



Joint Committee on Human Rights

Addressed to Home Secretary
Home Office
[Delivered by email]

19 March 2026

FACIAL RECOGNITION TECHNOLOGY

Dear Home Secretary,

You will be aware that I wrote to you on 18 December, as Chair of the Joint Committee on Human Rights, on the subject of facial recognition technology, raising concerns about its use on children and its potential for bias on racial and gender grounds. We received a response to that letter in February from Sarah Jones, the Minister for Policing and Crime.

Our letter to you was copied to the independent Biometrics and Surveillance Camera Commissioner, Professor William Webster, and I have since had the opportunity to meet with Professor Webster to discuss the use of facial recognition technology (FRT) and human rights. Our Committee has also discussed and acknowledges the potential value of FRT for upholding the rights of victims of crime.

As we previously noted with you, the use of FRT, whether deployed by public authorities or the private sector, nevertheless raises significant concerns about human rights compliance. As a surveillance technology it most obviously has relevance to the right to respect for privacy, but it also has wider implications for rights including free expression and assembly and freedom from discrimination.

Given the many human rights implications of its use, facial recognition and similar technologies continue to be of interest to the JCHR and we would be assisted by answers to some further questions on the issue.

FRT and race discrimination

In our last letter we raised concerns about racial bias in the use of FRT, particularly given the results of testing commissioned by the Home Office and conducted by the National Physical Laboratory (NPL).¹ The Minister for Policing and Crime, in her response, acknowledged the importance of the

¹ Independent report; Facial recognition technology tests: National Physical Laboratory, 4 December 2025



Joint Committee on Human Rights

points raised about bias and explained steps that had been taken since the NPL report, while also emphasising that algorithms do not make decisions and the role played by manual safeguards.

Since receiving the letter from Minister Jones I have been contacted by the human rights organisation Liberty, the work of whose investigative journalism arm prompted the Committee to write to you about the use of FRT on children. They drew my attention to allegations of wrongful arrest of men from minority ethnic groups resulting from misidentification by FRT, including one that post-dates the NPL report.² Liberty reminded us that, at certain settings, the FRT used by police forces is 100 times more likely to produce a false positive for Asian faces than for white ones.

Minister Jones in her response to the Committee explained that the Home Office had “procured a new facial recognition algorithm” which “would be piloted with forces”. This suggests that, outside this pilot, the police are still using the old algorithm, which demonstrated racial bias.

- *Can you please confirm whether this is the case? If the new algorithm is still only being piloted, can you provide a timeline for when you intend for it to be fully implemented?*

Furthermore, while Minister Jones told us that the new algorithm has been tested by NPL and “shown that it *can* be used at settings with no statistically significant bias” (emphasis added) it is not clear to us whether the police are restricted to those settings or are permitted to use the algorithm at settings where bias is significant.

- *Please clarify this point and explain what, if any, threshold applies to the settings that the police are permitted to use and what relevant guidance is in place for the police?*

As we are sure you will agree, it is important that racial bias within FRT is carefully monitored.

- *Can you please confirm how the Home Office is keeping track of any incidents in which people are arrested by police as a result of, or with reliance on, identification using FRT, when it is subsequently established that their identification was incorrect. Please share with us the number of such incidents that have taken place.*

Consultation and new legal framework

Our 18 December 2025 letter referenced the Home Office “Consultation on a new legal framework for law enforcement use of biometrics, facial recognition and similar technologies.” While this consultation confirms the Government’s commitment to “develop a new legal framework for the use

² See [“Facial recognition error prompts police to arrest Asian man for burglary 100 miles away”](#), The Guardian, 25 February 2026



Joint Committee on Human Rights

of facial recognition and similar technologies by law enforcement”, it lacks some details of the Government’s current thinking and intentions.

For example, the consultation asks for views on whether the new legal framework should cover “technology that analyses the body and its movements to infer information about the person, such as their emotions or actions”. It does not indicate whether the Government supports the introduction of such technologies (which have obvious human rights implications) for use by law enforcement bodies. While ensuring the legal framework covers such technology regardless of current plans for its development and deployment might be sensible ‘future-proofing’, it would nevertheless be helpful to know the Government’s current position on the use of this technology.

- *Is the Government intending to allow the use by public authorities, in the context of law enforcement or otherwise, of technology that analyses the body and its movements to infer information about the person, such as their emotions or actions?*

The consultation refers to the Government’s proposal that the new legal framework should focus on the use of FRT by law enforcement organisations. Consultees have been asked whether the new framework should only apply to law enforcement organisations, but have not been asked whether other public authorities or the private sector should be required to have “due regard” to the new framework. There is also no clear idea of how non-law enforcement bodies’ use of FRT would be regulated and controlled if the new framework was so limited.

- *Can you provide us with further information on how the Government intends to regulate and control the use of FRT by public and private bodies that do not fall within “law enforcement organisations” and for non law-enforcement purposes?*

The consultation also gives no clear indication of the Government’s intended timetable for the introduction of the new legal framework.

- *What is the intended timescale for bringing forward a new legal framework for the use of facial recognition technologies? Is it intended that it will form part of a Bill on wider police reforms or as a stand-alone piece of legislation?*

In her letter to us, Minister Jones described the current legal framework for the use of FRT as “complicated, inflexible and difficult to understand”. We note that the recently published white paper on police reform, “From local to national: a new model for policing” states that the Government will: “Roll out the use of Live Facial Recognition (LFR) technologies, including 40 new LFR vans to be deployed in town centres across England and Wales.”

- *Is the Government confident that the current “complicated” and “inflexible” legal framework governing facial recognition technology is sufficiently robust and accessible to ensure the announced “roll out” of LFR will be compatible with the human rights of the public, and, if so,*



Joint Committee on Human Rights

what are the Government's reasons for this view? Should the wider use of the technology not wait for the new legal framework to be put in place?

The consultation document also states that "[t]he Government proposes to create a regulatory and oversight body to oversee law enforcement use of biometrics, facial recognition and similar technologies. This is likely to encompass and build upon the existing roles of the Biometrics and Surveillance Camera Commissioner and the Forensic Science Regulator in England and Wales." While the consultation asks for views on the appropriate powers of the new body, it does not touch upon resourcing. On 14 January, the JCHR heard evidence from Cindy Butts, the Independent Public Advocate and I was struck by the very limited resources provided to her and her team to allow them to carry out their important functions. Proper resourcing is a prerequisite for ensuring success.

- *Can you provide any detail on how the regulatory and oversight body proposed in the consultation will be resourced and any reassurance that this resourcing will be sufficient to ensure it can carry out its role effectively?*

The Committee would be grateful if you could provide a response to this letter by Monday 13 April 2026.

Yours sincerely

Lord Alton of Liverpool
Chair, Joint Committee on Human Rights