

Discussion Paper on the Potential Adoption of Live Facial Recognition by Police Scotland

Summary Version

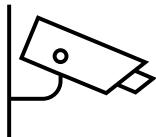
Introduction



The Chair of the Scottish Police Authority launched a national conversation on the potential use of Live Facial Recognition (LFR) in Scotland in June 2024.



This national conversation is being led by a group including Police Scotland, the Scottish Police Authority and the Scottish Biometrics Commissioner.

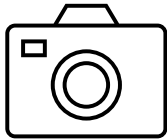


The aim of this conversation is to understand views on the potential adoption of LFR in Scotland in certain circumstances. This paper also maintains the commitment by Policing in Scotland to police by consent and that we remain committed to independent evidence evaluation and enhancing public understanding of policing and technology.

This paper aims to provide a summary of the available information

on the use of LFR in a policing context.

What is LFR?



Facial Recognition technology, including LFR, uses Artificial Intelligence to identify people in a digital image (such as a photo or video).



LFR uses this technology to assess real-time, live video footage of crowds who are passing a camera. It automatically compares the images of those in the crowd against a bank of images that have already been collected through other methods.

Benefits and Limitations



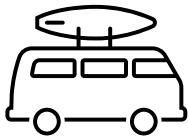
In other UK police forces, LFR is used to identify people wanted by the police or who are missing. It is quicker and more accurate than officers identifying people manually. This can improve safety and act as a deterrent to criminal activity. We recognise that a human will always make the final decision on a facial match and instruct officers.

Public polling on the use of emerging technologies



There has been support in public surveying in Scotland that facial recognition technology should be used in public spaces by the police to identify people who are wanted by them or who are missing. Although people's support for police use of facial recognition can change depending on the situation.

Use of LFR in policing to date



In England and Wales, LFR is usually conducted using vans with cameras attached to them that have LFR capabilities. There are also signs that tell people in the area that LFR is in use and that there are officers available to answer any questions.

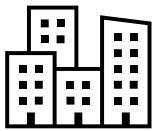
Potential Use of LFR by Police Scotland



Any use of LFR by Police Scotland must support the delivery of key strategies, priorities and plans. The working group coordinating this conversation propose any considered use of LFR is guided by a set of 'Principles for Use' as part of a

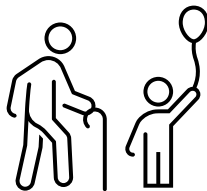
detailed Live Facial Recognition Policy.

Certain situations ('Use Cases') where LFR could be applied to Scottish policing have been developed. Three of these are outlined below.



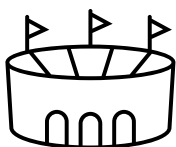
Use Case 1 – City/Town Centre Nightlife

Use of LFR, during specific times, in busy areas where there is thought to be people who target females with a risk of sexual or violent altercations.



Use Case 2 – High Risk Missing Persons (e.g. young children, vulnerable persons, i.e. elderly, dementia sufferers, etc.)

Use of LFR for example at transport hubs (e.g. bus stations) or where it is thought to help Police Scotland's ability to keep vulnerable or missing people safe and supported and return them to safety.



Use Case 3 – Largescale Indoor Events

Use of LFR at indoor events where lots of people are expected. This is to find people who are likely to create a risk to public safety, potential acts of

terrorism, or who should not be in attendance (e.g. breaching a condition of bail).



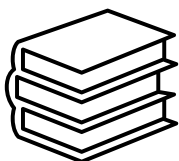
The Legislative and Regulatory Framework in Scotland

The [Police and Fire Reform \(Scotland\) Act 2012](#) outlines the role and duties of Police Scotland and the Scottish Police Authority.



Any use of LFR would need to meet requirements in the following legislation:

- [Human Rights Act 1998](#)
- [Equality Act 2010](#)
- [UK General Data Protection Regulation](#)
- [Data Protection Act 2018](#)



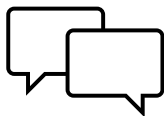
Any use of LFR would also be supported by the Scottish Biometric Commissioner's [Code of Practice](#) and in line with guidance on law enforcement use of LFR by the [Information Commissioner's Office](#) (such as a [Commissioner's Opinion](#) on use of LFR in public spaces and [good practice checklists](#))

Human Rights and Ethical Considerations

There are concerns around use of LFR. The following list outlines some key areas:

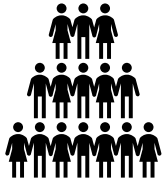


- Accuracy in identifying people
- Breaching people's right to privacy and freedom of expression
- Bias in how LFR technology identifies people (e.g. less accurate in identifying some skin tones than others)
- The reasons for use of LFR by UK police forces being too broad
- There needs to be recognised safeguards in place – appropriate sign off, appropriate public and transparent assurance and information on deployments etc.



Being open with the public around use of LFR, and how it is used, has been shown to be important in relation to police usage of this technology, and there has been independent guidance published on how to do this well.

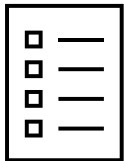
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Work is underway in England and Wales to ensure independent oversight of new technology used by police forces – including LFR.



In Scotland, we have the '[Rights Based Pathway](#)' to support decision making and maintain public trust in Police Scotland when adopting new technology. The Pathway puts the examination of ethical issues and public engagement considerations at its heart.



Police Scotland have various governance measures in place in relation to handling biometric data (which is what LFR would produce).