

**ETHICS PANEL – Formal Group Meeting**

**Wednesday 26<sup>th</sup> November 2025**

**12:30-15:30**

Meeting held virtually via Microsoft Teams

**Present:**

Marion Oswald	Chair of Ethics Panel
Derek Dempsey	Ethics Panel
Claire Paterson-Young	Ethics Panel
Malcolm Fowler	Ethics Panel
Tom Sorell	Ethics Panel
Simon Down	Head of Policy (OPCC)
Edward Hunter	Policy Intern (OPCC)
Matt Welsted	Assistant Chief Constable (WMP)
Richard North	Chief Superintendent – Head of Corporate Development (WMP)
Ben Clutterbuck	Senior Intelligence Manager (WMP)
Melanie Ainsworth	Sergeant – Staff Officer

**Apologies:**

Anindya Banerjee	Ethics Panel
Jonathan Jardine	Chief Executive (OPCC)
Sophie Worthington	Superintendent – Head of Tactical Intelligence (WMP)

<b>1</b>	<b>12:30</b>	<p><b><u>Welcome</u></b> The Chair opens the meeting, welcomes members and notes apologies of those absent.</p> <p>The Chair explains that Edward Hunter is moving on to a new role within the OPCC and, as such, will no longer be the secretariat for the panel. The Chair thanks Edward for all his work on the panel and wishes him luck in his new role.</p>	<b>Marion Oswald</b>
<b>2</b>	<b>12:35</b>	<p><b><u>OPCC Update</u></b></p> <p>It is explained that a new secretariat will be appointed from within the OPCC but that the individual in particular is yet to be decided.</p> <p>The Panel is updated on the OPCC’s position and reaction to the recent announcement of government plans to abolish PCCs. The panel is assured that very little is changing following the announcement, the OPCC will continue business as usual as, in the West Midlands, it was always expected for PCC function to transfer to the Combined Authority end the end of the current term.</p> <p>The presenter is keen to emphasise that absolute commitment to the delivery of the Police and Crime Plan remains paramount. Concerning the future of the Ethics Panel in particular, the presenter explains that</p>	<b>Simon Down</b>

		<p>little has changed here also, as any new PCC could alter how it functions, this remains the case with a deputy mayor. It is suggested that the success of the Ethics Panel would make it highly likely that it will be maintained despite the announcement.</p> <p>WMP also voice their commitment to the Ethics Panel and values their insight regardless of the changes of political oversight. They assure the Panel that WMP will continue to desire their services and insights.</p> <p>Regarding the on-going recruitment campaign for the Panel, members are updated that the first set of interviews had been completed and that the second were due to take place at the end of the week. The presenter suggests that they are confident of fulfilling the three to six places that are desired.</p> <p>The Chair adds they were encouraged by the applicant rate, particularly in terms of community representation and that, it demonstrated the campaign was a more effective one than previous.</p>	
3	12:45	<p><b><u>WMP use of Facial Recognition</u></b></p> <p>The presenter begins by explaining that WMP currently actively uses two types of facial recognition to support investigations and combat crime, retrospective facial recognition (RFR) and operator initiated facial recognition (OIFR). WMP does not use live facial recognition (LFR) at this time.</p> <p>The presenter continues by explaining RFR is used in investigations that are already underway to identify unknown persons after the incident has occurred. This is generally using CCTV or social media images, and in situations where witnesses can identify someone but WMP systems do not have enough details to pinpoint them.</p> <p>The presenter clarifies that RFR can be used overtly and covertly but must be done in accordance within the five policing purposes. They specify that it can be, will be and is used to identify unconscious or deceased people.</p> <p>The local/internal oversight mechanisms for RFR mentioned by the presenter consist of Service Improvement Meetings, PND Governance Meetings and the Force Performance Day. Meanwhile, regarding national oversight mechanisms, the presenter names the National Police Chief's Council and the National Biometrics Strategy Board.</p> <p>The presenter continues by explaining the technology and process has a 62% 'hit rate' in the last four months and has had an average of seven submissions a day. Concluding RFR, the presenter discusses the next steps such as a mobile app, digital forensic enhancements and increased partnership with agencies as alternative databases to the PND.</p>	Ben Clutterbuck

	<p>The other side is OIFR which differs in the fact that it occurs in real time. Officers on scene will send in an image to intelligence of an unknown person as an incident is taking place. The presenter clarifies this differs from LFR which uses automatic searches, scans every face in camera, and pings against a pre-determined watchlist.</p> <p>The presenter explains that OIFR can also be used overtly and covertly but must comply with two criteria: being within a policing purpose but also only in situations where individuals are unable or unwilling to give details or if an officer has reasonable suspicion the person has given false details. The presenter does clarify however, that the police have no powers to force people to give an image to be used for OIFR.</p> <p>In terms of next steps for OIFR, the presenter suggests the use of drones in POPS deployments could be useful. Also, it could be integrated into the ability of Axon bodycams to livestream. Additionally, further guidance for custody images will be issued to best support facial recognition as these will be the comparison photo.</p> <p>Discussing how WMP use the technology, the presenter explains that, for both, images will be submitted to a portal. An intelligence officer will then run a check on the image against the police national database where comparisons are made between 128 points on the face. A successful 'hit' is then determined as any face in the database with above a 70% match. The presenter explains that this 70% mark is a national decision.</p> <p>The presenter makes clear however, that facial recognition alone is not enough to identify or, indeed, convict someone. They explain that it is then expected that the matched individual be researched to see if their name, details, location, offence history etc correlate with the investigation.</p> <p>The presenter concludes that whilst national discourse is focussing on LFR, WMP's focus is on protecting the public, reducing serious crime, and safeguarding vulnerable people through the use of RFR and continued development of OIFR transparently and with the public's confidence.</p> <p><b>Questions and Responses</b></p> <p>A panel member asks if officers are informed of any matches below the 70% threshold.</p> <ul style="list-style-type: none"> <li>• The presenter explains the results are simply not shown so cannot be utilised. An ongoing discussion is going on nationally however, and WMP are in favour of lowering the 70% threshold.</li> </ul> <p>The same member then expresses concerns about access to other databases may be too large a step.</p> <ul style="list-style-type: none"> <li>• The presenter suggests that a criterion does exist around this access which ensures access relies upon the seriousness of the offence. They also add that it would remain as request-only access rather than being given the freedom of the database.</li> </ul>	
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	<p>Furthermore, they suggest provisions in the upcoming Crime and Policing bill may also make this capability available.</p> <p>A further member expresses how the 62% hit rate is impressive, asking how successful this rate is in terms of the number of false positives/negatives.</p> <ul style="list-style-type: none"> <li>• The presenter suggests that whilst they do not have data on this to hand, that there exists a very high confidence rate that when matches are made, they are accurate. They suggest recent improvements in technology, combined with the high national standards and safeguarded by human operators help provide good figures.</li> </ul> <p>A panel member then mentions the issues of criminals travelling through force areas and inquires as to the national capacity of the technology.</p> <ul style="list-style-type: none"> <li>• The presenter explains that moving criminals are extensively targeted by this technology and access to national custody sets is a massive benefit in addressing this challenge. They also raise that the technology can be used in the online space which transcends force areas.</li> </ul> <p>Another member asks how the use of the technology is influencing the time and workload of officers and whether WMP has the resources to respond.</p> <ul style="list-style-type: none"> <li>• The presenter admits that using the technology does bring in more work, especially as it introduces a greater number of lines of inquiry and the Met for example, cannot currently cope with the demand. The presenter does clarify however, in other aspects work is sped up by using the technology.</li> </ul> <p>A member continues by asking about how image enhancement can influence the accuracy of the match.</p> <ul style="list-style-type: none"> <li>• The presenter assures the panel that so long as enhancement does not alter the digital signature, accuracy will be unaffected. They also clarify that enhancement, for the most part is limited to zooming in and cropping the photograph rather than anything more complicated and that digital forensics will keep track of any changes made.</li> </ul> <p>The member continues by asking who else is able to utilise facial recognition with the PND.</p> <ul style="list-style-type: none"> <li>• The presenter explains that public protection and safeguarding hubs will also utilise FR but that they are all Police personnel trained in using the PND.</li> </ul> <p>A further member inquires as to the criteria to use facial recognition. Asking how WMP ensures they are fulfilled.</p> <ul style="list-style-type: none"> <li>• The presenter explains that a large amount of it is reliant on reasonable suspicion. They explain this is rather flexible, low bar and delegated to the officer on the ground to provide.</li> </ul>	
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4	13:45	<p><b><u>MOU on LFR Governance</u></b></p> <p>The presenter begins by explaining the APCC's MOU is still in draft form but will be circulated shortly and that they believe it to be a useful document. The presenter clarifies that it is in regard to LFR which differs from other FR as all faces that go past a camera are automatically scanned and compared to a watchlist before being deleted.</p> <p>They explain that the purpose of the MOU is to ensure that there is governance over the use of LFR and sets out the role of PCCs, CCs and individual officers in using the technology. It also clarifies that LFR must be intelligence led, targeted and proportionate with the ambition of locating high harm individuals and supporting preventative policing.</p> <p>The MOU sets out the need for advance notification from CCs to PCCs, proportionality in the watchlist based on evidence of risk and threat of harm, ensures the need for public confidence and communication and must remain lawful and ethically assured.</p> <p>The presenter goes on to explain that the role for PCCs set out by the MOU covers the oversight of deployment and communicating/educating the public to maintain their confidence. They assure the Panel however, that the use of LFR continues to be an operational decision for the CC to make. As such, they will be going back with feedback on the MOU to make this clearer in its wording.</p> <p>The MOU further sets out that the police must not store any biometric data of any individual not considered a match and that any use of the technology must be accompanied by a large amount of signage and identifiable vehicles.</p> <p>The presenter continues by moving on to the role of individual officers. They explain that the actual decision to intervene and interact with an individual remains with the officer regardless of what the technology</p>	Matt Welsted

	<p>says. The use of their professional judgement, skills and intelligence is key to avoiding errors.</p> <p>They explain that national oversight is offered by the APCC, NPCC and College of Policing as well as ethics panels. In this, the presenter clarifies that should WMP ever choose to use LFR, it will be presented to the Ethics Panel beforehand.</p> <p>The presenter concludes by suggesting the key ethical considerations are over privacy, bias and discrimination, transparency and accountability, and human oversight.</p> <p><b>Questions and Responses</b></p> <p>The Chair asks if the MOU is to be signed by all forces and PCCs.</p> <ul style="list-style-type: none"> <li>• The presenter suggests that, should a force choose to adopt LFR, there would be an expectation for the MOU to be agreed to by the force, PCC and national oversight body.</li> </ul> <p>The Chair continues by asking if the MOU is to be made public.</p> <ul style="list-style-type: none"> <li>• The presenter answers that they do not know but sees no reason as to why it couldn't be.</li> </ul> <p>A member asks how the watchlist can be entirely intelligence led and proportionate but simultaneously has up to 20,000 people on it. A second member adds to this whether recent experiences with football matches in the West Midlands may influence how the technology would be deployed at football matches.</p> <ul style="list-style-type: none"> <li>• The presenter suggests that the watchlist does indeed need to be intelligence led and authorised and justified by an officer. They explain however, that the watchlist is rarely made up of individuals but more so groups with a history of offences similar to that which is expected in the LFR area which can increase numbers.</li> <li>• The presenter continues by suggesting that reporting around recent events and intelligence has been somewhat misreported. They confirm WMP will continue to use and assess the reliability of intelligence and make strategy decisions around football policing and facial recognition accordingly.</li> </ul> <p>The member adds that more explanation as to how the watchlist is created should be offered to the public as intelligence led offers little reassurance.</p> <ul style="list-style-type: none"> <li>• The presenter confirms that they will feed this back.</li> </ul> <p>Another member suggests that the MOU should include some mitigations beyond just training against overwhelming human capacity and an overreliance on technology that LFR could create. The same member then asks about the potential displacement effect LFR could have into areas with a lack of resources to tackle them or into marginalised communities.</p> <ul style="list-style-type: none"> <li>• The presenter replies that most research tends to suggest that crime happens where it does for reason mostly due to the interplay between offender, victim and opportunity. They explain</li> </ul>	
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		<p>that removing one of these aspects does not necessarily mean the same relationship will pop up somewhere else and that, overall the displacement effect is far less significant than previously thought. They do suggest however, that more up to date research could be beneficial.</p> <p>Another member asks what methods other than signage and marked vehicles could be used to increase transparency.</p> <ul style="list-style-type: none"> <li>• The presenter explains that as WMP don't use the technology they can only give examples from other areas but these include: putting it on the website, the officers clothing will state it, engagement with community leaders, or include it on the tickets of events where it will be in use. The presenter also adds that it may be publicised in a similar way to the ways s.60s are promoted to the public, suggesting this in itself can be a deterrent.</li> <li>• The presenter concludes that a 'no surprises' policy is common, that people should not be surprised coming across LFR as signage etc should be able to pre-warn them.</li> </ul> <p>The presenter concludes by asking for any comments the panel has on the MOU to be submitted for consideration.</p>	
9	14:55	<p><b><u>Any Other Business</u></b> N/A</p>	<p><b>Marion Oswald</b></p>
10	15:00	<p><b><u>Meeting Close</u></b> Next Meeting: 6<sup>th</sup> March 2026</p>	