



Briefing to Members of Scottish Parliament from Open Rights Group on Scottish Biometrics Commissioner Bill Stage 3 Debate (Tuesday 10 March 2020)

The use of biometrics analysis, like facial recognition, by police forces across the United Kingdom is a matter of national concern. It is an area that has regular changes in law that need to be considered and responded to:

- A majority of people want the government to impose restrictions on police use of facial recognition technology. (source: Ada Lovelace Institute, [Beyond Face Value: public attitudes to facial recognition technology](#), 2019.)
- The Justice Sub-Committee on Policing from the Scottish Parliament recently released a report stating that there was no justifiable basis for the introduction of facial recognition in Scotland for policing (source: Justice Sub-Committee on Policing, [Facial Recognition: How Police Scotland makes use of this technology](#), 2020.)
- A recent European Court of Human Rights judgement found that the indefinite retention of DNA, fingerprints, and photographs without regard for the seriousness of the offence was a violation of Article 8 right to private life (source: [Gaughran v. The United Kingdom summary](#), 2020)

Each of these facts point to a need for a more proactive and thoughtful form of oversight. In Scotland we are close to creating a body who can meet these new challenges: the proposed Scottish Biometrics Commissioner is close to achieving that. They will be able begin public debates and consultations, respond to individual concerns and complaints, and will create a set of binding rules that will seek to foster public confidence that the collection, retention, use and deletion of biometric data is done lawfully in Scotland respecting fundamental human rights

Support the call to create a Scottish Biometrics Commissioner and vote in favour of the Scottish Biometrics Commissioner Bill on Tuesday 10 March 2020.