



Home Office

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Dear Chris

Thank you for your letters to Stephen Webb dated 21 August 2017 on the Custody Images Review, and to me dated 2 November 2017 on retention of biometrics from convicted persons until they are 100 years old.

I am sorry you have not had an earlier response to your letter to Stephen. This is mainly due to Stephen moving on to concentrate on the development of emergency services telecommunications and other reorganisation within the Home Office. I have now taken up post as the Head of Identity Policy Unit within Data and Identity Directorate. I am currently the policy client for the BFEG, though once the Director is in post he or she may wish to take on this role.

Custody Image Review (CIR)

I note the BFEG's first recommendation is that a public consultation should be conducted prior to the next custody images review to ascertain the views of the public. The CIR recommends that another review should be carried out in 2020. I agree that public consultation is an important part of good policy making particularly where there is a wide range of views on the subject in question. However I cannot give a definite commitment that a public consultation will be conducted as that will be a decision for ministers to take at the time.

The BFEG goes on to recommend that future IT systems should allow for the centralised retention and automatic deletion of custody images and that the retention regime should be agreed prior to the development of new technology. The current phase of the Home Office Biometrics Programme involves replacing the facial matching element of the existing PND system which is coming towards the end of its life. Work is proceeding on what additional functions will be needed in the future. We are assessing the practical implications of this recommendation ahead of advice to Ministers.

Retention of biometrics from convicted persons until they are 100 years old

Thank you for your report of your preliminary discussion of this issue. We will be submitting observations to the European Court of Human Rights in the case of *Gaughran* which deals with this issue by 15 December. The court's judgment may require us to revisit the issue of retention periods in a systematic fashion. Whatever the outcome of the case, my unit will be developing policy on this issue. We welcome the further work which the BFEG is intending to carry out.

Alex MacDonald