



Home Office

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Alex Macdonald
Home Office
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August 2018

Dear Alex,

Re: Biometrics and Forensic Ethics Group work programme 2018

Thank you for your letter dated March 2018 setting out the Home Office's priorities for the Biometrics and Forensics Ethics Group (BFEG) programme 2018. We are pleased to provide our response to each of these work streams as follows:

- **Police use of facial recognition systems**

In December 2017, the BFEG received a presentation from the Metropolitan Police Service on their trial deployments of live facial recognition technology (LFR). This was followed in June 2018 by a demonstration of the technology. The BFEG have established a working group to consider the ethical issues concerning use of LFR. The working group will publish its preliminary findings by the end of 2018, after which it will draw up an ethical framework for use of LFR informed by the BFEG Ethical Principles. The chair of the working group has accepted the invitation to become a member of the Home Office Law Enforcement Facial Images and New Biometric Modalities Oversight and Advisory Board and attended their inaugural meeting in July 2018.

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

The BFEG provided initial views on the retention of biometrics from convicted persons until they are 100 years old in November 2017. Should the need for a systematic analysis of retention periods arise, the BFEG will form a working group to consider the evidence available in support of possible alternative approaches.

- **Forensic Information Databases (FIND) Strategy Board**

The BFEG works closely with the FIND Strategy Board to ensure the provision of timely ethical advice on ongoing projects. This year the BFEG has considered issues relating to retention of information on the Missing Persons' DNA Database (MPDD), and access and use of the police fingerprint elimination database. The BFEG will continue to proactively engage with the FIND Strategy Board and will consider the boards' ongoing projects in greater depth as the need arises. The BFEG remains concerned that developments in the use of Y-STR information should be subject to careful

scrutiny. Any extension of the National DNA Database (NDNAD), or creation of new forensic databases, to hold substantial Y-STR information should be the subject of public consultation.

- **Home Office Biometrics Programme**

The BFEG Privacy Impact Assessment (PIA) and Ethics working group has continued to advise on a range of PIAs related to the Home Office Biometrics programme. In addition to providing feedback the overarching PIA for the programme published in July 2018,¹ other issues have been considered by the working group, such as the deployment of Mobile-ID technology and HOB programme readiness for GDPR.

- **Transforming Forensics Programme**

In December 2017, the BFEG were provided with an overview of the Transforming Forensics programme and will be engaged as appropriate as the programme develops.

Other ongoing work

- **Home Office Data Ethical Framework**

We are aware that a written ministerial statement is due be laid after summer recess 2018 confirming the expansion of the remit of the BFEG to include strategic issues relating to the use of large volume data sets by the Home Office. We welcome this decision, which provides additional assurance of the Home Offices commitment to ensure the development of its capabilities, operational activities, and policies are underpinned by ethical principles.

- **Ethical Principles**

Earlier this year the BFEG published a set of high-level ethical principles.² The principles were designed to provide a framework to embed ethical considerations into project, policy and research work. In addition to providing a consistent framework for BFEG deliberations, the principles have been utilised by stakeholders both within and external to the Home Office. In March 2018, the Independent Advisory Group (IAG) on the Use of Biometric Data in Scotland published its report providing recommendations on a policy and legislative framework for police use of biometric data and associated technologies in Scotland. In this report, the principles were adopted as the ethical framework and are being considered for inclusion in a Scottish Biometric Code of Practice.

- **Ethical assessment of research projects**

The BFEG and its predecessor have always had a role in reviewing proposals for research to be conducted on NDNAD and have encouraged the use of the database for research. The BFEG reaffirmed this in February 2017 and proposed the establishment of a working group to refine the procedure for such reviews and to carry them out. Following the recruitment of new members of BFEG the working group will shortly be established.

I look forward to engaging with you as the BFEG's work develops this year.

Yours sincerely,

¹ Available from <https://www.gov.uk/government/publications/home-office-biometrics-hob-programme-privacy-impact-assessments>

² Available from: <https://www.gov.uk/government/publications/ethical-principles-biometrics-and-forensics-ethics-group>

A handwritten signature in black ink, appearing to read 'C. Hughes', written in a cursive style.

Christopher Hughes, OBE
Chair of the Biometrics and Forensics Ethics Group