destruction, or damage. We will then take appropriate security

D&S IFCA Policy Documentation

measures to protect them, (for example from vandalism or theft). Secure email will be used for the electronic transfer of any recordings.

- The equipment that D&S IFCA has purchased, or may purchase, is assessed so that it is appropriate for its intended use and has security built into it where possible. All recordings will be securely stored and may be encrypted if necessary. Viewing and monitoring of images will be restricted to the authorised operator and any other authorised person.
- Employees who have access to or use recordings will be appropriately vetted, be informed of their responsibilities, and trained in their use and disclosure.

Protecting Data from AVR D & Your Rights

Requests from individuals who want to see a copy of information (recordings) held about them will be passed to the Data Protection Officer. We will ensure that requests are dealt with promptly and may put on hold a routine deletion of recordings where appropriate.

We maintain physical, electronic, and procedural safeguards in connection with the collection, storage and disclosure of personally identifiable information. Our security procedures mean that we may:

- Request proof of identity from you before we disclose personal information to you.
- Request sufficient information from you to help us to locate the information such as the date, time, and location of where the recordings were made to help us to identify the recordings.

D&S IFCA utilises secure server technology to ensure that all personal information, including recordings taken by AVR D is protected to the required standards.

A copy of the recording may be provided, unless the requester agrees to have it in another form, for example by viewing the footage. Images that identify other individuals may be obscured, depending on the circumstances such as any duty of confidentiality owed to them or their expectation of privacy.

D&S IFCA Policy Documentation

Where can I find more information?

D&S IFCA has an overarching Privacy Policy which is posted on the home page of the D&S IFCA website. If you need to contact D&S IFCA about Data Protection (and standards adopted by D&S IFCA) you can use the contact details below:

Contact Details

D&S IFCA
Brixham Laboratory
Freshwater Quarry
Brixham
Devon TQ5 8BA
Tel: 01803854624
Email: office@devonandsevernifca.gov.uk

For more information about Data Protection, or if you are unhappy with how the Authority had used your information, you can report a concern on the [ICO's Website](#):

End.