



Lewis Cox
Data Protection Officer
Sheffield Wednesday Football Club

2 September 2025

Dear Mr Cox,

Response to your letter of 22nd August 2025 in relation to the use of facial recognition technology by Sheffield Wednesday Football Club Limited at Hillsborough Stadium (your “August Letter”)

Introduction

1. We write further to your August Letter and our initial letter of 19 August 2025 in relation to the use of facial recognition technology (our “**Initial Letter**”). Unless otherwise specified, capitalised terms used in this letter have the meanings given in our Initial Letter.
2. The Trust is grateful for your consideration of our Initial Letter and the information provided in response. However, your August Letter failed to address a number of significant questions previously raised and includes other statements which require further explanation. We have detailed our further concerns below, adopting the headings used in your August Letter, and encourage the Club to provide a substantive response to each, particularly where you failed to do so in your original response. To the extent that questions raised in our Initial Letter were left unanswered and are not addressed specifically below, we reserve the right to raise these again if we consider this appropriate.

Response to Tone and Conduct

3. Before addressing substantive matters around FRT, the Trust feels it is important that the comments made in your August Letter around the Trust’s conduct are robustly challenged. It has never been the policy of the Trust to engage in, or encourage, behaviour with the objective of causing distress to members of staff of the Club who are trying to properly fulfil their roles in challenging circumstances.
4. That does not, however, mean that difficult questions should not be asked around the behaviour of the Club as an organisation where legitimate concerns are identified, as in this case. Indeed, in circumstances where the structure of the Club places unfettered and unsupervised power in the hands of a capricious owner, the onus falls on organisations like the Trust to ask these questions now more than ever.
5. We strongly believe that the Trust’s fulfilment of this role is ultimately in the best interests of all genuine stakeholders in Sheffield Wednesday; including supporters, staff and the wider football community. Our intentions are, and have only ever been, to protect those interests

now and in future. We hope you will consider the remainder of this letter, and our Initial Letter, with that context in mind.

Purpose and scope of FRT

6. With regards to your comments around the purpose and scope of FRT used by the Club, we make the following observations/requests:

a. You describe the system deployed as being “retrospective in nature.” However, the minutes of the Safety Advisory Group (“**SAG**”) from March 2025 state that:

“Plans include providing stewards with iPads/iPhones so that real-time images of individuals can be sent to them for identification.”

Please confirm whether these plans have been implemented or if it remains the Club’s intention to implement them in future. If they have been, or are still proposed to be, implemented, please explain how this reconciles with your statement that the system is “retrospective in nature”.

b. You state that this technology is already in use across Premier League clubs and major European venues. Please confirm which Premier League clubs and major European venues you are referring to and the extent to which the Club gave consideration to the relevance of these purported precedents when implementing its own FRT system. Please confirm whether the Club considered security systems (including CCTV systems) adopted by other EFL clubs during its decision process for design and implementation of FRT.

c. You state that the system does not monitor law-abiding supporters. Given its purported use as a means of retrospectively identifying individuals attending Hillsborough, the Trust does not understand how this can be guaranteed absent a clairvoyant system. We ask that the Club clarify, in full detail, the chronology for data administration under the system in respect of individual supporters, from moment of data capture through to final deletion by the Club so we can correct any misunderstanding.

d. Your description of the system covering “the stadium bowl and immediate surrounding areas” is vague. Please confirm whether this extends into public spaces, including public roads outside the Club’s private property.

e. In the opening to your August Letter, you stress that, as a point of clarification, there have been no discussions or intentions to install FRT on turnstiles. The Trust finds this need for clarification confusing, given this was not raised as a particular concern in our Initial Letter. Regardless, your comments on this point demonstrate a misunderstanding of FSA policy. The motion carried at the FSA AGM of June 2025 reads (emphasis added):

*“This organisation calls for an immediate freeze on facial recognition technology being **used at turnstiles or inside stadia** until further notice. This should remain in place at least until transparent and meaningful dialogue has taken place at a national level with fans, leagues, the FA, civil rights groups and the Information Commissioner’s Office on its legality and privacy concerns*

Actions to be taken

- *The FSA will issue a public statement calling on clubs to freeze **any use of facial recognition technologies** at stadia until further notice.”*

Given this unequivocal statement from the FSA, we ask that the Club confirm whether this was taken into account by the Club when deciding to use FRT.

Background and Justification

7. The Trust appreciates that safety and security are important aspects of the matchday experience at Hillsborough. However, these objectives do not exist in isolation and must be weighed against the rights and freedoms of individuals, particularly where collection and use of their personal data is concerned. In that regard:
 - a. You state that both a Data Protection Impact Assessment (“**DPIA**”) and Equality Impact Assessment (“**EIA**”) have been completed, but you have not provided the DPIA despite our request. Please provide these assessments or provide an explanation as to why they have not been provided; given these will surely explain how the Club weighs individuals rights against the Club’s interests in processing their personal data, we would expect supporters to take great comfort from these.
 - b. Although you state that the Club recognises its obligations under data protection law, no clarity has been provided regarding the legal basis on which the use of FRT as deployed is permitted. Please confirm the basis on which FRT is being lawfully used by the Club.
 - c. You refer to “reputational and financial harm” alongside “the safety of supporters, staff and the Club” as relevant considerations for the use of FRT. Please explain the significance attributed to reputational and financial considerations as a justification for the use of FRT.

Technical Details and Data Handling

8. In relation to your responses on this topic:
 - a. Please explain why the retention periods stated are considered proportionate, particularly during the off-season where there is little-to-no activity involving supporters at Hillsborough.
 - b. Please provide further details regarding DuoCall’s credentials, and what diligence (if any) will be undertaken on individuals who have access to personal data collected through FRT (whether employed by the Club, DuoCall or any other third party).
 - c. You state that only “senior management” may request access to footage. Please define who qualifies as senior management for this purpose and how many individuals are included.
 - d. You state that footage may be shared externally with formal approval. Please identify which external parties may receive such footage, and set out the formal approval process in detail.

Legal Compliance and Risk Mitigation

9. In addition to the queries raised above regarding the DPIA, the EIA and the Club's legitimate interests in deploying FRT for the purposes of data protection law compliance, we ask that the Club:
- a. Confirm what consent has been sought from supporters to date regarding the collection of their biometric data through FRT and where details regarding the use of FRT have been made available to supporters.
 - b. Provide details of the scope of the Club's engagement with the ICO regarding the use of FRT and any feedback received from the ICO in this regard. For transparency, we note that the Trust is in communication with the ICO regarding engagement between the ICO and the Club; should this raise any further concerns, we intend to give the Club opportunity to comment.
 - c. Confirm which legal and safety advisers the Club has consulted in addition to the ICO.
10. Where FRT is used, especially in public or semi-public spaces, because biometric data is special category data, controllers have enhanced duties of transparency and notification. Data subjects must be informed before their image is captured/analysed by means of clear, prominent notices placed at all entry points to the area where FRT operates. Signage should be unambiguous, clearly stating:
- that facial recognition / biometric processing is taking place,
 - the purpose (e.g. crime prevention, access control),
 - who is responsible (the controller),
 - where to find more detailed information (e.g. privacy notice, website link, QR code).

Could you please confirm and provide evidence that these notice requirements have been observed.

11. Although distinct from our concerns regarding the use of FRT, the Trust feels this is an opportune moment to remind the Club that, unless the Club has been granted an exemption under Section 4(4) of the Private Security Industry Act 2001, it is unlawful to carry out any licensable activity of a CCTV Operative without the necessary licence under that legislation. The Trust would be grateful if you could confirm:
- a. the basis on which CCTV utilised at Hillsborough by the Club is permitted under such legislation (including, if relevant, whether the Club relies on a Section 4(4) exemption for these purposes).
 - b. all individuals acting as CCTV operatives work directly for the club or are contract staff.
 - c. all individuals acting as CCTV operatives hold the appropriate Public Space Surveillance (CCTV) SIA licences.
12. We note that Duocall Communications provide maintenance support. The Trust would be grateful if you could confirm that this support is limited strictly to technical functions and does not extend to the monitoring of live CCTV or FRT feeds for security purposes.
13. We trust that the Club will share our expectation that, to ensure the proportionate and lawful collection and processing of personal data, it is important that the Club's Data Protection Officer ("DPO") holds the professional qualities and expert knowledge of data protection law and practices necessary to ensure relevant data protection law requirements are properly respected. In that regard, and taking into account the sensitivity of FRT deployment from a

data protection perspective, the Trust would appreciate reassurance that these expectations are being met. Accordingly, we would be grateful if you could provide this reassurance by outlining the professional qualifications, training, and/or experience of the Club's DPO that demonstrate compliance with these requirements.

Engagement and Transparency

14. You refer to sharing policy documents such as the DPIA with SAG members and providing information to supporters "ahead of operational changes." Our concern is not only with operational changes, but with the fundamental lack of prior consultation, explanation, or respect for the supporter base before deployment of such intrusive technology.
15. You also claim that the initiative has been discussed openly in SAG and Supporter Engagement Panel (EP) meetings. The minutes from the SAG meetings of March and June both contain the same single line "All new cameras will include facial recognition capabilities – a communications plan is being developed regarding this". We also note that while SAG minutes may be obtained via FOI, this cannot be considered open or transparent consultation with the fan base affected by FRT. Given that a communications plan has, according to the SAG minutes, been under development since March, could the Club please let us know where it can be found.

We further note that none of the 13 EP meeting minutes published on the Club's website contain any mention of FRT. The sole reference to CCTV (November 2024) makes no reference to facial recognition. Please explain why this technology has not been disclosed to or discussed with supporters.

16. In its "Welcome Back to Hillsborough!" statement issued prior to the first home game of the 2025–26 season on 16 August, the Club notified supporters of the installation of a new CCTV system. However, the statement made no reference whatsoever to the system's FRT capability, which was only subsequently confirmed to be in operation.

Conclusion

17. We request clear and substantive responses to each of the questions set out above at your earliest convenience. In the meantime, we will continue to seek clarity from the ICO and other regulatory bodies where appropriate. Our overriding aim remains to ensure that the rights and interests of supporters are respected and that measures adopted at Hillsborough are both lawful and proportionate, including where safety and security are concerned.
18. As confirmed in our Initial Letter, a copy of this correspondence will also be provided to the Information Commissioner's Office. We therefore expect a full and substantive response to the matters raised herein. For the avoidance of doubt, this letter is formally addressed to Mr Cox, the Club's Data Protection Officer, and we request that any response be issued in his name. We trust the Club will treat this matter with the seriousness it warrants and respond within a reasonable timeframe.

Yours sincerely,

Sheffield Wednesday Supporters' Trust