

Minutes

Automatic Number Plate Recognition (ANPR) – National Advisory Group

Date and time: 2 October 2019, 11:00 - 14:00

Attendees:

Tony Porter (TP) – Surveillance Camera Commissioner (SCC)
Hannah Hall (HH) – National ANPR Change Lead, Hertfordshire police
James Hughes (JH) – The Association of Police and Crime Commissioners (APCC)
Steve Wright (SW) – Information Commissioner’s Office (ICO)
Lianne Parkinson (LP) – Driver and Vehicle Licensing Agency (DVLA)
Clare Rush (CR) – Driver and Vehicle Licensing Agency (DVLA)
Sam Smith (SS) – MedConfidential
William Perrin (WP) – Talk About Local
Professor Lorna Woods (LW) – Essex University
Andy Gilks – Bedfordshire Police
Bill Mandeville – National Police System, Home Office Digital, Data and Technology
Ed Nelson (EN) - Office for Low Emission Vehicles (OLEV)
Rai Prabhjeet (RP) - Office for Low Emission Vehicles (OLEV)
Mick Kelly (MK) – SCC Office
Olahan Akande (OA) – SCC Office
Linda Randamy (LR) – SCC Office

Apologies:

Silkie Carlo – Big Brother Watch
Mark Burns-Williamson (MBW) – Police and Crime Commissioner, West Yorkshire
Richard Hartell – Home Office
Lynette Rose – (DVLA)
Griff Ferris – Big Brother Watch
Meagan Mirza – ICO
Jamie Hassall – Highways England
Dr Rachel Adams – Information Law and Policy Centre, Institute for Advanced Legal Studies

Welcome and Introductions

1. TP welcomed everyone to the meeting and the group members introduced themselves.

Minutes of last two meetings and summary of matters arising

2. The minutes of the last meeting were agreed as being an accurate record of the meeting. The actions arising from the last meeting were addressed as follows:
3. **Action 1: TP to arrange meeting with DEFRA and ICO regarding Clean Air Zones (CAZ) and the need for national guidance.** This action has been discharged. The SCC and ICO fed into the guidance.
4. **Action 2: TP to write to IAG members for further feedback on the Tele2 judgement debate and how government should be approached on this issue.** TP discussed this issue with LW and work is currently underway on this. This action is ongoing.
5. **Action 3: MBW to consider proposal for NPCC to raise with MPs the issue of cloned plates and potential impact on policing, once the ANPR working group being chaired by DVLA has been firmly established.** The group has met twice so it may be too early for this action to be undertaken. We are awaiting a progress update from MBW on this issue. This action is ongoing.
6. **Action 4: CH to be in a position to feed back to the group at the next IAG on ANPR value model progress by the police.** HH will update the group when she delivers the ANPR value model presentation at today's meeting. This action has been discharged.
7. **Action 5: TP to liaise with LW and WP to gather appropriate questions and considerations on the issue of proportionality and necessity for ANPR use under Operation Tutelage.** TP has been in consultation with LW and WP in regard to drafting some questions that might be put to Government Ministers in relation to the Tele2 Watson judgement as it might relate to ANPR. This action is ongoing.
8. **Action 6: LR to circulate to IAG members the minutes of the ANPR working group meeting chaired by DVLA on the impact that cloned/defective/degraded plates have on operational policing.** LP was present at the meeting and gave an update on behalf of DVLA. As there has been two further meetings since the last IAG and LP has provided more current information. This action is discharged.
9. **Action 7: SCC Office to re-engage with relevant people regarding DPIA for the National ANPR Service.** Katie Scotton (SCC) engaged with relevant people after the last ANPR IAG (Lorna Woods, Sam Smith, Griff Ferris and Will Perrin and put them in touch with Andy Gilks to discuss their views on the DPIA. Those views were fed into the National ANPR Data Standards and Security Group. This action has been discharged

Upcoming green number plate consultation

10. EN gave a presentation on the upcoming green number plate consultation (which is [now live](#) and closes on 14 January 2020). Government will be consulting on introducing green number plates for vehicles which meet certain criteria e.g. zero tailpipe emissions. The consultation sets out government's initial view and asks for comment on issues of number plate eligibility, design, rollout and enforcement. Green number plates are principally a visual awareness raising tool, and will not be linked to any incentive. Where LAs seek to bring in incentives for zero emission vehicles (such as preferential parking, exemption from certain charges or opening up access to sections of bus lane), then it is up to the LA to ensure they have a strong policy and legal basis for those initiatives, and be able to enforce them appropriately (often approached with ANPR checking vehicle details). The green number plates policy is therefore quite a light touch intervention, but will require legislation on number plate design to be amended. The design of green number plates will avoid any risk to ANPR.
11. TP asked if there was anything contentious for the IAG group.
12. BM was of the view that the concept of green number plates attracts perverse incentives to clone plates in order to receive the benefits a green number plate might bring. This leads to a greater risk to the national ANPR system regarding the potential of more cloned plates on the road. Background research on the impact of concessions associated with green number plates was needed as a possible cause of vehicle owners replacing their number plate with one for a vehicle that meets the 'green plate' criteria. As a consequence, increased incidence of cloned plates is a possibility and the likelihood of that happening could be predicted from current emissions zone data for evasion etc.
13. BM was of the view that if LAs intend to use ANPR to support clean air zone compliance then this does not fall within the scope of the National ANPR Service (NAS) law enforcement purposes and therefore they could need to develop their own system which would require them to complete a DPIA.
14. LW stated that incentives raise questions around the proportionality of the scheme and who gets access to the data. As a result, there would be knock-on consequences.
15. LP's view from a DVLA perspective was that once you start introducing incentives for people to alter their number plates, you are adding offences for law enforcement agencies to deal with. You shouldn't underestimate people's desire to avoid paying appropriate charges by changing plates.
16. WP asked if there was any research that car drivers want the green number plates. WP's opinion was that this was not a fit purpose.
17. JH presented the view of MBW that the green number plates was not a good idea because of the possibility of cloned plates leading to more misreads.
18. SS asked if the green number plates had been tested. SS agrees with all comments around proportionality.

19. EN responded to issues raised by the IAG group. He stated that they will test the final green number plate design to be certain it does not impact ANPR performance.
20. EN explained that green number plates would be a visual identifier only. He reiterated if an LA wanted to introduce local incentives for zero emission vehicles, then that LAs would need to ensure they had a strong policy and legal basis for those initiatives, and be able to enforce them appropriately.
21. The point was raised that the inevitable consequence of this policy is incentives. It was acknowledged that the policy intent was for a visual awareness raising tool, but it was felt that it would lead to more local incentives.
22. TP stressed that on the issue of the green number plates consultation, the voice of the IAG will be heard by Ministers.

Action 1: The SCC team to collate the views from the IAG on green number plates and feed these into the consultation response from the SCC. IAG members are encouraged to send in their own responses where appropriate.

Parish council use of ANPR to monitor low speed zones.

23. BM gave a presentation on instances where parish councils are installing ANPR to monitor low speed zones.
24. BM explained that it was brought up by an approach to Avon and Somerset police by a private company. The system captures data and feeds it via the internet to a server. A subscription is needed to access the system. Avon and Somerset police declined to support the scheme following advice from the Surveillance Camera Commissioner and the Information Commissioner's Office. Broader policies and regulatory issues have arisen from this.
25. SW stated that the ICO were approached and they have a few concerns about these types of system. The issues for the ICO focussed on governance, technical and security.
26. LW raised issues around the technical reliability of the system, standards that were going to be imposed and human right issues.
27. WP brought up issues around parish councils buying in commercial ANPR. WP questioned to what extent has anyone communicated to parish councils their obligations under the law. WP stated that his experience at the parish council level is that this issue has been coming up. WP recommended that guidance should be issued to parish councils.
28. TP stated that the SCC engaged with Avon and Somerset on the speedwatch issue. TP suggested that an approach be made to Andy Marsh, Chief Constable, Avon and Somerset police or Jenny Gilmer, NPCC lead for CCTV.

Action 2: MK to draft a letter from the SCC to go to parish councils to remind them of their responsibilities under the Protection of Freedoms Act 2012. MK will discuss distribution of this letter with the National Association of Local Councils.

Action 3: The IAG group agreed that CC Hall should write a letter to police forces about the speedwatch issue.

Action 4: The IAG group agreed that information on the speedwatch issue would be communicated to police and crime commissioners.

Action 5: LP to find out whether the DVLA has been approached by any speedwatch organisation for vehicle keeper data and feedback to the group.

29. JH recommended raising awareness and providing advice to parish councils on this issue.
30. SW agreed that it was good practice for advice to be provided to organisations especially small businesses.
31. LP queried the legitimacy of these sort of organisations and how securely the data was kept.

NPCC update

32. HH gave an update for NPCC. She was supported by AG and BM.
33. AG briefed the group about audits for NAS standards. They were looking at ways to make the audit system automated and to include the SC Code in the audit.
34. WP asked what was the state of play of the NAS Data Protection Impact Assessment (DPIA). He stressed that given the large scope of the national ANPR system that NAS DPIA should not be treated as a general DPIA but needs detailed consideration.
35. HH explained that the NAS DPIA was an overarching DPIA for the NAS system focused on the data processing and data control, but that forces would be undertaking individual DPIAs for new infrastructure deployment. The NAS DPIA is being redrafted and will be sent to the ICO and SCC before being presented to the IAG group.
36. TP suggested that the police look at the recent judicial review on automatic facial recognition as it will help to enhance the DPIA.

Action 6: HH and AG made a commitment that the police would re-present the NAS DPIA to the IAG group once it has been finalised.

37. AG stressed that although the DPIA informs policy, it is not policy. What is important is that the police will listen to all the views and take it into account.
38. HH stated that a national camera strategy group had been set up. The group was working on standards and establishing a light touch governance on forces under the direction of CC Hall. All forces were now using the updated Infrastructure development DPIA template, developed in conjunction with SCC and ICO. Moreover, forces are active in upgrading infrastructure standards.
39. HH told the group that there was rationalisation of ANPR cameras taking place. A lot of forces were already engaged with this process on a local and regional level. The

NPCC are encouraging the forces to look at optimisation and rationalisation of the camera network at the national level. There were various examples of optimisation including forces continuing to work with TFL, Kent police, Durham and Cleveland police working together and Cheshire police. Different forces continue to work together and report to the national group.

40. HH reported that some forces have undertaken public consultation on ANPR. Additionally, a national survey on ANPR is being considered by HH. She asked for support from the SCC on transparency.
41. WP asked what the national trend in the number of cameras is and if the standard was compliant.
42. HH stated that the early work undertaken by the NAS project had predicted a growth trend. HH stated that she was reviewing this but that the picture was varied depending on the area.
43. BM was of the opinion that the NAS is providing a complete picture of the current ANPR national system. Additionally, the introduction of the NAS is driving forces and manufacturers to improve compliance.
44. WP's view was that the NAS retention period has been arbitrary. He suggested bringing statisticians in and start having parameters on retention period.
45. BM's response to WP was that there is a move away from utilising new cameras for ANPR. Consequently, cameras are being reduced.
46. TP enquired if there was an independent analysis of the data coming out of ANPR.
47. HH explained that the primary focus of the policing at this time is to get the national system and standards in place.

Action 7: TP will take up the issue of independent analysis of the data coming out of ANPR with Charlie Hall.

48. SS enquired if there was a way of getting comparable figures showing what is happening on NAS.
49. BM explained that the system will provide some overall figures and be more comprehensive, but you won't be able to make a comparative analysis with past figures.

ANPR and number plate working group.

50. LP gave a presentation on ANPR and number plate working group.
51. LP stated that the group was tasked to consider what improvement could be made to the life cycle of the number plates. The group would be looking at design, enforcement and impact of cloned and damaged plates.
52. The group has held three meetings and there is a recognition that they need credible evidence and that it will take time to achieve its objectives.

53. LP touched on the issue of evidence gathering. The group will need to use the levers that they have in the IAG to obtain evidence to support their work. Information and evidence is crucial to support the work.
54. BM stated that there are a number of areas that they would need to engage with partners. For example, they would need to engage with DVSA on plate design. He also suggested doing some research on 100 vehicles to support the work. Transport for London clean air zone already has a risk of 'cloned plates' being placed on vehicles to give an impression of meeting emission standards where the vehicle actually does not. This is likely to occur for vehicles that are a few years old and of a type where newer versions of the same model have upgraded engines that are compliant. Checks of vehicles in this category within the London clean air zone should provide an indication of whether this is happening. The above explanation by BM links back to item 12 of the minutes.
55. LP asked the IAG group to support the working group in collecting evidence or data. She asked whether the NAS system could be used to identify cloned plates.
56. HH said that she was aware of work being undertaken in West Midlands, on cloned plates which could be fed into the work.

Action 8: TP to engage with LP after 12 November 2019 to follow up on progress with gathering evidence on cloned plates and then decide if he will need to provide her with further support.

Action 9: HH to liaise with the working group regarding what evidence the police can supply on cloned plates

ANPR Value Model.

57. HH gave a presentation on the ANPR value model. Improvements have been made to the value model as promised at the last IAG meeting. The police want to engage with the IAG group and wider stakeholders to ensure the model is validated and robust.
58. TP praised Charlie Hall and HH for being open and transparent about what they are doing in terms of the value model.
59. TP was of the opinion that the value model reasonably indicates performance, efficiency and measurement of relevant factors.
60. TP wanted to know when the value model would be mature enough to be employed by police in the UK and what point in time it would be ready for deployment.
61. HH said that the value model will be ready in the current financial year. It will be used by policing on the local level around the wider issues on ANPR and at the National level to drive improvement.
62. JH was impressed with further developments made to the value model by HH. He stated that it would be useful to continue to test the maturity of the value model.

63. TP stated that the value model could be a statement of good practice for policing. It would be helpful for the IAG group to review the value model before it goes operational.
64. BM said that there needs to be a national capability to support the value model.
65. TP stated that Charlie Hall will need to provide support for the value model at the national level.
66. BM suggested that the IAG group should provide a message of support for the value model.
67. TP said that BM's suggestion would be considered.
68. MK asked if cloned plates could be measured by the ANPR value model. This would support the ANPR and number plate working group work on cloned plates.
69. HH stated that the value model could be developed to support MK's suggestion.

Action 10: HH to feed back to the group at the next IAG on ANPR value model progress by the police.

AOB

70. There were no other AOB items.
71. Time date and location of next meeting to be notified but likely to be in March 2020.

Summary of Actions

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