

Office of Commissioner

49789/36

8 October 2024

Director – Budget Estimates Secretariat
NSW Parliament House
6 Macquarie Street
SYDNEY NSW 2000

By email: BudgetEstimates@parliament.nsw.gov.au

Dear Director

At the Budget Estimates hearing for portfolio 1 – Premier and Finance on 28 August 2024, a question was asked about why the Commission did not review body-worn video (BWV) footage as part of its *Review of a sample of NSW Police Force strip search records 2021 – 2022* (ref: uncorrected transcript, page 89).

I responded as follows:

ANINA JOHNSON: That was effectively a resourcing issue, in that, one, it allowed us to turn that review and that report around much more quickly. If you want to get body-worn footage for each matter to see how the strip search has been conducted, then it's a much bigger project; it takes a lot more time and a lot longer to report. So we made a strategic choice in collaboration with the New South Wales police that, in this instance, we'd do a paper audit. And already that paper audit, as you've indicated, uncovered some significant problems. We were able to identify them relatively quickly.

For clarity and accuracy this should be amended to:

Our strip search records audit did not review body-worn video (BWV) footage of searches as it was not relevant to our project's aims, being to evaluate the impact of two new processes introduced by the NSW Police Force (the Field Processing Form and training package). The strip search audit report explains, at page 11, the reason BWV footage was not reviewed as part of the audit.

Filming strip searches on BWV is an important accountability measure for the NSW Police Force. It offers high quality, objective evidence of the conduct of everyone involved in the search, and of items found during a search.

The Commission is currently working on a larger piece of work about NSW Police Force BWV practice and policy. The Commission does not currently have a systemic project underway in relation to strip searches. However, the Commission maintains oversight of any complaints related to strip searches through our intake and assessment processes.

If you require any further information, please do not hesitate to contact me.

Yours sincerely

Anina Johnson
Commissioner