

Scottish Biometrics Commissioner

Outcomes Report 2021-25

Proportionate
Independent
Support
Transparent
Effective
Criminal Justice
Code of Practice
Ethical
Effective Policing
Forensic Science
Safeguarding Citizen Rights
Lawful
Promote
Assurance Reviews
Accountable

Safeguarding our biometric future



Scottish Biometrics
Commissioner
Coimiseanair
Biometrics na h-Alba

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Key achievements



Established the SBC function as a new public authority in 2021 and quickly positioned the new organisation as a trusted voice within the policing and criminal justice community in Scotland.



Delivered statutory independent oversight of biometrics for policing and criminal purposes under devolved Scottish criminal procedure laws and introduced a statutory Code of Practice with no controversies relating to the use of biometrics in a policing or criminal justice context in Scotland arising over the 4-year period of the Commissioner’s first Strategic Plan.



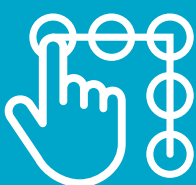
The use of biometric data by Police Scotland, the Scottish Police Authority and the Police Investigations and Review Commissioner between 2021 and 2025 has been lawful, ethical and effective and no compliance notices have been served by the Commissioner.



The legal safeguards of the Code of Practice have ensured that there has been no police ‘experimentation’ with behavioural biometrics as has been seen in England and Wales including no use of polygraph or any other biometric technology which is not independently validated and accredited to an established international scientific standard.



The Scottish Parliament and public should have confidence in the lawful, effective and ethical use of biometrics by Police Scotland, the Scottish Police Authority and the Police Investigations and Review Commissioner.



Public attitude surveys conducted in 2021 and 2025 confirm high levels of public confidence in the use of biometric data for policing purposes in Scotland during those four years.

Highlights



Published five Assurance Reviews making a total of 18 recommendations to improve effectiveness and efficiency.



Designed a public information hub on the Commissioner's website.



Established a professional Advisory Group under Section 33 of the SBC Act which met 11 times during the period of the Commissioner's first Strategic Plan.



The five Assurance Reviews were conducted extensively in partnership including with the Scottish Police Authority, HMICS, the Leverhulme Research Centre for Forensic Science at Dundee University and the Centre for Youth & Criminal Justice (CYCJ) at the University of Strathclyde.



Published the world's first statutory Biometrics Code of Practice backed by powers of enforcement.



Conducted two rounds of Compliance Assessments on the Code of Practice finding Police Scotland, the SPA and the PIRC fully compliant.



Produced four Annual Report & Accounts operating within the budget set by the Parliament Corporation in every year.



Developed a National Assessment Framework.



Introduced a public complaints process for data subjects relative to the statutory Code of Practice.



Worked internationally – Brussels, Northern Ireland and Washington.

Highlights cont'd.



Produced and disseminated twelve newsletters.



Developed biometrics video animation.



Joint review into the Laws of Retention of biometric data under the Criminal Procedure (Scotland) Act 1995 conducted in partnership with Scottish Government resulting in 6 recommendations.



Responded to nine Freedom of Information requests.



One Information Notice served on Police Scotland relating to hosting biometric data in the Cloud.



Investigated 6 complaints from data subjects relative to the Code of Practice with no complaints upheld by the Commissioner.



Published Guide to Biometrics.



All objectives of first 4-year Strategic Plan successfully achieved.



Co-delivered Scotland's first Biometrics in Criminal Justice conference in partnership with the SPA and Police Scotland.

Introduction

The [Scottish Biometrics Commissioner Act 2020](#) was passed by the Scottish Parliament and received Royal Assent on 20 April 2020. Dr Brian Plastow, was appointed as Commissioner by the late Queen Elizabeth II on the nomination of the Scottish Parliament and took office on 12 April 2021.

The establishment of an independent oversight body by the Scottish Parliament was particularly significant in an area where sensitive personal biometric data are captured from people who have been arrested by the police and therefore without the usual safeguards of consent, and often in circumstances where they are at their most vulnerable.

The Commissioner's general functions are 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 in Scotland by:

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

The Commissioner's first [Strategic Plan](#) was laid before the Scottish Parliament on 24 November 2021, setting out strategic objectives and priorities for the four-year period covering December 2021 to November 2025. The objectives and priorities were directly aligned with the exercise of the general functions of the SBC Act as specified in [Section 2\(3\)](#).

Establishing and building strategic relationships with those to whom the Commissioner's functions extended included:

- the Chief Officer team within Police Scotland
- the Chair, Chief Executive and Director of Forensics at the SPA
- the PIRC Commissioner and Director of Operations
- HM Chief Inspector of Constabulary in Scotland
- the Chair of the Scottish Parliament Criminal Justice Committee
- other Parliamentary Commissioners
- Scottish Government officials
- the Biometrics and Surveillance Camera Commissioner for England & Wales
- becoming an advisory member of the UK Forensic Information Databases Service (FINDS)

Strategic objectives

1	Keep under review and report on the law, policy and practice relating to the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes in Scotland.
2	Promote public awareness and understanding of criminal justice and policing sector powers and duties in relation to biometric data, how these powers are exercised and how the exercise of these powers can be monitored or challenged.
3	Develop, publish, promote and assess compliance with a statutory Code of Practice on the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes in Scotland.
4	Provide reports to the Scottish Parliament on the outcomes from the use of biometric data and technologies and highlight key issues to inform public debate, thus strengthening democratic accountability.

What we've achieved

Strategic Objective 1

Keep under review and report on the law, policy and practice relating to the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes in Scotland.

National Assessment Framework

In January 2022, our [National Assessment Framework](#) for biometric data outcomes was published. The framework is based on the Public Sector Improvement Framework (PSIF) methodology developed by the Improvement Service. The framework, together with our Code of Practice provides both a self-assessment structure for those to whom our legal jurisdiction extends and serves as a mechanism through which we assess biometric data outcomes in support of the national outcomes for Scotland.

Assurance Reviews

Over the four-year period of the Strategic Plan, we produced and published five thematic assurance reviews:

- 1 [Children's Assurance Review](#)
- 2 [Vulnerable Adults](#)
- 3 [Images & Photographs](#)
- 4 [DNA](#)
- 5 [Retrospective Facial Search Technologies](#)

We work extensively in partnership with our key stakeholders, drawing on their expertise and knowledge for our assurance reviews all in the pursuit of best value – we leverage greater capacity through extensive partnership working with others. **Outcome – over 5 thematic Assurance Reviews we have independently provided reassurance to the Scottish Parliament that the use of biometric data for policing and criminal justice purposes in Scotland is lawful and ethical. Whilst it is also mostly effective, where necessary, we have also made some recommendations for improvement.**

Our thanks go to:



Every recommendation that we have made has been accepted and has resulted in an action plan by Police Scotland and/or the SPA. Recommendations continue to be monitored, with some now discharged. Due to the nature of the recommendations, many won't be achieved for several years. However, of those discharged, the impact and outcomes are described in the table overleaf.



Children’s and vulnerable adults assurance reviews

Recommendation	Action	Outcome
<p>Police Scotland should improve information to all persons who have their biometric data acquired and retained in police custody</p>	<ul style="list-style-type: none"> • Information leaflet provided to every prisoner from whom biometric data is captured following arrest • Leaflet available as an Easy Read version and available in 14 languages 	<p>The information rights of biometric data subjects in some 102,000¹ custody episodes in Scotland in 2024/25, are now being upheld and there’s improved transparency and accountability on the part of Police Scotland</p>
<p>When acquiring biometric data in police custody, Police Scotland should provide basic information about the Scottish Biometrics Commissioner’s Code of Practice and complaints process</p>	<ul style="list-style-type: none"> • Information leaflet explains to data subjects that their data has been captured and how it will be used • Leaflet signposts to SBC website, the Code of Practice and complaints procedure 	
<p>Police Scotland should improve the collection of management information in relation to all biometric data types</p>	<ul style="list-style-type: none"> • Police Scotland have a dedicated biometrics website page which includes the information leaflet • The webpage also contains quarterly management information reports on biometric data volumes • Police Scotland appointed a Head of Biometrics 	<p>Greater public accessibility to police information on biometric data and accordingly improved transparency and accountability</p>
<p>Police Scotland should develop, consult on and publish operational policies, procedures and practices for acquisition of biometric data from children under 18 years of age</p>	<ul style="list-style-type: none"> • Police Scotland introduced a new policy whereby biometric data is now only captured from children (persons under 18 years old) arrested by Police Scotland in connection with violent or sexual offending or otherwise by exception 	<p>Less children have their biometric data captured following arrest. This better reflects the interests of children and the policy position in Scotland via incorporation of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024</p>

¹ SBC Annual Report & Accounts 2024/25

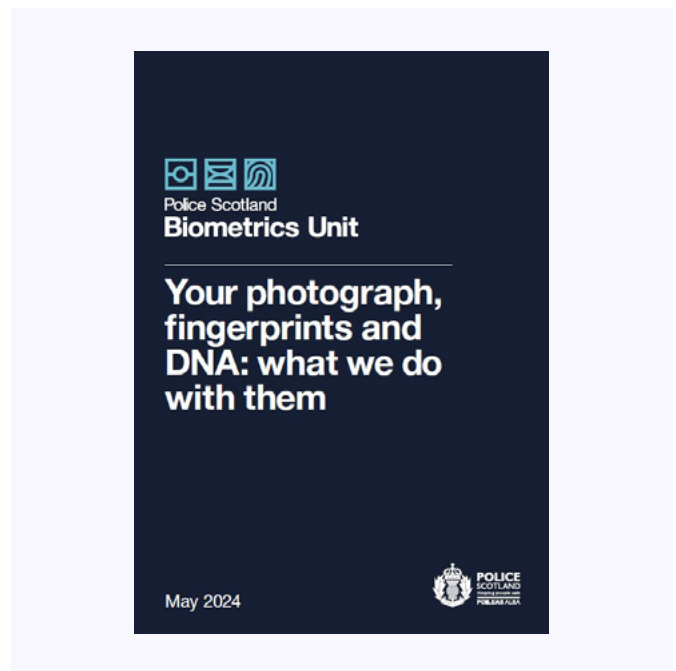
Further to this, these recommendations and subsequent actions will continue seeing various improvements. For example, they uphold the information rights of data subjects and in doing so may also have a deterrence value. This is because first time offenders will now be made aware from the information leaflet, that conviction will result in retention of their data on national policing systems and regular searching of that data against corresponding data from unsolved crimes scenes anywhere in the UK. They also safeguard the rights of children and vulnerable people and collectively help to sustain public confidence and trust in the police use of biometric data and technologies.

The better management information now being published, previously it was only DNA, highlighted to Police Scotland that fingerprints were often not being taken – therefore our recommendation helped drive improvements in effectiveness.

From a statistics perspective²:

- during 2023/24 two thousand and three (2,003) children had at least one biometric taken after being arrested
- during 2024/25, the yearly figure decreased to one thousand eight hundred and fifty-one (1,851) children
 - in terms of ‘contribution analysis’, 152 less children had biometrics taken following arrest, a reduction of 7.5%

- 41,243 custody episodes met the criteria for biometrics to be taken thus suggesting that the same number of biometric leaflets (including those in different languages and easy read versions) were distributed across Scotland
 - the information rights of data subjects in some 40,000+ episodes have been upheld
- despite this number of leaflets being distributed, the SBC has only seen small numbers of complaints from data subjects which may suggest that the majority of person arrested are broadly content that they understand why the police take images, DNA and fingerprints following an arrest



² Figures from SBC Annual Report & Accounts 2024/25

Of the seven recommendations made in the [DNA Assurance Review](#) of February 2025, two have been discharged:

1. Police Scotland should take scientific advice from SPA Forensic Services and note relevant National Police Chiefs Council (NPCC) guidance before developing and documenting consistent policy on the optimal environmental storage conditions for the short-term and long-term storage of DNA buccal swabs taken for criminal justice and evidential purposes

2. Police Scotland and SPA Forensic Services should review the current DNA Confirmed (DNAC) policy against the context of scientific advice highlighting that having more Criminal Justice profiles as DNA24 would reduce adventitious matches leading to more effective and efficient investigations by more speedily eliminating innocent suspects from police investigations

Of the DNA recommendations still being progressed, one to highlight is the joint recommendation of the SPA and Police Scotland developing a joint biometrics strategy. This has been consulted on and is nearly finalised. **Outcome – the outcome of this will be a shared Police Scotland/SPA vision on biometrics. By using biometrics more effectively and efficiently, more crimes will be solved, and some costs will be reduced e.g. not taking multiple DNA swabs when you only need to do it once .**



Biometric data is crucial in many investigations to identify offenders and victims. New technologies raise opportunities around how policing capture, use, and store DNA, fingerprints, and images to keep people safe and bring offenders to justice, sometimes many decades after a crime is committed. We have a positive duty to the public and victims to take new technological opportunities and we do that in a way that's legal, effective, proportionate, and ethical. Policing works with the Scottish Biometrics Commissioner and the Code of Practice to ensure strong accountability and scrutiny in this rapidly developing area.



Jo Farrell KPM
Chief Constable
Police Scotland

Of the four recommendations made in the [Retrospective Facial Search Technologies Assurance Review](#) of March 2025, two have been discharged:

1. Police Scotland should conduct a training needs analysis for officers and staff regularly working with retrospective image search technologies in PND and CAID. This with a view to ensuring that all staff working with biometric data and technologies have an awareness of relevant legal frameworks and ethical considerations and technological risks

2. Police Scotland should improve the collection of management information and analysing data to evaluate the effectiveness and efficiency of retrospective image search technologies. Police Scotland should then determine what information it could safely place in the public domain to improve the public understanding of its value

On Retrospective Facial Search we recommended that Police Scotland should note its limited effectiveness. We also reported on the issue of custody images being too poor for upload to PND and encouraged Police Scotland to adopt Strategic Facial Matcher (SFM). Since then, Police Scotland has paused the use of PND Facial Search in response to an accuracy and equitability study conducted for the Home Office by the National Physical Laboratory after it was found that the algorithm resulted in results prone to statistically significant demographic bias.

The study found that the software was more likely to misidentify people with black or brown skin as well as females. To address the issue of poor quality custody images, Police Scotland has since invested in the purchase of new high resolution cameras for all custody centres in Scotland. It has also agreed to be an early adopted of SFM. **Outcome – the outcome will be better quality images suitable for retrospective and live facial recognition comparison .**

Joint Review of the Laws of Retention with Scottish Government

This review commenced in November 2023 with Scottish Government publishing the final report in October 2024. The review generated findings in respect of the retention of biometric data for policing purposes in order to inform the policies and procedures of the Scottish Government, the Scottish Biometrics Commissioner and of law enforcement authorities – and made recommendations on procedural and legislative change as considered necessary – to ensure that the approach taken to the retention of biometric data is lawful, ethical, effective and proportionate. Several key findings were highlighted within the report, and four actionable recommendations were made which Police Scotland are now progressing.

What we've achieved

Strategic Objective 2

Promote public awareness and understanding of criminal justice and policing sector powers and duties in relation to biometric data, how these powers are exercised and how the exercise of these powers can be monitored or challenged.

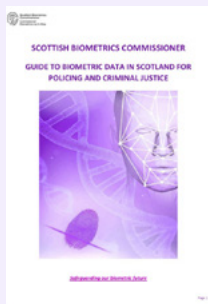
Public information hub – our website

Our [website](#) is our portal to the public; all our work is published here – we are open and transparent in everything we do. We strive to provide information on what we do and with whom we work with in an easy to view and read format, ensuring inclusivity to all.

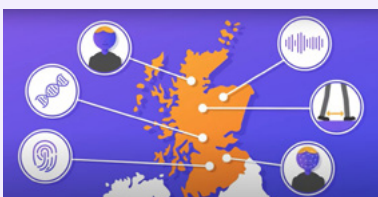
Our website allows us to reach those not just in Scotland but across the world and we have seen an annual rise in the number of visitors.

Since the inception of the Office, the Commissioner has provided a quarterly update – this has since progressed into our regular newsletter which anyone can sign up to through our website. These newsletters are provided to parliamentarians and the policing and criminal justice community on the progress of the SBC.

Further to our newsletters and to raise awareness of our work to the wider public, we have developed a range of products:



June 2022 saw us publish a [short guide](#) to assist the public in understanding the main types of biometric data that is acquired, used, retained and destroyed for policing and criminal justice purposes in Scotland. This guide provides detailed information on the DNA databases used across the policing environment as well as information on fingerprints and the volumes of biometric data held by Police Scotland.



August 2022 saw us develop a video [animation](#) explaining biometrics and the role of the SBC.

[“Is Scotland ‘sleepwalking’ towards its place within a UK surveillance state in 2024?”](#)

January 2024, the Commissioner wrote a short New Year’s opinion piece – within which the Commissioner discussed the process of democratic backsliding to highlight a worrying pattern of decreasing democracy in the UK. He went further to engage with the recurring theme of disempowerment, including of independent oversight of the police use of biometrics in England and Wales. The Commissioner had also written jointly with the then Commissioner for England & Wales, Professor Fraser Sampson objecting to the proposal from the last UK Government to abolish the role of the Biometrics and Surveillance Camera Commissioner for England & Wales as part of a broader strategy to erode human rights. The Commissioner was delighted when the proposed legislation fell with the General Election and was rejected by the new UK Government.

ScotCen
Social Research

As there was little existing research on what the Scottish public think and feel about how biometrics are used for policing and criminal justice purposes, the Commissioner sought to obtain a better understanding. Therefore, in December 2021 we published a [report](#) in collaboration with ScotCen Social Research in which we examined peoples’ attitudes to both help build a layered understanding of people’s opinions on biometrics and inform our future engagement.

A second public attitudes survey was conducted in collaboration with the Scottish Police Authority and Diffley Partnership in 2025 to revisit public views on biometrics in Scotland. The results from this second survey suggested there is maintained, and in some instances modest improvement in levels of public confidence in the use of biometric data and technologies for policing and criminal justice purposes in Scotland. **Outcome – the outcome is a consistent message. Public perception is that people seem to understand why the police need to take biometrics to help solve crimes and there are high levels of public support .**

Complaints procedure against the Code of Practice

At the same time as developing the Code of Practice, the SBC began the process of writing a complaints mechanism. [Section 15](#) of the Scottish Biometrics Commissioner Act 2020 requires that the Commissioner must provide a procedure by which an individual, or someone acting on an individual’s behalf, may make a complaint to the Commissioner that a person who is required by [Section 9\(1\)](#) (Police Scotland, the SPA or the PIRC) to comply with the Code of Practice has not done or is not doing so in relation to the individual’s biometric data. This mechanism was published on our website in November 2022. Since that time, we have received and responded to six complaints from data subjects - none have been upheld. **Outcome – a very small number of complaints about the Code have been received and none were upheld thus confirming the lawful and ethical use by Police Scotland .**



HM Inspectorate of Constabulary have collaborated on a number of projects in the past 4 years of the Commissioner’s Plan. These collaborations are designed to improve policing across Scotland in line with the statutory responsibilities of each organisation. The measured approach adopted by the Commissioner and his team is evidence based, thorough in approach and provides clearly articulated descriptions of the capture, use and storage of biometric material. Where there are improvements required these are called out with clear descriptions of what needs to change. HMICS have a strong relationship with the Commissioner and his team and value the proportionate scrutiny they bring.



Craig Naylor
HM Chief Inspector of Constabulary
Scotland

What we've achieved

Strategic Objective 3

Develop, publish, promote and assess compliance with a statutory Code of Practice on the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes in Scotland.

Code of Practice

A significant achievement to date has been the development of our [Code of Practice](#) which resulted in Scotland becoming the first country in the world to have a national statutory Code of Practice guiding the ways in which biometric data and technologies may be used for policing and criminal justice purposes, supported by legal powers within the Act to monitor compliance, and a complaints mechanism for data subjects. This is a significant human rights achievement for Scotland of which we should be proud, and one which was acknowledged in the media.

World first for Scotland

The Code of Practice was laid in Parliament on 19 April 2022, the SSI (Scottish Statutory Instrument) was laid on 7 September 2022, and the Code came into effect in November 2022. This was achieved after a public consultation running between April and May; a statutory consultation process under [Section 10](#) of the Scottish Biometrics Commissioner Act 2020; consultation with the Advisory Group under [Section 33](#) of the Act; and following approval under the terms of [Section 11](#) of the Act where the Scottish Parliament's Criminal Justice Committee approved the Code and [Section 12](#) of the Act which saw the Scottish Government approving the Code. This piece of work saw Scotland become a 'world first'.

- [World first for Scotland in use of biometric data and DNA](#)
- [Scotland set for 'world first' with biometric data code of practice](#)
- [Scotland 'first country in world' to publish biometrics code of practice](#)



The Code of Practice for Scotland is leading the way in a progressive approach to public accountability for police use of biometric data.



Angela Constance
Justice Secretary to May 2025



Outcome – in relation to any biometric controversies: there have been none in Scotland since the SBC was established relating to policing and criminal justice . By contrast, there [have been some](#) in areas that are not part of our remit.

Compliance Assessments

The SBC Strategic Plan set out the intention to conduct a rolling programme of annual compliance assessments for the Code of Practice. These were conducted for all three organisations for whom the Code applies – Police Scotland, the SPA and the PIRC. The first round of assessments was based on ‘validated self-assessment’ and followed a five-stage process, resulting in the publication of an overall assessment. All three organisations across the two rounds of assessments (2022/23 and 2024/25) showed compliance with the Code of Practice. **Outcome – the outcome is that Police Scotland, the SPA and the PIRC have remained in compliance with the Code since it was implemented. The SBC have not needed to serve a single compliance notice .**

Three-year review of Code of Practice

This [review](#) was produced and published under the provisions of [Section 7](#) of the SBC Act 2020 and laid before Parliament in October 2025 under [Sections 14\(1\)](#) and [14\(2\)](#) of the Act.

The key findings of this report found:

- there have been no breaches of the Code
- despite high custody throughout (300,000+) and biometrics capture, the SBC has received only six complaints in the three years the Code has been in effect
 - only four of these related to biometric data
 - none were upheld
- in the three-year period, the Commissioner has served only one Information Notice on Police Scotland
- Police Scotland, the SPA and the PIRC are each acquiring, retaining, using and destroying biometric data in a lawful, effective and ethical manner as prescribed by the Code

Outcome – the Code of Practice has withstood the test of time and has demonstrated Scotland leading the way in a progressive approach to public accountability for the use of biometric data for criminal justice and police purposes .



What we've achieved

Strategic Objective 4

Provide reports to the Scottish Parliament on the outcomes from the use of biometric data and technologies and highlight key issues to inform public debate, thus strengthening democratic accountability.

Establish Advisory Group

[Section 33](#) of the Act requires the Commissioner to establish and maintain an Advisory Group whose purpose is to give advice and information about matters relating to the Commissioner's functions. Since the first virtual meeting on 19 July 2021 this Advisory Group have shaped the form and content of the first Strategic Plan, the Code of Practice, the National Assessment Framework, provided feedback on all assurance reviews and brought to the table biometric technology related discussions for consideration. The full membership, minutes and actions arising from these meetings can be found on our website.

Annual Report & Accounts

[Section 31](#) of the Act requires the Commissioner to keep proper accounts and accounting records; prepare a statement of accounts each fiscal year and to send a copy of such statement to the Auditor General for auditing. As per our Strategic Plan, the SBC have laid an Annual Report & Accounts before Parliament annually highlighting within each that we have achieved our strategic objectives and operated within the budget allocated to us by the SPCB.

“

Over the past five years, the Scottish Biometrics Commissioner has played an important and constructive role in supporting policing bodies, including PIRC, to navigate the responsible use of biometric data. The function has helped to strengthen confidence that emerging technologies are deployed in ways that are lawful, ethical and effective, while maintaining a clear focus on public trust and accountability. This work has made a valuable contribution to ensuring that innovation in policing in Scotland is matched by robust oversight and respect for individual rights.

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Laura Paton
Police Investigations and
Review Commissioner

Outreach

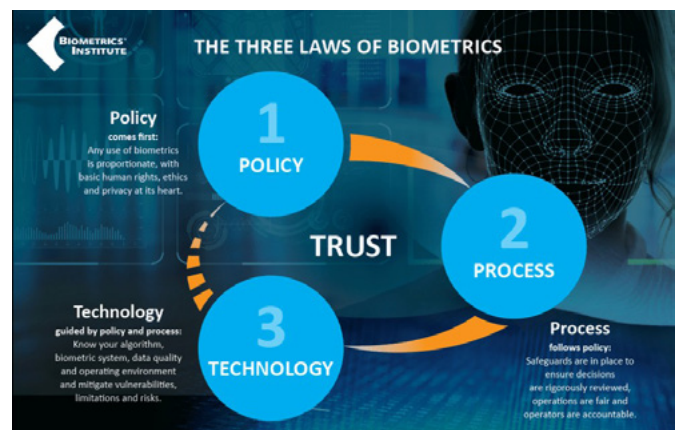
Despite being small, the SBC team have attended and delivered many presentations at conferences within Scotland and across the UK. This allows us to continue raising awareness of our work, engaging with and establishing new relationships with key stakeholders, keeping abreast of new and advancing technologies within the world of biometrics. Here's a few examples:

In October 2022, the Commissioner and Operations Manager presented at the Digital Justice & Policing conference – [*Biometric Data: Opportunities, Risks and Mitigations*](#).

October 2023, the Commissioner attended the global Biometrics Institute Conference at the Queen Elizabeth II Conference Centre, London and provided the keynote address – [*Impossible Crimes: Unless you know about biometrics*](#). Within this address he provided three international case studies to highlight how biometrics data can sometimes provide invaluable insights to detectives investigating crimes which otherwise seemed impossible to solve.

The Commissioner again delivered a keynote address to the 2024 Congress where he discussed the [*Three Laws of Biometrics*](#) as an essential component of any public policy framework for the lawful, effective, and ethical use of biometric data and technologies. In 2025, the Commissioner's keynote address discussed the use of biometrics in policing for both evidential and intelligence purpose.

He was also a panel member on two other discussions. One relates to the future of biometrics, the other asks whether there should be a 'kill switch' for when systems are unethical or go wrong. The SBC Director also spoke in a discussion session with the FBI, Meta, Big Brother Watch and the United Nations on AI and Facial Recognition: Ethics and Regulation.



May 2023 saw the SBC team visit Brussels to engage with European stakeholders. The visit facilitated by the Scottish Government provided the Commissioner with an opportunity to explain the policy and legislative framework around biometrics in Scotland and to learn of emerging policy, practice and procedure from EU member states. During the visit, meetings were held at the French Permanent Residence; with diplomatic staff at the UK Mission; at the Belgian National Institute for Criminalistics and Criminology; at the Brussels Police Headquarters and with European Digital Rights (EDRI). Finally, the Commissioner and his team delivered a short input to diplomatic staff at Scotland House.

The conference was designed to promote public awareness and to prompt an ongoing national conversation to help promote democratic accountability. At the conference, it was agreed that there should be a tripartite conversation on the potential future use of live facial recognition technology in Scotland by Police Scotland as a tool for enhancing public safety.

September 2024 saw our Operations Manager present a keynote item on The Future of Facial Recognition Technology at the [Scotsman Data Conference](#).

Helping support and promote our work wider than Scotland and indeed the UK, the Commissioner was pleased to accept an invitation to deliver a speech at the international conference on [Biometrics for Government and Law Enforcement](#), held in Washington, D.C. in December 2024. The Commissioner joined speakers from the FBI, the U.S. Department of Homeland Security, the United Nations High Commissioner for Refugees (UNHCR), Directors of Forensic Services and various law enforcement and policing agencies to discuss the critical role of biometric data in policing, law enforcement, border control, and national security. The conference was hosted by the U.S. based Institute for Defence and Government Advancement (IDGA).



We continue to consolidate our position and influence in Scotland and the UK by co-hosting the first [Scottish Biometrics in Criminal Justice conference](#) in June 2024 alongside Police Scotland and the Scottish Police Authority. The Cabinet Secretary for Justice and Home Affairs opened the conference, and speakers included the Chief Constable, the Chair of the SPA and the Commissioner.



In February 2025 the Commissioner was pleased to accept an invitation from the Association of Scottish Police Superintendents (ASPS) to deliver the annual Jack Urquhart Memorial Lecture at the ASPS conference in May 2025. The theme of that conference was “policing smarter not harder” and the Commissioner was asked to deliver a keynote address focussing on where biometric data and technologies in policing need to go in the next five years.

On Thursday 27 February 2025 the Commissioner was invited to [give evidence](#) to the Northern Ireland Committee for Justice in relation to the NI Justice Bill 2024. The Bill would introduce a new biometrics retention regime for the Police Service of Northern Ireland (PSNI) and the appointment of a Biometrics Commissioner for Northern Ireland. The Commissioner attended a session at the Stormont Estate to answer a variety of questions. The Commissioner also used the session to explain the importance of getting legislation correct and the value for the inclusion of images within the legislation.

The Commissioner accepted an invitation to deliver the annual ILPC lecture at the Institute of Advanced Legal Studies in London on 20 November 2025. The theme for the 2025 conference is ‘Regulating AI in a changing world: Oversight and Enforcement’. The Commissioner’s lecture was on the theme of *Biometrics and policing: The benefits and risks of AI for law enforcement and criminal justice*.

We supported the UN Human Rights Council in its [Universal Periodic Review](#) of the UK by [providing evidence](#) on progress made in Scotland in biometrics and criminal justice since their last review.

As we venture into our next 4-year Strategic Plan 2025/29, we’d like to take the opportunity to highlight a positive event in this report. On 15 January 2026, the Commissioner and Business Support Officer - Joanna Milne, hosted an SBC stand at Parliament engaging with many MSP’s in the sixth session of Parliament. Pictured are the Commissioner and Christine Grahame MSP, Former Deputy Presiding Officer and a member of the Scottish Parliament from 2011 to 2026.



Best value

Due to the size of the SBC team, the establishment of the office during the Covid pandemic and considering best value to the public purse – the Commissioner sought to enter into a shared services agreement. This involved moving into a single self-contained space within Bridgeside House, where the Scottish Public Services Ombudsman (SPSO), Scottish Human Rights Commission and the Children & Young Peoples Commissioner for Scotland were already located; signing up to using the Scottish Government ICT SCOTS network and sharing certain facilities and corporate services with the SPSO including payroll, finance management and HR support.

Again, due to the size and capacity of the SBC team, the Commissioner looked to enhance our abilities through a secondment opportunity. The Commissioner temporarily increased the capacity and capability of our small organisation by seconding in a senior police officer from Police Scotland from July 2024 in the position of Director. This temporary growth in capacity and capability was necessary to discharge an exceptionally busy programme of work including servicing the demands of the SPCB Landscape Review Committee. This approach resulted in increased capacity and capability without incurring any long-term financial liabilities that would have resulted through a growth in permanent staff headcount. Due to the success of the above and unfortunately the early recall of the Director back to Police Scotland, the Commissioner entered another secondment – this time with the SPA Forensic Services.

In September 2025, a subject matter expert – Karen McBride (pictured below), senior fingerprint examiner, joined the SBC for a two-year secondment.



The role of the Scottish Biometrics Commissioner is fundamentally important in strengthening public confidence, transparency, and accountability in the use of biometrics within policing and forensic science in Scotland. Independent oversight helps to ensure that innovation and operational effectiveness are balanced with ethical practice, proportionality, and respect for individual rights. In doing so, the Commissioner provides an important bridge between public bodies, government, and the communities we serve.



Fiona Douglas
 Director, SPA Forensic Services

A key development seen throughout 2024/25 was the inquiry into Scotland’s Commissioner Landscape which considered whether a more coherent and strategic approach was needed for the creation of such commissioners in Scotland.

Throughout the year, the Commissioner – alongside the other officeholders, provided both written and verbal submissions:

- on 30 April 2024, the Commissioner attended the Finance and Public Administration Committee
- in September 2024, this committee published its report which was then followed in October 2024 by a joint statement from the officeholders
- in February 2025, the Commissioner provided a [written submission](#) to the to the SPCB Supported Bodies Landscape Review Committee and gave evidence on [20 February](#)
- the SPCB Supported Bodies Landscape Review Committee published their report on 19 June 2025 with a section on conclusions and recommendations. Within this section they highlighted the following “...we agree that the bodies currently supported by the SPCB fulfil a vital function in safeguarding public trust, institutional integrity and democratic accountability in relation to our public institutions and elected representatives”

Of all the officeholders, the SBC has the smallest budget and headcount of any of the SPCB supported bodies with a full-time officeholder.

Despite being small, we have and continue to operate within our annual allocated budget and deliver on all our strategic objectives.

As highlighted earlier - we work extensively in partnership with our key stakeholders, drawing on their expertise and knowledge for our assurance reviews all in the pursuit of best value – we leverage greater capacity through extensive partnership working with others.



On behalf of the Authority, I must commend the work of the Scottish Biometrics Commissioner over the last four years. The role of the Commissioner has significantly improved the oversight of policing in Scotland’s use of biometrics and has enhanced scrutiny more broadly as a result. The insight and analysis provided by a number of thematic reports has been hugely valuable, and the SBC’s Code of Practice is essential to maintaining lawful, effective, and ethical practices in relation to biometric data. Robust oversight of policing is fundamental to maintaining the public’s trust and confidence in policing and I am grateful for the scrutiny, challenge and guidance provided by the Commissioner.



Alasdair Hay CBE, QFSM
Chair of the Scottish Police Authority

Final thoughts

In the four years to which the Commissioner’s first Strategic Plan relates, the new function in Scotland has grown and flourished becoming a trusted voice in the policing and criminal justice community in Scotland. Because we only make recommendations which the Commissioner deems necessary and proportionate, they are accepted by the bodies to whom our functions extend.

Others such as the Criminal Justice Committee, the SPA Board, FINDS, the Police Scotland Biometrics Oversight Board, the SPA FS Committee, the SPA Policing Performance Committee, and other key stakeholders (for example HMICS) have welcomed the way in which the Commissioner has positioned his functions in a way that contributes towards an even more effective criminal justice system in Scotland. The SBC ‘brand’ extends well beyond Scotland and through wider UK and international networks, the Commissioner has been able to advocate the Scottish legislative and policy context to an international audience.

We are asked to participate and often lead the debate in a range of biometric discussions, not only in Scotland but wider afield – we have written various submissions to the Home Office and provided evidence on Live Facial Recognition.

Others are interested in what we have to say, our numerous speaking events demonstrates this – Biometrics Institute; the IDGA; FutureScot conference; ASPs; IALS; and our own Biometrics Conference.

It feels appropriate that the last words go to the Commissioner:



The SBC function has provided proof of concept for the delivery of best value and cost-effective public services when designed around the core principles of shared services for back-office functions and extensive partnership working for operational delivery. Such design principles are key when ensuring value for the public purse.

Despite our small scale, the SBC function has the capacity for low cost expansion to do far more and against the context of the forthcoming 5-year review of the Commissioner’s functions and powers by Scottish Government, I wish to restate my position that my independent oversight could be extended in future to other bodies who acquire and share biometric data for criminal justice purposes under the devolved laws of Scotland including in prisons. There is also an opportunity for bold thinking by Ministers given the ever-expanding trajectory of AI-enabled surveillance, including an obvious opportunity to develop a public space safety camera Code of Practice for Scotland.



Dr Brian Plastow
Scottish Biometrics Commissioner

