



Joint Committee on Human Rights

Committee Office · House of Commons · London · SW1A 0AA

Tel 020 7219 4710 Email JCHR@parliament.uk Website www.parliament.uk



From the Chair of the Joint Committee on Human Rights

The Rt Hon Shabana Mahmood MP

Secretary of State for the Home Department

[Delivered by Email]

18 December 2025

Dear Home Secretary,

The Joint Committee on Human Rights has noted the launch of the Home Office “Consultation on a new legal framework for law enforcement use of biometrics, facial recognition and similar technologies.”¹ This is an area of interest to the Committee. We have previously taken evidence on matters including the use of these technologies from Professor Fraser Sampson, the former Biometrics and Surveillance Camera Commissioner.² We are currently conducting an inquiry into “Human Rights and the Regulation of Artificial Intelligence”, during which we have heard evidence on the role of AI in law enforcement technologies like facial recognition.³

The use of facial recognition technology (FRT) by the police raises particular human rights concerns: without appropriate safeguards, the processing of personal data for this purpose may involve an interference with the right to respect for private life under Article 8 of the European Convention on Human Rights (ECHR);⁴ FRT may have an inconsistent or disproportionate impact on particular groups, raising issues under Article 14 ECHR (the prohibition on discrimination in the enjoyment of human rights); and police may rely on this technology as part of their justification for investigation, arrest and criminal charges, all of which have implications for human rights.

Children

I am writing to you now on this issue following an investigation carried out by Liberty Investigates (an investigative journalism unit based at the human rights organisation Liberty)

¹ Home Office, [Consultation on a new legal framework for law enforcement use of biometrics, facial recognition and similar technologies](#), 4 December 2025

² JCHR, [Oral evidence, Biometrics and Surveillance Camera Commissioner, HC1128](#), 22 February 2023

³ JCHR, New inquiry, [Human Rights and the Regulation of Artificial Intelligence](#), 25 July 2025; [Uncorrected oral evidence: Human rights and the regulation of AI \(HC1262\)](#), 29 October 2025

⁴ The Court of Appeal found that South Wales Police’s use of FRT breached privacy rights in the case [Bridges, R \(On the Application Of\) v South Wales Police \[2020\] EWCA Civ 1058 \(11 August 2020\)](#), [54]-[130]



Joint Committee on Human Rights

Committee Office · House of Commons · London · SW1A 0AA

Tel 020 7219 4710 Email JCHR@parliament.uk Website www.parliament.uk



From the Chair of the Joint Committee on Human Rights

and the Times, which revealed police forces are using FRT to identify children.⁵ Specifically, they claim that the police are routinely including children as young as 12 on “watchlists”, i.e. the set of images of ‘persons of interest’ used with a deployment of FRT to identify who it should be searching for. According to freedom of information requests used as part of the investigation, “children have featured at least 1,600 times on live facial recognition systems used by the six forces that routinely use the technology.” Dame Rachel de Souza, the Children’s Commissioner for England and Wales, has been quoted as being “deeply concerned” and saying “It raises serious questions about why this [technology] is needed and how it is being used...The police’s duty to protect the public must not come at the expense of the protection of vulnerable children who need care and support.”

We recognise the independence of the police and their responsibility for operational matters, but wider questions of regulation of FRT are a matter for the Home Office. We are concerned that the current regulation of the use of FRT, such as it is, does not adequately address the proportionality of its use on children. The College of Policing APP on facial recognition, which currently applies, recognises the sensitivity of age in respect of images on watchlists, but does not impose any limits on adding children:

In relation to safeguards to address greater expectations of privacy and given the potential for system factors relating to age, force policy documents should ensure that the use of age-appropriate privacy information is covered. They should also reflect that it is especially important to use a risk-based approach when locating individuals aged under 18 years old, with a particular focus on ensuring that the necessity case is fully made out.

It is not clear to us that the guidance in the APP goes far enough to ensure that the rights of children are properly respected in the deployment of FRT. The number of times that children’s images have appeared on watchlists may indicate that insufficient care is being taken. What steps are the Home Office taking to ensure that the rights of children are taken into account in future deployment of FRT by law enforcement agencies? Do you intend to introduce limits on the circumstances in which the police are permitted to add children to watchlists? Is there currently any intention to introduce primary legislation covering the use of facial recognition technology, which would allow Parliamentarians an opportunity to contribute to an effective legal framework?

We welcome the positive response from Lord Hanson, Minister of State, to my request for confirmation that he will talk directly to the Children’s Commissioner and that the specific position of children will form an important part of the consultation on a new legal framework

⁵ Liberty Investigates, “[Police forces use facial recognition to track children as young as 12](#)”, 1 December 2025



Joint Committee on Human Rights

Committee Office · House of Commons · London · SW1A 0AA

Tel 020 7219 4710 Email JCHR@parliament.uk Website www.parliament.uk



From the Chair of the Joint Committee on Human Rights

for law enforcement use of biometrics, facial recognition and other technologies.⁶ However, we note that the consultation does not include any specific reference to children. Can you please explain how the consultation process will ensure that the rights of children are taken into account and given due weight?

Racial bias

In addition to revelations about the use of FRT on children, we were extremely concerned to hear the results of testing commissioned by the Home Office and conducted by the National Physical Laboratory.⁷ This has found that the facial recognition algorithm intended to be used within a new national facial matching service has very different results in relation to different racial groups. Specifically, the results of the “Accuracy and Equitability Evaluation of Cognitec FaceVACS-DBScan ID v5.5” appear to show that the false positive identification rate (FPIR) for white subjects (0.04%) is far lower than that for Asian subjects (4.0%) and black subjects (5.5%). Even more alarming is the FPIR for black females, which appears to be 9.9% - meaning almost 1 in 10 positive identifications for this group will be incorrect. These test results reinforce existing concerns about the potentially racially discriminatory nature of FRT and its compliance with Article 14 ECHR.

The consultation launched on 4 December 2025 refers to the work of the National Physical Laboratory and asks at Q16 and Q17 about what steps a new oversight body should take to guard against bias in the system, but does not suggest what should be done if bias is identified. Is it the view of the Home Office that FRT can still be deployed where its accuracy is substantially different in respect of different racial groups? If so, how can discrimination on the basis of race in its use be avoided?

Will the results of the testing carried out by the National Physical Laboratory affect the current use of FRT by police forces in England and Wales? We note Lord Hanson’s confirmation that the Government have asked His Majesty’s Inspectorate of Constabulary to present an urgent report on the mechanisms of the algorithm.⁸ What is the timeframe for this report and are any other steps being taken to address the apparent deficiency in the algorithm? Can you confirm what testing will be carried out to ensure that these serious problems are addressed and not repeated?

I would be grateful for a response to this letter by **6 January 2025**.

⁶ House of Lords debate, [Facial Recognition Technology: Safeguards: Volume 851, Tuesday 9 December 2025](#)

⁷ Independent report; [Facial recognition technology tests: National Physical Laboratory](#), 4 December 2025

⁸ House of Lords debate, [Facial Recognition Technology: Safeguards: Volume 851, Tuesday 9 December 2025](#)



Joint Committee on Human Rights

Committee Office · House of Commons · London · SW1A 0AA

Tel 020 7219 4710 Email JCHR@parliament.uk Website www.parliament.uk



From the Chair of the Joint Committee on Human Rights

Yours sincerely,

Lord Alton of Liverpool

Chair, Joint Committee on Human Rights

CC: Professor William Webster, Biometrics and Surveillance Camera Commissioner