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Abstract | Police body-worn camera (BWC) technologies—affixed to a vest, sunglasses or cap—are deployed by all Australian police agencies, including in frontline responses to domestic and family violence (DFV). This paper presents the findings from the first Australian study focused on how women DFV victim-survivors view and experience BWCs in police call-outs and legal proceedings. Informed by a national survey of 119 victim-survivors, it explores two key concerns relating to the potential consequences of BWC footage: (1) it may facilitate misidentification of the primary aggressor, and (2) perpetrators may use the BWC to present (false) evidence of themselves as blameless.

How police body-worn cameras can facilitate misidentification in domestic and family violence responses

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Introduction

Police body-worn camera (BWC) technologies—a video recording device attached to an officer’s vest, cap or sunglasses (Axon 2017)—have been widely adopted internationally (Iliadis et al. 2022; Miranda 2021; Vakhitova et al. 2022), and increasingly so in domestic and family violence (DFV) policing contexts. In Australia, BWCs were variously introduced in Australian jurisdictions from 2015, including in Queensland (Queensland Police Service 2015). In New South Wales, BWCs were introduced across some police commands in 2015 to facilitate the admissibility of pre-recorded evidence (as evidence-in-chief, in whole or in part; Procopis 2018). Prior to this, however, New South Wales was already using hand-held devices, also known as ‘mobipols’, to take digitally recorded evidence-in-chief in DFV incidents (see Simpson 2021). Following the recommendations of the Royal Commission into Family Violence (2016), Victoria piloted BWCs in DFV cases.



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Policy and practice shifts led to the uptake of BWCs in other Australian states, including Western Australia (trialled in 2016 for six months and deployed to all frontline officers by June 2019; see Clare et al. 2021); the Northern Territory (widely disseminated in 2017 following 2016 pilots); Tasmania (trialled in 2018 and expanded in 2019; see Tasmania Police 2018); South Australia (commenced implementation in 2016 and completed rollout by 2017); and the Australian Capital Territory (in 2022).

To date, research has identified mixed results on the utility, benefits and risks of BWC deployment in DFV cases. Some research with police participants has found that BWCs are generally effective in enhancing frontline responses, including for victim-survivors (Katz et al. 2014; Lum et al. 2020; McCulloch et al. 2020; Morrow, Katz & Choate 2016; Owens, Mann & Mckenna 2014). Other research has highlighted that, given the incident-based and visual focus of the medium, there is a risk that the effects of violence (such as trauma) may be misinterpreted and there is the potential for misidentification of the primary perpetrator to occur (Harris 2020; Iliadis et al. 2022; Vakhitova et al. 2022). The impacts of misidentification may result in criminalisation of victim-survivors for other offences, removal of their children or convictions for perjury if there is deviation from recorded footage in court statements (Iliadis et al. 2023). Despite the potential of BWC technology to improve frontline responses to DFV, Australian research on BWC use in DFV contexts or DFV-focused initiatives is scant, and victim-survivors have largely been overlooked in research to date. Responding to this knowledge gap, this paper draws on a survey of 119 victim-survivors to provide a deeper understanding of whether and how the presence of BWCs affects victim-survivors' perceptions of and experiences with police in frontline responses.

Background

'Misidentification' refers to a victim-survivor being falsely identified as a primary aggressor (perpetrator) by police (Reeves 2021). In the United States, reviews have considered how pro-arrest, mandatory arrest and dual arrest policies and 'pro-prosecution' cultures may contribute to or facilitate misidentification (Goodmark 2021: 18; Larence & Miller 2017). In Australia, research has investigated how the risk of misidentification is heightened for some cohorts, such as Aboriginal and Torres Strait Islander women (Nancarrow, Thomas & Ringland 2020), and found that 'poor' police practices, and limited understandings of DFV, are contributing factors in misidentification processes (Nancarrow, Thomas & Ringland 2020; Reeves 2021).

Research further suggests that, beyond misidentification, victim-survivors can also be disadvantaged when they do not behave as expected by police, resulting in them being viewed as less credible (Ask 2010). Here, it is key to emphasise that trauma (both neurological and psychological) may impact the expression and regulation of emotion (and dissociation), concentration, recall and memory, reasoning and communication (Harris 2020). Trauma can present as reactions that result from sympathetic hyperarousal and parasympathetic hypoarousal states (Corrigan, Fisher & Nutt 2011). Hyperarousal can produce typical fear responses, such as crying, shaking and anger, whereas hypoarousal can result in numbed and 'shut down' responses (Corrigan, Fisher & Nutt 2011). These are all responses that could be displayed by victim-survivors when encountering police during a DFV incident.

Research shows that trauma is under-detected and not well understood by state agents (Franklin et al. 2020; Salter et al. 2020) and that police officers may judge such responses as disproportionate to DFV victimisation, with women more likely to be believed when they show what are perceived as ‘proportional’ signs of despair and sadness (Bollingmo et al. 2008). Deviations from ‘expected’ responses are said to both lower a victim-survivor’s credibility (Rose, Nadler & Clark 2006) and result in their misidentification (Harris 2020).

Misidentification can likewise result from state agents misreading women’s actions, including their reaction to violence, such as violent resistance (Hester 2012; Johnson 2010; O’Dell 2007). Women might not classify their actions as self-defence to officers at the time (Harris 2020; Larance & Miller 2017), and research has found that perpetrators can wound themselves in an effort to portray women as violent, or as having initiated the violence (Dichter 2013; Miller 2005). Central to recognise, too, is perpetrators’ image management. This includes their ability to excuse, deny and justify their actions, and manipulate officers into thinking that they are the victim or the woman is acting ‘irrationally’ (Bancroft 2002; Ferguson 2021). In these instances, women have expressed concern about how they are perceived in BWC footage (Harris 2020).

Conceptual framework

This project was underpinned by feminist critiques of police and legal responses to DFV. Feminist theories acknowledge how the law and state agents have contributed to the subordination of women who allege violence. These perspectives challenge assumptions about women, gender and DFV perpetration and redefine the law to empower women’s autonomy, agency and control (Carmody & Carrington 2000). Conceptualising this project from a feminist perspective is critical because research consistently shows that dominant representations of DFV are characterised by empirically false narratives about what violence against women ‘looks’ like and the contexts in which it manifests (Harris 2020). These narratives, which mostly centre on acts of physical violence, can dilute victim-survivors’ experiences of other harms (Harris & Woodlock 2022). State responses to DFV have long been criticised for undermining victim-survivors’ credibility and discouraging them from help-seeking and responding to DFV (Royal Commission into Family Violence 2016). A feminist-informed framework was therefore vital in this study.

Methodology

This paper presents the findings from a larger project that examined how DFV victim-survivors perceive and experience BWC technology and whether BWCs can reduce the negative impacts associated with state responses to DFV (Iliadis et al. 2024). The project received ethical approval from Deakin University’s Human Research Ethics Committee (number: 2019-297). A mixed-method research design was used. Phase one involved an anonymous online national survey of 119 victim-survivors. Phase two involved conducting semi-structured interviews with 14 victim-survivors. In this paper, we present the survey findings focused on the misidentification of primary aggressors.

Data collection

Participants were recruited with assistance from the Women's Services Network and Women's Legal Services Queensland, who disseminated the survey to victim-survivor members via internal agency news bulletins and social media. We do not know how many victim-survivors were invited to complete the survey because the victim support sector facilitated survey recruitment via their networks of victim-survivor advocates. Because the survey was disseminated via their social media networks as well, it is impossible to determine how many victim-survivors would have been exposed to the survey and/or received a personal invitation to participate.

A total of 119 participants started the survey, of which 108 answered the survey completely. Of those who did not finish the survey, the rate of completion ranged from 73 percent to 90 percent. The data collection took place between 18 June 2021 and 22 February 2022. Participants were informed that their participation was anonymous and that they could withdraw from the survey at any time without providing a reason. The survey was pilot tested by a DFV agency and modified based on its feedback.

The online survey instrument was designed using Qualtrics and took approximately 15 minutes to complete. Informed by a mixed-method research design, it featured both closed- and open-ended questions. While some questions asked victim-survivors to reflect on their experiences with BWCs, the survey also included perception-based questions, so that victim-survivors who had not experienced BWCs were also eligible to participate. Responses were analysed against participants' sociodemographic characteristics, including age, gender, state or territory of residence, and language spoken at home. Pseudonyms were applied to open-ended responses, such as 'P001' for 'participant number 1'.

Analysis

In this paper we sought to examine how victim-survivors perceive and experience BWC technology. To this end, statistical and qualitative analyses were undertaken. First, we conducted an exploratory data analysis, including univariate statistics for each variable of interest, and an analysis of bivariate relationships between the variables. The quantitative analyses were undertaken using R for Windows, version 4.2.1 (R Core Team 2021; a language and environment for statistical computing), and R Studio, version 22.07.1 + 554.pro3 (RStudio Team 2020). Descriptive statistics were calculated using Base R; the plots were produced using the packages *tidyr*, *plyr*, *ggplot2* and *tidyquant*.

A thematic content analysis was then applied to the open-ended responses. Microsoft Excel was used to code these responses, first descriptively, then interpretatively, before overarching themes were identified (King, Horrocks & Brooks 2019). Double-coding was used to improve the validity of the findings (see Iliadis et al. 2024 for methodology and analysis details).

Limitations

The findings of this study should be considered in light of some limitations. Firstly, the survey distribution was facilitated by an organisation located in Queensland (Women’s Legal Services) and the Women’s Services Network, Australia’s peak body for specialist women’s domestic and family violence services. While other organisations were invited to offer recruitment assistance, these two agreed to help. However, this resulted in survey sample bias because respondents living in Queensland were over-represented. Additionally, the study solely relied on an online survey, rendering it a non-representative sample.

Results

Table 1 presents the sociodemographic characteristics of the survey sample analysed in this study.

Variable	N	%
Age (μ , <i>SD</i>)	42	10.3
Gender		
Woman (female)	109	92.0
Man (male)	7	5.9
Non-binary	1	0.8
Other	2	1.7
Residence		
Qld	65	54.6
NSW	19	16.0
Vic	18	15.1
Tas	7	5.9
ACT	3	2.5
WA	3	2.5
SA	3	2.5
NT	1	0.8
Primary ancestry		
Australian	50	42.0
English	40	33.6
German	4	3.4
Indian	3	2.5
Indigenous Australian	3	2.5
Language spoken at home		
English	106	89.1
Spanish	4	3.3
Other	9	7.6

Note: Percentages may not add up to 100 due to rounding

Participants averaged 42 years of age (ranging from 21 to 69 years). Those identifying as women accounted for nearly 92 percent of the total sample ($n=109$). Only seven participants identified as men (5.9%) and one (0.8%) as non-binary. Two participants (1.7%) described their gender identity as 'gender-queer' and 'transgender woman', respectively. Most participants resided in Queensland ($n=65$, 54.6%), New South Wales ($n=19$, 16.0%), Victoria ($n=18$, 15.1%) and Tasmania ($n=7$, 5.9%). There were fewer participants living in the ACT ($n=3$, 2.5%), Western Australia ($n=3$, 2.5%), South Australia ($n=3$, 2.5%) and the Northern Territory ($n=1$, 0.8%).

Participants mostly identified their primary ancestry as Australian ($n=50$, 42%) or English ($n=40$, 33.6%), followed by German ($n=4$, 3.4%), Indian ($n=3$, 2.5%) and Indigenous Australian ($n=3$, 2.5%). Two participants (1.7%) identified as each of Chinese, Irish, Scottish, Dutch and Spanish. One participant (0.8%) identified as each of Filipino, Greek, Polish, Russian, Guinean, Hispanic and Swedish. The language most commonly spoken at home was English ($n=106$, 89%), followed by Spanish ($n=4$, 3.3%). Other languages spoken included Hindi, Swedish, Mandingo, Odia, Russian, Polish, German and Tagalog.

Experiences with police body-worn cameras

Thirty-seven (31%) participants had encountered BWCs in a DFV call-out, 19 (15%) reported not having experienced BWCs to the best of their knowledge and five (4%) indicated that they were not sure if they had encountered BWCs. Of those who had encountered a BWC, 13 had only one experience (35%), seven had two experiences (19%) and the rest had three or more encounters ($n=17$, 46%). This suggests that almost one-third of our sample ($n=37$, 31%) had encountered BWCs on one or more occasions.

Participants who had firsthand experience with BWCs mostly felt that the technology was beneficial, with an average score of 5.21 ($SD=2.21$) on a 7-point Likert scale (1='strongly disagree', 4='neither agree nor disagree', 7='strongly agree'). On a 7-point Likert scale using the same measurement as above, participants involved in a DFV incident that was not recorded also generally agreed that it would have been beneficial to have BWCs present, with an average score of 5.27 ($SD=1.54$). The standardised mean difference between the scores of those with and without firsthand experience was not statistically significant.

Only three participants (8.1%) said that police explicitly asked for their permission to record the incident (1 Qld, 2 NSW), while nine (24.3%) stated that they did not (all Qld). A further 40 percent ($n=15$) reported that the police did not ask for their permission, and instead notified them that the scene was being recorded (1 ACT, 1 SA, 1 Vic, 6 NSW, 6 Qld). The rest did not know or could not remember ($n=10$, 27%).

The impacts of BWCs

On average, participants were supportive of the use of BWCs in response to DFV, with an average score of 5.86 ($SD=1.51$) on a 7-point Likert scale (1='extremely unlikely', 4='neither likely nor unlikely', 7='extremely likely'). However, while generally supportive of their use, just over 32 percent ($n=38$) raised concerns about BWC applications in DFV incidents.

To gain insight into the potential consequences of BWC use, participants were asked about the likelihood that BWCs would result in victim-survivors being identified as abusers. Participants were somewhat concerned about this possibility, with a median score of 5.29 ($SD=1.95$) on the same 7-point Likert scale as above.

Misidentification of the primary aggressor

Our thematic analysis of 26 (21.8%) open-ended responses provided insight into how and why victim-survivors perceive that BWCs could lead to misidentification of the primary aggressor. Four key themes arose, which we discuss below.

'Ideal victim' constructions

Participants expressed concern about how they would be perceived and responded to as a result of the BWC footage. As one participant noted, 'Victims are expected to be calm and rational during an incident or it may result in the footage being used against victims' (P008). Another shared that this had happened in their case:

It [the BWC footage] was used against me as I didn't say the right words such as 'I need help' or 'I am fearful'. Despite calling the police myself under extreme stress, I was unable to say these words to their liking, giving them the opportunity to turn the events on me. (P057)

Another participant similarly described being 'hysterical and misunderstood' in the BWC footage when her perpetrator made it look like she was responsible for initiating the abuse upon police arrival (P005).

Use of force (violent resistance and self-defence)

One participant described how they were 'painted as a neurotic female, [who was] paranoid [and] overreacting', and expressed concern that, as a result, the footage 'could be used inappropriately out of context' (P012). This fear was realised by several other participants, who stated:

The officer didn't know what she was doing and then proceeded to record me and tell me that I was in the wrong, that she had evidence and my reaction was being recorded ... [which I thought was] disgusting. (P106)

Not all domestic violence is visible and the victim can be mistaken as the abuser in these moments as they are triggered and acting out of survival responses. Then used as evidence, it does not show emotional and verbal abuse, the control and manipulation and coercion. (P069)

Perpetrator image management

Some participants cautioned that perpetrators can seek to manage their image and deny, minimise, excuse or justify their behaviours (see Bancroft 2002), which can skew police impressions and subsequent interpretations of BWC footage:

The abuser often puts on a show for cameras. They could be nice as pie and make it seem like it was the person who was abused that was at fault. It could also make the abuser more angry that the police have been involved and make it more dangerous for their victim. (P022)

Perp[etrators] are clever ... The perp[etrator] turns police against you and they [the police] don't believe you. The footage only damaged my case, as the assault by [the perpetrator] was done before they got there ... so only my reaction [was] recorded. [The footage was] useless and detrimental to me. (P005)

As a victim, I understand that the high level of stress often makes the victim look like the perpetrator. While the real perpetrator can turn off their distress and act cool and calm and continue to point the blame at the victim. (P081)

Another participant identified perpetrator strategies in relation to image management and manipulation specific to Aboriginal and Torres Strait Islander people:

... the victim could be wrongful[ly] accused; that has happened in Indigenous communities in [the] Northern Territory; the coercion, control and manipulation isn't seen, just the person triggered melting down. Predators can use this as a control tool. (P069)

In one example, a participant noted some benefits of BWCs in instances where perpetrators deflect police attention on them and frame the victim-survivor as the primary aggressor:

I was strangled by my ex-partner ... and called the police for help. He lied to the police and claimed I stabbed him with a pair of scissors, which I did not. Because he had a 'wound' and stitches in his hand (which I believe were self-inflicted), the police arrested and charged *me* [emphasis added] for assault occasioning grievous bodily harm ... The video from the body camera they took at my home ... actually came in handy because when they questioned him ... I had footage of the constable putting words into his [the ex-partner's] mouth, which I later questioned in court. (P066)

In this example, the victim-survivor noted the benefits of the footage, insofar as it allowed their victimisation experience to be validated, and avoided their criminalisation as the aggressor. However, this was not the experience or perception of all participants:

My abuser could swing wildly between meek and accommodating to aggressive and violent. I'm sure a camera might capture a tiny misleading snapshot of how he behaves. What happens if the camera records him ... saying something as if he's the victim—what chance will I ever have of convincing anyone else that he's lying when there's footage? (P078)

Police knowledge and training

Participants noted that BWC footage can be ‘a good tool but only part of the toolbox’ (P098) for strengthening evidential cases and risk assessment processes. However, they also observed that the utility of BWCs is reliant on police training, as one participant explained:

I think it [BWC footage] can be beneficial as it provides concrete proof of what the perpetrator and victim have said and can be used in evidence. Often the perpetrator will later downplay the scenario but the recording is proof for the victim. However, unless the officers present are trained in DV [domestic violence], behaviours displayed by the victim can be misconstrued and used against them. (P086)

Another claimed:

My concerns are in relation to how police understand and interpret the evidence captured on BWCs which can misidentify the primary perpetrator or collude with the primary perpetrator. Especially in the context of intersectional issues, such as the presence of alcohol and other substances; the unwillingness and/or fear of the victim to be seen to invoke the police. There is still a need to gather evidence, especially the history of DFV, to assess and manage risk. (P014)

One participant recounted their experiences of being ‘scared’ when police attended a DFV call-out, while their husband was ‘calm’ (P095). This participant stated that they were worried about ‘how the reality of the situation would be captured on a camera’ and interpreted by ‘untrained police’ (P095). Another participant cautioned that ‘police can sometimes not see injuries or recognise trauma responses or indicators of strangulation at incidents’ (P117).

The training and understanding of the police who are at the call-out was also reflected on by another participant:

The skill level of police and the DFV sector is important, as [are] general community attitudes and beliefs about DFV. BWCs will not compensate for an unskilled workforce or community and police bias. A BWC ... tends to capture the ‘after’ and victim’s responses, which can be misunderstood by law enforcement. (P014)

In a similar vein, another participant observed:

BWCs are only as good as the officers wearing them. Training needs to occur and officers and police districts need to be open to reviewing decisions and changing them in line with coercive control patterns, and who is most in need of protection. (P116)

Discussion

The victim-survivor participants in this study identified some benefits of BWCs (see also Iliadis et al. 2024). For instance, some described how the BWC footage could document their abuse and provide tangible evidence of the incident, or part of it, to the police. This could therefore lead to recognition and validation of their victimisation. Consequently, some victim-survivors believed that BWCs could be a useful addition to operational police practice, particularly in informing regulation and risk-assessment processes, because the footage was said to strengthen evidence collection of DFV at call-outs. However, participants stated that these benefits could only be realised if officers were adequately trained to identify, recognise and understand DFV and its effects, as well as how perpetrator image-management occurs. Thus, some victim-survivors expressed concerns that BWC footage could contribute to or increase the likelihood of misidentification of the primary aggressor, especially where officers are not trauma-informed.

Mirroring the findings of prior research, which show that victim-survivors need to maintain an ‘appropriate’ veneer of victimhood to have their experiences of abuse recognised and validated by state agents (Bollingmo et al. 2008), the victim-survivors in this study raised concerns about how their reactions at the scene might later be interpreted. In particular, they feared that officers’ failure to recognise the effects of trauma and how it manifests could lead to assumptions about how ‘credible’ victim-survivors ‘should’ behave in DFV situations, and this might even result in misidentification.

If police training and education includes modules on trauma and a trauma-informed lens is adopted in practice, then victim-survivor reactions would be understood as visual evidence of trauma and the effects of DFV. However, as the participant statements show, women are not confident that state agencies currently recognise this. Indeed, as some accounts detail, this can result in women being misidentified as primary aggressors. This is particularly concerning for some communities, such as First Nations women, who are already over-represented in charge and arrest rates (Nancarrow, Thomas & Ringland 2020). Research has found that women worry that their use of force—whether as resistance or reactive or protective violence—will be misread and result in misidentification (see also Harris 2020; Johnson 2010; Reeves 2021). Similar concerns were raised in our study.

At the forefront of participants’ minds was not only how they were viewed—at the scene and in footage—but also how perpetrators were viewed. Crucial here is understanding and recognising the false narrative that perpetrators may create, including by self-harming and suggesting that they have been attacked (Dichter 2013; Miller 2005). Additionally, perpetrators will commonly deny, minimise and justify their actions, as well as manipulate police (and others who view footage, such as in courtrooms), which participants felt could result in misidentification. Our findings thus provide further support for training police in perpetrator strategies (Ferguson 2021) and how perpetrators can manipulate their image and recruit allies and sympathisers.

Our findings also highlight that there are risks and unintended consequences of using BWCs in DFV policing. Mitigating these relies on the capacity of police to understand and identify ongoing patterns of DFV within the broader contexts in which it occurs. Trauma-informed training is essential if this is to occur.

Future directions and recommendations

Our findings are of direct benefit in informing the development of policy responses around BWC use in DFV contexts. The findings also have strong potential to inform police and judicial practice in Australian states and territories (and international jurisdictions) that lack experience with BWC use in DFV-specific applications or are seeking to review the impact of this technology and their policing of DFV. Further, the findings can support DFV stakeholders who assist victim-survivors and provide an evidence base to inform policy and guidelines around the use and operation of BWCs, to determine whether this technology is meeting its intended objectives as a response to the problem of DFV.

We urge future research to prioritise victim-survivor voices in considering the merits and risks of BWCs. Their lived experience and expertise offer key insights and lessons about BWCs and justice responses.

We hope that justice agencies are attentive to the issues raised by victim-survivors and heed their words of caution and recommendations in reviewing BWC applications and DFV policy and practice. In particular, we advocate for a trauma-informed lens to be adopted, particularly in police training. Connected to this, greater awareness of perpetrator strategies and presentations is critical, and should be incorporated into police education programs. Finally, understanding the ways that victim-survivors use force—as resistance, reactive or protective force, and self-defence—is vital. It is clear that DFV victim-survivors are frequently being misidentified as the primary aggressor, and many in this study either had been misidentified themselves or shared their concern about the likelihood of this occurring. But if there is heightened recognition of the impacts of DFV perpetration and perpetrators' manipulative strategies, then the interpretation of the behaviour of both victim-survivors and perpetrators in call-outs and BWC footage will be manifestly different, and the likelihood of misidentification reduced.

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