(In)visibility at Height: Drones, Policing & Procedural Justice

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Structure

1. INTERACT & Procedural Justice Theory (PJT)
2. Current & Near-Future Drone Use
3. (In)Visibility: Definitions & Practice of Covert & Overt Drone Use
4. Conclusions & Recommendations

INTERACT & Procedural Justice Theory (PJT)

Procedurally Just Encounters

"…police officers should adopt **four key principles** when dealing with members of the public.

First, police officers should demonstrate to citizens a **sufficient level of dignity and respect**.

Second, they should, through their actions, indicate that they **hold benevolent, well-intentioned or 'trustworthy' motives**.

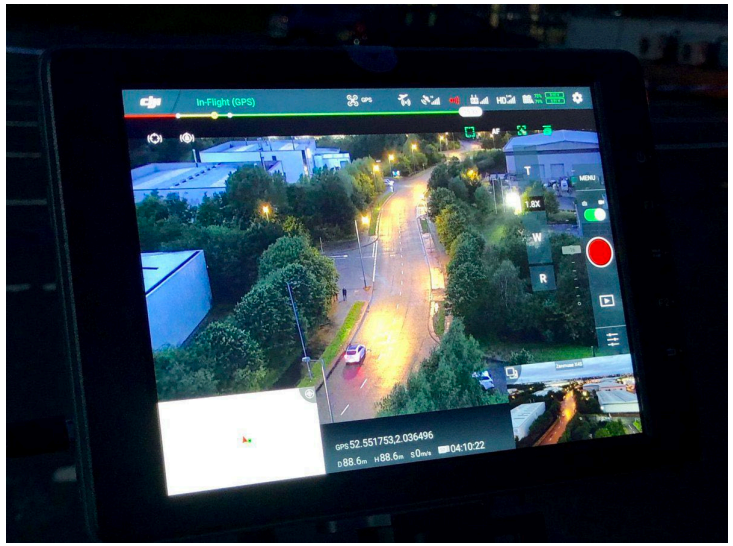
Third, officers should be '**neutral' arbitrators** and come to decisions on the basis of the facts of a situation rather than personal 'biases' or stereotypes.

Fourth, police officers should **allow citizens to have a 'voice'** in their decision-making" (Savigar-Shaw et al., 2022: 1).

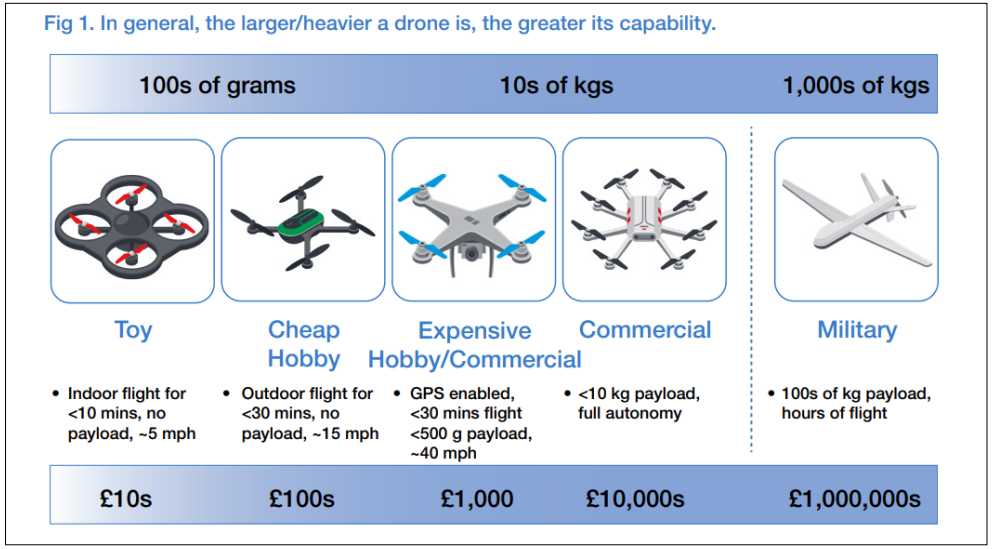
When public confidence in the police is reduced, public perceptions of police legitimacy are also diminished, and in turn compliance is impacted (Sunshine & Tyler, 2003).

PJT, Visibility & Technology

There are questions around the extent to which policing processes involving cameras and the recording of footage are transparent and visible – and concerns around the impact of this on procedurally just encounters (St Louis et al., 2019).



Current & Near-Future Police Drone Use

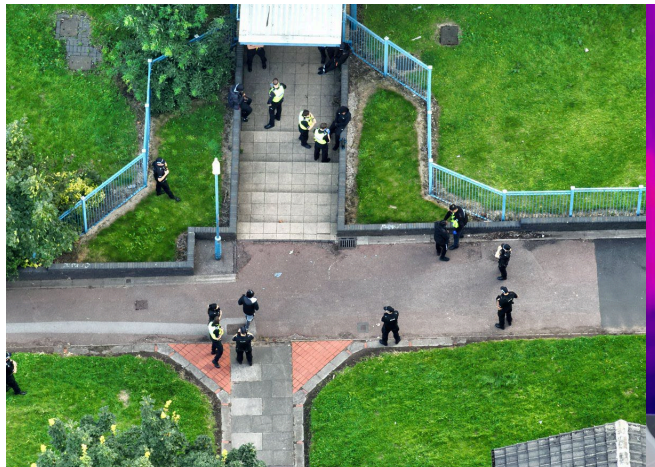


(Home Office, 2019).

Current Police Drone Use

In UK policing, drones primarily used for:

- Evidential searches
- Missing Persons searches
- Events policing
- Antisocial behaviour policing
- Narrative viewpoints– i.e. reconstructing driver's view at an RTC



Near-Future Police Drone Use

- NPAS trialling fixed-wing payload carrying drones, to explore the extent to which current systems and technology used on helicopters and fixed-wing can be transferred to drones, without loss of quality.

- NPCC backed trial of Drones as First Responders (DFR)
  "DFR is Drones as First Responders and is essentially 'drones in boxes' at strategic locations…t it is completely remote…How do we get livetime situational awareness?" (Police Advisor).

- Small drones, bespoke for internal searches, can be used with First-Person View headset, to be used in high-risk jobs such as firearms incidents – already used in some forces but not seen in our partner forces.

(In)Visibility: Definitions & Practice of Covert & Overt Drone Use

(In)Visibility at Height

Definitions In Legislation

"Surveillance is covert if, and only if, it is carried out in a manner calculated to ensure that any persons who are subject to the surveillance **are unaware that it is or may be taking place**" (Regulation of Investigatory Powers Act 2000).

"…Members of the public should be made aware that such systems are in use. For example, by virtue of cameras or **signage being clearly visible**" (RIPA 2000).

"…account should be taken for the reduced visibility of a device at altitude" (Home Office, 2018).

"Unless sufficient steps have been taken to ensure that participants in the demonstration are aware that aerial surveillance will be taking place, such activity should be regarded as covert" (Home Office, 2018).

Definitions in Practice

"It's probably not lost on you, the fact that the big whirly bird [helicopter] up in the sky is generally quite noisy, so whatever you're looking at or whatever you're trying to look at, it immediately disrupts that activity. **The drone can be a little bit more erm covert, is a word I use carefully because we're not, we're doing it overtly**. But it doesn't immediately disrupt the goings on the ground" (Drones Team Officer, Force 2).

The officer explains that the drone use is overt, because we are in a marked car and they are in uniform, adding, "but if we want to do anything **without attracting attention** the [Dji] Mini is better, as its less obvious than the Matrice [M30]" (Field Notes, Force 3).

Conclusions & Recommendations

Recommendations

- There is a need to ensure both **physical visibility of aerial resource**, as in existing guidance; “For example, by virtue of cameras or signage being clearly visible” (RIPA).....but also to **improve visibility with regards to public perception** about how this technology is used in policing:

  “I think a lot of that [fear of surveillance] comes back to our engagement with the public in the first place…it’s that kind of awareness of that, things like the ‘Sky Coppers’ does a great job in saying actually ‘what we do is catch the bad guys, you know, we aren’t there sitting watching your back door’” (Police Advisor).

Recommendations

- “the drone use is overt, because we are in a marked car and they are in uniform” (Field notes, Force 3).

- Further attention needed to the importance of identifiability to the public, as this will be further problematised, if drones can fly Beyond Visual Line of Sight.

- Potential, in the next 5 years for BVLoS drones which fly several miles from a launch vehicle/site or their pilot, making it much harder for those on the ground to identify it as a police resource.

Recommendations

- There is a need to ensure both physical visibility to the public, as in existing guidance but also to inform the public about how this technology is used in policing.

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Conclusions

- Improved, technologically-mediated visibility for Police – ‘Eye in the Sky’
- Definitional issues surrounding covert and overt surveillance, in theory & in practice
- Visibility for the public – Transparency of process and physical visibility of policing by drone – potential impacts on legitimacy, trust and confidence.
- Looking forward there is a need to see technological capability, legislation and public perception and need as interlinked factors in the adoption of new policing technology:

  Developments in technological ability & legislation coming (BVLoS and small drones) but less clarity on public understanding, perception and confidence in the use of drones in policing.

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- **THANK YOU!**
- **Please keep in touch**

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