



Peel Regional Police Directive

	Directive Type General Procedure	Issue Number I-B-173 (F)
Distribution All Members	Subject Body Worn Cameras	
Replaces I-B-173 (F) 2024/08/28	Effective Date 2025/05/20	Next Scheduled Re-evaluation August 2025
	Last Re-evaluation Date April 2025 (Interim)	Re-evaluation Frequency Annual
Legislative Requirements and Standards Ontario Human Rights Commission's " Guidelines on Racism and Racial Discrimination "		
Special Instructions New Sections: G.13. ; H.8. ; H.8 Note Revised Sections: F.8.(b)		Originator Court Services
For alternate format options, please contact Quality Assurance.		
The Peel Regional Police is an organization that believes in equity, diversity and inclusion. For gender inclusivity, the pronouns "they" and "their" will be used to signify singular and plural pronouns.		
Please click here to access the Religious and Cultural Guidebook . This publication should be used as a resource only, and should not be viewed as a definitive response to every situation. It is designed as an information tool that may assist our Officers during investigations where religious or cultural beliefs might play a role, or impact the situation in some capacity.		

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A. Purpose

1. The purpose of this directive is to set out the policy and procedures for the use of a Body Worn Camera (BWC), including the collection, management, storage, and retrieval of the data recorded by the BWCs.

B. Policy

1. It is the policy of this Service to provide clear guidelines on the intended and authorized use of a Body Worn Camera during an Officer's shift.

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C. Definitions

1. For the purposes of this directive, the following definitions shall apply:
 - (a) "activation" – refers to any process which turns on the BWC;
 - (b) "Body Worn Camera" (BWC) – refers to a camera unit and supporting hardware mount that an Officer wears. The BWC is a recording device intended to capture footage during the execution of an Officer's shift;
 - (c) "body worn camera recording" – refers to a digital recording that captures video and/or audio of an event or interaction;
 - (d) "deactivation" – refers to turning off the video recording on the BWC;
 - (e) "Digital Evidence Management System" (DEMS) – refers to a platform designed to manage the collection, storage, categorization, and dissemination (disclosure) of large volumes of data from multiple sources;
 - (f) "Evidence.com[®]" – refers to the digital evidence management solution provided by Axon Inc. to manage Axon and non-Axon related data captured by the BWC, applications on mobile devices, and third party data;
 - (g) "informed consent" – refers to consent for use of a BWC recording provided by a homeowner or occupant of a private place who has the authority to provide such consent, gives consent voluntarily, knows the nature of the Police conduct, knows they can refuse consent, and who is aware of the potential consequences or jeopardy of giving that consent;
 - (h) "personal use" – refers to the use of a Service provided BWC for purposes **not** authorized or associated to the course of an Officer's duties;
 - (i) "private place" – refers to a place where a person or persons enjoy a reasonable expectation of privacy;
 - (j) "PRP issued mobile device" – refers to a mobile device that the member has acquired through their duties as a sworn or civilian member of the PRP, the use of which is subject to PRP Directives I-A-204 (F), I-A-218 (F) and I-A-508 (O) or any other directives dealing with "Code of Ethics, Conduct and Discipline – Sworn Members", "Code of Ethics, Conduct and Discipline – Civilian Members" and "Telephone, Cell Phone, Smartphone Device and other Mobile/Portable Services";
 - (k) "public place" – refers to any place to which the public has access to, as of right or by invitation, whether expressed or implied, and where a person or persons may have a diminished expectation of privacy;
 - (l) "redaction" – refers to the removal or obscuring of privileged, sensitive or clearly irrelevant content prior to the disclosure or release of a copy of a BWC recording.

Redaction shall be completed using the tools found in Evidence.com. The redaction process shall create an edited copy while leaving the original record unaltered;

- (m) “smartphone” – refers to a mobile device that combines cellular and mobile computing functions into one unit; and;
- (n) “stealth mode” - refers to the function suppressing (deactivated/turned off) the lights and sounds, even though recording is still continuing.

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D. General

1. All uniform Officers who have interactions with members of the public shall be issued a BWC. Uniform Officers shall at all times, while on-duty, have the camera affixed as prescribed by the Training Bureau and outlined in PRP Directive I-A-706 (F), or any other directives dealing with “Uniform and Equipment”.
2. The purpose of the BWC is to record an Officer's interaction with the public during the course of their duties. Officers utilizing BWCs shall balance privacy rights with law enforcement needs and are subject to specific guidelines as outlined in this directive. BWCs are **not** intended for 24-hour recording.
3. BWCs are an overt recording device used to record interactions between Officers and the public during the lawful execution of their duties. Officers are prohibited from using BWC for covert recording where the camera is not openly acknowledged or displayed.
4. Footage captured by BWCs is the property of PRP. BWCs are to be used solely in accordance with this directive in the lawful execution of duties and are **not** to be used for personal use.
5. Officers shall complete their notes prior to reviewing their BWC, in accordance with this directive. When a BWC is used, recordings are intended to support the Officer's observations and shall supplement detailed memorandum book notes and applicable reports.
6. While working a front-line Paid Duty, Officers issued a BWC for their regularly scheduled course of duties shall also wear their BWC for the entire duration of their assigned Paid Duty and utilize in accordance with this directive. Officers working a Strategic Tactical Enforcement Policing (STEP) Paid Duty shall **not** be required to wear their BWC as this is **not** deemed a front-line Paid Duty. Officers who have transferred from frontline duties to an investigative bureau, and have returned their BWC to the DEMS Unit, are required to use a divisional pool BWC.
7. This Service acknowledges that BWCs should **not** be solely relied upon as a primary tool to improve trust, transparency and relationships with the community. The general principles regarding the use of BWCs are to:
 - (a) improve overall community safety and well-being (CSWB);
 - (b) provide innovative solutions to enhance resources and services to the community in times of crisis;

- (c) enhance public trust, confidence in the Police and Police accountability;
 - (d) capture an accurate record of an Officer's interaction with the public;
 - (e) enhance public and Police Officer safety;
 - (f) strengthen the commitment to bias free service delivery by Officers to the public;
 - (g) provide improved evidence for investigative, judicial and oversight purposes;
 - (h) ensure fair and timely resolution of complaints as well as protecting Officers from unwarranted accusations of misconduct; and,
 - (i) provide information as to the effectiveness of Service procedures and training.
8. Members shall be cognizant of the value that the BWC, and related footage presents, and the importance of why this technology shall be used in the performance of their assigned duties.

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E. Context of Recordings

1. In all circumstances, Officers shall record their lawful authority for recording, or not recording, in their notebook. Officers shall have consideration to the following contextual circumstances when using their BWC. In particular, Officers shall have consideration to the private and/or sensitive nature of the following situations:
- (a) recording in a private place: is permitted during exigent circumstances, under the legal authority of a warrant, or with the consent (R. Wills [\[1992\]](#), [O.J. No. 294](#)) of the owner/occupant of the private space. This includes private spaces such as a residence, government building, or religious place, as long as legal authority exists and is documented;
 - (b) recording with the consent of the owner/occupant: in a situation where an Officer's lawful presence in a private place is conditional on the owner's/occupant's consent (R. Wills [\[1992\]](#), [O.J. No. 294](#)), if the owner/occupant requests that the interaction **not** be recorded, the Officer's continued presence requires the Officer to stop recording or request the owner/occupant come out to a public setting. Officers shall provide an opportunity for the owner/occupant to either refuse or provide consent to being recorded;
 - (c) recording in exigent circumstances or while executing a search warrant: where the Officer is lawfully entitled to enter a private place in exigent circumstances, or on the authority of a search warrant, the Officer is lawfully permitted to record with their BWC during their presence at that location. In these circumstances, an Officer shall continue to record, despite an individual's objection to being recorded;
 - (d) recording in a public place: is permitted when Officers encounter situations where individuals object to being recorded while in a public place. Officers may continue to record, in accordance with this directive. Officers shall be mindful that the public has a reasonable, albeit diminished, expectation to privacy in public spaces;
 - (e) if a member of the public requests that an Officer stop recording during an encounter where the Officer is required or permitted to record, and the individual is **not** being detained or under arrest, the Officer shall advise the individual that they are free to discontinue the interaction and must respect their right to do so;

- (f) incidents of a sensitive nature: Officers equipped with a BWC shall be cognizant of the impact recordings may have on victims, witnesses, or suspects involved in incidents of a sensitive nature, including in a public place. In sensitive circumstances, if it is momentarily necessary to obstruct the video to protect the dignity of another person (i.e. to afford an individual time to dress), and taking into consideration the expressed wishes of the person in question; only the video should be obstructed and this should only be resorted to for a short period of time and provided that the member(s) are **not** in a situation where they might use force while the lens is covered; and,
- (g) place of worship: in circumstances where an Officer equipped with a BWC is in a place of worship, including a Spiritual Ceremony with Indigenous People, the Officer shall be cognizant of the privacy of those in attendance. Officers shall be cognizant their engagement in prayer, confession, worship and other matters that may be deemed personally sensitive. In those circumstances, the Officer shall ensure that the parties are aware of the reasons that continuous recording is necessary. Officers shall **not** be recording during ceremonies except where the Officer has received explicit consent of the Lead Clergy Person conducting the ceremony to do so. In those circumstances if the BWC recording is stopped due to a reasonable concern for the dignity of a person, it shall be in accordance with this Directive and documented both on the BWC and in the Officers notebook.

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F. Operation of a Body Worn Camera

1. An Officer shall activate their BWC and/or ensure their BWC remains activated:
 - (a) when interacting with a member of the public, at the earliest opportunity that allows for Officer safety;
 - (b) upon arrival to a call for service, unless responding to a bomb threat, explosives and/or explosions call, in which case an Officer shall following procedures as outlined in P.R.P. Directive I-B-127 (F), or any other directives dealing with “Bomb Threats, Explosives and Explosions”;
 - (c) during an arrest or detention throughout the encounter, including the transport that is being recorded on an in-car camera (ICC), if the individual is transported back to a PRP holding facility, the Officer shall leave the BWC activated until they enter the booking area, unless the Officer believes there is an exigent need to capture the continued interaction via BWC;
 - (d) to record utterances that would normally be taken in the field including utterances and spontaneous statements;
 - (e) to record a pat down search and/or a frisk search in the field, in accordance with PRP Directive I-B-119 (F); or any other directives dealing with “Search of Persons”; and,
 - (f) to record any other interaction where the Officer believes a BWC recording would support them in the execution of their duties.
2. At the earliest opportunity when the BWC is recording, Officers shall:
 - (a) advise members of the public that they are interacting with that their BWC is recording and that they are being recorded;

- (b) when entering a private residence and/or private place, on the basis of consent alone, provide the owner/occupant a reasonable opportunity to refuse or consent (R. Wills [1992], O.J. No. 294) to being recorded and, if refused, comply by stopping the recording or requesting the owner come out to a public setting; and,
 - (c) advise other Officers and/or first responders in their presence that a BWC has been activated, and they are being recorded.
- 3. When the BWC is recording, Officers shall **not** deactivate, mute or deliberately re-position their BWC as to **not** effectively record the Officers' actions and individuals that they are interacting with until the event has concluded, except when:
 - (a) conducting any interaction with a confidential informant, or an undercover operator, that takes place away from any member of the public (where muting the BWC would be sufficient to ensure against the unintentional disclosure of such interactions then the BWC shall be muted for the duration of those interactions rather than being turned off). In this case, refer to PRP Directive I-B-709 (F) or any other directives dealing with "Confidential Informants and Agents." The BWC shall be restricted by the BWC user having contact with the person that falls into this category;
 - (b) it is momentarily necessary to obstruct the video to protect the dignity of another person (i.e. to allow an individual in a state of undress time to put clothing on) in these circumstances only, the video may be obstructed and this should only be resorted to for a short period of time and provided that the member(s) are **not** in a situation where they might use force while the lens is covered; or,
 - (c) directed to do so by a Supervisor.
- 4. Officers shall **not** record formal statements normally taken at a police facility, including but not limited to, [R v. KGB](#) statements, using the BWC. Those statements are to be conducted at a police facility.
- 5. At the conclusion of a recording, and as soon as practicable, Officers shall ensure their recording has been appropriately classified for retention purposes.
- 6. Prior to stopping a BWC recording, Officers shall record a brief audible statement indicating the reason why the BWC is being stopped or its recording functions limited, except where doing so is **not** possible or would disclose confidential information.
- 7. If an Officer's BWC is recording and unintentionally stops, the Officer shall, at the earliest opportunity, re-start the BWC recording and note the reason the recording was stopped both on the BWC recording and in the Officer's notebook.
- 8. All instances where an interaction with a known or potential confidential informant would be captured by an Officer's BWC or any Axon application through a mobile device, the Officer shall:
 - (a) immediately categorize the video as "Privileged" through www.evidence.com to restrict the footage;
 - (b) notify Intelligence Services by completing a "Notice of CI Involvement," PRP Form # 750 and submit it to the Strategic Intake mailbox (strategicintel@peelpolice.ca);
 - (c) notify the relevant Crown Attorney's office by submitting a copy of the PRP Form #750 in accordance with the directives; and,
 - (d) comply with PRP Directive I-B-709 (F), or any other directives dealing with "Confidential Informants and Agents."

9. If a Solicitor client privileged conversation is captured by an Officer's BWC or any Axon application through a mobile device, the Officer shall:
 - (a) immediately categorize the video as "Privileged" through www.evidence.com to restrict the footage; and,
 - (b) email the BWC Unit (DEMS@peelpolice.ca) outlining the circumstances, who shall then immediately consult with the Crown Attorney's Office.
10. When equipped with a BWC, an Officer shall **not** record:
 - (a) unauthorized surreptitious conversations with any person;
 - (b) a strip search and/or body cavity search under any circumstance;
 - (c) administrative conversations or conversations of a personal or non-investigative nature with other PRP members;
 - (d) attendance in a command post during a critical incident, in which police techniques are the focal point of discussion;
 - (e) attendance in a courthouse, except in exigent circumstances, or under legal authority;
 - (f) attendance at a designated healthcare facility, except for the following:
 - (i) under exigent circumstances;
 - (ii) under the authority of prior judicial authorization;
 - (iii) where Officers have custody of a person who is being treated or is waiting for health care treatment and the Officers are alone with that person;
 - (iv) where the Officer has custody of a person who is being treated, or is waiting for health care treatment, and the Officer reasonably believes that the interaction between the Officer and the person in their custody requires or might soon require the use of force; or,
 - (v) with the express consent of the person is the subject of the recording; and,
 - (g) patient care from a Paramedic, except for the following:
 - (i) under exigent circumstances; or,
 - (ii) where the Officer has custody of a person who is being treated, or is waiting for health care treatment, and the Officer reasonably believes that the interaction between the Officer and the person in their custody requires or might soon require the use of force; and,
 - (h) while on any school property, except for the following:
 - (i) under exigent circumstances; or,
 - (ii) when on property to effect an arrest or apprehension.
11. In circumstances where an Officer equipped with BWC is in a healthcare facility, the Officer shall be cognizant of the privacy of those parties present as it relates to medical condition/treatment. In those circumstances, the Officer shall take reasonable steps to ensure

that the parties are aware that they are being recorded and the reasons that recording is necessary.

12. If it is momentarily necessary for the Officer to obstruct the video (lens) of the BWC due to a reasonable concern for the dignity of a person, it shall be in accordance with this directive and documented both on the BWC recording and in the Officer's notebook.
13. Body Worn Cameras shall **only** be used in stealth mode in those rare or exigent circumstances where operating the device in regular mode would compromise Officer safety. Circumstances may include, but are not limited to, so as to not alert a suspect of police presence or location during the search of premise during a break and enter, or Tactical and Rescue Unit personnel conducting a non-announced entry.
14. If stealth mode is used, the Officer shall document it in their notebook when and the reason for doing so.

Note: Stealth mode cannot be activated remotely.

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G. Officer's Responsibilities

1. No Police Officer shall use a BWC without having completed the prescribed PRP BWC training.
2. Body Worn Cameras are intended to supplement, but shall **not** be used to replace:
 - (a) detailed notebook entries and applicable reports; and,
 - (b) photographic or video evidence normally captured by Forensic Identification Services (FIS).
3. Prior to the commencement of each shift, Officers shall ensure that the BWC is fully charged, functioning properly and securely affixed on their person using the assigned hardware as prescribed by the Training Bureau.
4. Officers shall record in their notebook that they are utilizing a BWC during their shift.
5. If an Officer who is required to use a BWC does **not** have the equipment for their shift, they shall articulate in their notes the reason why they do **not** have a BWC, and notify, their Supervisor in writing.
6. Officers shall ensure their BWC is visible to the public including the recording indicator lights and lens.
7. During the course of their shift, if a BWC malfunctions or is lost, the Officer shall document the time and issue in their notebook, contact the DEMS Unit at ext. 8686 and notify their Supervisor in writing as soon practicable.
8. At the conclusion of their shift, Officers shall ensure the BWC is powered off and placed in the docking station for charging and uploading data.
9. If an Officer believes their BWC has been tampered with, the Officer shall notify their Supervisor in writing, who shall then notify the BWC Administrative Unit by email at DEMS@peelpolice.ca.
10. Officers shall **not** modify or attempt to modify any permanent settings or components of their BWC.

11. Officers shall ensure that their BWC is turned off when inside a police facility to prevent from unintended recordings, except when interacting with a member of the public at the front desk.
12. When involved in an incident where the mandate of the Special Investigations Unit (SIU) has been, or may be invoked, Officers shall:
 - (a) **not** review the BWC recording until after their initial notes have been completed;
 - (b) once notes have been completed and prior to deciding to review the BWC recording, consider the following:
 - (i) doing so may lead to increased levels of scrutiny in any subsequent investigation and/or before the courts; and,
 - (ii) the footage viewed may be difficult to watch; and,

Note: Officers are reminded to immediately contact Wellness Bureau if they require any support or assistance at any time.

- (c) after considering the factors listed in section G.12.(b), use discretion to choose to review the BWC recording;
- (d) if the decision to review the BWC recording has been made, ensure the following is documented in their notes:
 - (i) the time and location that they viewed the recording;
 - (ii) the time that they stopped watching the recording; and,
 - (iii) any additional entries marked as “late entries”; and,

Note: Officers may access counsel once all of their notes have been completed

- (e) if deemed a witness Officer, ensure all notes are submitted, including any late entries, to the Investigative Support Unit personnel in accordance with PRP Directive I-B-721 (F), or any other directives dealing with “Special Investigations Unit.”

Note: The notes of Subject Officers, including any late entries, shall **not** be provided to the SIU.

13. If a BWC video recording or any evidence contains content that the Officer believes should be restricted, including but not limited to accidental activation in a washroom, explicit content, Confidential Sources, accidental capturing of Lawyer or Duty Counsel telephone conversations or an event that is graphic in nature, the Officer shall:
 - (a) restrict the evidence using Evidence.com;
 - (b) notify their immediate Supervisor and the DEMS Unit of the restrictions; and,
 - (c) if unable to access Evidence.com, contact DEMS unit personnel at DEMS@peelpolice.ca or 905-453-2121 ext. 4795.

Note: If the request to restrict evidence is after hours, and unable to be addressed by the DEMS Unit personnel during operating hours (Monday-Friday, 0600-1600), the Officer may contact the Sergeant, DEMS Unit to restrict the evidence.

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H. Supervisors Responsibilities

1. Supervisors shall ensure that Officers assigned a BWC have completed the prescribed training and determine if additional training is required as needed.
2. When supervising personnel equipped with a BWC, the Supervisor shall:
 - (a) ensure Officers are wearing the BWC are in accordance with training and this directive; and,
 - (b) review recordings, where applicable, to assist in the resolution of a public complaint.
3. When attending an incident where an Officer is equipped with a BWC, after assessing the circumstances, the Supervisor may direct the Officer to stop recording when authority exists and make a record of the notification in their notebook.
4. When involved in or supervising an incident where the mandate of the SIU has been, or may be invoked, the Supervisor shall:
 - (a) ensure Officers comply with section G.12. of this directive; and,
 - (b) follow the direction provided by the attending/consulting members of the Investigative Support Bureau.
5. When an Officer is involved in an incident requiring the submission of a Use of Force report, a Supervisor shall:
 - (a) ensure the Officer(s) comply with PRP Directive I-B-102 (F), or any other directives dealing with "Incident Response" as well as all applicable directives;
 - (b) review the BWC video to ensure compliance with PRP Directive I-B-102 (F), or any other directives dealing with "Incident Response" and all relevant directives and if required, conduct a debrief with the Officer(s) and/or members of the Incident Response Training Unit;
OHRC REC III.22g
 - (c) if determined that additional Incident Response Training is required, ensure the training is booked as soon as possible to correct any identified issues; and,
 - (d) if determined by the reviewing Supervisor that the actions of the Officer(s) are in contravention to PRP Directives I-B-102 (F) and/or I-A-204 (F), or any other directives dealing with "Incident Response" and "Code of Ethics, Conduct and Discipline – Sworn Members", immediate notification of the incident shall be made through the Chain of Command.
6. Supervisors shall identify BWC recordings that may be relevant for training material and provide the details to the Inspector, Learning and Development who shall review the footage to determine the usability for training.
7. Upon becoming aware that a malfunction has occurred or that the BWC is lost, the Supervisor shall ensure:
 - (a) the Officer has notified the DEMS Unit at ext. 8686, or by email at DEMS@peelpolice.ca; and,
 - (b) a temporary replacement BWC will be issued to the Officer by the DEMS Unit on the next business day. If a replacement is required during non business hours, the Officer shall use a divisional Pool BWC.
8. If a BWC video recording or any evidence from an incident contains content that the Supervisor believes should be restricted such as the scenarios outlined in section G.13. of this directive, the

Supervisor shall direct the involved Officers to restrict the BWC video recordings or evidence using Evidence.com and to notify the DEMS unit of the restrictions.

Note: If the Supervisor requires assistance to restrict any BWC video recording or any evidence for an incident, they shall contact DEMS unit personnel at DEMS@peelpolice.ca or 905-453-2121 ext. 4795. If the request is after hours, and unable to be addressed by the DEMS Unit during operating hours, the Sergeant, DEMS Unit can be contacted to restrict the evidence.

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I. Duty Inspectors Responsibilities

1. When attending an incident where an Officer is equipped with a BWC, and after assessing the circumstances, the Duty Inspector may direct the Officer to stop the BWC from recording when meeting specific criteria set out by this directive.
2. When attending an incident where the mandate of the SIU has been, or may be invoked, the Duty Inspector shall:
 - (a) assume control of the incident;
 - (b) ensure all involved Officer's BWC are turned off, secured and turned-over to attending/consulting members of the Investigative Support Bureau;
 - (b) comply with PRP Directive I-B-721 (F); or any other directives dealing with "Special Investigations Unit"; and,
 - (c) follow the directions of the attending/consulting members of the Investigative Support Bureau.

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J. Records Management

1. Members who have access to a BWC recording may **not** provide access to the BWC recording or disclose it to other members of this Service or any external agency or individual without lawful authority. All access to BWC recordings is recorded within the meta-data of the system and can be tracked.
2. The rules governing the access, use and disclosure of BWC recordings are contained in the [Municipal Freedom of Information and Protection of Privacy Act \(MFIPPA\)](#). Access to or viewing of BWC records shall only be permitted by members of PRP, specifically those who have a role in relation to the records, justifying and necessitating such access. The following are specific examples of circumstances in which access shall be allowed:
 - (a) Officers who wore the BWC which captured a recording and who have already completed any required initial notes regarding the recorded events;
 - (b) Supervisors to fulfill their duties where there are specific allegations of misconduct against the Officer, or where a "Use of Force Report", PRP #296, was completed and the events detailed in the form are also captured on the recording;
 - (c) members (including members of other Police Services, and members of other criminal or quasi-criminal authorities, who are conducting an investigation as agents for the Service) who have grounds to believe the recording includes evidentiary materials relevant to a PRP criminal or quasi-criminal investigation;
 - (d) legal counsel to this Service and members supporting them with regards to an on-going or potential legal proceeding;

- (e) members who are conducting compliance audits of BWC footage;
 - (f) members tasked with the development of training programs for this Service that may be useful for the purposes of additional training. Officers captured in the footage shall be notified and anonymizing measures shall be completed prior to use to ensure the identities of those involved are obscured through measures such as image blurring and voice distortion;
 - (g) members assigned to Forensic Identification Services responsible for analysis in relation to BWC recordings;
 - (h) upon approval, members engaged in internal investigations and/or reviews, are allowed access to BWC recordings that may be relevant to those investigations; and,
 - (i) in cases where the SIU is **not** involved or their involvement has ceased, this Service may release to the public recordings from BWCs where such recordings depict interactions with members of the public where a compelling public interest exists (such as where there are allegations of discreditable conduct, improper conduct, misconduct or excessive or improper use of force by a member of this Service). Such compelling public interest releases shall only occur with the explicit authorization of the Chief of Police.
3. All requests for a copy of a BWC recording from a member of the public, including external media outlets pursuant to [MFIPPA](#) shall be directed to contact the Information and Privacy Unit and/or submit an "Access/Correction Request Municipal FOI", PRP #178 which can also be found on PRP's [external website](#).
4. Access to or viewing of production of a BWC recording for people who are **not** members of the PRP shall be provided only as permitted or required by law. Without limiting the generality of the foregoing, the following are examples of circumstances where this will occur:
- (a) anyone who has legal authority (whether by statute, regulation or prior judicial authorization) shall have access to such recordings, including in relation to the prosecution of PRP criminal and quasi-criminal cases and access requests granted under [MFIPPA](#);
 - (b) members of the public or their representatives may be allowed to view BWC footage that captures an incident in which they were involved for the purpose of attempting to informally resolve a complaint or potential complaint or inquiry into the conduct of a member; such viewing shall be allowed only on the recommendation of the Divisional Superintendent or designate;
 - (c) members of the public shall be able to view BWC recordings that have been ordered released to the public by the Chief of Police by virtue of a compelling public interest; and,
 - (d) BWC footage shall **not** be ordered released to the public in circumstances where the Special Investigations mandate has been invoked. [Back to Table of Contents](#)

K. Retention

1. All data collected by a BWC is subject to the retention schedule outlined in PRP Directive I-A-601 (O) and PRP Directive I-A-607 (O); or any other directives dealing with "Records and Information Management Systems (RIMS) Program" and "Records Retention, Storage and Disposition".

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L. Case Management

1. When an Officer has laid criminal charges, and BWC footage exists in relation to the investigation, the Officer shall:
 - (a) ensure that they specify in the occurrence that BWC footage exists; and,
 - (b) indicate on the Crown Brief, "eDisclosure Submission Checklist," PRP #714, that video footage exists and is uploaded to Evidence.com.
2. For Provincial Offences Act charges – Part 3 Summons and Municipal By-Law offences, BWC footage shall only be disclosed if requested by the Prosecutor's Office. Where BWC footage exists, the Officer shall:
 - (a) indicate on the "Crown Brief", PRP #714, that video footage exists and is uploaded to Evidence.com; and,
 - (b) ensure immediate compliance with section F.8. of this directive regarding any confidential informants.
3. For Provincial Offences Act charges – Part 1 tickets, B.W.C. footage shall only be disclosed if requested by the Prosecutor's Office upon a Notification of Trial.

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M. Audit Schedule

1. Auditing of BWC footage shall be conducted by members of the DEMS Unit.
2. A random audit schedule shall be followed to ensure compliance with directives governing the use of BWCs.
3. Upon a finding of non-compliance, the Supervisor assigned to the DEMS Unit shall document and review the footage. The Supervisor shall be required to review the footage confirm non-compliance and notify, by email, the corresponding Divisional Superintendent for action.

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N. Professional Standards

1. All requests by external oversight agencies for BWC recordings and related information shall be directed to the Inspector, Professional Standards and shall be dealt with in accordance with the [Community Safety and Policing Act \(CSPA\)](#).
2. Requests for BWC recordings by the Special Investigations Unit (SIU) shall be provided to the SIU in accordance with the obligations outlined in the [Special Investigations Unit Act](#) and PRP Directive I-B-721 (F); or any other directives dealing with "Special Investigations Unit".
3. Requests for BWC recordings by the Law Enforcement Complaints Agency (LECA) shall be dealt with in accordance with PRP Directive I-B-101 (O); or any other directives dealing with "Complaints Against Police".
4. The Inspector, Professional Standards or their delegate shall obtain and review any BWC recordings and related information in relation to all [CSPA](#) complaints under investigation by Professional Standards

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O. Discipline

1. All sworn members shall be familiar with the [CSPA](#) and shall be aware that failure to comply with PRP Directives is a disciplinary offence and may be treated as misconduct.
2. Any member found **not** to be in compliance with this directive and/or associated Service Governance, may be subject to discipline under the authority of, and subject to the [CSPA](#) and its regulations and in accordance with PRP directives.
3. Where non-compliance is deemed to be strictly a training issue and/or as a result of a technical error, members may be referred for further training.

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By Order Of:



N. Duraiappah
Chief of Police

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