

LEDS & HOB OPEN SPACE WORKSHOP WRITE UP - TUESDAY 26TH FEBRUARY 2019

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INTRODUCTION

This is the write up from the fourth workshop in the Law Enforcement Data Service (LEDS) and Home Office Biometrics (HOB) Open Space process with civil society organisations. The write up covers the discussion areas from the workshop which included:

- reviewing previous Open Space actions and progress to date;
- an update on the National Law Enforcement Data Programme (NLEDP);
- a HOB workplan briefing;
- updates on the Code of Practice and the area of custody images deletion;
- a substantive discussion around the proposed future governance structures for LEDS and HOB; and
- a discussion on the future of this Open Space process.

The workshop was facilitated by Involve and attended by a variety of civil society organisations, Home Office officials, a Police Inspector from the Metropolitan Police (currently attached to the Home Office) and a representative from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS).

SUMMARY OF WORKSHOP ACTIONS

#	Action	Owner	Deadline	Status	When from?
90.	Updated actions log (along with the rest of the papers for a workshop) to be circulated with more time for participants to review them and prepare questions.	█	May 2019	Ongoing	Feb. 19
91.	A monthly update on the actions will be circulated to participants.	█	Monthly	Ongoing	Feb. 19
92.	Unanswered questions from the Progress, Outputs & Actions discussion to be appended to the Outputs & Progress document and followed up by the HO.	█	May 2019	Not started	Feb. 19
93.	Outcome of Programme Board meeting in March 2019 to be shared with Open Space members.	█	March 2019	Not started	Feb. 19
94.	A schedule of future HOB sessions to be developed and presented back to the group bearing in mind these focus areas for discussion.	█ and	May 2019	Not started	Feb. 19
95.	A combined map of HOB & other biometrics programmes & how they fit together to be brought back to a future meeting.	█	May 2019	Not started	Feb. 19
96.	HO to review if Open Space could/should review analysis of responses to public consultation on the Code & update Open Space whether this could happen during next Code discussion.	█	May 2019	Not started	Feb. 19
97.	HO to lead separate conversation about the National Register of Missing Persons including data to be used and retained for this – Open Space members will be invited to these discussions if of interest and additional relevant HO colleagues will be invited to join too. HO and Involve to build these into beginning or end of a future workshop.	█	April 2019	Not started	Feb. 19
98.	HO to review use of term “citizens” in the Code instead using the suggested term of “People”.	█	March 2019	Not started	Feb. 19
99.	Unanswered questions from the Code of Practice discussions to be appended to the next iteration of the Code paper and covered during the next Code discussion.	█	May 2019	Not started	Feb. 19
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101.	HO to update the Open Space on progress of the Custody Image Review in 3 months, as well as interim (monthly updates).	█	April 2019	Ongoing	Feb. 19

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102.	Unanswered questions from the discussions to be appended to the next iteration of the Custody Image paper and covered during the next Custody Image discussion if not followed up on beforehand.	█	May 2019	Not started	Feb. 19
103.	Feedback to interested participants to be provided around how LEDS will interact around the super complaint process in response to a participant question on this area.	█	March 2019	Not started	Feb. 19
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108.	Design future Open Space sessions to include more technical/concrete examples of what will happen in practice when LEDS (or variation of) is implemented.	█ and	May 2019	Ongoing	Feb. 19
109.	Involve & HO to update and circulate to Open Space members a document explaining the scope of the Open Space process and where process has got to now and include a "Terms of Reference" for the space with this.	█	March 2019	Not started	Feb. 19
110.	Involve & HO to schedule next 6 workshops beyond May 2019 & circulate dates to Open Space members.	█ &	April 2019	Not started	Feb. 19
111.	A list of items to be discussed at the next workshop to be circulated in advance so CSOs can indicate the items they are interested in, and the timing of items to be scheduled to make dropping in and out easier.	█ &	25 working days before workshop	Not started	Feb. 19
112.	Unanswered questions from the Future of the Open Space discussions to be followed up on by the HO.	█	May 2019	Not started	Feb. 19

PROGRESS, OUTPUTS & ACTION LOG

Summary of conversation

A presentation was provided on how actions are being tracked by the Home Office (HO) and Involve with proposed completed actions, ongoing actions and completed actions circulated to participants.

Some clarifying questions were raised on specific actions including the accessibility of the Code of Practice. HO confirmed an accessible version of the Code, including a Welsh language version, will be produced. The system is primarily designed for England and Wales and the Code only applies to English and Welsh forces therefore translations into other languages are not currently planned. After engagement with stakeholders in Scotland and Northern Ireland, other formats can be considered. A small number of hard copies of the Code will also be available.

Participants agreed they were content for the process of managing and tracking actions and progress of the Open Space to continue as proposed.

The HO noted that feedback and questions are welcome from participants on the Progress, Outputs & Actions Log following the workshop once participants have had time to digest them further (as with the rest of the papers).

Unanswered Questions on the Progress, Outputs & Actions Discussion

There were some further follow up questions raised by an Open Space member unable to attend this workshop on the Artefacts shared with the Action Log. These included:

- On the list of PNC & PND records: Can the 11.492m records categorised as “offence processing” be broken down any further “to at least detail those with and without criminal records?”
- Can the definition for criminal records used in this Artefact be reviewed as it is used to cover pending prosecutions too. A suggested definition could be convictions & cautions (formal disposals). Can the HO clarify this further?

These questions were raised after the workshop and next steps for dealing with them are captured in the actions below.

Changes & actions required as a result of discussions

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PROGRAMME UPDATE

Summary of conversation

The HO shared the highlights from the Programme Update paper highlighting the potential delay to the delivery of LEDS and the pending Programme Board decision in March over how the programme will continue going forward (options presented to the board outlined in the Programme Update paper).

Questions were raised around the impact of the changed timescales and integration of different systems with LEDS e.g. Schengen System. HO clarified that they are working on the principle of no change to interfaces into LEDS. They are reviewing them all in the context of data protection and compliance laws though and integrations like this could be impacted by Brexit, but this is still to be determined.

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HOME OFFICE BIOMETRICS WORKPLAN BRIEFING

Summary of conversation

A presentation was provided by representatives from the Home Office Biometrics (HOB) Programme team outlining different user personas with whom systems come into contact with (see workshop slides that have been circulated) and an explanation of the different areas HOB covers. The governance structures and areas of biometrics that the programme is responsible for were also outlined.

The HOB team answered some clarifying questions with the following answers:

- Mobile Devices used for law enforcement do not use Automatic Facial Recognition technology for identifying individuals, they just use fingerprints scanned using the mobile device to try to identify the individual by checking the existing criminal (IDENT1) and Immigration (IABS) fingerprint collections.
- Fingerprints scanned and searched using a mobile device are not then stored and held on the HOB system. Images are deleted once the search is completed.
- In response to a question around where facial recognition data goes, the HO clarified there are many elements of “data” related to facial recognition, e.g. original gallery images, search probe image, match candidates, audit data, etc, and the exact elements of data would need to be defined further. For the national systems, such as PND, this is all contained within the system, but for police force use of Automatic Facial Recognition in the field, this will depend on their specific solution.
- Fingerprints taken for immigration purposes can be washed against the criminal fingerprint collection and fingerprints taken for policing purposes, and latent marks recovered from crime scenes can be checked against immigration fingerprints. Any safeguarding information will be kept separate.
- Mutual washing is useful for identity purposes and to identify fingerprints left at crime scenes. IABS and IDENT1 have different collections of data which are collected, held and searchable for different purposes. The main subject identification is made against the appropriate collection, so for example a person making an immigration application would be identified using the immigration fingerprint collection. In this case the search against IDENT1 isn't to improve the identification it is to help the risk assessment of the individual so for example it might highlight criminal activity.

Open Space members worked in two groups to review the HOB workplan in more detail and gather further information on areas that weren't clear. This detailed discussion is outlined in Appendix A of this report. From these discussions, participants identified the themes for future discussions around the area of HOB they would like to prioritise. These are outlined below.

Requested Themes for Future HOB Discussions

- **Policy justification** for what is possible/not possible operationally with the HOB system.
 - Understanding how the **technology** behind the systems will put these policies into action.
- **Interaction between different users** e.g. Law Enforcement vs Immigration in HOB & LEDS (access, purpose, separation of records etc)
- How do **HOB capabilities and use affect different groups?**

- For example, **impact of mobile devices/access to data** on Stop & Search frequency and process.
- HOB capacity as a **safeguarding tool**, protection of rights e.g. how immigration would work with missing persons work or risk of suicide and potential for future capabilities especially in relation to mental health support for e.g.
- **Audit** including of mobile devices.
- **DPIA review** of risks identified as tech is rolled out.
- **Access Controls & Mitigation of Risk/Accountability**

It was also felt that a combined **map of HOB & other biometrics programmes** & how they fit together, along with local forces and competence of HO, would be helpful.

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CODE OF PRACTICE UPDATE

Summary of conversation

The paper circulated for this discussion reflected back to Open Space members what the HO had taken from previous Open Space discussions on the Code of Practice (Code). It also identified how HO thinking had changed as a result and their proposed new structure for the Code – this was outlined at the workshop briefly too.

Participants then had questions around:

- Who sees the results of a public consultation on the Code?
 - HO clarified parliament see this, consultation responses can be kept anonymous if required otherwise a summary shared publicly.

Unanswered Questions on Code of Practice Update

- What data will be retained for The National Register for Missing Persons?
- Who is not covered from the population this system is designed for if the term “safeguarding citizens” is used?

These questions were not answered during the discussions and are picked up in actions below.

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CUSTODY IMAGES UPDATE

Summary of conversation

The HO outlined their updated position around Custody Images and the changes they had made as a result of previous Open Space discussions on this area (outlined in the Custody Image paper). This included emphasising that this area of work will remain a priority despite any potential delays to the delivery of LEDS, which had previously been seen as a partial solution to the Custody Image issue.

Participants asked the following questions:

- Are domestic abuse charities being consulted around this area?
 - HO & Involve confirmed those already engaged with are still part of the Open Space, received these papers and only unable to attend this workshop due to capacity challenges.
- Is this a one-off approach to dealing with the issue of Custody Image retention or a new way of working for the future?
 - HO said that it would be difficult to predict what future changes may be required before the Gaughran case is determined but potential principles from this case can be designed now. HO also emphasised they recognise the need for the policy part of the programme to make it clear to the technical side that future changes, to record retention for example, are possible and need to be technically feasible.

Unanswered Questions on the Future of the Open Space

There were some further follow up questions and concerns raised by an Open Space member unable to attend this workshop on the area of Custody Images which included:

- Appreciate that more detail has been shared by the HO but want to see action on Custody Images, not another review. Would like to see more explanation and evidence that Custody Image action taken will be done in a way that means it is future proofed.
- Emphasised again that what people are asking for is for images to be taken off not just another review and feel the HO should have a legal obligation to do this and need to make sure that this isn't kicking the can down the road.
 - Highlighted legal obligation for the police/Home Office to remove images of unconvicted people from their databases, and this has existed since the 2012

high court judgment in RMC & FJ. It is an abject failure of the police/Home Office that they have not yet fulfilled their legal obligations and impacts their credibility as a government department.

- The Home Office is now endlessly deliberating over which options to comply with this judgment, 7 years late, as well as talking about another review, ultimately wasting further time and pushing this issue further down the road.
- Unconvicted people's images should be removed from the police database, and a system implemented that prevents unconvicted people's images being put onto police databases and/or ensures that they are removed from police databases in future. It doesn't matter how this happens, just that it should happen. The Home Office need to make a decision about how they want to do it, and just get it done, in a way that complies with the judgment, and complies with data protection law and human rights law.
- Frustrated that HO have said that cost and time is an issue which seems to imply this is the first time this is being properly looked in to which makes it feel a bit like it's too little, too late.

These are captured in the actions but have also been responded to with the following update by the HO to outline work they have done on this area since the workshop:

What the HO has committed to:

- The HO has committed to establishing meetings with the Minister with Open Space members to hold them to account on this issue and others.
- They have committed to Open Space reporting publicly on progress including on this issue and others. The HO are aiming for an Open Space report in September/October and will additionally report monthly on progress on this specific issue.
- The Minister has committed to deletion to Open Space members.
- The HO has committed to not putting the images onto LEDS until this issue is resolved.

The challenge the HO outlines:

- The images many are most concerned about have only been retained due to the previous technical challenge of deletion.
- The PND system does not store the detail needed to identify the images that are in the frame for deletion. That information is on the PNC. What is needed is for a matching exercise to be performed to identify the images that need to be deleted. The HO are now working out how to perform that matching exercise. They will share progress on these tasks including stats on how many images are affected as they work this through.
 - There will be a plan at the next Open Space meeting with a timeframe and a tick list to monitor progress.
- The PND system copies images from local systems and therefore deletion at the force level is needed as well as deletion in the centre.

What the HO has done:

- Since the last Open Space meeting the HO has started to sketch out how a more manual deletion could be achieved (LEDS would have been automated).
- When a plan is firmer this will be put to senior stakeholders within policing for their consideration and approval.
- The HO have invited the people required to make this happen to the next Open Space to talk about how this can be achieved, including the practical steps and likely timeframes and how Open Space members will be updated.

Changes & actions required as a result of discussions

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GOVERNANCE & INSPECTION SUBSTANTIVE DISCUSSION

Summary of conversation

A detailed paper was shared with participants before the workshop outlining current LEDS and HOB governance systems and the proposed future governance for both areas with key questions asked on: its strengths and weaknesses; gaps identified in the proposed structures; how these structures serve public concerns and what role civil society organisations saw for themselves in the governance structures.

A representative from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) also attended this session contributing to discussions and answering relevant questions.

Clarifying questions around how the governance structures currently work in practice, how certain bodies are governed, and then more in-depth table discussions were held looking at more detailed parts of the structures. These are outlined in Appendix B. Please note there were some unanswered questions and issues from these discussions which are noted in Appendix B and next steps for these are captured in the governance actions below.

The top-level recommendations from Open Space members for how the proposed governance structures could change are listed below:

Recommended changes to proposed governance structures for LEDS & HOB

- **HO internal capacity:** Review and map skills and capacity within HO to manage the governance of these systems effectively and make appropriate changes.
 - Open Space members flagged they still have concerns around how the governance system is put into practice.
- **Home Office LEDS Annual Report:** General support for the production of an annual report reviewing LEDS.
 - Differences between use of the system in different nations to be identified in this and use of different definitions of competencies by nations such as rules for retention should be covered too.
 - This report could include different user journeys like the HOB presentation did with the personas presented.
 - Challenges and issues identified by annual reports on the system need to be brought to a forum where they can be addressed, and civil society organisations can review and feed in further input around these issues.
- **Integrate inspections:** Request further integration of the different oversight bodies and commissioners reviewing these systems as a whole (not just LEDS) and make sure inspections of non-policing bodies included in this and inspected to the same level as policing bodies.
 - Inspection bodies need mandated competencies to do inspections/audits as part of production of annual report – but must avoid duplication of audit/inspection too.

- Need to integrate governance components with wider reviews e.g. Biometrics Strategy Review in 2020.
- **Review resource for inspection bodies:** Map existing skills and capacity of inspection bodies and commissioners and then provide sufficient resource to carry out effective inspections instead of looking to other places to do thorough system governance inspection when current inspection bodies under-resourced.
- **Create an Open Space annual report:** Open Space to produce a report that is designed to identify progress as a result of the Open Space process, highlighting areas the HO still need to act on and encouraging dialogue around challenges.
- **Accurate data for reporting:** HO must ensure that sufficient, accurate and comparable (from previous years, different users and controllers) data is provided to the inspection body producing the annual report on the system in question allowing inspection to identify what data might be missing too.
 - Suggested to look at Investigatory Powers Commissioner's Office (IPCO) report or Biometrics Commissioner Report as case studies. HO confirmed whilst reviewing this report they have already spoken to IPCO since the workshop.
- **Public involvement:** Review how members of public can raise concerns for HO to respond to and make clear who they need to speak to i.e. local police force or the HO.
- **Data Protection:** HO & ICO to review the data controller and processor roles of the HO and police forces now and when LEDS is in use. ICO need to identify who holds responsibility if something goes wrong and data controllers need to know where to go for more information on the data sharing around the system.

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FUTURE OF THE OPEN SPACE

Summary of conversation

The HO proposed that the Open Space continues beyond May 2019 (currently, the last scheduled workshop). The Open Space then had a discussion around the value and purpose of continuing; replication of the process in other parts of the HO; future format of sessions and the scope of the process.

Open Space members broadly agreed that they generally find the process useful and of value, in comparison to previous experience with other HO departments for instance, submitting Freedom of Information (FOI) requests which would just be rejected.

The HO asked whether Open Space members felt challenge was still possible and likely within the space. Open Space members were in general agreement it was possible, and they found the space a useful route to challenge the HO.

It was agreed that the next workshops should be a full day so that we are not rushing through items but issue and topic areas that did not feel as relevant to all Open Space members should be scheduled at the start/end of the workshop.

The need for clear accountability around the actions going forward was highlighted again and a request for progress on actions to be circulated in advance to allow Open Space members chance to review and raise questions was also reiterated.

The HO confirmed they are trying to emphasise value of the process to other HO departments and have been approached by some departments interested in seeing how they could implement a similar process. They identified they have found it particularly helpful to provide the facts around the work they are doing allowing Open Space members to make challenges based on these facts rather than limited information they may have previously had access to.

It was generally agreed a "Terms of Reference" and update on the scope for discussions and issue areas for the Open Space would be useful.

Unanswered Questions on the Future of the Open Space

There were some further follow up questions and issues raised by an Open Space member unable to attend this workshop which included:

- What is the retention reference in the "we have heard" section in the Future of Open Space paper 3vi and will it form part of the future space?
- Criminal records of EU nationals HO work - is this linked up with LEDS work at all?
- How is HO engagement determined? Found various different approaches and aware there's no consistent approach to HO engagement.
- Civil servants float in and out of workshops, this could be an option for CSOs for the Open Space process too to help those with restricted capacity?
- Engagement is often front-loaded, how can it be continued in future? What happens when LEDS is launched? Would be a worry if where there was a lot of CSO input into lead up that there wasn't then continued CSO review and engagement going forward once it's launched.
- Request for HOB and NLEDP organogram to see who is Program Director and who owns what in terms of programme and policy. It is not always clear in the room who's who.
 - Expand on the Senior Management Team for NLEDP section of governance diagram and share with Open Space members.
- Would be useful for HO officials to explain their role during introductions at start of each Open Space workshop.

These have been raised with the HO and captured in the actions below.

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NEXT STEPS

Summary of conversation

A summary of areas covered during the workshop was provided by Involve and the HO thanked all for participating. Actions that came up throughout the day are outlined in this write up and will be added to the action log and the most urgent dealt with as soon as possible.

We would welcome and encourage any further feedback and questions from Open Space members on this write-up and other areas concerning the Open Space process.

APPENDIX

Appendix A – HOB Workplan Briefing: Table Discussions & Clarifying Questions

This section outlines the more detailed conversations that participants had with HO officials around the HOB areas of work. There were several clarifying questions and concerns raised by Open Space members which are outlined below under the following themes: available data, use of equipment, access and increased capacities & quality assurance.

Available Data

- Is the purpose of the Strategic Mobile purely for identifying an individual or does it provide other information about that individual?
 - HOB responded that the data provided is an identifier and users need to request further information and justify that request; a process governed by standard regulation.
 - HOB clarified that nationality and criminal history data are included in information provided on a mobile device.
 - HOB also explained that fingerprint data searched against the immigration collection doesn't prompt immigration status to be shown. If there is a specific immigration investigation being carried out on the individual a police officer will be required to seek further advice and details through the Immigration control unit.
- An example was used that stated mobile devices can help to identify an individual who needs medical attention more quickly and therefore receive the correct medical attention required. A participant asked: where would this health information come from?
 - HOB clarified different ways: some data is held on the Police National Computer (PNC) for safeguarding purposes and/or if identity can be confirmed more quickly, paramedics and hospital staff can check health records more quickly too.

Use of Equipment

- How can mission creep be avoided around the use of these devices and other HOB capabilities?
 - HOB explained audit processes and guidance provided to prevent this and the governance of the system is designed to stop this.
- What is the training process for police when trying to capture fingerprints from suspects/individuals?
 - HOB outlined that a community impact assessment was required before system goes live. All forces are given guidance before use on the powers they're operating under for dealing with dead bodies vs safeguarding vs policing.

Access

- What are the checks on potential users of the Biometrics Services Gateway (BSG)?
 - HOB explained that BSG has security requirements that users must meet before suppliers grant access to the BSG. HOB have to approve, through the completion of Code of Connection (CoCo) documentation, the police force mobile server before they can connect. The force then name users who can use the system and have an audit trail of usage.
- How is user access to mobile equipment governed e.g. is the user's fingerprint needed?
 - HOB clarified this is determined by each police force. A tension was identified here as there could be differences (e.g. procurement of services or equipment) between each force. HOB explained that another programme - Emergency Services Network (ESN) - is looking to centralise provision of mobile devices in future.
- How is the BSG protected from hacking especially if access to it is at a police force's discretion? Is the BSG centrally accredited?

- HOB responded that police forces are required to work under a security framework and they are not allowed to connect to the BSG until they have a certificate from HOB to do so which is reviewed annually.
- How was the approach to use Role-Based Access Controls (RBAC) assessed on a security basis?
 - HOB clarified that RBAC is not enough on its own. Logical control happens in the central system and this is tested and assured at all levels and this is done by the HOB programme through a security working group structure.

Increased Capacities & Quality Assurance

- How has system improvement affected the likelihood of false positive identification?
 - HOB explained an algorithm ranks fingerprints from one to X million (as per size of the gallery). For certain search types there is a threshold scoring system of: “definite, likely and possible” and HOB uses biometric accuracy testing and business risk analysis to set the threshold. With a crime scene, officers might look at the top candidates and may work further down the candidate list dependant on the cost/results trade-off. The latest algorithms that HOB is deploying increase the likelihood of the correct matches being returned at the top of the candidate list and therefore being more likely to be brought to an officer’s attention. From an IT system perspective this reduces the likelihood of a false reject (i.e. a miss) and also reduces false positive (i.e. false identification) however it should be noted that the whole system (IT and people) already includes business controls and additional checks within the forensic bureau which minimise the risk of false identifications.
- Do fingerprint and facial matching systems operate at the same level of accuracy?
 - HOB responded that the matching of fingerprints is significantly more accurate than facial matching; thus fingerprints are the primary biometric used to confirm that a person fingerprinted on two separate occasions is the same person¹. Images can be used for immigration purposes if fingerprints are not available.
 - Image matching accuracy is getting better and better quickly.

APPENDIX B – GOVERNANCE & INSPECTION: SUBSTANTIVE TABLE DISCUSSIONS

Inspection & Governance Bodies

- How do all the different inspection bodies work together?
 - HO officials explained they don’t have physical meetings but often work from recommendations made by one body for another to implement e.g. Biometrics Commissioner will ask HMICFRS to investigate something.
 - HMICFRS work on basis of Police, Effectiveness, Efficiency & Legitimacy (PEEL) principles.
 - The Home Secretary can also commission HMICFRS to carry out thematic inspection.
 - HOB explained they have Biometrics and governance oversight board to bring some of these bodies together.

Unanswered Questions on Inspection & Governance Bodies

- How are governance structures and inspection bodies future-proofed in terms of capabilities and who has access to these systems?
 - Why is Chief Immigration Commissioner not on HOB governance and goes to HO data board instead?

¹ NB Neither fingerprints nor images confirm identity. If the system knows the person under a wrong name, no biometric can change that fact.

- What powers do inspectorates and commissioners have to compel programmes and users to answer questions, provide documents and are they adequately resourced to do so?
- What's the Home Secretary and Permanent Secretary's accountability and responsibility here?

These last three points were unanswered questions and issues raised at the workshop. Next steps for dealing with these are captured in the governance actions.

Annual Reports

- What would the civil society annual report be based on?
 - Suggested it could cover: to what extent has HO dealt with CSO concerns over the year?
 - Raises a further question as to how we ensure the Open Space group is representative.
- Do inspections only consider what data is present or also what is absent? What content/structure should the Annual Reports cover? Will Key Performance Indicators be published from LEDS?
 - HO can review and feedback on this.
 - Quality/error indicators need to be recorded and reviewed in an annual LEDS report.
- How would information and statistics from inspections be shared?
 - HMICFRS would have to provide a summary of LEDS use stats in their report (not a detailed review though) and this would be published on their website.

Data Sharing

- To what extent is the HO a data processor now and to what extent will it be a processor under the new system?
 - ICO need to establish clarity with the HO around how to identify controllers and processors. HO will work this through with ICO.
 - HO need to look at the touch points where different forces are joint controllers, how this continues with LEDS and where the HO fits into this.
- What access will outside organisations carrying out inspections have to data? HO need to answer how open audit data will be and how it's comparable across years, users and controllers.

Unanswered Questions on Data Sharing

- What's the data sharing between different data sets?

The HO explained this would depend on the data type and that the governance conversation would cover this question. This question remains unanswered though and has been flagged with the HO to review when all unanswered questions or issues from the governance discussion are revisited.

Different System Users

- How are non-police organisations with access to PNC inspected?
 - HMICFRS clarified they are inspecting some already, but it is a question of funding as HMICFRS have limited capacity to inspect all non-police users.
- What is the inspection regime when different government functions are devolved to non-state actors e.g. companies running prisons?
 - HO response: Section 54 of Policing Act (1996) allows inspection under direction from the Secretary of State.
 - HMICFRS acknowledged that prisons are a significant user of the PNC and are difficult to inspect.

Unanswered Questions on Different System Users

- Question posed for HOB to reflect on: Inspection of HOB is about users of the system rather than the system. Is this right?
- In cross-force border cases, if there was a mistake e.g. one force used another jurisdiction's data, who would inspect?
- Who's responsible for each individual police force and data they hold and upload to LEDS? If an individual has an issue with a force's data, do they speak to that force or to the HO? Can the HO tackle this challenge in the governance planning for LEDS now?

These final questions have been highlighted again with the HO to consider in their future development work of the governance systems and structures for HOB and LEDS, as captured in the actions of the governance section of this paper.