



OFFICE OF THE BIOMETRICS
AND SURVEILLANCE
CAMERA COMMISSIONER

Rachel Maclean MP
Parliamentary Under Secretary of State, Minister for Safeguarding
By e-mail to: PS.RachelMaclean@homeoffice.gov.uk

14 October 2021

PACE 63G Biometric Retention Regime and Safeguarding / Supporting Victims

Dear Minister,

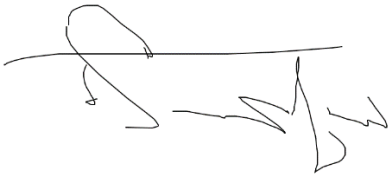
May I first congratulate you on your recent appointment as Parliamentary Under Secretary of State at the Home Office. I note that safeguarding and supporting victims are among the key priority areas within your portfolio and therefore wanted to bring to your attention the biometric retention regime established under section 63G of PACE 1984 which I oversee in accordance with the Protection of Freedoms Act 2012.

The PACE 63G provision allows the police to apply to the Biometrics Commissioner for permission to retain for three years the biometrics (DNA profile and fingerprints) of someone who has been arrested, but not charge or convicted, for a serious offence such as rape, sexual abuse, indecent exposure or assault. This power is available to the police where the victim is particularly vulnerable such as in domestic abuse cases or offences against children and young people, as well as in other cases where the police believe that it is necessary to retain their biometrics to prevent or investigate crime. The type of scenarios where this has been used include cases where the victim is frightened to give evidence against a former partner or where the reliability of a younger victim has prevented the case progressing to charge.

Whilst some police forces consider PACE 63G powers a useful tool for managing the risks posed by certain individuals arrested for serious offences, its use varies across police forces and the number of applications received by my office is relatively low (112 were submitted in 2020). I am exploring the reasons for this during my visits to police forces and my office will be supporting the MPS in delivering a 63G workshop to police forces nationally later this year. I have also raised the potential use of this power with Baroness Williams at our recent monthly meeting and I believe she intends to discuss it with the Home Secretary.

Should you require any further information on the 63G biometric retention regime and/or our work in this area considering its relevance to your portfolio priorities, please do not hesitate to get in touch with my office and we would be very happy to assist.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fraser Sampson', written over a horizontal line.

Professor Fraser Sampson
Biometrics and Surveillance Camera Commissioner