



Meeting	Policing Performance Committee
Date	18 September 2024
Location	Video Conference
Title of Paper	Police Scotland (PS) Approach to Biometrics
Presented By	Gillian Jones, PS Head of Biometrics (obo) ACC Steve Johnson, PS Biometrics Data & Asset Owner
Recommendation to Members	For Discussion
Appendix Attached	Yes - Appendix A: Roadmap for the Delivery of Key Biometrics Objectives

PURPOSE

The purpose of this paper is to inform members re the proposed Police Scotland (PS), and where appropriate, joint SPA Forensic Services (FS) approach to, and roadmap for, delivery of key biometric objectives.

Members are invited to discuss the content of this report.

1. BACKGROUND & TIMELINE

- 1.1 In March 2018, the Independent Advisory Group on the Use of Biometric Data in Scotland published their report, which included proposals for a Scottish Biometrics Commissioner (SBC).
- 1.2 In April 2020, the Scottish Biometrics Commissioner Act 2020 was given Royal Assent with Dr Brian Plastow appointed as the SBC in April 2021. The SBC published his 2021-2025 Strategic Plan in September 2021 and the statutory Code of Practice (COP) in November 2022.
- 1.3 In March 2023, the SBC published the results of 2 Thematic Reviews for Children and Vulnerable persons. This resulted in four recommendations for Police Scotland.
- 1.4 During July-September 2023, BDO were instructed by SPA to undertake a review of PS and FS' compliance with the SBC COP for DNA and Fingerprint data and source samples. This resulted in eight joint-recommendations, one recommendation for PS and two for FS.
- 1.5 During October-December 2023, PS and FS were required to return separate self-assessments to the SBC for the annual COP compliance review. Both organisations were found to be compliant.
- 1.6 During the same period, the SBC published the results of a Thematic Review of Images. No new recommendations were highlighted, albeit the report reinforced the requirement for existing, and un-yet discharged recommendations, to be delivered.
- 1.7 To address this rapidly growing area of business, this was overseen by SCD Detective Chief Superintendents. Action to address external audit recommendations, and associated biometric related risks, remained static until 2024.

2. CURRENT PS POSITION & RESOURCING

- 2.1 In 2024, SCD repurposed vacant post funding allowing for two biometric focused staff, namely The Head of Biometrics and a Biometrics Data Lead, to be appointed by February 2024.
- 2.2 Despite minimum resources, considerable progress has been made to improve PS co-ordination, governance and understanding of the

acquisition, storage, sharing, use and destruction of biometric data and samples. Key deliverables met within our first 6 months of operation include:

- Satisfactorily discharging all four outstanding SBC Recommendations from March 2023, as per the approach updated to members in June 2024.
- Supporting the executive re the current facial matching position, as well as other emerging technologies.
- Progressing a Biometrics Comms Strategy, as well as key lines in respect of common FOI's and media enquiries, to ensure consistent and factual external messaging.
- Supporting policy design to incorporate biometric sampling as part of future officer recruitment vetting.
- Supporting the SBC and Scot Gov as SMEs, to deliver their Laws of Retention review, including five PS recommendations, as well as future sign-postings, for consideration as part of their final report.
- Representing PS at strategic Home Office and NPCC biometric Boards, forming an understanding of the wider UK and international biometrics data landscape.
- Supporting the organisation of the inaugural Scottish Biometrics Conference.
- Successful re-parent of six Chief Data Office staff who provide an arrestee (criminal justice) DNA sample quality, submission and compliance service.
- Providing an SME and SPOC service for the office of the Biometrics Commissioner, including PS representation on the SBC's Advisory Group.
- Formalising a tactical, strategic and executive level biometric governance structure, including improved joint-working with FS, who are currently joint-data controllers for aspects of DNA and Fingerprint samples and data.

2.3 SPA Forensic Services have identified their Head of Acquisitive Crime and Operations Crime Manager as strategic and tactical leads for biometric data and samples.

3. CHALLENGES

3.1 BAU requirement for biometrics governance and oversight continues to grow at a rapid pace, and we are approaching the deadline for multiple conflicting strategic demands. There is also a growing demand for improved biometrics data insights to evidence the value

of biometric data in policing, and to support current retention regimes.

- 3.2 Given the limited capacity across both organisations, it is unrealistic previously defined timescales will be met.

4. FUTURE APPROACH & ROADMAP

- 4.1 To manage expectations, an extended linear roadmap of strategic biometrics priorities, was presented to and supported by ACC Johnson, the PS Biometric Data & Asset Owner.

- 4.2 The proposal has been socialised to, and is supported by, the Director of SPA Forensic Services.

- 4.3 An outline of the delivery roadmap is provided at Appendix A and encompasses delivery of outstanding BDO recommendations:

- To define and agree PS and FS biometrics roles and responsibilities.
- The delivery of a joint Biometrics Strategy - with individual organisation strategic plans outlining key projects and initiatives.
- The delivery of a joint Biometrics Policy - including the PS ethical and legal approach to new biometrics technology, via our Data Ethics Triage and Rights Based Pathway frameworks.
- To improve biometrics training and awareness across both organisations.

- 4.4 The roadmap also includes Phase 1 of the tripartite tactical Live Facial Recognition (LFR) SLWG, arising from the commitment of the SPA Chair, at the Scottish Biometrics Conference in June 2024, to commence conversation and considerations in relation to the adoption on LFR.

- 4.5 To manage increasing internal and external expectations, and to prevent the risk associated with limited capacity, as part of the work requested from the Chief Constable to design Current and Target Operating Models for all business areas (required by end of October 2024), PS will design and propose a new fit-for-purpose biometrics service and resource model for executive consideration.

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications in this report.

6. PERSONNEL IMPLICATIONS

6.1 There are no personnel implications in this report.

7. LEGAL IMPLICATIONS

7.1 There are no legal implications in this report.

8. REPUTATIONAL IMPLICATIONS

8.1 There are no reputational implications in this report.

9. SOCIAL IMPLICATIONS

9.1 There are no social implications in this report.

10. COMMUNITY IMPACT

10.1 There are no community implications in this report.

11. EQUALITIES IMPLICATIONS

11.1 There are no equality implications in this report.

12. ENVIRONMENT IMPLICATIONS

12.1 There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to discuss the proposed approach in relation to the governance of biometric data and samples, as outlined at Appendix A.

Appendix A – Roadmap for the Delivery of Key Biometric Governance Objectives

<p>Immediate Priority</p>	<ul style="list-style-type: none"> ▪ In accordance with the work being led by PS Service Design (at the request of the CC), draft and agree the Current Operating Model (COM) and Target Operating Model (COM) of the SCD Biometrics portfolio, to support the overarching PS COM and TOMs. ▪ Review the current SCD biometric resource, roles & responsibility model to ensure sufficient capacity to deliver an effective long-term, SME/SPOC, data & insights and co-ordinated governance service to multiple executive portfolios. ▪ Review, define and agree SPA FS roles and responsibilities in respect of PS owned biometric data and samples. (BDO Audit Recommendation)
<p>Quarter 3 2024/25</p>	<ul style="list-style-type: none"> ▪ Support the SBC Thematic Review of DNA and source samples ▪ Support the SBC Thematic Review of Retrospective Facial Matching ▪ Undertake PS and FS self-assessments as part of the annual SBC COP Compliance Review
<p>Quarter 4 2024/25</p>	<ul style="list-style-type: none"> ▪ Delivery of a joint PS and SPA FS Biometrics Strategy (BDO Audit Recommendation) Supported by individual 3-year strategic delivery plans commencing Quarter 1 2025/26
<p>Quarter 1 2025/26</p>	<ul style="list-style-type: none"> ▪ Delivery of a joint PS and SPA FS Biometrics Policy (BDO Audit Recommendation) To ensure transparency in our approach to the acquisition, storage, sharing, use and destruction of biometric data and samples, as well as our ethical and legal approach to the adoption of new biometrics technology.
<p>Quarter 2 2025/26</p>	<ul style="list-style-type: none"> ▪ Tripartite Tactical LFR SLWG (Commencing September 2024) Phase 1 – Governance & Exploration. The SLWG will report to Biometrics Oversight Board and is estimated to run for approximately 12 months. SLWG TOR and membership are currently within the draft and approval phase.
<p>Quarter 3 2025/26</p>	<ul style="list-style-type: none"> ▪ Improved Biometrics Training & Awareness (BDO Audit Recommendation) Via improved Standard Operating Procedures, National Guidance documentation, SCD Biometrics Intranet page, FAQs, biometrics training packages, etc.)