

# The briefing

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## CCTV

This Police Foundation Briefing looks at existing legislation on CCTV and identifies some of the key issues arising from the growing use of cameras.

### What is CCTV?

Closed Circuit Television is a camera surveillance system set up to monitor activities or areas. The main purpose of CCTV is to investigate crime, to deter and detect crime from car theft and burglary to anti-social behaviour, and to reduce the fear of crime<sup>(1)</sup>.

Camera technology has gradually become more and more sophisticated resulting in cameras which can tilt, pan or zoom. Some have infrared capability allowing for recording in pitch darkness and some are able to focus in on a book or cigarette packet from over 100 metres.

CCTV cameras can be operated from a manned control room, allowing an observer to

call the police in case of trouble. Commonly, however, images are captured and viewed after a crime has been committed. There is no legal limit on how long images can be stored, but they should not be kept for longer than is strictly necessary. Police storage of CCTV images varies from force to force from between one and 16 months<sup>(2)</sup>. The Home Affairs Select Committee Report recommended that the storage time limit should allow sufficient time to analyse the

*Underneath the Trocadero in London is a control room with a wall of 160 cameras capturing images from streets and parks across London's West End. Control room staff monitor the cameras 24 hours a day, looking for suspicious and criminal activity.*

information but remain in keeping with the policy of data minimalisation.

## CCTV in the UK

The United Kingdom is the leading nation on CCTV technology and has installed more cameras than any other country. There are now an estimated 4.2 million CCTV cameras in the UK – one camera for every 14 people. A Londoner is likely to be caught on camera approximately 300 times a day.

In November 2006 the Information Commissioner Richard Thomas stated: “Two years ago I warned that we were in danger of sleepwalking into a surveillance society. Today I fear that we are in fact waking up to a surveillance society that is already all around us.”<sup>(3)</sup> How did the UK come to this point?

CCTV was used sparingly and mainly for traffic offences up until 1993, when cameras in a shopping mall in Liverpool captured the moment toddler James Bulger was led away from his mother. The footage was a key element in solving the toddler’s disappearance and it shocked the nation to learn that the perpetrators were two ten-year-old boys.

Between 1994 and 1999 the Government allocated £38.5 million to fund 585 CCTV projects. The then Home Secretary, Michael Howard, expounded the virtues of CCTV, describing it as “a wonderful technological supplement” and “a real asset to communities”.

In 1999 the Home Office set up the CCTV Initiative under the Crime Reduction Programme and £170 million was made available for a further 684 CCTV schemes. In the last decade, the Government has spent 78

per cent of its crime prevention budget on CCTV<sup>(4)</sup> – an estimated £500 million.

The events of 9/11 in 2001 raised public fear of terrorism and CCTV footage of the London bombers strengthened the case for further expansion. The view that only those with something to hide should object to being monitored prevailed. Since then, however, the Information Commissioner’s Office has raised serious concerns about CCTV fostering a climate of suspicion and undermining trust<sup>(5)</sup>, which may in turn undermine attempts to improve relationships between the Muslim community and the police, and subsequent efforts to prevent radical extremism<sup>(6)</sup>.

## The Law on CCTV

Anyone is allowed to install a CCTV camera as long as it is in accordance with Article 8 of the European Convention on Human Rights (ECHR) and the Data Protection Act 1998<sup>(7)</sup> however all CCTV systems that record data must be registered with the Information Commissioner’s Office.

### The Human Rights Act 1998

The Act came into force on 2 October 2000, incorporating Article 8 of the ECHR into UK law. The Home Office advice<sup>(8)</sup> for local authorities on how to comply with Article 8 is to ensure the gathering of data is:

- proportionate
- legal
- accountable
- necessary and
- the operation of the system causes minimum interference to privacy.

The Information Commissioner’s Code of Practice<sup>(9)</sup> advises businesses to consider alternative solutions to CCTV where possible,

such as better lighting, and states that conversation should not be recorded.

### The Data Protection Act 1998

Under the DPA:

- Data must be gathered fairly and lawfully.
- Signs stating that CCTV is in operation must be visible.
- Data must be captured for the original purpose of the scheme.
- Images captured must be relevant.

*In January 2006, two council workers who trained a CCTV into the home of a woman to watch her dress were jailed for voyeurism and misconduct<sup>(10)</sup>.*

The DPA also covers how recorded data should be handled, ensuring that it is accurate and fair and that it is kept securely and for no longer than necessary. The Code of Practice requires consideration of who should be responsible for viewing and analysing the data and the set up of procedures for recording the captured images faithfully. **If you are captured on CCTV you do have the right to view the footage under the Freedom of Information Act 2000, subject to payment of an administration fee.**

### The Regulation of Investigatory Powers Act 2000 (RIPA)

RIPA regulates surveillance including the method of data gathering and use of the information gained. It contains a list of organisations that are able to view surveillance data, which was extended to include local councils in 2003 by the then Home Secretary David Blunket. However there has been considerable criticism of the way councils have used CCTV, from investigating dog fouling<sup>(11)</sup> to checking whether parents live in a particular school catchment area<sup>(12)</sup>.

*Brentwood Council published identifiable photographs taken from CCTV footage of a man named Mr Peck walking down the street at 11.30 pm with a kitchen knife. The man intended to commit suicide. Although the High Court upheld Brentwood Council's decision to publicise the photograph, the European Court of Human Rights held that the council had seriously interfered with Mr Peck's right to privacy under Article 8<sup>(13)</sup>.*

## Does CCTV reduce crime?

CCTV is used in crime prevention in a number of ways:

- To deter crime.
- To encourage feelings of personal safety, resulting in a higher number of people on the street (which in turn is thought to deter crime).
- To assist in the identification of offenders and hence detect more crimes and convict more offenders.
- To help to decide the level of police resources required to respond to a crime.
- To remind potential victims to be cautious.

There have been a number of important reviews into the impact of CCTV, which have looked at whether it reduces crime or just displaces it to other places, whether it assists in the detection of offenders and what impact it has on fear of crime. The evidence from these reviews suggests that the success of CCTV varies depending on where and how it is used, the type of crime committed, the quality of the images captured and the way crime prevention is measured.

### Impact on crime and fear of crime

**Overall, research suggests that cameras seem to be largely ineffective in reducing overall**

**crime rates**<sup>(14)</sup>. A Home Affairs Select Committee Report cites evidence that states that only three per cent of crimes are solved by CCTV<sup>(15)</sup>. Where crimes are not committed on the basis of rational choice, such as alcohol-related crime, the deterrent effect of CCTV is relatively weak<sup>(16)</sup>. There is also evidence to suggest that in many cases, rather than being prevented, crime is simply displaced to a neighbouring area where there are no cameras<sup>(17)</sup>.

The Home Affairs Select Committee heard evidence that only 20 per cent of CCTV footage provided to the police is usable. However, it has been shown to have a positive impact on specific forms of property and vehicle-related crime<sup>(18)</sup> although if anything it is the presence of cameras rather than the images they record which has a deterrent effect<sup>(19)</sup>.

Little evidence has been found to suggest that CCTV reduces fear of crime, and in one study it was found to have increased fear of crime among those who were aware of the cameras<sup>(20)</sup>. The Home Affairs Select Committee's Fifth Report concludes that there is little direct evidence that CCTV reduces crime or fear of crime and recommends further research before additional funds are allocated to CCTV schemes.

### Does CCTV help to detect (and convict) offenders?

The detection and identification of offenders through CCTV relies on good quality images and trained operators. In practice, police forces do not have the budget or the time to view collected footage and the quality of images often means that offenders cannot be identified from them. According to the Home Affairs Select Committee (see also below), more than 80 per cent of CCTV footage

supplied to the police is "far from ideal"<sup>(21)</sup>. However, at least one study has shown that CCTV is quite effective in detecting and identifying offenders in car parks, since in many cases large numbers of offences are committed by the same individual or group of individuals<sup>(22)</sup>.

## ANPR

Automatic Number Plate Recognition (ANPR) uses cameras to read and store the number plates of passing vehicles using pattern recognition software. It can capture the images of a large number of vehicles and alert the police to vehicles or registered owners that are wanted in connection with an offence, or where the vehicle has been linked to a crime. Images taken by a camera are stored in the National ANPR Data Centre and then cross referenced with a variety of databases including the Police National Computer (PNC), Local Force Intelligence Systems and the Driver and Vehicle Licensing Agency (DVLA). Up to 50 million licence plates a day can be stored at the ANPR Data Centre.

An evaluation of an ANPR trial undertaken between June 2003 and June 2004 showed that ANPR intercept teams stopped a total of 180,543 vehicles, resulting in over 13,000 arrests for offences ranging from theft and burglary, to drug offences and vehicle crime. During this period, the police also recovered or seized over 1,000 stolen vehicles (valued at £7.5 million) and £380,000 worth of drugs, issued over 20,000 fixed penalty notices for failing to display a road tax licence, and a further 20,000 for offences such as not wearing a seatbelt or using a mobile phone while driving<sup>(23)</sup>. The UK police are world leaders in the use of ANPR technology<sup>(24)</sup>. While it is clear from that ANPR is effective

at generating revenue and bringing some offenders to justice, it has yet to be demonstrated that it is effective in preventing crime or in disrupting serious criminal activity.

It is important to note that ANPR records data on all vehicles, not merely those vehicles in which a driver has committed an offence and that the data gathered is stored for five years. **The cameras detect images or number plates and, in some cases, a clear photograph of the driver.** Opponents such as Privacy International have criticised the storage of such images without consent and where no crime has been committed<sup>(25)</sup>.

## CCTV and the Police

Before CCTV, police relied on public and informer cooperation to report and investigate crime and surveillance was therefore limited simply by the number of police officers on the street<sup>(26)</sup>. Today, CCTV helps the police to monitor and track offenders and their offences, increase their knowledge of the community and local neighbourhoods and to closely observe known crime hotspots.

Despite the lack of supportive research evidence, the police firmly believe that CCTV constitutes a vital part of the detection process. In giving evidence to the Home Affairs Select Committee, Assistant Chief Constable Nick Gargan is quoted as saying: “Very often the first investigative action, or one of the very first investigative actions that takes place in virtually any serious crime inquiry or missing person inquiry or many other types of inquiry would be to conduct a trawl of CCTV evidence and see what that tells us.”

The police say that CCTV cameras are used to deploy officers more effectively, allowing the

scale of a situation to be assessed and responded to accordingly. Although research indicates CCTV has no effect on the deployment of officers, anecdotal evidence suggests the police make use of the cameras more informally, using footage to train or manage the behaviour of officers, for example.

CCTV is now a regular part of day-to-day policing, with CCTV footage commonly used following a crime as a forensic tool. Thousands of man hours can go into viewing and processing CCTV footage, but police officers feel the benefits of CCTV outweigh the resource input<sup>(27)</sup>. The National CCTV Strategy states that: “Despite the lack of formal research evidence, there appears little doubt that the police service utilises CCTV images in the investigative process and has had considerable success in doing so<sup>(28)</sup>.”

There are clearly cases in which CCTV footage helps to convict a suspect for a serious offence. CCTV provided important leads and was an integral part of the investigation into the July 2005 bombings. It tracked the suspects onto the tube system showing the offenders boarding trains carrying rucksacks and Ramzi Mohammed attempting and failing to detonate a bomb. Even though this required thousands of hours of footage to be viewed and analysed the images captured were circulated to the public and the jury in the criminal trial, which subsequently convicted the bombers.

## Policing and CCTV issues

Setting up and running a CCTV system involves a considerable use of human resources, with some CCTV footage requiring specialist training to interpret. Failure to check (or check effectively) CCTV footage however can have serious consequences. Kate Sheedy was run over in May 2004 by Levi Bellfield, who was subsequently convicted of attempted murder. Police were criticised for failing to view the relevant CCTV footage and had to visit the family of the victim to apologise for the mistake.

The location of the cameras inevitably dictates their use – despite the considerably high numbers of cameras in the UK, only 13 per cent of street crime occurs in a CCTV-covered area<sup>(29)</sup>, pointing towards perhaps a displacement of crime to non-CCTV areas.

The role of CCTV operators and the kind of relationship they have with officers on the street can greatly affect how the cameras are used. Not all CCTV operators receive proper training and when a situation develops quickly, a good command of the technology along with geographical knowledge of an area can influence the effectiveness of CCTV systems<sup>(30)</sup>.

In January 2007 the Visual Images, Identifications and Detections Office (VIIDO) was set up to provide a specialist CCTV forensic team. Detective Chief Inspector Mike Neville, head of VIIDO, has criticised the manner in which the police currently use CCTV cameras, emphasising the need for better training, more skilled operators and a rethink of how CCTV systems are used. He questions the huge investment in CCTV and the lack of thought that has gone into how images are

used by the police and the courts<sup>(31)</sup> and warns that the vast majority of cases fail to maximise the opportunities offered by CCTV<sup>(32)</sup>.

The police must apply for permission to view images captured by CCTV cameras belonging to private organisations or the local council. Police chiefs have requested direct access to council-run CCTV cameras and this is currently being considered by the Home Office. In order for CCTV footage to be admissible in court, it must be shown that a series of procedures have been correctly followed: date and time stamps must be accurate, the tapes must be rotated on a seven day cycle and an audit trail must be maintained. These procedures, although necessary to preserve the quality of the evidence, also take up time and manpower. There are also technological issues such as digital compatibility with often out of date court systems. But once admissible, CCTV can help to conclusively prove or disprove a charge or encourage a guilty plea, saving court time as well as help in sentencing by demonstrating the severity of an incident.

The National CCTV Strategy states that while considerable funding has been made available for the installation of CCTV equipment, a proportionate amount has not been allocated to enable the data it captures to be effectively viewed and analysed and that all too often images are of such poor quality as to be of little use.

## CCTV and society

In the 1990s, the Government's love affair with CCTV resulted in the public being bombarded with pro-CCTV publicity and positive messages from a variety of sources including government ministers, the judiciary<sup>(33)</sup> and the

media<sup>(34)</sup>. CCTV became the new panacea and was very difficult to challenge<sup>(35)</sup>.

Ten years on voyeurism has increasingly become an accepted part of our society. Reality television programmes such as Big Brother have accustomed the public to the notion of being watched, and websites like Facebook or MySpace allow access to private information from people all over the world. The number plates of our cars are automatically recorded and we are now filmed shopping, driving, travelling by train, at the airport, at sports stadiums and other public venues such as London Zoo, the National Portrait Gallery and even Westminster Abbey.

But the huge growth in the use of CCTV cameras isn't just confined to the UK. In China the number of CCTV cameras was increased substantially in time for the Olympics in 2008. CCTV was networked, linking together biometric information (including information on reproductive history), police data and camera footage. The cameras were disguised from the public by making them look like lampposts. Known as 'The Golden Shield', it can track any citizen and there are now concerns that since the cameras have been installed, they will remain<sup>(36)</sup>.

Experts say the industry in China will be worth more than £21 billion by 2010 (up from £250 million in 2003)<sup>(37)</sup> and CCTV companies elsewhere, keen for a slice of the profit, are testing the limits of their systems in China. The CCTV industry is clearly a growing economy, with predictions that it will increase by ten per cent in the run up to the London 2012 Olympics.

In its 2006 report, the Information Commissioner's Office<sup>(38)</sup> raised a number of concerns about the effect of the expansion of

CCTV on British society, including:

- the undermining of trust in social relationships
- intrusion into private life
- the lack of consent to our actions being filmed and viewed
- the potential discrimination in the decision of whom to monitor.

*"Surveillance activities can be well-intentioned and bring benefits. They may be necessary or desirable – for example to fight terrorism and serious crime, to improve entitlement and access to public and private services, and to improve healthcare. But unseen, uncontrolled or excessive surveillance can foster a climate of suspicion and undermine trust<sup>(39)</sup>."*

Research on the use of CCTV<sup>(40)</sup> suggests that ethnic minorities are disproportionately likely to be filmed, with black men twice as likely to be filmed as white men<sup>(41)</sup> and women sometimes viewed and tracked for their looks rather than for any crime-related purpose<sup>(42)</sup>. Dr Ian Forbes<sup>(43)</sup>, in his evidence to the Home Affairs Select Committee, stated that because the motive of those doing the surveilling is to "prevent, monitor and sometimes punish certain behaviours", strong concerns arise over predictive profiling. Furthermore, as CCTV is set up to catch criminals, it is easier to use it as evidence of guilt than innocence – the police may use it to prove a crime, but it is harder to use it as an alibi<sup>(44)</sup>.

Public opinion on the use of CCTV tends to be favourable, although some academics have claimed that such opinion surveys are unreliable<sup>(45)</sup>. In 2004 an Information Commissioner's Office report found that CCTV is popular with most people where it is used to

prevent and detect crime and anti-social behavior and catch perpetrators. Most people also have confidence that public authorities will use the information appropriately<sup>(46)</sup>. CCTV is also often used in other ways, such as to help locate a lost child in a supermarket or to encourage citizens to make better use of public spaces.

## CCTV – advances

Advances in CCTV technology have allowed cameras to become an even more prevalent surveillance tool:

- In March 2007 Ealing Council installed cameras hidden inside tins to catch graffiti and fly tipping offenders. The cameras are triggered by motion detectors.
- Talking CCTV cameras, which admonish people about to commit an offence, have been in use across the country. The cameras are fitted with a speaker system which allows an observer in the control room to talk to a suspect.
- ‘Smart Cameras’ both record and analyse images, automatically identifying suspicious activity or behaviour.

*In April 2007 a mother putting rubbish in the bottom of her pram was accused of littering by the talking camera. Middlesborough council subsequently apologised for the mistake<sup>(47)</sup>.*

## The Future

Despite rising concerns, there are further plans to expand CCTV systems:

- The Metropolitan Police Service is assessing a scheme whereby a camera computer would automatically recognise branded logos on clothing, speeding up the identification of suspects<sup>(48)</sup>.

- There are plans to combine CCTV data with the Facial Images National Database, allowing a computer to ‘recognise’ known criminals<sup>(49)</sup>.
- British scientists at the University of Southampton are developing cameras which identify suspects on the basis of their gait (ie how they walk or move) rather than their facial features.
- By 2012, in time for the London Olympics, hand-held police computers will be able to take fingerprints, access CCTV images and download records from the Police National Computer<sup>(50)</sup>.
- New CCTV cameras are continually being invented and developed: the Thru Vision T5000 is a camera which can identify objects underneath clothing from a distance of 25 metres.

## Conclusion

The growth in CCTV over the last 15 years has made British citizens the most surveilled people in the world. The laws and regulations governing CCTV have been slow to respond, resulting in piecemeal legislation that fails to prevent the occasional excessive use of surveillance equipment. For CCTV to be an effective police tool, greater consideration is needed of the way cameras are deployed and the quality of the images they generate. But further research is needed into how cost-effective CCTV is in helping to prevent crimes in progress as well as some of the more indirect benefits of CCTV, such as helping to train police officers or locate missing children.

Despite the lack of evidence of effectiveness, the upper echelons of the police service endorse CCTV as an effective crime-fighting tool while the public show little concern over its expansion into virtually every public (and even some private) spaces. Concerns raised by the human rights lobby and information and surveillance regulators have so far gone largely unheeded. The Home Affairs Select Committee stopped short of echoing the Information Commissioner's fears that we have become a surveillance society, but stressed the need for minimising the use of data generated by CCTV cameras, collecting only essential information and storing such information for the minimum amount of time. It called for a proper consideration of the risks and more clarity and transparency from the Government as to the purposes and use of CCTV.

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