

# **Guidance for the Development and Review of ANPR Infrastructure**

**To support the consistent and proportionate  
deployment of ANPR Infrastructure by the  
Police and other Law Enforcement Agencies**

# 1 Introduction

- 1.1 Automatic Number Plate Recognition (ANPR) technology can and does help detect, deter and disrupt criminality at a local, regional and national level, including tackling traveling criminals, organised crime groups (OCG) and terrorism. Such is the value of ANPR as a tactical option providing new lines of enquiry and evidence in the investigations at all levels
- 1.2 Investigators in local and cross border criminality and Senior Investigating Officers in cases of terrorism, organised and other major crime are increasingly reliant on ANPR to provide cost effective support to investigations.
- 1.3 The police and other Law Enforcement Agencies (LEAs) regularly review the extent of ANPR infrastructure to ensure that deployments remain appropriate and to identify circumstances where additional deployment of ANPR cameras is required. National ANPR Strategic requirements include provisions to support the development and review of infrastructure within the National ANPR Service (NAS) with specific objectives to:
  - Ensure that deployments are consistent between LEA and that they are proportionate,
  - Identify any potential duplication of capability arising as a consequence of integrating local systems into a single national system, with proposals for mitigation,
  - Minimise the number of ANPR cameras that are required overall, by sharing with, or using cameras owned by local authorities and others where practical.
  - Identify any gaps in infrastructure provision that may be mitigated by deployment of additional ANPR capability
- 1.4 The purpose of this document is to confirm procedures for the development and review of ANPR infrastructure for a deployment that is intended to be or following installation is, in place for 12 months or more.
- 1.5 The requirement for ANPR must be assessed in the context that it is to be deployed; any development of infrastructure must be consistent with the requirements of relevant legislation, including the [Data Protection Act 2018 \(DPA\)](#), the [General Data Protection Regulations \(GDPR\)](#), the [Human Rights Act 1998 \(HRA\)](#), the [Protection of Freedoms Act \(PofF\) 2012](#) and the [Code of Practice issued thereunder. \(PofF Code\)](#). This document provides additional guidance to support Law Enforcement Agencies (LEAs) in meeting the

requirements of legislation and the [National ANPR Standards for Policing and Law Enforcement \(NASPLE\)](#)

- 1.6 A structured approach to infrastructure development is required based on strategic assessment of law enforcement challenges within an area that has identified a pressing social need for resources at that location for [DPA](#) “law enforcement purposes” as defined by the Act as “the prevention, investigation, detection or prosecution of criminal offences, including the safeguarding against and the prevention of threats to public security.” That assessment must be evidence based supported by an analysis of the strategic risks and threats at a location.
- 1.7 It is recognised that there is sensitivity around the use of ANPR technology and therefore in order to show that it is the appropriate response to the pressing need, it will be necessary to consider alternative policing methods and to take account of the impact on data protection and human rights, including privacy, to confirm that deployment of ANPR is proportionate and appropriate in all the circumstances.
- 1.8 Threat and risk assessment processes are an essential source of information when considering the development of new ANPR capability and when reviewing the continued relevance of ANPR at a location. It is therefore advisable that the assessments are maintained and reviewed at regular intervals to ensure that it remains relevant. A record of the assessments used to support consideration of any new capability or in the review of an existing location should be retained in each case. A record of reviews should be used to inform self – assessment of [PofF Code](#) compliance using the [Surveillance Camera Commissioner’s \(SCC\) self – assessment tool](#).
- 1.9 The Chief Officer of the organisation that develops and maintains the ANPR infrastructure at a location is the data controller in respect of the deployment and collection of data from that device and is responsible for ensuring that it is appropriate and proportionate taking account of the impact on data protection including privacy.
- 1.10 Consideration of whether a deployment is appropriate and proportionate requires assessment to be made in the context of each proposal, taking account of all relevant factors. Whilst it is not possible to provide an exhaustive approach for the development and review of ANPR, the process outlined within this document support a consistent

approach to those assessments. Guidance to support consistent decision making is provided in the Deployment Assessment Matrix at Appendix A.

- 1.11 A Data Protection Impact Assessment (DPIA) is required to be completed prior to the installation of infrastructure. In completion of the assessment the advice of the Data Protection Officer (DPO) and the senior person with responsibility for overt surveillance within a police force or other LEA should be obtained.
- 1.12 Regulation of the use of overt surveillance, including ANPR, is the responsibility of the SCC and the deployment of ANPR must be with due regard to the [PofF Code](#). Failure in this regard is disclosable in court.
- 1.13 LEA ANPR systems may result in high risk to the rights and freedoms of individuals and prior consultation with the [Information Commissioner \(ICO\)](#) under provisions of the [DPA](#), may be required before the deployment of any new ANPR systems. In most cases compliance with the procedures outlined within this document provide sufficient mitigation of the risks such that consultation with the [ICO](#) will not be needed, however in circumstances that will result in a large increase in the number of ANPR systems deployed or where high risks are identified that cannot be mitigated then the [ICO](#) must be consulted.

## 2 Assessing the need for ANPR

### 2.1 Assessment Criteria

- 2.1.1 Assessment of policing challenges within an area should be structured to take account information relating to the following categories of strategic threat:
  - National Security and counter terrorism,
  - Serious, organised and major crime,
  - Local crime,
  - Community confidence and reassurance/ crime prevention and reduction

2.1.2 It is important that an assessment against these high-level categories is supported by evidence and information; a reference to these categories, in isolation, is unlikely to be sufficient to support the identification of a pressing social need for deployment of ANPR.

## 2.2 National security and counter terrorism

2.2.1 The first component of assessment should be aspects of national security and counter terrorism. The assessment should be with reference [to Critical National Infrastructure \(CNI\)](#), National Borders and identified '[Crowded Places](#)' and take account of information and intelligence relevant to counter terrorism policing.

## 2.3 Serious, Organised and Major Crime

2.3.1 During all assessment processes staff within Police forces and other Law Enforcement Agencies (LEA) with primary responsibility for serious, organised, and major crime investigations should be requested to provide advice on appropriate locations for ANPR, taking account of previous experience and assessment of future requirements, which should be supported by appropriate examples and analysis.

## 2.4 Local Crime

2.4.1 The assessment should include consideration of local crime and policing issues and the relevance of vehicle movements to that criminality.

## 2.5 Community Confidence and Reassurance/ Crime Prevention and Reduction

2.5.1 In some circumstances the local communities, both residential and business may initiate considerations for ANPR infrastructure development for the purpose of crime prevention, community confidence or reassurance which may be at no or minimal costs to a LEA. Any proposal should be subject to assessment of local crime and must be in order to detect, deter, and disrupt criminality. This aspect of assessment may provide the greatest challenge to establishing deployment of ANPR as a proportionate response.

2.5.2 Whilst the prevention and detection of any crime could be considered as a pressing social need, factors relating to national security, counter terrorism and organised crime can be

expected to carry some innate weight to justify the use of ANPR and therefore more readily satisfy assessments of proportionality in deployment of ANPR than less serious levels of criminality. However, all of the above categories may be relevant albeit that for less serious policing challenges privacy concerns are likely to be of greater influence on that assessment.

## 3 Pressing Social Need

3.1 Where the analysis has identified strategic threats within the above categories further assessment is required to establish a pressing social need for that threat to be countered by the deployment of ANPR. Whilst other factors may also be relevant this element of assessment requires consideration of the following factors, with appropriate analysis:

- The numbers of people that are or could be affected by the issues identified within the assessments.
- Whether those issues could lead to damage, distress or both and if so the nature and severity of those consequences.
- Any local views on the deployment of ANPR.
- Any wider societal views on the use of ANPR.
- The alternative tactical responses that may be available to meet the challenges that may be less or more intrusive than ANPR.
- How the use of ANPR will assist resolution of the issues identified.
- The scope of privacy intrusion – How many people does this affect?
- The scale of intrusion – The number of people may be small however the impact may be large (eg. 'Ring of Steel')

3.2 All of the factors considered should be weighed against each other in determining whether it may be appropriate for ANPR to be deployed. It is essential that a pressing social need is identified for a deployment of new infrastructure or continue use of existing capability to be justified and for this to then be considered in the context of privacy.

## 4 Data Protection Impact Assessment

4.1 The [Information Commissioner's Office \(ICO\)](#) provides guidance on Data Protection Impact Assessment (DPIA) and a [template to support ANPR infrastructure assessment](#)

has been developed. A DPIA should be completed at the start of any plan to develop your ANPR infrastructure. This includes the installation of all types of ANPR system<sup>1</sup> except for those deployed in support of immediate operational response following the report of a crime or incident or that are deployed under the authority [of Regulation of Investigatory Powers Act 2000 \(RIPA\)](#) or the [Regulation of Investigatory Powers \(Scotland\) Act 2000 \(RIPSA\)](#).

- 4.2 [A template for a DPIA for ANPR Infrastructure development](#) has been developed in liaison with the [ICO](#) and the [SCC](#) and it is recommended that this template is used in each case.
- 4.3 Notwithstanding that some sensitive information, that may include details of camera locations, may be redacted the DPIA should be published as part of a local Freedom of Information Act 2000 (Fol) publication scheme within a police force or other LEA.

## 5 The Infrastructure Assessment Process

- 5.1 The following should be undertaken in respect of any proposed development of ANPR infrastructure with a record maintained of the process. The [SCC](#) has published 'Passport to Compliance' documents to assist organisations in their compliance with the PofF Code provided clear guidance that can assist the assessment process.
- 1 Review the assessments to confirm proposed locations for new ANPR.
  - 2 Review the assessment of "pressing social need"
  - 3 Identify potential data protection impacts in relation to:
    - i. The location,
    - ii. The resident population,
    - iii. The transient population.
  - 4 Identify relevant stakeholder representatives
  - 5 Consult on proposals and complete the DPIA

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<sup>1</sup> As defined by [National ANPR Standards for Policing and Law Enforcement \(NASPLE\) Part 8.5](#)

- 5.2 Consultation should include all persons and organisations with a reasonable interest in the proposal unless that would be contrary to the purpose of the development, namely, to detect, deter, and disrupt criminality.
- 5.3 Consult with the senior person with responsibility for overt surveillance within a police force or other LEA.
- 5.4 Consult and seek advice of the Data Protection Officer (DPO). The advice of the DPO is recorded within section 7 of the DPIA
- 5.3 In establishing the extent of a consultation consideration is required of the nature and extent of the “pressing social need” and the extent that the proposal could impact on privacy. Consultation may be conducted using established consultation groups and methods, with additional provisions where they are judged as insufficient taking account of the circumstances in each case. The exact locations for new ANPR infrastructure need not be disclosed such that consultation should be possible in all but the most exceptional of circumstances. It is important that consultation is meaningful and that a record of consultation is published, which may form part of the DPIA. If consultation is limited, then the reasons should be fully recorded.
- 5.4 Review information provided regarding ANPR within the area to provide much transparency in the use of ANPR as possible. Whilst specific ANPR camera locations need not be identified, information is to be provided for individuals who enter an area covered by ANPR that it is in use and the purposes of that use. This should include provision of information in appropriate signs within the policing area, entries the organisations internet site and other publications. The information provided should include that relating to the effectiveness of the ANPR system, for example the impact on crime and examples of the benefits in investigations.

## 6 New ANPR Infrastructure

- 6.1 Assessments provide the information to support a decision on deployment of cameras into an ANPR infrastructure. If on examination of that assessment it is considered that deploying of additional cameras should be considered then the following procedure should be followed.

- 1 Taking account of the information within the assessment, and with reference to section 8.13 [NASPLE](#) re lists of vehicles of interest, identify locations where deployment of ANPR may be an appropriate tactical response.
  - 2 Review existing ANPR locations in the context of any proposed new locations, to confirm that the resulting ANPR capability if implemented would be proportionate to the policing issues identified from the assessment. In conducting this review consideration of how the new infrastructure will 'fit' with existing regional and national infrastructure is required. The potential for minimising the number of ANPR cameras that are deployed overall by sharing with, or using cameras owned by, local authorities and others should also be considered. Developments should not normally be based solely on local considerations.
  - 3 Assess proposals in the context of any impact on data protection to confirm that the additional capability would be a proportionate response to the policing issues identified from the assessment and complete the DPIA in using the [national DPIA template](#).
  - 4 Following assessment, determine if the development should take place with reference to the Deployment Assessment Matrix at Appendix A.
- 6.2 The NAS Service Delivery Team should be consulted as a key stakeholder to ensure that the impact of the planned new infrastructure development is considered in context with similar national developments to ensure NAS is scaled appropriately.

## 7 Review of Existing ANPR Infrastructure

- 7.1 [NASPLE](#) and the [Protection of Freedoms Code](#) require that the locations for cameras should be reviewed annually. The following procedure should be adopted for a review of a camera deployment. Records of the review process should be maintained in all cases. A [template for a record of a review](#) in the context of all assessments is provided.
- 7.2 Update and review assessments of the policing challenges as previously described to establish whether there remains a pressing social need for a policing response, and that the deployment remains relevant in the context of that assessment.
- 7.3 Confirm if the deployment of ANPR has been successful in meeting the aims for which it was installed, if not then ANPR may not be the most appropriate response to the threat.

- 7.4 If on consideration of the assessments the location is no longer relevant to the policing challenges, cease collection of data from the camera and arrange for decommissioning.
- 7.5 If the location remains relevant in the context of the assessments, then review the DPIA in relation to:
- i. The location,
  - ii. The resident population,
  - iii. The transient population.
- 7.6 If the location remains relevant following consideration of the assessments and data protection considerations have not changed, continue deployment of camera at that location.
- 7.7 Where privacy considerations have changed assess any impact on data protection to confirm that the continued deployment of a camera is a proportionate response to the policing issues identified from the assessment.
- 7.8 If following the data protection impact assessment continued deployment of camera at the location is justified no further action is required.
- 7.9 If following the data protection impact assessment continued deployment of the camera at a location is not justified, cease the collection of data from that camera and arrange for decommissioning.

<b>Deployment Assessment Matrix</b>	National Security/ Counter Terrorism	Serious, Organised and Major Crime	Local Crime	Crime Prevention and Reduction	Community Confidence and Reassurance
National Strategic Road Network (SRN)					
Local Authority managed Major Roads					
Local Authority managed Minor Roads					
Crowded places eg Regional shopping centres					
Private places eg Fuel Forecourt					

<b>Code</b>	
Deployment very likely to be justified	
Deployment likely to be justified in most cases	
Deployment likely to be justified in exceptional cases only	

NB: Decisions on camera locations are the responsibility of the organisation that will manage that camera. The matrix is intended to aid consistency in the decisions in consideration of the operational need for the camera taking account of the impact on privacy and the proportionality in collecting the data.

Regulators recognise that a camera based on national security/ counter terrorism grounds is more easily justified than one solely on community confidence and reassurance. Similarly, the risks to privacy and human rights is assessed as lower on strategic and major roads than local roads and private places.

The colour coding within the matrix provides an assistance in conducting the assessments detailed within this document. Clearly cameras may support all grounds and the highest levels of justification should be the basis of decisions.

Revision	Date	Details	Revised by
1.1	June 2021	Ref to NASPLE added at 6.1	Bill Mandeville