

# Photography advice

The Metropolitan Police Service's approach towards photography in public places is a subject of regular debate.

We encourage officers and the public to be vigilant against terrorism but recognise the balance between effective policing and protecting Londoners and respecting the rights of the media and the general public to take photographs.

Guidance around the issue has been made clear to officers and PCSOs through briefings and internal communications. The following advice is available to all officers and provides a summary of the Metropolitan Police Service's guidance around photography in public places.

## Freedom to photograph/ film

Members of the public and the media do not need a permit to film or photograph in public places and police have no power to stop them filming or photographing incidents or police personnel.

## Terrorism Act 2000

### Photography and Section 44 of the Terrorism Act 2000

The Terrorism Act 2000 does not prohibit people from taking photographs or digital images in an area where an authority under section 44 is in place.

Officers have the power to view digital images contained in mobile telephones or cameras carried by a person searched under S44 of the Terrorism Act 2000, provided that the viewing is to determine whether the images contained in the camera or mobile telephone are of a kind, which could be used in connection with terrorism. Officers also have the power to seize and retain any article found during the search which the officer reasonably suspects is intended to be used in connection with terrorism.

Officers do not have the power to delete digital images or destroy film at any point during a search.

### Photography and Section 43 of the Terrorism Act 2000

Officers have the power to stop and search a person who they reasonably suspect to be a terrorist. The purpose of the stop and search is to discover whether that person has in their possession anything which may constitute evidence that they are a terrorist.

Officers have the power to view digital images contained in mobile telephones or cameras carried by a person searched under S43 of the Terrorism Act 2000 to discover whether the images constitute evidence that the person is involved in terrorism. Officers also have the power to seize and retain any article found during the search which the officer reasonably suspects may constitute evidence that the person is a terrorist. This includes any mobile telephone or camera containing such evidence.

Officers do not have the power to delete digital images or destroy film at any point during a search.

### Section 58a of the Terrorism Act 2000

Section 58a of the Terrorism Act 2000 covers the offence of eliciting, publishing or communicating information about members of the armed forces, intelligence services or police.

Any officer making an arrest for an offence under Section 58a must be able to demonstrate a reasonable suspicion that the information was of a kind likely to be useful to a person committing or preparing an act of terrorism.

It should ordinarily be considered inappropriate to use Section 58a to arrest people photographing police officers in the course of normal policing activities, including protests, as without more, there is no link to terrorism.

There is however nothing preventing officers asking questions of an individual who appears to be taking photographs of someone who is or has been a member of Her Majesty's Forces (HMF), Intelligence Services or a constable.

### **Guidelines for MPS staff on dealing with media reporters, press photographers and television crews**

Members of the media can, like any other person, be stopped and searched under s44 of the Terrorism Act 2000. They may also be stopped and searched under S43 of the Terrorism Act 2000 if an officer reasonably suspects that they are a terrorist. However, where it is clear that the person being searched is a journalist, officers should exercise caution before viewing images as images acquired or created for the purposes of journalism may constitute journalistic material and should not be viewed without a Court Order.

Contact with photographers, reporters and television crews is a regular occurrence for many officers and staff. The media influences our reputation so it's crucial to maintain good working relations with its members, even in difficult circumstances.

Following these guidelines means both media and police can fulfil their duties without hindering each other.

### **Creating vantage points**

When areas are cordoned off following an incident, creating a vantage point, if possible, where members of the media at the scene can see police activity, can help them do their job without interfering with a police operation. However, media may still report from areas accessible to the general public.

### **Identifying the media**

Genuine members of the media carry identification, for instance the UK Press Card, which they will present on request.

### **The press and the public**

If someone distressed or bereaved asks the police to stop the media recording them, the request can be passed on to the media, but not enforced.

### **Access to incident scenes**

The Senior Investigating Officer is in charge of granting members of the media access to incident scenes. In the early stages of investigation, evidence gathering and forensic retrieval take priority over media access, but, where appropriate, access should be allowed as soon as is practicable.

## **Film Unit**

The aim of the Metropolitan Police Service Film Unit is to be a central point of contact, to co-ordinate, facilitate and bring consistency to those people filming in London with MPS support.

We work together with Film London and stakeholders of the Film London Partnership to make London accessible, whilst minimising inconvenience to Londoners and increasing the economic benefits of filming.

For more information please visit the [Film Unit web site](#).