

# Reminder: What should you do if a member of public is filming or taking photos outside a police building?

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- **We're sharing some guidance for officers and staff when they see members of the public filming and taking photographs in public places, including outside our police buildings**
- **It is important to be vigilant but we must be mindful that 'auditors' and other members of the public can legally film or photograph in public spaces, which includes outside our stations**
- **Remember to remain vigilant, deal with each incident with an open mind and act proportionately – an officer politely, confidently and calmly reminding someone of the reason we are speaking to them will not make a very interesting YouTube viewing**

We're reminding colleagues about the guidance and the law around members of the public filming and taking photos in public places, including our stations and public contact offices.

We continue to see examples of 'auditors' filming outside our buildings. When approached by officers they often film their reaction, and in some occasions will test the officers' knowledge of the law and try to provoke a reaction.

It's essential that we remain vigilant and protect our people and property by responding to any suspicious behaviour or possible hostile reconnaissance but we must do everything we can to be proportionate.

We must enter all reports with an open mind. And we must never be afraid to ask questions, just mindful of the varied responses we may get, some of which are aimed to antagonise.

Remember that your first words will often dictate the remainder of the contact, as with any other contact. A professional greeting such as, "How's it going today?" will often work better than, "What are you doing out here?" or "why are you recording our police building?" Avoid any coercive, demanding, or aggressive questioning.

An officer politely, confidently and calmly reminding someone of the reason we are speaking to them will not make a very interesting YouTube viewing. If you find someone is trying to provoke a reaction from you and you are satisfied they pose no threat to security, you can walk away knowing you have done the right thing.

[The guidance can be viewed and downloaded here.](#)

If you have cause to speak to any member of the public filming or taking photographs please switch on your body worn camera and ensure a comprehensive incident log is completed.

We have also seen cases where these auditors are approaching members of staff. Staff members should also remain polite if approached and ensure they keep personal safety as their key consideration.

If the person is not causing an obstruction our advice to staff is not to challenge the person. But if you think the person is acting suspiciously please ask for the assistance of an officer who will then follow the above guidance.

We're asking all supervisors and line managers to discuss this guidance with their teams. We've also included further legal advice below.

There are no powers prohibiting the taking of photographs, film or digital images in a public place. Therefore, members of the public and press should not be prevented from doing so.

Unnecessarily restricting photography undermines public confidence in the police service. Once an image has been recorded, the police have no power to delete or confiscate it without a court order.

These individuals frequently ask if they are being detained, or what the basis is for their detention. An appropriate response would be to tell the person(s) that they are:

- Not being detained;
- They are free to leave at any time;
- They are free to continue with their activities.

It is also acceptable to ask them what they are doing, why they are recording, and what their purpose is for recording such activities.

If you do feel the persons' behaviour may represent a genuine security risk or risk of the personal information of staff being misused, be clear and confident of the

powers at your disposal, and CLEARLY ARTICULATE why you are using them. Do not seize a camera or phone unless you deem it evidential.

Section 43 of the Terrorism Act 2000 should be a LAST RESORT, and only when reasonable suspicion exists. You should consider other possible remedies such as the Anti-Social Behaviour Act 2014, if applicable.

Consideration could be given to using powers under s136 Mental Health Act if it was felt the individual was suffering from acute mental ill health and in immediate need of care and control.

If there is a member of the public or press who has a legitimate reason for wanting to film on police property they should be directed to contact [Corporate Communications](#) to make their request.