



## **Terms of Reference**

### **Artificial Intelligence Advisory Ethics Panel – Office of the Police and Crime Commissioner (OPCC)**

#### **Executive Summary: Artificial Intelligence in Policing**

Artificial Intelligence (AI) is increasingly being integrated into policing to enhance operational efficiency, improve decision-making, and support public safety. AI technologies—such as predictive analytics, natural language processing, and facial recognition—offer significant potential to assist law enforcement in areas including crime prevention, resource allocation, and investigative support.

However, the deployment of AI in policing must be carefully governed to ensure ethical use, transparency, and public trust. Key concerns include data privacy, algorithmic bias, accountability, and the potential impact on civil liberties. As such, robust oversight mechanisms are essential to ensure that AI applications are lawful, proportionate, and aligned with human rights principles.

The Artificial Intelligence Advisory Panel has been established to provide independent scrutiny and expert guidance on the use of AI within the Office of the Police and Crime Commissioner (OPCC). This panel will be consulted prior to any AI-related deployment or decision, ensuring that ethical considerations and community perspectives are embedded in the decision-making process. In parallel, the Live Facial Recognition (LFR) Scrutiny Panel will retrospectively review the use of LFR technologies to assess compliance and impact.

Together, these panels form a critical part of the OPCC's commitment to responsible innovation and transparent governance in the use of emerging technologies in policing.

#### **AI Advisory Ethics Panel**

##### **Purpose**

The Artificial Intelligence AI Advisory Ethics Panel is established to provide independent oversight, guidance, and ethical scrutiny of the investment in, use and deployment of AI

technologies within policing and criminal justice functions overseen by the PCC. The panel ensures that AI applications are lawful, ethical, transparent, and aligned with public interest.

## **Objectives**

- To advise on proposed investment in AI technology
- To review and advise on proposed AI deployments prior to implementation.
- To assess the ethical, legal, and societal implications of AI technologies.
- To ensure transparency and accountability in AI decision-making processes.
- To support public trust through independent scrutiny and engagement.
- To scrutinise the application of AI including Live Facial Recognition

## **Scope**

The panel will consider all proposed AI driven systems and processes including:

- Predictive analytics and algorithmic decision-making tools.
- Facial recognition and biometric technologies.
- Natural language processing and automated reporting systems.
- Any other AI-related systems proposed or in use by the OPCC or Police Service and associated policing bodies.

## **Membership**

The panel will consist of:

- An Independent Chair appointed by the PCC.
- Community representation - Community members will be engaged to ensure robust scrutiny and oversight of AI initiatives. The panel will reflect diversity across all backgrounds, fostering inclusive perspectives and promoting public trust.
- Independent experts in AI, ethics, law, and data governance.
- OPCC staff and relevant policing representatives (non-voting) as advisors and secretariat.

## **Governance and Reporting**

The panel will meet quarterly, or more frequently as required.

Minutes and recommendations will be published, subject to confidentiality and security considerations.

The panel will report directly to the Police and Crime Commissioner.

The PCC will ensure that the Chief Constable is aware of and briefed on the views of the Panel; and he will be expected to take its views and that of the PCC into account.

### **Relationship with Bedfordshire Police Ethics Panel**

- Bedfordshire Police has an Ethics Panel to consider a broad range of ethical issues across the organisation. This Panel will refer all issues relating to AI to the PCC AI Advisory Ethics Panel

Note – Bedfordshire Police Ethical panel will not cover Technology and AI.

### **Review**

These Terms of Reference will be reviewed annually to ensure they remain relevant and effective.

## **Subgroup on Live Facial Recognition (LFR)**

### **Terms of Reference: Scrutiny on Live Facial Recognition (LFR)**

#### **1. Purpose**

The Scrutiny Panel on Live Facial Recognition (LFR) is established to provide independent oversight, transparency, and accountability in the deployment and use of LFR technology by Bedfordshire Police. The panel will assess the ethical, legal, operational, and societal implications of LFR and make recommendations to ensure it is used responsibly.

#### **2. Objectives**

- To review and evaluate the policies, procedures, and practices related to LFR deployment.
- To assess compliance with relevant legislation, including data protection, human rights, and equality laws.
- To examine the impact of LFR on human rights, privacy, and public trust.
- To engage with stakeholders, including community representatives, experts, and affected groups.
- To provide recommendations for improving the use of LFR.
- To provide recommendations for improving transparency, accountability, and governance of LFR use.
- Measure inputs, outputs and outcomes
- Assist Bedfordshire Police and The Police and Crime Commissioner in a more proactive public communications and engagement plan to improve public awareness, increase transparency and challenge misinformation

#### **3. Scope**

The panel will scrutinise:

- The justification and necessity for LFR deployments.
- The accuracy, reliability, and bias of LFR systems.
- Data handling practices, including retention, sharing, and deletion.
- Public engagement and consultation processes.
- Oversight mechanisms and governance procedures.

#### **4. Membership responsibilities and confidentiality**

The panel will consist of a number of individuals from the community including specialists in the following:

- *Legal expert (e.g., human rights or data protection)*
- *Technology expert (e.g., AI or biometrics)*
- *Community representative(s) – ensuring diversity*
- *Representative from civil society or advocacy group*
- *Lived Experience*
- *Senior Police Officer observer from Bedfordshire Police (non-voting)*

#### **Confidentiality:**

- All members must sign an NDA (Non-Disclosure Agreement).
- Conflicts of interest must be declared.
- Members must adhere to a code of conduct promoting respect, integrity, and objectivity.

#### **Responsibilities**

##### ***Chairperson:***

- Facilitate meetings and ensure balanced participation.
- Approve agendas and final reports.

##### ***Panel Members:***

- Review materials in advance.
- Provide constructive, evidence-based input.
- Maintain confidentiality and impartiality

##### ***OPCC:***

- Coordinate meetings, distribute materials, and record minutes.
- Track actions and follow-ups.
- Feedback to Bedfordshire Police

## **5. Governance and reporting**

- The panel will meet quarterly or as required.
- Agenda to include:
  - a) Review of policies or procedures on LFR
  - b) Case studies or anonymised incidents
  - c) Thematic reviews (e.g. equality, safeguarding)
  - d) Public concerns or media issues
- Decisions will be made using an RAG system.
- Minutes and reports will be published on PCC website.
- The OPCC will produce an half yearly bulletin summarising findings, concerns, and recommendations.
- The OPCC will produce an annual report summarising findings, concerns, and recommendations.

## **6. Ethical Review Criteria**

Panel members should consider:

- **Legality:** Is the action or policy lawful?
- **Proportionality:** Is it necessary and balanced?
- **Transparency:** Is it open to public scrutiny?
- **Fairness:** Does it treat all individuals equitably?
- **Impact:** What are the potential consequences for individuals and communities?

## **7. Reporting, Review and Accountability**

- These Terms of Reference will be reviewed annually to ensure they remain relevant and effective, to ensure any national guidance changes.
- Feedback loop response to panel recommendations must be logged and reported back to the police force to action or be held accountable for.
- Feedback from members and stakeholders will inform improvements.

- The panel's effectiveness will be reviewed annually.

### **Additional Panel considerations**

#### Concerns about Live Facial Recognition (LFR):

1. Mass surveillance risk - LFR can enable real-time tracking of individuals in public spaces without their knowledge or consent.
2. Chilling effect - people may alter their behaviour in public due to fear of being watched, impacting freedom of expression and assembly.
3. False positives - LFR systems have misidentified individuals, especially among ethnic minorities, women, and younger or older people.
4. Algorithmic bias - studies have shown that some LFR systems perform less accurately on non-white faces, raising concerns about racial profiling and discrimination.
5. Lack of clear legal framework - in many jurisdictions, LFR is deployed without specific legislation governing its use.
6. Inadequate oversight - there are concerns about the absence of independent oversight bodies to monitor deployments and ensure accountability.
7. Lack of public awareness - people are often unaware that LFR is being used in public spaces.
8. No meaningful consent - it's nearly impossible for individuals to opt out of being scanned in public areas.
9. Data retention - questions arise about how long facial data is stored and who has access to it.
10. Data breaches - storing biometric data increases the risk of sensitive information being leaked or hacked.
11. Questionable utility - critics argue that LFR's effectiveness in preventing crime or terrorism is unproven.
12. Proportionality - the intrusive nature of LFR may not be justified by its benefits, especially when less invasive alternatives exist.
13. Deployment without consultation - LFR has often been introduced without public debate or democratic approval.
14. Impact on marginalised groups - there is concern that LFR disproportionately affects already over-policed communities.

**Panel review:**

<b>Check List</b>	<b>Completed</b>
DPIA and Equality Impact Assessment	
PCC briefed: <ul style="list-style-type: none"><li>▪ Proposed watchlist</li><li>▪ Location</li><li>▪ Duration</li><li>▪ Community tensions</li></ul>	
Deployment rationale (AI capability -future)	
Threshold set at 0.64 for accuracy: <ul style="list-style-type: none"><li>▪ Race Equality expert/disproportionality</li></ul>	
Public Communications – are the public made aware of when and where it is being used? How is this being done?	
Custody imaging updated	
Data evidence of effectiveness – is there evidence LFR reduces crime or improves outcomes	