

ScotCen
Social Research



Scottish Biometrics
Commissioner

Coimiseanair
Biometrics na h-Alba

SCOTTISH BIOMETRICS COMMISSIONER

PUBLIC ATTITUDES TO POLICE USE OF BIOMETRIC DATA



Safeguarding our biometric future

Foreword

In collaboration with ScotCen Social Research, the Scottish Biometrics Commissioner has for the first time examined peoples' views on biometrics in Scotland. From inception it was apparent there was little existing UK-wide research on the topic to draw upon, so it was important to obtain a better understanding of people's views in this area. It was also a useful research study for setting a robust baseline measure with the potential to assess change over time. This research focused on policing and criminal justice will both help build a better and layered understanding of people's opinions on biometrics and inform our future engagement with stakeholders.

The results from this modest and small scale research project suggest important levels of public confidence in the use of biometric data and technologies for policing and criminal justice purposes in Scotland.

The results are statistically significant, and the nature of the research means that the findings are representative of the views of adults living in Scotland. This report is aimed at a diverse audience, including academics, policy makers, the Scottish and wider UK populations. It could also inform international research, which has an eye on Scotland's progressive development in this area.

An important feature of this report, amongst many other variables of interest, is the exploration of questions on the legal understandings of biometric data collection. The survey also explores questions which have occupied socio-legal minds for some time including retention periods of biometric data and the use of facial recognition technologies. Furthermore, the survey explored people's opinions on whether an independent body should examine how biometric data is used by the police.

A second important feature of the survey is that it measures these factors across multiple personal characteristics including age, sex and wider life circumstances such as economic activity and place of residence i.e. whether urban or rural.

I would like to thank ScotCen Social Research for their support and to our Advisory Group members for their time and valuable comments in both the design and outcome of this research study.



Dr Brian Plastow

Scottish Biometrics Commissioner



Scottish Biometrics Commissioner

The [Scottish Biometrics Commissioner Act 2020](#) established the office of Scottish Biometrics Commissioner and provides for its functions. The Commissioner's general function is to support and promote the adoption of lawful, effective, and ethical practices in relation to the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes. The Scottish Biometrics Commissioner is an independent public authority appointed by Her Majesty the Queen on the nomination of the Scottish Parliament. Dr Brian Plastow is the first Biometrics Commissioner in Scotland.

Why we did the Research

[Under Section 2 \(3\) \(b\)](#) of the Scottish Biometrics Commissioner Act 2020 the Scottish Biometrics Commissioner's general functions include the promotion of public awareness and understanding of how, and why, the Police in Scotland collect and use biometric data. We wanted to understand what a selection of the Scottish population **know and feel** about such issues. However, please note – as this is a self-report study, and although respondents 'agreed' to understanding why the police collect biometrics data, we have no way of testing the degree of that understanding i.e. testing their knowledge. The survey very much focuses on how people think and feel.

This research study contributes to the Commissioner's general function and [Strategic Plan 2021– 2025](#). It informs our future work on the promotion of public awareness and understanding in relation to biometric data as a key priority for this office.

The Research

[ScotCen Social Research](#) was commissioned to undertake the public attitudes survey on the Police's use of biometric data. The field work for this research was conducted during November - December 2021 and involved the inclusion of 8 questions on the ScotCen Panel.

Citizen's views about the use of biometrics by the police and their attitudes towards collection, retention and independent oversight are relevant to policymaking on these matters. For us an enhanced understanding of those views allows for better debate and engagement in this area. The research is distinctively helpful in informing our functions around key questions on law, human rights and ethics. It is our aim to safeguard and maintain the balance between lawful intrusion, accountable regulation and societal expectations.

We hope this report is useful and enlightening for future debates and new research in this area both in Scotland and overseas. This research study, for the first time, explores people's understanding of both legal framework and the reasons for collecting biometric data by the police. It also reviews public attitudes towards facial recognition technology, retention and oversight mechanisms.

Data and infographics have been included only if the findings were statistically significant. The infographics below also highlight important differences in people's views which are shown according to a range of characteristics including age, economic activity, socio-economic status and geographical location including area deprivation as measured by the Scottish Index of Multiple Deprivation (SIMD).

There are however limitations in this research which restrict the extent to which we can make generalisations from the findings with regards people's attitudes and opinions to biometrics. It might be worth noting that this survey gives insights into people's level of confidence in understanding, but not whether their actual understanding is strong or accurate – qualitative research would be needed to explore this as well as people's attitudes to emerging technologies that can be used in criminal justice.

The term 'biometrics data' used was defined in survey questions as **fingerprints, photographs and DNA samples**.

What is the ScotCen Panel?

The ScotCen Panel collects information on the experiences and opinions of a representative sample of adults in Scotland. It is the only random probability-based research panel in Scotland which can be used for data collection by the social research community. The Panel is comprised of around c. 2300 adults (18 + years old) in total with around 1000 typically participating in each wave of fieldwork.

Executive Summary

Our survey suggests fairly high levels of public confidence in the use of biometric data for policing and criminal justice purposes in Scotland.

Understanding of the reasons for biometrics data collection, and the legal powers that allow it was highest among those:

- most likely to think that biometrics data make a positive contribution towards solving crime
- who think biometrics data should be kept forever
- in favour of collection from under 16's and
- in favour of police use of facial recognition technology

Views on the contribution biometrics data makes towards solving crime were more positive among those:

- with greater understanding of the reasons for biometrics collection and the legal powers that allow it
- who think biometrics data should be kept under 15 years or not at all
- in favour of collection from under 16's and
- in favour of police use of facial recognition technology

Attitudes varied by levels of understanding and views on effectiveness. Agreement with both collection from under 16's and with the use of facial recognition technology was highest among those:

- with greater understanding of the purpose and legal powers of collection
- who think biometrics data contribute a great deal/quite a lot to solving crime
- of the view that biometrics data of those convicted of a crime should be kept forever

Overall the survey finds that most people think they have a good understanding of the reasons why police collect biometric data and the legal powers behind this, however, also of equal importance is the significant percentage of people that do not understand the legal framework or the reasons why biometric data is collected. This makes the case for greater legal clarity and consolidation.

At the broadest level, a significant majority of people agree about the effectiveness of biometric data at helping police solve crimes.

Additionally, most people agree on the importance of an independent body that examines how biometric data are used for policing and criminal justice purposes. The data suggests that those with greatest understanding on the purpose of biometric data collection, and the legal powers that allow it, were most likely to agree that there should be a separate body to examine how biometrics are used. Views on independent oversight were not related to attitudes or views on how effectively biometrics data helps solve crime.



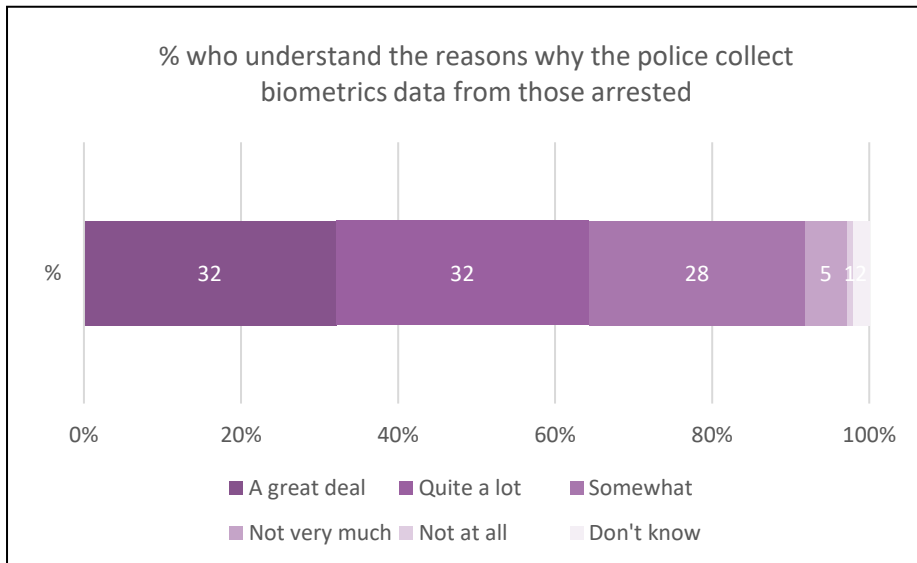
What we will do next

- We will share the findings from our small scale research to help inform ongoing debates in Scotland, including the shape and form of our public consultation on our draft Code of Practice
- We will continue to raise awareness of both the benefits and the risks of using biometrics data, so the public fully understand everything involved in the collection, retention, use and destruction of biometric data for criminal justice
- As the survey questions covered established types of biometrics, further research is needed to understand public attitudes around new and emerging forms of biometrics
- Furthermore, we will continue conducting our own research into advancements in biometric technologies including the adaptability and scalability of facial recognition, which presents great technological benefits - it can now do far more than it was originally designed to do which brings with it significant human rights and ethical risks

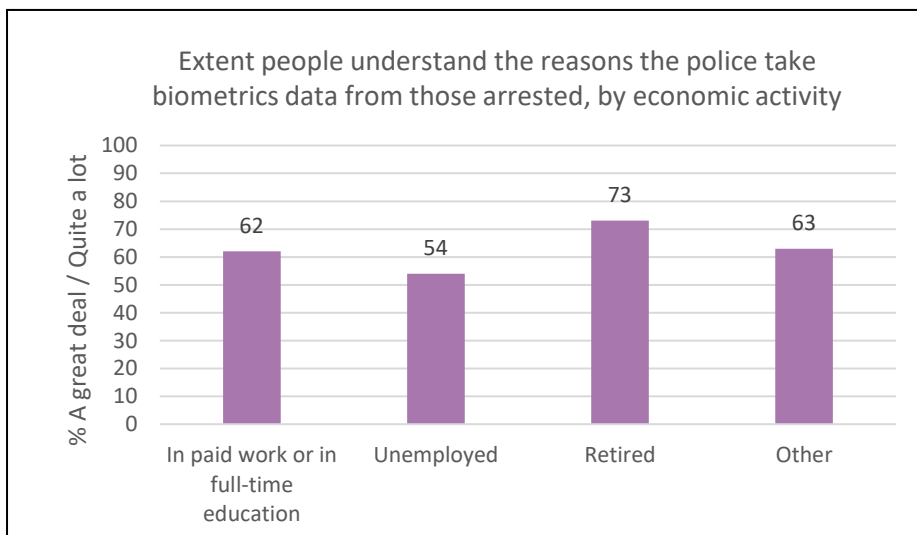


Questions On Public Understanding

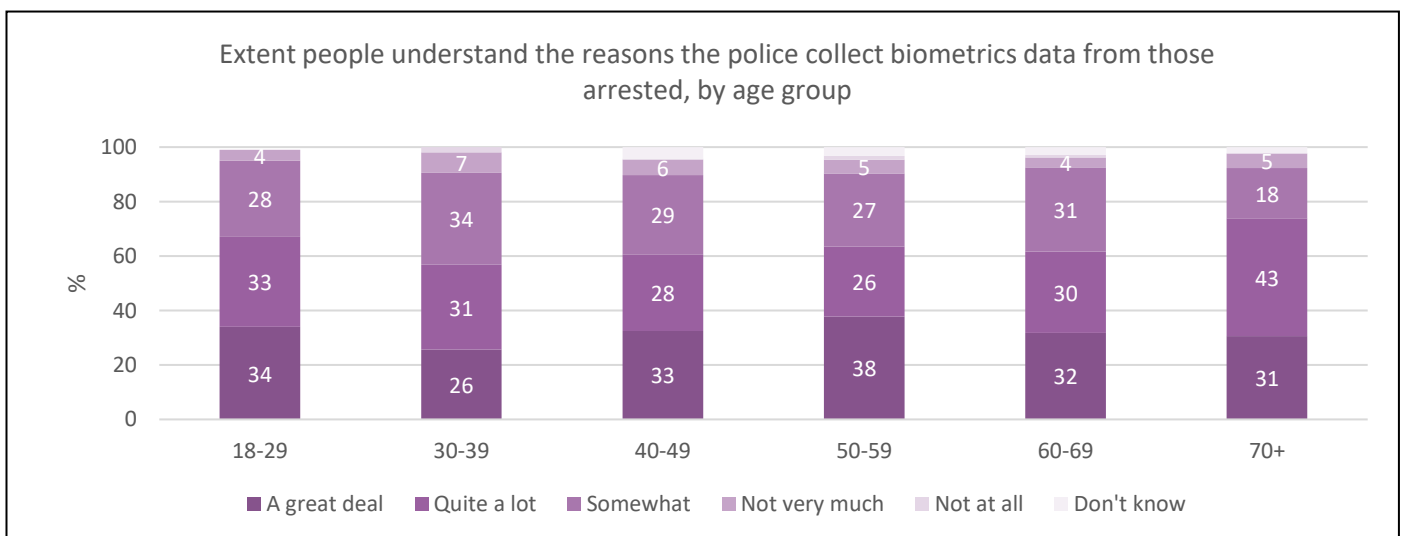
Qu 1. To what extent, if at all, would you say that you understand the reasons why the police take fingerprints, photographs, and DNA samples of people who have been arrested in Scotland?



Almost two thirds (64%) of those surveyed understand 'a great deal' or 'quite a lot' about the reasons why police collect biometric data from those arrested

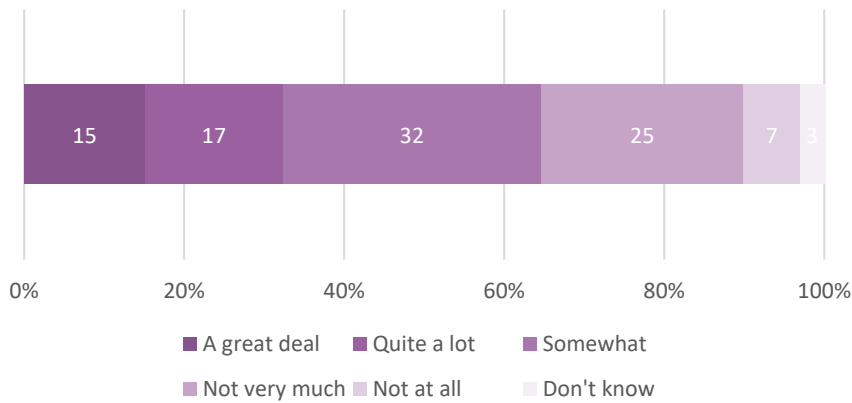


Older people and retired people were more likely to feel confident that they understand the reasons police collect the biometrics data from those arrested



Qu 2. To what extent, if at all would you say that you understand the legal powers that the police use to take fingerprints, photographs and DNA samples of people who have been arrested in Scotland?

Extent people understand the legal powers the police use to take biometrics data from those arrested

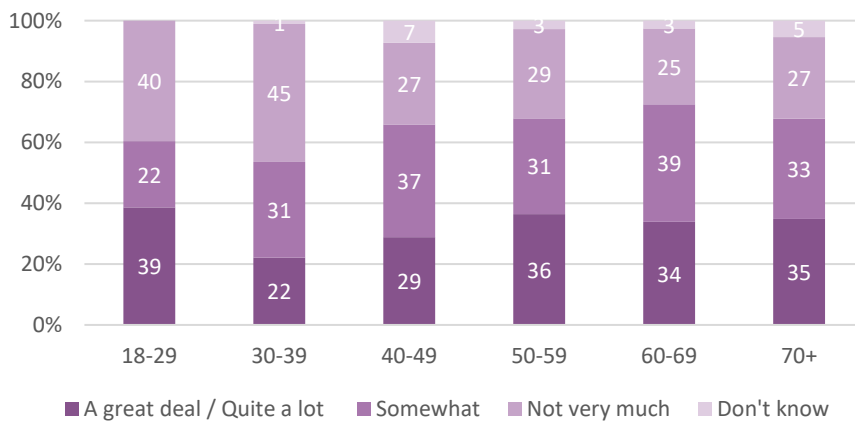


Around a third (32%) of the respondents stated that they understand 'a great deal' or 'quite a lot' about the legal powers which allow biometric data collection to take place

A further 32% stated they understood the legal powers 'somewhat'

Understanding of legal powers did vary significantly by age group with those under 40 most likely to report understanding 'not very much'

Extent people understand the legal powers the police use to take biometrics data from those arrested, by age group



However, those aged between 18-29 were also most likely to report understanding the legal powers 'a great deal'

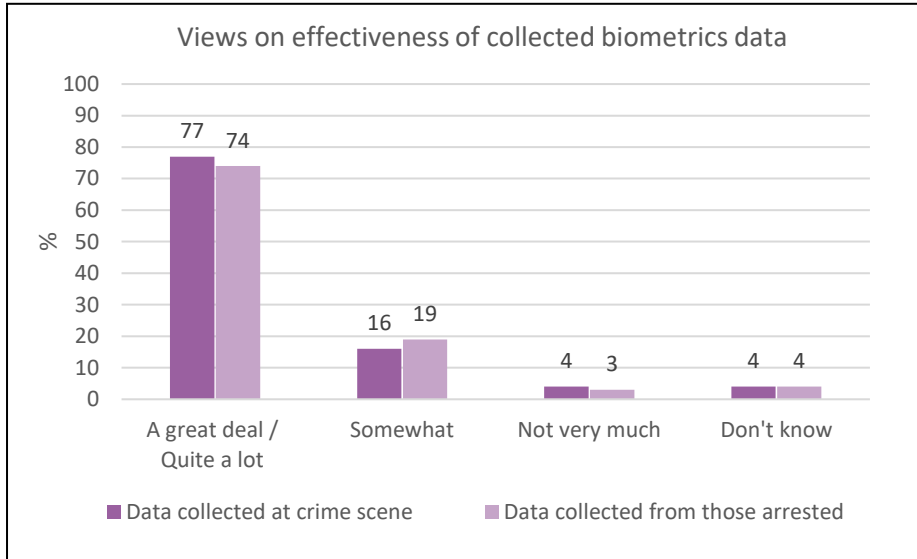
Understanding of legal powers did not vary significantly by main economic activity

The survey also highlights that peoples' understanding of the legal powers that enable biometric data collection is lower than understanding of the reasons why it is collected

Questions On Effectiveness

Qu 3. To what extent, if at all, do you think that fingerprints and DNA samples collected at crime scenes help the police in solving crimes in Scotland?

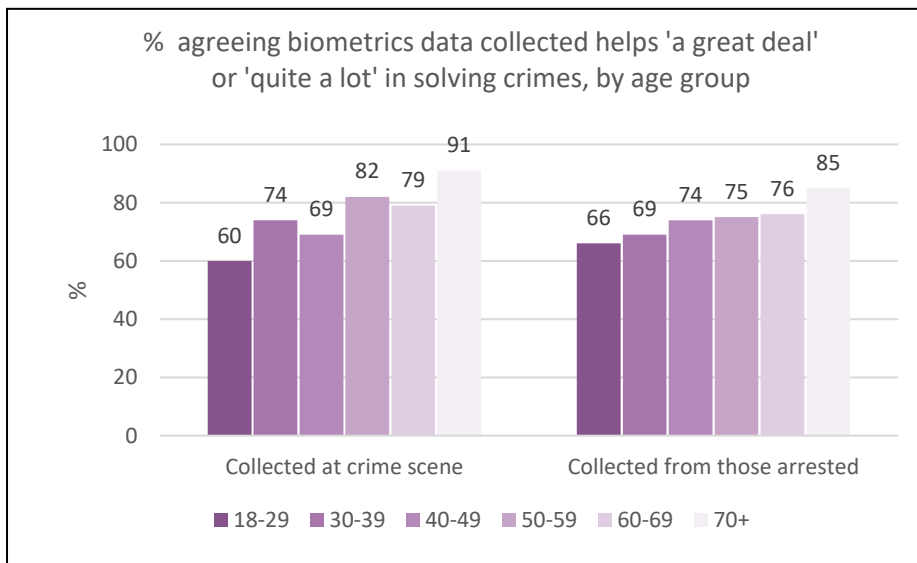
Qu 4. To what extent, if at all, do you think that taking fingerprints, photographs, and DNA samples of people who have been arrested by the police helps with solving crime in Scotland?



Most people (77%) think biometric data collected by the police in crime scenes helps 'a great deal' or 'quite a lot' at solving crimes in Scotland

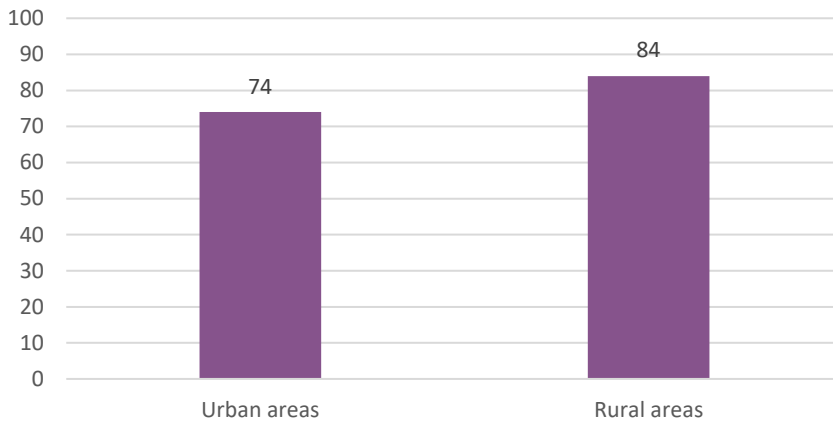
74% of respondents think biometric data collected from those arrested helps the police 'a great deal' or 'quite a lot' at solving crimes in Scotland

Those aged 50+ are, on the whole, more likely than others to think that biometric data collection positively **contributed** in solving crimes





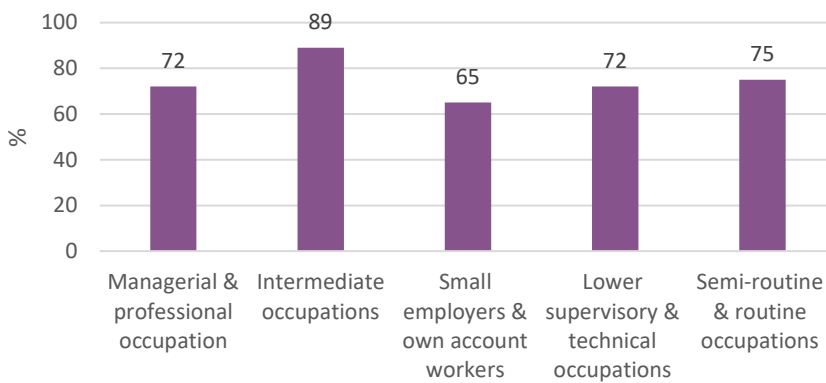
% agreeing biometrics data collected at crime scenes helps a 'great deal' or 'quite a lot', by area of residence



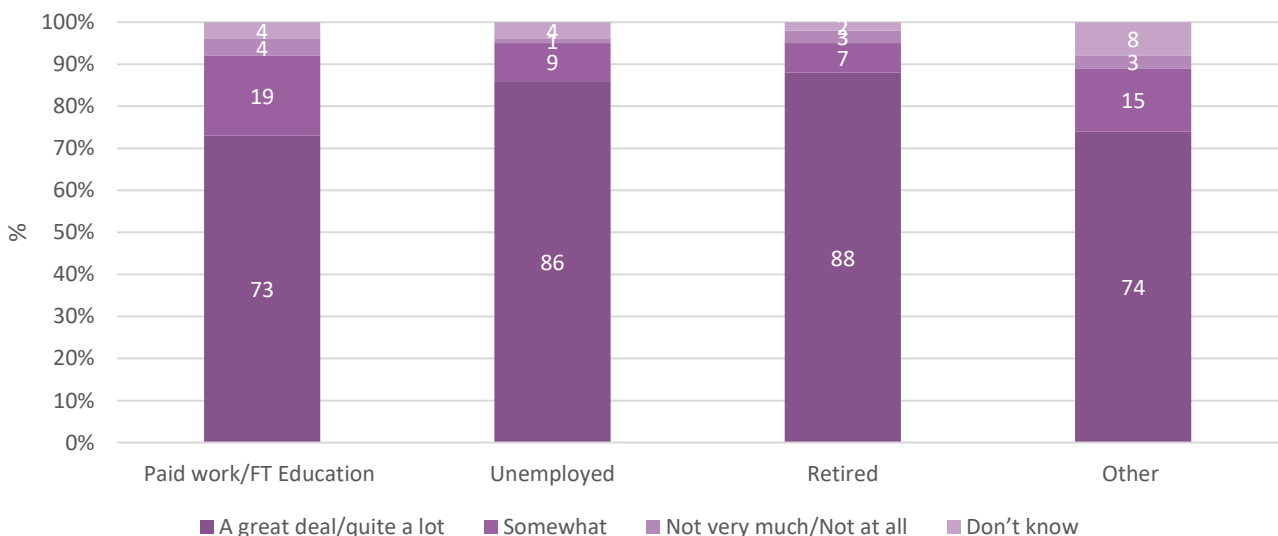
Views on the effectiveness of biometrics data collection **varied** significantly by age, economic activity and geographical location

The survey highlights that regardless of where people live, the majority agree with the collection of biometric data at crime scenes – 74% of those living in urban areas and 84% living in rural areas agreed ‘a great deal’ or ‘quite a lot’

% agreeing biometrics data collected from those arrested helps 'a great deal' or 'quite a lot' in solving crimes, by socio-economic classification group



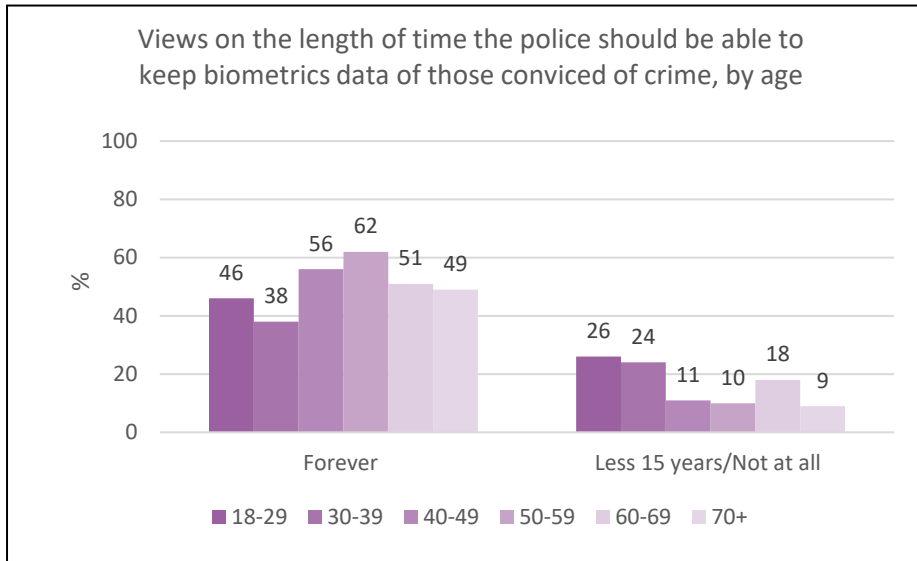
Extent biometrics data collected at crime scenes help the police solve crimes, by economic activity





Questions On Public Attitudes

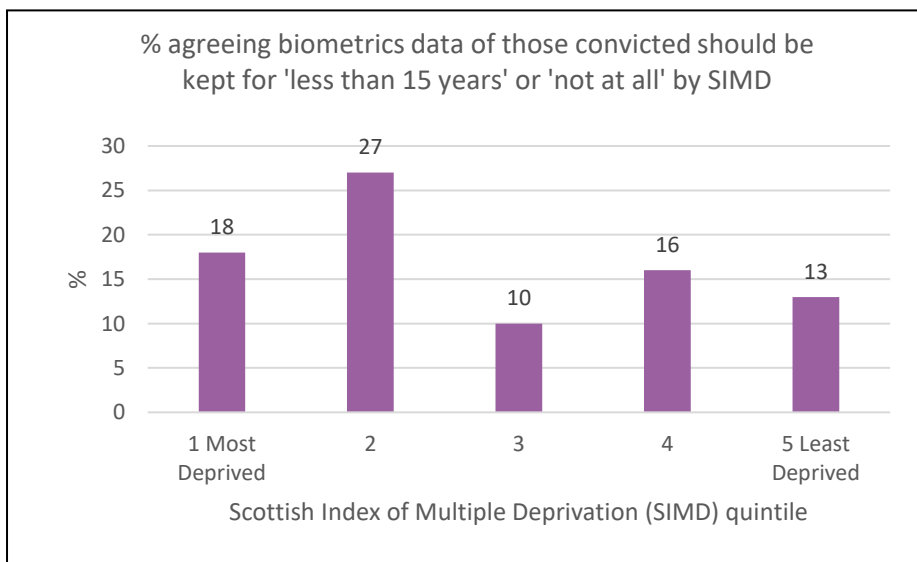
Qu 5. For how long, if at all, do you think that the **police should be able to keep the fingerprints, photographs or DNA samples of people who have been convicted of a crime in Scotland?**



Half of respondents (50%) thought that the police should be able to keep biometric data of those convicted of a crime 'forever'

Significant differences on views of retention periods were apparent across age groups and area deprivation

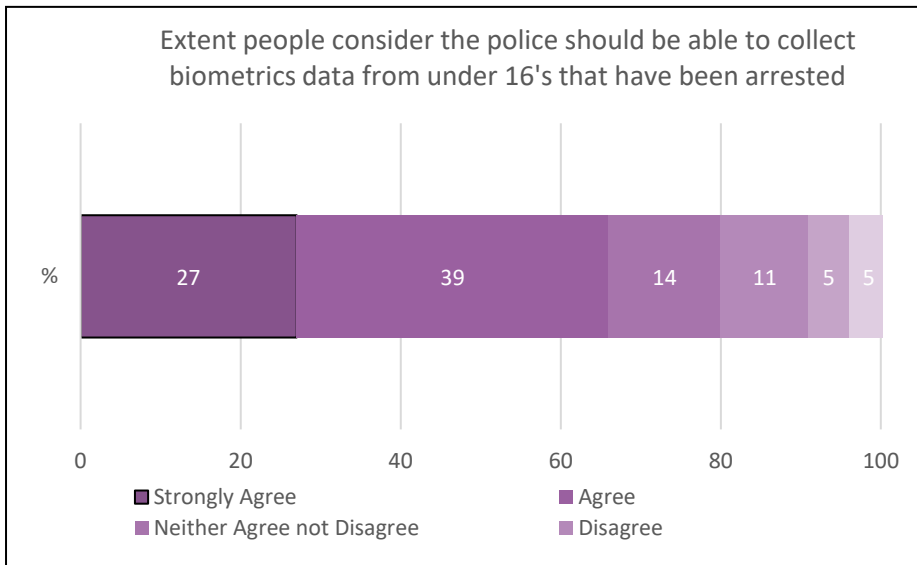
Respondents under the age of 40 were least likely to think biometrics data should be retained 'forever', agreeing it should either be for 'less than 15 years' or 'not at all'



While those aged between 40 and under 60 thought biometrics data should be retained 'forever' with much less support for it not being retained

18% of those living in the most deprived areas thought that biometrics data should either be destroyed 'after 15 years' or 'not kept at all'

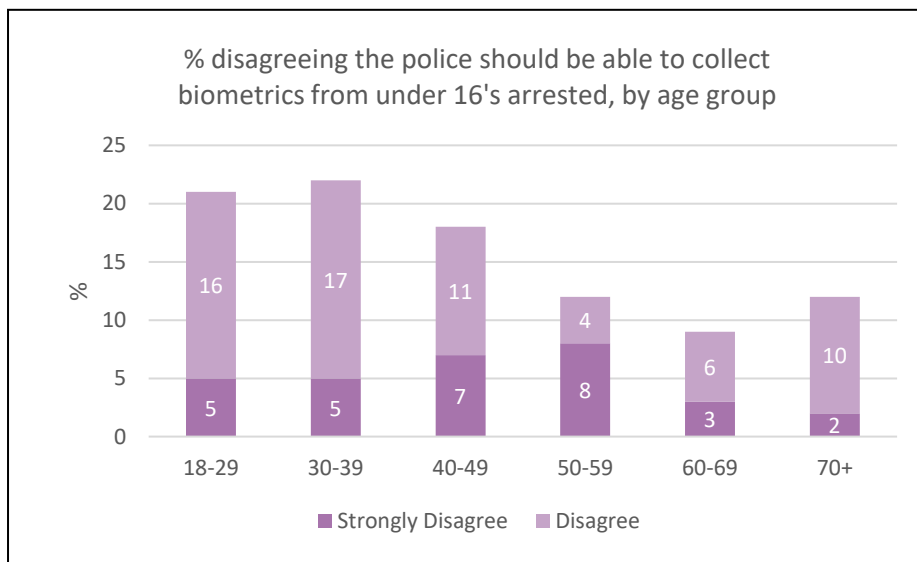
Qu 6. To what extent do you agree or disagree that the police should be able to take fingerprints, photographs and DNA samples of people aged under 16 who have been arrested in Scotland?



Two thirds (66%) of respondents agreed (strongly agree/agree) police should be able to collect biometric data from under 16's that have been arrested

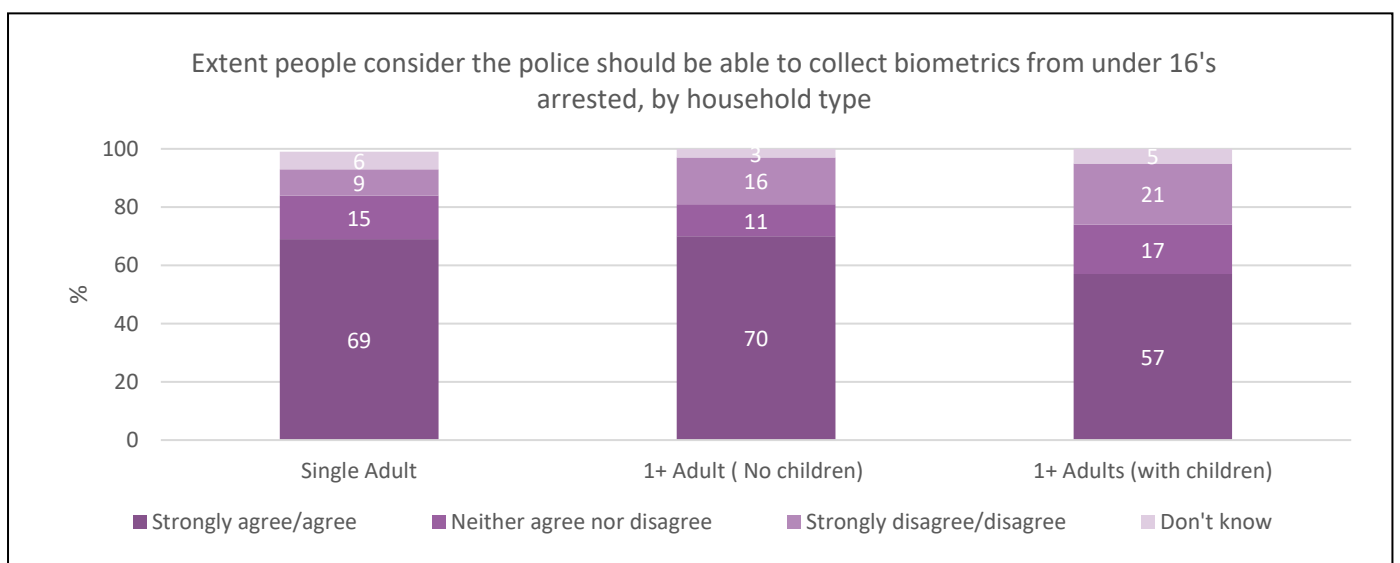
The proportions agreeing did not vary across the different groups of people in Scotland

However, statistically significant differences in the proportion disagreeing (strongly disagree/disagree) were observed by **age group** and **household composition**



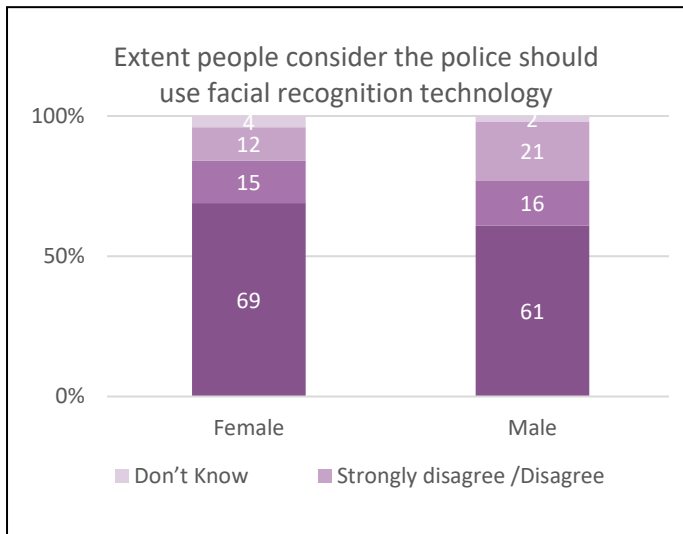
Respondents under the age of 40 were most likely to **disagree** that police should be able to collect biometrics data from under 16's arrested

Those living in a household including children were **more** likely to 'disagree' and **less** likely to 'strongly agree' that police should be able to collect biometrics from under 16's arrested





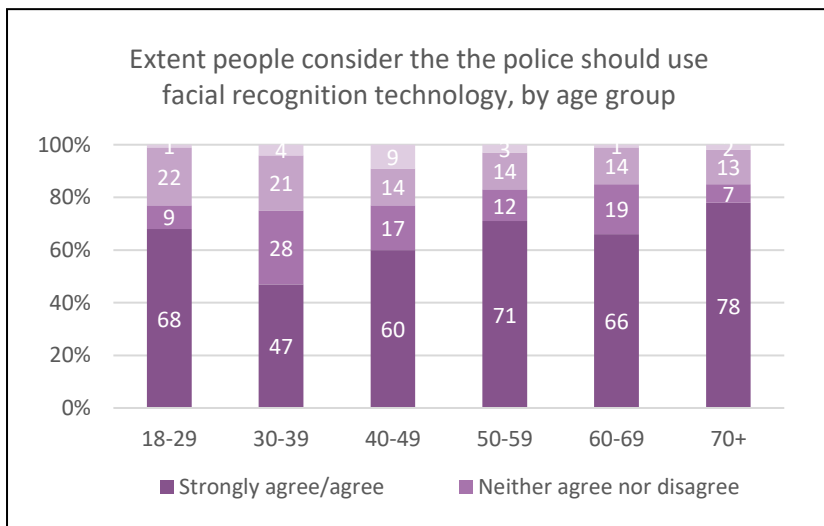
Qu 7. How much do you agree or disagree that the police in Scotland should use technology that can identify people's faces in public spaces to help identify persons who may be wanted by the police?



Strongly agree	22%
Agree	44%
Neither agree nor disagree	15%
Disagree	8%
Strongly disagree	8%
Don't Know	3%

Two thirds (66%) of respondents agreed police should use facial recognition technology in public spaces to help identify those wanted by the police

16% of respondents 'disagreed' that facial recognition should be used and similar proportion neither 'agreed' or 'disagreed'

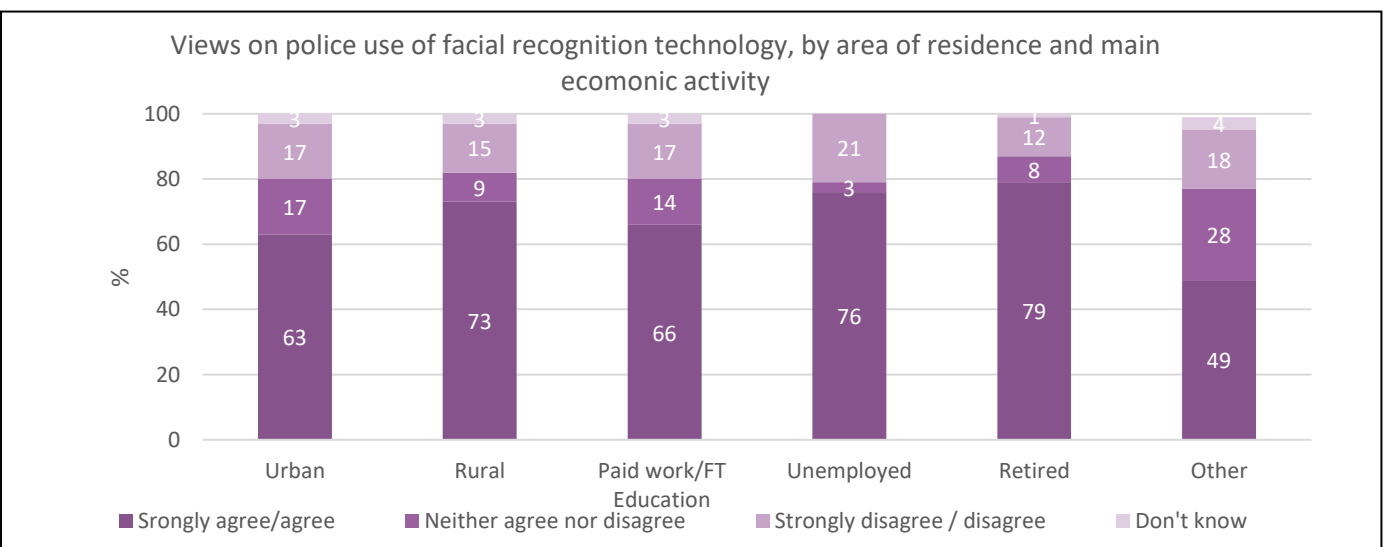


Female (69%) respondents were more likely than males (61%) to 'agree' the police should use facial recognition technology

Respondents aged 50+ were most likely to agree the police should use facial recognition technology

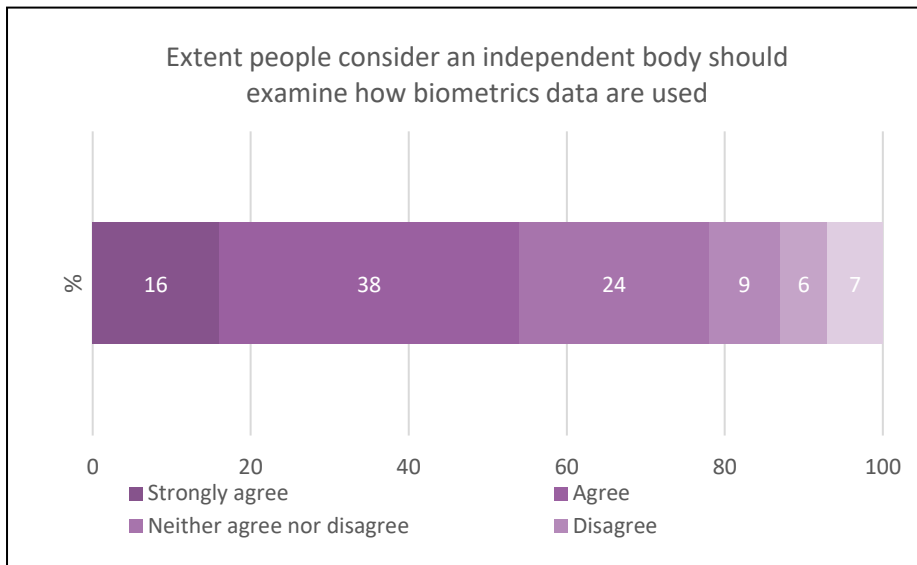
63% of respondents living in urban locations and 73% of those living in rural locations 'agree' on the police using facial recognition technology

Agreement on the use of facial recognition technology by the police was high across different main economic activities



Question On Independent Oversight

Qu 8. To what extent do you agree or disagree that a **body, separate to the police, should be responsible for examining how fingerprints, photographs and DNA are used for policing and criminal justice purposes in Scotland**



Only 15% of respondents 'disagreed' that a body, separate to the police, should be responsible for examining how fingerprints, photographs and DNA are used for policing and criminal justice purposes

While 54% of respondents 'agreed' that an independent body should examine how biometrics data are used

Views on independent oversight did not vary significantly with 54% of females and 56% of males 'agreeing'

