

DMPC Decision – PCD 984**Title: Ingestion of Public Digital Media – Axon Citizen****Executive Summary:**

This decision seeks approval for a contract variation to adopt “Axon Citizen”, thereby enabling MPS staff to ingest and manage digital evidence from victims, witnesses and partners.

The MPS has a requirement to ingest and manage digital evidence from victims, witnesses and partners, before onward sharing across the Criminal Justice system, other UK Forces and partner agencies. It has several systems that enable sharing externally, particularly with corporations and the Crown Prosecution Service, but a solution to enable the ad hoc capture of video and photos often held on a victim’s or witnesses’ personal device or CCTV system is a requirement it has yet to deploy.

This decision recommends adoption of “Axon Citizen” to allow MPS staff to ingest any digital media evidence from any source without the need to physically dispatch officers to download evidence to DVDs, discs, USBs or require individuals to hand over their mobile phones.

It is an enhanced use of evidence.com, a system the MPS has been using to manage Body Worn Video media since 2016. That platform has since managed over 14 million media files (BWV, audio and CCTV). The sharing process is intuitive, seamless, secure and one its staff and partners in the Criminal Justice System are entirely familiar with.

Citizen would allow staff to send a text or email request from evidence.com via their tablet, laptop or desktop, or MPS smart phone to any victim or witness. With many new home (i.e. ring bell, nest or Blink) or vehicle CCTV systems directly linked to owners’ phones, the victim or witness can submit their digital evidence direct to the officer’s evidence.com account from their own cloud storage or mobile devices. The instructions for both the officer and member of the public are incredibly intuitive, taking a matter of a few minutes to complete a digital request / submission.

The deployment of Axon Citizen as part of the MPS’ enterprise license with the supplier will allow all staff to generate a text or email request from evidence.com to victims/witnesses, via their mobile device or desktop.

It is offered to the MPS as a variation to its existing Axon contract (which ends March 2023) and is fully funded from the MOPAC approved Digital Policing (DP) Innovation budget.

Decisions:

The Deputy Mayor for Policing and Crime is requested to approve the variation of the Axon contract to include the cost of “Axon Citizen”, enabling staff to digitally ingest multi-media evidence from victims /

witnesses direct into the MPS core evidence.com digital platform. The total value of the variation, £847,000, will uplift the ceiling value of the current contract (running to March 2023) from £10,689,000 to £11,536,000. It is fully funded from the MOPAC approved Digital Policing Innovation budget.

Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature 

Date 01/06/2021

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DEPUTY MAYOR

1. Introduction and background

- 1.1. The MPS is building on the corporate digital strategy to be at the forefront of 21st century policing in the way the MPS prevent, solve crime and digitally engage with its Communities and partners.
- 1.2. There is an ever-increasing availability of digital media evidence from victims and witnesses, including from mobile phones and other personal devices, public and privately-owned CCTV systems, in car DASH cams as well as helmet cams on motorcycles and cyclists. The advances in this technology have been exponential and with other agencies' growing adoption of BWV (e.g. the LAS, TFL, Prisons, Hospitals and in the private security industry), there is growing demand on the MPS to dispatch officers to download, collect and manage the resultant digital evidence in a timely manner.
- 1.3. Evidence is currently downloaded to and collected via DVDs, discs, pen drives or USBs. The MPS has a requirement to reduce the need to physically send officers to collect this media, but instead to digitally ingest and manage the evidence from victims of crime, witnesses and partners, before onward sharing across the wider Criminal Justice System and to other stakeholders. That need has become even more evident in these social distancing times.
- 1.4. Files need to be ingested into an MPS Digital Evidence Management System, in line with its Cloud first principles. This must entail using a process that is seamless and secure for all MPS users as well as members of the public and partner agencies. Once uploaded there is a further requirement for the media to be categorised for retention under the principles of Management of Police Information, given Identifiable reference names or numbers or evidence titles, so that it can be easily identifiable, searchable and if required, grouped into case evidence. This back-end digital evidence management system and the workflows and processes to use it have to be seamless, secure and auditable.
- 1.5. The MPS's Strategic Document 'Keeping London Safe, Our Strategy 2018/25' supports this business need for a public ingestion solution and sets the tone for a digitally connected Police Service with the MPS harnessing data and digital technology to become a world leader in policing, rising to the challenge of a fast moving data-driven digital age. The MPS recognises that siloes and separated systems and their associated business processes and supporting staff are in themselves blockers for change, limiting staff in their daily work while lengthening manual and digital business processes which often result in a number of support staff required to accomplish basic digital content alterations.
- 1.6. The MPS Strategic Digital Direction is to be able to not only ingest public digital media but also to onward share this evidence with the CPS. It now uses evidence.com to share 999 audio tapes, ABE (Achieving Best Evidence) interviews and small numbers of other public generated digital media such as CCTV or mobile phone footage. However,

officers have to “import” this media into the system from other MPS systems which involves additional workflows and the functionality is limited to import maximum file sizes of 4GB.

2. Issues for consideration

2.1. The MPS have been testing Axon Citizen on the North Area (NA) BCU and with selected Specialist Crime Teams since July 2020. Summary of that trial:

- North Area and specialist Crime Teams BCU officers have used Citizen and ingested 3,500 pieces of media to date, with monthly increases of an initial 36 in July 2020, 161 in August to now 650 in March.
- It is estimated that current processes can take one officer anything up to 3 hrs to manage one piece of physical media (i.e. disc, DVD). Travelling to the member of the public, downloading evidence, booking it into Police storage facilities, making copies, onward sharing and transporting it to the CPS, Defence and Courts.
- Cumbria Constabulary went live with Citizen in 2018. They only have 1,000 officers, much lower crime levels than recorded by the MPS and therefore not as many sources of digital media as the MPS will have in London. However, they still ingested over 20,000 media files into evidence.com using Axon Citizen in 2020.
- What used to take hours or even days depending on a victim or witness availability to provide the hard media, now only takes but a few minutes.

2.2. Based on the above figures it is estimated that that the MPS could free up 27,000 staff days in potential officers resource savings per annum.

3. Financial Comments

3.1. This enhancement to Axon’s software as a service costs £847,000 over the remaining two years of the Axon contract and will be fully funded out of the MPS Digital Policing’s Innovation Budget.

4. Legal Comments

4.1. There are no known Commercial barriers – with MPS Legal Services agreeing that an enhanced use of evidence.com in this way was “foreseeable” in that the Statement of Requirements (SOR) used during the procurement and tendering process for BVW and evidence.com included a “public ingestion” requirement. Up until this point this the functionality that evidence.com already has available has not been leveraged, but as part of the managed software as a service contract, this is now available to all staff.

4.2. MOPAC is a contracting authority as defined in the Public Contracts Regulations 2015 (PCR 2015). All awards of public contracts for goods and/or services valued at £189,330 or above must be procured in accordance with the Regulations. This report

confirms the proposed contract modification exceeds this value. Accordingly, the Regulations will be engaged.

- 4.3. The required services were included in the scope of the existing contract, however the value of the contract does need to be increased to include the additional cost of deploying the service. Under Regulation 72(1)(b) of the PCR 2015 a contract may be extended by up to 50% of its original value for interoperability or incompatibility reasons where it would cause significant inconvenience or substantial duplication of costs to change the supplier.
- 4.4. In this case, the functionality of Axon Citizen is embedded within the Axon ecosystem and platform (evidence.com) and any other application (even if one could be provided by another supplier) would not be compatible with the MPS's existing, hardware, processes and procedures. It would be very costly/technically impossible for MPS to switch to a new platform, or use two different evidence platforms in tandem. When applying regulation 72 MOPAC/MPS should publish a modification notice in Find a Contract and OJEU under regulation 72(3).
- 4.5. The MPS Commercial Team will publish a Modification Notice through the usual portal once approval is granted.
- 4.6. Accordingly, a contract variation will be compliant with the PCR 2015.
- 4.7. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides the DMPC has delegated authority to approve all unforeseen variations and extensions to contracts with an original value of £500,000 or above, when the variation or extension is greater than 10% of the original value and/or is for a period of more than 12 months.
- 4.8. Paragraph 7.26 of the Scheme provides the Director of Strategic Procurement has consent to sign all contracts, irrespective of value, once they have been properly approved, except for those which are required to be executed under the Common Seal of MOPAC.

5. Commercial Issues

- 5.1. As this is an extension to an existing service, i.e. the use of Axon's Evidence.com platform that the MPS have been using since 2016, this does not change any aspects relating to responsible procurement.
- 5.2. There were three potential 'route to market' options available for the procurement of the solution:
 - Option A: Procuring a new call off contract via a mini competition from the Lot 2 of the EMSCU-DPS Body Worn Video Framework;
 - Option B: (Recommended) issue a change control notice from the current body worn video contract with Axon;

- Option C: Procuring Axon Citizen via a new call off contract by applying an evaluation and down select procedure from the G Cloud 12 Framework managed by Crown Commercial Services.
- 5.3. Axon Citizen is digital ingestion functionality available within evidence.com but not activated, as part of the initial contract for body worn video managed service. The Body Worn Contract provides a fully integrated service that includes cameras, firmware and settings management, transmission of the captured content back into the evidential management service and then a full evidential treatment solution. Third party systems can interface with the Axon infrastructure but this would not be an acceptable substitute as no other third party could provide the seamless & secure interoperability essential to an end-to-end managed service, that already exists to the standards currently utilised.
- 5.4. The MPS have sufficient evidence to meet both:
- Regulation 32 of the PCR 2015. Under this exemption, the MPS may award a new contract without undertaking a competition, if competition is absent for technical reasons. Axon have exclusive rights with IPR in the end to end service including firmware and settings management, transmission of the captured content back into the evidential management service, redaction, clipping and secure sharing of data with CPS, Defence, Judiciary.
 - Regulation 72 of the PCR 2015. Under this regulation, MPS may extend their existing contract by up to 50% where there are technical (incompatibility and interoperational) reasons and inconvenience/duplication of costs reasons. MPS have previously extended this contract, however subsequent modification is permitted under Regulation 72(2), provided each modification is not for more than 50% of the original value of the contract and MPS are not varying the contract in order to deliberately avoid undertaking a new procurement.
- 5.5. However, as digital ingestion of media is included in the existing contract, use of Regulation 72 (varying the existing contract to increase the contract value) allows MPS to benefit from additional discounts on licensing costs from the existing enterprise model license agreement. Therefore, application of regulation 72 is the most suitable regulation in this case.
- 5.6. There is a further argument that the contract as originally procured included this service in its scope. The Statement of Requirements (SOR) used during the procurement and tendering process for BWV and evidence.com included a “public ingestion” requirement. The MPS has not leveraged this functionality that is embedded with the current evidence.com solution. Therefore, the risk of challenge from any other supplier is deemed to be a low risk.
- 5.7. Additional information is contained in the restricted section of the report.
- 5.8. Value for Money: Based on trial figures outlined above, and other Force users who have deployed this solution, it is estimated that fully taking advantage of the technological benefits Citizen provides could free up numerous staff hours, so as to be

able to deploy them to other frontline duties, i.e. visible policing. Additional information is contained in the restricted section of the report’.

- 5.9. The MPS uses a Digital Evidence Management System, “evidence.com” that can manage the media once it is retrieved. It is tried and proven and enables a single means of sharing evidence with the CPS and other partners, and one which staff are already conversant with as evidenced by over 30,000 digital shares a month using this method.
- 5.10. The CPS have been involved in the MPS Citizen trial since 2020 and are advocates of its adoption as it also provides their staff one effective means of receiving digital media through evidence.com from the MPS, in the same manner as they do currently with Body Worn Video footage.
- 5.11. The CPS have cited issues with alternative products for ingesting media, not only with issues and challenges with the sharing of evidence between them and the force, but real difficulties in being able to onward share any evidence with the defence in a seamless manner. Evidence collected through Citizen will not be subject to those challenges.
- 5.12. Using a separate evidence management system will encompass an additional way of doing things for MPS staff and Partners and necessitate business change at an increased cost to the MPS. There has been a successful trial that shows Citizen works, with officers commenting on its ease of use and contribution to more effective investigations.
- 5.13. Citizen is intuitive to use and can be switched on MPS-wide and available for all staff with minimal training. It works through evidence.com of which MPS staff already have accounts and are familiar with, especially if in a front-line role.
- 5.14. There are no additional data storage costs as this is already included in the existing AXON contract for media held in evidence.com.

6. GDPR and Data Privacy

- 6.1. The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.
- 6.2. Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

- 6.3. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure that Axon Citizen meets its compliance requirements.
- 6.4. A Data Protection Impact Assessment (DPIA) [formerly Privacy Impact Assessment (PIA)], is already in place for the use of evidence.com. An additional DPIA for the use of Citizen has been completed and submitted and this is currently with MPS Data Protection Officer for sign off. This will ensure a privacy by design approach, which will allow the MPS to find and fix problems at the early stages of any project, ensuring compliance with GDPR. DPIAs support the accountability principle, as they will ensure the MPS complies with the requirements of GDPR and they demonstrate that appropriate measures have been taken to ensure compliance.

7. Equality Comments

- 7.1. The adoption of new technology in this way can only have a positive impact on diversity and equality. It will afford community members the opportunity to digitally share footage, rather than invite officers to their homes or the workplaces, or vice versa, require them to attend a Police building and temporarily hand over their mobile devices, which can be a considerable inconvenience to those who rely on them. These can be seen as actual barriers to effective communication between Police and communities, especially those from diverse backgrounds. An adoption of this technology will improve communication and increase confidence in Policing.

8. Background/supporting papers

- 8.1. MPS Part 1 paper.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? No

If yes, for what reason:

Until what date: N/A

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form - YES

ORIGINATING OFFICER DECLARATION

Tick to confirm statement (✓)

Financial Advice

The Strategic Finance and Resource Management Team has been consulted on this proposal.

✓

Legal Advice

The MPS legal team has been consulted on the proposal.

✓

Equalities Advice:

Equality and diversity issues are covered in the body of the report.

✓

Commercial Issues

The proposal is in keeping with the GLA Group Responsible Procurement Policy.

✓

GDPR/Data Privacy

- GDPR compliance issues are covered in the body of the report.
- A DPIA has been completed.

✓

Drafting Officer

Craig James has drafted this report in accordance with MOPAC procedures.

✓

Director/Head of Service:

The Chief Finance Officer has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.

✓

Chief Executive Officer

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature



Date 5/5/2021



MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

Ingestion of Public Digital Media – Axon Citizen

MOPAC Investment Advisory & Monitoring meeting 13.04.2021

Report by Inspector James Ellis on behalf of the Chief of Corporate Services

Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC

EXECUTIVE SUMMARY

The MPS has a requirement to ingest & manage digital evidence from victims, witnesses and partners, before onward sharing across the Criminal Justice system, other UK Forces and partner agencies (e.g. IOPC and the HMIC). We do have several systems that enable us to share externally particularly with corporations and the CPS, but a solution to enable the ad hoc capture of video and photos often held on a victim's or witnesses' personal device or CCTV system is a requirement we have yet to deploy.

This report recommends adoption of "Axon Citizen" to allow MPS staff to ingest any digital media evidence from any source without the need to physically dispatch officers to download evidence to DVDs, Discs, USBs or require individuals to hand over and kiosk their mobile phones.

It is an enhanced use of evidence.com, a system the MPS has been using to manage Body Worn Video media since 2016. That platform has since managed over 14 million media files (BWV, audio & CCTV). The sharing process is intuitive, seamless, secure & one our staff and partners in the CJS are entirely familiar with.

Citizen would allow any of our staff to send a text or email request from evidence.com via their tablet, laptop or desktop, or MPS smart phone to any victim or witness. With many new home (i.e. ring bell, nest or Blink) or vehicle CCTV systems directly linked to owners phones, the victim or witness can submit their digital evidence direct to the officer's evidence.com account from their own cloud storage or mobile devices. The instructions for both the officer & member of the public are incredibly intuitive, taking a matter of a few minutes to complete a digital request / submission.

The deployment of Axon Citizen as part of our enterprise license with the supplier will allow all staff to generate a text or email request from evidence.com to victims/witnesses, via their mobile device or desktop.

It is offered to the MPS as a variation to our existing Axon contract (ends March 2023) & is fully funded from the MOPAC approved Digital Policing (DP) Innovation budget.

Although fully funded out of the MPS Innovation Budget, the value of Axon Citizen over would be in excess of the approved 10% threshold allowed in respect of the overall contract value under MPS Commercial Services scheme of delegation.

It therefore requires PIB and MOPAC approval.

Recommendations

The Mayor is asked to:

Approve the variation of the Axon contract to include the cost of “Axon Citizen”, enabling staff to digitally ingest multi-media evidence from victims / witnesses direct into the MPS core evidence.com digital platform. This is in line with the scheme of delegation, the total value of the variation, £811k, will require MOPAC approval to uplift the ceiling value of the current contract (running to March 2023) from £10.689m to £11.500m. It is fully funded from the MOPAC approved Digital Policing (DP) Innovation budget.

Time sensitivity

A decision is required from the Mayor at the earliest opportunity. This is because we have secured an advantageous commercial discount from the supplier for the period of the Axon contract (which ends in March 2023) and delays to implementation will not allow us to take advantage of the benefits outlined in the business case, in particular those of freeing up operational officers for other visible policing duties.

Introduction and background

Measurable crime has increased in the MPS in most categories since 2017 / 18 with high profile street violent crime still a significant challenge despite the lockdown periods over the past 12 months and over 12,000 cases of domestic abuse reported every month in London. The continuing threat to the UK and London from terrorism demands a tireless focus from the police and the security services, the necessity of which is easy to see and with over 43,000 personnel. The MPS is building on the corporate digital strategy to be at the forefront of 21st century policing in the way the MPS prevent, solve crime and digitally engage with our Communities and partners.

With increasing crime levels comes an ever-increasing availability of digital media evidence from victims and witnesses, including from mobile phones and other personal devices, public and privately owned CCTV systems, in car DASH cams as well as helmet cams on motorcycles and cyclists. The advances in this technology has been exponential and with other agencies growing adoption of BWV (e.g. the LAS, TFL, Prisons, Hospitals and in the private security industry), there is growing demand on the MPS to dispatch officers to download, collect and manage the resultant digital evidence in a timely manner.

Evidence is downloaded to and collected via DVDs, discs, pen drives or USBs. This is not seamless, secure or sustainable. The MPS has a requirement to reduce the need to physically send officers to collect this media, but instead to digitally ingest & manage the evidence from victims of crime, witnesses and partners, before onward sharing across the wider Criminal Justice System and to other stakeholders e.g. the IOPC, HMIC & partner forces. That need has become even more evident in these social distancing times.

Files need to be ingested into an MPS Digital Evidence Management System, in line with our Cloud 1st principles. This must entail using a process that is seamless and

secure for all MPS users as well as members of the public and partner agencies. Once uploaded there is a further requirement for the media to be categorised for retention under MOPI, given Identifiable ref names or numbers or evidence titles, so that it can be easily identifiable, searchable and if required, grouped into case evidence. This back end digital evidence management system and the workflows and processes to use it have to be seamless, secure and auditable.

MPS Mission Statement is to keep London safe for everyone.

To achieve that the MPS will:

- Focus on what matters most to Londoners.
- Work more closely with partners and the public.
- Achieve the best outcomes in the pursuit of justice and in the support of victims

The MPS's Strategic Document 'Keeping London Safe, Our Strategy 2018/25'

supports this business need for a public ingestion solution & sets the tone for a digitally connected Police Service with the MPS harnessing data and digital technology to become a world leader in policing, rising to the challenge of a fast moving data-driven digital age. The MPS recognises that siloes & separated systems & their associated business processes & supporting staff are in themselves blockers for change, limiting staff in their daily work while lengthening manual & digital business processes which often result in a number of support staff required to accomplish basic digital content alterations.

The MPS Strategic Digital Direction is to be able to not only ingest public digital media but also to onward share this evidence with the CPS. We now use evidence.com to share 999 audio tapes, ABE (Achieving Best Evidence) interviews and small numbers of other public generated digital media such as CCTV or mobile phone footage. However, officers have to "import" this media into the system from other MPS systems which involves additional workflows and the functionality is limited to import max file sizes of 4GB.

Issues for consideration

The Digital Policing Strategy document explains the MPS's desire to;

- We will adopt public cloud offerings as part of our 'Cloud First' principle. We will only maintain our own Met data Centre's for specialized services.
- Where we need specialized services, we will utilize virtual private cloud, and similar technologies, to provide consolidated, virtualized, commoditized infrastructure.
- We will, of course, only use public cloud where we are sure we can meet our obligations under the Data Protection Act and the General Data Protection Regulation (coming into force in 2018), and where we are satisfied that the very best in commercial security is applied.
- Our cloud approach will allow us to only pay for the capacity and facilities that we use. We will also be able to rapidly move solutions if required (for example,

where there is a commercial advantage), and flex our capacity up and down in response to key operational events.

- As the cloud service market matures, we expect to exploit the further commoditization of services available to continue to drive down costs. As a result, we will design in flexibility for our future ambitions. We will ensure that contracts are not longer than they need to be and that we have a clear exit route and data migration plan in place for all services.

Smarter and more productive ways of working

- The Met will restructure frontline policing to operate at greater scale, improving processes and reducing handovers to increase productivity. We will become increasingly mobile, using technology to allow our people to access information quickly, whenever and wherever they need it. We will empower officers to make quicker decisions, closer to the frontline.

The MPS's Vision and Need for Transformation

Collaboration within policing, with partners and the public - Partner collaboration

- Collaboration, including colocation and secure data sharing, covering prevention, first contact, incident response and prosecution.

The Digital Policing Strategy document also highlights the budgetary pressures faced by the MPS. It has previously been identified that there is huge wastage and unnecessary costs currently seen with how we use DVDs and discs to manage digital evidence with manual processing, editing and sharing taking tens of thousands of hours out of front line policing. The Digital Policing Strategy document highlights the pressures facing the MPS from austerity and the challenge this creates for officers on the ground

The MPS have been testing Axon Citizen on the North Area (NA) BCU and with selected Specialist Crime Teams since July 2020. Summary of that trial

- North Area and specialist Crime Teams BCU officers have used Citizen and ingested 3,500 pieces of media to date, with monthly increases of an initial 36 in July 2020, 161 in Aug to now 650 in March.
- We estimate that current processes can take 1 officer anything up to 3 hrs to manage a 1 piece of physical media (i.e. disc, DVD). Travelling to the member of the public, downloading evidence, booking it into Police storage facilities, making copies, onward sharing & transporting it to the CPS, Defence & Courts.
- Cumbria Constabulary went live with Citizen in 2018. They only have 1,000 officers, much lower crime levels than recorded by the MPS and therefore not as many sources of digital media as we will have in London. However, they still ingested over 20,000 media files into evidence.com using Axon Citizen in 2020.
- What used to take hours or even days depending on a victim or witness availability to provide the hard media, now only takes but a few minutes.

Based on the above figures we estimate that that the MPS could free up 27,000 staff days in potential officers resource savings per annum.

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

The MOPAC Police & Crime Plan sets out commitments to transform the MPS in supporting the Police to meet the requirements of the 21st Century. An ability to digitally ingest media & onward share it within the Criminal Justice system will contribute to delivering on: reporting crime on line; improving links between police & businesses; the rapid recovery of data from digital devices; and increasing the number of crimes dealt with by the “Same officer from start to finish”.

The implementation of a public media ingestion solution will enhance our service to victims & witnesses of crime and will speed up justice for all.

Financial, Commercial and Procurement Comments

This enhancement to Axons software as a service will be fully funded out of the MPS Digital Policing’s Innovation Budget. As this is an extension to an existing service, i.e. the use of Axon’s Evidence.com platform that the MPS have been using since 2016, this does not change any aspects relating to responsible procurement.

There were three potential ‘route to market’ options available for the procurement of the solution:

- Option A: Procuring a new call off contract via a mini competition from the Lot 2 of the EMSCU-DPS Body Worn Video Framework;
- **Option B: (Recommended)** issue a change control notice from the current body worn video contract with Axon;
- Option C: Procuring Axon Citizen via a new call off contract by applying an evaluation and down select procedure from the G Cloud 12 Framework managed by Crown Commercial Services

Summary of rationale for Option B (recommended)

Axon Citizen is digital ingestion functionality available within evidence.com but not activated, as part of the initial contract for body worn video managed service. The Body Worn Contract provides a fully integrated service that includes cameras, firmware and settings management, transmission of the captured content back into the evidential management service and then a full evidential treatment solution. Third party systems can interface with the Axon infrastructure but this would not be an acceptable substitute as no other third party could provide the seamless & secure interoperability essential to an end-to-end managed service, that already exists to the standards we currently utilise.

The MPS have sufficient evidence to meet both:

¹ [Police and crime plan: a safer city for all Londoners | London City Hall](#)

Regulation 32 of the PCR 2015. Under this exemption, the MPS may award a new contract without undertaking a competition, if competition is absent for technical reasons. Axon have exclusive rights with IPR in the end to end service including firmware and settings management, transmission of the captured content back into the evidential management service, redaction, clipping and secure sharing of data with CPS, Defence, Judiciary.

Regulation 72 of the PCR 2015. Under this regulation, MPS may extend their existing contract by up to 50% where there are technical (incompatibility and interoperational) reasons and inconvenience/duplication of costs reasons. MPS have previously extended this contract, however subsequent modification are permitted under Regulation 72(2), provided each modification is not for more than 50% of the original value of the contract and MPS are not varying the contract in order to deliberately avoid undertaking a new procurement.

However, as digital ingestion of media is included in the existing contract, use of Regulation 72 (varying the existing contract to increase the contract value) allows MPS to benefit from additional discounts on licensing costs from the existing enterprise model license agreement. Therefore, application of regulation 72 is the most suitable regulation in this case.

There is a further argument that the contract as originally procured included this service in its scope. The Statement of Requirements (SOR) used during the procurement and tendering process for BVW and evidence.com included a “public ingestion” requirement. The MPS has not leveraged this functionality that is embedded with the current evidence.com solution. Therefore, the risk of challenge from any other supplier is deemed to be a low risk.

Additional information is contained in the restricted section of the report.

Value for Money: Based on trial figures outlined above, and other Force users who have deployed this solution, we estimate that if we fully take advantage of the technological benefits Citizen provides, it could free up numerous staff hours, so as to be able to deploy them to other frontline duties, i.e. visible policing. Additional information is contained in the restricted section of the report’.

The MPS uses a Digital Evidence Management System, “Evidence.com” that can manage the media once we retrieve it. It is tried and proven and enables a single means of sharing evidence with the CPS and other partners, and one which our staff is already conversant with as evidenced by over 30,000 digital shares a month using this method. Neither of the above mentioned Products are able to securely share media with the CPS and others as successfully as evidence.com does.

The CPS have been involved in the MPS Citizen trial since 2020 and are advocates of its adoption as it also provides their staff one effective means of receiving digital media through evidence.com from the MPS, in the same manner as they do currently with Body Worn Video footage.

There are other products on the market that ingest in media, e.g. NICE Investigate and BOX. The CPS have cited issues with both of the other Products mentioned above in that not only has there been issues and challenges with the sharing of

evidence between them and the force, but real difficulties in being able to onward share any evidence with the defence in a seamless manner. Evidence collected through Citizen will not be subject to those challenges.

Using a separate evidence management system will encompass an additional way of doing things for MPS staff and our Partners and necessitate business change at an increased cost to the MPS. Our staff will challenge us and ask why? When we have had a successful trial that shows Citizen works. With officers not in the trial but who had used Citizen prior to our “restrictions” to NA BCU staff, asking why it was switched off? commenting on its ease of use and contribution to more effective investigations

Citizen is intuitive to use and can be switched on MPS wide and available for all staff with minimal training. It works through evidence.com of which every MPS staff member already has an account and is familiar with, especially if in a front line role.

There are no additional data storage costs as this is already included in our existing AXON contract for media held in evidence.com.

Legal Comments

There are no known Commercial barriers – with MPS Legal Services agreeing that an enhanced use of evidence.com in this way was “foreseeable” in that the Statement of Requirements (SOR) used during the procurement and tendering process for BVW and evidence.com included a “public ingestion” requirement. We have up until this point not leveraged the functionality that evidence.com already has available to us, but as part of our managed software as a service contract, means this is now available to all staff.

- Contracts Regulations 2015 (PCR 2015). All awards of public contracts for goods and/or services valued at £189,330 or above must be procured in accordance with the Regulations. This report confirms the proposed contract modification exceeds this value. Accordingly, the Regulations will be engaged.
- The required services were included in the scope (statement of requirements) of the existing contract, however the value of the contract does need to be increased to include the additional cost of deploying the service. Under Regulation 72(1)(b) of the PCR 2015 a contract may be extended by up to 50% of its original value for interoperability or incompatibility reasons where it would cause significant inconvenience or substantial duplication of costs to change the supplier.
- In this case, the functionality of Axon Citizen is embedded within the Axon ecosystem and platform (evidence.com) and any other application (even if one could be provided by another supplier), would not be compatible with the MPS’s existing, hardware, processes and procedures. It would be very costly/technically impossible for MPS to switch to a new platform or use two different evidence platforms in tandem. When applying regulation 72 MOPAC/MPS should publish a modification notice in Find a Contract and OJEU under regulation 72(3).
- Accordingly, a contract variation will be compliant with the PCR 2015.

- Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime has delegated authority to approve all unforeseen variations and extensions to contracts with an original value of £500,000 or above, when the variation or extension is greater than 10% of the original value and/or is for a period of more than 12 months.
- Paragraph 7.26 of the Scheme provides the Director of Strategic Procurement has consent to sign all contracts, irrespective of value, once they have been properly approved, except for those which are required to be executed under the Common Seal of MOPAC.
- The MPS Commercial Team will publish a Modification Notice through the usual portal once approval is granted.

Equality Comments

The adoption of new technology in this way can only have a positive impact on diversity and equality. It will afford community members the opportunity to digitally share footage, rather than invite officers to their homes or the workplaces, or vice versa, require them to attend a Police building and temporarily hand over their mobile devices, which can be a considerable inconvenience to those who rely on them. These can be seen as actual barriers to effective communication between Police and communities, especially those from diverse backgrounds. An adoption of this technology will improve communication and increase confidence in Policing.

Privacy Comments

The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.

Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organizations' with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure that Axon Citizen meets its compliance requirements.

A Data Protection Impact Assessment (DPIA) [formerly Privacy Impact Assessment (PIA)], is already in place for our use of evidence.com. To our knowledge there have been no Data breaches since its inception in 2016. We have completed and submitted an additional DPIA for the use of Citizen and this is currently with MPS Data Protection Officer for sign off. This will ensure a privacy by design approach, which will allow the MPS to find and fix problems at the early stages of any project, ensuring compliance with GDPR. DPIAs support the

accountability principle, as they will ensure the MPS complies with the requirements of GDPR and they demonstrate that appropriate measures have been taken to ensure compliance.

Real Estate Implications – There is no impact

Environmental Implications – There is no real impact

Background/supporting papers – N/A other details are contained within the Part 2 restricted document

Report author: Inspector James Ellis – MPS lead for Body Worn Video – Digital Policing – Digital Delivery Team

Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.

The Government Security Classification marking for Part 2 is:
OFFICIAL-SENSITIVE [COMMERCIAL]

Part 2 of **Ingestion of Public Digital Media – Axon Citizen** is exempt from publication for the following reasons:

- Exempt under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011 (Data Protection Section 43 – Commercial Interests).
- The relevant sections under the FOIA that would exempt this information from disclosure:
 - Commercial Interest Section 43
 - Legal Professional Privilege Section 42

The paper will cease to be exempt until March 31st 2023 (completion of contract if awarded)