



Home Office

# Procedure for the Development and Review of ANPR Infrastructure

To support the consistent and proportionate deployment of ANPR Infrastructure by Law Enforcement Agencies

# Introduction

Automatic Number Plate Recognition (ANPR) technology can and does help detect, deter and disrupt criminality at a local, force, regional and national level, including tackling traveling criminals, Organised Crime Groups and terrorism. Such is the value of ANPR as a tactical option providing new lines of enquiry and evidence in the investigation of crime it is now well established through England, Wales, Scotland and Northern Ireland.

Investigators in local and cross border criminality and Senior Investigating Officers in cases of terrorism, organised and other major crime are increasingly reliant on ANPR to provide cost effective support to investigations, however ANPR is not consistently available in all areas, and further development of national infrastructure, may be beneficial.

The purpose of this document is to establish a consistent approach for the development and review of ANPR infrastructure. The requirement for ANPR must be assessed in the context that it is to be deployed; however any development of infrastructure must be in order to detect, deter, and disrupt criminality, and be consistent with the requirements of relevant legislation, including the Data Protection Act 1998, the Human Rights Act 1998, and the Code of Practice issued under the Protection of Freedoms Act 2012. (PofF Code)

A structured approach to infrastructure development is required based on strategic assessment of policing challenges within an area that has identified a pressing social need for policing resources at that location in order to detect, deter, and disrupt criminality. That assessment must be evidence based supported by an analysis of the strategic risks and threats at a location. ANPR is intrusive technology and therefore in order to show that it is the appropriate response to the pressing need, it will be necessary to consider alternative policing methods and to take account of the impact on privacy to confirm that deployment of ANPR is proportionate and appropriate in all the circumstances.

The strategic assessment should be considered as the essential source of information when considering the development of new ANPR capability and when reviewing the continued relevance of ANPR at a location. It is therefore advisable for that following initial assessment the strategic assessment is maintained and reviewed at regular intervals to ensure that it remains relevant. A record of the strategic assessment relevant to the consideration of any new capability or review of an existing location should be retained in each case.

The Chief Officer of the organisation that develops and maintains the ANPR infrastructure at a location is responsible for ensuring that it is appropriate and proportionate taking account of the impact on privacy. Consideration of whether a deployment is appropriate and proportionate requires assessment to be made in the context of each proposal, taking account of all relevant factors. Whilst it is not possible to provide an exhaustive approach for the development and review of ANPR, the process outlined within this document support a consistent approach to those assessments.

## Assessing the need for ANPR

Strategic assessment of policing challenges within an area should be structured to take account information relating to the following categories of strategic threat:

- National Security and counter terrorism,
- Serious, organised and major crime,
- Local crime,
- Community confidence and reassurance/ crime prevention and reduction.

It is important that an assessment against these high level categories is supported by evidence and information; a reference to these categories, in isolation, is unlikely to be sufficient to support the identification of a pressing social need for deployment of ANPR.

### National security and counter terrorism

The first component of a strategic assessment should be aspects of national security and counter terrorism. Assessment should be with reference to Critical National Infrastructure (CNI), National Borders and identified 'Crowded Places' and take account of information and intelligence relevant to counter terrorism policing.

### Serious, Organised and Major Crime

During the process of the strategic assessment staff within Police forces and other Law Enforcement Agencies (LEA) with primary responsibility for serious, organised, and major crime investigations should be requested to provide advice on appropriate locations for ANPR, taking account of previous experience and assessment of future requirements, which should be supported by appropriate examples and analysis.

## Local Crime

The assessment should include consideration of local crime and policing issues and the relevance of vehicle movements to that criminality.

## Community Confidence and Reassurance/ Crime Prevention and Reduction

In some circumstances the local communities, both residential and business may initiate considerations for ANPR infrastructure development for the purpose of crime prevention, community confidence or reassurance which may be at no or minimal costs to a LEA. Any proposal should be subject to strategic assessment of local crime and must be in order to detect, deter, and disrupt criminality. This aspect of assessment may provide the greatest challenge to establishing deployment of ANPR as a proportionate response.

Whilst the prevention and detection of any crime could be considered as a pressing social need, factors relating to national security, counter terrorism and organised crime can be expected to carry some innate weight to justify the use of ANPR and therefore more readily satisfy assessments of proportionality in deployment of ANPR than less serious levels of criminality. However, all of the above categories may be relevant albeit that for less serious policing challenges privacy concerns are likely to be of greater influence to that assessment.

## Pressing Social Need

Where the analysis has identified strategic threats within the above categories further assessment is required to establish a pressing social need for that threat to be countered by the deployment of ANPR. Whilst other factors may also be relevant this element of assessment requires consideration of the following factors, with appropriate analysis:

- The numbers of people that are, or could be affected by the issues identified within the strategic assessment.
- Whether those issues could lead to damage, distress or both and if so the nature and severity of those consequences.
- Any local views on the deployment of ANPR.
- Any wider societal views on the use of ANPR.

- The alternative tactical responses that may be available to meet the challenges that may be less or more intrusive than ANPR.
- How the use of ANPR will assist resolution of the issues identified.
- The scope of privacy intrusion – How many people does this affect?

All of the factors considered should be weighed against each other in determining whether it may be appropriate for ANPR to be deployed. It is essential that a pressing social need is identified for a deployment of new infrastructure or continue use of existing capability to be justified and for this to then be considered in the context of privacy.

## Privacy Impact

The Information Commissioner's Office (ICO) provides guidance on Privacy Impact Assessment which has been considered in preparation of this document.

Following consideration of the ICO recommended 'PIA screening process' it is apparent that, in all Police forces and other LEA that has an established ANPR infrastructure, a focussed approach to consideration of privacy is required. A recommended approach is shown below.

In relation to the elements of the screening process the following analysis is appropriate:

### Technology

ANPR technology is established within the organisation and no change in that technology arises from an installation at additional locations.

### Identity

The installation of ANPR at additional locations has no impact in this regard.

### Multiple organisations

The installation of ANPR at additional locations will not result in the disclosure of personal data to another organisation by the police or other LEA and therefore there is no impact in this regard.

## Data

The installation of ANPR at additional locations will result in additional vehicle registration marks (VRM) being collected and recorded within the ANPR system. Data from the additional locations will be available for investigative purposes that may include research and analysis in the context of other data. The proportionality in developing this increased capability for collection, research and analysis of data should be assessed in the context of the impact on privacy for each proposed location.

## Exemptions and exceptions

The criteria for development of ANPR infrastructure by the police and other LEA may be justified for law enforcement and national security purposes. It is important in each case to assess the proportionality of a development taking account of the relevance to those purposes but also to give due weight to the impact on privacy.

## Privacy assessment process

The following should be undertaken in respect of any proposed development of ANPR infrastructure with a record maintained of the process.

- 1 Review the strategic assessment to confirm proposed locations for new ANPR.
- 2 Review the assessment of “pressing social need”
- 3 Identify potential privacy impacts in relation to:
  - a. the location,
  - b. the resident population,
  - c. the transient population.
- 4 Identify relevant stakeholder representatives
- 5 Consult on proposals with all persons and organisations with a reasonable interest in the proposal unless that would be contrary to the purpose of the development, namely, to detect, deter, and disrupt criminality. In establishing the extent of a consultation consideration is required of the nature and extent of the “pressing social need” and the extent that the proposal could impact on privacy. Consultation may be conducted using established consultation groups and methods, with additional provisions where they are judged as insufficient taking account of the circumstances in each case. The exact locations for new ANPR infrastructure need not be disclosed such that consultation should

be possible in all but the most exceptional of circumstances. If consultation is limited then the reasons should be fully recorded.

- 6 Review information provided regarding ANPR within the area to provide much transparency in the use of ANPR as possible. Whilst specific ANPR camera locations need not be identified, information is to be provided for individuals who enter an area covered by ANPR that it is in use and the purposes of that use. This should include provision of information in appropriate signs within the policing area, entries the organisations internet site and other publications.

## New ANPR Infrastructure

The strategic threat assessment provides the information to support a decision on deployment of additional number plate reading devices (NRD) into ANPR infrastructure. If on examination of that assessment it is considered that deploying of additional NRD should be considered then the following procedure should be followed.

- 1 Taking account of the information within the assessment, identify locations where deployment of ANPR may be an appropriate tactical response.
- 2 Review existing ANPR locations in the context of any proposed new locations, to confirm that the resulting ANPR capability if implemented would be proportionate to the policing issues identified from the assessment. In conducting this review consideration of how the new infrastructure will 'fit' with existing regional and national infrastructure is required. Developments should not normally be based solely on local considerations.
- 3 Assess proposals in the context of any impact on privacy to confirm that the additional capability would be a proportionate response to the policing issues identified from the assessment.
- 4 Following assessment determine if the development should take place.

## Review of ANPR Infrastructure

National ANPR Standards for Policing (NASP) and the PofF Code require that the locations for NRD should be reviewed annually. The following procedure should be adopted for a review of an NRD location. Records of the review process should be maintained in all cases. A template for a record of a review in the context of the strategic assessment is provided. (Appendix A)

## First Review where no privacy impact assessment has been completed

- 1 Update and review the strategic assessment of the policing challenges as previously described to establish whether there remains a pressing social need for a policing response, and that the location remains relevant in the context of that assessment.
- 2 Confirm if the deployment of ANPR been successful in meeting the aims for which it was installed, if not then ANPR may not be the most appropriate response to the threat.
- 3 If on consideration of the strategic assessment the location is no longer relevant to the policing challenges, cease collection of data from the NRD and arrange for decommissioning
- 4 Identify potential privacy impacts in relation to:
  - a. the location,
  - b. the resident population,
  - c. the transient population.
- 5 Assess the location the context of any impact on privacy to confirm that the continued deployment of a NRD is a proportionate response to the policing issues identified from the assessment.
- 6 If following assessment continued deployment of NRD at the location is justified no further action is required.
- 7 If following assessment continued deployment of the NRD at a location is not justified, cease the collection of data from that NRD and arrange for decommissioning.

## Second and subsequent review or where privacy impact assessment has previously been completed

- 1 Update and review the strategic assessment of the policing challenges as previously described to establish whether there remains a pressing social need for a policing response, and that the location remains relevant in the context of that assessment.
- 2 Confirm if the deployment of ANPR been successful in meeting the aims for which it was installed, if not then ANPR may not be the most appropriate response to the threat.
- 3 If on consideration of the strategic assessment the location is no longer relevant to the policing challenges, cease collection of data from the NRD and arrange for decommissioning.
- 4 If the location remains relevant in the context of the strategic assessment, then review potential privacy impacts in relation to:
  - a. the location,
  - b. the resident population,
  - c. the transient population.

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- 5 If the location remains relevant following consideration of the strategic assessment and privacy considerations have not changed, continue deployment of NRD at that location.
- 6 Where privacy considerations have changed assess any impact on privacy to confirm that the continued deployment of a NRD is a proportionate response to the policing issues identified from the assessment.
- 7 If following that assessment continued deployment of NRD at the location is justified no further action is required.
- 8 If following that assessment continued deployment of the NRD at a location is not justified, cease the collection of data from that NRD and arrange for decommissioning.

# Review of ANPR Infrastructure

Location of ANPR NRD (ANPR Camera):

Date of Review:

Is location relevant in the context of the strategic assessment and does a pressing social need for a policing response remain?

No – Cease data collection and decommission NRD

YES

Has ANPR been successful in meeting the aims that justified installation at this location?

No – Cease data collection and decommission NRD or conduct detailed assessment prior to confirming continued operation at the location

YES

Review potential privacy impacts in relation to the location, the resident population and the transient population.

Is continued deployment at location a proportionate response to the assessment?

No – Cease data collection and decommission NRD

YES

Continue operation of NRD

Continued Operation of NRD – Yes [ ] No [ ]

Reason for decommissioning or Justification for continued deployment