

Re: Body-worn cameras for An Garda Síochána

To: The Department of Justice and Equality

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The Irish Council for Civil Liberties welcomes the opportunity to make a submission on the proposed introduction of body-worn cameras for An Garda Síochána to the Department of Justice and Equality.

Introduction

The Irish Council for Civil Liberties (ICCL) supports the current reform process of An Garda Síochána. We made a comprehensive submission to the Commission on the Future of Policing (CFP) outlining why a human rights based approach to policing is crucial.¹ We welcomed the CFP's assertion in their final report that "human rights are the foundation and purpose of policing".² We support many of the CFP's specific recommendations, in particular those that focus on embedding human rights in police training, accountability and oversight.

The CFP recommendation to introduce body-worn cameras (BWCs) for all members of An Garda Síochána is, however, something we are unable to support. BWCs pose a significant risk to a range of human rights, including rights to privacy, data protection, freedom of expression and freedom of assembly. The government is obliged, under human rights law, to ensure that any law, action or policy that infringes rights must be necessary and proportionate to a legitimate aim.

We are yet to see clear, evidence based research proving that the risks to rights that this intrusive surveillance technology poses are necessary or proportionate to the achievement of legitimate aims.

The government has stated that they want to introduce BWCs in order to increase frontline policing capability and improve the criminal justice outcomes. Having conducted an assessment of research carried out in other jurisdictions where BWCs have been introduced, ICCL has not found consistent, conclusive or convincing evidence that BWCs have led to better policing or that evidence of crimes gathered by such cameras have generated better outcomes in the criminal justice system. In fact, we have found that flagship research carried out in Rialto, California- often cited to prove the benefits of BWCs by governments, police forces and those that stand to profit from the roll out of BWCs- has since been significantly undermined by other, larger research projects and by that study's own authors.

We believe BWCs are not compatible with the CFP's assertion that human rights must be the foundation and purpose of policing. By increasing the power disparity between police officers and individuals and by diverting funds away from community focused police initiatives to costly surveillance technology with unclear aims and questionable

¹ Rights-based policing: how do we get there? Dr Maeve O'Rourke, ICCL Submission to CFP, Available here: <https://www.iccl.ie/wp-content/uploads/2018/01/RIGHTS-BASED-POLICING-ICCL-submission-to-CFP-2.pdf>

² Commission on the Future of Policing, The Future of Policing in Ireland, September 2018, accessed here: [http://policereform.ie/en/POLREF/The%20Future%20of%20Policing%20in%20Ireland\(web\).pdf/Files/The%20Future%20of%20Policing%20in%20Ireland\(web\).pdf](http://policereform.ie/en/POLREF/The%20Future%20of%20Policing%20in%20Ireland(web).pdf/Files/The%20Future%20of%20Policing%20in%20Ireland(web).pdf)

outcomes, BWCs undermine another key aim of the Garda reform process – to ensure community policing is the “backbone of police work and the police mission”.³

We therefore urge the Government to reconsider its decision to introduce BWCs for An Garda Síochána in the absence of a sufficient, consistent and clear evidence base proving that they are necessary in the Irish context or proportionate to the clear risk to rights.

Background

The Commission on the Future of Policing (CFP) recommended the introduction of BWCs in September 2018 with the following explanation: “There is a significant amount of experience in other jurisdictions which could be tapped for best practice. Modern policing organisations around the world have found that body cameras can help to improve front line capability with the accurate recording of incidents, expedite analysis, enhance situational awareness, and sometimes protect police from harm.”⁴ The Government Implementation Plan outlines that legislation for BWC should be prepared in 2019 and roll out of body-worn cameras should begin in 2020.⁵

In June 2019, the Minister for Justice, Equality and Law Reform announced that the cabinet had approved the drafting of legislation for body-worn cameras.⁶ In this press release, the Minister stated that: “The use of body-worn cameras by modern police services around the world has increased dramatically over the last five years or so. The evidence available suggests that they can greatly improve police frontline capability with the accurate recording of incidents. They provide a contemporaneous evidence capture and a clear unambiguous record of particular events and interactions such as at public order protests. Their deployment can lead to an increase in admissions and early guilty pleas. Most importantly, their usage may increase public trust and build confidence in policing generally.”

In meetings with the Garda Commissioner and with senior officials in the Department of Justice, ICCL also heard the view expressed that BWCs can de-escalate potentially violent situations and can increase accountability for police officers. These views are shared by the Garda Representative Association.⁷

As such, the following justifications are cited for the introduction of BWCs for An Garda Síochána:

1. They are used elsewhere;

³Commission on the Future of Policing, The Future of Policing in Ireland, September 2018, accessed here: [http://policereform.ie/en/POLREF/The%20Future%20of%20Policing%20in%20Ireland\(web\).pdf/Files/The%20Future%20of%20Policing%20in%20Ireland\(web\).pdf](http://policereform.ie/en/POLREF/The%20Future%20of%20Policing%20in%20Ireland(web).pdf/Files/The%20Future%20of%20Policing%20in%20Ireland(web).pdf) p.17

⁴Commission on the Future of Policing, The Future of Policing in Ireland, September 2018, accessed here: [http://policereform.ie/en/POLREF/The%20Future%20of%20Policing%20in%20Ireland\(web\).pdf/Files/The%20Future%20of%20Policing%20in%20Ireland\(web\).pdf](http://policereform.ie/en/POLREF/The%20Future%20of%20Policing%20in%20Ireland(web).pdf/Files/The%20Future%20of%20Policing%20in%20Ireland(web).pdf) p.79

⁵ A Policing Service for the Future, Implementing the Report of the Commission on the Future of Policing in Ireland, accessed here: <https://www.gov.ie/en/campaigns/065724-policing-reform/>

⁶Press Release, Department of Justice, Equality and Law Reform, 25 June 2019, accessed here: <http://www.justice.ie/en/JELR/Pages/PR19000170>

⁷GRA says bodycams a win-win after Cabinet approves proposal to legislate, Statement, Garda Representative Association, 25 June 2019. <http://www.gra.ie/documents/GRA%20says%20bodycams%20a%20win-win%20after%20Cabinet%20approves%20proposal%20to%20legislate.pdf>



2. Best practice standards on their use exist;
3. They provide accurate recording of incidents;
4. They provide an unambiguous record of particular events and interactions, such as “public order protests”;
5. They can improve criminal justice outcomes by increasing admissions and early guilty pleas;
6. They can increase public trust and build confidence in policing generally;
7. They can de-escalate violent situations;
8. They can increase police accountability.

Each of these justifications is critically examined below.

1. They are used elsewhere

The fact that a certain approach to policing has been taken in another jurisdiction is not a good enough reason to introduce it into the Irish context. The Irish policing context differs significantly to those in the USA and the UK, in particular, because An Garda Síochána are, for the most part, unarmed. A significant justification for the introduction of BWCs in the USA was the proposition that they would reduce the misuse of force by police services that have been embroiled in multiple controversies, including the killing of unarmed civilians from minority groups.⁸ The perception that cameras could lead to a reduction in and accountability for such egregious rights violations by police was the main driver behind the widespread adoption of BWCs in the USA despite what analysts have called a “low-research environment”.⁹

In the UK, the use of surveillance tools by law enforcement is coming under increased scrutiny and criticism. The number of CCTV cameras in London tops Beijing¹⁰ and the facial recognition technology that has been proposed as a crime fighting tool has met vehement opposition from civil liberty groups.¹¹ Ireland has not yet adopted such an expansive approach to surveillance and ICCL urges the government not to take another step in the wrong direction- away from a society that protects and promotes liberties to one where its citizens are under constant, generalised surveillance.

⁸ “President Obama recently promised to spend \$263m of federal funds on body-worn-video to try and stem the haemorrhaging legitimacy of US police forces among communities across the United States after the killing of several unarmed black men by police caused nationwide anguish, igniting waves of protest” ‘First scientific report shows police-worn-cameras can prevent unacceptable use-of-force’, Research News, University of Cambridge, accessed here: <https://www.cam.ac.uk/research/news/first-scientific-report-shows-police-body-worn-cameras-can-prevent-unacceptable-use-of-force> See also Research on Body-worn cameras, What we know, what we need to know, Cynthia Lum, Megan Stoltz, Christopher S. Koper, J. Amber Scherer, George Mason University, Criminology and Public Policy, March 2019, accessed here: https://www.researchgate.net/publication/331981847_Research_on_body-worn_cameras

⁹ Research on Body-worn cameras, What we know, what we need to know, Cynthia Lum, Megan Stoltz, Christopher S. Koper, J. Amber Scherer, George Mason University, Criminology and Public Policy, March 2019, accessed here: https://www.researchgate.net/publication/331981847_Research_on_body-worn_cameras

¹⁰ Benefits and Best Practices of Safe city Innovation, Darell M. West and Dan Bernstein, Centre for Technology Innovation at Brookings, p.12; accessed https://www.brookings.edu/wp-content/uploads/2017/10/safe-city-innovation_final.pdf

¹¹ Financial Times, ‘How London became a test case for using facial recognition in democracies’, Madhumita Murgia, 1 August 2019, accessed here: <https://www.ft.com/content/f4779de6-b1e0-11e9-bec9-fdcab53d6959>. See also <https://privacyinternational.org/news-analysis/3028/real-time-facial-recognition-should-never-be-coupled-body-worn-cameras>

The government must consider what is necessary in the Irish policing context separately from considerations that may arise in other jurisdictions. ICCL considers that the introduction of BWCs in Ireland is patently unnecessary.

2. Best practice standards on their use exist

ICCL does not agree that best practice standards on the use of body-worn cameras can be identified from other jurisdictions. There is no international consensus on best practice¹² nor do any internationally agreed standards or guidelines on their use exist. Many questions remain as to both their efficacy and how they can be used in a way that minimises their impact on privacy and other rights.

Lack of Evidence of Efficacy

Numerous research studies on the use of BWCs by different police forces over the last few years have had conflicting results making it impossible to make a clear assessment as to their effects and outcomes. A literature review of 70 publicly available research studies published in March 2019 concluded that BWCs have not had statistically significant or consistent effects on most measures of officer and citizen behaviour.¹³ The authors also highlight the continuing knowledge gaps regarding elements of the impact of BWCs on policing.¹⁴

A study in Rialto, California of 54 police officers in 2012¹⁵ had suggested that body-worn cameras reduce the use of force by officers and reduce complaints by the public against officers. This study is often cited to justify their roll-out, including by the private companies who sell them. It was also cited by the Garda Representative Association as recently as June 2019 when welcoming the Government's announcement that BWCs would be introduced.¹⁶

The Rialto study should not be relied on as proof that BWCs have a positive impact on policing. Since then, similar studies have not generated consistent and conclusive

¹²[It's Not Too Late To Get Body Cameras Right, Danah Boyd and Alex Rosenblat, The Atlantic, May 15, 2015](https://www.theatlantic.com/technology/archive/2015/05/its-not-too-late-to-get-body-cameras-right/393257/?utm_campaign=buffer&utm_content=buffer8136c&utm_medium=social&utm_source=twitter.com)
https://www.theatlantic.com/technology/archive/2015/05/its-not-too-late-to-get-body-cameras-right/393257/?utm_campaign=buffer&utm_content=buffer8136c&utm_medium=social&utm_source=twitter.com

¹³ Research on Body-worn cameras, What we know, what we need to know, Cynthia Lum, Megan Stoltz, Christopher S. Koper, J. Amber Scherer, George Mason University, Criminology and Public Policy, March 2019, accessed here: https://www.researchgate.net/publication/331981847_Research_on_body-worn_cameras See also Do Police Body Cameras Really Work? Barak Ariel, IEEE Spectrum, 4 May 2016, accessed here: <https://spectrum.ieee.org/consumer-electronics/portable-devices/do-police-body-cameras-really-work>

¹⁴ Research on Body-worn cameras, What we know, what we need to know, Cynthia Lum, Megan Stoltz, Christopher S. Koper, J. Amber Scherer, George Mason University, Criminology and Public Policy, March 2019, accessed here: https://www.researchgate.net/publication/331981847_Research_on_body-worn_cameras See also Do Police Body Cameras Really Work? Barak Ariel, IEEE Spectrum, 4 May 2016, accessed here: <https://spectrum.ieee.org/consumer-electronics/portable-devices/do-police-body-cameras-really-work>

¹⁵The Effect of Police Body-worn cameras on use of force and citizens' complaints against the police: a randomized controlled trial, Barak Ariel, William Farrar, Alex Sutherland, Journal of Quantitative Criminology, 31 509-535 19 November 2014, accessed here: <https://www.repository.cam.ac.uk/handle/1810/246429>

¹⁶GRA says bodycams a win-win after Cabinet approves proposal to legislate, Statement, Garda Representative Association, 25 June 2019. <http://www.gra.ie/documents/GRA%20says%20bodycams%20a%20win-win%20after%20Cabinet%20approves%20proposal%20to%20legislate.pdf>

evidence of the positive effect of BWCs.¹⁷ In 2016, one of the key authors of the Rialto study published his assessment of body-worn cameras based on ten studies he had participated in on ten different police forces since Rialto. He stated that each study seemed to produce different results. Some showed that the cameras had no effect on police behaviour and some showed that the use of force by police actually increased when they were wearing body cameras.¹⁸ He also states that factors other than the body-worn cameras, such as a change of leadership and a risk to jobs, probably had a significant impact on the results of the Rialto study.¹⁹

Significant empirical research published in 2017, conducted by a mix of academics, political scientists and police representatives on 2,000 officers in Washington DC (a cohort 40 times larger than the Rialto study) found that the effects of body cameras on police and civilian behaviour were too small to be “statistically significant”.²⁰

Disproportionate Interference

The jury is therefore still out on whether BWCs have had a positive impact on policing. More and more voices are raising concerns in other jurisdictions. Citizens, NGOs and others are questioning why BWCs have been rolled out so widely without clear evidence of their positive effect and without an appropriate legal and regulatory environment in place.²¹ From a human rights perspective, a failure to prove that BWCs achieve the aim of better policing significantly undermines the proposition that the breach of privacy and other rights that BWCs threaten can be justified or considered proportionate.

3. They provide accurate recording of incidents

ICCL would caution that recordings gathered by body-worn cameras will not provide objective and comprehensive evidence for criminal trials. The recordings gathered by BWCs will constitute one piece of evidence gathered by the police officer, which, like all

¹⁷ Research on Body-worn cameras, What we know, what we need to know, Cynthia Lum, Megan Stoltz, Christopher S. Koper, J. Amber Scherer, George Mason University, Criminology and Public Policy, March 2019, accessed here: https://www.researchgate.net/publication/331981847_Research_on_body-worn_cameras and see Police Officer Body-Worn Cameras: Assessing the Evidence, Michael D. White, 2014, Washington, DC: Office of Community Oriented Policing Services, accessed here: <https://cops.usdoj.gov/RIC/Publications/cops-p289-pub.pdf>. And see https://whatworks.college.police.uk/Research/Documents/Police_Camera_Evidence.pdf

¹⁸ Do Police Body Cameras Really Work? Barak Ariel, IEEE Spectrum, 4 May 2016, accessed here: <https://spectrum.ieee.org/consumer-electronics/portable-devices/do-police-body-cameras-really-work>

¹⁹ “There have been nearly 40 studies on the use of body cameras, including a dozen randomized controlled trials on the magnitude of their effect on policing. Despite all this work, it’s still not entirely apparent why these cameras are helpful, under what conditions, or for whom”. Do Police Body Cameras Really Work? Barak Ariel, IEEE Spectrum, 4 May 2016, accessed here: <https://spectrum.ieee.org/consumer-electronics/portable-devices/do-police-body-cameras-really-work>

²⁰ Evaluating the effect of police body-worn cameras- a randomised controlled trial, David Yokum, Anita Ravishankar, Alexander Coppock, October 20, 2017, accessed here: https://bwc.thelab.dc.gov/TheLabDC_MPD_BWC_Working_Paper_10.20.17.pdf

²¹ Cops Wearing Cameras: What Happens When Privacy and Accountability Collide? Dawn Kawamoto, August 3 2018, GovTech Biz Magazine, accessed here <https://www.govtech.com/biz/Cops-Wearing-Cameras-What-Happens-When-Privacy-and-Accountability-Collide.html> and see eg Body worn video cameras, Liberty, Privacy International, March 2019, accessed here <https://privacyinternational.org/long-read/2724/every-police-force-uk-will-soon-use-body-worn-video-cameras-record-us-public>

evidence presented in a criminal prosecution, is open to interpretation, can be of variable weight, and should be subject to examination.

The angle and range of the camera will inevitably be narrow and limited, including for learned behavioural reasons. What is captured will be controlled both by what the police officer decides to aim at and by the length of time the camera records for. The police officer has full control over what is captured and the camera can easily miss important elements of an incident. For example, a police officer might do something to provoke a reaction but the camera is turned on only in time to catch the reaction. A police officer might be facing one direction but a significant element of the incident might occur beside or behind them.

Because of this, the use of BWCs as an evidence-gathering tool will be limited. In fact, the camera may add weight to the police version of events as they control what the camera sees and the angles of what it captures. Police evidence is often already given more weight, for example in Court. Unfair evidentiary weight placed on recordings from BWCs may undermine the right of suspects to be innocent until proven guilty.

4. They provide an unambiguous record of particular events and interactions, such as “public order protests”

Using body-worn cameras for general policing operations such as public order operations would pose a clearly disproportionate interference with the right to privacy, the right to freedom of expression and, potentially, the right to freedom of assembly.

Surveillance breaches privacy rights and it also potentially changes behaviour.²² When they know they are being watched, people may feel less free to be themselves and consequently control their expression and their body language. It may even affect whether they decide to take part in protests at all,²³ thereby impacting the right to freedom of assembly, as well as the right to freely take part in public life.

Civic spaces must remain free from general surveillance to ensure we can fully exercise our democratic rights.²⁴ An Garda Síochána have a duty under human rights law to facilitate protests and not place unjust limits upon them, including through generalised use of surveillance technology such as body-worn cameras.

5. They can improve criminal justice outcomes, including by increasing admissions and early guilty pleas

ICCL could find no evidence that proves this assertion. Freedom of information requests to both police and prosecutors in the UK by the NGO Big Brother Watch in 2017²⁵, were

²²The Watchers, Johnathan Shaw, Harvard Magazine 2017, accessed here <https://harvardmagazine.com/2017/01/the-watchers>

²³ See analysis by Big Brother Watch, The State of Surveillance in 2018, accessed here: <https://bigbrotherwatch.org.uk/wp-content/uploads/2018/09/The-State-of-Surveillance-in-2018.pdf>

²⁴ For a consideration of the effect of surveillance on protest see Spying on Dissent, Surveillance Technologies and Protest, Elizabeth Farries, INCLO, June 2019, available here: https://www.inclo.net/pdf/spying-on-dissent-Report_EN.pdf

²⁵ Smile you're on body worn camera, part II – Police, the use of body-worn cameras by UK police forces, A Big Brother Watch Report, August 2017, accessed here: <https://bigbrotherwatch.org.uk/wp-content/uploads/2017/08/Smile-Youre-on-Body-Worn-Camera-Part-II->

met with the response that no data was available to prove that BWCs had a positive impact on criminal justice outcomes. Research by the College of Policing in UK in 2015 found that there was no overall impact of BWCs on the proportion of arrests for violent crime and where arrests did occur there were less charges, (not more guilty pleas). They also found no evidence that BWCs changed the way police officers dealt with victims or suspects.²⁶ A study funded by the US Department of Justice also refers to the lack of reliable research data proving this.²⁷ The March 2019 literature review referred to above found that of fourteen studies aimed at examining the impact of BWCs on arrests and charges, “no clear pattern of outcomes” emerged.²⁸

6. They can increase public trust and build confidence in policing generally

The authors of the literature review of March 2019 make an important observation on this point: “[t]here are disparities between the legitimacy afforded to the police by various groups, which does not seem to be remedied by BWCs.” In other words, BWCs do not increase trust and confidence where a level of trust and confidence does not already exist.

To the contrary, BWCs may negatively affect relationships between An Garda Síochána and communities for numerous reasons:

- The fact that they themselves are being recorded may affect individual Garda members’ ability to exercise discretion as to whether to effect an arrest. An arrest may not always be the best response to a situation from the community perspective.
- Further equipping AGS with powerful tools will exacerbate existing power imbalances and may, thereby, erode trust between police and the communities they work in.
- Privacy infringements are more likely to occur in lower socio-economic areas, which may have the effect of making the use of BWCs discriminatory.²⁹
- There may be a social cost to being under surveillance. Constant surveillance may have negative psychological and behavioural effects on both members of

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²⁶Police, Camera, Evidence: London’s cluster randomised controlled trial of Body Worn Video, Lynne Grossmith, Catherine Owens, Will Finn, David Mann, Tom Davies, Laura Baika, College of Policing Ltd and the Mayor’s Office for Policing and Crime, November 2015, accessed here:

https://whatworks.college.police.uk/Research/Documents/Police_Camera_Evidence.pdf

²⁷Police Officer Body-Worn Cameras: Assessing the Evidence, Michael D. White, 2014, Washington, DC: Office of Community Oriented Policing Services, accessed here: <https://cops.usdoj.gov/RIC/Publications/cops-p289-pub.pdf>

²⁸Research on Body-worn cameras, What we know, what we need to know, Cynthia Lum, Megan Stoltz, Christopher S. Koper, J. Amber Scherer, George Mason University, Criminology and Public Policy, March 2019, p.10 accessed here: https://www.researchgate.net/publication/331981847_Research_on_body-worn_cameras

²⁹ See eg Body Worn Video Cameras, Liberty, Privacy International, March 2019, accessed here <https://privacyinternational.org/long-read/2724/every-police-force-uk-will-soon-use-body-worn-video-cameras-record-us-public>



AGS and communities. People may feel the need to change who they associate with and where.

- There are risks of misuse, breach, and theft to all data that is retained, including footage captured by BWCs.
- There is the risk of mission creep and further normalised surveillance. BWCs could start with police, then move to security, medical and even educational institutions. This has begun to happen in the UK.³⁰

7. Increased Accountability for Police Officers

The argument that BWCs increase the accountability of police officers is undermined by the fact that a camera does not fully capture the officer's behaviour. Because it is pointing away from them, it will not reflect their stance, body language, facial expressions, or gestures off-camera. Even where misconduct by police is captured on camera, this does not necessarily lead to disciplining or prosecution of police officers. High profile examples in the USA demonstrate this³¹ and researchers have found that prosecutors rarely bring cases against the police.³²

8. De-escalation of dangerous situations

Proponents say that wearing cameras by police officers can help de-escalate violent incidents, including of a domestic nature. Where people are in an emotionally charged situation, it seems unlikely that the knowledge that they are being recorded will permeate their conscience to a more significant level than the presence of a police officer. Researchers have noted: "[a]lthough theoretically compelling, research on the link between self-awareness and socially desirable behavior in the context of cameras and police use-of-force is virtually non-existent."³³

Whether footage captured in a person's home should be used in court is also highly controversial. It can involve assumptions regarding what a victim may or may not want. Complaints have been made in other jurisdictions about the capturing of victims in vulnerable states, contrary to their wishes.³⁴

³⁰See eg Can body cameras protect NHS staff and patients from violence? Helene Mulholland, May 2019, The Guardian, accessed here <https://www.theguardian.com/society/2019/may/01/body-cameras-protect-hospital-staff-patients-violence-mental-health-wards>

³¹"[S]ome in the US question the merit of camera technology given that the officer responsible for killing Eric Garner — a 43-year-old black man suffocated during arrest for selling untaxed cigarettes — was acquitted by a grand jury despite the fact that a bystander filmed the altercation on a mobile phone, with footage showing an illegal 'chokehold' administered on Garner who repeatedly states: "I can't breathe". (A medical examiner ruled the death a homicide)." <https://www.cam.ac.uk/research/news/first-scientific-report-shows-police-body-worn-cameras-can-prevent-unacceptable-use-of-force>

³²Research on Body-worn cameras, What we know, what we need to know, Cynthia Lum, Megan Stoltz, Christopher S. Koper, J. Amber Scherer, George Mason University, Criminology and Public Policy, March 2019, p.16 accessed here: https://www.researchgate.net/publication/331981847_Research_on_body-worn_cameras

³³The Effect of Police Body-worn cameras on use of force and citizens' complaints against the police: a randomized controlled trial, Barak Ariel, William Farrar, Alex Sutherland, Journal of Quantitative Criminology, 31 509-535 19 November 2014, p.12 accessed here: <https://www.repository.cam.ac.uk/handle/1810/246429>

³⁴Cops Wearing Cameras: What Happens When Privacy and Accountability Collide? Dawn Kawamoto, August 3 2018, GovTech Biz Magazine, accessed here <https://www.govtech.com/biz/Cops-Wearing-Cameras-What-Happens-When-Privacy-and-Accountability-Collide.html>

ICCL would regard the use of BWCs in a person's home without their consent as an egregious violation of the right to privacy and family life and the constitutionally protected right to the inviolability of the home.

Conclusion

Technology is not an inevitable panacea to society's ills. ICCL has long warned against the unfettered roll out of surveillance technology, including CCTV and its risks to privacy rights. The potential for intrusive data gathering using such technologies is beyond concerning.

The financial costs of rolling out BWCs go beyond the cost of the equipment. It will cost huge amounts of money to process, retain, manage, protect, and delete the vast amounts of personal data that will be collected by body cameras – and, potentially, to respond to data requests by members of the public. Crucial questions of who can watch footage, when they can watch it, how it will be stored and for how long will all take time and money to address and no police force anywhere has come up with satisfactory answers thus far.

Infringements of the right to privacy, data protection rights, the right to freedom of expression, association and assembly are lawful only if they are carried out to achieve a legitimate aim, are necessary in a democratic society, and are proportionate to that aim.

Given the absence of clear and consistent evidence from other jurisdictions – or, indeed, from within Ireland – that the use of body-worn cameras improves policing or criminal justice outcomes, ICCL questions their legality in the Irish context and urges the government to halt their roll out.