JUSTICE SUB-COMMITTEE ON POLICING

AGENDA

1st Meeting, 2020 (Session 5)

Thursday 16 January 2020

The Committee will meet at 1.00 pm in the Mary Fairfax Somerville Room (CR2).

1. **Decision on taking business in private:** The Sub-Committee will decide whether to take items 3 and 4 in private. The Sub-Committee will also decide whether consideration of its Facial Recognition inquiry draft report should be taken in private at future meetings.

2. **Facial recognition: how policing in Scotland makes use of this technology:** The Sub-Committee will take evidence from—

   - Duncan Sloan, Temporary Assistant Chief Constable, Police Scotland;
   - Lynn Brown, Interim Chief Executive, and Tom Nelson, Director of Forensic Services, Scottish Police Authority.

3. **Facial recognition: how policing in Scotland makes use of this technology:** The Sub-Committee will review the evidence heard earlier in the meeting.

4. **Work programme:** The Sub-Committee will consider its work programme.

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The papers for this meeting are as follows—

**Agenda item 2**

Paper by the Clerk  
PRIVATE PAPER  
JSP/S5/20/1/1

**Agenda item 4**

PRIVATE PAPER  
JSP/S5/20/1/2 (P)

PRIVATE PAPER  
JSP/S5/20/1/3 (P)
Justice Sub-Committee on Policing
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Note by the Clerk

Facial Recognition Inquiry

Background

1. The Justice Sub-Committee on Policing is undertaking an inquiry into the use of facial recognition technology in policing in Scotland.

2. The inquiry will consider the following areas:

   - The type of facial recognition technology used by the police service, the circumstances, and any implications. For example, Police Scotland accessing facial recognition images from CCTV cameras, national databases, body worn video cameras, and potentially mobile phones.

   - The circumstances in which equipment is used to capture images, for example the use of body worn video cameras at major events, such as protests and football matches.

   - The purpose of using facial recognition technology. For example, Police Scotland’s practice of sharing images with UK police forces through the use of the Police National Database (PND), which has a ‘facial search’ facility.

   - Any data protection, security and retention implications, and the equalities and human rights implications of the use of facial recognition technology (either by Police Scotland or by private sector entities on their behalf).

   - The legal and regulatory basis that Police Scotland rely upon to use facial recognition technology.

   - The oversight, governance and transparency of Police Scotland’s use of facial recognition technology.

3. Today’s session is the third and final evidence session. The Sub-Committee will hear from Duncan Sloan, Temporary Assistant Chief Constable, Police Scotland; Lynn Brown, Interim Chief Executive, Scottish Police Authority; and Tom Nelson, Director of Forensic Services, Scottish Police Authority.

4. The Sub-Committee previously heard from Matthew Rice, Scotland Director, Open Rights Group; Griff Ferris, Legal and Policy Officer, Big Brother Watch; Tatora Mukushi, Scottish Human Rights Commission; and Ken Macdonald, Information Commissioner’s Office, Scotland, on 5 December 2019.

5. It also heard from Dr Christopher Lawless, Associate Professor, Department of Sociology, Durham University; Dr Joe Purshouse, Lecturer in Criminal Law, School of Law, University of East Anglia; and Dr Anna Bobak, Postdoctoral Research Fellow, Psychology, University of Stirling, on 21 November 2019.
6. In addition to the oral evidence taken, the Sub-Committee will also consider the written submissions received.

7. The Sub-Committee expects to consider a draft report on its facial recognition inquiry at its next meeting, scheduled for Thursday 30 January 2020.

Justice Sub-Committee Clerks
13 January 2020