

Scottish Biometrics Commissioner – Advisory Group Meeting

Minute of meeting of 23 July 2025 (9.30 – 11.00 via MS Teams)

Members Present	
Genevieve Lennon (Chair)	Strathclyde University
Brian Plastow	Scottish Biometrics Commissioner
Mhairi Morrison	Assistant Procurator Fiscal for Major Crime – Crown Office and Procurator Fiscal Service
Denis Hamill	Chief Data Officer – Police Scotland
Gillian Jones	Head of Biometrics - Police Scotland
Rachael Nicolson	Interim Operational Policing Policy Lead
Brian McNulty	HMICS – Acting Assistant Inspector of Constabulary
Professor Niamh Nic Daeid	Director Leverhulme Research Centre for Forensic Science (LRCFS)
Phil Chapman	Director of Operations - Police Investigations and Review Commissioner (PIRC)
Eleanor Deeming-Johnstone	Legal Officer -Scottish Human Rights Commission
William Webster	Professor of Public Policy and Management at University of Stirling
Emma Hunter	Policy Officer – Children and Young Persons
Dominique Mitchell	Senior Policy Officer - ICO
Diego Quiroz	Operations Manager - Scottish Biometrics Commissioner
Joanna Milne (Minutes)	Business Support Officer - Scottish Biometrics Commissioner

Apologies	
Fiona Douglas	Director of Forensic Services - Scottish Police Authority
Scott Ross	Head of Change & Operational Scrutiny - Scottish Police Authority (SPA)
Gina Wilson	Head of Strategy - Children & Young People’s Commissioner Scotland
Shannon Vallor	Baillie Gifford Chair in the Ethics of Data and Artificial Intelligence at the Edinburgh Futures Institute (EFI) at University of Edinburgh
Jenny Brothie	Regional Manager - Information Commissioners Office
Gordon McCreadie	DCS – Head of Local Crime and Specialist Crime Support
Cheryl Glen	Corporate Service Manager and Director – Scottish Biometrics Commissioner

1. Welcome, Apologies & Introductions

The Chair welcomed members to the first Scottish Biometrics Commissioner (SBC) Advisory Group meeting of 2025.

The Chair confirmed Ross MacDonald the previous SBC Director left to return to Police Scotland in May and Cheryl Glen has assumed the role alongside her current position of Corporate Services Manager.

The Chair also confirmed that Pete Fussey has stepped down from the Advisory Group due to other commitments.

The Chair welcomed Diana Miranda Senior Lecturer in Criminology at the University of Stirling Scottish Centre for Crime and Justice Research who unfortunately was unable to attend.

2. Minutes of previous meeting and Action Log

Minutes of the meeting held on 4 April 2025 have been amended to include the correct date of the meeting and additional notes on academic collaborations under AOCB.

Action log updates

There were no outstanding actions on the log.

3. Live Facial Recognition

Following the workshops and the conference on LFR in May Police Scotland brought a final report to the SPA Performance Committee on 10 June 2025. The report provided insight from the public polling, focus groups and the LFR conference.

The summary of the report is that Police Scotland are yet to decide on how to proceed with LFR. ACC Johnson confirmed that Police Scotland will continue working on how or whether to take forward LFR with regarding to governance and policy. A further update will be provided at the Policing performance Committee meeting on 16 September.

The Commissioner confirmed SBC is not a coauthor of this report.

A letter signed by Scottish Human Rights Commission, Equality and Human Rights Commission and the Children and Young People's Commissioner was circulated round the AG to highlight their concerns about LFR.

A new Interim Biometrics Commissioner, Francesca Whitelaw KC has been appointed to the role for England and Wales. A new Forensic Science Regulator, Dr Mark Bailey has also been appointed for the role in England and Wales but the Surveillance Camera Commissioner post in England and Wales has not yet been filled. This may coincide with the appointment of the substantive Biometrics Commissioner at the end of 2025 when the interim Commissioner demits office. The Home Office are also considering a legislative framework around LFR but any proposal will be for England and Wales only.

4. Strategic Plan

The Commissioner confirmed the next Strategic Plan is due to take effect from November 2025 and will run until November 2029 which is six months after his term ends. The report will be laid in Parliament in October 2025.

During the current Strategic Plan SBC covered a lot including publishing the Code of Practice, 5 Assurance Reviews, a joint review of the laws of retention, 4 Annual Reports and Accounts, two rounds of code

compliance assessments and the first statutory review of the Code of Practice. Over the period, our reviews have resulted in more than 20 recommendations for improvement.

The Operations Manager has pulled together a draft of the next Strategic Plan which has been circulated around the AG for their comments by 22 August.

The draft Strategic Plan outlines the SBC's proposal to reduce the compliance assessments to biannually which was welcomed by the PIRC due to demand and resources constraints.

The assurance reviews topics were welcomed especially the Body Worn Video. It was suggested machine learning and AI advances should be a consideration of future assurance reviews. It was also proposed future assurance reviews could consider the use of combination of multi-modal biometrics albeit this has been a feature of previous Assurance Reviews including Vulnerable Adults and Children.

5. Code of Practice

Under section 14 the first statutory review of the Code of Practice is required by legislation. This will be a backward-looking report will be laid in October 2025. The report will highlight our achievements since the CoP was laid in November 2022.

Over the winter we will consult on any changes to the CoP and a revised version will be laid in Parliament after the elections in May 2026. The Operations Manager thanks everyone who has so far provided feedback.

6. Landscape Review

The report was circulated around the AG and the commissioner explained the reason for the review. The Commissioner explained in 2024 the Finance and Public Administration Committee asked all seven office holders to attend Parliament to give evidence. The outcome was to set up a separate committee to review the current landscape. The SPCB Supported Bodies Landscape Committee asked each office holder for a written submission and to attend an evidence session.

The final report did not identify any specific changes to be made but Officeholders may be required to attend a new Pilot Committee of the Parliament in addition to their subject Committee. As SBC already operates a low cost shared-service model there were no recommendations specific to SBC.

8. AOCB

Nothing discussed under AOCB.