

HOME OFFICE**Protection of Freedoms Act 2012 - Consultation on draft statutory guidance for powers to extend retention of biometric data on national security grounds**

The Secretary of State for the Home Department (Theresa May): I have today launched a public consultation inviting views on the draft guidance on the making or renewing of national security determinations as set out in the Protection of Freedoms Act 2012. A national security determination will enable the police and other law enforcement authorities to extend the length of time that they may retain an individual's biometric data where it is necessary for the purposes of national security. These determinations are subject to independent review by the Commissioner for the Retention and Use of Biometric Material.

The use of DNA and fingerprints by our police and other law enforcement agencies is a vital tool in the fight against crime and combating threats to our national security. However, in discharging our duty to protect the public, we will not undermine the importance of our historic freedoms. The Protection of Freedoms Act 2012 changed the law to ensure the public is safeguarded while also protecting those innocent people whose DNA is taken and held by the police. The new framework provided by the Act for the retention, destruction and use of such material provides the necessary balance between public protection and individual freedoms.

The draft guidance on the making or renewing of national security determinations is intended to provide clear guidance to the police on the exercise of these important powers and sets out both the principles and procedures required for making a national security determination under the provisions of the Act. A copy of the draft guidance will be placed in the House Library and full consultation details can be found on the Home Office website.

The consultation closes in May 2013 and I would encourage all interested parties to participate.