

From ambivalence to assurance: Why Scotland needs a coherent public space surveillance strategy.

It is now more than fifteen years since Scottish Government published '[A National Strategy for Public Space CCTV in Scotland](#).' In 2011, the First Minister of Scotland was Alex Salmond and Kenny MacAskill was Cabinet Secretary for Justice. 2011 also marked the beginning of the fourth session of the Scottish Parliament.

The intervening years to the current seventh session of Parliament have seen four First Ministers, six Cabinet Secretaries for Justice and no less than seven Ministers for Community Safety. As the world has moved on, government strategy on public space surveillance in Scotland has not.

The outdated national framework for Scotland of 2011 predates the modern digital era of today. The years since have witnessed the exponential rise of technologies such as joint council and police public space surveillance systems including the application of AI enabled analytical products such as [Briefcam](#).

Experts, watchdogs, and parliamentary motions highlight that Scotland's strategy is hopelessly outdated, lacks centralised oversight, and fails to address modern technologies such as facial recognition. Unlike England and Wales, Scotland also lacks an independent surveillance camera commissioner and a surveillance camera [code of practice](#) meaning that external governance is restricted to data protection laws by the UK Information Commissioner (ICO).

Ambivalence is the state of having mixed and conflicting thoughts meaning that you are pulled in opposing directions and cannot decide on the best course of action. In relation to police technologies, this was a hallmark of the Scottish Parliament's former Justice Sub Committee on Policing in the fifth session of the Parliament. In turn, this sowed the seeds of indecision that persist to this day.

The inability to make the right political choice was first witnessed in 2019 through the former sub-committee's report on Police Scotland's digital device triage technology (cyber kiosks). The sub-committee effectively set back the introduction of an important police investigative technology by expressing concerns regarding the legal basis for data extraction. Yet the technology was already legal in the UK as subsequently confirmed by legal advice from senior counsel and the Crown Office.

In turn, this ambivalence fed a *moral panic* when in February 2020, the same sub-committee concluded that there would be no justifiable basis for Police Scotland to invest in live facial recognition (LFR) technology. I did not agree with that position in 2020, and I do not agree with it now.

LFR is already widely used in private spaces in Scotland where high street retailers and supermarkets use it to combat retail crime. Such systems scan shoppers faces in real time and match them against private watchlists of suspected shoplifters. If you have used a supermarket self-checkout in Scotland, you have already experienced live facial recognition.

At its autumn 2025 pre-election conference, the SNP passed a [motion](#) to oppose the future implementation of live facial recognition technology by Police Scotland. This poses the obvious question of why the SNP trusts supermarkets to use this technology to catch shoplifters more than it trusts the Chief Constable to use it to catch murderers, terrorists, rapists, and paedophiles. Thankfully, the new Cabinet Secretary for Justice has rowed back on this position acknowledging the operational independence of the Chief Constable.

The opposite of ambivalence is to act with assurance. In England and Wales, the Home Office biometrics strategy is delivering multi-million-pound investment in live facial recognition technology that will make it available to every police force in England and Wales. This following successful evaluations including by the Metropolitan Police where 10% of all LFR related arrests relate to registered sex offenders.

At a time when overall crime in Scotland including sexual crime has increased, when police officer numbers have fallen significantly since 2013, when there are pressures on police budgets, and when more and more criminals are the subject of early release from prison, a strategic shift from ambivalence to assurance in government thinking on all forms of public space surveillance and oversight mechanisms is now required.

In June 2025, a [blog](#) on my website set out the reasons why I would support the use of live facial recognition by Police Scotland including to protect women and girls from male violence. Others such as [HM Chief Inspector of Constabulary](#) have also now called on Police Scotland to accelerate the procurement of such technology.

The current Scottish Government [review](#) considering potential extension of the remit of the [Scottish Biometrics Commissioner](#) to public space surveillance and the parallel opportunity to deliver a modern public space surveillance camera code of practice for Scotland is a once in a generation opportunity. The need for a modern and cohesive public space surveillance strategy for Scotland has never been greater, and now is the time for Ministers to act decisively (or not).