

## THE IMPERATIVE OF REGULATING BODY-WORN CAMERAS FOR THE INDONESIAN POLICE FORCE<sup>1</sup>

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### *Abstract*

*Despite global adoption, Indonesia's criminal justice system lags in utilizing body-worn cameras (BWCs), hindered by the absence of a regulatory framework. This disparity complicates efforts to curb police misconduct, ensure accountability, and protect individual rights. The study underscores the urgency of promoting transparency and rebuilding public trust in law enforcement. It identifies a disconnect between the conceptual need for BWCs and the lack of normative support in Indonesia. Key challenges include oversimplified data classification, inadequate mechanisms for handling biometric data, and a lenient police code of ethics on evidence management. These issues pose significant challenges to the BWCs' effectiveness, undermining their potential to enhance accountability. By addressing these issues, BWCs can realize their full potential in contributing to a more accountable and ethical data protection standards.*

**Keywords:** *Body-Worn Cameras; Criminal Justice System; POLRI.*

### **A. Introduction**

In modern society, the criminal justice system plays a pivotal role in maintaining law and order, ensuring the protection of individual rights, and promoting transparency in the administration of justice (McGovern, 2017). Within this framework, the Indonesian Police Force serves as a crucial pillar, entrusted with the responsibility of safeguarding public safety and upholding the rule of law (Satria & Sumpter, 2022). However, recent incidents of alleged police misconduct and human rights violations have cast a shadow of doubt over the credibility and integrity of law enforcement practices in Indonesia. In light of these concerns, the urgency of enacting regulations to mandate the use of body-worn cameras by the Indonesian Police Force. By comprehensively examining the benefits and challenges associated with the implementation of such technology, this research underscores the pressing need for legislative action to ensure accountability, enhance public trust, as well as foster a fair and just criminal justice system.

Body-worn cameras, also known as wearable cameras or police body-worn cameras (BWCs), have gained significant attention as a potential tool to address issues surrounding police conduct and accountability (Ariel et al., 2017). These small, unobtrusive devices, typically worn on an officer's uniform, have the capability to record audio and video evidence of interactions between law enforcement officers and individuals encountered during the course of their duties (Leleux & Webster, 2020). The deployment of body-worn cameras has been widely recognized as a means to deter misconduct, provide an objective record of events, and serve as a valuable resource for

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investigative purposes (Otu et al., 2022). Such technological advancements have been embraced by numerous countries around the world, demonstrating their potential to foster transparency and improve the overall effectiveness of law enforcement agencies. Despite the widespread adoption of body-worn camera technology in various jurisdictions worldwide, the discussion surrounding the mandatory use of body-worn cameras by the Indonesian Police Force has been conspicuously absent from the discourse on the country's criminal justice system. Therefore, this research seeks to address this notable gap in scholarly and public dialogue, unveiling on the urgency of enacting regulations to oblige the Indonesian Police Force to employ body-worn cameras.

This research holds significant importance due to its potential to contribute to the improvement of the Indonesian criminal justice system. By examining the benefits and challenges associated with the implementation of body-worn cameras, policymakers, legislators, and relevant stakeholders can gain valuable insights into the practical considerations and implications of such a regulatory framework. This research aims to inform evidence-based decision-making, facilitate the development of comprehensive policies that uphold human rights, enhance transparency, and promote the fair administration of justice. Furthermore, the relative lack of discourse on this issue within the Indonesian criminal justice sphere underscores the need for focused attention and urgent action. Despite notable instances of alleged police misconduct and human rights violations, the absence of a legislative framework mandating the use of body-worn cameras has perpetuated a climate of impunity and eroded public trust in law enforcement institutions. By highlighting the urgency of this issue, this research aims to spark a renewed discussion and mobilize efforts towards implementing necessary reforms within the Indonesian Police Force.

The limited literature on the mandatory use of body-worn cameras by the Indonesian Police Force is primarily due to the absence of specific regulations obliging their utilization. This lack of specific regulations become the main reason for the research gap in this area. Existing research conducted in other jurisdictions has shown that body-worn cameras are able to enhance police accountability and transparency. The use of social usage also comes to factor in this as it allows citizens to help report and spread awareness regarding a police misconduct captured by the body-worn camera (Ramirez, 2018). Studies from some countries have even highlighted reduced complaints against officers and improved citizen-police interactions (Lum et al., 2019). However, within the Indonesian context, there is a scarcity of research on this topic.

The absence of regulations mandating body-worn camera use hinders efforts to address police misconduct and human rights violations, which can erode public trust in the police force (Akinlabi, 2020). The lack of regulations allows potential abuses to go undocumented, impeding accountability. One study actually underlined the potentials of using body-worn cameras for police work, but doesn't explain the normative issues that may arise with the existing positive laws in Indonesia (Putra & Yazid, 2022). The absence of a clear legal framework also creates uncertainty regarding data management, privacy concerns, and the establishment of guidelines. This regulatory gap contributes to the limited research in this area, as scholars find it challenging to explore the practical implications of body-worn camera deployment in Indonesia. The underexplored nature of this research topic highlights a gap in understanding the benefits and challenges specific to the Indonesian criminal justice system. It limits insights into the impact of body-worn cameras on police-community relations, fair administration of justice, and public trust rebuilding.

## **B. Research Method**

This research utilized the doctrinal legal research method to analyze the existing positive laws in Indonesia (Disemadi, 2022), particularly those related with the possibility of integrating body-worn camera into police work for the Indonesian police force. The doctrinal legal research method involved analyzing existing legal principles, statutes, and case law to systematically interpret and clarify the law within a structured framework (Tan, 2021). This research employed the statutory approach by using secondary data in the form of primary law sources. Law and regulation used in

this research are Law No. 27 of 2022 on Personal Data Protection and Regulation of the Coordinating-Minister for Political, Legal and Security Affairs No. 7 of 2022 on Code of Professional Ethics, and the Indonesian National Police Code of Ethics Commission.

## **C. Results and Discussion**

### **1. Indonesia's Criminal Justice System**

Indonesia, as a democratic nation committed to upholding human rights and the principles of justice, cannot afford to overlook the necessity of implementing body-worn cameras within its police force. Recent high-profile cases of alleged police brutality and excessive use of force have ignited public outrage and eroded public trust in the country's law enforcement institutions (Chaterine, 2022). The absence of a mandatory policy on the use of body-worn cameras leaves room for ambiguity and allows for potential abuses to occur with little to no accountability. The urgency to regulate the use of body-worn cameras arises from the need to restore faith in the Indonesian Police Force and rebuild the trust of the citizenry in the criminal justice system as a whole. It is crucial to examine the most recent perspectives on civil rights to evaluate the system's relevance and effectiveness (Mulyadi et al., 2023). As a result, people can gain insights into the role of the Indonesian National Police (POLRI) in ensuring a fair criminal justice system while also addressing human rights concerns, such as police abuse of power.

The criminal justice system in Indonesia encompasses various institutions and processes aimed at maintaining law and order while ensuring justice for all individuals involved. However, several questions have arisen regarding its compatibility with contemporary principles of civil rights. Indonesia's criminal justice system is based on the Dutch colonial system, which was adopted after independence in 1945 (Yuspin & Ajlin, 2022). The system has been criticized for being outdated and ineffective, particularly in its handling of human rights abuses. To determine whether the system is outdated, it is crucial to consider the evolving standards of human rights and evaluate the extent to which the system aligns with these principles in practice. The Indonesian National Police (POLRI) is the main law enforcement agency in Indonesia. It is responsible for investigating crimes, apprehending suspects, and enforcing the law (Ilham et al., 2023). However, the POLRI has also been accused of human rights abuses, and public trust between in the police has eroded.

Indonesia's criminal justice system is based on fundamental principles, including due process, fair trials, and the presumption of innocence (Juniarti, 2021). However, concerns have been raised related to the actual implementation and enforcement of these principles. Reports of arbitrary arrests, prolonged detentions without trial, and limited access to legal representation have highlighted potential human rights violations, questioning the fairness and effectiveness of the system. In ensuring the fairness of the criminal justice system, the role of POLRI is pivotal. As the primary law enforcement agency, POLRI is responsible for maintaining public order, investigating crimes, apprehending offenders, and presenting evidence in court. The effectiveness of POLRI's operations directly impacts the overall fairness and integrity of the criminal justice system.

Nonetheless, the issue of police abuse of power has been a persistent concern in Indonesia, giving rise to human rights issues. Allegations of police brutality, corruption, and excessive use of force have significantly impacted public perception of law enforcement agencies (Arjon, 2021). These violations not only undermine the principles of justice, but also erode public trust in the criminal justice system as a whole. Addressing human rights issues and ensuring a fair criminal justice system necessitates the adoption of measures that promote transparency and accountability. One potential solution, that can address police abuse of power, is the implementation of body-worn cameras by law enforcement officers. In order to make Indonesia's criminal justice system fairer and more effective, it is important to increase transparency and accountability, which could be done by requiring police officers to wear body-worn cameras, and creating an independent body

to investigate allegations of police abuse. It is also important to strengthen the role of the judiciary in ensuring that the rights of suspects are protected. The use of body-worn cameras has gained traction worldwide as a means to enhance accountability, transparency, and fairness in law enforcement practices. By capturing objective records of interactions between police officers and individuals, body-worn cameras can potentially mitigate instances of police abuse, thus contributing to a fairer criminal justice system.

The use of body-worn cameras is just one way to address the human rights issues in Indonesia's criminal justice system. It becomes an important step in the right direction (Jennings et al., 2017). Body-worn cameras can enhance police accountability and protect suspect rights by increasing transparency and accountability. Besides body-worn cameras, there are other reforms that could be made to Indonesia's criminal justice system. These include reforming the police training curriculum to emphasize human rights and ethics, creating a more independent and effective judiciary, strengthening the role of the public defender's office, as well as providing more legal aid to indigent defendants.

## **2. The Potential Benefits of BWCs**

Body-worn cameras (BWCs) have emerged as a promising technology with the potential to revolutionize the criminal justice system in Indonesia and modernize the Indonesian National Police (POLRI) system. These devices, when worn by law enforcement officers, capture audio and video footage of interactions with the public, providing an objective and unbiased record of events. To consider BWCs as a tool to support Indonesia's criminal justice system, it's important to explore the potential benefits of BWCs for Indonesia's criminal justice system, highlighting their ability to enhance transparency, accountability, and public trust, while also addressing concerns regarding privacy and data management.

First and foremost, the implementation of BWCs in Indonesia's criminal justice system can significantly enhance transparency (Putra & Yazid, 2022). The availability of video evidence can offer an impartial account of incidents, thereby reducing the potential for disputes and misunderstandings. The footage captured by BWCs can serve as valuable evidence in court proceedings, also providing a reliable and accurate record of events (Lawrence et al., 2021). By ensuring that law enforcement actions are subject to scrutiny and accountability, BWCs can help foster trust between the police and the community they serve, leading to increased cooperation and support for law enforcement efforts.

Furthermore, the use of BWCs can enhance accountability within the Indonesian National Police (POLRI). With the presence of body-worn cameras, officers are encouraged to adhere to professional standards and best practices, realizing that their actions are being recorded (Koen et al., 2019). This increased accountability can deter misconduct or excessive force, as officers are aware that their actions will be subject to review. The knowledge that their actions are being recorded can promote responsible behavior among law enforcement officers, thereby reducing instances of abuse of power and enhancing the overall professionalism of the police force.

Besides transparency and accountability, BWCs have the potential to improve the quality of evidence presented in court (Petersen et al., 2023). The audio and video recordings captured by these devices can provide a more accurate and detailed account of events compared to traditional written reports. Building upon this improvement, BWCs can also help police and witness recall situations that were out of the camera's point-of-view, regarding a certain event (Koen et al., 2019). This can help ensure that the facts of a case are accurately represented, reducing the potential for biases or inconsistencies in testimony. The availability of such high-quality evidence can contribute to fairer and more just outcomes in court proceedings, strengthening the integrity of the criminal justice system as a whole.

The introduction of BWCs in Indonesia's criminal justice system has the potential to address concerns regarding the misuse of power by law enforcement officers (Putra & Yazid, 2022). The

knowledge that their actions are being recorded can serve as a deterrent against unethical behavior, promoting the fair treatment of individuals and protecting their civil rights. This can help build public trust in the police force, particularly among marginalized communities that may have historically experienced disproportionate levels of discrimination or abuse. By promoting equitable treatment and upholding the rule of law, BWCs have the potential to bridge the gap between law enforcement agencies and the communities they serve.

While the benefits of BWCs offers significant benefits, it is crucial to address concerns surrounding privacy and data management through strict protocols that must be established to regulate the collection, storage, and access to the footage captured by these devices. Safeguards or protection should be in place to prevent unauthorized access or tampering with the data. Clear policies must also be developed to address issues, such as the retention period of the recordings and the circumstances under which they can be accessed. Ensuring compliance with data protection laws and promoting transparency in the use of BWCs will be essential to maintaining public trust and mitigating privacy concerns.

### **3. The Challenges of BWCs**

The implementation of body-worn cameras (BWC) within POLRI poses several challenges that can significantly impact the country's criminal justice system. These challenges are multifaceted, encompassing limitations in infrastructure as well as normative issues. By examining these factors, a comprehensive understanding of the potential obstacles can be gained, that Indonesia may encounter in adopting BWC technology.

Most importantly, Indonesia faces substantial limitations in its infrastructure, which can impede the effective utilization of BWCs. The country's vast geographical expanse and diverse landscapes present a formidable challenge in terms of establishing a reliable and extensive network infrastructure. Remote areas may lack the necessary infrastructure for seamless data transmission and storage, hindering the real-time recording and retrieval of footage captured by BWCs. Without a robust and interconnected network, the potential benefits of BWCs in enhancing transparency and accountability within the police force may be compromised. Not only that, infrastructures outside of the context of policing also impact the adaptation of this technology. For instance, the lack of development overall in rural areas might cause difficulties for BWCs to even capture anything at night, as lighting plays an important role in the recording (Miranda, 2022). Moreover, normative issues may serve as significant barriers to the widespread implementation of BWCs in Indonesia. These normative challenges encompass various factors, such as privacy concerns, cultural sensitivities, and public trust. Privacy concerns arise from the potential intrusion into individuals' personal lives when BWCs are worn by police officers during their interactions with citizens. Striking a balance between ensuring public safety and respecting individual privacy rights is a complex task that requires careful consideration and deliberation.

Cultural sensitivities also play a role in inhibiting the adoption of BWCs. In certain cultural contexts, individuals may perceive the presence of cameras as intrusive or disrespectful. This perception can undermine the cooperation between the police and the communities they serve, hindering the effective implementation of BWCs. To address this issue, extensive community engagement and awareness campaigns would be necessary to foster understanding and acceptance of BWCs as tools for enhancing accountability and reducing misconduct within the police force. Despite growing evidence of the positive impact of digital technology on Indonesians' perception of legal compliance, the adoption of BWCs may not be commonly welcomed, particularly when cultural sensitivities are considered (Irawan & Sekarsari, 2022).

Additionally, public trust in the criminal justice system can impact the successful integration of BWCs in Indonesia. Instances of corruption and abuse of power within the police force have eroded public trust in the past. Recently, POLRI received a huge hit in their reputation after the case of premeditated murder committed by a high ranking official with his subordinates surfaced,

causing nationwide outrage and disappointment (Indrayani, 2022). The case did not only display the morally corrupt state of POLRI, but also Indonesian criminal justice system as illegal attempts were found to steer the legal proceedings to the culprits' favor (Jeremiah & Manurung, 2022). While BWCs have the potential to restore faith in the police by providing an objective record of encounters, skepticism regarding the impartiality of the system could undermine the acceptance and effectiveness of BWCs. Rebuilding public trust requires comprehensive efforts, including transparent policies, rigorous training for police officers, and robust mechanisms for accountability.

BWCs also record audio and video footage of people's interactions with the police. This raises concerns about privacy, especially in relation to people who are not suspected of any crime. There is a need to balance between the need for transparency and accountability and the right to privacy. BWC footage is personal data, and it is important to protect it from unauthorized access. Strong data protection safeguards, such as encryption and access controls, must be implemented. These issues should be supported by Indonesia's legal framework for data protection, which is mainly regulated through Law No. 27 of 2022 on Personal Data Protection (PDP Law).

Under Indonesia's Law No. 27 of 2022 on Personal Data Protection (PDP Law), personal data is defined by Article 1 number 1 as "*Data about identified or identifiable individuals individually or in combination with other information either directly or indirectly through electronic or non-electronic systems.*" BWCs collect a variety of personal data, including images and audio recordings of individuals, which can be used to track their movements, activities, and conversations. This raises concerns about the potential for BWCs to be used to violate individuals' privacy rights. The PDP Law does provide some safeguards for personal data collected by BWCs. For example, organizations that use BWCs must obtain the consent of individuals before collecting their personal data. They must also take steps to protect the data from unauthorized access, use, or disclosure. However, the PDP Law has been criticized for being too vague and for not providing sufficient penalties for organizations that violate its provisions.

Normatively, POLRI is considered to be one of the public bodies, as defined by Article 1 number 9, as "*Executive, legislative, judicial, and other bodies whose main functions and duties are related to the administration of the state, whose funds are partly or wholly sourced from the State Revenue and Expenditure Budget and/or Regional Revenue and Expenditure Budget, or non-governmental organizations insofar as part or all funds are sourced from the State Revenue and Expenditure Budget and/or Regional Revenue and Expenditure Budget, donations from the public, and/or from abroad.*" Yet, the police, is only mentioned once throughout the PDP Law. It is mentioned through the explanation of Article 4 paragraph (2) letter d, which states that "*What is meant by "crime record" is a written record of a person who has ever committed an act against the law or violated the law or is currently in the process of being judged for the act committed, including but not limited to police records and inclusion in the list of prevention or deterrence.*"

Another problem with the PDP Law is the classification of personal data, which according to Article 4 consists of "*specific personal data and general personal data.*" Based on this classification, personal data generated by the use of BWCs fall into the category of biometric data, a type of specific personal data mentioned by Article 4 paragraph (2) letter b. Unfortunately, PDP Law lacks the specialization on how personal data controller, in this case POLRI, should store, utilize, and protect the personal data. This is important to consider the sensitive nature of biometric data, and how it could be used for negative purposes in the digital age (Alkhasawneh, 2020). As POLRI explores the potential of Big Data, there is a growing need for a better classification system, not only among the specific personal data, but also within the biometrics data itself to improve big data governance (Rajadorai et al., 2021). Furthermore, the rights of the subjects of personal data can also be denied, as mentioned by Article 15 paragraph (1) letter b, which states that "*The rights of Personal Data Subjects as referred to in Article 8, Article 9, Article 10 paragraph (1), Article 11, and Article 13 paragraph (1) and paragraph (2) are exempted for: b. the interests of the law*

*enforcement process*”. The next problem regarding this Law is the contradiction mentioned in Article 17, which states:“(1) *Installation of visual data processing or processing equipment in public places and/or public service facilities is carried out under the following conditions: a. for the purposes of security, disaster prevention, and/or traffic management or collection, analysis, and regulation of traffic information; b. information must be in the area that has been installed processing equipment or visual data processing; and c. not used to identify a person*”.

Despite the specific normative support for the use of BWCs in public spaces, this provision does not mention the possibility of using cameras for security purposes outside of public spaces, where a crime might take place. Furthermore, the normative restriction provisioned by letter c can singlehandedly prevent the use of BWCs. The provision of letter c here is very questionable, as it defeats the purposes mentioned by letter a, even when BWCs as a context is taken out of the picture. This contradicts point of even regulating the use of personal data for security. In consideration of the fact that this Law only got passed recently, it's safe to assume that the legal framework for Personal Data Protection is not fully developed yet, as the government is still working to pass the implementing regulation for the PDP Law (Hanajati, 2023).

BWC footage can also be used to hold police officers accountable for their actions. However, it is important to ensure that the footage is used fairly and impartially. There is a need to put in place clear rules about how BWC footage can be used, and to ensure that these rules are followed. It can help to build trust between the police and the public. However, it is also important to ensure that the public is aware of how BWCs are being used, and that they have confidence in the system. Communication with the public about BWCs is required to answer public questions and concerns.

Therefore, there needs to be a normative support for the accountability behind the utilization of BWCs. The normative basis for this is provisioned by Article 1 number 11 of the Regulation of the Coordinating-Minister for Political, Legal and Security Affairs No. 7 of 2022 on Code of Professional Ethics and the Indonesian National Police Code of Ethics Commission (Police Code of Ethics), which states that “*Community Ethics are the norms in the KEPP, which contain guidelines for the attitude and behavior of every POLRI official in relation to the implementation of duties, powers and responsibilities of legal obligations, as well as the use of the authority of the POLRI profession, dealing with the public.*” However, there is a lack of details on police responsibility on matters regarding to the process of handling evidence. For this specific matter, only a prohibition is found to “*subtract, add, destroy, omit, and/or fabricating evidence*”, as governed by Article 10 paragraph (2) letter h of the Police Code of Ethics. This simplification of the importance of the process in handling evidence significantly decreases the police responsibility in making sure that the criminal justice system is fair, as the police can only be blamed if they intentionally did the acts prohibited by this specific prohibition. Therefore, this normative support is far from enough to support the effort protect personal data in the utilization of BWCs, as there's little to no normative support for such mechanism within the Police Code of Ethics.

Besides these normative issues, Indonesia faces practical challenges in implementing BWC programs. One important issue is the training to utilize this technology. Police officers would need to be trained on how to use BWCs effectively to make sure that the utilization of this technology does not infringe the rights of citizens in such situation where they're interacting with police officers who are recording through the BWCs, especially victims (Saulnier et al., 2021). Clear rules about how long BWC footage can be retained are important, and the people who are in the footage as subjects of personal data, have to be notified about it. Despite these challenges, BWCs have the potential to make a positive contribution to Indonesia's criminal justice system. By increasing transparency and accountability, BWCs can help to ensure that the police are held accountable for their actions, and that the rights of suspects are protected.

The Indonesian government should take a human rights-based approach to the use of BWCs. This means that its use should be designed to protect the rights of all people, including suspects, witnesses, and the public. The government should put in place clear rules about how BWC footage

can be used. These rules should be transparent and accessible to the public. While BWCs have the potential to be a valuable tool for police accountability, there are also a number of challenges that have been encountered in other countries that have implemented BWC programs. These challenges need to be properly addressed as supported by proper normative structure, to create legal certainty for the use of BWCs and to improve the quality of the Indonesian criminal justice system.

#### **4. A Framework for a National Regulation on BWCs**

The regulation to support the utilization of BWCs should explicitly outline the circumstances under which BWCs should be turned on and off. This entails establishing clear guidelines regarding when law enforcement personnel should activate their BWCs, such as during routine patrols, interactions with the public, or when responding to calls for service. Additionally, it is important to define situations where the deactivation of BWCs may be necessary, such as when engaging in conversations with confidential informants or victims of sensitive crimes. By providing specific directives, the regulation ensures that BWCs are utilized appropriately, providing a balance between promoting transparency and respecting privacy rights.

Secondly, the proposed regulation should address the procedures for storing and accessing footage captured by BWCs. It is crucial to establish a standardized system for securely storing recorded data to prevent unauthorized access and potential tampering. This may involve implementing stringent protocols for data encryption, adopting robust storage infrastructure, and establishing strict access controls based on the principle of least privilege. Furthermore, the regulation should outline the guidelines for retaining footage, ensuring that it is retained for an appropriate duration in alignment with legal requirements, while also considering storage limitations and the potential impact on data management resources.

Ensuring the integrity and authenticity of recorded footage is a fundamental aspect of BWC regulation (Becker & Blanchette, 2017). The proposed framework should include mechanisms to prevent tampering or alteration of BWC footage through the implementation of digital signatures or cryptographic techniques that can detect any unauthorized modifications to the recordings. Furthermore, regular audits and quality checks should be conducted to verify the integrity of the footage. By incorporating these measures, the regulation establishes a reliable evidentiary foundation and promotes accountability in the use of BWCs.

Penalties for the misuse of BWCs should be clearly defined in the national regulation. These penalties should serve as deterrents against any unauthorized access, disclosure, tampering, or deletion of BWC footage. The proposed framework may include disciplinary actions for law enforcement personnel found in violation of the regulation, as well as criminal charges for individuals who intentionally misuse BWCs, such as tampering with evidence or invading privacy. By establishing stringent penalties, the regulation emphasizes the importance of responsible BWC usage and maintains public trust in the technology.

Lastly, it is also important to recognize the possibility of misuse of BWCs, as it can also threaten a complex human rights issue (Koslicki et al., 2020). The national regulation can establish a dedicated oversight body responsible for ensuring the effective implementation of the BWC framework and investigating allegations of misuse. This body could be an independent agency or a designated department within the existing law enforcement structure. Its responsibilities would include monitoring compliance with the regulation, conducting regular audits of BWC usage, investigating complaints or reports of misuse, and imposing appropriate sanctions when necessary. By establishing such a body, the regulation reinforces accountability, transparency, and the public's confidence in the use of BWCs.



#### D. Conclusion and Recommendation

The conceptual analysis of this research highlights a clear need to utilize Body-Worn Cameras (BWCs) not only as a modernization tool for the Indonesian National Police (POLRI) but also as a means to enhance the criminal justice system. However, this need lacks adequate normative support within Indonesia's legal framework for the criminal justice system.

From a normative perspective, the research reveals that BWCs are not fully supported by the Personal Data Protection (PDP) Law, which remains deficient in areas such as data classification and managing sensitive biometric data. This is crucial, given the nature of the data involved. Although the Indonesian government plans to pass implementing regulations for the PDP Law, there is no assurance that these regulations will adequately address these shortcomings. While these regulations could improve personal data management, the lack of robust foundational norms within the PDP Law limits the development of a more comprehensive classification framework.

Additionally, insufficient normative support ensures that BWCs are properly integrated with the Police Code of Ethics. The existing code is considered lenient, particularly concerning the handling of evidence. For instance, the code only prohibits intentional mishandling of evidence—something that should be a basic legal principle.

Given that the primary aim of utilizing BWCs is to strengthen the criminal justice system, Indonesia must develop its legal framework to support using BWCs with a human-rights-oriented approach, avoiding normative inconsistencies. A dedicated regulation governing the use of BWCs should be introduced, but only after addressing the normative constraints in higher-ranking laws.

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