



Home Office



Automatic Number Plate Recognition (ANPR)

Approved Law Enforcement Agencies
(Approved LEA)

July 2016

1 Introduction

- 1.1 National ANPR Standards for Policing (NASP) provide the standards that apply to all organisations that are approved to connect to, or receive data from the National ANPR infrastructure. The standards are consistent with the requirements of the Surveillance Camera Code of Practice issued under provisions of the Protection of Freedoms Act 2012 (PFA).
- 1.2 An organisation may only connect to, or receive data from, the NAS following approval of the NPCC policing lead for ANPR within the NPCC Crime Operations Committee (NPCC policing lead for ANPR) through the National ANPR Programme - an "Approved LEA" (LEA). (Current "Approved LEA" list – Appendix A)
- 1.3 In order for an organisation to an "Approved LEA" it must be involved in one or more of the following activities:
- National security and counter terrorism
 - The prevention and detection of crime
 - The apprehension and prosecution of offenders
 - Enforcement of the collection of any tax or duty
- In granting access the NPCC policing lead for ANPR must be satisfied that it is necessary and proportionate for the organisation to be approved.
- 1.4 LEA connecting to or receiving data from the NAS designated as an "Approved LEA" must ensure compliance with the requirements of NASP.
- 1.5 The data within the National ANPR infrastructure is held on behalf of all Chief Officers of Approved LEA as data controllers in common.
- 1.6 This document is intended to give an overview of the provisions within NASP for applicable to "Approved LEA" that are in place in July 2016. Revisions of "Approved LEA" or NASP requirements will be included updates to NASP published after that date.

2 NASP Requirements

- 2.1 Members of LEAs may access and use data within the NAS without reference to a data controller unless otherwise required within the terms of NASP such that no additional data Sharing agreements or requests for disclosure of data under provisions of the Data Protection Act are required.
- 2.2 All LEAs that connect to, or have access to, the NAS must have an up to date written policy in place in respect of the access, management and use of ANPR data, including provisions for audit consistent with audit standards approved by the NPCC ANPR policing lead.
- 2.3 Access to ANPR data must be to an extent no greater than is proportionate in relation to the circumstances pertaining to that access and taking account of the impact on the privacy of individuals.

Provisions for Data access

- 2.4 Access to data must be for national security, counter terrorism or investigation purposes as defined in Appendix B or for the purpose of audit.
- 2.5 Staff within an LEA may be granted access to the extent relevant to their role, in accordance with policy in an LEA, which is consistent with the specific requirements as shown within the table at Appendix C.
- 2.6 Staff within a police LEA authorised to access ANPR data must have successfully completed Recruitment Vetting (RV) to NPCC standards and have a minimum current security clearance to CTC level.
- 2.7 Staff within an Approved LEA that is a non-police LEA must have a minimum current security clearance to CTC level and national non-police vetting Level 2.
- 2.8 Where an authorisation for access is required, staff providing that authorisation must ensure that access is proportionate in each case taking account of the DPA and associated principles and that access is in the interest of justice.
- 2.9 Each LEA will designate a member of staff of at least superintendent rank, or equivalent staff grade in non-police LEAs, who is accountable for the authorisation of staff who may access ANPR data.
- 2.10 Personnel will only be granted access to ANPR data to an extent that is necessary and proportionate to their role. LEAs must ensure that authorised staffs have completed any required training and are fully aware of the provisions within NASP

Disclosure and Evidential Use of Data

- 2.11 Where ANPR data obtained is retained as material within the meaning of the Criminal Procedure and Investigations Act 1996 (CPIA) (or similar procedures in Scotland), in preparation of disclosure schedules, information relating to ANPR methodology, tactics and camera locations will be recorded on the Schedule of Sensitive Material.
- 2.12 Statements of evidence in respect of data within the NAS may only be provided by staff authorised within LEAs to provide ANPR evidence with current access permissions within NAS for that purpose. Subject to the following authorised staff may provide a statement of evidence for any data held within the NAS.
- 2.13 The order to safeguard the national ANPR infrastructure, with the exception of data obtained from a Mobile ANPR system as defined by Para 8.5 NASP Part 2, the precise location for an ANPR read obtained from a NRD will not be disclosed during an investigation, nor included in evidence unless the data controller with responsibility for the NRD that recorded the data has been consulted and provided written consent for that disclosure or for evidence to be provided. The following principles apply:
 - a) Evidence of an ANPR read will only be included where it is of specific relevance.
 - b) Mapping or otherwise disclosing the precise location of the NRD that recorded an ANPR read is not be permitted during any stage of an investigative or prosecution process, unless specifically authorised by the data controller for the LEA with responsibility for the NRD that recorded that data,
 - c) The location of a read will be described in the following decreasing order of preference;

- **The general area of the location** (e.g. Town, District, Metropolitan Borough)
- **The postcode** (following consultation with the data controller with responsibility for the NRD that recorded the data, in circumstances where this will identify the precise location of the NRD)
- **The name of the road** (following consultation with the data controller with responsibility for the NRD that recorded the data, in circumstances where this will identify the precise location of the NRD)
- **The precise location** (following consultation with the data controller with responsibility for the NRD that recorded the data)

- 2.14 ANPR data is not to be disclosed to any third party, including staff from an LEA that is not an 'Approved LEA', or the data subject, except through or with the express written authority of the data controller with responsibility for the NRD that recorded that data.
- 2.15 Where an LEA has an active role in collaboration with another LEA which is not itself an 'Approved LEA' in the conduct of an investigation, the results of a search of ANPR data may be disclosed to that other LEA with a requirement that it is not further disclosed without the express written authority of the data controller for the 'Approved LEA' collaborating in the investigation.
- 2.16 In addition to the above the data controller that owns or controls the NRD that captures 'read' data will be provided with a specific opportunity to make representation to any court that is to consider an order for information to be disclosed regarding the location of a NRD.
- 2.17 Data held within or obtained from the NAS may not be used or disclosed for any purposes except those as authorised within NASP.

APPENDIX A

Approved LEAs

Avon and Somerset Constabulary
Bedfordshire Police
Border Agency
British Transport Police
Cambridgeshire Constabulary
Cheshire Constabulary
City of London Police
Civil Nuclear Constabulary
Cleveland Police
Cumbria Constabulary
Department for Work and Pensions (DWP)
Derbyshire Constabulary
Devon and Cornwall Constabulary
Dorset Police
Driver and Vehicle Licensing Agency (DVLA)
Driver and Vehicle Standards Agency (DVSA)
Durham Constabulary
Dyfed-Powys Police
Environment Agency
Essex Police
Gloucestershire Constabulary
Greater Manchester Police
Gwent Police
Hampshire Constabulary
Hertfordshire Constabulary
H M Revenue & Customs (HMRC)
Humberside Police
Immigration Enforcement
Intelligence Services
Kent Police
Lancashire Constabulary
Leicestershire Constabulary
Lincolnshire Police
Merseyside Police
Metropolitan Police Service
Ministry of Defence Police
National Crime Agency (NCA)
National Vehicle Crime Intelligence Service (NaVCIS)
Norfolk Constabulary
North Wales Police
North Yorkshire Police
Northamptonshire Police
Northumbria Police
Nottinghamshire Police
Police Service of Scotland
Police Service of Northern Ireland (PSNI)
Royal Air Force Police
Royal Military Police
Royal Navy Police
South Wales Police
South Yorkshire Police

Staffordshire Police
Suffolk Constabulary
Surrey Police
Sussex Police
Thames Valley Police
Warwickshire Police
West Mercia Constabulary
West Midlands Police
West Yorkshire Police
Wiltshire Police

APPENDIX B

Investigation Categories

Investigations within LEAs fall within three main categories, so that there is a consistency of understanding within LEAs as to which investigations should be included within each category.

The main categories are:

- Major Investigations
- Serious Investigations
- Priority and Volume Investigations

A consideration of the category of the investigation informs effective management and decision making, including the scope for an investigation and determination of the resources that are to be deployed. These categories provide the framework to support a National policy for retention of, and access to ANPR data. The categorisation of an investigation should be determined taking account of the circumstances in each case, using the below framework as a guide.

Major Investigations

A key characteristic is that Major Investigations should be normally be led by a Nationally Registered Senior Investigating Officer (SIO) within a police force or similarly senior investigator in non-police LEAs.

Designated Major Investigations

Murder
Attempted Murder
Manslaughter
Infanticide
Child Destruction
Kidnapping
Terrorist related crimes

Designated Serious Investigations

Arson
Abduction
Aggravated Burglary dwelling and non dwelling
Arson High Value or life endangered
Blackmail
Drug Trafficking
Death by Dangerous Driving
Female Genital Mutilation
Fraud and Associated Offences (80hrs + investigation time)

Gross Indecency Child
Perverting Justice
Public order (racially motivated)
Rape
Robbery (Firearms or ABH or more serious injury caused)
Sexual Assault (children under 13)
Threats to Kill
Vulnerable Missing Person
Wounding (S18/20)
Response to incidents of significant public interest / public safety

Serious Investigations may, with the authority of a Superintendent, or equivalent staff grade in non-police LEAs, be escalated to the category of Major Investigations.

Investigations that have been escalated to serious from the category of Priority and Volume Investigations may not be further escalated to the category of major Investigation.

Any authority to escalate to the higher category together with the reasons for the grant of that authority must be recorded. Any authority to escalate will take account of the following factors:

Escalation Factors

Consideration	Examples
Community factors	<ul style="list-style-type: none"> • Likely to escalate into large scale disorder or critical incident • Has escalated from a previous offence • Sensitivity regarding individuals involved
Offence characteristics	<ul style="list-style-type: none"> • Aggravating factors of the offence • Vulnerability of victims/witnesses, • Has crossed force or national boundaries • Forms a previously undetected series
Offender Characteristics	<ul style="list-style-type: none"> • Organised crime • Terrorism links • Resistance to police operational strategies • Multiple offenders

Priority and Volume Investigations

Investigations not included within the above categories will be considered as within the remit of Priority and Volume Investigations. In particular, this will include investigations into street robbery, burglary and vehicle-related criminality and non-crime issues such as anti-social behaviour, vehicle excise and road traffic offences and missing persons.

Priority and Volume Investigations may with the authority of an Inspector, or equivalent staff grade in non-police LEAs, be escalated to the category of Serious Investigations.

Any authority to escalate to the higher category together with the reasons for the grant of that authority must be recorded and will take account of the following factors:

Escalation Factors

Consideration	Examples
Community	<ul style="list-style-type: none"> • High risk of critical incident • Sensitivity regarding individuals involved
Offence Characteristics	<ul style="list-style-type: none"> • Aggravating factors of the offence such as: <ul style="list-style-type: none"> • Hate crime • Weapons used • Injuries sustained • Vulnerability of victims/witnesses, • Priority issue identified within NIM business process. • Series of offences e.g. forensic links to the offender(s) • Complexity of the Investigation
Offender Characteristics	<ul style="list-style-type: none"> • Criminal history • Resistance to investigative strategies • Prolific offender • Multiple offenders

APPENDIX C

Data Access Requirements

Age of data to be accessed (as required)	Purpose of access to data
	To monitor alarms or receive reports from matches against a list of Vehicles of Interest (VOI) from a NRD for operational response or intelligence purposes.
Real or near real time during the course of monitoring	By any member of staff authorised to access ANPR systems with no additional authority required.
	To research data for ‘Priority and Volume Investigation’ purposes.
Up to 90 days	By any member of staff in accordance with their authorisation to access ANPR systems.
Over 90 days	<p>By any member of staff in accordance with their authorisation to access ANPR systems with written authority of an Inspector or equivalent staff grade;</p> <ul style="list-style-type: none"> a) where there has been a significant delay in reporting the offence to be investigated, or; b) new information or evidence has become available, or; c) the investigation is being conducted diligently and expeditiously and is not yet completed.
	To research data for ‘Serious Investigation’ purposes.
Up to 1 year	By any member of staff in accordance with their authorisation to access ANPR systems.
Over 1 year	<p>By any member of staff in accordance with their authorisation to access ANPR systems with written authority of an inspector or equivalent staff grade;</p> <ul style="list-style-type: none"> a) where there has been a significant delay in reporting the offence to be investigated, or; b) new information or evidence has become available, or; c) the investigation is being conducted diligently and expeditiously and is not yet completed.

	To research data for 'National Security', 'Counter Terrorism' or other 'Major Investigation' purposes.
Up to 1 year	By any member of staff in accordance with their authorisation to access ANPR systems.
Over 1 year	By any member of staff in accordance with their authorisation to access ANPR systems with written authority of an inspector or equivalent staff grade.
	To prepare evidential material for information revealed during a previous search of ANPR data.
	By any member of staff in accordance with their authorisation to access ANPR systems with no additional authority required.
	To comply with a written request from the Crown Prosecution Service, the procurator fiscal or on the direction of a court.
	By any member of staff in accordance with their authorisation to access ANPR systems with no additional authority required.
	To research data as part of an investigation into alleged breach of the policing Code of Ethics
	By any member of staff in accordance with their authorisation to access ANPR systems with written authority of a superintendent or equivalent staff grade.