



Freedom of Information Request 397/18

Response Date: 21st January 2019

As per this article <https://www.thecanary.co.uk/2018/03/29/south-wales-police-under-fire-for-using-facial-recognition-technology-against-protesters/>

- 1) Please advise where the sources images for the image reference database have come from that the real time facial recognition is referencing for the above event.
- 2) Please advise the criteria for the image collection of the database. I.e. the criteria for images to be selected.
- 3) Please advise how many images were on the database.
- 4) Please advise the amount (either in quantity or percentage) that came from custody images.
- 5) Please advise how you informed the public that real time facial recognition was being used on this occasion. This would include any information given on the day or prior to the event, i.e. in this please send any documentation given in any form via social media or leaflets on the day.
- 6) Please advise the criteria to decide to deploy real time facial recognition on this occasion. In this please supply any documents relating to this.
- 7) Please advise the total number of people stopped as a result of using the facial recognition system, the reasons why they were stopped and the number of arrests made.
- 8) Please advise how many people attended the event.
- 9) Please provide the Privacy Impact Assessment for the real time facial recognition technology and the slow time static face search technology.

RESPONSE

Question 1

All images in this deployment were obtained from the South Wales Police custody image database contained with the Force's crime and incident recording system (Niche RMS).

Question 2

The Watch list for this deployment consisted of outstanding warrants, suspects for offences in the South Wales Police area and persons previously arrested at the event.

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Question 3

514 subjects were loaded on the database for this event.

Question 4

All images in the database were from custody images.

Question 5

This information is already available in the public domain, therefore we are not obliged to provide this to the following exemption applies:

Section 21 – Information Accessible by Other Means.

This is an absolute, class based exemption which means that a public authority is not required to consider the public interest in disclosure.

Under Section 16 – the duty to advise and assist, please see below link that takes you to the ‘tweet’ that was made to inform the public on social media.

<https://twitter.com/swpcardiff/status/978554313894170624>

Automated Facial Recognition (AFR) was deployed overtly in a marked police vehicle with specific wording operated by uniformed police officers.

Question 6

The rationale to deploy AFR technology was to deter and prevent disorder. Disorderly conduct as seen in previous years at this event was anticipated and therefore the use of AFR was deemed proportionate and necessary to deter potential offenders and detect persons already wanted by South Wales Police.

Your request for official documentation in relation to deployment has been considered and I am not obliged to supply this information.

In relation to your particular request, the following exemption applies:

Section 31 (1)(a)(b) – Law Enforcement

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Section 31 is a qualified, prejudice-based exemption and the legislators accept that there may be harm if released. The authority is therefore required to articulate the harm that may be caused and consider the public interest arguments for and against the disclosure of the information.

Overall Harm

A disclosure in response to a Freedom of Information request is not a disclosure to the individual applicant but a release into the public domain. It is important that a Police Force safeguards its effective and efficient service and does not disclose information that could undermine that.

Disclosure of the requested information could undermine the strategies and the functionality of enforcing the law. By releasing documentation on the decision making criteria, could assist those who wish to extract data or disrupt the approach taken to future events potentially prejudicing public and police safety. This would hinder the prevention or detection of crime and the apprehension or prosecution of offenders and compromise future investigations by assisting those who are intent on undertaking criminal activity.

Section 31 Factors favouring disclosure

By disclosing the requested information, the public would see where public funds are being spent and this would also provide openness and transparency and better awareness to the public.

Section 31 Factors favouring non-disclosure

The security of the public is of paramount importance and the Police Service will not divulge information if to do so could compromise law enforcement. Release would assist those who wish to disrupt the strategies in place to enforce the law.

Any disclosure of information which reveals tactics used by South Wales Police following initial receipt of information would not be in the public interest as it would undermine law enforcement and potentially place members of the public at risk.

Balance Test

The points above highlight the merits for and against disclosure. Undoubtedly disclosure will provide a greater openness and transparency to the community at large to the use of automated facial recognition. However, there is a strong public interest in safeguarding information which could assist those who wish to disrupt the police service.

The police force would not disclose any information that could assist offenders by providing an insight into how decisions are made around the deployment of AFR. Therefore, at this moment in time, it is our opinion that for these issues the balance test for disclosure of the information is not made out.

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In accordance with the Freedom of Information Act 2000, this letter acts as a refusal notice for this part of your request.

Question 7

No person was stopped as a direct result of AFR technology at this event.

Question 8

South Wales Police did not use crowd/number analysis at this event and therefore the total number of attendees is not recorded. The protest was held in a public space and there was no restriction on movement.

Question 9

Please see attached the Privacy Impact Assessment (PIA) that was held by South Wales Police at the time of the request.

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