



Scottish Biometrics  
Commissioner  
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improving policing  
across Scotland



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# JOINT ASSURANCE REVIEW OF THE ACQUISITION OF BIOMETRIC DATA THROUGH FORENSIC IMAGERY AND ANALYSIS TECHNIQUES IN SCOTLAND

## THE SCOTTISH BIOMETRICS COMMISSIONER

### Terms of Reference

Version 1 – June 2026



*Safeguarding our biometric future*



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Keepin' people safe  
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## Document Control

|                    |                                                                                                                          |
|--------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b>Title</b>       | Joint Assurance Review of the acquisition of biometric data through forensic imagery and analysis techniques in Scotland |
| <b>Prepared by</b> | SBC Director, Cheryl Glen                                                                                                |
| <b>Reviewed by</b> | Dr Brian Plastow, Commissioner.<br><br>Brian McNulty, Assistant Inspector of Constabulary in Scotland.                   |
| <b>Version</b>     | Version 1                                                                                                                |
| <b>Date</b>        | June 2026                                                                                                                |

## About the Scottish Biometrics Commissioner

The Scottish Biometrics Commissioner is established under the [Scottish Biometrics Commissioner Act 2020](#). 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 by:

- [The Police Service of Scotland](#) (Police Scotland)
- [Scottish Police Authority](#) (SPA)
- [Police Investigations and Review Commissioner](#) (PIRC)

The Commissioner has wide ranged general powers and may do anything which appears to the Commissioner to be necessary or expedient for the purposes of, or in connection with, the performance of the Commissioner's functions, or to be otherwise conducive to the performance of those functions.

## Our Values

As a values-led organisation, we will conduct our activities in a way that is Independent, Transparent, Proportionate and Accountable.

### Independent

We will always act independently and publish impartial and objective review reports. Our professional advice will be informed and unbiased. The Scottish Biometrics Commissioner is a juristic person, appointed by the Monarch on the nomination of the Scottish Parliament and is independent of Scottish Government.

### Transparent

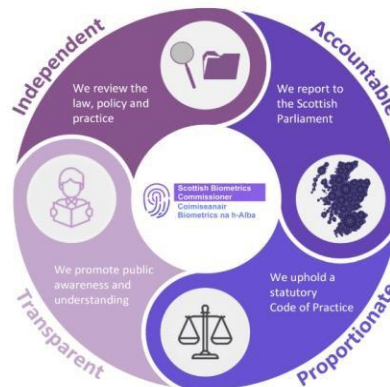
We will be open about what we do and give reasons for our decisions. We will publish our reports and findings and will not restrict information unless deemed necessary to protect the identity of data subjects, or due to wider public interest considerations. For example, Section 19 of the Scottish Biometrics Commissioner Act 2020 provides that the Commissioner or a member of staff must not knowingly disclose confidential information unless necessary in the exercise of the Commissioner's functions. This means that we will never publish sensitive or specific case information in circumstances that could compromise police investigations or hand competitive advantage to criminals.

### Proportionate

We will ensure that our activity is proportionate and does not exceed what is necessary to achieve our statutory purpose. We will minimise the burden of any review activity on Police Scotland, the Scottish Police Authority, and the Police Investigations and Review Commissioner. We will ensure that the way that we do what we do is necessary, effective, and efficient.

## Accountable

We will be accountable for what we do to the Scottish Parliament and will submit ourselves to whatever scrutiny is appropriate to our function. We will promote equality, diversity, and human rights in everything that we do.



## Our Power to Work with Others

Section 3 of the Scottish Biometrics Commissioner Act 2020 confers a power on the Commissioner in the exercise of his functions to work, assist and consult with other named bodies. This includes amongst others, Police Scotland, the Scottish Police Authority and HM Inspectorate of Constabulary in Scotland. This Assurance Review will be conducted by the Scottish Biometrics Commissioner working in partnership with the Scottish Police Authority (SPA), the SPA Forensic Services, Police Scotland and HM Inspectorate of Constabulary in Scotland (HMICS).

It is envisaged that the SPA will assist the review by identifying and providing access to relevant forensic science staff with subject expertise. As the review will also consider governance, guardrails and good practice, the SPA will also facilitate access to relevant members of the Forensic Services senior management team. To minimise the burden of our review, we will minimise the footprint of any fieldwork and conduct most work online and with minimal on-site activity. We will also place reliance on the outputs from SPA Forensic Services internal audits and improvement plans previously presented to the SPA Forensic Services Committee and similarly will place reliance on UKAS Accreditation of the SPA Forensic Services including considering improvements made in response to any UKAS recommendations.

Similarly, it is envisaged that Police Scotland will assist the review by providing access to policy and management information, for example in relation to new custody imaging solutions and image quality compatibility with UK facial search and recognition solutions.

In exploring governance, guardrails and good practice, the review will seek to recognise what is working well as well as assessing any lost investigative opportunities and to consider opportunities for improved governance, training, or continuous improvement. HMICS will assist the review by providing a dedicated



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resource as part of the review team (funded by SBC) as well as quality assurance on the first draft of the report including identifying any read across from any key findings to recent work conducted by HMICS.

The Partnership and the content of this Terms of Reference have been agreed between the Commissioner, HMICS, the SPA Chair, SPA Director of Forensic Services, and the ACC Major Crime with Police Scotland. The joint report to Parliament will be laid by the Commissioner in March 2027 and will acknowledge the partnership approach and carry the corporate logos of all partners. Because of the partnership, SBC will not make recommendations on any matter that is already the subject of an internal improvement plan by either the SPA FS or Police Scotland. Where recommendations are necessary, this will be because of a new finding or conclusion emerging from our joint review.

## Antecedents:

Every year in Scotland, the SPA Forensic Services creates around 88,000 digital images for court purposes in Scotland.<sup>1</sup>

In 2024, Scottish Government invested around £33 million in an initiative for the sharing digital evidence from crime scene to court room. Digital Evidence Sharing Capability (DESC) allows police officers, prosecutors, defence lawyers, court staff and judges to access a secure, unified system to collect, store, process and manage evidence digitally.

Benefits include fewer victims and witnesses having to attend court, cases coming to court and concluding quicker, and valuable police time being saved. During a pilot of the programme in Dundee, around 19,500 pieces of evidence were handled through DESC, with almost 550 hours of police officers' time freed up. DESC handles evidence including CCTV footage, photographs, and data and other materials from computers and mobile devices and is being expanded to include documents and recordings of police interviews.

The term 'Forensic Imaging' in the context of this Assurance Review encompasses:

1. Crime scene photography and imaging techniques.
2. Forensic casework including audio, video and image extraction, enhancement and analysis including from crime scenes and road traffic fatalities, in cold case reviews and child sexual abuse materials including digital forensics casework, 3D laser scanning, 360-degree photography, photogrammetry, virtual reality and all types of visual evidence.
3. Integration of forensic imaging capability with other digital UK law enforcement solutions such as the IDENT1 fingerprint system and the Police National Computer (PNC) including mobile solutions and in Scotland through DESC.
4. Images taken by Police Scotland for 'intelligence' rather than to a forensic standard, for example custody images and victim injuries taken by the enquiry officer in circumstances where delay in

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<sup>1</sup> Forensic Services Annual Review 2024/25

securing a forensic photographer might capture a record of an injury that may not subsequently be visible.

The Assurance Review will not specifically examine digital triage or digital forensic extraction conducted by Police Scotland as this is already the subject of the Commissioner's next Assurance Review to be conducted in 2027/28. However, this review will consider aspects of digital forensics currently conducted by the SPA Forensic Services and may signpost where the sterile corridor between the police investigations and scientific investigations should be situated in future.

## Aims

The strategic aim of this joint review is **“to provide assurance to the Scottish Parliament that the acquisition of biometric data through forensic imagery and analysis techniques for policing and criminal justice purposes in Scotland is lawful, effective, and ethical.”**

The review will consider the nature, and extent of the use of forensic imagery and analysis techniques for policing and criminal justice purposes, and the impact of such use in terms of effectiveness including quantitative and qualitative outcomes. This will include, but will not be limited to:

- Crime scene photography and imaging techniques and their value in criminal prosecutions.
- Forensic casework including audio, video and image extraction, enhancement and analysis including from crime scenes and road traffic fatalities, in cold case reviews and child sexual abuse materials including digital forensics casework, 3D laser scanning, 360-degree photography, photogrammetry, virtual reality and all types of visual evidence.
- Integration of forensic imaging capability with other digital UK law enforcement solutions such as the IDENT1 fingerprint system and the Police National Computer (PNC) including mobile solutions and in Scotland through DESC. We will also revisit the need for a digital fingerprint solution for crime scene marks sent electronically from search and recovery.
- Images taken by Police Scotland for 'intelligence' rather than to a forensic standard, for example custody images and victim injuries and the extent to which these support integrated UK police intelligence sharing.
- Examining governance, guardrails and good practice.

## Methodology and scope

The methodology for this review may include (but not be limited to):

- Examination of the end-to-end journey from acquisition and/or analysis of a forensic image through to the preparation of digital evidence for court purposes.
- Discussion with the Crown Office and Procurator Fiscal Service (COPFS) and HM Chief Inspector of Prosecution (HMIPS) on what is working well and any areas for improvement.



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- Through sanitised case studies, exploring the qualitative value of forensic images in recent and cold case investigations and/or international exchanges.
- Exploring what works well and not so well from an SPA FS and Police Scotland perspective.
- Highlighting ethical considerations and dimensions and any opportunities to improve legislation.
- Considering the future direction of travel for forensic imagery in policing including new techniques such as recovering images of fingerprints from photos on mobile phones as referenced in our recent assurance review of fingerprints.
- Exploring the welfare and safeguarding arrangements in place for search and recovery staff and other staff with frequent access to images retained on the SPA FS Imaging Server relating to post-mortems and suicides and unexplained deaths and for staff regularly exposed to child abuse imagery.
- Considering which techniques are accredited and which are not.
- Seeking stakeholder perspectives on governance, guardrails and good practice.

The scope of this assurance review will extend to forensic image use by:

- Police Scotland
- Scottish Police Authority Forensic Services

## Exclusions from Scope

Forensic crime scene examinations and forensic laboratory scientific techniques *per se* are not within the statutory authority of the Scottish Biometrics Commissioner and will not be part of this review except to add context. Accordingly, the review report will seek to provide readers with a basic understanding of how forensic imagery assists policing and forensic science in the post-reform landscape. The review will also not consider national guidelines for streamlined forensic reporting, or UK Accreditation Service (UKAS) conditions on referring to accreditation and to the signatory status of the multilateral agreements that UKAS has entered and which accredited bodies are required to comply with. Scotland does not have a forensic science regulator and accordingly all these matters are more properly within the jurisdiction of [HM Inspectorate of Constabulary in Scotland](#) who is a strategic partner in this review.

The involvement of persons other than SBC, HMICS, SPA, or Police Scotland officers or staff will not form part of this review.

## Resource plan

The research activity will mainly be conducted by HMICS Associate Inspector Steven Tidy and Karen McBride a seconded subject matter expert (SME) from SPA FS assisted by SPA and Police Scotland subject experts and other SBC staff as required.

The fieldwork phase will progress under the guidance of SBC Director Cheryl Glen with a checkpoint meeting involving the Commissioner and the HM Assistant Inspector of Constabulary (AIC) in late November 2026 to discuss emergent findings.



The review activity will be mostly desk-based and will seek to minimise any impact on the day-to-day operations of Police Scotland and the SPA Forensic Services. The report drafting phase is anticipated in December 2026 including identifying any read-across from any key findings to broader work conducted by the Commissioner and HMICS.

## Timeline

The indicative timescale for the necessary activity is as follows:

| Key areas and timeline                                                                                                                                                                                                | September to November<br>2026 |  |  | Dec<br>2026 | Jan &<br>Feb<br>2027 | Mar<br>2027 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--|--|-------------|----------------------|-------------|
| 3-month fieldwork phase. Mainly desk based research and information requests. Bespoke discussion with subject experts via Teams as required<br><br>Late November: Emerging findings meeting with Commissioner and AIC |                               |  |  |             |                      |             |
| Writing up report and in-house clearance on draft prior to quality assurance checking/read-across checking by HMICS                                                                                                   |                               |  |  |             |                      |             |
| Draft to PSOS/SPA for factual accuracy checking in early January for FAC comments by 29 January 2027.<br><br>Final jointly agreed draft to publisher in week commencing 8 February 2027                               |                               |  |  |             |                      |             |
| Submission of joint report to the Scottish Parliament in week commencing 15 March 2027                                                                                                                                |                               |  |  |             |                      |             |