2017 Annual Report Update

My recently published Annual Report (at Section 5.8) referred to the possible making of group National Security Determinations (NSDs), but at the time the Report was written my Office were awaiting legal advice on this matter. I have since received independent legal advice from a QC specialising in public law, instructed directly by me. That advice confirmed that a group NSD appears to be permitted according to the wording of the relevant legislation but that the tests of necessity and proportionality needed to be met for each individual included in the group.

The Metropolitan Police Service have examined a large number of biometric records previously held under section 18 of the Counter Terrorism Act 2008, as set out in paragraph 212 of my Annual Report. They have decided that, exceptionally, it is in the national interest that 173 individual records are retained for current counter terrorism purposes. Accordingly, a Chief Officer of SO15 has agreed to the making of four group NSDs covering these 173 individuals. I have examined the NSDs and confirmed that I agree that the tests of necessity and proportionality are met.

Paul Wiles
Biometrics Commissioner
12 June 2018