

Biometrics and Forensics Ethics Group

Notes of the 5th meeting held on 20th September 2018 at Home Office, 2 Marsham Street, Westminster, London, SW1P 4DF.

1.0 Welcome and introductions

- 1.1 Isabel Nisbet, chair of this meeting, welcomed all to the 5th meeting of the Biometrics and Forensics Ethics Group (BFEG).
- 1.2 Apologies had been received from Chris Hughes, Louise Amoore, Liz Campbell, Kit Harling and Peter Waggett.

2.0 Notes of the last meeting & matters arising

- 2.1 The note of the last meeting of the BFEG had been approved by correspondence and published on the website.¹
- 2.2 Actions arising from the March 2018 meeting were discussed.
 - 2.2.1 *FIND SB representative to share the NDNAD retention of subject profiles – deceased before charge policy with BFEG members once drafted. This item was discussed at the BFEG meeting in June prior to the policy being drafted. The policy had now been circulated to BFEG members who were invited to comment on the document under item 8.*

3.0 Chair's update

- 3.1 Jennifer Temkin was congratulated for her award of a CBE in the Queen's Birthday Honours List 2018 for services to criminal justice.
- 3.2 A response had been provided to the Department for Digital, Culture, Media and Sport (DCMS) consultation on the Centre for Data Ethics and Innovation (CDEI) which closed on 5th September. Members were thanked for their contributions.
- 3.3 The BFEG chair, Chris Hughes, had provided a response to the House of Lords Select Committee for Science and Technology inquiry into forensic science, building on advice provided by Sue Black. The response highlighted issues including an insufficiency of funding available for forensic science research and the challenges faced by those involved in the criminal justice system (CJS) in trying to keep pace with emerging technologies.

¹ Available from: <https://www.gov.uk/government/organisations/biometrics-and-forensics-ethics-group/about/membership#meeting-minutes>

4.0 Home Office policy update

- 4.1 This item was presented by the BFEG policy sponsor and Head of Data and Identity directorate. The Home Office Biometrics Strategy had been published in June 2018.² The strategy included a commitment to increase automation in the deletion of custody images. This would be achieved within the new Law Enforcement Data Service (LEDS) platform which was to replace the Police National Computer (PNC) and Police National Database (PND). The strategy also contained a commitment to update the Home Secretary's Surveillance Camera Code of Practice in collaboration with the Surveillance Camera Commissioner (SCC).
- 4.2 Members were presented with an update on the Law Enforcement Facial Images and New Biometric Modalities Oversight and Advisory Board (the Board). The Board held their inaugural meeting on 25 July 2018; the second meeting would take place on 24 September 2018. The Board would be assessing the evaluation of facial recognition pilots and would also produce guidance on the compilation of operational 'watchlists' for deployments of facial recognition. In addition, the Board would review the legal basis for use of facial recognition and input to an overall review of biometric governance, being considered as a component of the Home Office Biometric Strategy. BFEG representation at the the Board was provided by Professor Nina Hallowell in her capacity as chair of the Facial Recognition Working Group (FRWG).
- 4.3 Two judicial reviews had been launched by civil liberties groups into police use of live facial recognition (LFR). Liberty, representing Ed Bridges, were pursuing legal action against South Wales Police (SWP) in the first instance and the Home Office as an interested party. The SWP would not attempt to prevent the judicial review, as they believed it would be useful to clarify the legal position on use of LFR. Big Brother Watch (BBW) had begun proceedings against the Metropolitan Police Service (MPS) and the Home Office. BBW claimed use of facial recognition breached the rights of individuals under the human rights act, including the right to privacy and freedom of expression. The MPS and Home Office disputed their claims.
- 4.4 An update was provided on *Gaughran v Chief Constable of the Police Service of Northern Ireland*³, an appeal which would examine whether indefinite retention of DNA, fingerprints, and images of convicted persons was compatible with Article 8 of the European Convention on Human Rights (ECHR). The case being heard by the European Court of Human Rights was ongoing, but a judgement was expected sometime the following year.

² Available from: <https://www.gov.uk/government/publications/home-office-biometrics-strategy>

³ The appellant in this case was convicted for driving whilst under the influence of excess alcohol, but claimed that retention of his biometric data indefinitely was contrary to Article 8 of European Convention on Human Rights.

- 4.5 A Private Members' Bill had been laid before Parliament to grant the Forensic Science Regulator (the Regulator) statutory powers, however it had not passed on first reading. A second reading was due later in 2018. A separate Private Members' Bill increasing the penalties for assaults on emergency service workers had received Royal Assent. Provisions within the draft Bill to permit the police to collect samples from perpetrators, to determine if they had any communicable diseases, had been removed during passage of the Bill through Parliament.⁴
- 4.6 Members were presented with an update on the joint review of the provision of forensic science to the CJS being conducted by the Home Office, the National Police Chiefs' Council (NPCC) and the Association of Police and Crime Commissioners (APCC). The review had been launched in the spring of 2018 in response to a series of issues, including alleged data manipulation at Radox Testing Services (RTS), Key Forensics entering into administration and a number of forensic science providers (FSPs) failing to meet accreditation deadlines. A draft set of recommendations had been developed and the review would likely be published in early 2019. The outcomes of review would be presented to members at a future meeting.

Action 1: Members to be provided with a copy of the report when available.

- 4.7 Members were provided with an update on the Home Office Ethics Sub-committee of the Data Board. It was confirmed that the chair of the BFEG would attend the first meeting as an observer on the 01 October 2018.

5.0 National Law Enforcement Database Programme

- 5.1 The National Law Enforcement Data Programme (NLEDP) first informed the BFEG of the programme during the meeting held in September 2017,⁵ and had returned to provide an update to the group. The programme was established to replace the Police National Database (PND)⁶ and Police National Computer (PNC)⁷. The legacy systems were to be replaced with a cloud-based platform, the Law Enforcement Data Service (LEDS). The programme would update the functionality currently provided by the existing systems in accessing data, including enabling frontline, mobile access to summary intelligence data as well as summary driver and criminal records information where appropriate. Due to the distinct nature of the two systems, a level of duplication of data currently existed between the PNC and the PND which would be resolved when the systems were consolidated.

⁴ The Assaults on Emergency Workers (Offences) Act 2018 gained Royal Assent on 13 September 2018

⁵ Minutes available from <https://www.gov.uk/government/organisations/biometrics-and-forensics-ethics-group/about/membership#meeting-minutes>

⁶ The PND was commissioned around 12 years ago to coordinate intelligence between forces following the intelligence failures identified in the Bichard report.

⁷ The PNC was established around 40 years ago and deals broadly with records of fact about interactions between law enforcement and members of the public. It also includes criminal court records and driver and vehicle records.

- 5.2 The NLEDP had identified that the public knew little about the information contained within the PND and PNC and had little understanding of how that information was used. It was felt that the Home Office would need to build enduring procedures to improve this understanding. Improved engagement would additionally inform the development of the new system through the consultation and feedback from a broader range of stakeholders than those formally within the programme.
- 5.3 The NLEDP had established an 'Open Space' facilitated by Involve⁸, a charity specialising in engagement between Government, Civil Society and the Public. The Open Space sought to formalise the Programme's engagement with civil society stakeholders with a policy interest in the activities of the Programme and LEDS. Current membership of the Open Space focused on civil liberties organisations, as well as more data-focused organisations and subject-matter expert groups. An effort was being made to expand the membership beyond these groups to include a broader cohort of stakeholders, such as victims' groups and others. The organisations involved in the Open Space had asked for their participation not to be made public by the Home Office. Members felt that this undermined the spirit of the Open Space and it called into question the objectives of the Open Space. If the Open Space were only for the registration of protest to the Home Office, then this model may be acceptable, however a greater level of transparency would be required for development of policy recommendations.
- 5.4 Two 'Open Space' meetings had been held with the third scheduled for October 2018. When asked whether BFEG would like to engage in ongoing 'Open Space' conversations, members noted their interest and deferred to the secretariat to determine how this might be accomplished most effectively. Members with a particular interest in the Open Space were asked to inform the secretariat.

Action 2: Secretariat to determine how the BFEG will contribute to the NLEDP Open Space.

Action 3: Members to let the Secretariat know if they are interested in participating in the NLEDP Open Space.

- 5.5 The NLEDP published a Privacy Impact Assessment (PIA) in July 2018⁹, which would be updated to the Data Protection Impact Assessment (DPIA) format for publication in 2019. Some concerns had been raised during the PIA process which the NLEDP were addressing. These included:

- *Concerns regarding broad privacy implications from sharing LEDS information between organisations and merging the PNC and PND datasets.* The DPIA

⁸ Involve website: <https://www.involve.org.uk/about/about-involve>

⁹ Available from: <https://www.gov.uk/government/publications/law-enforcement-data-service-privacy-impact-assessment>

would more directly address the privacy implications of how LEDS merges datasets. Safeguards were being designed to ensure proportionality of access.

- *Access to LEDS by non-police organisations.* LEDS users would include non-law enforcement authorities with responsibility for prosecuting criminal offences in specific sectors (e.g. the Medicines and Healthcare Products Regulatory Agency) as was the case with the current PNC system. The NLEDP was designing robust Organisation-Based Access Controls (OBAC) and Role-Based Access Controls (RBAC) to maintain adequate ethical and privacy protections.
- *Concerns regarding the accuracy and impact of incorporating medical and health information into LEDS.* NLEDP was not seeking the wholesale import of medical or health records. Additional data would be added to LEDS where this met an operational need, was necessary and proportionate, and with the expectation of including details in the DPIA and proactively publishing where this would not unduly impact law enforcement operations or security. BFEG members asked what the process would be for the addition of new medical data to LEDS. A target governance framework had been designed which was currently in the process of being approved by the Home Office. This issue would also be discussed in the Open Space.
- *In September 2017, BFEG members highlighted the need for broader public consultation and underlined the internal focus of consultation for the first iteration of the PIA.* The NLEDP had begun consultations with civil society groups interested in privacy and ethical issues via the Open Space which would inform the DPIA published in 2019.

5.6 Members felt that the documents presented were too focused on privacy as opposed to ethical issues (which were related though distinct). When asked whether any new ethical concerns arose from the programme members were informed that two key areas were being considered:

- more routine access to intelligence for certain policing roles; and
- making some of this data mobile for the first time.

5.7 The NLEDP agreed to share a list with the BFEG of areas that they considered raised new ethical issues.

Action 4: NLEDP to share a list of areas requiring ethical consideration for the LEDS with BFEG members.

5.8 The chair of the BFEG's Home Office Biometrics (HOB) Ethics Working Group felt that the NLEDP programme presented similar ethical issues to those arising from the HOB programme, including necessity and proportionality and the technological and security risks that arise when datasets were brought together.

5.9 Members also noted that there appeared to be limited oversight and a lack of an external element in the governance model. The NLEDP team would be issuing a

paper concerning governance of the programme at the next Open Space meeting and so would share this with the BFEG

Action 5: NLEDP to share paper on governance model with the BFEG.

6.0 Home Office Data Analytics Competency Centre

- 6.1 Members received an overview of the Data Analytics Competency Centre (HO DACC), the Home Office's centre for data science. Members were informed that HO DACC brought together case-level data sources from across the Home Office to build analytics tools for customers within the department and were asked to comment on the ethical considerations embedded into the current DACC processes. It was felt that consideration of ethics was not sufficiently prominent in the analytical quality assurance paperwork presented.
- 6.2 When asked to advise on the assessment of biases that could arise from machine learning models, members agreed that further work was required to determine what constitutes bias in machine learning. Issues of bias and machine learning were often assessed from a technical perspective, but it would also be important to consider the issue from a philosophical perspective to determine whether a system is biased, e.g. would machine learning compound the issues experienced by the Windrush Generation?
- 6.3 It was highlighted that bias had the potential to enter the analytics tools being developed through multiple mechanisms including definition of terms and categories assigned to individuals, the entry of data by the operator, the data and how it was collected, and the algorithms used. In terms of ethical review, it would be necessary to scrutinise each of those points. Since error and bias could exist in both human and automated judgements, it would also be important to learn from the outputs of the process as a whole and adjust the output accordingly. A member suggested that there was quite extensive literature on predictive policing, and that this might be useful in exposing some of the ethical issues concerning data analytics generally.
- 6.4 Members were asked whether there was an ethical imperative to consider bias against groups which are not explicitly protected under the Equality Act 2010. Members agreed that there was, although the Equality Act was concerned with discrimination and harassment in respect of nine protected characteristics, not groups per se. It would be important to consider characteristics on which bias, conscious or unconscious, may be predicated, such as class/social background, accent, appearance, dress etc. Identification and selection of such groups/characteristics was recommended to be undertaken through further discussion of ethical issues and biases with the BFEG and other informed stakeholders. A member had shared some written comments on these points with the secretariat who agreed to forward on to the HO DACC team.

Action 6: Secretariat to share member comments on bias with HO DACC team.

6.5 A member felt that it would be valuable for the HO DACC team to carry out a case study and examine the ethical issues arising from that example. It was suggested that analysis of data from a seized device, where the large amounts of data available had the potential to result in issues around the fairness and transparency of any process that determined which data was disclosed, might be a suitable case for consideration. Identifying how the process could be made fair and explicable for the defence and prosecution would bring out many ethical issues.

6.6 A member noted that they felt that the item was stretching beyond the current remit of the group. Conversely other members felt that understanding the types of ethical questions that were arising within Home Office processes and through use of Home Office datasets was valuable, and that there were parallels between biases in machine learning models and biases in biometric techniques. The HO DACC team were advised to consider some of the broader ethical issues raised and were invited to return to a future BFEG meeting with any further ethical issues for advice. It was suggested that one way the BFEG might assist HO DACC would be to determine whether questions they are considering are indeed ethical questions or not.

7.0 Stakeholder Updates

7.1 Written updates had been shared with the BFEG from the Office of the Biometric Commissioner and the Forensic Information Databases Service (FINDS). Members were invited to provide comments on the updates. No comments were received.

8.0 FIND Strategy Board (FIND SB) - NDNAD retention of subject profiles deceased before charge

8.1 The 'Deceased Suspects - CPS Policy on Charging Decisions'¹⁰ describes that since deceased persons cannot be prosecuted, the CPS would not make a charging decision in respect of a deceased suspect. As such, the FINDS had developed a retention policy for DNA profiles on the National DNA Database (NDNAD) in instances where the donor had passed away before the DNA sample was taken, or before the individual was charged, and where after an investigation it was found that it was likely the individual had committed serious offences. An example where this policy had been used was in the Fred West case.

8.2 At the BFEG meeting held on 05 June 2018, members were asked if they felt it was appropriate to store a deceased individual's DNA profile on the NDNAD to help solve outstanding crimes.¹¹ Whilst the BFEG agreed it was appropriate to store such profiles, it was recommended that the potential impact to the reputations of the deceased individuals, and their families, should be taken into consideration. Members were reassured that the ethical impact on living individuals would be

¹⁰ Available from: <https://www.cps.gov.uk/legal-guidance/deceased-suspects-cps-policy-charging-decisions>

¹¹ Minutes available from: <https://www.gov.uk/government/organisations/biometrics-and-forensics-ethics-group/about/membership#meeting-minutes>

included in the written policy which would be presented to the BFEG at its next meeting.

- 8.3 The written policy, which would be added to the next version of the FIND SB Access and Use policy, was presented to BFEG members. Members considered that the draft policy set quite a high bar for retention of a subject profile requiring that the offence was both serious and potentially serial in nature and that closure for victims should also be prioritised. Members agreed that whilst the potential for reputational damage was sufficiently addressed, this should not lead to differential treatment between those that do, and do not, have relatives. Members agreed that they were content with the policy.

9.0 FIND Strategy Board - British Red Cross access to the Missing Persons DNA Database (MPDD)

- 9.1 Views were sought on a proposal for the National Crime Agency Missing Persons Unit (NCA-MPU) to carry out a trial in collaboration with the British Red Cross (BRC) and its international counterpart, the International Committee of the Red Cross (ICRC). The trial would facilitate the exchange of a limited number of DNA profiles between the UK, Italy and Greece with the purpose of identifying dead migrants. The trial would be carried out by obtaining DNA 17¹² profiles and sending these to the designated country for a kinship comparison.
- 9.2 Members queried why DNA 17 profiles had been selected, which may only be partial when obtained from deceased persons in these circumstances rather than other potentially more useful DNA sequences and markers.
- 9.3 Members asked whether the receiving countries would have sufficient capability to analyse the profiles and draw conclusions on relatedness. Appropriate reference databases held for the population of origin of the migrant would be required to decrease the likelihood of misleading results from familial searches. It would be important to ensure that family members understood that the trial could not guarantee an accurate result. Members were informed that all DNA samples would be processed in a laboratory accredited to ISO 17025 or equivalent.
- 9.4 The issue of informed consent and retention of samples was raised. The proposal stated that if the international comparison was negative, the profiles would be retained on the MPDD enabling their comparison with international unidentified DNA profiles entering the country, as well as UK held MPDD profiles. Members noted the importance of obtaining permission for retention of samples and clarification of the retention period.

¹² A DNA 17 profile is produced using the latest system of DNA profiling technology which examines 16 sections of DNA (short tandem repeats [STRs]) plus a sex marker to produce a numerical DNA profile.

- 9.5 A member felt it was unclear why a section of the proposal stated that familial DNA profiles stored on the MPDD would be compared against unidentified body parts and crime stain profiles. Members were informed that profiles sourced for migrant comparison would be loaded onto the MPDD and treated in an equivalent manner to profiles obtained from a UK missing person. Extra clarification would be required to ensure the migrant profiles were handled transparently.
- 9.6 Although they held no objections to the trial, members questioned the logic of conducting this trial through the UK MPDD, given its focus on non-UK citizens. It was thought that it would be possible for the BRC and ICRC to conduct this trial without the assistance of the NCA using the Interpol missing persons database as an interface. Members were informed that the trial was intended to be operationally joined up and facilitated by the NCA and MPDD but that this question would be relayed to the NCA MPU.
- 9.7 On balance members believed the trial had merit and reached a qualified agreement to support the trial.

10.0 FIND Strategy Board – application of genealogical database services to policing

- 10.1 It was reported that police forces had received many queries around the potential to search DNA profiles obtained from UK crime stains against commercial genealogy databases. This was in the context of the ‘Golden State Killer’¹³ case in the USA.
- 10.2 Members noted that a number of considerations would need to be taken into account if commercial genealogy databases were to be used for UK cases. Firstly, there were issues around privacy for use of an individual’s biometric data for purposes other than those for which consent had been given. In addition, DNA profiles from crime stains were generated in a properly controlled accredited environment, which was not the case for commercial genealogy entities. It would be unlikely that the outputs generated could be compared without further testing given the differences between the systems used by commercially available genealogy databases and those used in the UK for criminal justice purposes.
- 10.3 The BFEG cautioned against using this approach in the UK. Besides from the issues of incompatibility of testing carried out in an unaccredited environment, the ethical issues of using DNA profiles provided for genealogy purposes were considerable.

¹³ The ‘Golden State Killer’, Joseph James DeAngelo, committed a series of murders and sexual assaults in California in the 1970’s and 80’s. Investigators held historic DNA profiles from crime stains and compared them to those held by the genomics website, GEDmatch. Relatives of DeAngelo were identified on the database and he was assigned as the prime suspect. His DNA was obtained covertly by law enforcement officials which matched the historic profile held, leading to his arrest.

11.0 FIND Strategy Board - request by the Metropolitan Police to conduct research on human body fluid samples

- 11.1 The MPS had requested approval from the FIND SB to conduct research on humans and collect human samples as part of the EU VISAGE project.¹⁴ The EU required that all laboratories collecting human samples seek consent from volunteers by way of a consent form and that each laboratory gained evidenced ethical approval to conduct research on humans.
- 11.2 When members were invited to comment on the proposal they concluded that they did not have sufficient information to provide advice and requested that information leaflets and consent forms were shared ahead of further discussion.

Action 7: FINDS Unit to provide the BFEG with paperwork relating to the MPS proposal

- 11.3 It was noted that the European Commission would require local ethical approval for the project, which would usually be obtained through the academic partner. It was unclear who the academic partner would be.
- 11.4 Concerns were raised that the pool of volunteers for the study was derived from “within the MPS/partner agencies; the majority of whom had already provided DNA samples previously for the elimination purposes”. It was unlikely that ethical approval would have been obtained for elimination samples and that further use of these samples would require a consent form. One of the aims of VISAGE was to assess the age of the individual so it would be necessary to include children in the study which would raise operational issues.
- 11.5 The BFEG concluded that there were significant issues with the proposal as presented and that further information was required before consent to proceed could be given.

12.0 Assessing the Utility of Presumptive Testing at Sexual Assault Referral Centres (SARCs) - Liverpool John Moores University

- 12.1 Members were provided with a presentation on the project proposal ‘Assessing the Presumptive Testing at Sexual Assault Referral Centres (SARCs)’. The research aimed to understand whether adoption of presumptive testing for semen or male specific DNA at SARCs was likely to improve the mental health of individuals who had been subject to serious sexual assaults, and in turn whether this could lead to a greater number of progressed criminal cases. Members were informed that the

¹⁴ The EU Horizon 2020 funded VISAGE project aims to broaden forensic use of DNA towards constructing composite sketches of unknown perpetrators from traces recovered at crime scenes. The VISAGE Consortium consists of 13 partners from academic, police and justice institutions of 8 European countries.

presumptive test was not new and was currently undertaken at a later stage of the evidence gathering process for sexual assault cases.

- 12.2 The presenters hypothesised that using presumptive testing at an earlier stage in the workflow could improve patient care and enhance the mental health of the patient by reducing waiting time for results. The current processes used in sexual assault cases involved the SARC collecting samples, sending those samples to a local police force who then forward the samples onto a FSP for testing. It was suggested this process could take up to 4-6 weeks.
- 12.3 Member were informed that the project would be conducted in two phases. Phase 1 of the project would be an academic-led research study based at Liverpool John Moores University. Part of the first phase of the study had already been completed. A questionnaire had been produced to capture SARC staff's views on use of earlier presumptive testing. The results from the questionnaire revealed 85% of SARC staff believed that conducting the presumptive tests earlier in the workflow could improve the mental well-being of the patient. In the next part of phase 1, mock samples would be used to screen different presumptive tests to determine their accuracy. Pre- and post-coital samples would then be collected from volunteer couples and a further in-depth study would be conducted on a selected number of presumptive tests. The results from phase 1 would be analysed and assessed before commencing phase 2. If results from phase 1 were not satisfactory there would be no phase 2.
- 12.5 Phase 2 of the project would the seek views of patients on the proposal at a limited number of SARCs via a questionnaire. The feedback obtained would allow the researchers to predict whether victims' mental health was likely to be improved and to identify the most appropriate way to explain presumptive test results to patients. Once the results of the questionnaire had been collected and analysed, a single SARC would be selected for the presumptive tests to be performed on volunteer patients. The patients who chose to participate in the research would be given a questionnaire that would seek to understand whether performing presumptive tests earlier in the workflow at the SARC had a positive or negative impact on their mental health, and if this helped progressing their case further. Ethical approval was still pending for this phase of the project.
- 12.6 A member expressed a concern about the need for mental health support for patients when no semen or male specific DNA was detected. A healthcare psychologist had been consulted who suggested that the manner in which results were presented to a patient would be important in alleviating mental anguish. It would be important for SARC staff to understand how to interpret positive and negative results.
- 12.7 Concerns were raised regarding the use of the swabs outside a contained environment (laboratory) and the potential for contamination. The presenters felt that since samples were already collected within the SARC, acceptable anti-

contamination processes should be in place. They had sent questionnaires to SARCS which included questions to determine what anti-contamination processes were in place. In addition, training would be provided to SARC staff conducting the presumptive tests.

- 12.8 A member queried the accuracy of the estimated 4-6 week wait time for the patients' results. The presenters were in the process of obtaining data to confirm these figures.
- 12.9 The proposed number of volunteers (35) was queried as it was felt this would be too few for a representative dataset. This was acknowledged; however, it was felt that this sample size should be sufficient to provide a proof-of-concept.
- 12.10 A member asked whether the researchers had considered other techniques to provide patients with quick results, e.g. Rapid DNA¹⁵. The researchers had considered Rapid DNA systems, but felt they were too expensive to fit the requirements for a SARC facility. Presumptive testing was selected as it was simple, cheap and provided binary results.
- 12.11 A member queried how the researchers would measure the impact of the early presumptive test on the mental health of patients, which was seen to present a huge challenge. It was suggested instead that the researchers focussed only on the impact on the number of decisions taken to progress cases as this would be more straightforward to measure.

13.0 BFEG Facial Recognition Working Group update

- 13.1 An update was provided to the BFEG by the chair of the Facial Recognition Working Group (FRWG), Professor Nina Hallowell. The group had held two meetings since the last meeting of the BFEG in June. During that time the new Home Office 'Board' (see 4.2) had been established, of which Professor Hallowell was a member.
- 13.2 The FRWG would be drafting a short report on the ethical concerns associated with the use of LFR. This would be presented to the BFEG for consideration and then to the Board once ratified. An evidence gathering day would be held on 03 October in support of this activity.

14.0 BFEG response to Scotland Biometrics public consultation

- 14.1 A public consultation had been launched by the Scottish Government to provide independent oversight of biometric data used by the police and other organisations in Scotland, including introducing a statutory code of practice and establishing a Scottish Biometrics Commissioner.

¹⁵ Portable technology which has the ability to produce a DNA profile much faster than can be done using conventional technology.

14.2 The BFEG were invited to provide responses to the consultation questions. Some responses had already been received by correspondence. One member felt that the consultation document did not present a clear argument on the requirement for Scottish Biometric Commissioner, as the document claimed governance of biometrics in Scotland was already satisfactory. On balance, members agreed that Scotland should adopt the model of instituting a Biometrics Commissioner. The Biometric Commissioner for England and Wales was felt to have been highly influential in highlighting key issues to Government.

15.0 BFEG Annual Report 2017

15.1 The secretariat had produced a first draft of the annual report on which members were invited to comment. Minor corrections were requested, subsequent to which the committee was content to sign the report off for publication.

16.0 BFEG forward look calendar

16.1 The secretariat would be producing a forward look calendar for meetings which would be updated on a rolling basis. Members were invited to suggest items to consider for future meetings.

17.0 AOB

17.1 Members were asked to provide updated information for the committee register of interests by correspondence.

Annex A – List of attendees

Present

- Isabel Nisbet - BFEG member chairing on behalf of Chris Hughes
- Adil Akram - BFEG Member
- Sue Black - BFEG Member
- Simon Caney - BFEG Member
- Nina Hallowell - BFEG Member
- Mark Jobling - BFEG Member
- Thomas Sorell - BFEG Member
- Denise Syndercombe-Court - BFEG Member
- Jennifer Temkin - BFEG Member
- Caroline Harrison - Observer
- Andrew Thomson - FINDS Unit, HO
- Carl Jennings - Data & Identity directorate, HO
- Alex MacDonald - Data & Identity directorate, HO
- Sebastian Damberg-Ott - National Law Enforcement Database Programme, HO
- Kay Grubb - National Law Enforcement Database Programme, HO
- Rupert Chaplain - Data Analytics Competency Centre, HO
- David Bonfield - Data Analytics Competency Centre, HO
- Nick Dawnay Liverpool - John Moores University
- Kayleigh Sheppard - Liverpool John Moores University
- Penny Carmichael - BFEG Secretary, HO
- Nadine Roache - Science Secretariat, HO

Apologies

- Chris Hughes - BFEG chair
- Louise Amore - BFEG Member
- Liz Campbell - BFEG Member
- Peter Waggett - BFEG Member
- Kit Harling - BFEG Member