

**Equality and Human Rights Impact Assessment (EqHRIA)**

# Summary of Results

## Policy/Practice Name:

Body Worn Video Standard Operating Procedure (BWV SOP)

## Owning Department:

Corporate Services/Body Worn Video Project

## Date EqHRIA Completed:

03/03/2025

## Purpose of Policy/Practice:

The BWV SOP details procedural instruction on the operational use of BWV for Police Officers and Police Staff, namely, Police Custody and Security Officers (PCSOs) within custody. It outlines legal pathways for its use, with data protection and human rights considerations.

## Summary of Analysis / Decisions:

### What the assessment found, and actions already taken.

Th assessment of the BWV SOP found that it effects individuals within all protected characteristics. Potential impacts were analysed, assessed and mitigated accordingly.

The assessment also, identified impacts on protected characteristics both within Police Scotland and amongst the those within our communities. The SOP addresses impact by ensuring the use of BWV is proportionate, lawful, accountable, necessary and ethical.

This has been emphasised within the training delivered to BWV users. Police Scotland also already has systems in place to assist with language barriers, with the use of interpretation services and Police Officers and Police Staff also have access to British Sign Language Awareness Guidance.

This SOP protects all ECHR articles with the exception of the following where it was assessed it both protects and infringes:

* Article 8 – Right to a Private and Family Life

BWV cameras will be used in both public and private. The right to a private and family might be infringed where the Police are recording in a private place. The use of BWV must be justified on a case-by-case basis, and be proportionate, legal, accountable, necessary and ethical (PLANE). Police officers and Police Staff must not record beyond what is necessary for a law enforcement of other policing purposes.

* Article 9 – Freedom of Thought, Conscience and Religion

BWV cameras may be used where people are expressing their religious belief. The potential to record at these times may deter them from doing so or may make them less likely to do so. The use of BWV must be justified on a case-by-case basis, and be proportionate, legal, accountable, necessary and ethical (PLANE). Police officers and Police Staff must not record beyond what is necessary for a law enforcement of other policing purposes.

* Article 10 – Freedom of Expression

BWV cameras may be used where people are expressing their opinions and beliefs. BWV recording may deter people from expressing their opinions and beliefs. The use of BWV must be justified on a case-by-case basis, and be proportionate, legal, accountable, necessary and ethical (PLANE). Police officers and Police Staff must not record beyond what is necessary for a law enforcement of other policing purposes.

* Article 11 – Freedom of Assembly and Association

Many groups meet in public places to spread a message such as their cause, belief or religion.

BWV recording could create an environment where persons feel unable to speak freely or feel scrutinised. The use of BWV must be justified on a case-by-case basis, and be proportionate, legal, accountable, necessary and ethical (PLANE). Police officers and Police Staff must not record beyond what is necessary for a law enforcement of other policing purposes.

## Summary of Mitigation Actions:

### What the assessment found, and actions already taken.

The owning Department will monitor changes in legislation/circumstances which may affect the SOP and assess how these changes may impact on the protected groups. In addition, they will be responsible for the cyclical review of both SOP and EqHRIA.