

BODY CAMERAS TO COME INTO FORCE FOR GARDAÍ ON THE FRONTLINE

New legislation to allow for the use of body-worn cameras by Gardaí and their canine colleagues to tackle crime and protect national security is in the pipeline, and Justice Minister Simon Harris hopes to enact the Garda Síochána (Recording Devices) Bill 2022 as soon as possible to enable the roll-out of a pilot programme later this year.

The Garda Síochána (Recording Devices) Bill 2022, which will allow body-worn cameras and other crucial modern policing tools to be used by Gardaí, aims to significantly strengthen the capacity of the force to tackle crime and protect national security.

Introducing the new legislation before the Dáil recently, Acting Minister for Justice Simon Harris hopes to enact the Bill as soon as possible to allow Garda Commissioner Drew Harris to pilot the use of body-worn cameras later this year, prior to their widespread roll-out.

The Minister noted that the body-worn cameras will be hugely important in helping to protect frontline

Gardaí in protecting the public, as well as being a key investigative tool. Under provisions of the legislation, Garda dogs will be equipped with small bodycams in a new initiative that's expected to prove particularly useful in hostage-taking, stakeouts and other situations.

Real-time video footage from dogs has proved vital in some search and rescue missions abroad and has shown its worth in intelligence-gathering. The 'spy-in-the-collar' has the advantage that those under surveillance would not expect to be monitored by animals.

BUILDING STRONGER SAFER COMMUNITIES

The Bill is in line with the recommendations of the Commission on the Future of Policing in Ireland (published in 2019) and is a priority action in Justice Plan 2022. It is part of a suite of legislation being introduced by the Government to reform An Garda Síochána.

The Department of Justice has engaged extensively with An Garda Síochána, Garda oversight bodies and strategic partners during the preparation of this Bill, as well as the Office of the Data Protection Commissioner, the Irish Human Rights and Equality Commission and the Irish Council for Civil Liberties.

"The government is committed to building stronger, safer communities. This means providing the force with the tools to fight crime in a modern era and to protect frontline Gardaí as they do their duty," according to Minister Harris.

"Policing services across the world have gained significant benefits from the introduction of these technologies and people will have seen their effective use in fighting and solving crime in other jurisdictions."

IMPROVING FRONTLINE CAPABILITIES

He claimed that Gardaí must have the same tools as their colleagues in police services across Europe and around the world. Body-worn cameras will play an important role in improving Garda frontline capabilities and in ensuring the accurate recording of incidents.

"Garda use of this technology will be primarily for the investigation, detection, prevention and prosecution of criminal offences, safeguarding against and the prevention of threats to public safety and public order, and in matters relating to the security of the State."

Under the new provisions, the cameras must be visible on the clothing of each Garda member and have a light showing when they are recording. The Bill also contains a broad definition of recording device to ensure the legislation is future proofed.



Gardaí must have the same tools as colleagues in police services across Europe and around the world, according to the Justice Minister. Bodycams were deployed to frontline officers in Malta as part of the country's transformation strategy to modernise the police force in 2021.



The French Ministry of the Interior deployed 30,000 body-worn cameras to its national and military police forces to modernise policing in 2021.

KEEPING RECORD OF ALL INCIDENTS

Minister Harris added: "Members of An Garda Síochána are placing themselves at great personal risk and we must support them in every way we can as they do their jobs. Body-worn cameras will be key to ensuring that Gardaí are protected as they carry out their duties, and the cameras will also be a key investigative tool."

"The first moments after Gardaí arrive at the scene of domestic abuse are key to gathering evidence which can then be used to protect the victim and ensure the perpetrator is brought to justice."

The new Bill will regulate the use of recording devices in public spaces; where An Garda Síochána have a power of entry authorised by law; and in places where they have implied or express permission to be.

Provision will also be made for recording to be carried out from Garda helicopters, fixed-wing aircraft and drones – which will be key to tackling organised crime gangs and protecting national security.

CCTV SCHEMES

Another key area in the Bill will be the new arrangements for CCTV schemes. CCTV schemes are currently dealt with under Section 38 of the Garda Síochána Act, 2005, which will be repealed and replaced.

"This Bill sets out how CCTV schemes should be managed in the future to ensure that they reflect changes in the law on foot of the introduction of the General Data Protection Regulation and the Law Enforcement Directive. This will include an important role for Community Safety Partnerships, which will develop Community Safety Plans, with strong local input," according to Minister Harris.

"The Bill will also allow for the processing of live feeds of third-party CCTV, and the recording of certain calls to and from An Garda Síochána, and providing the

force with an updated legal basis for the installation and operation of CCTV on Garda premises."

CODES OF PRACTICE

An Garda Síochána is currently working on draft codes of practice for, amongst other things, body-worn cameras and CCTV, to ensure they are ready for when the Bill is enacted.

In creating these codes there will be several bodies with whom the Garda Commissioner will have to consult and there will be impact assessments, on human rights and data protection that must be carried out.

Each code of practice will be submitted to the Minister for approval and once approved, it will be contained in a Ministerial Order, thereby making it a public document.

On the issue of extending powers governing the use of Automatic Number Plate Recognition (ANPR) data to help prevent crime and prosecute those involved in criminal activity, Minister Harris said it is important for Gardaí to be able to access ANPR data from the cameras of organisations who are already operating ANPR cameras at strategic locations in the State.

The initial bodies to be included include the National Roads Authority (motorway cameras), DAA (Dublin and Cork Airport ANPR cameras) and Dublin Port. The Minister may designate other bodies to be included but it would only be of use where an organisation has an extensive network of ANPR cameras in place.



Central elements of the Bill will:

- Allow for recording from body-worn cameras, helicopters, fixed-wing aircraft, Garda dogs, drones, mobile devices and tablets.
- Extend the powers governing Garda use of CCTV and Automatic Number Plate Recognition (ANPR) technology to help prevent crime and prosecute those involved in criminal activity.
- Provide powers for Gardaí to access third-party CCTV on a live-feed basis to support them in carrying out their function, subject to strict guidelines and oversight.
- Place a statutory obligation on the Garda Commissioner to prepare Codes of Practice, to be submitted to the Minister for Justice for approval, regarding the operation of recording devices and CCTV. (Work is already underway on these codes and they will address standards to be applied, confidentiality, security, storage, access and retention of data).